consideration of the joint resolution in the House but had turned control over to Mr. Friedel.[8]

§ 28. Effect of Special Rule

Special rules or resolutions reported by the Committee on Rules making in order the consideration of a measure, frequently designate the Members to control debate. A typical special rule provides that debate be equally divided and controlled by the chairman and ranking minority member of the reporting committee. If the special rule does not so provide, the Chair may in his discretion recognize a Member to control the time.[9]

Special rules may divide control among two or more committees[10] and may provide that only committee amendments may be offered, thereby limiting opportunity for five-minute debate.[11]

By special rule, general debate may be equally divided between two committees jointly reporting the bill.[12]

8. See Mr. Staggers' statement at 113 CONG. REC. 15822, 15823, 90th Cong. 1st Sess., June 14, 1967.

9. See § 28.5, infra. Where the manager designated in a special order is absent, the Chair may recognize another Member to control debate (see §§ 28.7, 28.8, infra).

10. See § 28.14, infra.

11. See §§ 77.19, 77.21, infra.

12. See, for example, H. Res. 1182, 122 CONG. REC. 14376, 14377, 94th Cong. 2d Sess., May 19, 1976.

Forms

Form of special rule fixing control of time for debate.

> *Resolved*, That upon the adoption of this resolution the Speaker shall recognize Representative Abraham J. Multer, or Representative Carlton R. Sickles, or Representative Charles McC. Mathias, Junior, or Representative Frank J. Horton to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4644). . . . After general debate, which shall be confined to the bill and continue not to exceed five hours, to be equally divided and controlled by one of the aforementioned Members and a Member who is opposed to said bill to be designated by the Speaker, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. . . .[13]

Form of special rule fixing control of time for debate in the reporting committee and in a designated Member of the House.

H. RES. 657

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10710). . . . After general debate, which shall be confined to the bill and shall continue not to exceed seven hours, six hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, and one hour to be controlled by Representative John H. Dent, of Pennsylvania, the bill shall be con-

13. 111 CONG. REC. 25185, 89th Cong. 1st Sess., Sept. 27, 1965.

sidered as having been read for amendment. . . .[14]

Form of special rule fixing control of part of the time for debate in the reporting committee and part of the time in the control of another committee.

H. RES. 485

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10660). . . . After general debate, which shall be confined to the bill, and shall continue not to exceed 5 hours, 3 hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, and 2 hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. . . .[15]

Form of special rule fixing control of time for debate in members of joint committee.

H. RES. 214

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5645). . . . After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the vice chairman and ranking House minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the 5-minute rule. . . .[16]

Form of special rule fixing control of time for debate on a motion to suspend the rules.

H. RES. 302

Resolved, That the time for debate on a motion to suspend the rules and pass House Concurrent Resolution 25 shall be extended to 4 hours, such time to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs; and said motion to suspend the rules shall be the continuing order of business of the House until finally disposed of.[17]

Form of special rule dividing control of time for debate among chairman and ranking minority member of standing committee and chairman of special committee.

H. RES. 465

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of H.R. 9195, a bill to amend the National Labor Relations Act, and all points of order against said bill are hereby waived.

14. 119 CONG. REC. 40489, 93d Cong. 1st Sess., Dec. 10, 1973.

15. 102 CONG. REC. 7110, 84th Cong. 2d Sess., Apr. 26, 1956. See also 115 CONG. REC. 33308, 91st Cong. 1st Sess., Nov. 6, 1969; and 107 CONG. REC. 7378, 87th Cong. 1st Sess., May 4, 1961.

16. 101 CONG. REC. 5119, 84th Cong. 1st Sess., Apr. 26, 1955.

17. 89 CONG. REC. 7646, 78th Cong. 1st Sess., Sept. 20, 1943. A rule providing extraordinary procedures for a motion to suspend the rules is extremely rare.

That after general debate, which shall be confined to the bill and continue not to exceed 4 hours, 1 hour to be controlled by the chairman of the Committee on Labor, 1 hour to be controlled by the ranking minority member of the Committee on Labor and 2 hours to be controlled by the chairman of the Special Committee to Investigate the National Labor Relations Board, the bill shall be read. . . .[18]

Cross References

Importance of special rules to consideration generally, see § 2, supra.

Special rules and the order of business, see Ch. 21, supra.

Special Rule as Governing Control of Time for General Debate—Time for Debate Is Obtained From Member Controlling Time

§ 28.1 The House, through its adoption of a special rule, and not the Committee of the Whole, controls the distribution of time for general debate in Committee of the Whole; thus, during general debate in Committee of the Whole of a bill being considered under a special rule providing that the time be controlled by the chairman and ranking minority member of the committee reporting the bill, additional time must be yielded by the members controlling the time and may not be obtained by unanimous consent.

On June 2, 1975,[19] during consideration of the Voting Rights Act extension (H.R. 6219) in the Committee of the Whole, the following proceedings occurred:

THE CHAIRMAN PRO TEMPORE: The time of the gentleman has expired.

MR. [HENRY B.] GONZALEZ [of Texas]: Mr. Chairman, I would ask unanimous consent to continue for an additional 5 minutes.

THE CHAIRMAN PRO TEMPORE: The Chair will state that the gentleman from California (Mr. Edwards) has control of the time. Does the gentleman from California wish to yield additional time to the gentleman from Texas? . . .

THE CHAIRMAN PRO TEMPORE: The time of the gentleman has expired.

MR. GONZALEZ: Mr. Chairman, I ask unanimous consent that I be allowed to proceed for 1 additional minute.

THE CHAIRMAN PRO TEMPORE: The gentleman will suspend. The Chair must advise the gentleman that under the rule that request is not in order.

§ 28.2 When debate is pursuant to a special order controlled by designated Members, another Member may speak only if yielded to, and may

18. 86 CONG. REC. 7506, 76th Cong. 3d Sess., June 4, 1940.

19. 121 CONG. REC. 16285, 16286, 94th Cong. 1st Sess.

not request unanimous consent for time for debate.

On Oct. 14, 1978,[20] the following exchange occurred in the Committee of the Whole:

THE SPEAKER PRO TEMPORE:[1] The time of the gentleman from Texas has expired.

MR. CHARLES WILSON of Texas: Mr. Speaker, I ask unanimous consent to proceed for additional seconds.

MR. PHILLIP BURTON [of California]: Mr. Speaker, I object.

THE SPEAKER PRO TEMPORE: The gentleman from Ohio (Mr. Ashley) has control of the time.

MR. [THOMAS L.] ASHLEY [of Ohio]: Mr. Speaker, I yield 30 additional seconds to the gentleman from Texas.

Designated Member (Chairman) Opens Debate

§ 28.3 Where the House resolves into the Committee of the Whole to consider a bill pursuant to a resolution designating a committee chairman and its ranking minority member to control debate, the committee chairman is recognized to open debate in the Committee of the Whole.

On Apr. 26, 1955,[2] the House adopted House Resolution 214 for the consideration of a bill in the Committee of the Whole:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5645) to authorize the Atomic Energy Commission to construct a modern office building in or near the District of Columbia to serve as its principal office, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the vice chairman and ranking House minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Carl T. Durham, of North Carolina, the committee vice chairman designated in the resolution, moved that the House resolve itself into the Committee of the Whole to consider the bill. When the Committee of the Whole commenced sitting, Mr. Durham was immediately recognized to open debate.

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20. 124 CONG. REC. 38378, 95th Cong. 2d Sess.

1. William H. Natcher (Ky.).

2. 101 CONG. REC. 5119, 84th Cong. 1st Sess.

Bill Made in Order Is Not Necessarily Unfinished Business

§ 28.4 Where the House adjourns for the day after having adopted a resolution making in order the consideration of a bill and designating its manager, that bill is not automatically the unfinished business the next day, but must be called up by the designated Member.

On July 19, 1939,[3] after the House had adopted a resolution from the Committee on Rules making in order the consideration of a bill, Speaker William B. Bankhead, of Alabama, answered a parliamentary inquiry:

> MR. [CLAUDE V.] PARSONS [of Illinois]: Mr. Speaker, a parliamentary inquiry.
>
> THE SPEAKER: The gentleman will state it.
>
> MR. PARSONS: Mr. Speaker, the House having adopted the rule, is not this bill the unfinished business of the House on tomorrow?
>
> THE SPEAKER: Not necessarily. The rule adopted by the House makes the bill in order for consideration, but it is not necessarily the unfinished business. It can only come up, after the adoption of the rule, by being called up by the gentleman in charge of the bill.

3. 84 CONG. REC. 9541, 76th Cong. 1st Sess.

Control Where Special Rule Does Not Identify Manager

§ 28.5 Where a resolution provides that general debate on a bill be "equally divided and controlled by the majority and minority members" of a committee, instead of specifying, as is usual practice, that control of debate be exercised by designated members of the committee, the Speaker may recognize any member of the committee to call up the bill and control the time.

