MR. O'SULLIVAN: Mr. Chairman, is it in order for an exhibit to be presented to the Committee of the Whole or to the House of Representatives? As I read the rules it is not in order to do so, unless the permission of the Committee of the Whole or of the House is first obtained.

THE CHAIRMAN: If the gentleman from Nebraska objects to the use of the exhibit, the Chair will put the question to the Committee of the Whole. Does the gentleman object?

MR. O'SULLIVAN: I object, Mr. Chairman.

THE CHAIRMAN: The question is: Shall the use of the exhibit be permitted?

The question was agreed to.

§ 16. Time Limitations

Where five-minute debate has been limited to a certain number of minutes, and not to a time certain, the time consumed by reading amendments and quorum calls is not taken from that remaining for debate; but where debate has been limited to a time certain, time used on extraneous motions, quorum calls or votes comes out of the time remaining under the limitation and reduces the time that may be allocated to Members wishing to speak.(7)

Computation of Time Limitations

§ 16.1 Where the Committee of the Whole fixes the time for debate on an amendment at 20 minutes, such time is counted in minutes of debate and not in minutes by the clock.

On Feb. 8, 1950,(8) during consideration of H.R. 2945, to adjust postal rates, Chairman Chet Holifield, of California, indicated that the time period fixed for debate meant passage of time of debate as distinguished from passage of time on the clock.

MR. [THOMAS J.] MURRAY of Tennessee: Mr. Chairman, I move that all debate on the committee substitute and all amendments thereto close in 20 minutes.

THE CHAIRMAN: The question is on the motion.

The question was taken; and on a division (demanded by Mr. Sutton) there were—ayes 99, noes 76. . . .

MR. MURRAY of Tennessee: Mr. Chairman, how much more time remains?

THE CHAIRMAN: There are 6 minutes remaining.

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7. §§ 16.2–16.6, infra. The Chair has stated that, where time for debate on an amendment is limited to a time certain, the time permitted for debate on a preferential motion that the Committee rise and report with the recommendation that the enacting clause be stricken comes out of the time remaining under such limitation. See § 13.6, supra.

8. 96 CONG. REC. 1690, 1693, 81st Cong. 2d Sess.

MR. [DONALD W.] NICHOLSON [of Massachusetts]: Mr. Chairman, a point of order. I raise the point of order that 20 minutes ago we voted to close debate. The 20 minutes have gone.

THE CHAIRMAN: The Chair advises the gentleman that the 20 minutes for debate have not been used. The Chair will watch the matter closely.

§ 16.2 Where time for debate is limited without reference to a time certain, the time consumed by the reading of amendments is not taken from that remaining for debate.

On Oct. 3, 1969,[9] during consideration of H.R. 14000, the military procurement authorization for fiscal year 1970, Chairman Daniel D. Rostenkowski, of Illinois, stated that the time used to read amendments is not charged against a limitation of time in minutes.

MR. [L. MENDEL] RIVERS [of South Carolina]: Mr. Chairman, I move that all debate on title V and all amendments thereto close in 15 minutes.

THE CHAIRMAN: The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

THE CHAIRMAN: The Chair recognizes the gentleman from Indiana (Mr. Dennis).

MR. [DAVID W.] DENNIS: Mr. Chairman, I will simply say that I support my Democratic colleague from Indiana. This is one amendment I am going to vote for. I cannot see any reason why we should not study profits. That is all this asks us to do. We are not accusing anybody of anything. We are studying profits, by the use of a governmental organization to conduct that study, and I think the people we represent, who pay the taxes, are for that, and I am for it.

MR. [JOHN B.] ANDERSON of Illinois: Mr. Chairman, I offer a perfecting amendment to title V.

The Clerk read as follows: . . .

MR. [HAROLD R.] COLLIER [of Illinois] (during the reading): Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. COLLIER: Mr. Chairman, I would like to know whether the reading of this amendment is charged against the limited time allotment.

THE CHAIRMAN: It is not charged against the limited time.

§ 16.3 Time consumed by a quorum call does not come out of a limitation of time for debate on a pending amendment and all amendments thereto where that limitation specifies minutes of debate rather than a time certain by the clock.

On Nov. 9, 1971,[10] during consideration of H.R. 10729, to amend the Federal Insecticide,

9. 115 CONG. REC. 28459, 28460, 91st Cong. 1st Sess.

