

MR. BURTON of California: Mr. Speaker, is the motion before us to close debate or will there be a vote subsequent to the pending motion so that those of us who want a rollcall on this matter can obtain a rollcall vote.

THE SPEAKER: The pending question is on ordering the previous question.

MR. BURTON of California: This is to close debate and not on the passage of the matter? Will this be our last opportunity to receive a rollcall on this matter?

THE SPEAKER: The Chair will state that the question on the passage of the bill will come later, if the previous question is ordered.

§ 72.8 In the House as in the Committee of the Whole, a motion to close debate on an amendment is in order.

On June 26, 1973,⁽⁶⁾ Mr. George H. Mahon, of Texas, called up House Joint Resolution 636, making continuing appropriations for fiscal 1974 and asked unanimous consent that the resolution be considered in the House as in the Committee of the Whole, to which request the House agreed.

During debate on the resolution under the five-minute rule, Mr. Mahon moved "that all debate on the pending amendment and amendments thereto close in 20 minutes." Speaker Carl Albert, of Oklahoma, put the question on

6. 119 CONG. REC. 21305-07, 21314, 21315, 93d Cong. 1st Sess.

the motion and it was agreed to by a recorded vote.

Parliamentarian's Note: Although it was formerly the practice to read bills considered in the House as in the Committee of the Whole by sections for amendment, such bills are now considered as read and open for amendment at any point. Debate may be closed by ordering the previous question.⁽⁷⁾

On Jan. 22, 1930,⁽⁸⁾ the House was considering under the five-minute rule in the House as in the Committee of the Whole a section of a bill for amendment. Mr. George S. Graham, of Pennsylvania, moved that all debate on the pending section and amendments thereto close in 10 minutes. Speaker Nicholas Longworth, of Ohio, put the question on the motion and it was agreed to.

§ 73. One-minute, Special-order Speeches, and Morning Hour

The one-minute speech and the special-order speech are two

7. See 116 CONG. REC. 28050, 91st Cong. 2d Sess., Aug. 10, 1970, for the current practice; and 8 Cannon's Precedents §§ 2433, 2434, for earlier practice as to reading bills for amendment in the House as in the Committee of the Whole.

8. 72 CONG. REC. 2144, 71st Cong. 2d Sess.

methods whereby a Member by unanimous consent may debate a subject on the floor, after or before the legislative business of the day. Neither procedure is specifically provided for in the standing rules other than the prohibition in clause 6 of Rule XV against points of no quorum during special-order speeches, but their use is permitted by long-standing custom of the House.⁽⁹⁾

The one-minute speech is entertained by unanimous consent after the approval of the Journal but before legislative business.⁽¹⁰⁾ Such speeches are—both by tradition and the Speaker's recognition policy—limited to one minute, although the Speaker may in his discretion and by unanimous consent entertain a request for a longer one; but a Member may deliver only one such speech.⁽¹¹⁾ Rec-

9. For an occasion where the Speaker discussed the use and practice of the one-minute speech with Members, see §73.1, *infra*.

10. See §73.6, *infra*, for the Speaker's power to recognize for one-minute speeches after the closing of legislative business.

A Member recognized for a one-minute speech may not yield to another to make a motion (see §30.30, *supra*) or ask for the unanimous-consent consideration of a bill (see §10.13, *supra*).

11. See §§73.9, 73.10, *infra*.

For an occasion where the Speaker entertained a request for a five-

minute speech, to avoid a question of personal privilege, see §73.11, *infra*.

ognition for such speeches is entirely in the discretion of the Speaker, who may forego the procedure.⁽¹²⁾

Special orders are requested, either in advance or on the day in question, to address the House on a certain day at the conclusion of all legislative business.⁽¹³⁾ Such speeches may not exceed one hour, even by unanimous consent.⁽¹⁴⁾

While the House customarily does not consider legislation after the Speaker has begun to recognize Members for special-order speeches, there is no House rule prohibiting consideration of legislative business at any time the House is in session; thus, for example, the Speaker has recognized a Member between special-order speeches to request consideration of a House concurrent resolution by unanimous consent.⁽¹⁵⁾ The Speaker may announce that

minute speech, to avoid a question of personal privilege, see §73.11, *infra*.

Where no legislative business is scheduled for the day, Members may be recognized for longer than one minute, see §73.3, *infra*.

12. See §§73.3–73.6, *infra*. All unanimous-consent requests are entertained in the discretion of the Chair (see §10, *supra*.)

13. See §§73.12 et seq., *infra*.

14. See §73.15, *infra*.

15. See §18.25, *supra*.

he will recognize for special-order speeches but that the House “may return to legislative business.”

Beginning in the second session of the 103d Congress, the House by unanimous consent agreed (without prejudice to the Speaker’s ultimate power of recognition) to convene 90 minutes early on Mondays and Tuesdays for morning-hour debate.⁽¹⁶⁾ On May 12, 1995,⁽¹⁷⁾ the House extended and modified this order, changing morning-hour debates on Tuesdays after May 14 of each year in the following manner: (1) the House convenes one hour early (rather than 90 minutes); (2) time for debate is limited to 25 minutes for each party; and (3) in no event is morning-hour debate to continue beyond 10 minutes before the House is to convene.

Also in the 103d Congress,⁽¹⁸⁾ the House agreed by unanimous consent to conduct, at a time designated by the Speaker, “Oxford-style” debates: structured debate on a mutually agreeable topic announced by the Speaker, with four participants from each party in a format announced by the Speaker.

