

## B. PRIVILEGE OF THE HOUSE

### § 2. In General; Definition

Under Rule IX,<sup>(4)</sup> a question of the privilege of the House arises whenever its safety, dignity, or the integrity of its proceedings, is in issue. The question having been properly raised by the offering of a resolution, the Speaker initially decides whether the question presented constitutes a question of the privilege of the House. And, as the presiding officer of the House, it is customary for him to make a preliminary determination as to the validity of the question raised.<sup>(5)</sup> Appeal may be taken from the Chair's ruling, however, since the final determination regarding the validity of such a question of privilege rests with the House.<sup>(6)</sup>

Debate in the House on a question of privilege is limited to one hour<sup>(7)</sup> and may, like debate on other matters, be terminated by the adoption of a motion for the previous question.<sup>(8)</sup> Of course, the House may choose not to undertake consideration of a question of the privilege of the House, prefer-

4. *House Rules and Manual* §661 (1973).
5. See §§6.1, 6.2, *infra*.
6. See §6.3, *infra*.
7. See §7.1, *infra*.
8. See §7.3, *infra*.

ring instead to table or to commit the matter to a designated House committee for its study and recommendations before debate begins.<sup>(9)</sup>

### § 3. Effecting Changes in House Rules or Orders

#### *Change in House Rules*

#### § 3.1 A question of the privilege of the House may not be raised to effect a change in the rules of the House.

On May 24, 1972,<sup>(10)</sup> during proceedings incident to the receipt of a report from the Committee of the Whole House on the state of the Union, Ms. Bella S. Abzug, of New York, as a "question of privilege of rule IX" submitted the following resolution:

H. RES. 1003

*Resolved*, That on May 24, 1972, at the hour of three forty-five postmeridian the House shall stand in recess for fifteen minutes in order that it may hear and receive petition for redress of grievances relative to the war in Indochina to be presented by a cit-

9. See §7.4, *infra*.
10. 118 CONG. REC. 18675, 92d Cong. 2d Sess. For an additional example see 79 CONG. REC. 14667-69, 74th Cong. 1st Sess., Aug. 24, 1935.