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bill S. 921, with the Senate amendment to the House amendment thereto, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment to the House amendment be, and the same is hereby, agreed to with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the text of the bill H.R. 12128.

Mr. Craig Hosmer, of California, then demanded, pursuant to Rule XXVII clause 2, a second on the motion. Speaker Carl Albert, of Oklahoma, ruled on a point of order as follows:

MR. [JOE D.] WAGGONNER [Jr., of Louisiana]: Mr. Speaker, a point of order.

THE SPEAKER: The gentleman will state it.

MR. WAGGONNER: Mr. Speaker, there is not a Member of this Chamber who knows what is being voted on. None of the Speaker's last statements were heard by the Members of the House, and the House is entitled to know what the vote is being cast upon and what the issue is.

MR. [JAMIE L.] WHITTEN [of Mississippi]: Mr. Speaker, I further state that the motion was not read.

THE SPEAKER: The motion was read.

The Chair will state again to the gentleman that a second was demanded, and tellers were demanded.

Those in favor of a second on the motion will pass between the tellers.

MR. WAGGONNER: Mr. Speaker, what is the motion?

THE SPEAKER: The motion is to suspend the rules and agree to House Resolution 759.

MR. WAGGONNER: Then, Mr. Speaker, what is that resolution?

THE SPEAKER: The resolution has been reported.

MR. WAGGONNER: Mr. Speaker, the House does not understand the resolution as reported and I ask unanimous consent that it be reported again.

THE SPEAKER: Is there objection to the request of the gentleman from Louisiana?

MR. [ROBERT E.] BAUMAN [of Maryland]: Mr. Speaker, I object. A vote is in process.

Parliamentarian's Note: House Resolution 759 itself did not contain the text of the introduced bill, H.R. 12128, and so the text of that bill was not read by the Clerk as part of the resolution, but the text of the bill was printed separately in the Record. Pursuant to § 14.4, infra, the Chair, in his discretion upon demand of a Member, could have required the Clerk to report the entire text of the House bill, since it had only been introduced that day and was not yet printed and available to Members. That demand was not made by any Member.

§ 13. Time and Control of Debate

Rule XXVII clause 3 [12] provides that when a motion to suspend

12. *House Rules and Manual* § 907 (1979).

the rules has been properly submitted to the House,

> it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for forty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition; and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.[13]

The 20 minutes of debate in favor of the motion is controlled by the mover of the motion, and the 20 minutes against is controlled by the Member who has been recognized to demand a second. No Member may speak in debate on the motion unless he is yielded time by one of those Members.[14] And the proponent of the motion is entitled to open and close debate.[15]

The House may by unanimous consent or resolution alter the normal procedures for debate on a motion to suspend the rules; time may be extended by unanimous consent if the request is timely made (before the motion is seconded).[16] On one occasion, the House passed a resolution (under suspension of the rules) fixing the time for debate on a motion to suspend the rules at four hours and designating the Members to control the time.[17]

Time for Debate

§ 13.1 On a motion to suspend the rules and pass a bill with amendments there is 40 minutes of debate, 20 minutes on a side, the five-minute rule does not apply to such amendments, and amendments other than those included in the motion are not in order.

On June 19, 1948,[18] Speaker Joseph W. Martin, Jr., of Massachusetts, answered a parliamentary inquiry on the consideration of a motion to suspend the rules and pass a bill with amendments:

> MR. [HAROLD H.] KNUTSON [of Minnesota]: Mr. Speaker, I move to sus-

13. For a complete discussion of debate and consideration in the House on all matters, including motions to suspend the rules, see Ch. 29, infra.

14. See § 13.7, infra. The allocation of the time is within the discretion of the Members controlling it (see § 13.10, infra) and alternation of recognition (between Members on both sides of the aisle) is not required (see § 13.9, infra) .

15. See § § 13.13, 13.14, infra.

16. See § § 13.3–13.5, infra.

17. See § 13.18, infra. In that situation a demand for a second does not exist (to gain control of the time in opposition to the motion). See § 13.12, infra.

18. 94 CONG. REC. 9185, 80th Cong. 2d Sess.

pend the rules and pass the bill (H.R. 6712) to provide for revenue revision, to correct tax inequalities, and for other purposes, with committee amendments.

MR. [HERMAN P.] EBERHARTER [of Pennsylvania]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

MR. EBERHARTER: I notice the motion stated "permission to offer amendments." Am I correct?

THE SPEAKER: The gentleman misheard the request. The request was to suspend the rules and pass the bill with committee amendments.

MR. EBERHARTER: Does that allow those who oppose the amendments 5 minutes on each amendment?

THE SPEAKER: The rule provides for 20 minutes on each side. That is, the Republican side will have 20 minutes and the gentleman from North Carolina [Mr. Doughton], who will demand a second, will have 20 minutes.

