ject, Mr. Speaker, does that mean that all of the words will be taken down subsequent to the point that she was ruled out of order and stricken from the Record?

THE SPEAKER: None of those words will be in the Record, the Chair will state to the gentleman. None of the words will be in the Record subsequent to that since she was not recognized. . . .

MRS. [PATRICIA] SCHROEDER [of Colorado]: Reserving the right to object, Mr. Speaker, I am a little puzzled by the word "demeanor." I was in the Chamber at the time, and I did see the Chair try to gavel the gentlewoman down, but I can understand why she could not hear, because there were so many people at mikes and I think she was confused by that. So I am a little troubled about that. How can you challenge "demeanor"?

THE SPEAKER: The Chair wishes to advise the gentlewoman from Colorado that it is the opinion of the Chair that the Chair at the time was attempting to insist that the gentlewoman from California desist with any further statements and sit down. She did not accord cooperation to the Chair and follow the Chair's instructions. Consequently, it is the finding of the Chair that her demeanor at that point in refusing to accept the Chair's instructions was out of order.

Parliamentarian's Note: While a Member who is held to have breached the rules of decorum in debate is presumptively disabled from further recognition on that day, by tradition the Speaker's ruling and any necessary expungement of the Record are deemed sufficient sanction, and by custom the chastened Member is permitted to proceed in order (usually by unanimous consent).

§ 41. Disorderly Acts; Attire

Rule XIV, clause 7[1] provides: While the Speaker is putting a question or addressing the House no Member shall walk out of or across the hall, nor, when a Member is speaking, pass between him and the Chair; and during the session of the House no Member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots, or smoke upon the floor of the House; and the Sergeant-at-Arms is charged with the strict enforcement of this clause. Neither shall any person be allowed to smoke or to use any personal, electronic office equipment (including cellular phones and computers) upon the floor of the House at any time. In the 104th Congress, the prohibition against using personal elec-

1. *House Rules and Manual* § 763 (1995).

tronic office equipment was added to the rule.[2] The prohibition was affirmed by response to a parliamentary inquiry.[3]

Demonstrations of approval or disapproval, such as applause, are not a part of the proceedings of the House, and are not reflected in the *Congressional Record* unless in joint session.[4]

Under his authority to maintain decorum,[5] the Speaker or Chairman may announce, preceding certain legislation or proceedings, the decorum to be observed.[6]

Participation in debate and obtaining the floor is governed by Rule XIV clause 1, which requires that a Member rise, address the Speaker, and obtain recognition to address the House.[7] While a Member has the floor, he may not request Members to act contrary to the rules, such as showing hands or rising in support of a certain measure.[8]

Assaults and affrays between Members are rare in the practice of the House.[9] The House may act on hostilities by ordering the resolution of differences,[10] demanding apology,[11] or in extreme cases censuring Members guilty of assault and provocation.[12]

Cross References

Conduct of Members and punishment, see Ch. 12, supra.

Disorder in the galleries of the House, see Ch. 4, supra.

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2. H. Res. 6, 141 CONG. REC. p. ____, 104th Cong. 1st Sess., Jan. 4, 1995.

3. 141 CONG. REC. p. ____, 104th Cong. 1st Sess., Feb. 23, 1995.

4. See §§ 41.8, 41.9, infra.

5. Rule I clause 2, *House Rules and Manual* § 622 (1995) (Speaker) and Rule XXIII clause 1, *House Rules and Manual* § 861(a) (1995) (Chairman of Committee of the Whole).

6. See § 41.7, infra. For decorum during ceremonial proceedings, see Ch. 36, infra.

7. *House Rules and Manual* § 749 (1995). For rulings on disturbances by Members, see §§ 41.1, 41.3, 41.4, infra.

Interruptions of a Member speaking are discussed in § 42, infra.

A Member must stand to address the House (see § 41.3, infra).

8. See § 41.10, infra; but see § 41.11, infra.

9. For a recent instance, see § 41.6, infra.

Assaults and hostilities are usually considered as questions of privilege. *House Rules and Manual* § 91 (comment to U.S. Const. art. I, § 6, clause 1) (1993).

10. See 2 Hinds' Precedents §§ 1646–1651, 1657–1662. For parliamentary law in cases of assaults and affray, see Jefferson's Manual, *House Rules and Manual* § 367 (1995).