On Sept. 26, 1966,[4] the House adopted House Resolution 923, making in order the consideration of H.R. 1511, the Economic Opportunity Amendments for 1966. The resolution provided that eight hours of general debate would be "equally divided and controlled by the majority and minority members of the Committee on Education and Labor," without specifying, as such resolutions usually do, that debate be controlled by the chairman and ranking minority member of the committee.

Following the adoption of the resolution, Speaker John W. McCormack, of Massachusetts, recognized Adam C. Powell, of New

4. 112 CONG. REC. 23762, 89th Cong. 2d Sess.

York, Chairman of the Committee on Education and Labor, to move that the House resolve itself into the Committee of the Whole for the consideration of the bill.

In the Committee of the Whole, Chairman Jack Brooks, of Texas, made the following decision on recognition for control of general debate:

> Under the rule, the gentleman from New York [Mr. Powell] will be recognized for 4 hours to control the time for the majority, and the gentleman from Ohio [Mr. Ayres] is recognized for 4 hours to control the time for the minority.

No Manager Under Special Rule—Proponents of Amendments Opened and Closed Debate

§ 28.6 Where an unreported joint resolution was being considered under a special "modified closed" rule in Committee of the Whole permitting no general debate and the consideration of only two amendments in the nature of a substitute with debate thereon divided between a proponent and an opponent, the proponents (or the designee of a proponent) of the amendments were permitted to open and close debate pursuant to clause 6 of Rule XIV, since there was no "manager" of the joint resolution.

The following proceedings occurred in the Committee of the Whole on Apr. 24, 1985,[5] during consideration of House Joint Resolution 247 (to promote U.S. assistance in Central America):

> THE CHAIRMAN:[6] No amendments are in order except the following amendments, which shall be considered as having been read, shall be considered only in the following order, and shall not be subject to amendment: First, the amendment in the nature of a substitute printed in the Congressional Record of April 22, 1985, by, and if offered by, Representative Hamilton of Indiana; and said amendment shall be debatable for not to exceed 2 hours, to be equally divided and controlled by Representative Hamilton and a member opposed thereto; and second, the amendment in the nature of a substitute printed in the Congressional Record of April 22, 1985, by, and if offered by, Representative Michel or his designee, and said amendment shall be debatable for not to exceed 2 hours, to be equally divided and controlled by Representative Michel or his designee and a Member opposed thereto. . . .
>
> MR. [ROBERT H.] MICHEL [of Illinois]: Mr. Chairman, pursuant to the rule, I offer an amendment in the nature of a substitute. . . .
>
> THE CHAIRMAN: Pursuant to House Resolution 136, the amendment is considered as having been read.

5. 131 CONG. REC. 9206, 9231, 9232, 9253, 9254, 99th Cong. 1st Sess.
6. George E. Brown, Jr. (Calif.).

The gentleman from Illinois (Mr. Michel) will be recognized for 1 hour, and a Member opposed will be recognized for 1 hour. . . .

MR. MICHEL: Mr. Chairman, I should like to designate the gentleman from Michigan (Mr. Broomfield) to make the allocation of time on our side of the aisle.

THE CHAIRMAN: The gentleman from Michigan (Mr. Broomfield) is designated to control the time for the gentleman from Illinois (Mr. Michel). . . .

The gentleman from Michigan (Mr. Broomfield) has 7 minutes remaining, and the gentleman from Maryland (Mr. Barnes) has 6¼ minutes remaining.

MR. [MICHAEL D.] BARNES [of Maryland]: Mr. Chairman, we have three very brief speakers.

MR. [WILLIAM S.] BROOMFIELD [of Michigan]: If the gentleman would go ahead with those, we will wind up with one, our final speaker, the gentleman from Illinois (Mr. Michel). . . .

THE CHAIRMAN: The time of the gentleman from Maryland (Mr. Barnes) has expired. . . .

MR. BROOMFIELD: Mr. Chairman, I would like at this time now to yield the balance of our time to the minority leader, the gentleman from Illinois (Mr. Michel).

Parliamentarian's Note: Ordinarily in Committee of the Whole under the five-minute rule notwithstanding clause 6 of Rule XIV (which permits the proposer of a proposition to close debate), the manager of the bill under the precedents is given the right to close debate on an amendment. But in the above instance, there was no manager of the bill under the special rule.

Effect of Absence or Death of Designated Manager

§ 28.7 Where the chairman of a committee and its ranking minority member, named in a resolution to control debate on a bill, are absent and have failed to designate other Members to control the time, the Speaker or Chairman may recognize the next ranking majority and minority members for control of such debate.

On July 23, 1942,[7] the House adopted a resolution from the Committee on Rules providing for debate on a bill to be divided between the chairman and the ranking minority member of the reporting committee, the Committee on Election of the President, Vice President, and Representatives in Congress. The chairman and ranking minority member both being absent, Speaker Sam Rayburn, of Texas, ruled, in response to a parliamentary inquiry, that the Chair would recognize the next ranking majority member

7. 88 CONG. REC. 6542–46, 77th Cong. 2d Sess.

and the next ranking minority member to control debate:

MR. [JOHN E.] RANKIN of Mississippi: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

MR. RANKIN of Mississippi: Mr. Speaker, we have been unable to find a man in the House on either side who was present when this bill was voted out. A majority of the members of the committee who are here are opposed to the bill. We feel that the time ought to be divided not between the Members who are for the bill but know nothing about it any more than the rest of us, but between the members of the committee who are for the bill and the members of the committee who are opposed to the bill. I would like to have the Chair's ruling on that proposition.

THE SPEAKER: The Chair thinks the Chair has a rather wide range of latitude here. The Chair could hold and some future Speaker might hold that since the chairman and ranking minority member of the committee are not here there could be no general debate because there was nobody here to control it, but the present occupant of the chair is not going to rule in such a restricted way.

The Chair is going to recognize the next ranking majority member and the next ranking minority member when the House goes into the Committee of the Whole.

When the House had resolved itself into the Committee of the Whole, Chairman Jere Cooper, of Tennessee, responded as follows to a similar inquiry:

MR. RANKIN of Mississippi: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. RANKIN of Mississippi: Mr. Chairman, there is not a member of the committee present who was present when this bill was voted out. A majority of the members of the committee who are present are opposed to this bill.

THE CHAIRMAN: The Chair will say in response to the parliamentary inquiry, that the Speaker held only a few moments ago that the ranking majority Member, acting as chairman of the committee, and the ranking minority Member present, would have control of the time under the rule that has been adopted for the consideration of the bill.

§ 28.8 Where a Member designated in a resolution to call up a bill was deceased, the Speaker recognized another Member in favor of the bill.

On Oct. 13, 1942,[8] Speaker Sam Rayburn, of Texas, ruled on a point of order that he had improperly recognized a Member to call up a bill:

THE SPEAKER: If no Member wishes to be heard on the point of order the Chair is ready to rule.

A matter not exactly on all fours with this, but similar to it, was ruled on a few weeks ago. On that occasion both the chairman and the ranking mi-

8. 88 CONG. REC. 8080, 77th Cong. 2d Sess.

nority member of the committee were absent. A point of order was made against consideration of the bill because of that fact.

In ruling on the point of order at that time the Chair made the following statement:

> The Chair thinks the Chair has rather a wide range of latitude here. The Chair could hold, and some future Speaker might hold, that since the chairman and the ranking minority member of the committee are not here there could be no general debate because there was nobody here to control it; but the present occupant of the Chair is not going to rule in such a restricted way.
>
> The Chair is going to recognize the next ranking majority member and the next ranking minority member when the House goes into the Committee of the Whole.

We have here even a stronger case than that. The absence of a living Member may be his or her fault; the absence of a dead signer of this petition is not his fault.

There is a rule followed by the chancery courts which might well be followed here. It is that equity never allows a trust to fail for want of a trustee. Applying that rule to the instant case, the Chair holds that the consideration of this legislation will not be permitted to fail for want of a manager. After all, an act of God ought not, in all good conscience, deprive this House of the right to consider legislation; especially so, since this House has by its vote on the motion to discharge expressed its intent.

The Chair will recognize some Member other than Mr. Geyer to call up the bill on tomorrow; for, if the Chair were to hold that only Mr. Geyer could have called up this motion, Mr. Geyer being absent not through any act of his own but through an act of God, the Chair would be making such a restricted ruling that now and in the future it might prevent the House of Representatives from working its will.

The Chair overrules the point of order made by the gentleman from Alabama.[9]

Delegation of Authority by Designated Manager

§ 28.9 Where the Member, designated by special rule to be in control of the time for general debate in the Committee of the Whole, is absent from the Chamber, he may designate another Member to control the time in his absence, but the Chair must be informed of this delegation of authority.

On Jan. 31, 1964,[10] the Committee of the Whole was considering H.R. 7152, the Civil Rights Act of 1963, and conducting general debate thereon. The resolution providing for the consideration of the bill provided that general debate be divided and controlled by the chairman and rank-

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9. See the similar rulings of Speaker Rayburn, on the same bill at 88 CONG. REC. 8066, 8120, 77th Cong. 2d Sess., Oct. 12, 1942.

