

title II which have been passed in the reading.

Thus since the bill is not open at any point, the amendments en bloc are not in order and the Chair sustains the point of order.

Are there further amendments to title III?

If not, the Clerk will designate title IV.

§ 10. Amendments to Bills Being Read by Title

Committee Amendments Considered First

§ 10.1 Where a bill is read for amendment by titles, committee amendments to a pending title are first considered before the Chair recognizes Members to offer additional amendments.

On Nov. 11, 1971,⁽¹⁰⁾ the Committee of the Whole had under consideration a bill (H.R. 11341) reported from the Committee on the District of Columbia:

THE CHAIRMAN:⁽¹¹⁾ the Clerk will read.

The Clerk read as follows:

TITLE VII

GENERAL PROVISIONS

Sec. 701. (a) The Commissioner of the District of Columbia is author-

10. 117 CONG. REC. 40593, 40594, 92d Cong. 1st Sess.

11. John J. McFall (Calif.).

ized and empowered, in his discretion, for the best interests of the District of Columbia, to sell and convey, in whole or in part, to the highest bidder, at public or private sale, for not less than the fair market value thereof, certain real estate now owned in fee simple by the United States of America. . . .

THE CHAIRMAN: The Clerk will report the first committee amendment to this title.

The Clerk read as follows:

Committee amendment. On page 10, line 14, strike out "3-216" and insert in lieu thereof "3-215".

MR. [LAWRENCE J.] HOGAN [of Maryland]: Mr. Chairman, I have an amendment at page 8.

THE CHAIRMAN: The Chair would ask the gentleman whether it is an amendment to the committee amendment or to the section.

MR. HOGAN: It is to section 7, Mr. Chairman.

THE CHAIRMAN: If the gentleman will allow the Chair to dispose of all the committee amendments to the section, then the gentleman's amendment will be in order at that time.

Amendment Offered to Title Not Yet Read

§ 10.2 When a bill is being read by titles, an amendment to a title that has not been read is not in order.

On Aug. 9, 1966,⁽¹²⁾ the following proceedings took place:

12. 112 CONG. REC. 18728, 89th Cong. 2d Sess. Under consideration was

THE CHAIRMAN:⁽¹³⁾ As the Chair understands the reading of the amendment, this is, in fact, an amendment to title VIII, to add a new section, line 3, to title VIII?

MR. [CHARLES MCC.] MATHIAS [Jr., of Maryland]: Mr. Chairman, this is a substitute for title VIII and renumbers the existing title VIII. Page 2 of the amendment says to renumber the following section accordingly.

THE CHAIRMAN: The Chair believes that it should be offered after title VIII has been read.

Amendment to Title Passed in Reading

§ 10.3 Where a bill is being read by titles, an amendment may not be offered to a title that has been passed by the Clerk's reading of the following one.

On Feb. 6, 1964,⁽¹⁴⁾ the following proceedings took place:

The Clerk read as follows:

Page 55, line 12:

Title V—Commission on Civil Rights

"Sec. 501. Section 102 of the Civil Rights Act —."

MR. [EMANUEL] CELLER [of New York]: Mr. Chairman, there is a com-

H.R. 14765 (Committee on the Judiciary).

13. Richard Bolling (Mo.).

14. 110 CONG. REC. 2290, 2291, 88th Cong. 2d Sess. Under consideration was H.R. 7152 (Committee on the Judiciary).

mittee amendment at the desk to title IV.

THE CHAIRMAN:⁽¹⁵⁾ No one offered the amendment. Without objection. . . .

MR. [H. R.] GROSS [of Iowa]: Mr. Chairman, reserving the right to object, to what title of the bill does the amendment go?

THE CHAIRMAN: Title IV. . . .

Objection is heard.

The Clerk will read.

The Clerk read as follows:

TITLE V—COMMISSION ON CIVIL RIGHTS

Sec. 501. Section 102 of the Civil Rights Act of 1957 (42 U.S.C. 1975a; 71 Stat. 634) is amended to read as follows: . . .

Parliamentarian's Note: In reading a bill for amendment under the five-minute rule by title, pursuant to the resolution making the bill in order, a title is not passed until the reading of the next title has begun.

§ 10.4 Where a bill is being read by titles, return to a previous title for purposes of offering an amendment is by unanimous consent.

For an example of the application of this principle, see the proceedings of Feb. 6, 1964, discussed in Sec. 10.3, *supra*.