11. See 2 Hinds' Precedents §§ 1643, 1646–1651, 1657.

12. See 2 Hinds' Precedents §§ 1655, 1656.

Disturbances by Members

§ 41.1 It is a breach of order for a Member to stand by or walk about a Member who has the floor in debate.

On Mar. 5, 1936,[13] while Mr. Thomas L. Blanton, of Texas, had the floor, Mr. Marion A. Zioncheck, of Washington, rose and stood by Mr. Blanton. Mr. Blanton objected to the interruption, and Chairman William L. Nelson, of Missouri, ruled that Mr. Zioncheck was out of order as not being in his seat while another Member had the floor.[14]

—Adhering to the Speaker's Gavel

§ 41.2 A Member's comportment may constitute a breach of decorum even though the content of her speech is not, in itself, unparliamentary; it is a breach of decorum for a Member to ignore the Chair's gavel and request to be seated.

On July 29, 1994,[15] a Member ignored repeated requests by the Chair to suspend and be seated:

> MS. [MAXINE] WATERS [of California]: Madam Speaker, last evening a Member of this House, Peter King, had to be gaveled out of order at the Whitewater hearings of the Banking Committee. He had to be gaveled out of order because he badgered a woman who was a witness from the White House, Maggie Williams. I am pleased I was able to come to her defense. Madam Speaker, the day is over when men can badger and intimidate women.
>
> MR. [F. JAMES] SENSENBRENNER [Jr., of Wisconsin]: Madam Speaker, I demand the gentlewoman's words be taken down.
>
> THE SPEAKER PRO TEMPORE:[16] The gentlewoman from California [Ms. Waters] must suspend and be seated.
>
> The Clerk will report the words.
>
> MS. WATERS:——
>
> THE SPEAKER PRO TEMPORE: The gentlewoman will please desist and take her seat.
>
> MS. WATERS:——
>
> THE SPEAKER PRO TEMPORE: The Chair is about to direct the Sergeant at Arms to present the mace.
>
> THE SPEAKER:[17] The Clerk will report the words. . . .
>
> While in the opinion of the Chair the word "badgering" is not in itself unparliamentary, the Chair believes that the demeanor of the gentlewoman from

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13. 80 CONG. REC. 3376, 74th Cong. 2d Sess.

14. Under parliamentary law, no Member is to disturb another in his speech, stand up to interrupt him, pass between the Speaker and the speaking Member, go across the House, or walk up and down the House. Jefferson's Manual, *House Rules and Manual* § 364 (1995).

15. 140 CONG. REC. p. ____, 103d Cong. 2d Sess.

16. Carrie Meek (Fla.).

17. Thomas S. Foley (Wash.).

California was not in good order in the subsequent period immediately following those words having been uttered.

Accordingly, the Chair rules that without leave of the House, the gentlewoman from California may not proceed for the rest of today. The Chair would ask whether there is objection to the gentlewoman from California receiving the right to proceed in good order.

MR. [GERALD B. H.] SOLOMON [of New York]: Reserving the right to object, Mr. Speaker, does that mean that all of the words will be taken down subsequent to the point that she was ruled out of order and stricken from the Record?

THE SPEAKER: None of those words will be in the Record, the Chair will state to the gentleman. None of the words will be in the Record subsequent to that since she was not recognized. . . .

MRS. [PATRICIA] SCHROEDER [of Colorado]: Reserving the right to object, Mr. Speaker, I am a little puzzled by the word "demeanor." I was in the Chamber at the time, and I did see the Chair try to gavel the gentlewoman down, but I can understand why she could not hear, because there were so many people at mikes and I think she was confused by that. So I am a little troubled about that. How can you challenge "demeanor"?

THE SPEAKER: The Chair wishes to advise the gentlewoman from Colorado that it is the opinion of the Chair that the Chair at the time was attempting to insist that the gentlewoman from California desist with any further statements and sit down. She did not accord cooperation to the Chair and follow the Chair's instructions. Consequently, it is the finding of the Chair that her demeanor at that point in refusing to accept the Chair's instructions was out of order.

Parliamentarian's Note: While a Member who is held to have breached the rules of decorum in debate is presumptively disabled from further recognition on that day, by tradition the Speaker's ruling and any necessary expungement of the Record are deemed sufficient sanction, and by custom the chastened Member is permitted to proceed in order (usually by unanimous consent).