10. 110 CONG. REC. 1538, 88th Cong. 2d Sess.

ing minority member of the Committee on the Judiciary. Emanuel Celler, of New York, the Chairman of that committee, was absent, prompting the following colloquy:

MR. [PETER W.] RODINO [Jr., of New Jersey]: Mr. Chairman, will the gentleman yield?

MR. [BASIL L.] WHITENER [of North Carolina]: If the gentleman will get me more time, I will be glad to yield to the gentleman.

MR. RODINO: I will give the gentleman 1 extra minute.

MR. WHITENER: I yield to the gentleman, but please do not take more than 1 minute.

THE CHAIRMAN:[11] The Chair has to inform the gentleman from North Carolina that the gentleman from New Jersey does not have control of the time.

MR. WHITENER: Then, Mr. Chairman, I must respectfully decline to yield to the gentleman. . . .

MR. [BYRON G.] ROGERS of Colorado: Mr. Chairman, a point of order.

THE CHAIRMAN: The gentleman will state the point of order.

MR. ROGERS of Colorado: Mr. Chairman, the gentleman from New Jersey is now in charge of the time in the absence of the chairman, the gentleman from New York [Mr. Celler].

THE CHAIRMAN: The Chair was not informed that the gentleman from New York is absent nor is the Chair informed that the gentleman from New Jersey is now in charge of the time.

The gentleman from North Carolina is recognized.

MR. WHITENER: I thank the Chairman. . . .

THE CHAIRMAN: The time of the gentleman has expired.

MR. RODINO: Mr. Chairman, I yield myself 10 minutes, and I wish to state I am acting for the chairman of the Committee on the Judiciary who asked me to take charge of the time for him in his absence.

THE CHAIRMAN: The gentleman from New Jersey is recognized.

Committee Chairman To Designate Members To Control Two Extra Hours of General Debate; Scope of Debate

§ 28.10 Where a special rule provided for the chairman of the Committee on International Relations to designate Members to equally divide and control two extra hours of general debate on a bill in Committee of the Whole, the chairman of said committee informed the Chairman of the Committee of the Whole of his designation of himself, another Member of the majority party and two Members of the minority party to control one-half hour each; and the Chairman of the Committee of the Whole advised that such debate was not required by the rule to be confined to any particular issue, but to the bill as a whole.

11. Eugene J. Keogh (N.Y.).

On July 31, 1978,[12] Mr. Clement J. Zablocki, of Wisconsin, the Chairman of the Committee on International Relations, made a statement as to the division of control of time for debate pursuant to a special rule providing for two extra hours of debate on H.R. 12514, foreign aid authorizations for fiscal 1979. The intent behind requesting the extra hours had been to afford debate directed at the Turkish arms embargo issue, but the rule properly omitted any reference to the scope of debate, other than the requirement that all general debate be confined to the bill.

MR. ZABLOCKI: Mr. Chairman, under the rule, it is my understanding that the 1 hour for general debate on the entire bill, that that hour is equally divided between myself and the ranking minority member, the gentleman from Michigan (Mr. Broomfield).

Then the 2 hours that the rule provides for the Greek-Turkey-Cyprus issue, that there be 1 hour in support of lifting the embargo and 1 hour in opposition, and that the hour in support would be divided between myself and the gentleman from Michigan (Mr. Broomfield), and those in opposition to lifting the embargo would be managed by the gentleman from Florida (Mr. Fascell) and the gentleman from Illinois (Mr. Derwinski).

THE CHAIRMAN:[13] The Chair will respond to the gentleman from Wisconsin (Mr. Zablocki) that the Chair has been informed that the gentleman from Wisconsin has designated the gentleman from Florida (Mr. Fascell) for 1 hour, and also the gentleman from Illinois (Mr. Derwinski) for 1 hour. The rule, of course, does not confine any such debate to the embargo issue alone.

Extending Control to Additional Members Not Designated in Special Rule

§ 28.11 Where a resolution provided for the time for and control of debate on a bill, the Members in control obtained unanimous consent that a part of the time be controlled by a third Member.

On May 14, 1948,[14] the House was about to resolve itself into the Committee of the Whole for the consideration of a bill to be considered pursuant to the provisions of House Resolution 582, fixing five hours of debate to be divided and controlled by the chairman and ranking minority member of the Committee on Un-American Activities. Charles A. Halleck, of Indiana, the Chairman of the committee, and Mr. John S. Wood, of Georgia, the ranking minority member of the committee, made

12. 124 CONG. REC. 23456, 23457, 95th Cong. 2d Sess.

13. Don Fuqua (Fla.).

14. 94 CONG. REC. 5847, 5848, 80th Cong. 2d Sess.

unanimous-consent requests to permit control of part of the time by a third Member:

> MR. HALLECK: Mr. Speaker, after consultation with the members of the Committee on Un-American Activities, I ask unanimous consent that of the 2½ hours to be allocated on this side of the aisle, a total of 45 minutes may be allocated by the gentleman from New York [Mr. Marcantonio] with the last 30 minutes of the over-all time reserved to the committee.
>
> THE SPEAKER:[15] Is there objection to the request of the gentleman from Indiana?
>
> There was no objection.
>
> MR. WOOD: Mr. Speaker, I ask unanimous consent to yield 45 minutes of the time allotted to me to the gentleman from New York [Mr. Marcantonio] in behalf of the opposition to this measure, reserving the last 20 minutes of the time allotted to me.
>
> THE SPEAKER: Is there objection to the request of the gentleman from Georgia?
>
> There was no objection.

§ 28.12 Where a resolution provided that debate should be controlled by the chairman and ranking minority member of a committee, unanimous consent was granted the minority member to yield one-half his time to the control of a third Member.

On Nov. 12, 1941,[16] the House adopted House Resolution 334, providing for the consideration in the House of Senate amendments to a House bill, and providing that debate be limited to eight hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs. Following the conclusion of the debate controlled by the chairman of the committee, Speaker Sam Rayburn, of Texas, recognized Mr. Hamilton Fish, Jr., of New York, the ranking minority member, for four hours on the motion.

Mr. Fish made the following unanimous-consent request, which was agreed to by the House:

> Mr. Speaker, I ask unanimous consent that one-half the time allotted to me, or 2 hours, be placed under the control of the gentleman from South Carolina [Mr. Richards].

Bill Within Jurisdiction of Two or More Committees

§ 28.13 Special rules often provide for control of debate time; as an example, a resolution provided for an open rule for consideration of the authorization (civilian) for the Energy Research and Development Administration, for fiscal 1978, reported from three committees (the initial and two sequential committees), with general debate to

15. Joseph W. Martin, Jr. (Mass.).

16. 87 CONG. REC. 8763–70, 77th Cong. 1st Sess.

be divided and controlled by those three committees.

House Resolution 657, in the 95th Congress,[17] provided for consideration of H.R. 6796, the authorization for fiscal 1978 for the Energy Research and Development Administration nonnuclear programs. The resolution provided in part that general debate be divided and controlled by three reporting committees; that the amendment in the nature of a substitute recommended by the Committee on Science and Technology be read as an original bill for amendment by titles instead of by sections; and that certain points of order be waived against such amendment.

The Clerk read the resolution, as follows:

H. RES. 657

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6796) to authorize appropriations to the Energy Research and Development Administration in accordance with section 261 of the Atomic Energy Act of 1954, section 305 of the Energy Reorganization Act of 1974, and section 16 of the Federal Nonnuclear Energy Research and Development Act of 1974, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, two hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology, one-half hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, and one-half hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in italic in the bill as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be read for amendment by titles instead of by sections, and all points of order against said substitute for failure to comply with the provisions of clause 7, rule XVI, clause 5, rule XXI, and section 401 of the Congressional Budget Act of 1974 (Public Law 93–344) are hereby waived. It shall be in order to consider en bloc the amendments recommended by the Committee on Armed Services to title I of said substitute. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

17. 123 CONG. REC. 28365, 28366, 95th Cong. 1st Sess., Sept. 9, 1977.

§ 28.14 Where a bill falls within the jurisdiction of two committees, the bill may be considered pursuant to a special rule providing for general debate to be divided between and controlled by those committees.

On Nov. 6, 1969,[18] Mr. Ray J. Madden, of Indiana, called up by the direction of the Committee on Rules and the House adopted House Resolution 610, providing for consideration of a bill with general debate divided between two House committees:

H. RES. 610

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14465) to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, two hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, and two hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, title I of the bill shall be read for amendment under the five-minute rule.

After the House had resolved itself into the Committee of the Whole to consider the bill, Chairman Omar T. Burleson, of Texas, made a statement on control of the time for general debate:

Pursuant to the rule, general debate shall continue not to exceed 4 hours, 2 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Interstate and Foreign Commerce and 2 hours to be equally divided and controlled by the chairman and ranking minority member on the Committee on Ways and Means.