MR. EBERHARTER: Mr. Speaker, the only amendments that may be considered then are those that the committee acted upon?

THE SPEAKER: The gentleman is correct. The Clerk will resort the bill.

§ 13.2 If a portion of the time for debate on a motion to suspend the rules is used and the House adjourns before completing debate, the time begins where it left off when the motion comes up as unfinished business.

On Feb. 8, 1931,[19] a second was ordered on a motion to suspend the rules and the House adjourned. Before adjournment, Speaker Nicholas Longworth, of Ohio, stated, in response to a parliamentary inquiry, that the time for debate (20 minutes on a side) would resume where it left off at adjournment.

The debate resumed on the motion on the following day (the House was within the last six days of the session, so the following day was an eligible day for motions to suspend the rules under Rule XXVII clause 1).[20]

Extending Time for Debate

§ 13.3 The House, by unanimous consent, and pursuant to a timely request, may extend the time for debate on a motion to suspend the rules and pass a bill.

On Mar. 3, 1960,[1] the House agreed to a request extending time on a motion to suspend the rules and pass an authorization bill:

MR. [JOHN W.] MCCORMACK [of Massachusetts]: The legislative program for next week is as follows:

On Monday there is the Consent Calendar.

There will be one suspension; that is H.R. 10809, the authorization for the

19. 74 CONG. REC. 6577, 71st Cong. 3d Sess.

20. House Rules and Manual § 902 (1979).

1. 106 CONG. REC. 4388, 4389, 86th Cong. 2d Sess.

appropriation for NASA for 1961. In the committee it was agreed upon that the request would be made to extend the usual time of 40 minutes to 1 hour and 20 minutes. I think I discussed that with my friend from Indiana [Mr. Halleck].

MR. [CHARLES A.] HALLECK: Yes; that is agreeable to me.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

MR. MCCORMACK: Therefore, Mr. Speaker, I ask unanimous consent that when the bill H.R. 10809 comes up under suspension, debate may not exceed 1 hour and 20 minutes.

THE SPEAKER PRO TEMPORE:[2] Is there objection to the request of the gentleman from Massachusetts? . . .

There was no objection.

§ 13.4 The Speaker stated he would object to a unanimous-consent request for an extension of time for debate on a motion to suspend the rules and pass a bill.

On July 23, 1956,[3] Speaker Sam Rayburn, of Texas, declined recognition for a request to extend time for debate on a pending motion to suspend the rules:

MR. [WILLIAM M.] MCCULLOCH [of Ohio]: Mr. Speaker, I should like to renew the request of the gentleman from New York previously made to extend time of debate on this important matter for 20 minutes, 10 minutes on each side. I think it is very important that we have that additional time for debate.

I ask unanimous consent that time be extended to 20 minutes for debate on this bill.

MR. [EMANUEL] CELLER [of New York]: Mr. Speaker, I join in that request.

THE SPEAKER: The Chair does not join in that request, because the gentleman from Texas [Mr. Rayburn] is going to object, if nobody else does.

MR. [USHER L.] BURDICK [of North Dakota]: I object, Mr. Speaker.

THE SPEAKER: According to the rules of the House, 20 minutes of debate are permitted on each side.

§ 13.5 After the motion to suspend the rules and pass a bill has been seconded and the Chair has recognized a member of the majority and a member of the minority to control the 20 minutes allotted to each under Rule XXVII clause 3, the Chair has declined to entertain a unanimous-consent request for an additional allotment of time to those opposed to the measure.

On Oct. 21, 1963,[4] Speaker pro tempore Carl Albert, of Oklahoma, refused to entertain a request relating to debate on a mo-

2. Carl Albert (Okla.).

3. 102 CONG. REC. 14075, 84th Cong. 2d Sess.

4. 109 CONG. REC. 19953, 88th Cong. 1st Sess.

tion to suspend the rules, where Members had been recognized to control the 20 minutes of debate on each side:

MR. [RALPH R.] HARDING [of Idaho]: Mr. Speaker, the rules of the House wisely provide that there shall be 20 minutes allotted to both the pro and con on each piece of legislation under a suspension of the rules of the House.

Mr. Speaker, inasmuch as the gentleman from Texas [Mr. Alger] has only used 2 minutes in opposing this bill, I would like to ask unanimous consent that those people who are opposed to it be allotted an additional 18 minutes in which to state our case.

THE SPEAKER PRO TEMPORE: The Chair cannot entertain that motion under the rules of the House at this time.

Control of Debate

§ 13.6 Debate on a motion to suspend the rules, a second having been ordered, is limited to 40 minutes—20 minutes controlled by the mover and 20 minutes controlled by the Member demanding a second.