Interrupting Another Member

§ 41.3 It is a breach of order in debate for a Member without rising and addressing the Chair to interject remarks into another Member's speech.

On July 25, 1935,[18] while Mr. Thomas L. Blanton, of Texas, had the floor, Mr. Samuel Dickstein, of New York, interjected remarks from his seat without addressing the Chair or securing the consent of Mr. Blanton. Speaker Joseph W. Byrns, of Tennessee, intervened and ruled "it is distinctly against the rules for a gentleman

18. 79 CONG. REC. 11864, 74th Cong. 1st Sess.

in his seat to interrupt a Member who is speaking." [19]

On Apr. 18, 1973,[20] Chairman Morris K. Udall, of Arizona, sustained a point of order made by Mr. George E. Danielson, of California, that a Member then speaking was not standing as required by the rule of the House.

"Clear the Well"

§ 41.4 Where a point of order was made that the well of the House should be cleared in compliance with the House rules, the Chairman of the Committee of the Whole requested a Member to step back from the well of the House to propound his question.

On Mar. 7, 1957,[1] the following exchange and ruling by Chairman Wayne L. Hays, of Ohio, took place:

MR. AUGUST H. ANDRESEN [of Minnesota]: I do not want to yield for a speech.

MR. [GEORGE H.] CHRISTOPHER [of Missouri]: I did not come down to heckle the gentleman.

MR. AUGUST H. ANDRESEN: I will yield for a question, but I refuse to yield for a speech.

MR. CHRISTOPHER: I would like to ask a question.

MR. [CLARE E.] HOFFMAN [of Michigan]: Mr. Chairman, a point of order.

THE CHAIRMAN: The gentleman will state it.

MR. HOFFMAN: I ask that the well be cleared.

THE CHAIRMAN: The gentleman from Michigan makes a point of order that the well should be cleared. The gentleman will step back to the seats to ask his question.

MR. CHRISTOPHER: I want to ask a question about the 51 million acre base.

MR. HOFFMAN: Mr. Chairman, I insist on my point of order.

THE CHAIRMAN: The gentleman from Missouri will suspend. We want to comply strictly with the rules. The gentleman will stand back out of the well, please, while the question is propounded.[2]

§ 41.5 The Speaker announced that Members should not traffic the well of the House when another Member is speaking.

On Feb. 3, 1995,[3] the Chair,[4] in response to a parliamentary in-

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19. To speak, a Member must rise, address himself to the Speaker, and be recognized. Rule XIV clause 1, *House Rules and Manual* § 749 (1995).

20. 119 CONG. REC. 13136, 93d Cong. 1st Sess.

Parliamentarian's Note: Sitting on the committee table while speaking into a microphone is not in accord with proper decorum.

1. 103 CONG. REC. 3268, 85th Cong. 1st Sess.

2. While one Member is speaking, another may not pass between him and the Chair. Rule XIV clause 7, *House Rules and Manual* § 763 (1995).

3. 141 CONG. REC. p. ____, 104th Cong. 1st Sess.

4. Speaker Pro Tempore Peter G. Torkildsen (Mass.).

quiry, made an announcement concerning conduct of Members while a Member is speaking in the House:

MS. [MARCY] KAPTUR [of Ohio]: Mr. Speaker, I have a parliamentary inquiry.

THE SPEAKER PRO TEMPORE: The gentlewoman will state her parliamentary inquiry.

MS. KAPTUR: Mr. Speaker, my inquiry has to do with the courtesy extended to Members who are attempting to deliver their 1-minute messages this morning. I notice that Members on the other side are moving around the podium and placing their papers there, distracting from the individual who is speaking. Now this side has not chosen to use those tactics.

My inquiry is as to appropriate behavior when another Member of the House is addressing the public.

THE SPEAKER PRO TEMPORE: The gentlewoman's observation is well taken. Members should not be standing in front of the rostrum while other Members are speaking, and the Chair would ask all Members to observe basic courtesy when Members are speaking in the House.

MS. KAPTUR: And Members awaiting their turn to speak should be seated until they are recognized by the Speaker?

THE SPEAKER PRO TEMPORE: Members should not traffic the well when any other Member is speaking.

Similarly, on Mar. 3, 1995,[5] the Speaker Pro Tempore[6] responded to parliamentary inquiries about the presence of Members in the well while a Member is speaking:

MR. [HAROLD L.] VOLKMER [of Missouri]: Mr. Speaker, I have a parliamentary inquiry.

