

the Select Committee on Committees, House of Representatives, 93d Cong. 2d Sess., H. Doc. No. 94-187 (3 volumes).

§ 27. Referral of Measures to Committees; Procedure

Examination and Referral of Proposed Bills

§ 27.1 Referral of an executive communication or a bill drafted to implement a policy set forth in a Presidential message is not necessarily to the same committee to which the message was referred.

On Feb. 1, 1966,⁽¹⁷⁾ Speaker John W. McCormack, of Massachusetts, laid before the House a message (H. Doc. No. 374), on the foreign aid program from the President which, after being read, was referred to the Committee on Foreign Affairs.

Shortly thereafter, Mr. Durward G. Hall, of Missouri, initiated the following exchange with the Speaker:⁽¹⁸⁾

17. 112 CONG. REC. 1711, 89th Cong. 2d Sess.

For more detailed information on the subject of referral, see Ch. 16 §3, *supra*.

18. 112 CONG. REC. 1716, 89th Cong. 2d Sess.

Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state his parliamentary inquiry.

MR. HALL: Referring to the first of the Presidential messages today, the one on foreign aid, in view of the last paragraph of article VIII . . . concerning the submission of two separate bills,⁽¹⁹⁾ my parliamentary inquiry would involve two questions: First, would reference of the President's message to the Committee on Foreign Affairs of this House automatically involve reference of bills referred to therein to the same committee of this House?⁽²⁰⁾

THE SPEAKER: It would depend upon the nature of the bill. The answer as to one does not necessarily follow as to the other. On the other hand, the provisions of the bill and the Rules of the House would govern.

Speaker Declines to Speculate About Referral

§ 27.2 Until a proposed bill has been examined, the Speaker declines to speculate as to what committee would have jurisdiction.

On Feb. 1, 1966,⁽²¹⁾ shortly after a message (H. Doc. No. 374), from

19. The President's message pointed out [*id.* at p. 1713], that authorization requests for economic aid and military aid were being proposed in separate bills.

20. For Mr. Halls' second inquiry, see § 27.2, *infra*.

21. 112 CONG. REC. 1716, 89th Cong. 2d Sess.

the President on foreign aid was laid before the House, read, and referred to the Committee on Foreign Affairs, Mr. Durward G. Hall, of Missouri, posed a parliamentary inquiry to Speaker John W. McCormack, of Massachusetts, which resulted in the following exchange:

The second portion of my parliamentary inquiry, Mr. Speaker, if I may continue, is this: In view of the fact that the military and economic authorization requests are to be contained, according to the President's message, in two separate bills—again, for the first time in some years—would the military authorization part thereof, when submitted, apparently by the administration, per this message, be referred to the Legislative Committee on Armed Services of this House, or would it go to the Committee on Foreign Affairs?

THE SPEAKER: The Chair is not prepared to answer that inquiry at the present time, because the answer to the second inquiry would relate back to the first inquiry made by the gentleman from Missouri, and the response of the Chair to that inquiry.

In the opinion of the Chair, the second question is related to the first question, that question being answered that it does not necessarily follow that specific legislation would be referred to the committee to which the message would be referred.

MR. HALL: I thank the Speaker.

THE SPEAKER: Therefore, the Chair does not feel able to pass upon the second inquiry until the Chair has had an

opportunity to observe the provisions of the bill.

Indivisibility of Bill for Referral Purposes

§ 27.3 Under the previous rule, a bill could not be divided and referred to two or more committees.

On Jan. 13, 1941,⁽²²⁾ Mr. Andrew J. May, of Kentucky, obtained unanimous consent to have a resolution adopted by the Committee on Military Affairs [now the Committee on Armed Services] read to the House. The resolution directed the chairman of that committee “at the first opportunity available to him” to move to rerefer H.R. 1776, the so-called “LendLease” or “Aid to Britain” bill from the Committee on Foreign Affairs to the Committee on Military Affairs. It further provided that if such motion should be overruled by the Speaker, the chairman should appeal from such decision to the House.

The following exchange took place immediately after the Clerk read the resolution:

MR. [JOHN W.] MCCORMACK [of Massachusetts]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER:⁽²³⁾ The gentleman will state it.

22. 87 CONG. REC. 127, 77th Cong. 1st Sess.

23. Sam Rayburn (Tex.).

MR. MCCORMACK: Mr. Speaker, under the rules of the House, as I understand, and I inquire of the Chair if my understanding is correct, a bill cannot be divided and referred to two or more committees?