On June 30, 1959,[5] Speaker Sam Rayburn, of Texas, answered a parliamentary inquiry on the time and distribution of debate on a motion to suspend the rules:

THE SPEAKER: The Chair recognizes the gentleman from Missouri.

MR. [CLARENCE] CANNON [of Missouri]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

MR. CANNON: Mr. Speaker, I am advised that the gentleman from New York [Mr. Taber] will demand a second on the motion to suspend the rules on the Temporary Appropriations Act of 1960. How will the time for debate be distributed under the circumstances?

THE SPEAKER: Twenty minutes on a ride.

§ 13.7 A Member may not speak on a motion to suspend the rules and pass a bill unless time is yielded to him by the mover or the Member demanding a second.

On June 15, 1959,[6] Speaker pro tempore Clark W. Thompson, of Texas, answered an inquiry on obtaining time for debate on a motion to suspend the rules:

MR. [BYRON G.] ROGERS of Colorado: Mr. Speaker, I move to strike out the enactment clause of H.R. 7650.

THE SPEAKER PRO TEMPORE: That privilege is not available when a bill is being considered under suspension of the rules.

MR. ROGERS of Colorado: Mr. Speaker, is there any way that a Member of the House of Representatives can speak on H.R. 7650 before the matter is put to a vote?

THE SPEAKER PRO TEMPORE: Only if the gentlewoman from Massachusetts chooses to yield time to the gentleman.

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5. 105 CONG. REC. 12306, 86th Cong. 1st Sess.

6. 105 CONG. REC. 10810, 86th Cong. 1st Sess.

On Jan. 20, 1930,[7] the House had under debate a motion to suspend the rules, with Mr. Louis C. Cramton, of Michigan, controlling the time in favor of the motion and Mr. Schuyler Otis Bland, of Virginia, controlling the time in opposition. Mr. Cramton yielded 10 minutes to Mr. William H. Stafford, of Wisconsin, who attempted to reserve the balance of that time when he had not consumed all of it. Mr. Cramton objected that Mr. Stafford did not have control of the time, and Speaker Nicholas Longworth, of Ohio, affirmed that was the case, indicating that where one of the Members in control yielded to another Member, that Member could not yield part of that time to a third Member.

§ 13.8 Where a Member moving to suspend the rules uses a portion of the 20 minutes available to him for debate, and then yields "the balance of his time" to another who does not, in fact, consume all the remaining time, the unused time reverts to the mover who may continue debate.

On Sept. 19, 1966,[8] Mr. Adam C. Powell, of New York, who had moved to suspend the rules and pass a bill, yielded the remainder of his 20 minutes of debate as follows:

> MR. POWELL: . . . I yield now the balance of my time to the gentleman from Michigan [Mr. O'Hara].

Mr. O'Hara not having used all the remainder of the 20 minutes, Mr. Powell then yielded the remainder of the time to Mr. John H. Dent, of Pennsylvania. Speaker John W. McCormack, of Massachusetts, overruled a point of order and answered a parliamentary inquiry in relation to such disposition of the time in favor of the motion:

> MR. POWELL: Mr. Speaker, I should like to compliment the gentleman from Minnesota, who has worked very hard and cooperatively on this legislation, on his remarks.
>
> Mr. Speaker, I yield such time as he may consume to my distinguished colleague from Pennsylvania [Mr. Dent].
>
> MR. [H. R.] GROSS: [OF IOWA]: Mr. Speaker, I make the point of order that the gentleman from New York [Mr. Powell] yielded his remaining time to the gentleman from Michigan [Mr. O'Hara] and that he therefore cannot yield time.
>
> THE SPEAKER: The gentleman from Michigan consumed 3 minutes.
>
> MR. GROSS: Mr. Speaker, the gentleman from New York yielded the remainder of his time to the gentleman from Michigan [Mr. O'Hara].
>
> MR. POWELL: Mr. Speaker, may I be heard?

7. 72 CONG. REC. 1993, 1994, 71st Cong. 2d Sess.

8. 112 CONG. REC. 22928, 89th Cong. 2d Sess.

THE SPEAKER: The Chair will state, when that is done on either side, when a Member does not consume the remainder of the time, control of the remaining time reverts to the Member who has charge of the time.

MR. GROSS: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state his parliamentary inquiry.

MR. GROSS: When the Member in charge of time yields the remainder of his time to another Member, Mr. Speaker, I would not know how he would then be able to yield time to any other Member.

THE SPEAKER: The Chair will rule that when the gentleman in control of time yields the remainder of his time to another Member, and the other Member does not use up all the time, then the remainder of the time comes back under the control of the Member who originally had control of the time.

MR. GROSS: Mr. Speaker, a further parliamentary inquiry.

How may a Member yield the remainder of his time and still control that time?

