§ 56. Form of Reference to Members

In delivering remarks on the floor, Members must refer to other Members—not by name or by personal pronoun—but by the third-person form, "the gentleman/gentlewoman from _____ [state]".[5]

Form; References to Members by Name

§ 56.1 Reference in debate to another Member by name is not in order and Members must be referred to as "the gentleman from" or "the gentlewoman from" a certain state.

On Feb. 27, 1946,[6] Speaker Sam Rayburn, of Texas, ruled in answer to a parliamentary inquiry that in referring to another Member in debate Members should "refer to the gentleman from a certain state or the gentlewoman from a certain state."

The Speaker has so ruled on numerous occasions,[7] and the Speaker or the Chairman of the Committee of the Whole may on his own initiative call a Member to order for violating the rule,[8] although the Presiding Officer normally waits for a point of order on the subject.[9]

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5. See Rule XIV clause 1, *House Rules and Manual* § 749 (1995). Parliamentary law as to the form of reference to Members is contained in Jefferson's Manual, *House Rules and Manual* §§ 354, 361 (1995). See also 5 Hinds' Precedents §§ 5131, 5140–5146; and 8 Cannon's Precedents §§ 2526, 2536.

6. 92 CONG. REC. 1726, 79th Cong. 2d Sess.

7. See, for example, 103 CONG. REC. 4813, 85th Cong. 1st Sess., Mar. 29, 1957; 86 CONG. REC. 13477, 76th Cong. 3d Sess., Oct. 9, 1940; 81 CONG. REC. 2846, 75th Cong. 1st Sess., Mar. 29, 1937; 80 CONG. REC. 5075, 5076, 74th Cong. 2d Sess., Apr. 7, 1936; 80 CONG. REC. 3577, 74th Cong. 2d Sess., Mar. 11, 1936; and 80 CONG. REC. 3286, 74th Cong. 2d Sess., Mar. 4, 1936.

On Mar. 21, 1938 [83 CONG. REC. 3768, 3769, 75th Cong. 3d Sess.], while the House was discussing the proper form of reference to Members, Mr. Fritz G. Lanham (Tex.), inquired whether it would be proper to mention the name of a Member in debate in order to differentiate between two Members from the same state who had addressed themselves to the same proposition. Speaker William B. Bankhead (Ala.), in discussing that inquiry and several others, stated that a Member could not be referred to by name in debate.

8. See, for example, 103 CONG. REC. 4813, 85th Cong. 1st Sess., Mar. 29, 1957; and 80 CONG. REC. 3577, 74th Cong. 2d Sess., Mar. 11, 1936 (comment of Speaker Joseph W. Byrns [Tenn.]).

9. See, for example, 103 CONG. REC. 4813, 85th Cong. 1st Sess., Mar. 29,

§ 56.2 It is not in order in debate to address remarks to an individual Member in his seat by use of the personal pronoun "you."

On Apr. 7, 1936,[10] Mr. Marion A. Zioncheck, of Washington, was challenging the revision of his remarks by Mr. Thomas L. Blanton, of Texas, in the *Congressional Record*. In the course of challenging Mr. Blanton, Mr. Zioncheck interrogated him and repeatedly addressed Mr. Blanton as "you." "Did you write this in or did you not? Did you or did you not?" Mr. John J. O'Connor, of New York, arose to make the point of order that the person who has the floor and who is addressing the House has no right to address a Member in his seat. Speaker Joseph W. Byrns, of Tennessee, sustained the point of order and stated that "the Member who is speaking does not have the right to address his remarks to any individual Member in his seat."[11]

§ 56.3 A Member in debate may not refer to another by name even though he preface it by referring to him as "the gentleman from . . ."

On June 7, 1933,[12] Mr. Bertrand H. Snell, of New York, made the point of order that Mr. Thomas L. Blanton, of Texas, was referring to him by name. Speaker Henry T. Rainey, of Illinois, sustained the point of order, ruling that Mr. Blanton could not refer to Mr. Snell by name even if he used the form "the gentleman from New York, Mr. Snell."

§ 56.4 A statement in debate using a word which was also the name of a Member was held not to be a breach of the rule requiring Members to address colleagues in the third person where the Member speaking assured the Speaker that he was not referring to a Member of the House.

On Oct. 9, 1940,[13] Mr. Sol Bloom, of New York, objected to the alleged use by Mr. John C. Schafer, of Wisconsin, of Mr.

1957 (remarks of Mr. Clare E. Hoffman [Mich.]); and 81 CONG. REC. 2846, 75th Cong. 1st Sess., Mar. 29, 1937.

