amendment in the nature of a substitute.

The Clerk read as follows:

> Amendment in the nature of a substitute offered by Mr. Wright: Strike out all after the enacting clause and insert in lieu thereof the following:
>
> That the Intelligence Authorization Act for Fiscal Year 1983 is amended by adding at the end thereof the following new title: . . .

MR. [HENRY J.] HYDE [of Illinois]: I have an amendment that was printed in the Record. Will I be given an opportunity to offer it?

THE CHAIRMAN:[1] The Chair will advise the gentleman that a printed perfecting amendment to the bill can be offered before the vote on the Wright amendment in the nature of a substitute.

Parliamentarian's Note: In cases such as that above, the perfecting amendment to the pending portion of the bill is voted on first.

§ 25. Substitute Amendments; Amendments in Nature of Substitute

An amendment in the nature of a substitute is basically, in form, a motion to strike out and insert. But the term "amendment in the nature of a substitute" applies only to those motions which propose to strike out an entire pending bill, or, less precisely, to motions proposing to strike out an entire pending portion (section or title) of text and to insert new matter and is not used to describe those motions to strike out and insert which may be properly characterized as "perfecting amendments" and which go only to a portion of the pending text.

An amendment in the nature of a substitute for a bill may be proposed before perfecting amendments to the pending portion of the original text have been offered, but may not be voted on until after such perfecting amendments have been disposed of.[2]

Amendments to a committee amendment in the nature of a substitute are voted on before a substitute amendment, and the effect of the adoption of a substitute amendment striking out all after the title of the committee amendment is to eliminate the language inserted by the committee amendment as well as the language of the amendments thereto.[3]

1. William H. Natcher (Ky.).

2. See 107 CONG. REC. 8825–27, 87th Cong. 1st Sess., May 24, 1961, where a Member was recognized to offer an amendment in the nature of a substitute for a bill, and after it was read another Member was recognized to offer a perfecting amendment to the original text. The perfecting amendment was considered and voted on before the amendment in the nature of a substitute.

3. See § 25.3, infra.

Where a substitute—striking out all of the text and inserting new matter—for an amendment in the nature of a substitute is adopted, the vote recurs immediately on the amendment, as amended, and no further amendments to either proposition are in order since the original amendment has been changed in its entirety by the substitute.[4]

Rejection of Substitute

§ 25.1 If a substitute amendment is adopted, the question recurs on the amendment as amended by the substitute; but if the substitute is rejected, the amendment is open to further amendment.

On Dec. 3, 1941,[5] the following proceedings took place:

MR. [JOHN J.] COCHRAN [of Missouri]: I desire to know if the first vote is on the Smith substitute as amended, to the Ramspeck amendment to the Vinson bill?

THE CHAIRMAN:[6] The gentleman is correct.

MR. COCHRAN: Now I want to know if the Smith substitute is adopted, if the vote then comes on the Ramspeck amendment as amended by the Smith substitute?

THE CHAIRMAN: The gentleman is correct again. . . .

MR. COCHRAN: I would like to make one further parliamentary inquiry. If the Smith substitute is voted down, we then remain in Committee of the Whole and consider the Ramspeck bill, open to amendment under the 5-minute rule?

THE CHAIRMAN: The gentleman from Missouri is correct throughout.

Adoption of Substitute for Amendment in Nature of Substitute

§ 25.2 Where an amendment in the nature of a substitute to a bill is amended in Committee of the Whole by the adoption of a substitute therefor, the question recurs on the amendment in the nature of a substitute, as amended.

