Rereading Paragraph

§ 8.24 The Chair has on occasion directed the Clerk to reread a paragraph of a bill, where, because of confusion in the Chamber a question has arisen as to how far the Clerk had read.[19]

§ 9. Amendments to Text Not Yet Read; En Bloc Amendments

An amendment which goes beyond the scope of the pending section or paragraph and in effect modifies a paragraph or section which has not yet been reached in the reading is not in order.[20] Thus, it is not in order to strike out a portion of a bill which has not been read for amendment.[1]

Unanimous Consent

§ 9.1 An amendment to a portion of a bill not yet read for amendment is in order only by unanimous consent.

On July 13, 1967,[2] the following exchange took place:

MR. [H. R.] GROSS [of Iowa]: Mr. Chairman, is it proper to offer an amendment to a provision of the bill that has not been read?

THE CHAIRMAN:[3] Only by unanimous consent.

§ 9.2 By unanimous consent, amendments offered to a section of a bill not yet read have been considered in Committee of the Whole.

On Sept. 19, 1961,[4] the following proceedings took place with respect to an amendment offered by Mr. Charles E. Bennett, of Florida, to a bill[5] stablishing an arms control agency:

MR. [WAYNE L.] HAYS [of Ohio]: . . . I submit that the gentleman is offering one amendment which applies to two sections of the bill, one of which has not yet been read. He should offer the amendment, it seems, to lines 1 and 2 and then another amendment to the rest of the bill when it is read.

MR. BENNETT: Mr. Chairman, I understand that I may do that by unanimous consent, and I ask unanimous consent that these amendments be considered en bloc.

THE CHAIRMAN:[6] Is there objection to the request of the gentleman from Florida?

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19. See § 8.4, supra.

20. See § 9.9, infra.

1. See § 9.6, infra.

2. 113 CONG. REC. 18662, 90th Cong. 1st Sess. Under consideration was H.R. 10595 (Committee on Banking and Currency).

3. Charles H. Wilson (Calif.).

4. 107 CONG. REC. 20303, 87th Cong. 1st Sess.

5. H.R. 9118 (Committee on Foreign Affairs).

6. Clifford David (Tenn.).

There was no objection.

—*Unanimous Consent Applicable to Specific Amendment*

§ 9.3 A unanimous-consent request to consider an amendment to a section of a bill which has not been read for amendment, where the bill is being read for amendment by sections, does not permit the offering of other amendments to that section of the bill; thus, while perfecting amendments to the text of a bill may ordinarily be offered pending a motion to strike that text, perfecting amendments may not be offered to a section of a bill not yet read for amendment where unanimous consent has been obtained to consider a motion to strike a portion of that section.

On Oct. 5, 1977,[7] the Committee of the Whole having under consideration H.R. 8410,[8] the proceedings, described above, occurred as follows:

THE CHAIRMAN:[9] Are there further amendments to section 7? . . .

MR. [JOHN N.] ERLENBORN [of Illinois]: Mr. Chairman, I offer amendments to sections 7 and 8, and I ask unanimous consent that the amendments may be considered en bloc.

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

There was no objection.

THE CHAIRMAN: The Clerk will report the amendments.

The Clerk read as follows:

> Amendments offered by Mr. Erlenborn: Page 22, line 14, strike "(1)"; page 22, line 15, strike "or" the second time it occurs, and all that follows through line 5, page 23. . . .

MR. [FRANK] THOMPSON [Jr., of New Jersey]: Mr. Chairman, I wonder if it is possible parliamentarily for the gentleman from Minnesota (Mr. Quie) to offer an amendment to the bill at this point.

THE CHAIRMAN: The Chair would advise the gentleman from New Jersey (Mr. Thompson) that an amendment to or a substitute for the motion to strike would not be in order.

MR. THOMPSON: But an amendment to the bill, rather than a substitute to strike, would be in order, Mr. Chairman?

THE CHAIRMAN: The Chair would advise the gentleman from New Jersey that, as the gentleman knows, section 8 is not open for amendment at this time, other than the Erlenborn amendment, and perfecting amendments to that section are not yet in order.

Committee Amendment

§ 9.4 An amendment to a committee amendment is not in order until such committee amendment is reached in the bill and read.

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7. 123 CONG. REC. 32523, 32524, 95th Cong. 1st Sess.
8. The Labor Reform Act of 1977.
9. William H. Natcher (Ky.).

On June 29, 1949,[10] the following exchange took place:

MR. [FRANCIS H.] CASE [of South Dakota]: The point of order is that the committee amendment which the Sasscer amendment attempts to amend has never been offered or considered.