THE SPEAKER PRO TEMPORE: The gentleman will state it.

MR. VOLKMER: Do the rules of the House permit Members to walk in the well, be present in the well while a Member is speaking in the well?

THE SPEAKER PRO TEMPORE: Members should not cross in front of Members while they are speaking in the well.

MR. VOLKMER: Is it permissible to walk on the other side of the well while a Member is speaking in the well?

THE SPEAKER PRO TEMPORE: Members should not walk between the Member speaking and the Chair.

MR. VOLKMER: What I am trying to point out to Members on the other side, we have never done it on this side, is not to get your papers up and get ready to make your 1-minute while a Member is speaking in the well.

Altercations Between Members

§ 41.6 Members of the House were permitted to comment as witnesses or make corroborating statements relative to an altercation between two Members in the Speaker's lobby.

On Oct. 29, 1963,[7] Mr. Bruce R. Alger, of Texas, was granted

5. 141 CONG. REC. p. ____, 104th Cong. 1st Sess.

6. John T. Doolittle (Calif.).

7. 109 CONG. REC. 20413, 88th Cong. 1st Sess.

permission to address the House relative to an altercation between two Members:

Mr. Speaker, I take the floor with some sorrow and some humor. All of us in Congress have certain standards to maintain on the floor of this House. It has come to my attention that one of the gentlemen from Texas threatened another Texan on the floor of the House, to pistol whip him the way they did back home. I ask the gentleman from California to tell of the incident as he saw it.

MR. [DEL M.] CLAWSON [of California]: I was a witness when this very unfortunate threat was made a few minutes ago on the floor of the House to pistol whip him as they did in Texas. Off the floor I saw the culmination of this thing when the gentleman from Texas [Mr. Gonzalez] threatened the gentleman from Texas [Mr. Foreman] and followed through by striking Mr. Foreman with his fist. I was frankly shocked and surprised to see this very undignified incident and irresponsible action by the gentleman from Texas [Mr. Gonzalez] take place in the House of Representatives.

MR. ALGER: I want to thank the gentleman for corroborating what I understand to be the case. I want to compliment my colleague, the gentleman from Texas [Mr. Foreman], for his restraint in not retaliating by striking the other gentleman, the gentleman from San Antonio [Mr. Gonzalez].

MR. [EDGAR FRANKLIN] FOREMAN: Mr. Speaker, will the gentleman yield?

MR. ALGER: I yield to the gentleman.

MR. FOREMAN: I thank the gentlemen for coming to my aid in this instance. In these matters I am perfectly capable of handling myself physically, particularly when it comes to fisticuffs. However, I was quite surprised to find that the gentleman from San Antonio completely lost his head, and evidently, his reasoning, and had to resort to striking me in these Halls of Congress because he disagreed with something that had been reported in the newspapers that I had said.

The gentleman from Texas [Mr. Gonzalez] said he understood that I had called him a Communist. This was certainly a misunderstanding on his part. I have stated that in my opinion Mr. Gonzalez' ultraliberal, leftwing voting record had done a disservice to the U.S. Constitution and helps to serve the Socialist-Communist cause. I stand behind this statement without retraction or apology.

Parliamentarian's Note: On Feb. 22, 1945, an altercation occurred between Mr. Frank E. Hook, of Michigan, and Mr. John E. Rankin, of Mississippi, the latter being disturbed by allegedly blasphemous words used against him in debate by Mr. Hook. Some physical contact took place between the two Members on the floor while the House was in session. Mr. Hook's words, which precipitated the incident, were stricken from the Record by order of Speaker Pro Tempore Robert Ramspeck, of Georgia. Mr. Hook and Mr. Rankin later apologized to the House on Feb. 23, 1945, and no further action was taken by the House.[8]

8. 91 CONG. REC. 1371, 1372, 1390, 1391, 1445, 79th Cong. 1st Sess.

Announcements as to Anticipated Disorder

§ 41.7 The Chairman of the Committee of the Whole may make an announcement concerning decorum on the floor during forthcoming debate on a certain bill.

