

## § 17. Rights of Proponent of Motion

### *To Offer Motion to Amend*

**§ 17.1 The manager of a bill, recognized by the Chair in the expectation that he would move the previous question on a motion to recommit offered by the minority, moved instead to amend the motion, and was recognized for that purpose by the Chair.**

On May 8, 1968,<sup>(10)</sup> the House was considering H.R. 17023, appropriations for certain independent offices for fiscal 1969. Mr. Frank T. Bow, of Ohio, offered a motion to recommit with instructions, and the following ensued:

THE SPEAKER:<sup>(11)</sup> The gentleman from Tennessee is recognized.

MR. [JOSEPH L.] EVINS of Tennessee: Mr. Speaker, I have an amendment to the motion to recommit.

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

THE SPEAKER: The gentleman will state his parliamentary inquiry.

MR. BOW: The motion to recommit being the prerogative of the minority, and the minority having exercised that prerogative, my parliamentary inquiry is as a matter of fact whether or not an

amendment is in order, and if it is in order, whether the gentleman making it must indicate that he too is against the bill in its present form?

THE SPEAKER: In response to the inquiry of the gentleman from Ohio, the Chair will state to the gentleman that the motion to recommit is one with instructions. Since the previous question has not been ordered, it is open for amendment.

### *Precedence Relative to Question of Personal Privilege*

**§ 17.2 The Chair having recognized a Member in charge of a bill for the motion for the previous question, a Member may not be recognized to rise to a question of personal privilege based on certain remarks in the Record.**

On June 30, 1939,<sup>(12)</sup> the House was considering the conference report on H.R. 3325, relating to the stabilization of the alteration of the weight of the dollar. After the Speaker, William B. Bankhead, of Alabama, recognized Mr. Andrew L. Somers, of New York, the following occurred:

MR. SOMERS of New York: Mr. Speaker, I move the previous question.

MR. [CLARE E.] HOFFMAN [of Michigan]: Mr. Speaker, I rise to a point of order.

THE SPEAKER: The gentleman will state it.

10. 114 CONG. REC. 12262, 12263, 90th Cong. 2d Sess.

11. John W. McCormack (Mass.).

12. 84 CONG. REC. 8467, 8468, 76th Cong. 1st Sess.

MR. HOFFMAN: I rise to a point of personal privilege because of certain remarks contained in the Congressional Record and ask to be allowed to state my question.

THE SPEAKER: The gentleman from New York has been recognized. The Chair cannot recognize the gentleman from Michigan for that purpose unless the gentleman from New York yields.

MR. SOMERS of New York: Mr. Speaker, I do not yield for that purpose.

MR. [JOSEPH W.] MARTIN [Jr.] of Massachusetts: Mr. Speaker—

THE SPEAKER: The Chair will at the proper time under the rules recognize the gentleman. The Chair has recognized the gentleman from New York. The gentleman from New York has moved the previous question on the conference report.

The question is, Shall the previous question be ordered?

## § 18. Time for Motion

### *Within Time Fixed for Debate*

#### **§ 18.1 Where the House by unanimous consent fixes time and control of debate, the previous question may be moved at any time within that period, and it is not necessary for the Member in charge to yield the full time agreed upon.**

On Mar. 11, 1941,<sup>(13)</sup> the House was considering House Resolution

13. 87 CONG. REC. 2177, 2178, 77th Cong. 1st Sess.

131 (providing for the consideration of H.R. 1776, relating to the promotion of national defense) pursuant to a unanimous-consent agreement which stipulated that debate was to continue not to exceed two hours. Before the expiration of the allotted time, Mr. Sol Bloom, of New York, made the following statement:

MR. BLOOM: . . . Mr. Speaker, I do not desire to use any more time nor to yield any additional time, so I ask for a vote on the resolution.

MR. MARTIN J. KENNEDY [of New York]: Mr. Speaker, a point of order.

THE SPEAKER:<sup>(14)</sup> The gentleman will state it.

MR. MARTIN J. KENNEDY: Mr. Speaker, the House is proceeding in its consideration of the Senate amendments to H.R. 1776 under a unanimous-consent agreement granted yesterday—Monday, March 10. The minutes of this action may be found on pages 2142 and 2143 of the Congressional Record. I was present in the House at the time the request was made and, because of the understanding as to the division of time, I did not object. . . .

Under the rules of the House, a proceeding by unanimous consent cannot be dissolved except by unanimous consent of the House. Therefore, the time of 2 hours, fixed for debate, not having elapsed, and with a proper request for time not being granted by the gentleman in charge of the time—the chairman of the Committee on Foreign Affairs—I make a point of order that

14. Sam Rayburn (Tex.).