Cross References

The *Congressional Record* in relation to speeches and extensions of remarks, see Ch. 5, supra.

16. See § 73.24, infra.

17. 141 CONG. REC. p. _____, 104th Cong. 1st Sess.

18. See § 73.24, infra.

The order of business generally, see Ch. 21, supra.

Recognition by Speaker for unanimous-consent requests, see § 10, supra.

Speaker’s power of recognition, see § 9, supra.

Yielding time in relation to special-order speeches, see § 31, supra.

Generally

§ 73.1 The custom of permitting one-minute speeches in the House is regarded as beneficial to the democratic processes of the House, and timely requests therefor are seldom refused.

On July 22, 1968,⁽¹⁹⁾ Speaker John W. McCormack, of Massachusetts, speaking from the floor, discussed with minority Members of the House the use and practice of “one-minute” speeches before the legislative business of the day:

MR. McCORMACK: I call the 1-minute period “dynamic democracy.” I hesitate to take away the privilege of a Member as to speaking during that period and it has become a custom and a practice of the House. I think it is a very good thing to adhere to that custom and practice.

It is only on rare occasions that Members have not been recognized for that purpose. . . .

MR. [LESLIE C.] ARENDS [of Illinois]: You said that this might be “dynamic

19. 114 CONG. REC. 22633, 22634, 90th Cong. 2d Sess.

democracy.” I would rather it would be started when we have the time rather than be started at noon.

MR. MCCORMACK: It is an integral part of the procedure of the House and I like to adhere to it. Very seldom have I said to Members that I will accept only unanimous-consent requests for extensions of remarks. I hesitate to do it. I think every Member realizes that I am trying to protect their rights.

Chair’s Discretion Over One-minute Speeches

§ 73.2 While the Chair’s calculation of time under the “one-minute rule” is not subject to challenge, the Chair endeavors to recognize majority and then minority Members by allocating time in a nonpartisan manner.

The following exchange occurred in the House on Aug. 4, 1982:⁽²⁰⁾

MR. [ROBERT S.] WALKER [of Pennsylvania]: Mr. Speaker, I have a parliamentary inquiry. . . .

[C]an the Chair tell me how long 1 minute is?

THE SPEAKER PRO TEMPORE:⁽¹⁾ Does the gentleman request additional time?

MR. WALKER: Mr. Speaker, I am just inquiring. We have had several long speeches here this morning. I thought that we were limited in the 1-minute time frame to 1 minute each. . . .

I am making a parliamentary inquiry of the Chair as to whether or not

20. 128 CONG. REC. 19319, 97th Cong. 2d Sess.

1. Cecil Heftel (Ha.).

that is the rule of the House that is supposed to be obeyed.

THE SPEAKER PRO TEMPORE: It is, by precedent, and since the Chair wants to be fair, the Chair would like to extend to the gentleman and his side of the aisle any additional 1-minute speeches that they require immediately. Would the gentleman like to use it now?

MR. WALKER: Mr. Speaker, I thank the Chair. I think there are a number of Members who are waiting yet to speak, and I would certainly yield such time as I might consume to Members on the Republican side who have yet to speak so that everyone has an opportunity to speak this morning.

I thank the Chair.

THE SPEAKER PRO TEMPORE: The Chair will recognize them after recognizing Members on the right side of the aisle, and the Chair will in fairness extend to them as much time under the 1-minute rule as they need.

§ 73.3 Recognition for one-minute speeches is within the discretion of the Speaker; and his evaluation of the time consumed is a matter for the Chair and is not subject to challenge or question by a parliamentary inquiry.

On May 9, 1972,⁽²⁾ Speaker Carl Albert, of Oklahoma, responded as follows to a parliamentary inquiry:

MR. [DONALD W.] RIEGLE [Jr., of Michigan]: Mr. Speaker, a parliamentary inquiry.

2. 118 CONG. REC. 16288, 92d Cong. 2d Sess.

THE SPEAKER: The gentleman will state the parliamentary inquiry.

MR. RIEGLE: Mr. Speaker, I have observed different speakers being given very different lengths of time to speak under the 1-minute rule.

I just noticed, for example, the gentleman from California who was given approximately half the time that the gentleman from Ohio (Mr. Devine) and several other speakers were given today. I object to that and I think if we are going to use the 1-minute rule, let us use it fairly.

THE SPEAKER: The Chair will state that the Chair is trying to enforce the 1-minute rule. That is not a parliamentary inquiry and the gentleman was out of order in making it.

§ 73.4 The Speaker refused to recognize Members to proceed for one minute on the second Monday of the month where a motion to discharge was in order under Rule XXVII clause 4 (now clause 3); however, he announced that he would make a single exception to permit a Member to proceed for one minute for the purpose of announcing to the House the death of a sitting Member.

On Aug. 10, 1970,⁽³⁾ a motion to discharge the Committee on the Judiciary from further consideration of House Joint Resolution 264, amending the Constitution

3. 116 CONG. REC. 27994, 91st Cong. 2d Sess.

relative to equal rights for men and women, was in order under Rule XXVII clause 4 (now clause 3). Speaker John W. McCormack, of Massachusetts, made the following announcement on recognition for one-minute speeches:

The Chair would like to announce that the Chair is not going to recognize Members for the usual 1-minute speeches at this time, due to the situation with respect to the rules that exist in relation to the consideration of a constitutional amendment, with one exception: and that is that the Chair will recognize the gentleman from Pennsylvania (Mr. Corbett) to announce the death of our late and beloved colleague and friend, the gentleman from Pennsylvania (Mr. Watkins).