THE SPEAKER: Well, that is not a parliamentary inquiry, but the Chair will assume, just making an observation, that every Member in the House is aware that happens, and has happened frequently.

MR. GROSS: Mr. Speaker, a further parliamentary inquiry. Would that be in violation of the rules of the House?

THE SPEAKER: The Chair sees no violation of the rules under those circumstances, but a protection of the right for full debate.[9]

9. *Id.* at pp. 22933, 22934.

§ 13.9 Alternation of recognition is not required during the 40 minutes of debate on a motion to suspend the rules.

On Sept. 20, 1961,[10] the House had under debate a motion to suspend the rules where Mr. William R. Poage, of Texas, was controlling the 20 minutes in favor of the motion and Mr. H. R. Gross, of Iowa, the 20 minutes in opposition. Speaker pro tempore John W. McCormack, of Massachusetts, indicated that alternation of recognition was not required:

MR. GROSS: Apparently they do not want to explain the bill.

Mr. Speaker, I reserve the balance of my time.

MR. POAGE: Does the gentleman have any other speaker? We have only one more speaker.

MR. GROSS: I understand that under the rules it is not necessary to rotate time under a suspension of the rules.

THE SPEAKER PRO TEMPORE: That is correct.

Speaker pro tempore Carl Albert, of Oklahoma, answered a similar parliamentary inquiry on Apr. 16, 1962:

MR. [JAMES] ROOSEVELT [OF CALIFORNIA]: Mr. Speaker, I have only one more request for time.

MR. GROSS: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER PRO TEMPORE: The gentleman will state it.

10. 107 CONG. REC. 20491–93, 87th Cong. 1st Sess.

MR. GROSS: Under suspension of the rules it is not necessary to rotate time. Is that correct?

THE SPEAKER PRO TEMPORE: The proponents of the measure are entitled to close the debate.[11]

Control of Time in Opposition

§ 13.10 Where a Member states that he is opposed to a motion to suspend the rues and is recognized to demand a second thereon, he controls the time in opposition to the motion; the Chair questions neither his motives nor his allocation of the time and a point of order will not lie against the manner in which he allocates the time in opposition.

On Dec. 15, 1969,[12] Mr. Robert W. Kastenmeier, of Wisconsin, moved to suspend the rules and pass H.R. 14646 (granting the consent of Congress to the Connecticut New York Railroad Passenger Transportation Compact). Mr. Burt L. Talcott, of California, demanded a second and assured Speaker John W. McCormack, of Massachusetts, that he was opposed to the bill; he was recognized to demand a second and to control time in opposition to the motion.

When a point of order was made against the method in which Mr. Talcott was allocating the time in opposition to the motion, the Speaker overruled the point of order.

THE SPEAKER: Each gentleman in charge of time has 1 minute remaining.

MR. [LESTER L.] WOLFF [OF NEW YORK]: Mr. Speaker, a point of order.

THE SPEAKER: The gentleman will state his point of order.

MR. WOLFF: The gentleman from California (Mr. Talcott) when he was asked whether or not he opposed the legislation, said that he did. However, he has not yielded any time whatsoever to any opponents of the bill.

THE SPEAKER: That is not within the province of the Chair.[13]

The following exchange then took place:

THE SPEAKER: The time of the gentleman from Wisconsin has expired.

The Chair recognizes the gentleman from California (Mr. Talcott).

MR. TALCOTT: Mr. Speaker, I am opposed to the bill.

I just wish to say that I have tried to allot time to anyone who requested it.

I now yield the 1 minute remaining to the gentleman from New York (Mr. Smith).[14]

§ 13.11 The Member demanding the second on a motion

11. 108 CONG. REC. 6688, 87th Cong. 2d Sess.

12. 115 CONG. REC. 39029, 91st Cong. 1st Sess.

13. *Id.* at p. 39034.

14. *Id.*

to suspend the rules, and not the Member objecting to the unanimous-consent request that a second be considered as ordered, is entitled to recognition for debate against the motion.

On Sept. 1, 1959,[15] Mr. Thomas B. Curtis, of Missouri, demanded a second on a motion to suspend the rules, and Mr. H.R. Gross, of Iowa, objected to the unanimous-consent request that a second be considered as ordered. The House having ordered a second, Speaker pro tempore Hale Boggs, of Louisiana, answered a parliamentary inquiry on who would be recognized to control the 20 minutes of debate in opposition to the motion:

> MR. CURTIS OF MISSOURI: Under this procedure does the gentleman from Iowa control the time or does the gentleman from Missouri who demanded the second have control of the time?
>
> THE SPEAKER PRO TEMPORE: The gentleman from Missouri demanded a second, and the gentleman from Missouri will control the time.

§ 13.12 A demand for a second by a Member opposed to a motion to suspend the rules (to gain control of the time in opposition to the motion) does not exist where the House has previously adopted a resolution fixing the control of debate on such a motion.