THE SPEAKER: The gentleman is correct.

Parliamentarian's Note: As of 1973, a bill could not be subdivided per se in the course of referral. However, where a measure contained two subjects which were related but which fell within the jurisdiction of different committees, the legislative initiative was sometimes assumed by the committee having the primary concern for the subject matter with the understanding that the other committee involved would have an opportunity to consider that portion of the legislation within its jurisdiction and to handle the relevant portions of the bill should it be brought to the floor of the House.

In the 94th Congress,⁽¹⁾ the House changed the rules regarding the divisibility and reference of measures and other matters to the committees. As a result, the indivisibility of bills for purposes of reference must be regarded as an historical matter and not as a

1. See Rule X clause 5, *House Rules and Manual* §700 (1979).

principle which is currently observed.

Division and Referral of Presidential Message

§ 27.4 The House has agreed to divide a message from the President for referral to the Committee of the Whole House on the state of the Union and to the Committee on Appropriations.

On Jan. 21, 1946,⁽²⁾ Speaker pro tempore John W. McCormack, of Massachusetts, laid before the House a message⁽³⁾ from the President on the state of the Union and transmitting the budget. After the Clerk read the President's message, the following exchange took place:⁽⁴⁾

MR. [J. PERCY] PRIEST [of Tennessee]: Mr. Speaker, I move that the President's message and the accompanying report from the Director of War Mobilization and Reconversion be referred to the Committee of the Whole House on the State of the Union and ordered to be printed, and so much of the President's message as relates to the budget be referred to the Committee on Appropriations and ordered to be printed.

2. 92 Cong. Rec. 164, 79th Cong. 2d Sess.

3. The text of the message appears at 92 CONG. REC. 136-155, 79th Cong. 2d Sess.

4. 92 CONG. REC. 165, 79th Cong. 2d Sess.

THE SPEAKER PRO TEMPORE: The question is on the motion offered by the gentleman from Tennessee.

The motion was agreed to.

Parliamentarian's Note: Rule XXIV clause 2 (see *House Rules and Manual* §882 [1979]) provides that "Messages from the President shall be referred to the appropriate committees without debate." While messages from the President (other than an annual message) are usually referred directly to a standing committee by direction of the Speaker, they may be referred by the House itself to one or more committees by dividing the message on motion by a Member (see 5 Hinds' Precedents §6631; 8 Cannon's Precedents §3348), and such motion is privileged.

Timing of Motion to Correct Referral

§ 27.5 The Chair has stated that he will not recognize any motion to correct referral of a bill to a committee prior to his own referral thereof.

On June 6, 1949,⁽⁵⁾ Mr. Wright Patman, of Texas, addressed Speaker Sam Rayburn, of Texas, and inquired as to the status of a

5. 95 CONG. REC. 7255, 81st Cong. 1st Sess.

bill (S. 1008), to provide a two-year moratorium with respect to the application of certain antitrust laws. The Chair having responded that the measure was on the Speaker's table, the following exchange took place:

MR. PATMAN: Will it be referred to the Committee on the Judiciary?

THE SPEAKER: The Chair does not know about that.

MR. PATMAN: What action will be necessary in order to get it referred to the committee?

THE SPEAKER: It is the duty and the privilege of the Chair to refer bills to whatever committee he desires, after consultation with the Parliamentarian, of course. The Chair will not recognize any motion in that regard at this time.

Parliamentarian's Note: Under Rule XXIV clause 2, the Speaker is not required to immediately refer Senate bills to committee, and the right to correct the referral by motion of the committees concerned only becomes applicable after the Speaker has referred the bill.

Amending Motion to Refer

§ 27.6 Where a motion to refer a Presidential message to a particular committee is sought to be challenged by the chairman of another committee claiming jurisdiction thereof, the appropriate procedure is to offer an

amendment to the motion to refer; but such an amendment is not in order unless the original movant yields for that purpose or unless the previous question on the motion to refer is voted down.

On June 3, 1937,⁽⁶⁾ Speaker William B. Bankhead, of Alabama, laid before the House a message (H. Doc. No. 261), from the President pertaining to creation of regional authorities or agencies to study regional conservation and development of national water resources. Immediately thereafter,⁽⁷⁾ Mr. William M. Whittington, of Mississippi, moved that the message be referred to the Committee on Flood Control⁽⁸⁾ and ordered to be printed. Joseph J. Mansfield, of Texas, Chairman of the Committee on Rivers and Harbors, then rose to propound a parliamentary inquiry, to which the Speaker responded as follows:⁽⁹⁾

6. 81 CONG. REC. 5296, 75th Cong. 1st Sess.