§ 73.5 Recognition for one-minute speeches is within the discretion of the Speaker and he sometimes foregoes that procedure in the hope of expediting the business of the House.

On June 17, 1970,⁽⁴⁾ Mr. William V. Alexander, Jr., of Arkansas, asked unanimous consent to address the House for one minute and to revise and extend his remarks, after legislative business had been conducted. Mr. H. R. Gross, of Iowa, reserved the right to object and referred to the

4. 116 CONG. REC. 20245, 91st Cong. 2d Sess.

Speaker's announcement, earlier in the day, that he would not recognize for one-minute speeches, in order to expedite the pending business. Speaker John W. McCormack, of Massachusetts, responded from the chair.

MR. GROSS: . . . Mr. Speaker, when the session opened this morning the Speaker—very providently, I thought—in the interest of getting on with the legislative business, precluded 1-minute speeches. However, I am not at all certain that it was done for the purpose of expediting the legislation, but rather to prevent 1-minute speeches on the resolution just passed.

Mr. Speaker, I am not going to object in this instance, but I know of no reason why political speeches such as we have heard from two of the preceding speakers should further delay the legislative process at this time.

THE SPEAKER: The Chair will state to the gentleman from Iowa that earlier in the day the Chair did make the statement that the Chair would not entertain unanimous-consent requests for 1 minute speeches to be delivered until later on in the day.

I am sure that the gentleman from Iowa clearly understood that statement on the part of the Speaker. At that particular time the Chair stated that the Chair would recognize Members for unanimous-consent requests to extend their remarks in the Record or unanimous-consent requests to speak for 1 minute with the understanding that they would not take their time but would yield back their time.

I think the Chair clearly indicated that the Chair would recognize Mem-

bers for that purpose at a later time during the day. As far as the Chair is concerned the custom of the 1-minute speech procedure is adhered to as much as possible because the Chair thinks it is a very healthy custom.

The Chair had the intent, after the disposition of the voting rights bill, to recognize Members for 1-minute speeches or further unanimous-consent requests if they desired to do so.

MR. GROSS: Mr. Speaker, I withdraw my reservation of objection.⁽⁵⁾

§ 73.6 While one-minute speeches are normally entertained at the beginning of the legislative day, immediately following the approval of the Journal, the Speaker has on occasion recognized Members to proceed for one minute after business has been completed.

On Oct. 15, 1969,⁽⁶⁾ after legislative business had been conducted, Speaker John W. McCormack, of Massachusetts, recognized Mr. William E. Brock, 3d, of Tennessee, for one minute. Mr. Brock criticized unnamed Members for following double standards as to the right of free speech and dissent. Mr. Arnold Olsen, of Montana, then attempted to rise

5. See also the remarks of the Speaker at 114 CONG. REC. 22633, 22634, 90th Cong. 2d Sess., July 22, 1968.

6. 115 CONG. REC. 30080, 91st Cong. 1st Sess.

to a question of personal privilege, based on Mr. Brock's remarks, and stated that Mr. Brock's address was entitled to a response of one minute. Speaker McCormack stated that under the circumstances he would grant that right and by unanimous consent recognized Mr. Olsen for one minute.

Parliamentarian's Note: Words uttered in debate do not raise a question of personal privilege, but instead of ruling on that point the Speaker recognized Mr. Olsen for a one-minute speech to reply to the remark he considered derogatory.

Restrictions on One-minute Speeches

§ 73.7 The Speaker reminded Members of the policy of some years that when there is a legislative program for the day, so-called one-minute speeches that contain more than 300 words would be put in the Record after the business of the day or in the appendix of the Record.

On Jan. 17, 1949,⁽⁷⁾ Speaker Sam Rayburn, of Texas, made the following announcement, shortly after the convening of the 81st

7. 95 CONG. REC. 403, 81st Cong. 1st Sess.

Congress, on the use and reporting of "one-minute" speeches before the legislative business of the day:

The Chair desires to make an announcement.

It has been the policy for some years now that when there is a legislative program for the day the so-called 1-minute speeches that contain more than 300 words will be put in the Record after the business of the day or in the Appendix of the Record. The Chair trusts that Members will regard this agreement that we have had for quite a while.⁽⁸⁾

8. For the evolution of the rule announced by the Speaker, see the following line of precedents: 91 CONG. REC. 1788, 79th Cong. 1st Sess., Mar. 6, 1945; 91 CONG. REC. 839, 79th Cong. 1st Sess., Feb. 6, 1945. (Discussions of Speaker's rulings that one-minute speeches exceeding 300 words go in appendix); 87 CONG. REC. 7189, 77th Cong. 1st Sess., Aug. 15, 1941; 87 CONG. REC. 6006, 77th Cong. 1st Sess., July 14, 1941. (Speaker ruled no extensions of one-minute speeches exceeding 300 words); 84 CONG. REC. 8779, 76th Cong. 1st Sess., July 10, 1939 (extension of remarks go in appendix); 84 CONG. REC. 7108, 76th Cong. 1st Sess., June 13, 1939 (extensions printed in appendix of Record unless pertaining to present legislation); 84 CONG. REC. 6949, 76th Cong. 1st Sess., June 10, 1939 (Majority Leader would object to extensions of remarks on one-minute speeches).