THE CHAIRMAN:[11] The point of order is well taken. The gentleman from Maryland will have to withhold his amendment until the committee amendment has been reached.

§ 9.5 The Chair indicated in response to a parliamentary inquiry that committee amendments printed in a bill may not be considered in Committee of the Whole until the section where they appear has been read for amendment.

On Mar. 29, 1977,[12] during consideration of H.R. 5045,[13] in the Committee of the Whole, the proceedings, described above, were as follows:

THE CHAIRMAN:[14] There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 5045

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 "Reorganization Act of 1977". . . .

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

MR. [JACK] BROOKS [of Texas]: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state the parliamentary inquiry.

MR. BROOKS: Mr. Chairman, would the Clerk read the two committee amendments and get the committee amendments adopted before we go into other amendments from the floor?

THE CHAIRMAN: That portion of the bill has not yet been read.

MR. BROOKS: Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point and that we take up the two committee amendments and then at any point in the bill other amendments would be eligible for presentation.

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

There was no objection.

Inserting New Section

§ 9.6 Where the first section of a bill has, by unanimous consent, been considered as read and open to amendment, an amendment inserting a new section at the end of that section of the bill is in order.

10. 95 CONG. REC. 8660, 81st Cong. 1st Sess. Under consideration was H.R. 4009, the Housing Act of 1949.
11. Hale Boggs (La.).
12. 123 CONG. REC. 9353, 9355, 95th Cong. 1st Sess.
13. The Reorganization Act of 1977.
14. James M. Hanley (N.Y.).

On June 26, 1972,[15] the following proceedings took place:

Amendment offered by Mr. [Mario] Biaggi [of New York]: Page 7, insert after line 18 the following:

Sec. 102. The Secretary of Transportation shall (1) conduct a study. . . .

MR. [EARLE] CABELL [of Texas]: Was this amendment to section 1, which has been read? Does it apply to that?

THE CHAIRMAN:[16] It is an amendment to the first section of the bill.

MR. CABELL: I believe the gentleman from Iowa himself asked unanimous consent that it be open to amendment to the first section.

MR. [H. R.] GROSS [OF IOWA]: Mr. Chairman, yes, but page 7 goes beyond the first section of the bill. . . .

THE CHAIRMAN: The Chair will state that the unanimous-consent request that was made by the gentleman from Iowa and that was agreed to was to dispense with further reading of the first section of the bill, which ends on page 7, line 18, and the amendment offered by the gentleman from New York is to the first section of the bill and is therefore in order.

Striking Sections Not Yet Read

§ 9.7 To a bill being read for amendment by sections, an amendment proposing to strike out a title consisting of several sections is not in order following the reading of the first section.

On July 25, 1973,[17] the following proceedings took place during consideration of a bill[18] relating to limitations on federal expenditures for fiscal 1974:

MR. [HENRY S.] REUSS [of Wisconsin]: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Reuss: Strike out title II (beginning on line 11, page 11, and ending on line 10, page 14). . . .

MR. [RICHARD] BOLLING [of Missouri]: Mr. Chairman, I make a point of order against the amendment in that the amendment is offered to strike the title. The title has not been read, and therefore the amendment is not in order. . . .

THE CHAIRMAN:[19] A point of order has been raised that the amendment offered by the gentleman from Wisconsin (Mr. Reuss) seeks to strike matter beyond the portion of the bill which the Clerk has read, and there would be no way of striking anything except what the Clerk has read.

The Chair is constrained to sustain the point of order.

§ 9.8 When a bill is being read for amendment in the Com-

15. 118 CONG. REC. 22404, 92d Cong. 2d Sess. Under consideration was H.R. 15507.

16. John Brademas (Ind.).

17. 119 CONG. REC. 25829, 93d Cong. 1st Sess. As to the effect of a unanimous consent request to strike portions of the bill not yet read, see Sec. 9.3, supra.

18. H.R. 8480 (Committee on Rules).

19. Dante B. Fascell (Fla.).

mittee of the Whole by sections, an amendment to strike out both a section that has been read and a section that has not been read is not in order.

On May 13, 1958,[20] the following proceedings took place:

> Amendment offered by Mr. [Roy W.] Wier [of Minnesota]: Strike out of the bill chapter I, line 1, page 2, the following: section 101 and section 102 on line 10. . . .
>
> MR. [THOMAS E.] MORGAN [of Pennsylvania]: The gentleman's amendment carries on to line 19 on page 2. . . . I make the point of order that the section has not been read yet.
>
> THE CHAIRMAN:[21] of course, the point of order is well taken.

Amendment Not Properly Drafted as Amendment in Nature of Substitute .