On Sept. 20, 1943,[16] the House adopted a motion to suspend the rules and pass a resolution which provided for time and control of debate on another motion to suspend the rules:

> *Resolved*, That the time for debate on a motion to suspend the rules and pass House Concurrent Resolution 25 shall be extended to 4 hours, such time to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs; and said motion to suspend the rules shall be the continuing order of business of the House until finally disposed of.

When the motion to suspend the rules so provided for was offered, Speaker Sam Rayburn, of Texas, indicated that the right to demand a second did not exist under the circumstances:

> MR. [SOL] BLOOM [OF NEW YORK]: Mr. Speaker, I move to suspend the rules and pass House Concurrent Resolution 25 with an amendment, which I send to the Clerk's desk.
>
> THE SPEAKER: The Clerk will report the resolution as amended.
>
> The Clerk read as follows:
>
> *Resolved by the House of Representatives (the Senate concurring)*, That the Congress hereby expresses itself as favoring the creation of ap-

15. 105 CONG. REC. 17600, 86th Cong. 1st Sess.

16. 89 CONG. REC. 7646–55, 78th Cong. 1st Sess.

propriate international machinery with power adequate to establish and to maintain a just and lasting peace, among the nations of the world, and as favoring participation by the United States therein through its constitutional processes.

MR. [CHARLES A.] EATON [of New Jersey]: Mr. Speaker, I demand a second.

MR. BLOOM: Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

MR. [CLARE E.] HOFFMAN [of Michigan]: Mr. Speaker, a parliamentary inquiry.

THE SPEARER: The gentleman will state it.

MR. HOFFMAN: May a second be demanded by one who is not opposed to the resolution?

THE SPEAKER: That was practically cured by the resolution just passed, which provides that the time shall be in control of the gentleman from New York [Mr. Bloom] and the gentleman from New Jersey [Mr. Eaton]. The formality was gone through.

MR. [JOHN M.] ROBSION of Kentucky: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

MR. ROBSION of Kentucky: Mr. Speaker, I raise the point that the time now provided is in the control entirely of four Members.

THE SPEAKER: The House decided by a vote of 252 to 23 that that was to be the program.

MR. ROBSION of Kentucky: Mr. Speaker, a further parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

MR. ROBSION of Kentucky: Mr. Speaker, I understand that the Speaker ruled that a second is ordered, and then the same persons who control the time controlled the 40 minutes.

THE SPEAKER: The House ordered that by unanimous consent. The gentleman from New Jersey [Mr. Eaton] demanded a second, and a second was ordered by unanimous consent. However, that was a formality, because the time was already controlled by the terms on the resolution under which the House suspended the rules.

Mover Opens and Closes Debate

§ 13.13 Under Rule XXVII clause 3, the Member making a motion to suspend the rules and the Member demanding a second are each entitled to 20 minutes of debate, and the Speaker will first recognize the mover of the motion to consume as much of his time as he desires.

On Dec. 7, 1970,[17] Mr. L. Mendel Rivers, of South Carolina, had offered a motion to suspend the rules and Mr. Robert L. Leggett, of California, had been recognized by Speaker John W. McCormack, of Massachusetts, to demand a second. The Speaker indicated

17. 116 CONG. REC. 40114. 91st Cong. 2d Sess.

how debate would proceed on the motion:

THE SPEAKER: The gentleman from South Carolina will be recognized for 20 minutes and the gentleman from California will be recognized for 20 minutes.

MR. [WILLIAM F.] RYAN [of New York]: Mr. Speaker, will the gentleman from South Carolina yield?

MR. RIVERS: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

MR. RIVERS: The time is allocated 40 minutes——

THE SPEAKER: The Chair is unable to hear the gentleman.

MR. RIVERS: The time is allocated 20 minutes to the committee and 20 minutes to the gentleman from California.

THE SPEAKER: The gentleman from South Carolina has been recognized for 20 minutes.

MR. RIVERS: And 20 minutes to the gentleman from California (Mr. Leggett)?

THE SPEAKER: That is correct.

MR. RIVERS: Now, what priority will the time be allocated? Does he speak first or I speak first, or who is in charge at this point in time?

THE SPEAKER: The gentleman from South Carolina presenting the resolution and being the advocate thereof will be recognized first. The gentleman, however, if he does not desire to use his time at this time, then the Chair will recognize the gentleman from California (Mr. Leggett) for 20 minutes.

§ 13.14 Where the Member who demands a second on a motion to suspend the rules has been recognized for 20 minutes of debate, it is customary for the Speaker to recognize the Member making the motion to conclude the debate with any time remaining to him.