Where a Member has secured unanimous consent to address the

Parliamentarian's Note: The regulation on this subject promulgated by the Joint Committee on Printing (governing House proceedings printed in the Record) reads as follows:

1. *Extensions of Remarks in the daily Congressional Record.*—When the House has granted leave to print (1) a newspaper or magazine article, or (2) any other matter not germane to the proceedings, it shall be published under Extensions of Remarks. This rule shall not apply to quotations which form part of a speech of a Member, or to an authorized extension of his own remarks: *Provided*, That no address, speech, or article delivered or released subsequently to the sine die adjournment of a session of Congress may be printed in the Congressional Record. One-minute speeches delivered during the morning business of Congress shall not exceed 300 words. Statements exceeding this will be printed following the business of the day.⁽⁹⁾

§ 73.8 The Speaker stated that when the House meets and Members are recognized to extend remarks or to proceed for one minute and then

House and revise and extend his remarks, he may not without further consent include in those remarks extraneous matter, such as a speech made by another person. 92 CONG. REC. 129, 79th Cong. 2d Sess., Jan. 18, 1946.

9. This admonition reflected current policy of the joint committee as recently as Feb. 25, 1997.

a point of order of no quorum is made signalling the start of legislative business, it is not proper to recommence recognition to extend remarks and for one-minute speeches.

On Mar. 7, 1941,⁽¹⁰⁾ Speaker Sam Rayburn, of Texas, made the following statement on recognition for nonlegislative matters at the beginning of the day:

Let the Chair make a statement. When the House meets and Members are recognized to extend their remarks or to proceed for 1 minute and all who are on the floor and so desire have been recognized, and then a point of no quorum is made in order to start the business of legislation for the day, the Chair thinks it is hardly proper to begin all over again in recognizing Members to extend their own remarks or to proceed for 1 minute, but the Chair will recognize the gentleman from Massachusetts [Mr. Gifford].

§ 73.9 Members may not address the House for one-minute speeches more than once before the business of the day.

On Jan. 25, 1956,⁽¹¹⁾ Speaker Sam Rayburn, of Texas, recognized Mr. J. Arthur Younger, of California, before the commence-

10. 87 CONG. REC. 2008, 77th Cong. 1st Sess.

11. 102 CONG. REC. 1274, 1275, 84th Cong. 2d Sess.

ment of legislative business for the day, to make a one-minute speech on the subject of military figures criticizing "principles of government." Mr. Daniel J. Flood, of Pennsylvania, was later recognized for a one-minute speech on the same subject, and mentioned Mr. Younger's remarks. Mr. Younger sought recognition and the Speaker ruled as follows:

(Mr. Flood asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

MR. FLOOD: Mr. Speaker, in further reference to the controversy in connection with General Ridgeway I must take diametric opposition to the gentleman from California [Mr. Younger]. . . .

MR. YOUNGER: Mr. Speaker, may I have the privilege of addressing the House, my name having been mentioned?

THE SPEAKER: No; not without unanimous consent of the House.

MR. YOUNGER: Then, Mr. Speaker, I ask unanimous consent—

THE SPEAKER: The Chair cannot recognize Members to speak for 1 minute more than once before the business of the day has been dispensed with. That has been the policy heretofore.⁽¹²⁾

Extension of One-minute Speeches

§ 73.10 The Speaker has refused to recognize Members

12. See also 109 CONG. REC. 10634, 88th Cong. 1st Sess., June 11, 1963.

for unanimous-consent requests to proceed for longer than one minute before the business of the day.

On June 11, 1963,⁽¹³⁾ Mr. Paul C. Jones, of Missouri, had the floor for a one-minute speech prior to the legislative business of the day and yielded to Mr. James C. Fulton, of Pennsylvania. Speaker John W. McCormack, of Massachusetts, interrupted Mr. Fulton to state that Mr. Jones' one minute had expired, and Mr. Fulton asked unanimous consent that Mr. Jones be given one additional minute.

The Speaker ruled that such a request was not in order and refused to recognize Mr. Fulton for the request.⁽¹⁴⁾

§ 73.11 The Speaker, with the unanimous consent of the House, permitted a Member to proceed for five minutes, during that part of the session when he would normally have recognized only for one-minute speeches, to refute a newspaper charge of im-

13. 109 CONG. REC. 10633, 88th Cong. 1st Sess.

14. For a discussion of the practice forbidding speeches extending longer than one minute before the legislative business of the day, see 91 CONG. REC. 1788, 79th Cong. 1st Sess., Mar. 6, 1945.

proper conduct (in lieu of recognizing for one hour on a question of personal privilege).

On June 29, 1962,⁽¹⁵⁾ before the commencement of legislative business, and during the period when one-minute speeches were normally entertained, Speaker John W. McCormack, of Massachusetts, recognized Mr. H. Carl Andersen, of Minnesota, for a unanimous-consent request to proceed for five minutes and to revise and extend his remarks. There was no objection. Mr. Andersen discussed newspaper charges of improper conduct.

Parliamentarian's Note: Mr. Andersen had requested, before the opening of the session, that he be recognized on a point of personal privilege. Since the House had a busy schedule, the Speaker suggested that the business of the House could be expedited if Mr. Andersen would simply ask to proceed for five minutes rather than to take an hour under a point of personal privilege.⁽¹⁶⁾

15. 108 CONG. REC. 12297, 87th Cong. 2d Sess.

16. For another occasion on which a Member took time (one minute) during the time for one-minute speeches to discuss newspaper charges against him, rather than to consume time on a point of personal privilege,

Special-order Speeches; When Permitted

§ 73.12 Special orders of Members to address the House must follow the conclusion of the legislative program of the day, and the Speaker decides when the legislative program of the day has been completed.