Under the rule, the gentleman from West Virginia (Mr. Staggers) will be recognized for 1 hour and the gentleman from Illinois (Mr. Springer) will be recognized for 1 hour, controlling the time for general debate on behalf of the Committee on Interstate and Foreign Commerce.

The Chair recognizes the gentleman from West Virginia (Mr. Staggers).

After the conclusion of the two hours of debate controlled by the Committee on Interstate and Foreign Commerce, the Chairman made the following statement on control of the remaining debate:

There being no further requests for time on title I, under the rule, the gentleman from Arkansas (Mr. Mills) will be recognized for 1 hour, and the gentleman from Wisconsin (Mr. Byrnes) will be recognized for 1 hour, controlling the time for general debate for the Committee on Ways and Means.

18. 115 CONG. REC. 33260–62, 91st Cong. 1st Sess.

The Chair recognizes the gentleman from Arkansas (Mr. Mills).[19]

Parliamentarian's Note: H.R. 14465 was reported by the Committee on Interstate and Foreign Commerce, title I of the bill concerning aviation facilities. The hearings and mark-up of title II, the Airport and Airway Revenue Act, were the work product of the Committee on Ways and Means. Title I was open to amendment, but title II was subject only to amendment by the Committee on Ways and Means.

—*Rotating Recognition*

§ 28.15 Where a special rule divided the control of time for general debate four ways among the chairmen and ranking minority members of two committees, the Chairman of the Committee of the Whole indicated that she would rotate recognition to permit each Member to utilize a portion of his time and then to yield remaining portions to other Members.

During consideration of H.R. 11656 (to provide that meetings of government agencies shall be open to the public) in the Committee of the Whole on July 28, 1976,[20] Chairman Yvonne B. Burke, of California, made the following statement:

THE CHAIRMAN: Pursuant to the rule, general debate will continue not to exceed 2 hours, 1 hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, and 1 hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

Under the rule, the gentlewoman from New York (Ms. Abzug), the gentleman from New York (Mr. Horton), the gentleman from Alabama (Mr. Flowers), and the gentleman from California (Mr. Moorhead), will each be recognized for 30 minutes.

The Chair recognizes the gentlewoman from New York (Ms. Abzug).

MS. [BELLA S.] ABZUG [of New York]: Madam Chairman, I yield myself such time as I may consume. . . .

MR. [FRANK] HORTON [of New York]: Madam Chairman, I yield myself such time as I may consume. . . .

Madam Chairman, I yield 10 minutes to the gentleman from California (Mr. McCloskey).

THE CHAIRMAN: If there is no objection, the Chair would like to recognize the gentleman from California (Mr. Moorhead) . . . and then come back to the gentleman from New York (Mr. Horton).

The Chair now recognizes the gentleman from California (Mr. Moorhead) for 30 minutes.

MR. [CARLOS J.] MOORHEAD of California: Madam Chairman, I yield myself such time as I may consume.

MR. HORTON: Madam Chairman, will the gentleman yield?

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19. *Id.* at p. 33283.

20. 122 CONG. REC. 24179, 24180, 24182, 24186, 94th Cong. 2d Sess.

MR. MOORHEAD of California: I yield to the gentleman from New York.

MR. HORTON: Madam Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state the parliamentary inquiry.

MR. HORTON: Madam Chairman, is it the intention of the Chair to rotate?

THE CHAIRMAN: Yes, that is the intention of the Chair.

MR. HORTON: Would the gentleman from California (Mr. Moorhead) then have 30 minutes before I come back to my time?

THE CHAIRMAN: The gentleman will probably use a portion of that 30 minutes himself. We will then come back to the gentlewoman from New York (Ms. Abzug) and to the gentleman from New York (Mr. Horton).

MR. HORTON: Madam Chairman, I thank the Chair.

—*Sequentially Reporting Committees*

§ 28.16 Where a special rule divides control of debate among a primary reporting committee and six sequentially reporting committees in a designated order, the Chair allocated time only between the chairman and ranking minority member of each committee in the order listed if and when present on the floor, and permitted only the primary committee to reserve a portion of time to close general debate.

During consideration of the Small Business Innovation Development Act (H.R. 4326) in the Committee of the Whole on June 17, 1982,[1] the following proceedings occurred:

The Clerk read the title of the bill.

THE CHAIRMAN:[2] Pursuant to the rule, the first reading of the bill is dispensed with.

The gentleman from New York, Mr. LaFalce, will be recognized for 30 minutes, and the gentleman from Pennsylvania, Mr. McDade, will be recognized for 30 minutes [both representing the primary committee, the Committee on Small Business], and the following Members [representing six committees which had reported the bill sequentially] for 15 minutes each:

The gentleman from Georgia, Mr. McDonald;

The gentleman from Alabama, Mr. Dickinson;

The gentleman from Michigan, Mr. Dingell; . . .

The gentleman from Virginia, Mr. Robinson.

The Chair will attempt to reach the committees engaging in general debate in the order listed, but will at the same time attempt to accommodate Members who cannot be present when called. . . .

MR. [EDWARD F.] WEBER of Ohio: Mr. Chairman, I have an inquiry. In the absence of the gentleman from Alabama (Mr. Dickinson), will the Chair recognize me to control the time which would have been allocated to the gentleman from Alabama (Mr. Dickinson)?

1. 128 CONG. REC. 13991, 14011, 14015, 97th Cong. 2d Sess.
2. William M. Brodhead (Mich.).

THE CHAIRMAN: No; the time belongs to the Armed Services Committee minority.

The Chair will recognize the gentleman from Alabama (Mr. Dickinson) if and when the gentleman is able to be here; but the Chair will recognize Members as indicated in the order in which they are on the list, the order which the Chair read. . . .

The Chair recognizes the gentleman from Michigan (Mr. Dingell) for 15 minutes on behalf of the Committee on Energy and Commerce. . . .

All time allocated to the gentleman from Illinois has expired.

The gentleman from Michigan (Mr. Dingell) has 2½ minutes remaining.

MR. [JOHN D.] DINGELL [of Michigan]: Mr. Chairman, I would like to reserve my time.

THE CHAIRMAN: Under the precedents the gentleman will have to use his time at this point or yield it back.

MR. DINGELL: Mr. Chairman, I will yield to my dear friend from California for 1 minute, and then I will use the balance.

Before I do so, may I inquire of our good friends on the Small Business Committee——

THE CHAIRMAN: As the primary managers of the bill, that committee was able to reserve time and has reserved time under the precedents.

MR. DINGELL: To continue my inquiry, am I not able to reserve time also?

THE CHAIRMAN: The Small Business Committee is the primary manager of the bill, and for that reason the Chair has accorded them the privilege of reserving their time and has not agreed to accord that privilege to any of the other committees.

MR. DINGELL: Is that in the rule, that forecloses the other committees?

THE CHAIRMAN: Under the precedents they have the right to close debate.

§ 28.17 The Chairman has allocated time for general debate in Committee of the Whole pursuant to a special rule dividing time among chairmen and ranking minority members of six committees, with the Members recognized in the order listed in the special rule.

On May 15, 1986,[3] the House agreed to a special rule, as follows, for consideration of H.R. 4800, the Omnibus Trade Bill of 1986:

H. RES. 456

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of Rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4800) to enhance the competitiveness of American industry; and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against the consideration of the bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed three and one-half hours, with one hour to be equally

3. 132 CONG. REC. 10954, 10955, 10963, 99th Cong. 2d Sess.

divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, with 30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, with 30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Finance and Urban Affairs, with 30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, with 30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, and with 30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, the bill shall be considered as having been read for amendment under the five-minute rule. . . .

The Chairman[4] on May 20, 1986,[5] allocated time for general debate:

THE CHAIRMAN: Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Illinois (Mr. Rostenkowski) will be recognized for 30 minutes; the gentleman from Tennessee (Mr. Duncan) will be recognized for 30 minutes; the gentleman from Washington (Mr. Bonker) will be recognized for 15 minutes; the gentleman from Wisconsin (Mr. Roth) will be recognized for 15 minutes; the gentleman from Rhode Island (Mr. St Germain) will be recognized for 15 minutes; the gentleman from Ohio (Mr. Wylie) will be recognized for 15 minutes; the gentleman from California (Mr. Hawkins) will be recognized for 15 minutes; the gentleman from Vermont (Mr. Jeffords) will be recognized for 15 minutes, the gentleman from Texas (Mr. de la Garza) will be recognized for 15 minutes; the gentleman from Kansas (Mr. Roberts) will be recognized for 15 minutes; the gentleman from Michigan (Mr. Dingell) will be recognized for 15 minutes; and the gentleman from New York (Mr. Lent) will be recognized for 15 minutes.

The Chairman recognizes the gentleman from Florida (Mr. Gibbons) on behalf of the gentleman from Illinois (Mr. Rostenkowski).

—*Where Special Rule Does Not Specify Order of Recognition*

§ 28.18 Where a special rule provides separate control of general debate time among the chairmen and ranking minority members of two committees, but does not specify the order of recognition, the Chair may in his discretion either alternate recognition among the four Members or permit the primary committee to first utilize most of its time and then permit the manager of the bill to close general debate

4. Anthony C. Beilenson (Calif.).

5. 132 CONG. REC. 11373, 99th Cong. 2d Sess.

after the sequential committee uses its time.