On Dec. 16, 1970,[7] the following proceedings took place:

4. See, for example, 116 CONG. REC. 20206, 91st Cong. 2d Sess., June 17, 1970 (response of Chairman Charles M. Price [Ill.] to parliamentary inquiry by Mr. James G. Fulton [Pa.]).
5. 87 CONG. REC. 9395, 77th Cong. 1st Sess. Under consideration was H.R. 4139, to further expedite national defense programs with respect to naval construction, etc., by providing for the investigation and mediation of labor disputes in connection therewith. For discussion of the effect of rejection of amendments generally, see §§ 35 and 38, infra.
6. William P. Cole, Jr. (Md.).
7. 116 CONG. REC. 42032, 91st Cong. 2d Sess. Under consideration was H.R. 18582. For discussion of the effect of

THE CHAIRMAN:[8] The question is on the substitute amendment offered by the gentleman from Virginia (Mr. Abbitt), as amended for the amendment in the nature of a substitute, offered by the gentleman from Washington (Mr. Foley). . . .

So the substitute for the amendment in the nature of a substitute was agreed to.

THE CHAIRMAN: The question now occurs on the amendment in the nature of a substitute offered by the gentleman from Washington (Mr. Foley), as amended by the substitute amendment offered by the gentleman from Virginia (Mr. Abbitt). . . .

MR. [DURWARD G.] HALL [of Missouri]: The amendment was a substitute amendment for the Foley committee amendment, and therefore the question does not arise, does it?

THE CHAIRMAN: The question is on the amendment in the nature of a substitute offered by the gentleman from Washington (Mr. Foley), as amended by the substitute amendment offered by the gentleman from Virginia (Mr. Abbitt).

§ 25.3 Amendments to an amendment in the nature of a substitute are voted on before a substitute amendment, and the effect of the adoption of a substitute amendment (here an amendment striking out all after the title of the amendment in the nature of a substitute) is to eliminate the language inserted by the amendments to the amendment in the nature of a substitute.

On May 26, 1960,[9] while a committee amendment in the nature of a substitute was pending, the following proceedings took place:

The Clerk read as follows:

Amendment offered by Mr. [Carl A.] Elliott of Alabama: Page 13, strike out lines 5 through 12, and insert the following: . . .

So the amendment was agreed to. . . .[10]

Amendment offered by Mr. [Adam C.] Powell [Jr., of New York]: Page 18, line 4, after section 6(a) insert: . . .

So the amendment was agreed to. . . .[11]

Amendment offered by Mr. [Frank T.] Bow of Ohio: On page 11, line 20, after "Sec. 1." strike out all after section 1 and insert in lieu thereof the following: . . .

So the amendment was agreed to. . . .

The committee amendment as amended was agreed to.[12]

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adoption of substitute amendments generally, see § 32, infra.

8. Spark M. Matsunaga (Hawaii).

9. 106 CONG. REC. 11282, 11292, 11296–98, 11301, 11302, 86th Cong. 2d Sess. Under consideration was H.R. 10128.

10. 106 CONG. REC. 11282, 11292, 86th Cong. 2d Sess.

11. *Id.* at pp. 11296, 11297.

12. *Id.* at pp. 11298, 11301.

Since the rule permitted separate votes in the House on amendments to the committee amendment in the nature of a substitute, separate votes were demanded on the three amendments. An inquiry was then directed to the Chair:[13]

MR. [GRAHAM A.] BARDEN [of North Carolina]: Mr. Speaker, what effect will the Bow amendment have on the other amendments that will be voted on?

THE SPEAKER:[14] If the Bow amendment is agreed to it will strike out the other two amendments.

MR. BARDEN: It strikes out the Elliott amendment and the Powell amendment?

THE SPEAKER: That is correct.

§ 25.4 Where a substitute for an amendment in the nature of a substitute has been agreed to, the question recurs immediately upon the amendment as amended by the substitute, and further perfecting amendments to the amendment are not then in order.

On Feb. 5, 1976,[15] the Committee of the Whole having under consideration H.R. 9464,[16] the Chair responded to a parliamentary inquiry as described above. The proceedings were as follows:

THE CHAIRMAN:[17] The question is on the amendment, as amended, offered as a substitute by the gentleman from Iowa (Mr. Smith) for the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Krueger). . . .