On June 3, 1937,⁽¹⁷⁾ after Mr. John J. O'Connor, of New York, called up on behalf of the Committee on Rules a privileged resolution providing a special order, a point of order was made that there were some special orders on the calendar for Members to address the House, and the calendar did not indicate that privileged business was to precede those special orders. Speaker William B. Bankhead, of Alabama, overruled the point of order and stated that under the new practice, special orders were to follow legislative business, including any privileged matters brought up by the House leadership or by the Committee on Rules.⁽¹⁸⁾

see 113 CONG. REC. 33693, 90th Cong. 1st Sess., Nov. 22, 1967.

17. 81 CONG. REC. 5307, 75th Cong. 1st Sess.

18. See also 81 CONG. REC. 3645, 75th Cong. 1st Sess., Apr. 20, 1937, when Majority Leader Sam Rayburn (Tex.), stated that he would there-

On Jan. 5, 1939,⁽¹⁹⁾ shortly after the convening of the 76th Congress, Majority Leader Rayburn made the following announcement:

Reserving the right to object, Mr. Speaker, in order that there may be no misunderstanding may I say that last year the policy was adopted that when unanimous-consent requests were preferred that a Member might speak on a day certain it was always understood that he would speak after the disposition of matters on the Speaker's table and following the legislative program of that day, if there was any such program. Whether or not there will be a legislative program on Monday I do not know, but I doubt it. However, I want it understood that it will be the custom this year that when a Member requests time to speak this condition is coupled with his request.

§ 73.13 The Speaker may in his discretion, recognize for special orders when no legislative business is available for consideration with the understanding that further business, if ready for presentation, may follow.

On Dec. 14, 1971,⁽²⁰⁾ Speaker Carl Albert, of Oklahoma, made

after object to all unanimous-consent requests to address the House unless the special orders should come after the conclusion of the legislative program of the day.

19. 84 CONG. REC. 125, 76th Cong. 1st Sess.

20. 117 CONG. REC. 46801, 92d Cong. 1st Sess.

an announcement concerning recognition by the Chair for special-order speeches before the conclusion of remaining legislative business:

The Chair would like to advise the Members that in order to get as much accomplished as we can, and in view of the fact that we have no legislative business ready at this moment, we will call special orders, and after they are completed declare a recess, unless legislative business is in order.

The Chair in making this announcement will state that we are not setting this as a precedent, but that we are calling special orders today, and then going back to the legislative business, if any, after recessing if necessary.⁽¹⁾

§ 73.14 Requests to proceed "for one additional minute," while not entertained by the Chair at the beginning of the day, are permissible when business has been concluded (the request constituting, in substance, a request for a special order).

1. See also 81 CONG. REC. 5373, 5374, 75th Cong. 1st Sess., June 7, 1937.

Before the inception of the policy that special-order speeches follow the legislative business of the day, it was held that a motion to correct the reference of a bill took precedence over a special order to address the House for a specified time after the reading and approval of the Journal. 78 CONG. REC. 2425, 2426, 73d Cong. 2d Sess., Feb. 12, 1934.

On June 13, 1963,⁽²⁾ after legislative business had been concluded for the day and there being no special orders scheduled, Mr. Ezekiel C. Gathings, of Arkansas, obtained unanimous consent to address the House for one minute and to revise and extend his remarks. At the expiration of the one minute, Mr. Gathings requested unanimous consent to proceed for an additional minute. Speaker John W. McCormack, of Massachusetts, stated that if there was no objection, the business being disposed of, the gentleman could proceed.

At the conclusion of Mr. Gathings' additional minute, Mr. Joe D. Waggoner, Jr., of Louisiana, asked unanimous consent that Mr. Gathings be allowed to proceed for one additional minute. The Speaker entertained the request and made the following statement:

The Chair will state that the Chair is permitting this request although the Chair does not consider this is to be the 1-minute period such as we have before proceeding with the regular business of the House.

Is there objection to the request of the gentleman from Louisiana?

There was no objection.

2. 109 CONG. REC. 10891, 88th Cong. 1st Sess.

Duration of Special-order Speeches

§ 73.15 Special orders to address the House at the conclusion of the business of the day are limited to one hour per Member; and when a Member has used one hour, the Chair declines to recognize him for extensions of time or for an additional special order.

On Feb. 9, 1966,⁽³⁾ Mr. Joseph Y. Resnick, of New York, who already had scheduled a special order for the day, asked unanimous consent that he have an additional special order to address the House for 15 minutes at the close of legislative business. Speaker Pro Tempore Carl Albert, of Oklahoma, declined to recognize him for that purpose, stating as follows:

The Chair would advise the gentleman that pursuant to the practice of the House, Members are limited to a 1-hour special order per day. The Chair would be glad to entertain a request for a special order for a later day.⁽⁴⁾

3. 112 CONG. REC. 2794, 89th Cong. 2d Sess.

4. A Member may consume an hour for a special order and then be yielded time by the next Member with a special order; see 114 CONG. REC. 14265-71, 90th Cong. 2d Sess., May 21, 1968.

§ 73.16 By unanimous consent, a Member may be recognized for a one-hour speech to precede other special-order speeches already scheduled by the House.

On July 31, 1973,⁽⁵⁾ Mr. David R. Obey, of Wisconsin, asked unanimous consent that he be allowed to proceed for one hour preceding the special orders scheduled for the day. There was no objection to the request.