10. 117 CONG. REC. 40060, 40061, 92d Cong. 1st Sess.

Fungicide, and Rodenticide Act, Chairman William L. Hungate, of Missouri, indicated that time consumed on a quorum call would not be charged against a time limitation specifying minutes of debate.

MR. [WILLIAM R.] POAGE [of Texas]: Mr. Chairman, I move that all debate on the Dow amendment in the nature of a substitute, the Kyl substitute amendment, and all amendments thereto close in 20 minutes.

THE CHAIRMAN: The question is on the motion offered by the gentleman from Texas (Mr. POAGE).

The motion was agreed to.

MR. [JOHN G.] DOW [of New York]: Mr. Chairman. I make the point of order that a quorum is not present.

THE CHAIRMAN: The Chair will count.

MR. DOW: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state his parliamentary inquiry.

MR. DOW: Mr. Chairman, if there is a rollcall will this come out of the time limitation?

THE CHAIRMAN: The Chair will state in response to the inquiry of the gentleman from New York (Mr. DOW) that the motion that was agreed to, that was offered by the gentleman from Texas (Mr. POAGE) was for 20 minutes of debate, and the Chair will advise the gentleman from New York that there will be 20 minutes allotted for debate.

§ 16.4 Where the Committee of the Whole agrees to a unanimous-consent request limiting debate on an amendment to a certain number of minutes, the time consumed in two five-minute speeches on a motion to rise and report a bill with the recommendation that the enacting clause be stricken out is not taken from the time fixed for debate on the previously offered amendment.

On Oct. 17, 1945,[11] during consideration of H.R. 3615, the airport bill, Chairman Graham A. Barden, of North Carolina, stated that time consumed on the motion to rise and report a bill with the recommendation that the enacting clause be stricken out is not taken from the time fixed for debate on an amendment.

MR. [ALFRED L.] BULWINKLE: [of North Carolina]: Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

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

There was no objection.

MR. [CLARKE E.] HOFFMAN [of Michigan]: Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. Hoffman moves that the Committee rise and report the bill back to the House with the recommenda-

11. 91 CONG. REC. 9751, 79th Cong. 1st Sess.

tion that the enacting clause be stricken out.

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

THE CHAIRMAN: The gentleman will state it.

MR. MCCORMACK: My understanding is that on the motion offered by the gentleman from Michigan there may be 10 minutes of debate, 5 minutes for and 5 minutes against, and that if the motion is defeated the 10 minutes of debate on the amendment still remain to be used. Is that correct?

THE CHAIRMAN: The gentleman is correct.

Dividing Debate Time

§ 16.5 Where the Committee of the Whole has fixed the time for debate on pending amendments, the Chair notes the names of the Members seeking recognition and divides the time equally between them.

On Aug. 18, 1949,[12] during consideration of H.R. 5895, the Mutual Defense Assistance Act of 1949, Chairman Wilbur D. Mills, of Arkansas, noted the names of Members seeking recognition and divided the time equally among them after the Committee of the Whole fixed the time for debate on pending amendments.

MR. [JOHN] KEE [of West Virginia]: Mr. Chairman, I ask unanimous consent that all debate on the pending amendments and all amendments thereto close in l hour.

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

There was no objection. . . .

MR. [EARL] WILSON of Indiana: Mr. Chairman, a point of order.

THE CHAIRMAN: The gentleman will state it.

MR. WILSON of Indiana: There were a certain number of us on our feet when the unanimous-consent request was propounded. After the time was limited, about twice as many people got on their feet to be recognized.

THE CHAIRMAN: The Chair is endeavoring to ascertain those Members who desire to speak, and has no disposition to violate any rights of freedom of speech.

MR. WILSON of Indiana: Further pressing my point of order, is it in order after the time is limited for others to get the time that we have reserved for ourselves? I would like to object under the present situation.

THE CHAIRMAN: Permit the Chair to answer the gentleman. If the gentleman from Indiana will ascertain and indicate to the Chair the names of the Members who were not standing at the time the unanimous-consent request was agreed to, the gentleman will render a great service to the Chair in determining how to answer the gentleman.

MR. [ROBERT F.] RICH [of Pennsylvania]: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. RICH: That is not the duty of the gentleman from Indiana. That is the duty of the Clerk.

12. 95 CONG. REC. 11760, 81st Cong. 1st Sess.