So the substitute amendment, as amended, for the amendment in the nature of a substitute to the committee amendment in the nature of a substitute, was agreed to. . . .

THE CHAIRMAN: The question is on the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Krueger) as amended to the committee amendment in the nature of a substitute.

MR. [ROBERT E.] BAUMAN [of Maryland]: Mr. Chairman, a parliamentary inquiry. . . .

. . . [I]t is my understanding that at this stage, since the Smith substitute amendment has been agreed to narrowly, that there are no further amendments to the Krueger amendment in the nature of a substitute since it was a complete substitute, is that correct?

THE CHAIRMAN: That is correct.

Amendments to Original Text While Amendment in Nature of Substitute Is Pending

§ 25.5 An amendment in the nature of a substitute is not voted on until the pending

13. *Id.* at p. 11302.
14. Sam Rayburn (Tex.).
15. 122 CONG. REC. 2648, 2649, 94th Cong. 2d Sess.
16. Natural Gas Emergency Act of 1976.
17. Richard Bolling (Mo.).

portion of original text is perfected.

On June 21, 1962,[18] during consideration of the Food and Agricultural Bill of 1962 (H.R. 11222), Mr. Charles B. Hoeven, of Iowa, offered an amendment in the nature of a substitute:

Amendment offered by Mr. Hoeven: Page 15, line 16, strike out lines 16 through 23, all of page 17 through 87 and lines 1 through 3 on page 88 and insert in lieu thereof the following:

"SUBTITLE A—FEED GRAINS

"Sec. 401. Paragraphs (3) and (4) of section 105(c) of the Agricultural Act of 1949 are amended by inserting after the words '1962' wherever they appear the words 'or 1963'.

"Sec. 402. Section 105(c) of the Agricultural Act of 1949 as amended by adding new subsections (5)(a) and (5)(b) as follows:

"'(5)(a) The Secretary is authorized and directed to make payment-in-kind to producers eligible for price support on the 1963 crop of corn, grain sorghums, and barley who elect to take such payments in lieu of price support. . . .

"Sec. 321. This subtitle may be cited as the 'Wheat and Feed Grain Disposal Act of 1962.'

Sec. 422. Notwithstanding any other provision of law, the Secretary shall formulate and carry out a surplus wheat and feed grain disposal program for each crop year beginning with the 1963 crop year for each of the following commodities: Wheat, corn, rye, barley, oats, and grain sorghums. Each such program shall afford producers, who agree not to plant that particular commodity, an opportunity to purchase from the Commodity Credit Corporation, at an attractive price, notwithstanding the provisions of section 407 of the Agricultural Act of 1949, as amended, the quantity of such commodity determined under section 404. . . .

Mr. Hoeven explained the effect of the amendment in part as follows:

MR. HOEVEN: . . . Mr. Chairman, this substitute would strike title IV from the bill and substitute a voluntary feed grain program for 1 year, and the extension of the present wheat program for another year, with certain additions.

Here are the main provisions of the substitute: No. 1, it extends the present voluntary feed grain program for 1 more year, but makes these important changes: It prohibits the "dumping" of surplus feed grains back onto the domestic market, at less than 5 percent above the current support price, plus reasonable carrying charges. . . .

Another provision of the substitute would make payments-in-kind to participating feed grain farmers in lieu of price supports, thus preventing wholesale shuffling of the Commodity Credit Corporation inventory. . . .

Another important part of the substitute authorizes the Secretary to extend expiring conservation reserve contracts for periods of from 3 to 10 years

18. 108 CONG. REC. 11324–26, 87th Cong. 2d Sess.

beyond the scheduled termination dates, thus preventing millions of acres which are now retired from coming back into production.

MR. [WILLIAM R.] POAGE [of Texas]: Mr. Chairman, this amendment, as I understand it, is in the nature of a substitute for the entire section. Is it not correct that since it is a substitute the amendment will go over until we have perfected the titles, and that the gentleman's proposed substitute will then be subject to perfection itself and be voted upon, after completing the work on the titles of the bill?