Parliamentarian's Note: The Speaker normally will not entertain such a request without advance consent from all Members whose special orders would be affected.

Extension of Special-order Speeches

§ 73.17 A Member recognized under a special order in the House may have his time for debate extended by unanimous consent, but a motion to that effect is not in order.

On June 13, 1972,⁽⁶⁾ Mr. Jack F. Kemp, of New York, was recognized to speak for 10 minutes on a special order. At the conclusion of the 10 minutes, Mr. Charles S.

5. 119 CONG. REC. 27023, 93d Cong. 1st Sess.

6. 118 CONG. REC. 20681, 92d Cong. 2d Sess.

Gubser, of California, asked unanimous consent that Mr. Kemp be given an additional 10 minutes. Mr. William D. Ford, of Michigan, objected to the request, and Mr. John E. Hunt, of New Jersey, moved that Mr. Kemp be given 10 minutes additional time. Speaker Pro Tempore William J. Randall, of Missouri, ruled that the motion was not in order:

The Chair will have to state that a motion to that effect is not in order at this time. Other special orders have previously been granted, and the Chair will state that the motion is not in order.

Parliamentarian's Note: An extension of time for debate under a special order, even though by unanimous consent, is technically not possible where the extension would extend the time beyond one hour. The Chair would not normally entertain a request which would permit debate in violation of the hour rule.

§ 73.18 When additional time to speak under a special order was requested, the Speaker advised the Member that other Members were also waiting to be recognized on special orders.

On June 23, 1964,⁽⁷⁾ Mr. Wright Patman, of Texas, was addressing

7. 110 CONG. REC. 14719, 88th Cong. 2d Sess.

the House, at the conclusion of business, on a special order and asked unanimous consent to proceed for five additional minutes. Speaker John W. McCormack, of Massachusetts, advised him that there were three other special orders following Mr. Patman. Mr. Patman withdrew his request.

Interruption of Special-order Speech

§ 73.19 A motion to suspend the rules may be entertained while another Member controls the floor for a “special-order speech” if the Member with the floor voluntarily yields the floor for that purpose.

On Oct. 2, 1973,⁽⁸⁾ Mr. J. J. Pickle, of Texas, had the floor for one hour for a special-order speech. He had consumed 31 minutes when he suspended temporarily to allow Mr. Wright Patman, of Texas, to move to suspend the rules and pass the bill, Senate Joint Resolution 160, to extend laws on the payment of interest on savings deposits. After disposition of the motion to suspend the rules, Mr. Pickle was again recognized by Speaker Carl Albert, of

Oklahoma, to consume his remaining 29 minutes.

Postponement of Special-order Speeches

§ 73.20 The Speaker announced that Members would not be recognized for special orders, which were transferred to the following day by unanimous consent, due to the death of a Senator.

On Jan. 20, 1958,⁽⁹⁾ following the death of Senator Matthew M. Nelly, of West Virginia, Speaker Sam Rayburn, of Texas, made an announcement on the disposition of special orders.

The Chair will state to those Members who have special orders for today, the gentleman from West Virginia [Mr. Bailey], the gentleman from Texas [Mr. Patman], and the gentleman from Arkansas [Mr. Gathings] that we will not have any special orders today. So they may govern themselves accordingly.

Special orders were then transferred by unanimous consent:

MR. [CARL] ALBERT [of Oklahoma]: Mr. Speaker, I ask unanimous consent that all special orders entered for today may be transferred to tomorrow.

THE SPEAKER: Without objection, it is so ordered.

There was no objection.

8. 119 CONG. REC. 32395, 32397, 32404, 32410, 93d Cong. 1st Sess.

9. 104 CONG. REC. 670, 674, 85th Cong. 2d Sess.

§ 73.21 Special orders to address the House, totaling more than 21 hours, were requested for a certain day but were later withdrawn at the request of the Majority Leader, who suggested that they be again requested when the Members desiring the time were on the floor.

On Oct. 8, 1969,⁽¹⁰⁾ Mr. Michael J. Harrington, of Massachusetts, made a series of requests for certain Members to address the House on Oct. 14, 1969, following legislative business; the special orders requested for that day totaled 21 hours and 45 minutes. Mr. Durward G. Hall, of Missouri, reserved the right to object and inquired whether legislative business for Oct. 14 could not be expected to total more than three hours. Majority Leader Carl Albert, of Oklahoma, responded that it was entirely possible that legislative business could consume more than three hours on Oct. 14.

Mr. Hall then objected to any special orders over the first 12 hours requested for Oct. 14. All the special orders requested were then withdrawn at the request of Mr. Albert:

Mr. Speaker, in view of the fact that there has been objection and that some

10. 115 CONG. REC. 29228, 29229, 91st Cong. 1st Sess.

of the special orders will be necessarily stricken and Members who are not here now are involved, I would request the gentleman from Massachusetts not to make the request tonight, in order that it might be made tomorrow when those concerned are present.

Parliamentarian's Note: Most of the Members for whom special orders were requested were opponents of the Vietnam war. Their announced intention was to use the special orders to keep the House in session throughout the night to dramatize the war protest scheduled to begin in major cities of the nation, including Washington, on Oct. 14, 1969.

§ 73.22 The Speaker announced the procedure whereby (and the time at which) Members would be recognized to make speeches up to one minute in length.