During consideration of the Fair Practices in Automotive Products Act (H.R. 5133) in the Committee of the Whole on Dec. 10, 1982,[6] the following proceedings occurred:

MR. [JAMES J.] FLORIO [of New Jersey]: Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5133) to establish domestic content requirements for motor vehicles sold in the United States, and for other purposes.

THE SPEAKER:[7] The question is on the motion offered by the gentleman from New Jersey (Mr. Florio).

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5133, with Mr. Panetta in the chair.

The Clerk read the title of the bill.

THE CHAIRMAN:[8] Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from New Jersey (Mr. Florio) will be recognized for 30 minutes, the gentleman from North Carolina (Mr. Broyhill) will be recognized for 30 minutes, the gentleman from Florida (Mr. Gibbons) will be recognized for 30 minutes, and the gentleman from Minnesota (Mr. Frenzel) will be recognized for 30 minutes.

MR. [JAMES T.] BROYHILL [of North Carolina]: Mr. Chairman, I have a parliamentary inquiry. . . .

I wish to inquire as to whether the time will run concurrently or whether one committee goes first and the second committee follows.

THE CHAIRMAN: The Chair would interpret the rule to allow each of the respective Members to allot their time respectively without any kind of a pattern, so it could be done interchangeably. . . .

The Chair would advise the Members that although the time could be used interchangeably that it is the will of those controlling the time that the gentleman from New Jersey (Mr. Florio) and the gentleman from North Carolina (Mr. Broyhill) use their time first and then the gentleman from Florida (Mr. Gibbons) and the gentleman from Minnesota (Mr. Frenzel).

MR. FLORIO: On that point, Mr. Chairman, it would be my hope to reserve some time to be in a position to take part in the concluding portion of the 2 hours' debate.

THE CHAIRMAN: The gentleman is free to do that. . . .

MR. [JOHN D.] DINGELL [of Michigan]: Mr. Chairman, am I correct in my understanding that the rule provides that the time may be used alternatively by the several persons who control this time?

THE CHAIRMAN: The rule does permit that, the Chair would advise the gentleman, but it does not provide for any necessary order.

MR. DINGELL: And as the Chair advises, there is no necessary order. It

6. 128 CONG. REC. 29982, 29984, 29985, 97th Cong. 2d Sess.

7. Thomas P. O'Neill, Jr. (Mass.).

8. Leon E. Panetta (Calif.).

can be used interchangeably, and so forth.

THE CHAIRMAN: That is correct.

—*Time for General Debate Allocated to Primary Committee Was Reallocated by Unanimous Consent*

§ 28.19 By unanimous consent in the Committee of the Whole, general debate which had been allocated only to the primary committee pursuant to a special rule adopted by the House was reallocated to the chairmen and ranking minority members of three committees to which the bill had been sequentially referred, to permit them to yield portions of time.

During consideration of the Water Resources Conservation Act (H.R. 6) in the Committee of the Whole on Nov. 5, 1985,[9] the following proceedings occurred:

THE CHAIRMAN:[10] Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from New Jersey (Mr. Howard) will be recognized for 1 hour and 45 minutes and the gentleman from Minnesota (Mr. Stangland) will be recognized for 1 hour and 45 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. Howard).

MR. [JAMES J.] HOWARD [of New Jersey]: Mr. Chairman, I yield 30 minutes of my time to the chairman of the Committee on Merchant Marine and Fisheries, the gentleman from North Carolina (Mr. Jones) or his designee, and I ask unanimous consent that he be allowed to yield that time as he wishes.

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

There was no objection.

MR. HOWARD: Mr. Chairman, I yield 15 minutes of my time to the chairman of the Committee on Interior and Insular Affairs, the gentleman from Arizona (Mr. Udall) or his designee, and I ask unanimous consent that he be allowed to yield that time as he wishes.

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

There was no objection.

MR. HOWARD: Mr. Chairman, I yield 30 minutes to the chairman of the Committee on Ways and Means, the gentleman from Illinois (Mr. Rostenkowski) or his designee, and I ask unanimous consent that he be allowed to yield that time as he wishes.

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

There was no objection.

Effect of Modified Closed Rule Permitting Amendment in Nature of Substitute and Substitute Therefor, With Separate Hour of Debate on Each Substitute

§ 28.20 Where a "modified closed" rule permitted only

9. 131 CONG. REC. 30462, 99th Cong. 1st Sess.

10. Frederick C. Boucher (Va.).

one amendment in the nature of a substitute and one substitute therefor, and divided a separate hour of debate on each substitute between the same two Members, the Chair permitted the total time to be accumulated and consumed before putting the question on the substitute.

The following proceedings occurred in the Committee of the Whole on June 10, 1982,[11] during consideration of the first concurrent resolution on the budget for fiscal year 1983 (H. Con. Res. 352):

THE CHAIRMAN:[12] All time for general debate has expired.

Pursuant to clause 8 of rule XXIII, the concurrent resolution is considered as having been read for amendment and open for amendment at any point.

The concurrent resolution is as follows:

Resolved by the House of Representatives (the Senate concurring), That—

TITLE I—REVISION OF THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR THE FISCAL YEAR 1982 . . .

MR. [DELBERT L.] LATTA [of Ohio]: Mr. Chairman, I offer an amendment in the nature of a substitute.

THE CHAIRMAN: Pursuant to the provisions of House Resolution 496, the amendment in the nature of a substitute is considered as having been read. . . .

Under the rule, the gentleman from Oklahoma (Mr. Jones) will be recognized for 30 minutes and the gentleman from Ohio (Mr. Latta) will be recognized for 30 minutes. . . .

MR. [JAMES R.] JONES of Oklahoma: Mr. Chairman, I offer an amendment as a substitute for the amendment in the nature of a substitute.

THE CHAIRMAN: Pursuant to the provision of House Resolution 496, the amendment in the nature of a substitute is considered as having been read. . . .

Pursuant to the provisions of House Resolution 496, the gentleman from Oklahoma (Mr. Jones) will be recognized for 30 minutes and the gentleman from Ohio (Mr. Latta) will be recognized for 30 minutes. . . .

MR. JONES of Oklahoma: Mr. Chairman, in order to resolve the technicalities, I will use 30 minutes on the Jones substitute first, and the remaining 30 minutes on the Latta substitute. I think we have agreed to alternate back and forth the total hour we have. . . .

MR. [RALPH] REGULA [of Ohio]: Mr. Chairman, I have a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. REGULA: What is the situation at the moment? Have we completed with the first hour, that is, in effect, the debate on the Jones substitute?

THE CHAIRMAN: In effect, the Chair has. The Chair believes, and it has been treating the time as a fungible

11. 128 CONG. REC. 13387, 13390, 13395, 13399, 13409, 97th Cong. 2d Sess.

12. Anthony C. Beilenson (Calif.).

commodity. The total time has been allocated as to both amendments. In effect, the gentleman from Ohio has remaining to himself to yield, 30 minutes, and the gentleman from Oklahoma has 29 minutes remaining.

Parliamentarian's Note: Mr. Jones, Chairman of the Budget Committee, was permitted to close debate.

Special Rule Prohibiting Amendments to Amendment—Time Consumed Under Reservation of Objection to Unanimous-consent Request To Offer Amendment

§ 28.21 Where the Committee of the Whole is considering an amendment under a "modified closed" rule permitting only one amendment and no amendments thereto, and equally dividing the debate time on the amendment, time consumed under a reservation of objection to a unanimous-consent request to offer an amendment to the pending amendment comes out of the time controlled by the Member yielding for that request.

During consideration of House Joint Resolution 413 (further continuing appropriations for fiscal 1984) in the Committee of the Whole on Nov. 10, 1983,[13] the following proceedings occurred:

MR. [SILVIO O.] CONTE [of Massachusetts]: Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. Solomon).

MR. [GERALD B.] SOLOMON [of New York]: . . . Mr. Chairman, in just a moment I will be asking unanimous consent to offer an amendment which will reduce the amount of economic aid that we give to Zimbabwe by $30 million. . . .

MR. [THOMAS J.] HUCKABY [of Louisiana]: Mr. Chairman, reserving the right to object, is it my understanding that there is $75 million that is earmarked for Zimbabwe in the Wright amendment, and that Zimbabwe is also the country that has consistently supported the Cuban troops in Angola?

THE CHAIRMAN PRO TEMPORE:[14] The Chair would inform the Members that the debate on the reservation will have to come out of allotted time which is controlled by the gentleman from Massachusetts.

Expiration of Time on Amendment Did Not Preclude Amendment to Amendment and Debate Thereon

§ 28.22 Where a special rule governing consideration of a bill in Committee of the Whole limits debate on each amendment or on each

13. 129 CONG. REC. 32120, 98th Cong. 1st Sess.