Sections Preceding First Title

§ 10.5 Where a bill, pursuant to a special order, is being read

15. Eugene J. Keogh (N.Y.).

by titles for amendment and a section (the short title) precedes title I, the section is considered as the first title for purpose of amendment, and amendments to title I are not in order until title I has actually been read.

An example of the proposition described above occurred on May 8, 1980,⁽¹⁶⁾ during consideration of S. 1309, the Food Stamp Amendments of 1980. The proceedings in the Committee of the Whole were as follows:

THE CHAIRMAN:⁽¹⁷⁾ When the Committee of the Whole rose on Wednesday, May 7, section 1 had been considered as having been read and open to amendment at any point. It shall be in order to consider an amendment to title I of said substitute printed in the Congressional Record on April 30, 1980, and said amendment shall not be subject to amendment except for the offering of pro forma amendments for the purpose of debate. No further amendments are in order which further change or affect the Internal Revenue Code. . . .

Are there any amendments to section 1?

MR. [STEVEN D.] SYMMS [of Idaho]: Mr. Chairman, I offer an amendment.

THE CHAIRMAN: The gentleman from Idaho has an amendment to section 1. This is the short title of the bill.

16. 126 CONG. REC. 10421, 96th Cong. 2d Sess.

17. Paul Simon (Ill.).

MR. SYMMS: It is on page 24, Mr. Chairman.

THE CHAIRMAN: The Chair doubts that that is an amendment to section 1. The amendment of the gentleman from Idaho (Mr. Symms) is not to section 1, but to title I.

The Clerk will read title I.

§ 10.6 Where a bill being read by title pursuant to a special rule contains several sections preceding the first title, those sections are read separately for amendment in the absence of unanimous consent that they be read en bloc.

On Oct. 9, 1975,⁽¹⁸⁾ the Committee of the Whole having under consideration a bill⁽¹⁹⁾ pursuant to a special rule as described above, the following proceedings occurred:

THE CHAIRMAN:⁽²⁰⁾ . . . Pursuant to the rule, the Clerk will now read by title the substitute committee amendment printed in the reported bill as an original bill, for the purpose of amendment.

The Clerk read as follows:

H.R. 200

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

18. 121 CONG. REC. 32575, 32576, 94th Cong. 1st Sess.

19. H.R. 200, Marine Fisheries Conservation Act of 1975.

20. Neal Smith (Iowa).

SECTION 1. SHORT TITLE.

This Act may be cited as the "Marine Fisheries Conservation Act of 1975".

SEC. 2. CONGRESSIONAL FINDINGS, POLICY, AND PURPOSES.

(a) FINDINGS.—The Congress finds and declares the following:

(1) Coastal species of fish which inhabit the waters adjacent to the United States . . . constitute an irreplaceable resource which contribute to the food supply and economy of the Nation as well as to the health and recreation of its people. . . .

MR. [LEONOR K.] SULLIVAN [of Missouri]: Mr. Chairman, I ask unanimous consent that the bill be considered as read by title, printed in the Record, and open to amendment at any point. . . .

MR. [BOB] ECKHARDT [of Texas]: Mr. Chairman, reserving the right to object, I merely want to understand what is meant here. Title I seems to start on page 16.

THE CHAIRMAN: As I understand the request, it was as to the first three sections preceding title I.

MR. ECKHARDT: That they would be read by section?

THE CHAIRMAN: The gentlewoman is asking unanimous consent that they be considered as read.

MR. ECKHARDT: That they be considered as read and then read by title?

THE CHAIRMAN: The gentleman is correct.

MR. ECKHARDT: Mr. Chairman, I withdraw my reservation of objection.

THE CHAIRMAN: Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

§ 10.7 Where a committee amendment in the nature of a substitute is being read for amendment by titles instead of sections, and title I of that substitute is preceded by several sections, the Clerk reads those sections separately for amendment before title I is read.

On Aug. 17, 1972,⁽²¹⁾ the following proceedings took place:

THE CHAIRMAN:⁽²²⁾ Pursuant to the rule, the Clerk will now read by titles instead of by sections the committee amendment in the nature of a substitute printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows: *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Equal Educational Opportunities Act of 1972".*

POLICY AND PURPOSE

Sec. 2. (a) The Congress declares it to be the policy of the United States that—

(1) all children enrolled in public schools are entitled to equal educational opportunity.