On Oct. 21, 1969,[9] Chairman Daniel J. Flood, of Pennsylvania, made an announcement in relation to the decorum on the House floor during the debate on H.R. 13827, the Housing and Urban Development Act of 1969. The Chairman stated that House employees who did not have specific privileges of the floor would be withdrawn from the floor, that the whips would be quiet, that the aisles to the right and left would be cleared, and that there would be no undue activity at the rail during debate on the bill.[10]

Demonstrations, Approval, or Disapproval by Members; Applause

§ 41.8 Demonstrations of approval or disapproval by Members during debate, such as applauding or rising to applaud, are not a part of the Record, and the Speaker may direct the reporters of the debates to refrain from inserting indications of such activity in the Record.

On Mar. 6, 1945, Mr. John E. Rankin, of Mississippi, addressed the House on the subject of demonstrations of approval in the House by way of applause, shouts, and laughter. He made the suggestion that such demonstrations should be reflected in the *Congressional Record,* although the rulings of the Chair had been to the contrary. Speaker Sam Rayburn, of Texas, discussed his past rulings on the question and the rational thereof. He concluded, "the Chair has held that demonstrations in the House are not a part of the Record, and shall continue to hold that until the rules of the House are changed."[11]

Evidence of "Applause" Normally Omitted

§ 41.9 The word "applause" may be inserted in the Record where the demonstration occurs during a joint session of Congress.

9. 115 CONG. REC. 30806, 91st Cong. 1st Sess.

10. See also Chairman Flood's announcement during consideration of S. 3708, the Demonstration Cities Act of 1966, 112 CONG. REC. 26603, 26604, 89th Cong. 2d Sess., Oct. 13, 1966.

11. 91 CONG. REC. 1789, 79th Cong. 1st Sess.

On Mar. 6, 1945,[12] Mr. Charles L. Gifford, of Massachusetts, called attention to the appearance in the *Congressional Record* of Mar. 1 of the word "applause" 20 times. He stated that the insertions apparently included applause as part of the proceedings of the House, although Speaker Sam Rayburn, of Texas, had just stated that demonstrations in the House were not and should not be a part of the Record.[13] Speaker Rayburn responded that (1) he had not been presiding at the session referred to and (2) the insertions were not improper because the date referred to was the occasion of a joint session of Congress in which the President delivered an address.

Only Chair Puts Question

§ 41.10 Votes on questions may be put only by the Chair and it is not in order for a Member having the floor in debate to ask that Members who would vote for the pending bill if it contained a certain provision to express their approval by rising in their seats or raising their hands.

On May 5, 1955,[14] Mr. Abraham J. Multer, of New York, requested in debate that those Members who would vote for a pending bill if it contained a certain amendment to rise in their seats. Mr. Clare E. Hoffman, of Michigan, made the point of order that Mr. Multer had no right to ask for a vote, and Chairman Robert L. F. Sikes, of Florida, sustained the point of order. Mr. Multer then refused to yield to another Member, stating that he would yield only for a "show of hands or rising" by Members who would vote for the provision. Chairman Sikes reminded Mr. Multer to proceed in order.

§ 41.11 On one occasion during debate in Committee of the Whole, there being no objection, the Minority Leader requested his party members to demonstrate their support for a certain proposition by a show of hands.

On Aug. 6, 1963,[15] Minority Leader Charles A. Halleck, of Indiana, stated in regard to a pending bill:

> Mr. Chairman, I do not know whether it would be parliamentary or not,

12. 91 Cong. Rec. 1790, 79th Cong. 1st Sess.
13. See § 41.8, supra.
14. 101 Cong. Rec. 5778, 84th Cong. 1st Sess.
15. 109 Cong. Rec. 14289, 88th Cong. 1st Sess.

but I would like to have the Republicans who are here—and we are in goodly number—raise their hands to indicate whether they will vote for this bill with or without the amendment.

No objection was made to the request for a show of hands.

Proper Attire

§ 41.12 The Speaker announced, since questions had been raised concerning the proper attire for Members in the Chamber following the raising of thermostat controls to 78 degrees to comply with a Presidential order regarding energy conservation, that (1) the Speaker still considered traditional attire appropriate for Members, including a coat and tie for male Members and appropriate attire for female Members; (2) the Chair would recognize any Member to offer a resolution as a question of the privileges of the House to permit a relaxation in dress; and (3) the Chair would prefer not to rule on a point of order that a Member was in violation of the Speaker's guidelines, trusting that the standards of dress would be voluntarily maintained and accepted by Members, but would not foreclose the possibility of entertaining such a point of order; the Speaker also refused to recognize a Member in violation of traditional standards of dress, and requested the Member in question to remove himself from the floor and don proper attire.