On Jan. 23, 1975,⁽¹¹⁾ Speaker Carl Albert, of Oklahoma, made the following statement:

ANNOUNCEMENT BY THE
SPEAKER

THE SPEAKER: May the Chair state, particularly for the benefit of new Members, that we generally open the proceedings, after the prayer and disposition of the Journal and things which are immediately on the Speaker's desk, by recognizing Members for

11. 121 CONG. REC. 1163, 94th Cong. 1st Sess.

individual requests and for speeches up to 1 minute.

The Chair habitually and regularly starts at the extreme right and goes all the way around; then comes back and starts over. If Members want to be heard, the Chair wants to take them in that order. So, Members will be recognized in the order from the first seat to the Speaker's right to the last seat on the Speaker's left, and then the process will be repeated, if other Members come in.

§ 73.23 While debate on a conference report is limited to one hour⁽¹²⁾ to be equally divided between majority and minority parties,⁽¹³⁾ the House may, by unanimous consent, either extend that time or permit debate by "special order" on the conference report prior to actual consideration thereof; thus, on one occasion, by unanimous consent, two Members, the chairman and ranking minority member of the House conferees, were permitted "special orders" of one hour each to debate a conference report following adoption of a resolution making in order the consideration of the report but prior

12. See Rule XIV clause 2, *House Rules and Manual* §758 (1995).

13. See Rule XXVIII clause 2, *House Rules and Manual* §912a (1995).

to actual consideration of the report.

On Mar. 26, 1975,⁽¹⁴⁾ the following proceedings occurred in the House relative to consideration of the conference report on H.R. 2166, the Tax Reduction Act of 1975:

MR. [SPARK M.] MATSUNAGA [of Hawaii]: Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. Ullman).

CONFERENCE REPORT ON H.R. 2166, TAX
REDUCTION ACT OF 1975

Mr. [Al] Ullman [of Oregon] submitted the following conference report and statement on the bill (H.R. 2166) to amend the Internal Revenue Code of 1954 . . . to increase the investment credit and the surtax exemption, and for other purposes:

CONFERENCE REPORT (H. REPT. 94-
120)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2166) to amend the Internal Revenue Code of 1954 . . . having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

14. 121 CONG. REC. 8899, 8900, 8916, 94th Cong. 1st Sess.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Tax Reduction Act of 1975”. . . .

MR. ULLMAN: Mr. Speaker, I ask unanimous consent that upon the adoption of the rule I be granted a 60-minute special order.

THE SPEAKER:⁽¹⁵⁾ Is there objection to the request of the gentleman from Oregon?

MR. [ROBERT E.] BAUMAN [of Maryland]: Reserving the right to object, Mr. Speaker, we have in the rules of the House an adequate rule for the consideration of conference reports. . . . I have no way of knowing, nor does any Member in this Chamber know, who will control the time during a special order, except the gentleman from Oregon, whether questions, once raised, will be answered, or whether or not debate will deteriorate into partisan debate.

THE SPEAKER: The gentleman is very effectively but improperly stating the rules. The minority has 30 minutes and the majority has 30 minutes on the conference report.

MR. BAUMAN: I am talking about the lack of protection contained in the request for the 1-hour special order that was just made by the gentleman from Oregon.

THE SPEAKER: Any Member of the House may make a request for a special order.

MR. BAUMAN: I withdraw my reservation of objection.

MR. [HERMAN T.] SCHNEEBELI [of Pennsylvania]: Mr. Speaker, further

reserving the right to object, I also ask for a 60-minute special order following that of the gentleman from Oregon (Mr. Ullman).

THE SPEAKER: Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Recognition and Limitation of Time for Special-order Speeches; “Oxford-style” Debates

§ 73.24 Pursuant to several unanimous-consent requests, the House agreed to a 90-day trial period from February 23 through May 23, 1994, [subsequently extended on several occasions] and agreed on a format of recognition and limitation of time for each party for special-order speeches, including periodic “Oxford style” structured debates and morning-hour debates; the Speaker then announced the applicable guidelines for recognition during such speeches and debate.

The following unanimous-consent request was agreed to on Feb. 11, 1994:⁽¹⁶⁾

MR. [RICHARD A.] GEPHARDT [of Missouri]: Mr. Speaker, following my

16. 140 CONG. REC. p. ____, 103d Cong. 2d Sess.

15. Carl Albert (Okla.).

unanimous-consent request to put in place an agreed upon format for recognitions to address the House during a 90-day trial period beginning February 23, 1994, including a morning hour debate, an Oxford style debate and a restriction on special order speeches, the Speaker will announce his guidelines for recognition. In so doing it is stipulated that the establishment of this format for recognition by the Speaker is without prejudice to the Speaker's ultimate power of recognition under clause 1, rule XIV should circumstances so warrant.

Mr. Speaker, I ask unanimous consent that the special orders previously granted by the House to address the House on dates through May 23, 1994 be vacated;

Further that during the period beginning February 23, 1994 and for 90 days thereafter, on Mondays and Tuesdays of each week the House convene 90 minutes earlier than the time otherwise established by order of the House solely for the purpose of conducting morning hour debates to be followed by a recess declared by the Speaker pursuant to clause 12, rule I under the following conditions:

(1) Prayer by the Chaplain, approval of the Journal and the pledge of allegiance to the flag to be postponed until the resumption of the House session following the completion of morning hour debate;

(2) Debate to be limited not to exceed 30 minutes allocated to each party, with initial and subsequent recognition alternating daily between parties to be conferred by the Speaker only pursuant to lists submitted by the majority leader and minority leaders respec-

tively (no Member on such lists to be permitted to address the House for longer than 5 minutes except for the majority leader and minority leader respectively);

Further, that on (every third) Wednesday, beginning on a day to be designated by the Speaker and mutually agreed upon by the majority leader and minority leader, it shall be in order, at a time to be determined by the Speaker, for the Speaker to recognize the majority leader and minority leader (or their designees), jointly, for a period of not to exceed 2 hours, for the purpose of holding a structured debate. The topic of the debate, when mutually agreed upon by the majority leader and minority leader, shall be announced by the Speaker. The format of the debate, which shall allow for participation by four Members of the majority party and four from the minority party in the House, chosen by their respective party leaders, with specified times for presentations and rebuttals by all participants, and periods of questioning of each Member by others participating, shall be announced to the House by the Speaker.

