

§ 19. Appointment of Tellers

Chair's Discretion

§ 19.1 The appointment of tellers was within the discretion of the Chair, and he sometimes appointed the Member demanding tellers.

On Sept. 21, 1965,⁽¹⁶⁾ the House resolved itself into the Committee of the Whole for the consideration of a bill (S. 2300) authorizing the construction, repair, and preservation of certain public works.

Following debate, Mr. John A. Blatnik, of Minnesota, rose to address the Chair:

MR. BLATNIK: Mr. Chairman, I move that the Committee do now rise.

THE CHAIRMAN:⁽¹⁷⁾ The question is on the motion of the gentleman from Minnesota.

MR. [WILLIAM C.] CRAMER [of Florida]: Mr. Chairman, I demand tellers.

The requisite number of Members having supported the demand for tellers, they were ordered, and the Chair appointed Mr. Cramer and Mr. Blatnik as tellers.

Designation of Members of Opposing Views

§ 19.2 In appointing tellers on a vote the Chair usually

16. 111 CONG. REC. 24593, 24635, 89th Cong. 1st Sess.

17. Dan Rostenkowski (Ill.).

named a Member on each side of the question.

On Sept. 21, 1965,⁽¹⁸⁾ following lengthy consideration of a bill (S. 2300) authorizing certain construction and repair on rivers and harbors, a discussion ensued among certain Members of the Committee of the Whole as to whether they should rise:

MR. [LESLIE C.] ARENDS [of Illinois]: I should like to ask the Chairman if we are going to continue tonight or not. I should think, in view of what has transpired in the last couple of weeks, we should go ahead and finish our business. We have been inconvenienced many times. Let us keep on doing it.

MR. [JOHN A.] BLATNIK [of Minnesota]: We are prepared—I certainly am; and, in fact, all of the Committee Members are—to go ahead, but I believe in all fairness to Members who, by coincidence, have a serious conflict with obligations, we should not. Let me make the statement that I am prepared to move that the Committee rise now. I shall not at this moment. I believe we are over the hump. There are probably four amendments of any substance left.

MR. [WILLIAM C.] CRAMER [of Florida]: I say to the gentleman, so far as I am concerned we are here. We are prepared to go ahead and finish the bill. There seems to be a great demand for these bills at this time. We have an opportunity to finish this bill today. So far as I am concerned, I have had a

18. 111 CONG. REC. 24635, 89th Cong. 1st Sess.

number of requests on this side that we finish the bill today. If the gentleman wishes, so far as we are concerned, we are ready to go ahead and finish it.

MR. BLATNIK: Mr. Chairman, I move that the Committee do now rise.

THE CHAIRMAN:⁽¹⁹⁾ The question is on the motion of the gentleman from Minnesota.

MR. CRAMER: Mr. Chairman, I demand tellers.

A sufficient number of Members having supported the demand, tellers were ordered, and the Chair appointed Mr. Blatnik and Mr. Cramer as tellers in light of their differing views on the motion.

§ 19.3 A point of order having been raised that each of the appointed tellers was in favor of a particular proposition, the Chair designated a Member in opposition to the measure to serve as a teller.

On Aug. 9, 1950,⁽²⁰⁾ the Committee of the Whole having under its consideration the Defense Production Act of 1950 (H.R. 9176), the question arose on an amendment to an amendment—whereupon the following exchange took place:

THE CHAIRMAN:⁽¹⁾ The question is on the amendment to the amendment.

19. Dan Rostenkowski (Ill.).

20. 96 CONG. REC. 12124, 81st Cong. 2d Sess.

1. Howard W. Smith (Va.).

The question was taken; and on a division (demanded by Mr. Flood) there were—ayes 80, noes 121.

MR. [DANIEL J.] FLOOD [of Pennsylvania]: Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Flood and Mr. Spence.

MR. [CHARLES A.] HALLECK [of Indiana]: Mr. Chairman, a point of order.

THE CHAIRMAN: The gentleman will state it.

MR. HALLECK: The gentleman from Kentucky [Mr. Spence] voted for the amendment.

THE CHAIRMAN: Is there any member of the committee who is opposed to the amendment? If so, will he kindly take his place as a teller?

In response to the Chair's request, Mr. Jesse P. Wolcott, of Michigan, who was opposed to the amendment "took his place as a teller" on the vote in question.⁽²⁾

§ 19.4 The Chair has declined to change his designation of tellers after the appointed tellers had taken their places and Members had passed between them to be counted.

On June 28, 1967,⁽³⁾ the Committee of the Whole having under consideration a bill (H.R. 10340) authorizing

2. For an instance in which the Chair changed the appointment of a teller for reasons not pertaining to the Member's position on the issue, see § 22.5, *infra*.
3. 113 CONG. REC. 17739, 17748, 90th Cong. 1st Sess.

appropriations for the National Aeronautics and Space Administration, Mr. Richard L. Roudebush, of Indiana, offered an amendment to an amendment offered by Mr. James G. Fulton, of Pennsylvania. The Roudebush amendment, which called for a reduction in the amount of funds appropriated, was discussed at some length after which the Chair⁽⁴⁾ put the question; it was taken; and the noes appeared to have it.

Immediately thereafter, Mr. George P. Miller, of California, demanded tellers. A sufficient number of Members having supported the demand, tellers were ordered and the Chair appointed Mr. Roudebush and Mr. Miller as tellers. The Members were then directed to pass through the tellers and commenced to do so.

There being some doubt as to whether Mr. Miller was opposed to the Roudebush amendment, an inquiry was directed to the Chair:

MR. [JOE D.] WAGGONER [Jr., of Louisiana]: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The Committee is in the process of voting, and no parliamentary inquiry can be made at this time.

MR. [DONALD] RUMSFELD [of Illinois]: Mr. Chairman, a point of order.

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

MR. RUMSFELD: Is it not correct that there should be a teller in favor of the amendment and a teller in opposition?

THE CHAIRMAN: The gentleman from Illinois has asked a question rather than making a point of order.

4. John J. Flynt, Jr. (Ga.).

MR. FULTON of Pennsylvania: I am here. I am against the amendment.

MR. WAGGONER: Mr. Chairman, a point of order.

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

MR. WAGGONER: Is it not necessary, under the rules of the House, in the instance of a teller vote, that the Chair name one Member as a teller who supports the amendment?

THE CHAIRMAN: The Chair will state that the gentleman from Louisiana has not made a point of order, but rather has asked a question. The Chair designated as tellers the gentleman from Indiana [Mr. Roudebush], the author of the amendment, and the gentleman from California [Mr. Miller]. No point was raised until the vote had begun to be taken.

The vote will proceed.

Parliamentarian's Note: Although the Chair has sole discretion in the appointment of tellers, he generally attempts to appoint tellers who represent each side of the question, that is, those that favor the proposition and those that oppose it.

§ 20. Interruptions of Teller Votes

For Parliamentary Inquiry or Point of Order

§ 20.1 The Chair refused to entertain a parliamentary inquiry during a teller vote but