On July 17, 1979,[16] Speaker Thomas P. O'Neill, Jr., of Massachusetts, made the following announcement:

THE SPEAKER: The Chair wishes to make a statement.

In recent days the Congress has undertaken measures to comply with the President's Executive order implementing thermostat controls for nonresidential buildings, most particularly by raising the temperature in the Capitol and congressional office buildings to 78 degrees. This effort to conserve energy has undoubtedly resulted in some discomfort for Members, staff, and visitors to the Capitol. As a result, some questions have arisen concerning proper dress for Members when they are in the House Chamber. Over many years and during some uncomfortable seasons, Members have respected an unwritten standard. Historically, a coat and tie has always been required for male Members and appropriate attire for female Members. The Chair believes that the House should continue to adhere to this practice. The Chair certainly intends to. Perhaps the Chair reflects the views of his own genera-

16. 125 CONG. REC. 19008, 96th Cong. 1st Sess.

tion but he feels that this is one of the ways in which he shows his respect for this institution.

The Chair does not believe he should become an arbiter of style. What color a person wears or the manner in which he or she combs his hair is certainly a matter for individual determination. . . .

If any Member would desire to offer a resolution raising a question of privilege of the House to the effect that Members may relax their dress, such Member may so offer the resolution and the Chair would recognize him for such purposes. . . . The Chair would ask the gentleman from Texas if he would kindly remove himself from the floor and appear in the customary attire that the Members of the Congress wear. . . .

MR. [ROBERT E.] BAUMAN [of Maryland]: Mr. Speaker, in view of the ruling by the distinguished Speaker of the House, in the future would it be in order, under clause 2 of rule I, which grants the Speaker power to preserve order and decorum, to make a point of order against any Members of the House who do not accede to the dress code that the Speaker has described?

THE SPEAKER: The Chair will advise the gentleman from Maryland that the Chair hopes not to have to rule on a point of order concerning a dress code for Members and would prefer that the standards of dress be voluntarily maintained and accepted by the Members.

MR. BAUMAN: Mr. Speaker, would the Chair entertain such a point of order if it were made?

THE SPEAKER: The Chair would not foreclose that at this time.

MR. BAUMAN: I thank the Chair.

THE SPEAKER: The Chair would ask the gentleman from Texas to remove himself from the floor, and the gentleman can address the House at such time as he is in the proper attire.

MR. [JAMES A.] MATTOX [of Texas]: Mr. Speaker——

THE SPEAKER: The Chair is not recognizing the gentleman. The Chair has made his statement.

If any Member desires to offer a resolution to change the customs and attire with regard to dress, as a point of privilege of the House, the Chair would recognize the Member.

§ 41.13 The Speaker announced, during a vote by electronic device, that Members were not permitted under the traditions of the House to wear overcoats on the House floor.

On Dec. 16, 1981,[17] Speaker Thomas P. O'Neill, Jr., of Massachusetts, made an announcement in the House, as follows:

THE SPEAKER (during the vote): The Chair has been informed by some of the Members that the Chair has not been adhering to the customs and traditions of the House, one being that Members should not be on the floor with outer garments, with overcoats. So, they will kindly remove themselves and remove the garments.

Hats

§ 41.14 The wearing of hats on the floor by Members is not

17. 127 CONG. REC. 31847, 97th Cong. 1st Sess.

permitted under clause 7 of Rule XIV and the prohibition extends to the taking off of the hat in tribute to a constituent athletic team.

On June 22, 1993,[18] the Chair addressed the issue of the wearing of hats:

> (Mrs. Collins of Illinois asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)
>
> MRS. [CARDISS] COLLINS of Illinois: Mr. Speaker, I proudly rise today to congratulate the Chicago Bulls for their threepeat NBA championship victory Sunday night, which secured them a distinguished place in NBA history as one of the league's best teams of all time. For the first time in 27 years, and only the third time ever, an NBA champion took home the coveted crown 3 years in succession—an un-BULLievable feat in today's era of professional sports. . . .
>
> Mr. Speaker, I salute my Chicago Bulls.
>
> THE SPEAKER:[19] The Chair understands the enthusiasm of the gentlewoman from Illinois, but admonishes other Members that the wearing of hats on the floor of the House, even to doff them in honor of a very successful team, is not permitted under the House rules.