§ 9.9 Where only the first title of a bill had been read for amendment, an amendment proposing to strike out portions of the bill not yet read, and not properly drafted as an amendment in the nature of a substitute for the bill, was ruled out of order.

On June 2, 1976,[22] during consideration of a bill[1] in the Committee of the Whole, the Chair ruled on a point of order, described above, as follows:

> MR. [THOMAS E.] MORGAN [of Pennsylvania] (during the reading): Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the Record, and open to amendment at any point. . . .
>
> There was no objection.
>
> MR. [CLIFFORD R.] ALLEN [of Tennessee]: Mr. Chairman, I offer an amendment.
>
> The Clerk read as follows:
>
> > Amendment offered by Mr. Allen: That all language following line 8, on page 1, shall be stricken with the exception of the following, which shall be renumbered accordingly:
> >
> > Beginning with line 9, page 71, and continuing through line 2, page 72. . . .
>
> MR. MORGAN: Mr. Chairman, I make a point of order against the amendment.
>
> THE CHAIRMAN:[2] The gentleman will state his point of order.
>
> MR. MORGAN: Mr. Chairman, this amendment goes beyond the title. The amendment amends sections of the bill that have not been read yet and are not open for amendment. . . .
>
> MR. ALLEN: . . . Mr. Chairman, this amendment admittedly is in the form of a substitute for the bill now under consideration.

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20. 104 CONG. REC. 8621, 85th Cong. 2d Sess. Under consideration was H.R. 12181, to amend further the Mutual Security Act of 1954, etc.

21. Hale Boggs (La.).

22. 122 CONG. REC. 16200, 94th Cong. 2d Sess.

1. H.R. 13680, to amend the Foreign Assistance Act of 1961.

2. Frank E. Evans (Colo.).

It would, indeed, change the whole purport and thrust of the bill from beginning to end. . . .

Mr. Chairman, if this is not the proper time to offer a substitute, I will offer it at a later time if the Chair so rules.

THE CHAIRMAN: The Chair is prepared to rule.

The Chair informs the gentleman from Tennessee (Mr. Allen) that because his amendment goes beyond title I, it is not in order at this time.

Therefore, the point of order of the gentleman from Pennsylvania (Mr. Morgan) is sustained.

—*Repeating Paragraphs Without Change*

§ 9.10 It is not in order, during the stage of amendment, to seek to amend a paragraph not yet reached in the reading by offering a substitute for several paragraphs which repeats without change a number of intervening paragraphs of the bill and defers substantive change to a portion of the bill not yet read.

On July 29, 1969,[3] the following proceedings took place:

Amendment offered by Mr. [Robert H.] Michel [of Illinois]: On page 25 strike out line 9 and all that follows on page 25 and insert in lieu thereof the following: . . .

MR. [JAMES G.] O'HARA [of Michigan]: Mr. Chairman, I make a point of order against the amendment on the ground that the paragraph which it amends has not yet been read. . . .

Mr. Chairman, when the amendment was offered, the Clerk had finished reading the paragraph which begins on line 9, page 25, and concludes on line 24, page 25. . . . But the amendment of the gentleman from Illinois does not change so much as a comma in that paragraph; it repeats it absolutely verbatim. It is not an amendment to that paragraph. It is only in subsequent paragraphs that any amendment is made.

As a matter of fact, it goes on through another paragraph without any change whatsoever before it makes an amendment. The amendment does not come until the paragraph beginning on line 9 of page 26.

I would make the point of order, Mr. Chairman, that the gentleman from Illinois will have to wait until that paragraph is read before he can offer an amendment to it. . . .

If the Chair is going to hold that one can offer an amendment at any place one wants in the bill in order to get a provision that comes a page later, or two pages later, or 10 pages later—and that is what he has done; he has offered an amendment here that changes nothing but gets at something on the next page—and if we are going to say that the precedents of this House say one can offer an amendment any place and repeat some language until it gets to the thing he wants to amend, we are heading for legislative chaos, Mr. Chairman. . . .

3. 115 CONG. REC. 21217, 21218, 91st Cong. 1st Sess. Under consideration was H.R. 13111 (Committee on Appropriations).

THE CHAIRMAN:[4] The Chair is prepared to rule. The Chair is presented with a most difficult ruling at this time. He has resorted to a precedent in "Hinds' Precedents," volume V, page 404, paragraph 5795, which reads as follows:

> When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs, the substitute may be moved to the first paragraph with notice that if it be agreed to, motions will be made to strike out the remaining paragraphs.

The Chair notes that the gentleman from Illinois did not give such notice. The amendment goes beyond the paragraph which has been read and in effect modifies a paragraph which has not yet been read.

The Chairman, therefore, sustains the point of order.

