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## Decorum in House Debate

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## **ABSTRACT**

The basic standards of decorum that govern remarks made in the House of Representatives are described in this report. The report also discusses the procedure for "words taken down" and other mechanisms used in the House for enforcing these standards. The standards and mechanisms covered here include those set forth in House rules, related sections of *Jefferson's Manual*, published precedents, and supplementary policy statements by the Speaker. Also provided are examples from the 103rd-105th Congress of words spoken in House floor debate that led to one or more enforcement mechanisms being invoked. This report will be updated when necessary to reflect any relevant changes in House rules, precedents, or practices.

# Decorum in House Debate

## Summary

Standards governing decorum in debate for the House of Representatives are set forth in its standing rules, related sections of *Jefferson's Manual*, the House's published precedents, and supplementary policy statements by the Speaker.

Clause 1 of House Rule XVII sets forth the basic standards governing remarks made by Representatives in debate. The two provisions of this clause that generate the most parliamentary inquiries and calls to order are the stricture against commenting in debate on personalities, and the restrictions on remarks about individual Senators and about the Senate and its proceedings. Clause 5 of House Rule XVII proscribes certain conduct as breaches of decorum, such as passing between the Chair and the Member who is speaking. Even if the words a Member uses are in order, the Member's behavior may constitute a breach of decorum.

Related sections in *Jefferson's Manual*, a statement of parliamentary law written by Thomas Jefferson when he was Vice President, also discuss standards of decorum in debate. Under House Rule XXVIII, the provisions of *Jefferson's Manual* continue to govern the House "in all cases to which they are applicable and in which they are not inconsistent with the Rules and orders of the House." House precedents record how the provisions of what now is Rule XVII and related provisions of *Jefferson's Manual* have been interpreted and applied.

The Speaker's announced policies on decorum in debate underline key principles of decorum from the House's rules, *Jefferson's Manual*, and House precedents. These policies usually are announced on the opening day of a new Congress. On occasion, Speakers have made additional policy statements related to decorum in debate during a Congress, as circumstances warrant. For example, the Speaker has established standards for the distribution of printed handouts on or near the House floor, and declared that violations of these standards might constitute a breach of decorum.

The rules of the House provide a range of mechanisms for enforcing decorum in the House's floor proceedings: admonishments or calls to order by the chair (Rule I, clause 2, and Rule XVII, clause 4), a point of order raised from the floor (Rule XVII, clause 4), a Member's demand that words be taken down (Rule XVII, clause 4), and a Member raising a question of privilege from the floor (Rule IX). This report includes examples of words spoken in House floor debate that led to one or more of these procedures being invoked. The examples from the 103<sup>rd</sup>, 104<sup>th</sup>, and 105<sup>th</sup> Congresses are grouped into four categories, based on who or what was the focus of the offending remarks: 1) an individual Representative or an identifiable group of Representatives; 2) the Speaker of the House; 3) the President of the United States; and 4) the Senate or Senators.

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# Decorum in House Debate

## Introduction

Congress has always considered adherence to norms of behavior such as courtesy and reciprocity to be critical to collective policymaking. These forms of behavior, which in recent years have come to be referred to as “comity,” have been understood to encompass “both standards of behavior for members and the mutual respect of the two chambers for each others’ prerogatives.”<sup>1</sup> During debate in the House, comity is to be preserved through the establishment, observance, and enforcement of standards of decorum. These standards are set forth in House rules, related sections of *Jefferson’s Manual*, the House’s precedents, and “announced policies” of the Speaker. The rules of the House also provide the chair and individual Members with a range of mechanisms for enforcing decorum in floor debate.

This report examines the standards governing decorum in House debate and discusses the different procedures available for enforcing them. Examples of alleged breaches of decorum during the 103rd-105th Congresses are provided to illustrate the use of these enforcement procedures, and the interpretation of decorum standards through the chair’s rulings, admonitions, and responses to parliamentary inquiries.