14. Wyche Fowler, Jr. (Ga.).

amendment thereto to a specific amount of time, equally divided and controlled, the expiration of time on an amendment does not preclude the offering of an amendment thereto, debatable under such time limitation.

On May 4, 1983,[15] the Committee of the Whole had under consideration House Joint Resolution 13, calling for a freeze and reduction in nuclear weapons. House Joint Resolution 13 was being considered pursuant to a special rule agreed to on Mar. 16,[16] and a special rule providing for additional procedures for consideration, agreed to on May 4.[17]

MR. [STEPHEN J.] SOLARZ [of New York]: Mr. Chairman, I offer an amendment to the amendment. . . .

THE CHAIRMAN:[18] The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Solarz to the amendment offered by Mr. Hunter: In the section proposed to be added to the resolution by the Hunter amendment, strike out all that follows "prevent" through "crews" and insert in lieu thereof "safety-related improvements in strategic bombers".

MR. [ROBERT E.] BADHAM [of California]: Mr. Chairman, I have a point of order.

Mr. Chairman, it occurs to me that all time for the proponents and all time for the opponents of the amendment offered by the gentleman from California (Mr. Hunter), has been used up.

Is it not true, under the rule, that we must now vote on that amendment?

THE CHAIRMAN: No. The Chair will advise the gentleman from California (Mr. Badham), that it is true that all time relative to the amendment offered by the gentleman from California (Mr. Hunter), for and against, has expired, but under the rule another amendment can be offered, and is being offered, and 15 minutes are allocated to the proponent of the amendment and 15 minutes are allocated to an opponent of the amendment.

Speaker and Minority Leader Permitted To Speak by Unanimous Consent Where Special Rule Prohibited Pro Forma Amendments

§ 28.23 Where a special rule prohibited the offering of pro forma amendments for the purpose of debate in Committee of the Whole, the Speaker and Minority Leader were nevertheless permitted, by unanimous consent, to speak for five minutes each

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15. 129 CONG. REC. 11086, 98th Cong. 1st Sess.

16. H. Res. 138, 129 CONG. REC. 5666, 98th Cong. 1st Sess.

17. H. Res. 179, 129 CONG. REC. 11037, 98th Cong. 1st Sess. (including the division of time as described above).

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

near the conclusion of the amendment process in Committee of the Whole.

On May 4, 1983,[19] the Committee of the Whole had under consideration House Joint Resolution 13, calling for a freeze and reduction in nuclear weapons. House Joint Resolution 13 was being considered pursuant to a special rule agreed to on Mar. 16,[20] and a special rule providing for additional procedures for consideration, including a prohibition on pro forma amendments offered for the purpose of debate, agreed to on May 4.[1] The following proceedings took place:

MR. [WILLIAM S.] BROOMFIELD [of Michigan]: Mr. Chairman, after consultation with the leadership on both sides, and with my friend, the gentleman from Wisconsin, Chairman Zablocki, we have agreed upon a procedure in a spirit of bipartisanship to expedite consideration of this legislation to which we have devoted more than 45 hours of debate, and I would say historic debate. . . .

The agreement is that we will go directly to final passage. I will not offer a substitute. I will offer a straight motion to recommit. Then we can go to final passage. . . .

MR. [JAMES C.] WRIGHT [Jr., of Texas]: . . . It is my understanding that the mutual agreement encompasses the proposition that those committee amendments of a technical nature will be accepted, and that there will be no debate on those or any other substance, and since a motion to recommit without instructions is not debatable in the full House, we must have an agreement that encompasses permitting 10 minutes, 5 minutes to each side, 5 minutes for the minority leader, the gentleman from Illinois (Mr. Michel), and the concluding 5 minutes for the Speaker. Those would be the only speeches remaining. . . .

Mr. Chairman, I ask unanimous consent that the minority leader, the gentleman from Illinois (Mr. Michel), may be permitted, after the adoption of the committee amendments, 5 minutes, and that then the Speaker may be permitted 5 minutes to conclude the entire debate.

THE CHAIRMAN:[2] Is there objection to the request of the gentleman from Texas?

There was no objection. . . .

THE CHAIRMAN: The Clerk will report the remaining committee amendment to the preamble.

The Clerk read as follows: . . .

The committee amendment to the preamble was agreed to.

THE CHAIRMAN: Under the previous unanimous-consent agreement, the Chair will now recognize the distinguished minority leader for 5 minutes.

Parliamentarian's Note: Mr. Broomfield had indicated that he would not offer his amendment in

19. 129 CONG. REC. 11094, 11095, 98th Cong. 1st Sess.

20. H. Res. 138, 129 CONG. REC. 5666, 98th Cong. 1st Sess.

1. H. Res. 179, 129 CONG. REC. 11037, 98th Cong. 1st Sess.

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

the nature of a substitute for the preamble and resolution, which was subject to two hours of consideration for amendment after disposition of amendments to the preamble under a two-hour limit.

Priority of Recognition in Opposition to Amendment Accorded to Minority Member of Reporting Committee

§ 28.24 Where a special rule limited debate time on amendments to be controlled by a proponent and opponent, the Chair accorded priority of recognition in opposition to an amendment to a minority Member of one of the reporting committees over a majority Member not on any reporting committee.

The following proceedings occurred in the Committee of the Whole on Apr. 29, 1987,[3] during consideration of the Trade Reform Act of 1987 (H.R. 3):

MR. [CLAUDE] PEPPER [of Florida]: Mr. Chairman, I offer an amendment.

THE CHAIRMAN:[4] The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Pepper: On page 278, after line 23, add the following section:

Sec. 199. The USTR shall request that all relevant agencies prepare appropriate recommendations for improving the enforcement of restrictions on importation of articles from Cuba. . . .

MR. [WILLIAM V.] ALEXANDER [of Arkansas]: Mr. Chairman, would the Chair state how the time will be divided on the amendment that has been read?

THE CHAIRMAN: The gentleman from Florida [Mr. Pepper] will be entitled to 15 minutes and a Member in opposition will be entitled to 15 minutes.

MR. ALEXANDER: Mr. Chairman, I am opposed to the amendment, and I would request that that time be assigned to me, if some Member of the committee is not opposed.

THE CHAIRMAN: The Chair will advise the gentleman from Arkansas if there is someone else on the committee who seeks time in opposition, the Chair would designate that person in opposition.

Does the gentleman from Minnesota [Mr. Frenzel] seek time in opposition?

MR. [BILL] FRENZEL [of Minnesota]: Mr. Chairman, I am opposed to the amendment, and I also seek time in opposition.

THE CHAIRMAN: The gentleman from Minnesota [Mr. Frenzel] will have 15 minutes in opposition.

Manager of Bill Recognized in Opposition to Amendment

§ 28.25 Where a special rule limits debate on designated amendments and allocates time between the proponent and an opponent, the man-

3. 133 CONG. REC. 10488, 100th Cong. 1st Sess.

4. Anthony C. Beilenson (Calif.).

ager of the bill will be recognized to control debate in opposition to the amendment if he qualifies as opposed.

On Dec. 1, 1982,[5] during consideration of H.R. 6995 (Federal Trade Commission Authorization Act) in the Committee of the Whole, the Chair responded to an inquiry regarding debate, as indicated below:

MR. [JAMES T.] BROYHILL [of North Carolina]: Mr. Chairman, I have a parliamentary inquiry with respect to the procedure followed here.

It is my understanding that the gentleman from New Jersey (Mr. Florio) [the manager of the bill] will control the time in opposition to the Luken amendment; is that correct?

THE CHAIRMAN:[6] If the gentleman is opposed to the amendment.

MR. [JAMES J.] FLORIO [of New Jersey]: I am, Mr. Chairman.

THE CHAIRMAN: The gentleman from New Jersey (Mr. Florio) will therefore be recognized to control the time in opposition to the amendment offered by the gentleman from Ohio.

§ 28.26 Where a special rule adopted by the House limits debate on an amendment to be controlled by the proponent and an opponent, and prohibits amendments thereto, the Chair may in his discretion recognize the manager of the bill if opposed and there is no requirement for recognition of the minority party.

The following proceedings occurred in the Committee of the Whole on June 18, 1986,[7] during consideration of H.R. 4868 (Anti-Apartheid Act of 1986):

THE CHAIRMAN:[8] Under the rule, the gentleman from California (Mr. Dellums) will be recognized for 30 minutes, and a Member opposed to the amendment will be recognized for 30 minutes.

Will those gentlemen who are opposed to the Dellums amendment kindly stand so the Chair can designate?

Is the gentleman from Washington (Mr. Bonker) opposed to the amendment?

MR. [DON] BONKER [of Washington]: I advise the Chair that I oppose the amendment.

THE CHAIRMAN: Then the Chair will recognize the gentleman from Washington (Mr. Bonker) for 30 minutes in opposition to the Dellums amendment.

Does the gentleman from Washington wish to yield any of his time or share any of his time?

MR. BONKER: Mr. Chairman, I would yield half the allotted time, 15 minutes, to the gentleman from Michigan (Mr. Siljander).