Failure To Make Point of Order

§ 9.11 An amendment to a paragraph of an appropriation bill not yet read by the Clerk is subject to a point of order, but if no point of order is made, the amendment may be considered.[5]

§ 9.12 Although no point of order is made against an amendment offered to a paragraph not yet read by the Clerk, further amendments to the paragraph that has been read are not precluded.

On Apr. 3, 1957,[6] during consideration of H.R. 6287, making appropriations for the Departments of Labor, Health, Education, and Welfare, Mr. F. Edward Hébert, of Louisiana, offered an amendment which related, in part, to portions of the bill that had been read, and, in part, to portions not yet read. The language of the bill and proposed amendment were as follows:

> The Clerk read as follows:
>
> Grants for hospital construction: For payments under parts C and G, title VI, of the act, as amended, $121,200,000, of which $99,000,000 shall be for payments for hospitals and related facilities pursuant to part C, $1,200,000 shall be for the purposes authorized in section 636 of the act, and $21,000,000 shall be for payments for facilities pursuant to part G, as follows: $6,500,000 for diagnostic or treatment centers, $6,500,000 for hospitals for the chronically ill and impaired, $4,000,000 for rehabilitation facilities, and $4,000,000 for nursing homes: *Provided,* That allotments under such parts C and G to the several States for the current fiscal year shall be made on the basis of amounts equal to the limitations specified herein.

MR. HÉBERT: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

4. Chet Holifield (Calif.).
5. See 9.11, infra.
6. 103 CONG. REC. 5018, 5019, 85th Cong. 1st Sess.

Amendment offered by Mr. Hébert: Page 25, line 6, after "as amended", strike out "$121,200,000" and insert "$100,000,000"; line 7, after "which", strike out '$99,000,000' and insert "$77,800,000"; line 20, after the words "as amended", strike out "$1,450,000" and substitute "$1,381,000."

MR. HÉBERT: Mr. Chairman, in view of the remarks that have been made on the floor during the last 7 days of debate and the arguments advanced against the cutting of these sums and amounts, I am now able to offer an amendment which meets the objections of both sides and I am sure can well be supported because it does not destroy any program; it does not reduce any salaries; it does not reduce or increase any personnel. . . .

MR. [THOMAS M.] PELLY [of Washington]: I did not understand that the Clerk had read beyond line 17. May I inquire if this amendment includes the figure on line 20?

THE CHAIRMAN:[7] The amendment that the gentleman from Louisiana offered was addressed to the language beginning on line 5 but does touch on a sum included in the next paragraph beginning on line 18. . . .

MR. [JOHN E.] FOGARTY [of Rhode Island]: It was my understanding that the amendment offered by the gentleman from Louisiana went down to and included the language at the end of line 20 on page 25.

THE CHAIRMAN: The amendment does go down that far, but the Clerk has not read those last three lines.

MR. FOGARTY: Mr. Chairman, I make the point of order that further amendments cannot be offered to the language before line 20 on page 25, because the amendment offered by the gentleman from Louisiana (Mr. Hébert) takes in 3 places in the bill and goes down to and including the paragraph "Salaries and expenses" where his amendment offers to cut the amount in line 20.

THE CHAIRMAN: The statement the gentleman makes is correct, but the fact remains no point of order was made when the amendment was read. . . .

MR. PELLY: Mr. Chairman, reserving the right to object, if no objection were made, would that preclude the consideration of my amendment which begins on line 17, following the action on the amendment of the gentleman from Louisiana [Mr. Hébert]?

THE CHAIRMAN: No.

Parliamentarian's Note: The above proceedings, in which it was indicated in the circumstances that adoption of amendments to text not yet read would not preclude further amendments to the text that had been read, should be distinguished from those in which adoption of an amendment inserting a new section to follow the pending section would preclude further amendment to the pending section.

En Bloc Amendments

§ 9.13 Amendments to the pending title of a bill and to a subsequent title may be offered en bloc only by unanimous consent.

7. Aime J. Forand (R.I.).

On Aug. 17, 1972,[8] the following proceedings took place:

MR. [DANTE B.] FASCELL [of Florida]: Mr. Chairman, I offer an amendment. . . .

[The Clerk read the amendment.]

MR. FASCELL: Mr. Chairman, I have another amendment on the same subject. . . . I ask unanimous consent that the amendments be considered en bloc. . . .

MR. [JOE D.] WAGGONNER [Jr., of Louisiana]: . . . Does not the rule require that the bill be read for amendment by title?

THE CHAIRMAN:[9] The Chair would advise the gentleman that he is correct. However, a unanimous-consent request to consider en bloc at this time an amendment in this title and an amendment in a subsequent title is appropriate if there is no objection.