At the beginning of a daily session of the House, the Speaker may appoint a majority party Representative to preside in the Speaker’s absence as “Speaker *pro tempore*.” When the House resolves itself into the Committee of the Whole, the Speaker appoints a majority party Representative to preside as chairman during consideration of a particular measure. In this report, the term “chair” refers to the presiding Representative in both the House and the Committee of the Whole. Though this report focuses on House floor debate, the House’s rules and precedents for decorum in debate generally apply as well in committees and subcommittees.<sup>2</sup>

## Standards of Decorum in House Debate: Governing Authorities

Clauses 1 and 4 of House Rule XVII (discussed in detail below) set forth the basic standards of decorum governing remarks that Representatives make in debate, and their conduct while on the House floor. Related sections of *Jefferson’s Manual*, a statement of parliamentary law written by Thomas Jefferson when he was Vice

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<sup>1</sup> Eric M. Uslaner, *The Decline of Comity in Congress* (Ann Arbor, MI: The University of Michigan Press, 1993), p. 8.

<sup>2</sup> Rule XI provides that “the Rules of the House are the rules of its committees and subcommittees so far as applicable.”

President, also discuss standards of decorum in debate. Under House Rule XXVII, the provisions of *Jefferson's Manual* continue to govern the House “in all cases to which they are applicable and in which they are not inconsistent with the Rules and orders of the House.” Most of *Jefferson's Manual* is reprinted in the *House Rules and Manual*, with annotations from the House Parliamentarian explaining how *Jefferson's Manual* applies to House procedure today.<sup>3</sup>

The House's precedents record how its rules have been interpreted and applied. Precedents are analogous to case law in their effect. Just as attorneys cite past judicial decisions to support their arguments in court, Members can refer to House precedents to support a point of order or to defend against one. Similarly, the chair often explains a ruling by citing related decisions of his or her predecessors. Though House precedents appear in two multi-volume sets of publications, the *House Rules and Manual* and *House Practice: A Guide to the Rules, Precedents and Procedures of the House* provide up-to-date and accessible summaries.<sup>4</sup>

The Speaker also has enunciated policies on certain aspects of House procedure, such as decorum in debate, the conduct of electronic votes, and recognition for one-minute and special order speeches. Though these policies are usually announced on the opening day of a new Congress, the Speaker may promulgate additional policies during the course of a Congress as circumstances warrant. In practice, the “Speaker's announced policies” on decorum in debate underline specific principles of decorum established by the House's rules and precedents.

Provided below is a fuller discussion of the primary House rules (clauses 1 and 4 of House Rule XVII) that set standards for decorum in debate, and the Speaker's current announced policies on the same subject.

## House Rule XVII, Clause 1

(a) A Member, Delegate, or Resident Commissioner who desires to speak or deliver a matter to the House shall rise and respectfully address himself to “Mr. Speaker” and, on being recognized, may address the House from any place on the floor. When invited by the Chair, a Member, Delegate, or Resident Commissioner may speak from the Clerk's desk.

(b)(1) Remarks in debate shall be confined to the question under debate, avoiding personality.

(2)(A) Except as provided in subdivision (B), debate may not include characterizations of Senate action or inaction, references to individual Members of the Senate, or quotations from Senate proceedings.

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<sup>3</sup> The parliamentary rules on decorum in debate in *Jefferson's Manual* can be found in U.S. Congress, House, *House Rules and Manual* (formally titled *Constitution, Jefferson's Manual, and Rules of the House of Representatives*), H. Doc. 104-272, 104<sup>th</sup> Cong., 2<sup>nd</sup> sess., (Washington: GPO, 1997), sec. 353-379, pp. 164-183. Until January 1999, clauses 1 and 7 of Rule XVII were clauses 1 and 4 of Rule XIV.

<sup>4</sup> U.S. Congress, House, *House Practice: A Guide to Rules, Precedents and Procedures of the House*, 104<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 1996), 936 p.

(B) Debate may include references to actions taken by the Senate or by committees thereof that are a matter of public record; references to the pendency or sponsorship in the Senate of bills, resolutions, and amendments; factual descriptions relating to Senate action or inaction concerning a measure then under debate in the House; and quotations from Senate proceedings on a measure then under debate in the House that are relevant to the making of legislative history establishing the meaning of that measure.

The two provisions of Rule XVII, clause 1, that generate the most parliamentary inquiries and calls to order are the stricture against making critical personal references to Members (i.e., “avoiding personality”), and the restrictions on remarks that Representatives may make about individual Senators and about the Senate and its proceedings.

### **Stricture Against Personalities in Debate.**

The term “personalities” is generally understood in this context to mean critical personal references. Representatives are prohibited from referring negatively to individual Members, identifiable groups of Members, the Speaker, the President, or the Vice President. This prohibition also has been applied to nominated candidates for President and Vice President, including those who are not Members of Congress or an incumbent President or Vice President. Similar restrictions apply to remarks about individual Senators.