THE CHAIRMAN: The time in opposition will be equally divided between

5. 128 CONG. REC. 28235, 97th Cong. 2d Sess.

6. George E. Brown, Jr. (Calif.).

7. 132 CONG. REC. 14275, 14276, 99th Cong. 2d Sess.

8. Bob Traxler (Mich.).

the gentleman from Washington (Mr. Bonker) and the gentleman from Michigan (Mr. Siljander). . . .

MR. [ROBERT S.] WALKER [of Pennsylvania]: Mr. Chairman, do I understand that the process that has just taken place has given the minority side one-quarter of the time.

THE CHAIRMAN: The Chair would counsel the gentleman from Pennsylvania in regard to his inquiry that the rule provides that a Member will be recognized in opposition. The gentleman from Washington (Mr. Bonker) was recognized in opposition, and he shared his time with your side.

MR. WALKER: In other words, the minority, though, was not recognized for the purposes of opposition. Is that correct?

THE CHAIRMAN: The Chair would state that the procedures of the House are governed by its rules, but more importantly in this instance, by the rule adopted by the House as reported from the Committee.

—If Manager States Opposition, Chair Does Not Later Question Qualification To Speak in Opposition

§ 28.27 Where a special rule governing consideration of a bill in Committee of the Whole provides that debate on each amendment be equally divided between the proponent and a Member opposed thereto, the Chairman of the Committee of the Whole will recognize the chairman of the committee managing the bill to control the time in opposition if he states he is opposed, and the Chair cannot at a later time question his qualifications to speak in opposition.

On May 4, 1983,[9] the Committee of the Whole had under consideration House Joint Resolution 13, calling for a freeze and reduction in nuclear weapons, pursuant to a special rule agreed to on Mar. 16[10] and a special rule providing for additional procedures for consideration (including the equal division of debate time) agreed to on May 4.[11] Mr. Clement J. Zablocki, of Wisconsin, Chairman of the Committee on Foreign Affairs, was recognized in opposition to an amendment. Mr. Zablocki discussed the amendment as it had been modified by unanimous consent:

MR. ZABLOCKI: Mr. Chairman, in order that we can continue the debate in proper order, and with an understanding of the amendment, as modified by unanimous consent, I ask that the Clerk re-read the amendment to the amendment.

THE CHAIRMAN: The Clerk will report the amendment, as modified.

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9. 129 CONG. REC. 11066, 98th Cong. 1st Sess.

10. H. Res. 138, 129 CONG. REC. 5666, 98th Cong. 1st Sess.

11. H. Res. 179, 129 CONG. REC. 11037, 98th Cong. 1st Sess.

The Clerk read as follows:

Page 5, line 8, immediately before the period, insert ", with such reductions to be achieved within a reasonable period of time as determined by negotiations."

MR. ZABLOCKI: . . . I must say at the very outset, as the amendment has been offered, I have no problems with the amendment. But I am concerned [that] in the explanation of your amendment you go further and it does cause some concern whether you intend your amendment to be so interpreted.

So, Mr. Chairman, I would hope that in the remaining 13 minutes of my time in opposition, technically in opposition, to the amendment we could have a clarifying dialog with the gentleman from Georgia.

MR. [JAMES A.] COURTER [of New Jersey]: Mr. Chairman, I have a parliamentary inquiry.

THE CHAIRMAN PRO TEMPORE:[12] The gentleman from Wisconsin (Mr. Zablocki) has the time.

MR. COURTER: Mr. Chairman, will the gentleman yield to me for the purpose of making a parliamentary inquiry?

MR. ZABLOCKI: I yield to the gentleman from New Jersey for the purpose of making a parliamentary inquiry.

MR. COURTER: My parliamentary inquiry, Mr. Chairman, is as follows:

It is my understanding that the proponent of the amendment, the gentleman from Georgia (Mr. Levitas) is recognized for 15 minutes, and then someone could be recognized if they, in fact, oppose it.

The gentleman from Wisconsin (Mr. Zablocki) rose initially indicating that he was against the amendment, was recognized for 15 minutes, and during his monolog has indicated that, in fact, he is not opposed to it. Should he be recognized for the balance of his time?

THE CHAIRMAN PRO TEMPORE: The Chair cannot question the gentleman's qualifications. The Chair did ask the question if he rose in opposition to the amendment, and the Chairman so stated. Therefore, he controls the time.

Effect Where Member Recognized in Opposition Yields Back All Time

§ 28.28 Where debate on an amendment has been limited and equally divided between the proponent and a Member opposed, and the Chair has recognized the only Member seeking recognition in opposition to the amendment, no objection lies against that Member subsequently yielding back all the time in opposition.

On May 4, 1983,[13] the Committee of the Whole had under consideration House Joint Resolution 13, calling for a freeze and reduction in nuclear weapons. House Joint Resolution 13 was being considered pursuant to a special rule agreed to on Mar.

12. Leon E. Panetta (Calif.).

13. 129 CONG. REC. 11077, 11078, 98th Cong. 1st Sess.

16,[14] and a special rule providing for additional procedures for consideration, agreed to on May 4.[15] Mr. William S. Broomfield, of Michigan, rose in opposition[16] to an amendment[17] offered by Mr. Henry J. Hyde, of Illinois, to a substitute amendment:

MR. BROOMFIELD: Mr. Chairman, I rise in opposition to the amendment.

THE CHAIRMAN:[18] The gentleman is recognized for 15 minutes in opposition to the amendment, for purposes of debate only.

MR. BROOMFIELD: Mr. Chairman, I yield back the balance of my time.

MR. HYDE: Mr. Chairman, I yield back the balance of my time and request a vote.

MR. [CLEMENT J.] ZABLOCKI [of Wisconsin]: Mr. Chairman, we have 15 minutes in order to oppose the amendment?

THE CHAIRMAN: No one stood up on that side of the aisle, and the gentleman from Michigan (Mr. Broomfield) represented to the Chair that he opposed the amendment and was recognized for 15 minutes in opposition, and he yielded back the balance of his time, as did the gentleman from Illinois (Mr. Hyde). . . .

MR. [LES] AUCOIN [of Oregon]: Mr. Chairman, I have a parliamentary inquiry. . . .

Mr. Chairman, my inquiry is this: This side, which opposes the amendment, has been foreclosed an opportunity, not on this amendment but on the previous amendment, to have 15 minutes in opposition to the amendment because a Member on that side who voted against an amendment that was hostile to the exact amendment said he was opposed to it.

My parliamentary inquiry is, Mr. Chairman, is that in order?

THE CHAIRMAN: As the Chair previously explained, no one on the majority side of the aisle rose in opposition to that amendment. The Chair looked to the other side of the aisle and the gentleman from Michigan (Mr. Broomfield) rose, represented that he was in opposition to the amendment and was recognized.

Parliamentarian's Note: Had another Member also been seeking to control time in opposition at the time the first Member was recognized and yielded back, the Chair would have allocated the time to that Member so that it could have been utilized.

Yielding Repeatedly to Same Member

§ 28.29 Where a special rule provides for the control of time in debate on a bill, the Member in charge may yield time to the same Member on two or more occasions notwithstanding Rule XIV, clause 6.

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14. H. Res. 138, 129 CONG. REC. 5666, 98th Cong. 1st Sess.

15. H. Res. 179, 129 CONG. REC. 11037, 98th Cong. 1st Sess.

16. 129 CONG. REC. 11078, 98th Cong. 1st Sess.

17. *Id.* at p. 11077.

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

On Mar. 23, 1933,[19] the Committee of the Whole was considering H.R. 3342, the District of Columbia beer bill, pursuant to the terms of a special rule dividing control of time for general debate between the chairman and ranking minority member of the Committee on the District of Columbia. Chairman Marvin Jones, of Texas, ruled as follows on the application of the prohibition against speaking twice to a bill being considered under a special order:

> MR. [EDWARD W.] GOSS [of Connecticut]: Mr. Chairman, I am making a point of order.
>
> THE CHAIRMAN: The gentleman will state it.
>
> MR. GOSS: Section 6, Rule XIV, states that no Member shall speak more than once to the same question without leave of the House. Does this apply to debate under a special rule where the time is in the control of both sides?
>
> THE CHAIRMAN: The rule under which this bill is considered states that the time shall be equally divided and controlled by the chairman and the ranking minority member of the Committee on the District of Columbia. This, being a special rule, would, in so far as it is in conflict with, suspend the other rules of the House, and the gentleman can be recognized if he is yielded time in the regular way.

19. 77 CONG. REC. 822, 73d Cong. 1st Sess.

Time Yielded Is Utilized or Yielded Back—Reservation of Yielded Time as Requiring Unanimous Consent

§ 28.30 Where a special rule adopted by the House divides control of general debate in Committee of the Whole between the chairman and ranking minority member of the committee reporting the bill, time yielded to third Members must be utilized or yielded back and may only be reserved for allocation by such third Member by unanimous consent.