7. *Id.* at p. 5297.

8. The Committee on Flood Control and the Committee on Rivers and Harbors were eventually merged into the Committee on Public Works; see Rule X clause 1(p), *House Rules and Manual* § 685 (1979).

9. 81 CONG. REC. 5298, 75th Cong. 1st Sess.

The gentleman from Texas propounds a parliamentary inquiry to the Chair as to whether the gentleman would be entitled to offer as a substitute for the motion made by the gentleman from Mississippi a motion to refer the President's message to the Committee on Rivers and Harbors.

The Chair, anticipating that this question might arise, has looked rather fully into the precedents in reference thereto and finds that on April 4, 1933, when Mr. Rainey was Speaker of the House, this identical proposition was presented.

At that time it will be recalled that a bill was pending with reference to the refinancing of farm-mortgage indebtedness. Two committees claimed jurisdiction of the subject matter of that bill, the Committee on Banking and Currency and the Committee on Agriculture.

When the President's message was read the chairman of the Committee on Agriculture, the gentleman from Texas [Mr. Jones], moved that the President's message be referred to the Committee on Agriculture. Thereupon the specific inquiry now propounded by the gentleman from Texas [Mr. Mansfield] was made.

The Chair reads the query and the answer of the Speaker:

MR. STEAGALL. Mr. Speaker, I desire at the proper time to submit a substitute motion that the message be referred to the Committee on Banking and Currency.

Mr. Jones said:

Mr. Speaker, I do not yield for that purpose.

The Speaker stated:

The gentleman from Texas does not yield. It is necessary to vote

down the previous question before that motion will be in order.

The gentleman from Mississippi [Mr. Whittington] is entitled to 1 hour, and the Chair understands he has perfected an arrangement with the gentleman from Texas [Mr. Mansfield] by which he will yield to the gentleman from Texas one-half of that time. At the conclusion of the debate of 1 hour the Chair assumes the gentleman from Mississippi will move the previous question on the motion referring the message to the Committee on Flood Control. If the previous question should be voted down, then the gentleman from Texas [Mr. Mansfield] would have the right and privilege of offering an amendment to the motion to refer the message.

Debate ensued, and upon the expiration of time, Mr. Whittington moved the previous question on the motion. After the previous question was rejected, the following exchange took place:⁽¹⁰⁾

MR. MANSFIELD: Mr. Speaker, I now move that the message of the President be referred to the Committee on Rivers and Harbors, and on that motion I move the previous question.

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

THE SPEAKER: The gentleman will state it.

MR. WHITTINGTON: Mr. Speaker, there is now pending the motion I made that the message of the President be referred to the Committee on

Flood Control. It occurs to me the motion made by the gentleman from Texas [Mr. Mansfield] is improper, and that the proper motion would be to amend my motion, if the gentleman desires that the message be referred to his committee. My point is there is a motion pending and an independent motion would not be in order.

THE SPEAKER: The Chair, upon reconsideration, is of the opinion the proper procedure would be for the gentleman from Texas to offer an amendment to the pending motion, to the effect that the message of the President be referred to the Committee on Rivers and Harbors.

MR. MANSFIELD: Mr. Speaker, I make that motion at this time.

THE SPEAKER: The gentleman from Texas offers an amendment to the motion, which the Clerk will report.

The Clerk read as follows:

Mr. Mansfield moves, as an amendment to the motion made by the gentleman from Mississippi [Mr. Whittington], to refer the President's message to the Committee on Rivers and Harbors.

Parliamentarian's Note: Immediately thereafter, Mr. Whittington stated that "in view of the action of the House," he desired to withdraw his motion by unanimous consent in order that Mr. Mansfield might present his own motion. Unanimous consent was granted, whereupon Mr. Mansfield sought the referral of the Presidential message to the Committee on Rivers and Harbors as an independent motion. The

10. *Id.* at p. 5306.

previous question was ordered, and the motion was agreed to.⁽¹¹⁾

Point of Order Against Consideration Based on Erroneous Referral

§ 27.7 While the rules provide that the erroneous reference of a public bill may be corrected on any day after the reading of the Journal, it is not in order to raise a question of committee jurisdiction after a public bill has been reported.