THE CHAIRMAN:[19] The Chair will state that the gentleman is correct. If there are any perfecting amendments to this section, they will be disposed of before the amendment in the nature of the substitute is disposed of.

§ 25.6 Where there is pending an amendment in the nature of a substitute, perfecting amendments to the pending portion of underlying text, and amendments thereto, may be offered and are voted on prior to the vote on the amendment in the nature of a substitute and amendments thereto.

On Apr. 13, 1983,[20] the Committee of the Whole having under consideration House Joint Resolution 13,[1] the above-stated proposition was illustrated as indicated below:

MR. [ELLIOTT H.] LEVITAS [of Georgia]: Mr. Chairman, I have a perfecting amendment at the desk to section 2 of House Joint Resolution 13.

THE CHAIRMAN:[2] The Chair will advise that perfecting amendments to the underlying text are in order at this time while the Levitas amendment in the nature of a substitute is pending. But the Chair will also point out that if any Member is recognized to offer a perfecting amendment at this time, debate will not be limited on the perfecting amendment and the vote will first come on the perfecting amendment and on any potential amendments thereto before the question is put on the Levitas substitute.

—Amendments Offered Under Terms of Special Rule

§ 25.7 During consideration of a bill pursuant to a special rule permitting the majority and minority leaders to offer amendments not printed in the Record but requiring all other Members to offer amendments to the bill which have been printed in the Record, the majority leader was permitted to offer an amendment in the nature of a substitute not printed in the Record, but while the substitute was pending an-

19. Francis E. Walter (Pa.).

20. 129 CONG. REC. 8402–04, 98th Cong. 1st Sess.

1. Nuclear Weapons Freeze.

2. Matthew F. McHugh (N.Y.).

other Member was permitted to offer to the bill a perfecting amendment printed in the Record.

During the proceedings of July 28, 1983,[3] in the Committee of the Whole, it was demonstrated that, pending an amendment in the nature of a substitute for an entire bill, perfecting amendments to the pending portion of the bill could still be offered.

> MR. [JAMES C.] WRIGHT [Jr., of Texas]: Mr. Chairman, I offer an amendment in the nature of a substitute.
>
> The Clerk read as follows:
>
> > Amendment in the nature of a substitute offered by Mr. Wright: Strike out all after the enacting clause and insert in lieu thereof the following:
> >
> > That the Intelligence Authorization Act for Fiscal Year 1983 is amended by adding at the end thereof the following new title. . . .
>
> MR. [HENRY J.] HYDE [of Illinois]: I have an amendment that was printed in the Record. Will I be given an opportunity to offer it?
>
> THE CHAIRMAN:[4] The Chair will advise the gentleman that a printed perfecting amendment to the bill can be offered before the vote on the Wright amendment in the nature of a substitute.

3. 129 CONG. REC. 21468, 21469, 98th Cong. 1st Sess.

4. William H. Natcher (Ky.).

Amendments to Amendment in Nature of Substitute, and to Substitute, Under Limitation on Debate

§ 25.8 Where there was pending an amendment in the nature of a substitute, a substitute therefor and an amendment to the substitute, and debate had been limited on the substitute and all amendments thereto but not on the original amendment or amendments thereto, the Chair indicated that (1) further amendments to the substitute or modifications of the substitute by unanimous consent must await disposition of the pending amendment to the substitute; (2) amendments to the original amendment could be offered and debated under the five-minute rule and would be voted on before amendments to the substitute; (3) amendments to the substitute could be offered and voted upon without debate unless printed in the Record pursuant to Rule XXIII clause 6; and (4) the question would not be put on the substitute until all perfecting amendments to it and to the original amendment were disposed of.