During consideration of the Olympic Coin Act (S. 1230) in the Committee of the Whole on May 20, 1982,[20] the following proceedings occurred:

> THE CHAIRMAN:[1] Pursuant to the rule, the first reading of the bill is dispensed with.
>
> Under the rule, the gentleman from Rhode Island (Mr. St Germain) will be recognized for 1 hour, and the gentleman from Ohio (Mr. Wylie) will be recognized for 1 hour.
>
> The Chair recognizes the gentleman from Rhode Island (Mr. St Germain).
>
> MR. [FERNAND J.] ST GERMAIN [of Rhode Island]: Mr. Chairman, I yield one-half hour to the gentleman from Illinois (Mr. Annunzio). . . .

20. 128 CONG. REC. 10766, 10767, 97th Cong. 2d Sess.

1. Elliott H. Levitas (Ga.).

THE CHAIRMAN: The gentleman from Illinois (Mr. Annunzio) has consumed 12 minutes.

The Chair would inquire of the gentleman from Rhode Island, would he be amenable to yielding further at a later time to the gentleman from Illinois?

MR. ST GERMAIN: I yielded the gentleman 30 minutes under our agreement.

The gentleman from Illinois may proceed and have his other speakers speak. . . .

THE CHAIRMAN: The Chair would observe from a procedural point of view that the gentleman has been yielded 30 minutes which he may use now or yield back as he so desires.

MR. [FRANK] ANNUNZIO [of Illinois]: Mr. Chairman, I reserve the balance of my time.

THE CHAIRMAN: The gentleman is not able to reserve the balance of the time yielded to him by the gentleman from Rhode Island unless the gentleman from Rhode Island agrees to yield further at a later time.

MR. [CHALMERS P.] WYLIE [of Ohio]: Mr. Chairman, a parliamentary inquiry. . . .

What I had intended to do was yield 20 minutes to the gentleman from Texas (Mr. Paul), who takes a similar position as the gentleman from Illinois. I understand the gentleman from Illinois' position and my parliamentary inquiry is, may I yield 30 minutes of my time, which I had agreed to do, to the gentleman from Texas at this time and allow the gentleman from Illinois to use his 30 minutes in exchange with the gentleman from Texas (Mr. Paul)?

THE CHAIRMAN: The Chair in response would advise the gentleman from Ohio that while he may yield 30 minutes to the gentleman from Texas (Mr. Paul), the gentleman from Texas (Mr. Paul) may use that time but may not reserve portions of that time for subsequent yielding except by unanimous consent. . . .

Does the gentleman from Illinois ask unanimous consent to be able to yield portions of the remaining 18 minutes he has available to him at subsequent times during the course of the general debate?

MR. ANNUNZIO: Yes.

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

There was no objection.

Motions Permitted by Special Rule

§ 28.31 A special rule agreed to by the House for consideration of a bill permitted motions by the chairman of the committee reporting the bill to limit debate, including allocation of time under the limitation, and to consider the remainder of the bill or any titles thereof read and open to amendment.

On Dec. 9, 1981,[(2)] Mr. Anthony C. Beilenson, of California, called up House Resolution 291 (providing for consideration of H.R. 3566, international security and

2. 127 CONG. REC. 30193, 97th Cong. 1st Sess.

development assistance authorizations for fiscal 1982 and 1983) in the House:

MR. BEILENSON: Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 291 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 291

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3566) to authorize appropriations for the fiscal years 1982 and 1983 for international security and development assistance and for the Peace Corps, and for other purposes, the first reading of the bill shall be dispensed with . . . . After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be considered for amendment under the five-minute rule by titles instead of by sections, and each title shall be considered as having been read. It shall be in order at any time while the bill is being considered for amendment under the five-minute rule for the chairman of the Committee on Foreign Affairs to move to limit debate on the pending portion of the bill and to provide in said motion for the allocation of time under the limitation on the pending portion of the bill, or on amendments, or on amendments to amendments, thereto. It shall also be in order at any time while the bill is being considered for amendment under the five-minute rule for the chairman of the Committee on Foreign Affairs to move that the remainder of the bill, or any title thereof, be considered as having been read and open to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Control of Debate on Resolutions Relating to Committee Structure

§ 28.32 On one occasion, debate on a resolution reported from the Committee on Rules amending the rules of the House to make permanent the Committee on Standards of Official Conduct was placed in the control of the latter committee pursuant to a special rule.

On Apr. 3, 1968,[3] Mr. Richard Bolling, of Missouri, called up in the House by direction of the Committee on Rules House Resolution 1119, making in order in the Committee of the Whole the consideration of House Resolution 1099, also reported from the Committee on Rules, which resolution amended the Rules of the House to make permanent the Com-

3. 114 CONG. REC. 8776, 8777, 90th Cong. 2d Sess.

mittee on Standards of Official Conduct. House Resolution 1119 provided that there be two hours of debate on House Resolution 1099 to be equally divided and controlled by the chairman and ranking minority member of the Committee on Standards of Official Conduct.

Mr. H. Allen Smith, of California, a member of the Committee on Rules, explained the resolution as follows:

> The resolution could have come to the floor of the House without a rule, which would have limited debate to 1 hour, 30 minutes on each side, and a vote would then be taken up or down on the resolution.
>
> But the Rules Committee felt the members of the committee should have an opportunity to be heard, with the result that we have reported a separate resolution providing for 2 hours of general debate, 1 hour on each side, and the resolution will be open for amendment. Had we just reported the resolution, it would be tantamount to a closed rule under which amendments could not be offered. The Rules Committee does not like to report closed rules as a general practice, and does so only in a few instances, usually on tax bills.
>
> Amendments will probably be offered. . . .

Debate on Confirmation of Vice President-designate Divided Three Ways

§ 28.33 House debate on the confirmation of Vice President-designate Rockefeller was limited to 6 hours and was equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary (both of whom favored the nomination), and Robert W. Kastenmeier, of Wisconsin (a majority member of the Judiciary Committee who opposed the nomination).

For discussion of House Resolution 1519, providing for the consideration of the resolution confirming Nelson A. Rockefeller as Vice President, see § 25.17, supra.

Five Conference Reports Considered En Bloc

§ 28.34 Pursuant to a special rule providing for four hours of debate on five conference reports considered en bloc in the House, equally divided between the majority and minority, with one hour to be confined to debate on one of the five reports (Natural Gas Policy), the Speaker recognized the chairman and ranking minority member of the Ad Hoc Committee on Energy for one-half hour each for the first hour, to be confined to debate on the natural gas conference report, and then recognized

them for one and one-half hour each on the remaining reports.

On Oct. 14, 1978,[4] the following proceedings occurred in the House:

MR. [THOMAS L.] ASHLEY [of Ohio]: Mr. Speaker, pursuant to House Resolution 1434, I call up the conference reports on the bills [H.R. 4018, Public Utility Rates; H.R. 5037, Energy Conservation; H.R. 5146, Coal Conversion; H.R. 5289, Natural Gas Policy; and H.R. 5263, Energy Tax]. . . .

The Clerk read the titles of the bills.

THE SPEAKER PRO TEMPORE:[5] Pursuant to House Resolution 1434, the gentleman from Ohio (Mr. Ashley) will be recognized for 2 hours and the gentleman from Illinois (Mr. Anderson) will be recognized for 2 hours.

The Chair will recognize the gentleman from Ohio (Mr. Ashley) and the gentleman from Illinois (Mr. Anderson) for 30 minutes to debate the conference report on H.R. 5289. . . .

MR. [ROBERT E.] BAUMAN [of Maryland]: May I . . . inquire of the Chair whether the first hour of debate is to be directed to the natural gas conference report and not to the other four conference reports?

THE SPEAKER PRO TEMPORE: The gentleman is correct.

MR. BAUMAN: Only to the natural gas conference report?

THE SPEAKER PRO TEMPORE: The gentleman is correct.

MR. BAUMAN: Would it be out of order to discuss the other parts during that time?

THE SPEAKER PRO TEMPORE: The Chair would like to advise the gentleman that the Chair would have to rule as points along that line are brought to the attention of the Chair.

MR. BAUMAN: I thank the Speaker.

THE SPEAKER PRO TEMPORE: The Chair would like to advise the gentleman that the resolution provides the first hour of which shall be confined solely to the conference report on the bill H.R. 5289.

§ 29. Yielding Time

Where the Member with the floor desires to allow another Member to speak during the former's own time, he yields, and the time yielded is taken out of his time.[6] Yielding is discretionary with the Member in control. And a Member yielded time may speak as many times as yielded to, despite the prohibition against speaking more than once to the same subject.[7] The Mem-

4. 124 CONG. REC. 38349, 38350, 95th Cong. 2d Sess.

5. William H. Natcher (Ky.).

6. See §§ 29.5–29.7, infra.

Where a Member who is yielded time does not consume it, the remaining time reverts to the Member who yielded it (see § 29.16, infra).

If the Member with the floor yields the "balance" of his time in the House without moving the previous question, he loses the floor (see §§ 29.9, 29.10, infra).

7. See § 29.4, infra.