A similar principle was applied in the proceedings of Aug. 2, 1977.⁽²³⁾ On that date, where a

21. 118 CONG. REC. 28870, 92d Cong. 2d Sess. Under consideration was H.R. 13915 (Committee on Education and Labor).

22. Morris K. Udall (Ariz.).

23. 123 CONG. REC. 26124, 26125, 95th Cong 1st Sess.

bill⁽¹⁾ was, pursuant to a special order, being considered for amendment by “parts”, and several sections preceded part I, each of those sections was considered as a separate part for the purpose of the special order:

[T]he House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 8444, with Mr. Boland in the chair.

The Clerk read the title of the bill.

THE CHAIRMAN:⁽²⁾ When the Committee rose on Monday, August 1, 1977, all time for general debate had expired.

Pursuant to the rule, the bill is considered by parts and each part is considered as having been read for amendment. No amendment shall be in order except pro forma amendments and amendments made in order pursuant to House Resolution 727, which will not be subject to amendment, except amendments recommended by the ad hoc Committee on Energy and amendments made in order under House Resolution 727. . . .

The Clerk will designate the part of the bill now pending for consideration.

The Clerk read as follows:

Page 9, line 1, section 2. (Section 2 reads as follows:)

SEC. 2. FINDINGS AND STATEMENT OF PURPOSES. . . .

MR. [HAROLD L.] VOLKMER [of Missouri]: Mr. Chairman, so I will know how we are going to proceed, are we

1. H.R. 8444, National Energy Act.
2. Edward P. Boland (Mass.).

going to go through the bill section by section, with the reading of each section?

THE CHAIRMAN: The Chair will inform the gentleman that the bill will be considered part by part with each part considered as read. The bill will not be read section by section.

MR. VOLKMER: So we will continue, Mr. Chairman, with the reading of each section or part, then, and the title of the section?

THE CHAIRMAN: The Chair will further inform the gentleman that section 4 precedes part I, and after that section has been disposed of, we will move to part I of the bill. We have been considering the preliminary four sections as separate parts.

§ 10.8 Where a committee amendment in the nature of a substitute is being read as an original bill for amendment by titles instead of by sections, and title I of that substitute is preceded by several sections, the Clerk reads those sections separately for amendment before title I is read.

On Sept. 8, 1976,⁽³⁾ the Committee of the Whole having under consideration H.R. 10498,⁽⁴⁾ Mr. James T. Broyhill, of North Carolina, inquired about the procedure for reading for amendment the committee amendment in the na-

3. 122 CONG. REC. 29216, 29217, 94th Cong. 2d Sess.
4. The Clean Air Act Amendments of 1976.

ture of a substitute. The proceedings were as follows:

THE CHAIRMAN:⁽⁵⁾ When the Committee rose on Thursday, September 2, 1976, all time for general debate on the bill had expired.

Pursuant to the rule, the Clerk will now read by titles the substitute committee amendment recommended by the Committee on Interstate and Foreign Commerce, now printed in the reported bill as an original bill, for the purpose of amendment. . . .

MR. BROYHILL: Mr. Chairman, it was my understanding of the parliamentary situation that section 1 and section 2 would be read prior to the reading of title I.

THE CHAIRMAN: The gentleman is correct. The Clerk will read section 1. The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND TABLE OF CONTENTS

Section 1. This Act, together with the following table of contents, may be cited as the "Clean Air Act Amendments of 1976".

TABLE OF CONTENTS

- Sec. 1. Short title and table of contents.
- Sec. 2. Authorizations.

THE CHAIRMAN: Are there amendments to section 1? If not, the Clerk will read section 2.

The Clerk read as follows:

AUTHORIZATIONS

Sec. 2. (a) Section 316 of the Clean Air Act (42 U.S.C. 18571) is amend-

ed by striking out "and \$300,000,000" and inserting in lieu thereof '\$300,000,000' and by striking out the period at the end thereof and substituting the following: ", \$175,000,000 for the fiscal year 1976."

Parliamentarian's Note: Under the above procedure, an amendment in the nature of a substitute for the entire bill would have been in order after section 1 was read for amendment.

Amendment in Nature of Substitute Offered After First Section Read

§ 10.9 Where a bill (or an amendment in the nature of a substitute being considered as original text) is being read by titles for amendment, and several sections precede title I, an amendment in the nature of a substitute may be offered after the reading of the first section (which is considered a separate title).