On Jan. 26, 1938,⁽¹²⁾ Speaker William B. Bankhead, of Alabama, recognized Andrew J. May, of Kentucky, Chairman of the Committee on Military Affairs (now the Committee on Armed Services), who, by direction of that committee called up a bill (H.R. 8176), providing for continuing retirement pay, under specified conditions, of certain officers and former officers of the Army, Navy, and Marine Corps. After several unanimous-consent requests pertaining to other matters, the Clerk read the title of the bill.

At this juncture, Mr. Wright Patman, of Texas, rose to advance the following point of order:

11. *Id.* at p. 5307.

12. 83 CONG. REC. 1142, 75th Cong. 3d Sess.

Mr. Speaker, I make the point of order against the consideration of the bill (H.R. 8176) that the bill was not referred to the proper committee, the proper committee being the Committee on World War Veterans' Legislation [now the Committee on Veterans' Affairs]. Instead, the bill was referred to the Committee on Military Affairs, and a report has been made by that committee.

In support of the point of order it is necessary I give just a little of the history of this legislation. In March 1928 the Committee on World War Veterans' Legislation by a vote of 8 to 7 voted in favor of the retired emergency officers' bill. This bill passed the House on May 24, 1928, I believe, and was enacted into law before the first of June. This law provides for the retirement of emergency officers according to their rank and all amendments to this law should be referred back to the committee which passed on the original bill.

I invite the attention of the Chair to the fact that even an amendment to the Clayton Act, which involves interstate commerce alone, is invariably referred to the Committee on the Judiciary, although one would think it would go to the Committee on Interstate and Foreign Commerce, for the reason the House Committee on the Judiciary is the committee which originally considered the Clayton Act. This same principle is involved here.

Mr. Patman continued to discuss the matter—stating that those who drafted the measure may have been motivated by the belief that they could not obtain a

favorable report from the Committee on World War Veterans' Legislation; that the chairman of the latter committee was unavoidably absent because of illness; and that his committee was planning to hold hearings on the outright repeal of the law which H.R. 8176 would amend.

The Chair then recognized Mr. May who responded to Mr. Patman's point of order, as follows: ⁽¹³⁾

Mr. Speaker, I should like to give to the distinguished chairman of the Committee on World War Veterans' Legislation any consideration to which he would be entitled under the ordinary procedure of the House, but I make the point of order at this time against the point of order of the gentleman from Texas that it comes too late, because the committee to which the bill was referred has already had hearings on the bill and made its report.

Mr. Patman replied by contending that this was the first time he had had an opportunity to raise a point of order against the bill's consideration. The Speaker then announced his ruling:

The gentleman from Texas [Mr. Patman] raises the point of order against consideration of the bill, that it was not referred under the rules of the House to the Committee on World War Veterans' Legislation, to which, accord-

ing to his contention, it should have originally been referred.

Pending that question the gentleman from Kentucky [Mr. May], the chairman of the Committee on Military Affairs, raises the point of order that the point of order made by the gentleman from Texas comes too late.

In view of that issue being raised the Chair feels it is his duty primarily to dispose of that question, because a disposition of that question, possibly, might settle the original point of order raised by the gentleman from Texas.

This is not a matter of first impression, the Chair will state, as there have been a number of decisions and precedents upon this particular question. The Chair refers especially to a decision made by Mr. Speaker Longworth, as reported in volume 7 of Cannon's Precedents of the House of Representatives, section 2113:

After a public bill has been reported—

Which, of course, means after it has been reported by a committee of the House—

it is not in order to raise a question of committee jurisdiction.

The Speaker said:

"The Chair recalls when this bill was before him for reference that he examined into the matter and it was quite clear that the reference was correct, in view of the fact this is an amendment of the Federal Reserve Act, and under the rules the Committee on Banking and Currency has jurisdiction of questions arising under the Federal Reserve Act; but whether that be true or not, the point of order is evidently made too late. The precedents are uniform that after a public bill has been reported, it is too late to raise the

13. *Id.* at p. 1143.

point of order as to the jurisdiction of the committee.” . . .