10. 80 CONG. REC. 5075, 5076, 74th Cong. 2d Sess.

11. For other occasions where it has been held out of order to address a Member as "you," see 91 CONG. REC. 9515, 79th Cong. 1st Sess., Oct. 10, 1945; and 80 CONG. REC. 3286, 74th Cong. 2d Sess., Mar. 4, 1936.

12. 77 CONG. REC. 5206, 5207, 73d Cong. 1st Sess.

13. 86 CONG. REC. 13477, 76th Cong. 3d Sess.

Bloom's name in debate rather than referring to him as the gentleman from New York. Speaker Sam Rayburn, of Texas, ruled, on the assurance of Mr. Schafer he was not referring to his colleague Mr. Bloom, that he was not speaking out of order.

§ 56.5 In referring to another Member in debate the proper reference is "the gentleman from 'the state from which he comes'" and not "the Jewish gentleman from New York."

On Oct. 24, 1945,[14] Mr. John E. Rankin, of Mississippi, in debate referred to Mr. Emanuel Celler, of New York, as "the Jewish gentleman from New York." The words were demanded to be taken down by Mr. Celler, and Speaker Sam Rayburn, of Texas, ruled as follows:

> If the gentleman will allow the Chair, there is one way to refer to a Member of the House of Representatives and that is, "the gentleman from" the State from which he comes. Any other appellation is a violation of the rules.

The Speaker then ruled that Mr. Rankin could refer to Mr. Celler as a member of a minority group without violating House rules.

§ 56.6 Where a Member referred in debate to a Member as "another guy," a question of personal privilege was stated, the reference was stricken from the Record, and the phrase "the gentleman from Massachusetts" substituted therefor.

On Aug. 4, 1970,[15] Mr. Page H. Belcher, of Oklahoma, referred to Mr. Silvio O. Conte, of Massachusetts, in debate as "another guy" who was "horning in on the act" in relation to a certain measure before the House. Rather than demand that the words be taken down, Mr. Conte rose to a point of personal privilege and requested a definition from Mr. Belcher of "another guy" and "horning in." After some discussion, Mr. Thomas G. Abernethy, of Mississippi, stated the point of order that the proper procedure was to take the words down and have a ruling by the Chair on whether they were in order. Speaker Pro Tempore Edward P. Boland, of Massachusetts, ruled that the point of order came too late and entertained a unanimous-consent request that the words "another guy" used by Mr. Belcher be stricken from the

14. 91 Cong. Rec. 10032, 79th Cong. 1st Sess.

15. 116 Cong. Rec. 27130, 91st Cong. 2d Sess.

Record and be replaced by "the gentleman from Massachusetts."

Responding to a "Colleague"

§ 56.7 The Speaker advised a Member as to the use of the term "colleague" in replying to the question of a Member.

On Mar. 1, 1940,[16] Speaker William B. Bankhead, of Alabama, ruled that certain words used in debate by Mr. Clare E. Hoffman, of Michigan, in relation to Mr. Frank E. Hook, of Michigan, were out of order, being directed to personality. Mr. Hoffman stated that he had been attempting to reply to a question of Mr. Hook and submitted the parliamentary inquiry to the Speaker as to how he could reply to a question by another Member without referring to him personally.

Speaker Bankhead ruled as follows:

> In reply to the question, the Chair suggests that the gentleman might say, "In response to the inquiry of my colleague from Michigan."

§ 56.8 Under section 361 of Jefferson's Manual, it is not in order in debate to refer to or to address a Member by his or her first name.

The Chairman[17] made the following statement on Sept. 29, 1977,[18] during consideration of H.R. 6566 (the ERDA military authorization for fiscal 1978) in the Committee of the Whole:

> THE CHAIRMAN: . . . The Chair would advise the Members it is against the rules to use first names and would advise the Members not to further use first names.

§ 56.9 Clause 1 of Rule XIV and section 361 of Jefferson's Manual prohibit a Member from engaging in personalities in debate and specifically require references to another Member only "by his seat in the House, or who spoke last, or on the other side of the question", and not by name or in the second person.

During debate on the Military Procurement Authorization for fiscal year 1983 (H.R. 6030) in Committee of the Whole on July 21, 1982,[19] the following exchange occurred:

> MR. [SAMUEL S.] STRATTON [of New York]: Mr. Chairman, the gentleman is in a sense remaking his speech again and not responding to my point.
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> MR. [NICHOLAS] MAVROULES [of Massachusetts]: Well, Sam, I am responding to you. I am going to ask a basic question.

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16. 86 CONG. REC. 2229, 76th Cong. 3d Sess.

17. John Brademas (Ind.).

18. 123 CONG. REC. 31515, 95th Cong. 1st Sess.