MR. WAGGONNER: Mr. Chairman, I object.

§ 9.14 Amendments affecting portions of a bill which have not yet been read may be considered (en bloc) by unanimous consent only.

On Aug. 7, 1978,[10] during consideration of H.R. 13635 (the Defense Department appropriations) a unanimous-consent request was agreed to as set out below:

MR. [WILLIAM L.] DICKINSON [of Alabama]: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Dickinson: On page 2, line 11, strike "$9, 123,000" and insert in lieu thereof "$9,125,299,000". . . .

MR. [HAROLD L.] VOLKMER [of Missouri]: Mr. Chairman, I would like to make a parliamentary inquiry. In the event the amendments offered by the gentleman from Alabama, which probably go to . . . more than one title, if they were adopted, would that preclude thereafter a general 2-percent across-the-board amendment to the same title?

THE CHAIRMAN PRO TEMPORE: The amendments of the gentleman from Alabama go to at least four titles of the bill, and to the extent that they change figures by amendment, they are not subject to further amendment if adopted.

MR. VOLKMER: Would a general 2-percent across-the-board cut, which does not actually change the figure, be in order?

THE CHAIRMAN PRO TEMPORE: That would still be in order.

MR. VOLKMER: As far as my amendments to the bill, if the gentleman from Alabama wishes to reoffer his amendments en bloc for the rest of them, I would not object. . . .

MR. DICKINSON: Mr. Chairman, I would ask unanimous consent that the amendments be considered en bloc.

THE CHAIRMAN PRO TEMPORE: Is there objection to the request of the gentleman from Alabama?

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8. 118 CONG. REC. 28886, 92d Cong. 2d Sess. Under consideration was H.R. 13915 (Committee on Education and Labor).

9. Morris K. Udall (Ariz.).

10. 124 CONG. REC. 24686, 24689, 24690, 95th Cong. 2d Sess.

There was no objection.

THE CHAIRMAN PRO TEMPORE: The Clerk will report the remaining amendments.

The Clerk read as follows:

Amendments offered by Mr. Dickinson: And on page 2, line 19, strike "$6,456,450,000" and insert in lieu thereof "$6,448,150,000";

On page 3, line 3, strike "$2,015,900,000" and insert in lieu thereof "$2,015,200,000";

On page 6, line 4, strike "$9,097,422,000" and insert in lieu thereof "$9,115,422,000";

On page 6, line 15, strike "$11,705,155,000" and insert in lieu thereof "$11,691,755,000";

On page 14, line 24, strike "$916,708,000" and insert in lieu thereof "$917,400,000"; and

On page 56, beginning on line 1 and ending on line 4, strike section 856 in its entirety and renumber all subsequent sections accordingly.

THE CHAIRMAN PRO TEMPORE [Mr. (Richard A.) Gephardt (of Missouri)]: Is there objection to the request of the gentleman from Alabama (Mr. Dickinson) to consider the amendments en bloc?

There was no objection.

§ 9.15 To a bill being read for amendment by title, an amendment to the pending title and to a subsequent title may be offered en bloc only by unanimous consent.

On Oct. 1, 1985,[11] during consideration of H.R. 2100[12] in the Committee of the Whole, the situation described above occurred as follows:

THE CHAIRMAN:[13] When the Committee of the Whole rose on Thursday, September 26, title IV was open to amendment at any point to amendments printed in the Congressional Record before September 24, 1985.

Are there amendments to title IV? . . .

The Clerk read as follows:

Amendment offered by Mr. Glickman: Title IV of H.R. 2100 is amended by—

On page 65, after line 8, striking all through "shall" on line 11 and inserting in lieu thereof the following:

"(2) If the Secretary determines that the availability of nonrecourse loans and purchases will not have an adverse effect on the program provided for in paragraph (3), the Secretary may"; . . .

Title V of H.R. 2100 is amended by—

On page 87, after line 15, striking all through "shall" on line 18 and inserting in lieu thereof the following: . . .

MR. [EDWARD R.] MADIGAN [of Illinois]: Mr. Chairman, I believe a point of order would lie against the amendment offered by the gentleman from Kansas (Mr. Glickman) because the amendment, if I understand the amendment that is being offered, goes to more than one title of the bill. . . .

MR. [DAN] GLICKMAN [of Kansas]: Mr. Chairman, the amendment amends two titles of the bill. To be frank with the Chair, it was submitted as one amendment, but the intention

11. 131 CONG. REC. 25418–20, 99th Cong. 1st Sess.

