

THE CHAIRMAN: The gentleman will state it.

MR. EBERHARTER: Mr. Chairman, the House decided by a teller vote to permit the reading of this letter. I submit that the letter should be read in its entirety; that is the point of order I make.

THE CHAIRMAN: That is not the decision made by the Committee. The Committee made the decision that the gentleman could read the letter within the time allotted to the gentleman of 5 minutes.

MR. EBERHARTER: I did not hear it so stated when the motion was put, Mr. Chairman.

THE CHAIRMAN: The question put to the Committee had nothing whatsoever to do with the time to be consumed by the gentleman from California. The Chair recognized the gentleman from California for 5 minutes; the question arose as to whether or not he could within that 5 minutes time read extraneous papers.

The point of order is overruled.

§ 81.7 Formerly under Rule XXX, a Member could read a paper upon which the House would not vote only by permission of the House, if any Member objected to that reading; and where a Member objected to another Member's reading of her own written speech, the Chair put the question to the House for a determination without debate.

On Dec. 19, 1974,⁽¹³⁾ the principle stated above was demonstrated in the House, as follows:

MR. [DAVID T.] MARTIN of Nebraska: Mr. Speaker, a point of order. I object to the gentlewoman in the well reading her remarks because she did not ask unanimous consent before she started to read her remarks, and that is according to Jefferson's Manual.

THE SPEAKER:⁽¹⁴⁾ The question is: May the gentlewoman from New York read her remarks?

The question was taken; and the Speaker announced that the ayes appeared to have it.

THE SPEAKER: The gentlewoman from New York may proceed.

§ 82. Motions; Unanimous-consent Procedures

Rule XXX, which formerly required unanimous consent for the reading of papers if objection was made, has been rewritten to apply to the use of exhibits rather than the reading of papers.⁽¹⁵⁾ Procedures under the former rule were as follows: where objection was made to a reading, the Speaker on his own initiative ordinarily put the vote on the question of whether the reading should be permitted (see § 81, supra). Alter-

13. 120 CONG. REC. 41425, 93d Cong. 2d Sess.

14. Carl Albert (Okla.).

15. See the discussion in § 80, supra.

natively, a Member could make the privileged motion that the Member with the floor be permitted to read or to continue reading.⁽¹⁶⁾

Unanimous consent could be granted for the reading of papers⁽¹⁷⁾ and if granted precluded a further point of order that the paper was irrelevant.⁽¹⁸⁾

***Procedures Under Former Rule
XXX: Motions***

§ 82.1 Where objection was made to the reading of a paper it was in order to move that the Member be permitted to read it, either in the House or in the Committee of the Whole.

On Feb. 10, 1931,⁽¹⁹⁾ while the Committee of the Whole was considering H.R. 16969, the Navy appropriation bill, Mr. Thomas L. Blanton, of Texas, asked unanimous consent to read in debate various resolutions submitted by the American Legion. Mr. Elliott W. Sproul, of Illinois, objected to such reading and Chairman Frederick R. Lehlbach, of New Jersey,

16. See § 82.1, *infra*.

17. See §§ 82.3–82.5, *infra*.

18. See § 82.5, *infra*.

19. 74 CONG. REC. 4544, 71st Cong. 3d Sess.

stated that such objection could be made in the Committee of the Whole:

To read a paper in the House or in the Committee when the House is in the Committee of the Whole . . . he must obtain the consent of either the House or the Committee.

Mr. William P. Connery, Jr., of Massachusetts, then moved that Mr. Blanton be permitted to read the paper: “Mr. Chairman, I move that the gentleman from Texas [Mr. Blanton] be allowed to read the resolutions to which he referred.” Mr. Connery made the motion to “see what the sentiment of the House is on not reading American Legion resolutions.”

The Chairman put the question on the motion and it was rejected.

On July 15, 1932,⁽²⁰⁾ Mr. Allen T. Treadway, of Massachusetts, asked unanimous consent to read in debate from a statement made to the Senate conferees on the pending conference report on H.R. 9642, a relief bill.

Mr. Edgar Howard, of Nebraska, objected to the reading of the statement on the grounds that “under the rules of the House the gentleman may not read an outside statement if there is objection to it.” Mr. Treadway then stated that he would therefore read the

20. 75 CONG. REC. 15490, 15491, 72d Cong. 1st Sess.

statement as his own statement. Mr. Howard also objected to that procedure, and Speaker John N. Garner, of Texas, ruled that Mr. Howard was not entitled to read the document over objection.