On Dec. 30, 1970,[18] Speaker John W. McCormack, of Massachusetts, indicated that the Member offering a motion to suspend the rules and recognized to control 20 minutes of debate in favor of the motion should be recognized to close debate thereon:

MR. [WRIGHT] PATMAN [of Texas]:

Mr. Speaker, will the gentleman from Iowa use his 4 remaining minutes now, and I will use my 4 remaining minutes after he completes his presentation.

MR. [H. R.] GROSS [of Iowa]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state his parliamentary inquiry.

MR. GROSS: Mr. Speaker, am I correct in my impression that this is a motion to suspend the rules?

THE SPEAKER: The Chair will state that the gentleman's impression is correct.

MR. GROSS: Then, the rules are suspended insofar as the conclusion of debate is concerned, Mr. Speaker.

THE SPEAKER: The Chair would ask the gentleman from Iowa if the gentleman is going to use his remaining time.

18. 116 CONG. REC. 44174, 91st Cong. 2d Sess.

MR. GROSS: Yes, Mr. Speaker, I intend to use my time.

THE SPEAKER: Then, the Chair will recognize the gentleman from Iowa. The gentleman from Iowa has 4 minutes remaining and under the custom the gentleman from Texas (Mr. Patman) should have the final time

On Apr. 16, 1962, Speaker pro tempore Carl Albert, of Oklahoma, indicated in response to a parliamentary inquiry that the Member offering a motion to suspend the rules had the right to close debate thereon:

MR. [JAMES] ROOSEVELT [of California]: Mr. Speaker, I have only one more request for time.

MR. GROSS: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER PRO TEMPORE: The gentleman will state it.

MR. GROSS: Under suspension of the rules it is not necessary to rotate time. Is that correct?

THE SPEAKER PRO TEMPORE: The proponents of the measure are entitled to close the debate.[19]

Where Second Not Demanded

§ 13.15 Where no Member demands a second on a motion to suspend the rules and pass a bill, the Speaker may immediately put the question on the motion.

On Aug. 1, 1955,[20] the House (Speaker Sam Rayburn, of Texas, presiding) proceeded as follows on a motion to suspend the rules:

MR. [JOHN A.] BLATNIK [of Minnesota]: Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2552) to authorize the modification of the existing project for the Great Lakes connecting channels above Lake Erie.

The Clerk read as follows:

Be it enacted, etc., That the project for improvement of the Great Lakes connecting channels above Lake Erie is hereby modified to provide controlling depths of not less than 27 feet, the work to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with plans approved by the Chief of Engineers, in the report submitted in Senate Document No. 71, 84th Congress 1st session.

Sec. 2. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

THE SPEAKER: Is a second demanded? [After a pause.] The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Motion to Adjourn

§ 13.16 Only one motion to adjourn is admissible during consideration of a motion to suspend the rules.

On July 21, 1947,[1] a motion to adjourn was offered by Mr. Tom

19. 108 CONG. REC. 6688, 87th Cong. 2d Sess.

20. 101 CONG. REC. 12663, 84th Cong. 1st Sess.

1. 93 CONG. REC. 9529, 80th Cong. 1st Sess.

Pickett, of Texas, while the House had under consideration a motion to suspend the rules and pass H.R. 290, to make unlawful the requirement for the payment of a poll tax as a prerequisite to voting in national elections. The motion to adjourn was rejected on a yea and nay vote.

Speaker Joseph W. Martin, Jr., of Massachusetts, held to be dilatory a subsequent point of order that a quorum was not present, and then ruled that a second motion to adjourn was not in order:

> MR. [THOMAS J.] MURRAY of Tennessee: Mr. Speaker, I move that the House do now adjourn.
>
> THE SPEAKER: That motion is not in order. Under the precedents, a motion to adjourn is not in order until the final vote upon the motion to suspend the rules and pass the bill.

Previous Question

§ 13.17 The motion for the previous question is not applicable to a resolution where it is being considered under suspension of the rules.

On June 18, 1948,[2] Mr. Walter G. Andrews, of New York, moved to suspend the rules and pass House Resolution 690, providing that the House insist upon its amendment to a Senate bill, ask a conference with the Senate, and that the Speaker immediately appoint conferees. Speaker Joseph W. Martin, Jr., of Massachusetts, indicated that the motion for the previous question was not in order:

> MR. [JOHN E.] RANKIN [of Mississippi]: I wish to say that if the gentleman wishes to do so, as soon as the previous question is ordered it is in order to offer a motion to instruct conferees. That is the rule of the House that has always been followed.
>
> THE SPEAKER: The Chair will inform the gentleman from Mississippi that there is no previous question to be ordered, that the House is now considering under a suspension of the rules House Resolution 690, which carries the following provision:
>
> > That the House insist upon its amendments to the bill of the Senate, S. 2655, ask for a conference with the Senate on the disagreeing votes of the two Houses, and that the Speaker immediately appoint conferees.
>
> MR. RANKIN: Mr. Speaker, will the gentleman yield?
>
> MR. [VITO] MARCANTONIO [of New York]: I yield to the gentleman from Mississippi.
>
> MR. RANKIN: It has always been the rule and it is the rule now.
>
> THE SPEAKER: But this is under a suspension of the rules and it would not be in order after the adoption of the pending resolution to offer such a motion.
>
> MR. RANKIN: Then it is changing the rules of the House.