19. 128 CONG. REC. 17314, 17315, 97th Cong. 2d Sess.

If we are going to discuss basic defense posture for this country, why is it always we go on to the MX missile . . . .

THE CHAIRMAN PRO TEMPORE:[20] The Chair will state to the gentleman that references to Members should not be by familiar name but by reference to the gentleman from the State of New York or the gentleman from the State of Massachusetts, rather than their familiar names. . . .

The Chair will . . . advise all Members that references to Members shall not be by their familiar names, under House rules. . . .

The Chair is not addressing the gentleman from New York. The Chair is addressing all Members, on the basis of what he has heard in the discussion.

§ 56.10 The proper form of reference to another Member is to the "gentleman (or gentlewoman) from (state)," and not any other appellation or characterization.

On Oct. 2, 1984,[1] during consideration of the balanced budget bill (H.R. 6300) in the House, the Chair, in responding to a parliamentary inquiry, reminded the Members of the proper form of reference to other Members:

MR. [DANIEL E.] LUNGREN [of California]: Well, Mr. Speaker, thank God this is not a medical research center, because if you believe laetrile cures cancer, you think that Dr. "Feelgood's" bill here on the floor is going to do something, but the fact of the matter is that it has nothing to do with the legislation on the floor; it has to do with the will of the Members of Congress. . . .

MR. [RONALD V.] DELLUMS [of California]: Mr. Speaker, is it a violation of the comity and custom of the House to refer to a Member of this body in terms other than as the gentleman from a particular State?

The Chairman of this committee was referred to as "Dr. Feelgood Jones," and I would think that is in violation of the comity and custom of the House. . . .

THE SPEAKER PRO TEMPORE:[2] The gentleman is correct in stating that it is the custom and practice and tradition of the body that Members of the body should be referred to as the gentleman or gentlewoman from a certain State.

§ 56.11 Members in debate should not refer to other Members by their first names; rather such references should be in the third person, by state delegation.

The following proceedings occurred in the House on Mar. 7, 1985:[3]

MR. [ROBERT S.] WALKER [of Pennsylvania]: Sure, I do very much, and

20. Les AuCoin (Oreg.).

1. 130 CONG. REC. 28519, 28520, 98th Cong. 2d Sess.

2. Richard A. Gephardt (Mo.).

3. 131 CONG. REC. 5028, 99th Cong. 1st Sess.

that is the reason why I want every one of those votes counted to determine the result. . . .

MR. [MICKEY] LELAND [of Texas]: Yes, but now, Bob, you will admit——

THE SPEAKER PRO TEMPORE:[4] Will the gentleman refrain from using personal names and use formal address in addressing another Member.

§ 57. Criticism of Speaker

It is not in order to refer invidiously or discourteously to the Speaker or the Chairman of the Committee of the Whole.[5] If words impugning the Speaker are uttered, the Speaker does not rule on the words himself but customarily appoints a Member to occupy the Chair and to deliver a decision.

In recent Congresses, more explicit standards have been enunciated relating to debate regarding ethics charges against the Speaker.[6]

Criticism of Speaker's Performance of Duty

§ 57.1 It is out of order in debate for a Member to charge that the Speaker committed a dishonest act or that the Speaker repudiated and ignored the rules of the House.

On Feb. 7, 1935, Mr. George H. Tinkham, of Massachusetts, addressed the House as follows:

Mr. Chairman, before beginning the argument I want to say that this is an opportunity not only for this House but for the country to see who in this House are international eunuchs, who in this House wish to put us into Europe, who in this House wish us to sit down with Fascist Italy, sit down with national socialistic Germany, with murderous, homicidal communistic Russia. That is the issue in its largest aspect in relation to this appropriation [H.R. 5255].[7]

Mr. Thomas L. Blanton, of Texas, then demanded that certain words of Mr. Tinkham, made as part of the above statement and referring to former Speaker Henry T. Rainey, of Illinois, and present Speaker Joseph W. Byrns, of Tennessee, be taken down. The Committee rose, and Chairman William N. Rogers, of New Hampshire, reported the words objected to to the House. Speaker Byrns left the Chair and Mr. John J. O'Connor, of New York, assumed the Chair as Speaker Pro Tempore. The Speaker Pro Tempore then ruled, relying on a former ruling on words critical of the

4. Dale E. Kildee (Mich.).
5. For past rulings, see 2 Hinds' Precedents § 1653; 8 Cannon's Precedents § 2531.
6. See §§ 57.5 and 57.7, infra.
7. 79 CONG. REC. 1680–82, 74th Cong. 1st Sess.