Mr. William H. Stafford, of Wisconsin, then made the following motion:

Mr. Speaker, I move that the gentleman from Massachusetts be permitted to read the paper.

The Speaker put the question, and the House agreed to the motion to permit Mr. Treadway to read the statement in debate.

Reading of Documents by Clerk

§ 82.2 A Member may by unanimous consent during time yielded him in the Committee of the Whole have a letter read by the Clerk.

On July 28, 1939,⁽¹⁾ Mr. Ulysses S. Guyer, of Kansas, who had the floor in the Committee of the Whole, yielded five minutes' debate to Mr. Clare E. Hoffman, of Michigan. Mr. Hoffman immediately made a unanimous-consent request:

Mr. Chairman, I ask unanimous consent, before I proceed, that the Clerk may read a letter written by the former chairman of the Rules Com-

1. 84 CONG. REC. 10368, 76th Cong. 1st Sess.

mittee, Mr. John J. O'Connor, to the Vice President of the United States.

The request was granted.

§ 82.3 The House granted unanimous consent that the Clerk read the remarks of a Member suffering from poor eyesight.

On Apr. 16, 1942,⁽²⁾ the House granted the following unanimous-consent request:

MR. [JOSEPH B.] SHANNON [of Missouri]: Mr. Speaker, I ask unanimous consent that the Clerk be permitted to read my address, as I cannot see very well. First, I just want to say that this is an address on the subject of war by a real peace man. I have never been for war in my life and I am not for war now if it could be avoided. I refer in this speech to two men who served in this House, a Benton and a Benton. Both Bentons to whom I refer served in the House, and one of them served for 30 years in the Senate.

THE SPEAKER PRO TEMPORE: Without objection, the Clerk will read the address of the gentleman from Missouri.

§ 82.4 The Speaker took the floor during debate in Committee of the Whole to obtain unanimous consent for the reading by the Clerk of a personal letter from the President expressing views

2. 88 CONG. REC. 3510, 77th Cong. 2d Sess.

as to a bill then under consideration.

On Nov. 20, 1969,⁽³⁾ while the Committee of the Whole was considering H.R. 14580, the Foreign Assistance Act of 1969, Speaker John W. McCormack, of Massachusetts, moved to strike the last word and then submitted a unanimous-consent request:

Mr. Chairman, I have just received a letter from President Nixon. I understand the minority leader also received a letter. I received it a few minutes ago. It relates to the bill pending before the House. I would like to have the contents of the letter read to the House so that the Members will have in mind the views expressed by the President in his letter to me.

Mr. Chairman, I ask unanimous consent that the Clerk be authorized to read the letter of the President of the United States.

There was no objection to the request, and the letter was read.

§ 82.5 Where unanimous consent is granted for the reading of a letter in debate, and no reservation of objection is made with respect to the contents of the letter, a point of order may not subsequently be made that the letter is irrelevant to the pending subject.

3. 115 CONG. REC. 35192, 91st Cong. 1st Sess.

On July 28, 1939,⁽⁴⁾ Chairman Virgil M. Chapman, of Kentucky, ruled that where unanimous consent was granted for the reading of a letter, a subsequent point of order that the letter was not pertinent to the pending subject came too late:

MR. [ABE] MURDOCK of Utah (interrupting the reading of the letter): Mr. Chairman, I make the point of order that the gentleman from Michigan [Mr. Hoffman] did not get consent to proceed out of order, and when he asked that the letter be read, I assumed it was pertinent to the debate here on the pending bill. I now make the point of order that it is not.

THE CHAIRMAN: The gentleman from Michigan obtained unanimous consent that the letter be read, and stated the name of the person who wrote the letter. The point of order is overruled.

MR. [EMANUEL] CELLER [of New York]: Mr. Chairman, he did not state the purport or intent of the letter.

THE CHAIRMAN: All the gentleman from Michigan said was that it was a letter written by a former Member from New York, Mr. O'Connor, and asked unanimous consent that it be read by the Clerk. That unanimous consent was granted.