12. The Food Security Act of 1985.

13. David E. Bonior (Mich.).

of the author of this amendment as well as the other authors was to deal with the issues as they affected title IV and then title V. I put it in one title of the bill, but, to be honest with the Chair, the issues are divisible, they are separate. I could have amended it and put it in two separate amendments. I did not because that is not the way the issue came up in the Committee on Agriculture. . . .

MR. ROBERT F. SMITH [of Oregon]: . . . Mr. Chairman, rule III of the rules provides that consideration can only be by title, not by section. I think the point remains that there is no question that this amendment does affect two titles. . . .

MR. [ARLAN] STANGELAND [of Minnesota]: . . . I just want to make the point that the amendment was printed in two distinctly separate sections. One portion of the amendment dealt with wheat and target prices and marketing loans. The second section of the amendment deals with title V, the feed grain section. Two distinctly different amendments but introduced in the Record as, unfortunately, one amendment. . . . I would just appeal to the Chair that the intent of the authors was that because they were handled en bloc in committee, we would run that way, but they are divisible, they can be addressed to title IV and title V very distinctly in the amendment. . . .

THE CHAIRMAN: The Chair is prepared to rule.

The Chair would state that the Chair can only look at the form in which the amendment has been submitted for printing on the Record. According to the rule, the substitute shall be considered for amendment by title instead of by sections, and only amendments to the bill which have been printed in the Record by September 24 may be offered.

Therefore, the only way in which the amendment that the gentleman from Kansas (Mr. Glickman) wishes to offer could be considered is by unanimous consent.

The Chair sustains the point of order.

§ 9.16 To a bill being read for amendment by sections, amendments to more than one section may be considered en bloc by unanimous consent only.

On Oct. 5, 1977,[14] the Committee of the Whole having under consideration H.R. 8410,[15] the Chair responded to a parliamentary inquiry concerning the procedure for offering amendments to two sections of the bill:

THE CHAIRMAN:[16] Are there further amendments to section 7? . . .

MR. [JOHN N.] ERLENBORN [of Illinois]: Mr. Chairman, I have amendments that amend both sections 7 and 8. The amendment to section 7 is technical and conforming in nature. The substance of the amendments is to section 8.

I would ask the Chairman if I might offer my amendments now, or should I wait until section 8 has been read?

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14. 123 CONG. REC. 32523, 32524, 95th Cong. 1st Sess.

15. The Labor Reform Act of 1977.

16. William H. Natcher (Ky.).

THE CHAIRMAN: The Chair will advise the gentleman from Illinois (Mr. Erlenborn) that if the gentleman desires to offer his amendments as one amendment, he will have to obtain unanimous consent to do so, either now or when section 8 is read.

—*Amendments Relating to Same Subject Matter Considered En Bloc*

§ 9.17 Amendments to several portions of a title of a bill being read by titles may be offered as one amendment where they relate to the same subject matter, and unanimous consent is not required for their consideration en bloc.

On Oct. 5, 1978,[17] the Committee of the Whole having under consideration H.R. 13471, the above-stated proposition was illustrated as indicated below:

THE CHAIRMAN:[18] When the Committee rose on Tuesday, October 3, 1978, all time for general debate on this bill had expired. Pursuant to the rule, the bill will be considered by titles, and each title shall be considered as having been read.

Title I is as follows:

H.R. 13471

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 "Financial Institutions Regulatory Act of 1978". . . .

MR. [THOMAS N.] KINDNESS [of Ohio]: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Kindness: Page 3, line 12, insert "(1)" after "(d)", and on page 4, immediately after line 4, insert the following:

"(2) The United States shall pay to any member bank or person who prevails in an appeal pursuant to this section a reasonable attorney's fee and other reasonable litigation costs, which shall be assessed by the court in the manner provided by law for the assessment of costs. . . .

Page 5, line 25, insert "(A)" after "(4)", and on page 6, immediately after line 14 insert the following:

"(B) The United States shall pay to any member bank or person who prevails in an appeal pursuant to this section a reasonable attorney's fee. . . .

Page 8, line 10, insert "(A)" after "(4)", and immediately after line 24, insert the following:

"(B) The United States shall pay to any association or person who prevails in an appeal pursuant to this section a reasonable attorney's fee. . . .

Page 20, line 17, after the period insert the following: "The United States shall pay to any company or person who prevails in an appeal under section 9 a reasonable attorney's fee. . . .

MR. KINDNESS: Mr. Chairman, I would make the request, if it is necessary, that the amendment be considered en bloc, because it is a series of identical or practically identical amendments.

17. 124 CONG. REC. 33799, 33810, 95th Cong. 2d Sess.

18. Mike McCormack (Wash.).

THE CHAIRMAN: It will be considered as one amendment.