On Feb. 5, 1976,[5] during consideration of H.R. 9464, the Natural Gas Emergency Act of 1976, there was pending an amendment in the nature of a substitute (the Krueger amendment); a substitute therefor (the Smith amendment); and an amendment to the substitute (the Eckhardt amendment). A unanimous-consent request was made to limit debate:

MR. [JOHN D.] DINGELL [of Michigan]: Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, I ask unanimous consent that all debate on the Smith amendment and all amendments thereto terminate immediately upon the conclusion of consideration of the amendment offered by the gentleman from Texas (Mr. Eckhardt). . . .

There was no objection. . . .

MR. [CLARENCE J.] BROWN of Ohio: Mr. Chairman, as I understood it, the unanimous-consent request of the gentleman from Michigan (Mr. Dingell) was that all debate on the Smith substitute amendment cease after the disposition of the Eckhardt amendment.

The Eckhardt amendment would be the pending business then, and immediately after the determination of the Eckhardt amendment, we would vote on the Smith amendment. Is that not correct? . . .

THE CHAIRMAN:[6] Not necessarily, because there could be an amendment to the Krueger amendment, which would be debatable. . . .

. . . Before we vote on the Smith substitute, amendments to the Krueger amendment are debatable if offered. . . .

The point that the Chair is trying to make, regardless of what agreements are reached, is that until the Krueger amendment is finally perfected to the satisfaction of the Committee, the Chair cannot put the question on the Smith substitute.

MR. BROWN of Ohio: The Chair cannot put the question on the Smith amendment?

THE CHAIRMAN: The Chair cannot put the question on the Smith substitute until the Krueger amendment is perfected to the satisfaction of the Committee.

There has been no limitation of debate on the Krueger amendment or amendments thereto. The basic parliamentary situation is that we have a substitute amendment for the amendment in the nature of a substitute, the Krueger amendment. Both of those are subject to amendment, but both must be perfected before the Chair can put the question on the substitute for the amendment in the nature of a substitute.

MR. BROWN of Ohio: With respect to the unanimous-consent request of the gentleman from Michigan (Mr. Dingell), the Eckhardt amendment is still to be voted upon, and then there are to be no other amendments to the Smith amendment?

THE CHAIRMAN: There is to be no further debate on such amendments. . . .

MR. BROWN of Ohio: Mr. Chairman, if my time still applies, I would like to ask the Chair to state the circumstances. If I may, before the Chair does that, I would like to ask the ques-

5. 122 CONG. REC. 2646–48, 94th Cong. 2d Sess.

6. Richard Bolling (Mo.).

tion this way: As the situation stands at this moment, the Krueger amendment is still perfectable by amendments under the normal course of time, and there is no limitation on the Krueger amendment.

The Smith amendment, however, can be perfected only by the vote on the Eckhardt amendment, and then if there are other amendments to the Smith amendment there is no debate time remaining on those amendments.

Is that correct?

THE CHAIRMAN: Unless they are printed in the Record.

MR. BROWN OF Ohio: And if they are printed in the Record, the debate time is 5 minutes per side pro and con. Is that correct?

THE CHAIRMAN: That is correct. . . .

MR. DINGELL: Mr. Chairman, it is, however, a fact that the gentleman may have an amendment at the desk and it may be voted on without debate under the unanimous-consent request?

THE CHAIRMAN: That is correct.

MR. [ROBERT] KRUEGER [of Texas]: Mr. Chairman, I have a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. KRUEGER: Mr. Chairman, there are still those of us who are not certain of the parliamentary situation. I am among them.

Mr. Chairman, my question is this: We will vote first on the Eckhardt amendment to the Smith substitute?

THE CHAIRMAN: That is right.

MR. KRUEGER: Following that, there will then be a vote without further debate on the Smith substitute, or no?

THE CHAIRMAN: The Chair cannot say, because if there were amendments printed in the Record, there can be both an amendment offered and debate on the amendment. If there were no amendments that were qualified for debate by being printed in the Record, they could not be offered and voted on without debate.