House precedents provide guidance on what constitutes engaging in personalities in debate when different categories of individuals (e.g., the President, another Representative, the Speaker) are the subject of remarks made on the House floor. Some important principles that emerge from these precedents are presented below.

#### ***References to Another Member or Identifiable Group of Members.***

- Words that malign a Member’s personal motives or impugn a Member’s integrity are strictly prohibited.
- References to the conduct of a sitting Member (including the Speaker of the House) are prohibited unless this conduct is a question *pending before the House*, pursuant to a report from the Committee on Standards of Official Conduct (hereafter referred to as the “Standards Committee”), or as a question of the privileges of the House. (See the discussion below of “Remarks About Matters Before the Committee on Standards of Official Conduct: Sitting Members”.)
- Remarks in debate may not address *personal* motivations for legislative positions, but may focus on a Member’s *political* motivations. For example, the chair has stated “there is nothing per se a violation by using another Member’s name in describing a political action or motive.”<sup>5</sup> It is not a breach

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<sup>5</sup> *Congressional Record*, daily edition, vol. 142, June 13, 1996, p. H6291.

of decorum to discuss a Member's policy position, provided that "personally offensive" words are not used.<sup>6</sup>

- Critical references to a "collective political motivation," such as the motives of the Democratic or Republican party, are permitted.<sup>7</sup> Such references become unparliamentary, however, if they characterize the motivation of a specific Member or an identifiable group of Members.
- Critical words characterizing a measure or policy are allowed, but they may not address the personal motivation or character of a Representative. For example, the chair has ruled that "there is nothing wrong with using the word 'deceptive,' or the word, 'hypocritical,' in characterizing an amendment's effect but when a Member so characterizes the motivation of a Member in offering an amendment, that is not in order."<sup>8</sup>
- A Member may not read in debate extraneous material making critical references to another Member, or repeat words used by others that would be unparliamentary if spoken in debate by a Member.

***References to the Speaker of the House.***

- It is not in order to speak disrespectfully of the Speaker, to use words insulting to him or unduly critical of him, to make remarks calculated to be offensive to him or to reflect on him personally or officially, or to use words charging the Speaker with dishonesty or disregard of the rules.<sup>9</sup> It also is a breach of decorum to engage in innuendo about the Speaker's conduct.<sup>10</sup> In ruling that critical references to the Speaker's personal conduct are not in the order, the chair has relied on the following 1897 precedent:

. . . allusions or criticisms of what the Chair did at some past time is certainly not in order not because the Chair is above criticism or above attack but for two reasons: first, because the Speaker is the Speaker of the House, and such attacks are not conducive to the good order of the House; and second, because the Speaker cannot reply to them except in a very fragmentary fashion, and it is not desirable that he should reply to them.<sup>11</sup>

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<sup>6</sup> *Congressional Record*, daily edition, vol. 143, Feb. 27, 1997, p. H696.

<sup>7</sup> *Congressional Record*, daily edition, vol. 141, March 29, 1995, p. H554.

<sup>8</sup> *Congressional Record*, vol. 125, June 12, 1979, p. 14461.

<sup>9</sup> U.S. Congress, House, *Cannon's Procedure in the House of Representatives*, H. Doc. 87-610, 87<sup>th</sup> Cong., 2<sup>nd</sup> sess., (Washington: GPO, 1963), p. 160.

<sup>10</sup> *Congressional Record*, daily edition, vol. 141, Jan. 19, 1995, p. H330.

<sup>11</sup> For example, the chair cited this precedent on January 19, 1995. See *Congressional Record*, daily edition, Jan. 19, 1995, p. H331. The precedent is recorded in U.S. Congress, House, *Hinds' Precedents of the House of Representatives of the United States* (Washington: GPO, 1907), vol. V, sec. 5188.



- More generally, all the principles governing references to individual Members discussed above apply to remarks about the Speaker.