THE SPEAKER:⁽¹⁷⁾ Is there objection to the request of the gentleman from Missouri?

Subsequently, the Speaker announced the following guidelines for implementation of the unanimous-consent agreement:

THE SPEAKER: With respect to special orders to address the House for up to 1 hour at the conclusion of legislative business or on days when no legis-

17. Thomas S. Foley (Wash.).

lative business is scheduled, the Chair announced that:

First, Tuesdays, following legislative business, there will be an unlimited period of special orders not extending beyond midnight, with recognition for 5-minute and then for longer special orders alternating between the parties and with initial recognition, for longer special orders, rotating on a daily basis between the parties, and with the first hour of recognition on each side reserved to the House leadership—majority leader and whip and minority leader or their designee;

Second, on Mondays, Wednesdays, except those Wednesdays when Oxford style debates are in order, Thursdays and Fridays, the Chair will recognize Members from each party for up to 2 hours of special order debate at the conclusion of legislative business and 5-minute special orders, or when no legislative business is scheduled, not extending beyond midnight, again with initial recognition alternating between the parties on a daily basis and with the allocation of time within each 2-hour period, or short period if prorated to end by midnight, to be determined by a list submitted to the Chair by the House leadership, majority leader and whip and minority leader or designees, respectively, and with the first hour of recognition on each side reserved to the House leadership, majority leader and whip and minority leader or their designees. Members will be limited to signing up for all such special orders no earlier than 1 week prior to the special order, and additional guidelines may be established for such sign-ups by the majority and minority leaders, respectively. One-minute speeches on those days both

prior to and at the conclusion of legislative business shall be at the discretion of the Speaker;

Third, pursuant to clause 9(b)(1) of rule I, during this trial period the television cameras will not pan the Chamber, but a crawl indicating morning hour or that the House has completed its legislative business and is proceeding with special order speeches will appear on the screen. Other television camera adaptations during this period may be announced by the Chair;

Fourth, special orders to extend beyond the 4-hour period may be permitted at the discretion of the Chair with advance consultation between the leaderships and notification to the House.

Parliamentarian's Note: On subsequent occasions, the House extended the above unanimous-consent agreement.⁽¹⁸⁾ On May 12, 1995, the House extended the agreement by unanimous consent, but changed the Tuesday morning hour to 9 a.m.

MR. [RICHARD K.] ARMEY [of Texas]: Mr. Speaker, I ask unanimous consent that the order of the House of January 4, 1995, relating to morning hour debates be continued through the adjournment of the 2d session of the 104th Congress sine die, except that on Tuesdays the House shall convene for such debate 1 hour earlier than the time otherwise established by order of the House rather than 90 minutes earlier; and the time for such debates

18. See the proceedings of May 23, 1994; June 10, 1994; Jan. 4, 1995; Feb. 16, 1995; and May 12, 1995.

shall be limited to 25 minutes allocated to each party rather than 30 minutes to each; but in no event shall such debates continue beyond the time that falls 10 minutes before the appointed hour for the resumption of legislative business, and with the understanding that the format for recognition for special order speeches first instituted on February 23, 1994, be continued for the same period. . . .

THE SPEAKER PRO TEMPORE: Is there objection to the request of the gentleman from Texas?

There was no objection.

Meetings of the leadership following the February 11 proceedings produced further guidelines for implementation of the special order and morning-hour procedures. The guidelines pro-

vided, among other matters, for alternation of recognition between the parties, and for procedures whereby Members sign up in advance for special orders, the majority in the Majority Leader's office and the minority in the cloakroom, the lists to be approved on the floor. For the Oxford-style debates, each leader would designate four participants for the debate every third Wednesday, to be held on a mutually agreeable topic announced by the Speaker. Guidelines for the morning hour on every Monday and Tuesday also provided for allocation of time and for the procedure of signing up with the party leaders.⁽¹⁹⁾

I. DURATION OF DEBATE IN THE COMMITTEE OF THE WHOLE

§ 74. In General; Effect of Special Rules

The Committee of the Whole considers propositions on the Union Calendar and other propo-

sitions made in order under that procedure by unanimous consent or by special rule.⁽²⁰⁾ The procedure in the Committee of the Whole is provided for in part by Rule XXIII.⁽¹⁾ In addition, where

19. See the procedures agreed to in meetings of the leadership for special orders, Oxford debates, and morning hours (Feb. 17, 1994).

20. For consideration in the Committee of the Whole, see § 3, *supra*, and Ch. 19, *supra*.

1. *House Rules and Manual* §§ 861–877 (1995). Special procedures for a Com-

mittee of the Whole date, in various forms, from the beginning of Congress. Jefferson's Manual discusses the early form of the Committee of the Whole. See Jefferson's Manual, *House Rules and Manual* §§ 326–340 (1995).