Smoking

§ 41.15 The Chairman of the Committee of the Whole sustained a point of order that Members were smoking on the floor in violation of clause 7 of Rule XIV.

On Aug. 14, 1986,[20] during consideration of H.R. 4428 (Department of Defense authorization for fiscal year 1987) in the Committee of the Whole, Chairman Pro Tempore Marty Russo, of Illinois, sustained a point of order as indicated below:

> MR. [THOMAS J.] DOWNEY of New York: Mr. Chairman, I rise to a point of order.
>
> THE CHAIRMAN PRO TEMPORE: The gentleman will state his point of order.
>
> MR. DOWNEY of New York: Mr. Chairman, is smoking permitted on the House floor?
>
> THE CHAIRMAN PRO TEMPORE: The Chair will advise Members that there is no smoking on the House floor. Clause 7 of rule XIV is explicit on that point. The Chair will advise Members that the Chair has a very vigilant eye for those kind of infractions. The Chair will advise Members, the Chair is ever watchful for that opportunity to find someone out of order for smoking on the floor.
>
> The Chair will advise Members that the Chair is reluctant to point out Members who have smoking material on their person on the floor. This is the Chair's last warning to those individuals. The Chair will have the Sergeant at Arms enforce the rule.

§ 41.16 The prohibition against smoking on the floor of the

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18. 139 CONG. REC. p. ____, 103d Cong. 1st Sess.

19. Thomas S. Foley (Wash.).

20. 132 CONG. REC. 21714, 21718, 99th Cong. 2d Sess.

House extends to smoking behind the rail.

On Feb. 23, 1995,[1] the Chair responded to parliamentary inquiries on the subject of smoking:

MR. [RAY] LAHOOD [of Illinois]: Mr. Speaker, I have a parliamentary inquiry.

THE SPEAKER PRO TEMPORE:[2] The gentleman will state it.

MR. LAHOOD: Mr. Speaker, is it within the realm of the House rules for Members to smoke on the floor?

THE SPEAKER PRO TEMPORE: That is prohibited.

MR. LAHOOD: I wish the Chair would advise Members of that, please.

THE SPEAKER PRO TEMPORE: The Members are so advised.

MR. [HAROLD L.] VOLKMER [of Missouri]: Mr. Speaker, I have a parliamentary inquiry.

THE SPEAKER PRO TEMPORE: The gentleman will state it.

MR. VOLKMER: Mr. Speaker, at the rear of the Chambers, behind the rail, is that included in the area in which Members can smoke?

THE SPEAKER PRO TEMPORE: That has been ruled to be part of the floor.

MR. VOLKMER: And Members are not to smoke in the back behind the rail?

THE SPEAKER PRO TEMPORE: The gentleman is correct.

Speaking From Well When House Not in Session

§ 41.17 Members may not speak from the well of the House if the House is in recess.

On Aug. 2, 1955,[3] Speaker Sam Rayburn, of Texas, answered a parliamentary inquiry:

MR. [CLARE E.] HOFFMAN of Michigan: Mr. Speaker, if the House is in recess, under the rules of the House may a Member speak from the well of the House while the recess is on?

THE SPEAKER: Not when the House is in recess.

§ 42. Manner of Address; Interruptions

When speaking in the House, a Member must rise and respectfully address himself to "Mr. Speaker."[4] In the Committee of the Whole, the proper form of address is "Mr. Chairman."[5] If the presiding officer is a woman, the proper address is "Madam Speaker" or "Madam Chairman."[6] Remarks in debate are not properly addressed either to individual Members[7] or to occupants of the galleries.[8]

1. 141 CONG. REC. p. ____, 104th Cong. 1st Sess.
2. Thomas W. Ewing (Ill.).
3. 101 CONG. REC. 13067, 84th Cong. 1st Sess.
4. Rule XIV clause 1, *House Rules and Manual* § 749 (1995). The requirement is derived from parliamentary law; see Jefferson's Manual, *House Rules and Manual* § 354 (1995).
5. See § 42.1, infra.
6. See § 42.4, infra.
7. See § 42.5, infra. For the proper form of reference and of response to another Member, see § 56, infra.
8. See § 42.7, infra.