***Remarks About Matters Before the Committee on Standards of Official Conduct: Sitting Members***

- When the Standards Committee is considering a question involving a sitting Member's conduct, it is out of order to speak on the House floor about the filing of the complaint before the Standards Committee, the motivation of the Member filing the complaint, and matters being reviewed by the Standards Committee. Critical characterizations and personal criticisms of the Standards Committee's members also are prohibited.<sup>12</sup> Moreover, references to newspaper reports and "words printed in any other medium outside the floor of the House" about matters before the Standards Committee are not permitted.<sup>13</sup>
- References to matters that have been before the Standards Committee *in the past* are prohibited if they involve a *sitting* Member's conduct.
- When a resolution proposing disciplinary action against a Member is before the House as a question of privilege, debate on the resolution "may necessarily involve personalities," but "personally abusive" language is not in order.<sup>14</sup> Representatives may refer to past matters resolved by the Standards Committee to compare the severity of sanctions recommended in earlier cases with those proposed in the pending resolution, so long as the details of a *sitting* Member's past conduct resolved by the committee are not discussed.<sup>15</sup>
- References to past cases before the Standards Committee involving the Speaker's conduct are out of order even when such conduct is "possibly relevant" to a pending resolution granting the Speaker certain authority.<sup>16</sup> Debate can address "the advisability of granting the generic authorities proposed in the pending resolution," but not matters about the Speaker that already have been before the Standards Committee.<sup>17</sup>

***References to the President of the United States.***

- Criticisms of the President's official policy actions and opinions are permitted. Members may question the President's *political* motivation, but any questioning of the President's *personal* motivation is out of order.

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<sup>12</sup> *House Practice*, "Consideration and Debate" chapter, sec. 34, p. 391, and *Jefferson's Manual*, sec. 361, p. 170.

<sup>13</sup> *Congressional Record*, daily edition, vol. 143, Sept. 24, 1996, p. H10775.

<sup>14</sup> *Jefferson's Manual*, in *House Rules and Manual*, sec. 361, p. 169.

<sup>15</sup> *Ibid.*

<sup>16</sup> *House Rules and Manual*, sec. 749, p. 554.

<sup>17</sup> *Congressional Record*, daily edition, vol. 143, Sept. 24, 1996, p. H10935.

- Members may not engage in personal abuse, innuendo, or ridicule of the President. It is out of order to question the President's personal conduct, "whether by actual accusation or by mere insinuation."<sup>18</sup> References to the President that have been ruled unparliamentary include calling the President a "liar," attributing "hypocrisy" to him, accusing him of "demagoguery," and alluding to alleged personal misconduct or a "propensity for unethical behavior" on the President's part.<sup>19</sup>
- Members may not quote from a person or a source, such as books and newspapers articles, using a "derogatory term" in reference to the President.<sup>20</sup>
- It is not in order to address remarks directly to the President in House floor debate (e.g., "Mr. President, keep your word to the American people").<sup>21</sup>
- The Speaker has held that principles of decorum governing references to the President do not necessarily apply to references to the President's family.<sup>22</sup>

***References to the Vice President of the United States.***

- References to the Vice President's personal conduct are not in order.<sup>23</sup>
- Though the Vice President serves as President of the Senate, references to the Vice President are governed by the standards applied to the President, rather than those applied to individual Senators (see the discussion of "Remarks about Senators").
- When the Vice President is a former Senator, quotations from his or her service as Senator are allowed "as long as they are not disparaging."<sup>24</sup>

***References to Nominated Presidential and Vice Presidential Candidates.***

- References to a nominated presidential or vice presidential candidate who is a Member of Congress or an incumbent President or Vice President are governed by the standards for those categories of individuals, as outlined above and below (see "Remarks About Senators," below).
- In 1992, the chair extended principles of decorum to remarks about any nominated presidential or vice presidential candidate, whether or not the

<sup>18</sup> *Congressional Record*, daily edition, vol. 143, Sept. 26, 1996, p. H11391.

<sup>19</sup> *Jefferson's Manual*, in *House Rules and Manual*, sec. 370, pp. 175-76.

<sup>20</sup> *Congressional Record*, daily edition, vol. 142, May 2, 1996, p. H4411.

<sup>21</sup> *Congressional Record*, daily edition, vol. 141, Dec. 19, 1995, p. H15122.

<sup>22</sup> *Congressional Record*, vol. 136, July 12, 1990, p. 17206.

<sup>23</sup> *Congressional Record*, daily edition, vol. 141, Jan. 18, 1995, p. H305.