The Chair thinks it proper, however, in reply to the suggestion made by the gentleman from Texas that this is the first opportunity he has had to raise this point of order, to state that under the rules the chairman of a committee seeking jurisdiction, or any other Member of the House, has the privilege, after bills are introduced and referred, to raise the question of jurisdiction by proceeding under clause 3 of rule XXII.⁽¹⁴⁾

For the reasons stated and in view of the precedents which to the Chair seem to be well reasoned, the Chair sustains the point of order made by the gentleman from Kentucky that the point of order made by the gentleman from Texas comes too late.⁽¹⁵⁾

14. The equivalent of that clause is contained within Rule XXII clause 4, *House Rules and Manual* §854 (1979), the pertinent portion of which provides that “all bills, resolutions, and documents referred under the rules shall be entered on the Journal and printed in the Record of the next day, and correction in case of error of reference may be made by the House, without debate, in accordance with Rule X [which delineates committees’ jurisdiction] *on any day immediately after the reading of the Journal*, by unanimous consent, or on motion of a committee claiming jurisdiction, or on the report of the committee to which the bill has been erroneously referred [emphasis supplied].”
15. For more information on the introduction and reference of bills and resolutions, see Ch. 16, *supra*.

§ 27.8 Where a bill has been reported to the House and placed on the appropriate calendar, a point of order that the measure was improperly referred may not be entertained when it is called up for, consideration under suspension of the rules.

On June 21, 1943,⁽¹⁶⁾ the House suspended the rules and entertained consideration of a bill (H.R. 2703), relating to veterans’ laws pertaining to compensation, pensions, and retirement pay payable by the Veterans’ Administration.

Shortly after the Clerk read the bill, Speaker pro tempore Jere Cooper, of Tennessee, recognized Mr. John Lesinski, of Michigan, who stated:

Mr. Speaker, I make the point of order that the bill is improperly brought in by the Committee on World War Veterans’ Legislation [subsequently incorporated into the Committee on Veterans’ Affairs] and that it belongs to the Committee on Invalid Pensions [also incorporated into the Committee on Veterans’ Affairs].

THE SPEAKER PRO TEMPORE: The point of order comes too late. The committee has reported the bill, and it is now under consideration under a suspension of the rules.

MR. LESINSKI: I know; but Mr. Speaker, the bill was brought in to the

16. 89 CONG. REC. 6209, 78th Cong. 1st Sess.

Committee on World War Veterans' Legislation in typewritten form on one day, passed the same day, and filed the same day. There was no time for the chairman of any other committee to make an objection at the time.

MR. [JOHN E.] RANKIN [of Mississippi]: The gentleman from Michigan does not know it, but a motion to suspend the rules suspends all rules.

THE SPEAKER PRO TEMPORE: The purpose of a motion to suspend the rules, of course, is to suspend all rules of the House.

§ 27.9 A point of order against specific language of a paragraph in a bill, on grounds that its subject matter is within the jurisdiction of another committee, does not lie once the bill has been reported; and a point of order against such language based on the germaneness rule does not lie, since that rule requires germaneness of amendments, rather than specific provisions of the bill itself.

On July 27, 1955,⁽¹⁷⁾ the House resolved itself into the Committee of the Whole for the further consideration of a bill (H.R. 7474), to amend and supplement the Federal Aid Road Act to authorize appropriations for continuing the construction of highways.

In the course of that consideration, Chairman Eugene J. Keogh,

17. 101 CONG. REC. 11689, 84th Cong. 1st Sess.

of New York, recognized Mr. H.R. Gross, of Iowa, who raised the following point of order:⁽¹⁸⁾

Mr. Chairman, I make a point of order against the language in section 14(a), page 30, lines 20 to 25, and page 31, lines 1 to 3; reading as follows:

Sec. 14. (a) The Secretary of Commerce, to the extent he deems it necessary and appropriate in order to carry out the provisions of this act, is authorized to place 2 positions in the Bureau of Public Roads in grade 18 and a total of 20 positions in grades 16 and 17 of the General Schedule established by the Classification Act of 1949, as amended. Such positions shall be in lieu of any positions in the Bureau of Public Roads previously allocated under section 505 of such act.

I make the point of order that this language is a violation of the Classification Act of 1949, that it is an invasion of the prerogatives of the Post Office and Civil Service Committee, and is not germane to the bill.

The Chair responded, as follows:

The Chair will state to the gentleman from Iowa that since the provisions to which his point of order is directed are provisions in the bill that has been reported from the standing committee [the Committee on Public Works] the point of order is not well taken at this time.

The Chair overrules the point of order.

The Chair's ruling immediately prompted Mr. Gross to seek some

18. *Id.* at p. 11710.

clarification with a parliamentary inquiry:

At what time would the point of order be well taken?