MR. MURDOCK of Utah: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. MURDOCK of Utah: Does not a Member have the right to assume that when a unanimous-consent request is

4. 84 CONG. REC. 10368, 76th Cong. 1st Sess.

made to have a letter read, that the letter is pertinent to the debate being carried on at the time on the floor?

THE CHAIRMAN: Any member of the Committee had the right, when the request was made, to reserve the right to object and to interrogate the gentleman from Michigan as to the contents of the letter.

Effect of Permission To Revise and Extend

§ 82.6 Permission to a Member to extend his remarks and include therein extraneous matter did not authorize him to read the extraneous matter in debate without the consent of the House.

On Mar. 25, 1937,⁽⁵⁾ Mr. Ralph E. Church, of Illinois, was granted unanimous consent to revise and extend his remarks and “to include therein excerpts from a certain letter of six paragraphs, extracts from court proceedings and press comments thereon.”

When Mr. Church began to read a newspaper editorial in debate, Mr. Scott W. Lucas, of Illinois, made a point of order against the reading and Speaker William B. Bankhead, of Alabama, ruled that the unanimous-consent permission to revise and extend did not include permission to read extraneous matter in debate:

5. 81 CONG. REC. 2784–88, 75th Cong. 1st Sess.

The Chair is of the opinion the gentleman would probably have a right to extend his own remarks, but he would not have a right to read them now without the special permission of the House. [The Speaker also cited Rule XXX of the House rules, requiring a vote of the House where objection is raised to the reading of a paper.]

Unanimous Consent To Read in Committee

§ 82.7 Under the former practice, a Member yielded time for debate in the Committee of the Whole could read certain letters and telegrams with the consent of the Committee.

On Apr. 18, 1944,⁽⁶⁾ Chairman Warren G. Magnuson, of Washington, stated in response to a parliamentary inquiry that the Committee of the Whole could grant permission to read certain papers:

MR. [CLARE E.] HOFFMAN [of Michigan]: Mr. Chairman, I desire to revise and extend my own remarks at this point in the Record. I suppose permission to include letters, telegrams, and so forth, including a couple of letters from Drew Pearson, I would have to obtain in the House. . . .

If I did not extend my remarks, I suppose I could read those letters, could I not?

THE CHAIRMAN: If time were yielded to the gentleman from Michigan, he

6. 90 CONG. REC. 3558, 78th Cong. 2d Sess.

could read them with the consent of the Committee.

§ 83. Certain Readings Prohibited

Rulings under the former version of Rule XXX,⁽⁷⁾ which required a vote by the House on the reading of papers where objection was made, indicated that the rule did not apply to papers containing language subject to a point of order in the House. For example, a Member could not refer to Senators or to Senate proceedings and therefore could not read letters from Senators or reports of Senate proceedings.⁽⁸⁾ Some rulings based on former Rule XXX are still valid under other lines of precedents. Thus a Member may not read documents impugning the integrity of other Members,⁽⁹⁾ or reports of House committee executive proceedings not formally reported to the House.⁽¹⁰⁾

Papers containing prohibited references or disorderly language

7. Rule XXX, which formerly required unanimous consent for the reading of papers if objection was made, has been rewritten to apply to the display of exhibits rather than the reading of papers. See the discussion in §80, *supra*.
8. See §§ 83.2, 83.3, *infra*.
9. See § 83.5, *infra*.
10. See § 83.4, *infra*.

are not challenged by an objection but by a point of order or demand that they be taken down. The Speaker then rules whether the words in question are in order.⁽¹¹⁾

Discharge Petition Signatures

§ 83.1 Under the version of the Discharge Rule which was applicable before the 103d Congress, while a Member had the right to look at a discharge petition, he did not have the right to read to the House the names signed on such petition.

On Mar. 15, 1946,⁽¹²⁾ Speaker Sam Rayburn, of Texas, ruled that while a Member had a right to examine a discharge petition on the floor of the House, he did not have the right to read the names contained thereon in debate:

MR. [JOHN J.] COCHRAN [of Missouri]: Mr. Speaker, a point of order.

THE SPEAKER: The gentleman will state it.

MR. COCHRAN: As I understand the rules of the House, it is not permissible to give out anything contained in a petition on the Clerk's desk until the petition has the required number of signers. Then it automatically is printed in the Record with the signatures thereon.

11. See §§ 48–52, *supra*.
12. 92 CONG. REC. 2329, 79th Cong. 2d Sess.