In the proceedings described below, which occurred on May 18, 1978,⁽⁶⁾ the Committee of the Whole had under consideration House Resolution 39, the Alaska National Interest Conservation Lands Act of 1978. An amendment in the nature of a substitute (the Leggett amendment) was of-

6. 124 CONG. REC. 14391, 14394, 95th Cong. 2d Sess.

5. J. Edward Roush (Ind.).

ferred which, pursuant to House Resolution 1186, agreed to the previous day, was to be read for amendment under the five-minute rule as an original bill by title. To such amendment, an amendment in the nature of a substitute (the "Meeds amendment") was subsequently offered.

MR. [ROBERT L.] LEGGETT [of California]: Mr. Chairman, I offer an amendment in the nature of a substitute, the text of H.R. 12625.

THE CHAIRMAN:⁽⁷⁾ The Clerk will read the amendment in the nature of a substitute by titles.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. Leggett: Strike out all after the enacting clause and insert in lieu thereof the following:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND TABLE OF CONTENTS

Section 1. This Act, together with the following table of contents, may be cited as the Alaska National Interest Lands Conservation Act".

TABLE OF CONTENTS

Sec. 1. Short title and table of contents. . . .

MR. [LLOYD] MEEDS [of Washington]: Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

7. Paul Simon (Ill.).

Amendment in the nature of a substitute offered by Mr. Meeds:

Strike all after the enacting clause and insert:

This Act, together with the following table of contents, shall be cited as the "Alaska National Interest Lands Conservation Act".

Sec. 1. Short title and table of contents.

Entire Title Read Before Amendment

§ 10.10 Where pursuant to a special rule a bill is being read for amendment by titles instead of by sections, no amendment to the pending title, including pro forma amendments, can be offered until the entire title is read or its reading dispensed with by unanimous consent.

On Sept. 10, 1976,⁽⁸⁾ During consideration of H.R. 10498⁽⁹⁾ in the Committee of the Whole, the Chair⁽¹⁰⁾ responded to a parliamentary inquiry regarding the offering of amendments as described above. The proceedings were as indicated below:

THE CHAIRMAN: When the Committee rose on Thursday, September 9, 1976, the Clerk had read through line 19 on page 236.

- 8. 122 CONG. REC. 29724, 29732, 94th Cong. 2d Sess.
- 9. The Clean Air Act Amendments of 1976.
- 10. J. Edward Roush (Ind.).

The Clerk will read title II. . . .

MR. [JAMES T.] BROYHILL [of North Carolina]: Mr. Chairman, is it not a fact that no amendments can be offered to this title until the entire title is read?

THE CHAIRMAN: The gentleman is correct. . . .

MR. [TIM LEE] CARTER [of Kentucky]: Mr. Chairman, I move to strike the last word.

THE CHAIRMAN: The Chair would advise the gentleman that this request is not in order during the reading of the title.

MR. CARTER: Mr. Chairman, I ask unanimous consent that this title be considered as read, printed in the Record, and open to amendment at any point.

Amendment Adding New Title

§ 10.11 The Chair may decline recognition to offer an amendment adding a new title to a bill until all amendments to the pending title have been disposed of.

On Mar. 16, 1978,⁽¹¹⁾ the Committee of the Whole having under consideration H.R. 50,⁽¹²⁾ the above-stated proposition was illustrated as indicated below:

MR. [ROBERT E.] BAUMAN [of Maryland]: Mr. Chairman, I offer an amendment.

11. 124 CONG. REC. 7333-36, 95th Cong. 2d Sess.

12. Full Employment and Balanced Growth Act of 1978.

The Clerk read as follows:

Amendment offered by Mr. Bauman: On page 106 add the following new title:

“TITLE V. . . .

THE CHAIRMAN PRO TEMPORE: Before the Chair would entertain this amendment, the Chair would like to know if there are other amendments to title IV?

MR. [CLARENCE] LONG of Maryland: Mr. Chairman, I wish to offer an amendment.

THE CHAIRMAN PRO TEMPORE: The Chair would like to advise the gentleman from Maryland (Mr. Bauman) if his amendment were accepted at this time it would cut off the additional amendments. Would the gentleman withhold? . . .

The Chairman would like to state to the gentleman that the Chair should have inquired of the gentleman from Maryland (Mr. Bauman) as to the nature of his amendment before extending recognition.

[Mr. Bauman withdrew his amendment by unanimous consent.]

§ 10.12 An amendment adding a new title to a bill being read for amendment by titles may not be offered until the preceding title has been read for amendment, and may not be offered after the first title (or section preceding the first title) only has been read, unless the proposition to add a new title is con-

tained in a properly drafted amendment in the nature of a substitute which strikes out all after the enacting clause and inserts an entirely new text for the bill.