Parliamentarian's Note: A motion to instruct conferees is only

2. 94 CONG. REC. 8829, 8830, 80th Cong. 2d sess.

in order after the House has requested or agreed to a conference and before the Speaker appoints conferees; the resolution pending in this instance precluded any intervening motion, i.e., a motion to instruct. Whether or not the previous question is in order has no bearing on the timeliness of a motion to instruct when a bill is sent to conference; the inquiry apparently confused that situation with a motion to recommit a conference report with instructions after the previous question has been ordered on the adoption of the report (where the House acts first on the report).

Special Order Governing Time and Control of Debate

§ 13.18 The House under a motion to suspend the rules passed a resolution extending the time for debate to four hours on a motion to suspend the rules and pass a concurrent resolution, and fixing control of time.

On Sept. 20, 1943,[3] Mr. John W. McCormack, of Massachusetts, moved to suspend the rules and pass a resolution altering the method of consideration of another motion to suspend the rules, and explained its provisions:

MR. MCCORMACK: Mr. Speaker, I move to suspend the rules and pass the resolution (H. Res. 302), which I send to the Clerk's desk.

The Clerk read as follows:

> *Resolved*, That the time for debate on a motion to suspend the rules and pass House Concurrent Resolution 25 shall be extended to 4 hours, such time to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs; and said motion to suspend the rules shall be the continuing order of business of the House until finally disposed of.

THE SPEAKER:[4] Is a second demanded?

MR. [HAMILTON] FISH [Jr., of New York]: Mr. Speaker, I demand a second.

MR. MCCORMACK: Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

THE SPEAKER: Is there objection to the request of the gentleman from Massachusetts [Mr. McCormack]?

There was no objection.

MR. MCCORMACK: Mr. Speaker, I yield myself 9 minutes.

Mr. Speaker, the purpose of this resolution just reported by the Clerk is simply to provide that under suspension of the rules that will take place debate on the Fulbright resolution will be extended to a period of 4 hours. As we all know, under the rules of the House, unless this resolution is adopted, debate would be limited to 40 minutes, 20 minutes on each side.

The motion to suspend the rules on the Fulbright resolution will be made in accordance with the rules of the House, rules that have existed for many years and which this House,

3. 89 CONG. REC. 7646, 78th Cong. 1st Sess.

4. Sam Rayburn (Tex.).

without regard to what party was in power or in control of the House, provided many years ago. The motion to suspend the rules on the Fulbright resolution, therefore, is strictly in accordance with the rules provided for by this body and by many Congresses of the past. Needless to say, I hope the resolution will be adopted as it is proposed to extend the debate for a period of 4 hours.

The House adopted the motion to suspend the rules and pass the resolution.

Unanimous-consent Requests

§ 13.19 The Speaker may decline to recognize a request for unanimous consent to insert material in the Record during consideration of a motion to suspend the rules.

On July 21, 1947,[5] the House had under debate a motion, offered by Mr. Ralph A. Gamble, of New York, to suspend the rules and pass H.R. 29 (making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in national elections). Speaker Joseph W. Martin, Jr., of Massachusetts, refused to entertain unanimous-consent requests:

MR. [TOM] PICKETT [of Texas]: Mr. Speaker, I ask unanimous consent——

THE SPEAKER: The Chair will refuse to entertain any unanimous-consent requests until after the vote on this bill.

MR. [JOHN E.] RANKIN [of Mississippi]: Mr. Speaker, a point of order.

THE SPEAKER: The gentleman will state it.

MR. RANKIN: That is the most unusual ruling that I have ever heard of, to shut us off—

THE SPEAKER: That is the ruling of the Chair.

MR. RANKIN: From putting material in the Record.

THE SPEAKER: The Chair is perfectly willing to have the material put in the Record, and the gentleman should so put the request immediately after the vote.

The time of the gentleman from Texas has expired.

§ 13.20 After a second is ordered on a motion to suspend the rules and pass a bill, it is not in order to change in any particular the language in the bill as called up under suspension (except by unanimous consent).

On June 9, 1930,[6] a second had been ordered on a motion to suspend the rules and pass a bill, and the bill had been reread by unanimous consent. A Member objected that the second reading did not conform with the first, and proceedings were vacated by unanimous consent:

MR. [GEORGE] HUDDLESTON [of Alabama]: Mr. Speaker, my point of order

5. 93 CONG. REC. 9525, 80th Cong. 1st Sess.