—*Perfecting Amendment and Amendment Inserting New Section*

§ 9.18 Motions to strike out and insert provisions on diverse pages and lines of a bill and to insert a new section constitute separate amendments which can be offered en bloc only by unanimous consent.

On Apr. 20, 1972,[19] the following proceedings took place:

MR. [LES] ASPIN [OF WISCONSIN]: Mr. Chairman, I offer amendments and ask unanimous consent that they be considered as read. . . .

The amendments offered by Mr. Aspin are as follows:

Page 1, line 8, strike out "$1,094,200,000" and insert in lieu thereof "$894,000". . . .

Page 11, insert the following new section after line 25 (and redesignate the succeeding section accordingly):

"Sec. 7. . . ."

MR. [OLIN E.] TEAGUE of Texas: Do I understand the gentleman has two amendments?

MR. ASPIN: No; they are both one amendment.

MR. TEAGUE of Texas: Is it not the intention of the gentleman to ask unanimous consent to have the two amendments considered together?

MR. ASPIN: I did not make such a request, but I intend for them to be put together. They are on two pieces of paper, but they are supposed to be one amendment.

MR. TEAGUE of Texas: Mr. Chairman, the gentleman has one amendment and we intend to make a point of order against one of them.

Is it not the proper procedure to have the two put together and be considered together?

THE CHAIRMAN:[20] the Chair has examined the amendments and determines that this is indeed more than one amendment and, without unanimous consent, could not be joined.

—*Sections Open for Amendment if Amendments Rejected*

§ 9.19 Where there was pending a unanimous-consent request that several amendments to sections of the bill which had not been read be considered en bloc, the Chair indicated that those sections would be open for amendment as they were read if the pending amendments were rejected.

On Aug. 3, 1971,[1] the following proceedings took place:

MR. [RONALD V.] DELLUMS [of California]: Mr. Chairman, I offer amend-

19. 118 CONG. REC. 13641, 13642, 92d Cong. 2d Sess. Under consideration was H.R. 14070 (Committee on Science and Astronautics).

20. John J. Rooney (N.Y.).

1. 117 Cong. Rec. 29094, 92d Cong. 1st Sess. Under consideration was H.R. 9910 (Committee on Foreign Affairs).

ments; and I ask unanimous consent that this series of amendments may be considered en bloc. . . .

MR. [THOMAS E.] MORGAN [of Pennsylvania]: . . . Do I correctly understand that the gentleman is requesting unanimous consent to have these amendments considered en bloc, and that they refer to various sections in the bill, beginning with the development loan section and continuing at various points to the East Pakistan refugee section?

MR. DELLUMS: That is correct, Mr. Chairman. . . .

MR. [JAMES G.] FULTON [of Pennsylvania]: . . . If this amendment is voted down can there be further amendments then offered to the money provisions of the various sections of the bill?

THE CHAIRMAN:[2] If this amendment is rejected, when those particular sections are open to amendment there could be other amendments offered.

—Special Rule Providing for Disposition of En Bloc Amendments Prior to Floor Amendment.

§ 9.20 Pursuant to a special rule making in order the offering of a designated amendment to a part of a bill only after the disposition of three groups of committee amendments to that part, the Chair indicated the third group of amendments en bloc must be disposed of prior to the offering of a floor amendment to that part.

On Aug. 3, 1977,[3] during consideration of H.R. 8444 (the National Energy Act), the Chair responded to a parliamentary inquiry as indicated above. The proceedings were as follows:

THE CHAIRMAN:[4] . . . The Clerk will designate the next ad hoc committee amendment.

The Clerk read as follows:

Page 193, line 11, after "the cost of" insert "compression,". . . .

The question is on the ad hoc committee amendment.

The ad hoc committee amendment was agreed to.

MR. [CLARENCE J.] BROWN of Ohio: Mr. Chairman, I have a parliamentary inquiry.

Is the amendment that was made in order by the rule in order now?

THE CHAIRMAN: The Chair would like to advise the gentleman from Ohio that there are other ad hoc amendments.

The Clerk will designate the next ad hoc committee amendments, which under the rule are considered as read and considered en bloc.

The Clerk read as follows:

Page 209, lines 3 and 4, on page 209, lines 12 through page 210, line 6, on page 210, line 7, on page 210, lines 16 through 18, on page 211, line 6, on page 211, lines 23 through 25, on page 212, lines 4 through 6,

2. Charles M. Price (Ill.).

3. 123 CONG. REC. 26447, 26448, 95th Cong. 1st Sess.

4. Edward P. Boland (Mass.).

and on page 212, lines 16 through 18. . . .