But if they are offered to the Krueger amendment in the nature of a substitute, they would both be considered and would be debatable under the 5-minute rule. . . .

The 5-minute rule applies only to amendments to the Smith amendment which has been printed in the Record. Other amendments to the Smith amendment do not have debate time; they are just voted on. . . .

MR. [BENJAMIN A.] GILMAN [of New York]: Mr. Chairman, I offer an amendment to the Krueger amendment in the nature of a substitute. My amendment has been printed in the Record.

The Clerk read as follows:

> Amendment offered by Mr. Gilman to the amendment in the nature of a substitute offered by Mr. Krueger immediately after section 26 of the Natural Gas Act (as added by section 208) insert the following:
>
> "TREATMENT OF RATES AND CHARGES FOR NATURAL GAS SOLD TO SENIOR CITIZENS
>
> "Sec. 27. (a) The Commission shall prohibit any natural-gas company from selling or otherwise supplying natural gas to any local natural gas company which increases the rates for natural gas sold to senior citizens. . . .

MR. [JOE D.] WAGGONNER [Jr., of Louisiana] (during the reading): Mr. Chairman, I have a point of order.

The point of order lies to the fact that the amendment now being read is

to the Krueger amendment in the nature of a substitute and is not in order until there has been a disposition of the Eckhardt amendment to the Smith substitute.

THE CHAIRMAN: The Chair has stated that any amendment to the Krueger amendment in the nature of a substitute may now be offered and is debatable.

MR. WAGGONNER: But, Mr. Chairman, the amendment is not in order until there has been a disposition of the Eckhardt amendment to the Smith substitute which is now under consideration.

THE CHAIRMAN: This amendment takes precedence. This amendment takes precedence over the amendment to the substitute amendment. That is what the Chair has been trying to say now, repeatedly. The amendment that has precedence is an amendment to the amendment in the nature of a substitute, and this is the amendment that is now before the committee. . . .

The question is on the amendment offered by the gentleman from Texas (Mr. Eckhardt) to the amendment offered by the gentleman from Iowa (Mr. Smith) as a substitute for the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Krueger).

The question was taken; and on a division (demanded by Mr. Eckhardt) there were—ayes 33, noes 35.

So the amendment to the substitute amendment for the amendment in the nature of a substitute was rejected.

If Amendment in Nature of Substitute Is Defeated in House

§ 25.9 When an amendment in the nature of a substitute is reported to the House from the Committee of the Whole, the previous question having been ordered on the bill and amendments to final passage, the question is first on agreeing to that amendment. And if it is defeated, the question would recur on the engrossment of the original bill, and further amendment thereof is not in order.

On Aug. 13, 1959[7] the following proceedings took place:

THE SPEAKER:[8] Under the rule the previous question is ordered.

The question is on agreeing to the amendment. . . .

MR. [FRANK] THOMPSON [Jr.] of New Jersey: Is it my understanding that the vote about to be taken is on whether or not the substitute will be accepted, and that it is not a vote on final passage?

THE SPEAKER: It will be a vote on the amendment adopted in the Committee of the Whole. . . .

MR. [JAMES] ROOSEVELT [of California]: If the amendment is defeated, what is then the parliamentary situation?

THE SPEAKER: Then the question is on the engrossment and third reading of the so-called committee bill.

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7. 105 CONG. REC. 15859, 15867, 86th Cong. 1st Sess. Under consideration was H.R. 8342.

8. Sam Rayburn (Tex.).

Separate Votes on Amendments in House

§ 25.10 The rule that an amendment in the nature of a substitute is always perfected before a vote is taken on a substitute amendment is followed in the House when operating under a special rule permitting separate votes on amendments adopted in the Committee of the Whole.