6. 72 CONG. REC. 10331 71st Cong. 2d Sess.

is that I insist on the motion as originally made as read by the Clerk, which does not include the word "solicitor" as now read in line 14 of the amendment and the word "general" instead of "chief." I might suggest that if it is necessary to make the amendment it can be made in the Senate.

MR. [HOMER] HOCH [of Kansas]: A parliamentary inquiry, Mr. Speaker.

THE SPEAKER:[7] The gentleman will state it.

MR. HOCH: I understood the gentleman from New York moved to suspend the rules and pass the bill with an amendment; and this is a part of the amendment that was suggested.

THE SPEAKER: But the point is made that this amendment was not read by the Clerk at this time.

MR. HOCH: It was the Clerk's mistake.

THE SPEAKER: The Chair is informed by the Clerk that he read what was sent to the desk.

MR. [JAMES S.] PARKER [of New York]: The Clerk did.

MR. [CARL E.] MAPES [of Michigan]: Mr. Speaker, I ask unanimous consent that the proceedings be vacated.

THE SPEAKER: The gentleman from Michigan asks unanimous consent that the gentleman from New York may be permitted to withdraw his original motion. Is there objection?[8]

There was no objection.

Withdrawing Motion Under Consideration

§ 13.21 After a second has been ordered on a motion to suspend the rules, the motion may be withdrawn only by unanimous consent.

On Dec. 5, 1932, Speaker John N. Garner, of Texas, stated in response to a parliamentary inquiry that once a motion to suspend the rules had been seconded, the motion could not be withdrawn (except by unanimous consent).[9]

On Dec. 21, 1970, Mr. Carl Albert, of Oklahoma, moved to suspend the rules and pass a resolution (authorizing the Speaker to declare recesses for the remainder of the session). Mr. H. R. Gross, of Iowa, demanded a second and made the point of order that a quorum was not present. Mr. Albert withdrew the resolution and Mr. Gross withdrew his point of order.[10]

§ 13.22 A motion to suspend the rules, on which a second had been ordered, remained undisposed of at adjournment as the unfinished busi-

7. Nicholas Longworth (Ohio).

8. See also 104 CONG. REC. 8004, 85th Cong. 2d Sess., May 5, 1958, where a motion to suspend the rules and pass a bill was withdrawn by unanimous consent after a second was ordered; a new motion was then made to suspend the rules and pass the same bill with an amendment.

9. 76 CONG. REC. 7–13, 72d Cong. 2d Sess. See also § 13.20, supra.

10. 116 CONG. REC. 43069, 91st Cong. 2d Sess.

ness and was, on the next day when such motion was again in order, withdrawn by unanimous consent.

On May 5, 1958,[11] which was a suspension day, the unfinished business was a motion to suspend the rules on which a second had been ordered on a previous day. The motion was withdrawn by unanimous consent:

> MR. [OREN] HARRIS [of Arkansas]: Mr. Speaker, I ask unanimous consent to vacate proceedings under suspension of the rules held 2 weeks ago on the bill (H.R. 11414) to amend section 314(c) of the Public Health Service Act, so as to authorize the Surgeon General to make certain grants-in-aid for the support of public or nonprofit educational institutions which provide training and services in the fields of public health and in the administration of State and local public health programs.
>
> THE SPEAKER PRO TEMPORE: Is there objection?
>
> There was no objection.

§ 13.23 A motion to suspend the rules and pass a bill may, by unanimous consent, be withdrawn after there has been debate on the motion and the Speaker has put the question on its adoption.

On May 6, 1963,[12] Mr. Donald R. Matthews, of Florida, had offered a motion to suspend the rules on which a second had been demanded and which had been debated. Speaker John W. McCormack, of Massachusetts, put the question on the motion that the House suspend the rules and pass the bill. Mr. Carl Albert, of Oklahoma, then asked unanimous consent that the motion to suspend the rules and pass the bill be withdrawn; there was no objection.

§ 14. Amendments to Propositions Under Suspension

The motion to suspend the rules may be used to pass a bill or resolution with additions, corrections, or deletions. In this situation, the proponent offers the motion "I move to suspend the rules and pass the bill with amendments." He transmits the copy of the bill, with the amendments included therein, to the Clerk. The bill and amendments proposed thereto (whether reported from committee or offered independently by the Member making the motion) are reported (usually by title only) and considered as one entity, and no separate vote is taken on the amendments.[13] A motion to sus-

11. 104 CONG. REC. 8004, 85th Cong. 2d Sess.

12. 109 CONG. REC. 7815, 88th Cong. 1st Sess.

13. For the motion to pass a bill with amendments, see § 14.1–14.3, infra.