THE CHAIRMAN: The Chair would say to the gentleman from Iowa that in the opinion of the Chair the point of order would not be well taken at any time, inasmuch as the provisions to which the point of order is directed are contained in the bill as introduced and reported.

Parliamentarian's Note: It should be noted that once the committee had reported out the bill, any point of order based on an allegedly erroneous referral had been rendered untimely. The point of order based on germaneness did not lie since the language in question was contained in the bill and not in an amendment.

Referral of Senate Bills on Table

§ 27.10 The Speaker has responded to a parliamentary inquiry to indicate to which committee he might refer a Senate bill on the Speaker's table—under his discretionary authority to refer Senate bills contained in Rule XXIV clause 2.

On Mar. 14, 1935,⁽¹⁹⁾ Speaker Joseph W. Byrns, of Tennessee,

^{19.} 79 CONG. REC. 3623, 74th Cong. 1st Sess.

recognized Mr. Sam Rayburn, of Texas, a member of the Committee on Interstate and Foreign Commerce, who asked unanimous consent that the House immediately consider Senate Concurrent Resolution No. 12, which read as follows:

Resolved by the Senate (the House of Representatives concurring). That the Federal Trade Commission be, and it is hereby, directed to make an investigation and report its conclusions to the Congress as to the propaganda which is now going on over the Nation regarding Federal legislation on the subject of holding companies, and to inform the Congress the origin, magnitude, purpose, methods, and expense of said propaganda.

Reserving the right to object, Mr. Bertrand H. Snell, of New York, initiated the following exchange:

. . . [H]as the gentleman [Mr. Rayburn] taken up this resolution with the members of his committee?

MR. RAYBURN: The resolution would not have gone to the Committee on Interstate and Foreign Commerce in my opinion. I think it would have gone to the Rules Committee.

MR. SNELL: Has it been taken up with the Rules Committee?

MR. RAYBURN: No.

MR. SNELL: It seems to me a matter as important as this ought to be taken up with some committee and should have some little consideration. I do not know that I shall object, but I really think if it is a matter that should go to

the Interstate and Foreign Commerce Committee that the ranking minority member of that committee should have an opportunity to be here, or at least been notified before it was brought out on the floor.

MR. RAYBURN: It is my impression it would not go to that committee.

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

THE SPEAKER: The gentleman will state it.

MR. SNELL: What committee would this resolution naturally go to?

THE SPEAKER: The Committee on Interstate and Foreign Commerce.

Mr. Rayburn's unanimous-consent request was objected to.⁽²⁰⁾

And, on the following day,⁽²¹⁾ the Speaker referred the measure to the Committee on Interstate and Foreign Commerce.

§ 28. Motions to Rerefer

Debate on Motion

§ 28.1 A motion to rerefer a bill is not debatable except by unanimous consent.

On Jan. 13, 1941,⁽²²⁾ Speaker Sam Rayburn, of Texas, recognized Andrew J. May, of Kentucky, Chairman of the Com-

20. *Id.* at p. 3626.

21. 79 CONG. REC. 3776, 74th Cong. 1st Sess., Mar. 15, 1935.

22. 87 CONG. REC. 126, 127, 77th Cong. 1st sess.

mittee on Military Affairs [now the Committee on Armed Services], who requested unanimous consent to address the House for 10 minutes. The Members were aware that Mr. May intended to offer a motion to rerefer H.R. 1776, the so-called "Lend Lease" or "Aid to Britain" bill from the Committee on Foreign Affairs to the Committee on Military Affairs. There were several reservations of objection, and a brief colloquy which included the following exchange:

MR. [R. EWING] THOMASON [of Texas]: Mr. Speaker, it is very apparent that this is all a debate on the question of the jurisdiction of this bill. I make the parliamentary inquiry as to whether or not this question is debatable? I am opposed to my chairman in his effort to re-refer the bill and so voted in the Committee on Military Affairs, as did several others. The action of the committee was not unanimous. I think the Speaker should be sustained in the exercise of his sound discretion.

THE SPEAKER: It can only be debated by unanimous consent.

MR. MAY: Mr. Speaker, I admit that the motion to re-refer the bill which I expect to make is not subject to debate. The only purpose I had in propounding the unanimous-consent request was to say something to the House about it.

§ 28.2 While a motion to rerefer may not be debated under the rules, where a Member obtained unanimous