On May 8, 1980,⁽¹³⁾ the Committee of the Whole having under consideration S. 1309,⁽¹⁴⁾ the above-stated proposition was illustrated as indicated below:

THE CHAIRMAN:⁽¹⁵⁾ When the Committee of the Whole rose on Wednesday, May 7, section 1 had been considered as having been read and open to amendment at any point. It shall be in order to consider an amendment to title I of said substitute printed in the Congressional Record on April 30, 1980, and said amendment shall not be subject to amendment except for the offering of pro forma amendments for the purpose of debate. No further amendments are in order which further change or affect the Internal Revenue Code.

Are there any amendments to section 1?

MR. [ROBERT S.] WALKER [of Pennsylvania]: Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. Walker: Page 39, after line 22 insert the following new title:

13. 126 CONG. REC. 10421, 96th Cong. 2d Sess.
14. The Food Stamp Amendments of 1980.
15. Paul Simon (Ill.).

MR. WALKER (during the reading): Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record.

THE CHAIRMAN: Is there objection to the request of the gentleman from Pennsylvania?

There was no objection. . . .

THE CHAIRMAN: The gentleman will suspend for just a moment. The Chair is advised by the Parliamentarian that the gentleman has not offered a proper amendment in the nature of a substitute here. An amendment in the nature of a substitute would strike everything after the enacting clause. This is an amendment adding a new title III.

MR. WALKER: Mr. Chairman, it was my understanding that the amendment was prepared in the form of a substitute.

THE CHAIRMAN: The amendment at the desk is not prepared in that form, the Chair is advised. When the committee reaches title II, the first part of the gentleman's amendment would be in order. The Chair will rule that the amendment is not pending at this time.

—*Effect of Adoption*

§ 10.13 Adoption of an amendment adding a new title to a bill being read by titles precludes further amendment to the preceding title.

On Mar. 16, 1978,⁽¹⁶⁾ during consideration of H.R. 50⁽¹⁷⁾ in the

16. 124 CONG. REC. 7333–36, 95th Cong. 2d Sess.
17. Full Employment and Balanced Growth Act of 1978.

Committee of the Whole, an amendment adding a new title to the bill was offered which prompted an exchange as indicated below:

MR. [ROBERT E.] BAUMAN [of Maryland]: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Bauman: On page 106 add the following new title:

“TITLE V. . . .

THE CHAIRMAN PRO TEMPORE: Before the Chair would entertain this amendment, the Chair would like to know if there are other amendments to title IV?

MR. [CLARENCE] LONG of Maryland: Mr. Chairman, I wish to offer an amendment.

THE CHAIRMAN PRO TEMPORE: The Chair would like to advise the gentleman from Maryland (Mr. Bauman) if his amendment were accepted at this time it would cut off the additional amendments. Would the gentleman withhold? . . .

MR. BAUMAN: [B]efore making that judgment, the gentleman from Minnesota who has a substitute for the entire bill would still be in order; would he not?

THE CHAIRMAN PRO TEMPORE: The gentleman is correct on that. . . .

MR. BAUMAN: . . . I withdraw my amendment in deference to the gentleman from Maryland (Mr. Long).

THE CHAIRMAN PRO TEMPORE: Without objection the gentleman from Maryland (Mr. Bauman) withdraws his amendment.

§ 11. Amendments to Bills Considered as Read and Open to Amendment

Unanimous Consent as Requirement

§ 11.1 The Committee of the Whole may, by unanimous consent, agree that a bill being read by sections under the five-minute rule be considered as read and open to amendment at any point, but a motion to that effect is not in order.

On June 26, 1972,⁽¹⁸⁾ the following exchange took place:

MR. [EARLE] CABEL [of Texas]: Mr. Chairman, I move that the bill be considered as read and printed at this point in the Record and open to amendment at any point.

THE CHAIRMAN:⁽¹⁹⁾ The Chair must rule that the gentleman from Texas is not in order in making that motion at this time. The Chair will entertain, however, a unanimous-consent request to that effect.

§ 11.2 A bill may be considered as read and open to amendment at any point only by unanimous consent, and a motion to that effect is not in order.

18. 118 CONG. REC. 22404, 92d Cong. 2d Sess. Under consideration was H.R. 15507.

19. John Brademas (Ind.).