THE CHAIRMAN: The gentleman from Pennsylvania and the Chair both understand that, but apparently all Members do not. The Chair is endeavoring to do the best he can to ascertain those who desire to speak under this limitation of time. Now permit the Chair to ascertain that.

MR. [CLARK E.] HOFFMAN of Michigan: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. HOFFMAN of Michigan: Will the Chair, with the assistance of the Clerk, advise me how many Members have asked for time, and how much time each Member will be allotted?

THE CHAIRMAN: Each of the Members whose names appear on the list will be recognized for 2 minutes, there being 30 Members on their feet at the time and debate having been limited to 1 hour

§ 16.6 Where debate on a bill and all amendments thereto is limited to a time certain, the Chair may in his discretion choose to disregard the five-minute rule and divide the available time equally among Members wishing to offer an amendment and those opposed thereto.

On May 6, 1970,[13] during consideration of H.R. 17123, the military procurement authorization for fiscal year 1971, Chairman Daniel D. Rostenkowski, of Illinois, divided the time equally among Members wishing to offer amendments and those opposed to the amendments, debate having been limited to a time certain.

MR. [L. MENDEL] RIVERS [of South Carolina]: Mr. Chairman, I move that all debate on the bill and all amendments to the bill close at 7 o'clock.

THE CHAIRMAN: The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

MR. [GLENN M.] ANDERSON of California: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Anderson of California:
>
> On page 2, preceding line 20, insert the following: Change the period to a semicolon and add the following: "and *Provided further,* that the funds authorized herein for the construction and conversion of naval vessels shall be equally distributed between the Atlantic, Pacific, and Gulf Coast shipyards unless the President determines that another distribution will maintain shipyards in each of the areas adequate to meet the requirements of national defense."

THE CHAIRMAN: The gentleman from California is recognized for 5 minutes in support of the amendment.

MR. [SAMUEL S.] STRATTON [of New York]: Mr. Chairman, will the gentleman yield to me for a parliamentary inquiry?

MR. ANDERSON of California: Yes; if it is a parliamentary inquiry.

MR. STRATTON: Mr. Chairman, a parliamentary inquiry.

13. 116 CONG. REC. 14465, 14466, 91st Cong. 2d Sess.

THE CHAIRMAN: The gentleman will state his parliamentary inquiry.

MR. STRATTON: Under the limitation of debate imposed by the House, a moment ago, is there any restriction on those Members who will be permitted to speak on amendments, either for or against, between now and 7 o'clock?

THE CHAIRMAN: The Chair will endeavor to divide the time equally among the proponents and the opponents of those who have amendments.

MR. STRATTON: I thank the Chair.

THE CHAIRMAN: The gentleman from California is recognized.

Effect of Expiration of Time

§ 16.7 Where the Committee of the Whole has agreed to close debate on a title and all amendments thereto at a time certain (i.e., 8:20 p.m.) the Chair attempts to divide the time equitably among those Members desiring recognition; but if all available time is consumed, it may not be possible to recognize each Member on the list and their right to speak may he lost.

On Oct. 7, 1965,[14] during debate on S. 2084, the Highway Beautification Act of 1965, Chairman Phillip M. Landrum, of Georgia, stated that the right of a Member to speak was cut off when all time had been consumed by the first speaker.

MR. [JOHN C.] KLUCZYNSKI [of Illinois]: Mr. Chairman, I move that all debate on title I and all amendments thereto close at 8:20. . . .

THE CHAIRMAN: The question is on the motion offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. Gerald R. Ford) there were—ayes 121, noes 84.

So the motion was agreed to.

THE CHAIRMAN: The Chair recognizes the gentleman from Florida [Mr. Cramer].

MR. [WILLIAM C.] CRAMER: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Cramer: On page 17, after line 19, insert the following new subsection: . . .

THE CHAIRMAN: The time of the gentleman from Florida has expired.

The question is on the amendment offered by the gentleman from Florida.

The question was taken; and on a division (demanded by Mr. Cramer) there were—ayes 73, noes 127.

MR. GERALD R. FORD [of Michigan]: Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Wright and Mr. Gerald R. Ford.

The Committee again divided, and the tellers reported that there were—ayes 83, noes 142.

So the amendment was rejected.

MR. [THOMAS M.] PELLY [of Washington]: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state the parliamentary inquiry.

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14. 111 CONG. REC. 26305, 26306, 89th Cong. 1st Sess.

MR. PELLY: Mr. Chairman, have I and those of us who are on our feet entitled to 10 seconds lost that time to explain our amendments?