In the 86th Congress,[9] during consideration of a bill[10] to authorize federal financial assistance to school construction, the Committee of the Whole had adopted, in the following order: (1) an amendment to section 4 of a committee amendment in the nature of a substitute,[11] (2) then an amendment to section 6,[12] (3) an amendment, in effect a substitute, striking out all after section 1 of the committee amendment (thus deleting all after the title),[13] and finally (4) had agreed to the committee amendment in the nature of a substitute, as amended;[14] these amendments were then voted on in the House, under a special rule permitting separate votes on any amendments adopted in the Committee of the Whole to either the bill or the committee amendment, in the order in which they had been adopted.[15]

Substitute Not Subject to Division of Question

§ 25.11 A substitute for an amendment is not subject to a division of the question.

An example of the proposition stated above occurred on July 2, 1980,[16] during consideration of H.R. 7235, the Rail Act of 1980. The proceedings in the Committee of the Whole were as follows:

> MR. [JAMES J.] FLORIO [of New Jersey]: Mr. Chairman, I offer an amendment.
>
> The Clerk read as follows:
>
> > Amendment offered by Mr. Florio: Page 103, line 14, insert "or (c)" immediately after "subsection (b)".
> >
> > Page 104, line 20, strike out the closing quotation marks and the following period.
> >
> > Page 104, after line 20, insert the following new subsection. . . .
>
> MR. [EDWARD R.] MADIGAN [of Illinois]: Mr. Chairman, I offer an amend-

9. See the proceedings at 106 CONG. REC. 11282, 11292, 11296–98, 11301–03, 86th Cong. 2d Sess., May 26, 1960.
10. H.R. 10128.
11. 106 CONG. REC. 11282, 11292, 86th Cong. 2d Sess.
12. *Id.* at pp. 11296, 11297.
13. *Id.* at pp. 11298, 11301.
14. *Id.* at p. 11302.
15. *Id.* at pp. 11302, 11303.
16. 126 CONG. REC. 18288, 18290–92, 96th Cong. 2d Sess.

ment as a substitute for the amendment.

The Clerk read as follows:

> Amendment offered by Mr. Madigan as a substitute for the amendment offered by Mr. Florio:
>
> Page 103, line 14 insert "or (c)" immediately after "subsection (b)".
>
> Page 104, line 20, strike out the closing quotation marks and the following period.
>
> Page 104, after line 20, insert the following new subsection. . . .

MR. MADIGAN: Mr. Chairman, this amendment includes a number of provisions designed to resolve problems which had been expressed by agricultural groups since the bill was reported from committee. . . .

MR. [ROBERT C.] ECKHARDT [of Texas]: Mr. Chairman, I was not aware at the time that this amendment was offered that it would purport to deal with a number of very different subjects. I assume that it would not be in order to raise a point of order concerning germaneness at this late time, not having reserved it, but I would like to ask if the question may be divided. There are several subjects that are quite divisible in the amendment offered here, and that deal with different matters.

THE CHAIRMAN:[17] The Chair will advise the gentleman from Texas that he is correct, it is too late to raise a point of order on the question of germaneness.

The Chair will further advise the gentleman from Texas that a substitute is not divisible.

17. Les AuCoin (Oreg.).

§ 26. Committee Amendments

Amendment to First Section Voted On Before Amendment in Nature of Substitute

§ 26.1 A committee amendment to the first paragraph or section of a bill is voted on before a vote is taken on an amendment in the nature of a substitute to strike out all after the enacting clause and insert new matter.

On Feb. 9, 1940,[18] the following exchange took place:

> MR. [JACK] NICHOLS [of Oklahoma]: May an amendment which proposes to strike out all after the enacting clause and insert other matter be offered at any time during the process of the reading of the bill, or must it be offered at some particular point in the bill? . . .
>
> THE CHAIRMAN:[19] It can be done after the reading of the first section, as soon as the committee amendment is disposed of.

Amendment Adding Section

§ 26.2 While committee amendments to a pending section are normally considered

18. 86 CONG. REC. 1330, 76th Cong. 3d Sess. Under consideration was H.R. 960, extending the Classified Executive Civil Service.

19. Charles F. McLaughlin (Nebr.).