THE CHAIRMAN PRO TEMPORE:[5] The question is on ad hoc committee amendments.

The ad hoc committee amendments were agreed to.

—*Amendments Made in Order by Special Rule Not Offered From Floor*

§ 9.21 Where a bill is being considered under a special rule providing for consideration en bloc of certain committee amendments printed in the bill, the Chair directs the Clerk to report the amendments en bloc and they need not be offered from the floor.

On July 8, 1975,[6] the Committee of the Whole having under consideration H.R. 49, pursuant to a special rule, the following proceedings occurred:

THE CHAIRMAN:[7] Under the rule, it shall now be in order to consider en bloc the amendments recommended by the Committee on Armed Services now printed in the bill.

The Clerk read as follows:

Committee amendments:

Page 3, between lines 19 and 20 insert the following: "TITLE I".

Page 3, line 20, strike out "That in" and insert "Sec. 101. In". . . .

MR. [F. EDWARD] HÉBERT [of Louisiana]: Mr. Chairman, I will not offer the amendments of the Armed Services Committee as described in the rule.

THE CHAIRMAN: The Chair will advise the gentleman from Louisiana that under the rule the amendments are offered and presented en bloc. They have been presented.

—*Further Amendment After En Bloc Amendments Agreed To*

§ 9.22 Where, pursuant to a special order, amendments en bloc to several titles of a bill have been agreed to, a further amendment which would (1) amend portions of the amendments already agreed to en bloc or (2) amend unamended portions of a previous title already passed in the reading is not in order, the bill not being open to amendment at any point.

On July 12, 1983,[8] it was illustrated that, while it may be in order to offer an amendment to the pending portion of a bill which not only changes a provision already amended but also changes an unamended pending portion of the bill, it is not in order merely

5. William H. Natcher (Ky.).
6. 121 CONG. REC. 21630, 94th Cong. 1st Sess.
7. Neal Smith (Iowa).
8. 129 CONG. REC. 18771, 98th Cong. 1st Sess.

to amend portions of a bill that have been changed by amendment or to amend unamended portions that have been passed in the reading and are no longer open to amendment. The proceedings in the Committee of the Whole, acting pursuant to a special order, were as follows:

MR. [STEVE] BARTLETT [of Texas]: Mr. Chairman, I offer an amendment.

THE CHAIRMAN:[9] The Chair wishes to inquire of the gentleman from Texas, is the gentleman from Texas offering these amendments en bloc?

MR. BARTLETT: These amendments are not offered en bloc, Mr. Chairman. . . .

THE CHAIRMAN: Could the gentleman from Texas identify which amendment it is?

MR. BARTLETT: The amendment begins, "Strike out the item agreed to in the amendment relating to page 50, line 3, of the bill."

The Chairman: The Clerk will report the amendment.

The Clerk read as follows:

> Amendment offered by Mr. Bartlett: Strike out the item agreed to in the amendment offered by Mr. Gonzalez relating to page 50, line 3, of the bill and insert in lieu thereof the following item:
>
> Page 50, line 3, strike out "$729,033,000" and insert in lieu thereof "$549,949,000".

Strike out the item agreed to in the amendment offered by Mr. Gonzalez relating to page 50, line 8, of the bill. . . . Strike out the item agreed to in the amendment offered by Mr. Gonzalez relating to page 106, line 3, of the bill. Strike out the item agreed to in the amendment offered by Mr. Gonzalez relating to page 106, line 8, of the bill. Strike out the item agreed to in the amendment offered by Mr. Gonzalez relating to page 117, lines 19 through 22, of the bill.

MR. [HENRY B.] GONZALEZ [of Texas]: Mr. Chairman, I make a point of order against the amendment. . . .

In the first place, this amendment attempts to perfect and change the provisions of the bill that have already been perfected under my amendment by nature of a substitute, the amendment previously approved by the committee. As such I believe the amendment is not in order and I raise a point of order against it.

In addition, the amendment attempts to amend title II which has already been passed in the reading and, therefore, for those two basic reasons I wish to interject this point of order against the pending amendment. . . .

MR. BARTLETT: Mr. Chairman, I would comment that my amendment is broader in scope than the Gonzalez amendment as it would strike all of title III and strike section 231 of the bill which relates to the 235 assistance, and my amendment is broader in scope than merely the previously adopted Gonzalez amendment.

THE CHAIRMAN: With one exception, and that is the portion of the amendment that begins on page 106 striking title III, these amendments en bloc seek either to amend portions of the Gonzalez amendment already agreed to en bloc or to amend unamended portions of the bill contained in title I and

9. Norman Y. Mineta (Calif.).

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 authorized 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:

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

11. John J. McFall (Calif.).

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