THE CHAIRMAN: No, the gentleman is not correct in stating that Members were entitled to 10 seconds. Before the first speaker in behalf of the amendment had concluded, all time had expired. So the gentleman is not entitled to 10 seconds.

§ 16.8 The Chair stated in response to a parliamentary inquiry that where all debate on an amendment and all amendments thereto has been limited to a time certain (i.e., 5 p.m. that day), and the Committee of the Whole rises before that time without having completed action on the amendments, no time would be considered as remaining when the Committee, on a later day, again resumes consideration of the amendments.

On May 6, 1970,[15] during debate on H.R. 17123, the military procurement authorization for fiscal year 1971, Chairman Daniel D. Rostenkowski, of Illinois, indicated that no time would remain for debate on a subsequent day if the Committee rose before the hour designated (5 o'clock) for the closing of debate.

MR. [ROBERT L.] LEGGETT [of California]: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. LEGGETT: Mr. Chairman, considering the fact that a time limitation has now been set in relation to today at 5 o'clock, does the time of the debate on the motion that we have already heard, come out of the time on the amendments?

THE CHAIRMAN: The time will come out of the time of those who are participating in debate.

MR. LEGGETT: Mr. Chairman, a further parliamentary inquiry. If we chose to rise right now and come back tomorrow, then would there be any time limitation on debate?

THE CHAIRMAN: There would be no further debate.

The time was set at 5 o'clock.

The question is on the motion offered by the gentleman from Massachusetts (Mr. O'Neill).

The motion was rejected.

§ 16.9 Where all time for debate on a portion of a bill has expired under an agreement closing debate at a specified time, the Chair still recognizes Members to offer amendments, but they are voted on without debate.

On Oct. 7, 1965,[16] during consideration of S. 2084, the Highway

15. 116 CONG. REC. 14452, 91st Cong. 2d Sess.

16. 111 CONG. REC. 26300, 26306, 89th Cong. 1st Sess.

Beautification Act of 1965, Chairman Phillip M. Landrum, of Georgia, stated that, following expiration of time under an agreement closing debate at a specified time, he would recognize Members to offer amendments but would not permit debate.

MR. [JOHN C.] KLUCZYNSKI [of Illinois]: Mr. Chairman, I move that all debate on title I and all amendments thereto close at 8:20. . . .

THE CHAIRMAN: The question is on the motion offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. Gerald R. Ford) there were—ayes 12], noes 84.

So the motion was agreed to.

THE CHAIRMAN: The Chair recognizes the gentleman from Florida [Mr. Cramer].

MR. [WILLIAM C.] CRAMER: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Cramer: On page 17, after line 19, insert the following new subsection:

THE CHAIRMAN: The time of the gentleman from Florida has expired.

The question is on the amendment offered by the gentleman from Florida.

The question was taken; and on a division (demanded by Mr. Cramer) there were—ayes 73, noes 127.

MR. GERALD R. FORD [of Michigan]: Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Wright and Mr. Gerald R. Ford.

The Committee again divided, and the tellers reported that there were—ayes 83, noes 142.

So the amendment was rejected.

MR. [THOMAS M.] PELLY [of Washington]: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state the parliamentary inquiry.

MR. PELLY: Mr. Chairman, have I and those of us who are on our feet entitled to 10 seconds lost that time to explain our amendments?

THE CHAIRMAN: No, the gentleman is not correct in stating that Members were entitled to 10 seconds. Before the first speaker in behalf of the amendment had concluded, all time had expired. So the gentleman is not entitled to 10 seconds.

MR. [RICHARD H.] ICHORD [of Missouri]: Mr. Chairman, a further parliamentary inquiry.

THE CHAIRMAN: The gentleman will state the parliamentary inquiry.

MR. [EDMOND] EDMONDSON [of Oklahoma]: Does that apply to Members who have amendments at the desk and want to offer amendments?

THE CHAIRMAN: Members can offer amendments. The amendment will be read by the Clerk and the amendment will be voted upon. But there will be no debate on the amendment.

MR. [CHARLES A.] HALLECK [of Indiana]: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state the parliamentary inquiry.

MR. HALLECK: I understood the limitation of time was for 10 minutes rather than for a fixed time.

THE CHAIRMAN: The gentleman from Indiana is not correct in his understanding. The motion to close debate was that debate close at 8:20 p.m.