<sup>24</sup> *Congressional Record*, daily edition, vol. 141, Dec. 14, 1995, p. H14889.

candidate is a Member of Congress or an incumbent President or Vice President:

. . . the Chair believes that in order to maintain decorum in the House, certain minimal standards of propriety in debate should apply to all nominated candidates for President and Vice President of the United States, and that the record and character of such candidates may be properly debated without references which constitute a breach of decorum, and the Chair advises all Members that future references to nominated candidates for President and Vice President of the United States may be subject to admonishment and restriction by the Chair if the Chair believes that such decorum has been violated.

To do otherwise would create a distinct disparity of treatment between candidates when the candidates of one party are incumbents (President, Vice President, or sitting Members of Congress), and the candidates of the other do not enjoy such traditional protection in debate.<sup>25</sup>

### **Remarks About the Senate and Its Proceedings.**

Clause 1(b)(2)(B) of House Rule XVII distinguishes between permitted and prohibited references to the Senate and its proceedings. This sentence was adopted at the start of the 100<sup>th</sup> Congress as part of a resolution making various changes to House rules.<sup>26</sup> Before the 100<sup>th</sup> Congress, the House followed a principle of parliamentary law in *Jefferson's Manual* that allowed only limited references to the Senate in House debate.<sup>27</sup> Under this principle, Representatives could be called to order for using even the word "Senate" in debate. As a result, Members often referred to the Senate as "the other body."

According to House Rule XVII in its present form, the following types of references to the Senate and its proceedings are in order during House debate:

- "references to actions taken by the Senate or committees thereof which are matters of public record";
- "references to the pendency or sponsorship in the Senate of bills, resolutions, or amendments";
- "factual descriptions relating to Senate action or inaction concerning a measure then under debate in the House"; and

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<sup>25</sup> *Congressional Record*, daily edition, vol. 138, Sept. 24, 1992, p. H9299.

<sup>26</sup> The sentence was also narrowly amended as part of House rules changes adopted at the start of the 101<sup>st</sup> Congress. See *House Rules and Manual*, sec. 749, p. 553.

<sup>27</sup> This principle appears in *Jefferson's Manual*; see sec. 371 of *House Rules and Manual*, p. 177: "It is a breach of order to notice what has been said on the same subject in the other House, or particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses."

- “quotations from Senate proceedings on a measure then under debate in the House and which are relevant to the making of legislative history establishing the meaning of the measure.”

None of these references is in order, however, if it implies any criticism of the Senate. For example, characterizing a Senate committee as “continuing its downhill slide” has been ruled out of order as an improper reference to the Senate.<sup>28</sup>

A review of relevant House precedents cited in *House Practice* and *Jefferson’s Manual* shows that the following types of references to the Senate and its proceedings have been ruled *out of order* in the House:<sup>29</sup>

- Quoting from Senate proceedings as reported in the *Record* or another medium (e.g., the press) for purposes other than establishing the legislative history of a measure pending before the House;
- Characterizing the Senate’s position on legislative issues;
- Casting reflections on the Senate or its Members collectively (e.g., “The Senate Republicans are holding the minimum wage hostage to special interests”<sup>30</sup>);
- Criticizing or implying criticism of Senate inaction, past action, or future action (e.g., “The Senate is about to embark on a misguided journey”<sup>31</sup>);
- Referring to the Senate’s motives in passing certain legislation; and
- Urging Senate action on a measure or on confirmation proceedings.

#### **Remarks About Senators.**

House Rule XVII, clause 1, also prohibits most references to individual Senators in House floor debate, including complimentary ones. In general, only four types of references to Senators are permitted in House floor debate:

- Naming a Senator as a sponsor of a measure;
- Referring to a Senator as part of quotations from Senate proceedings in order to establish the legislative history of a measure pending before the House;

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<sup>28</sup> *Congressional Record*, vol. 138, July 9, 1992, p. 18342.

<sup>29</sup> *House Practice*, “Consideration and Debate” chapter, sec. 23, pp. 377-380, and *Jefferson’s Manual*, in *House Rules and Manual*, sec. 371, pp. 177-180.

<sup>30</sup> *Congressional Record*, daily edition, vol. 142, July 12, 1996, p. H7507.

<sup>31</sup> *Congressional Record*, daily edition, vol. 137, Oct. 8, 1991, p. H7558.

- Making remarks about the House service of former Representatives serving in Senate, so long as there is no implied criticism of their Senate service;<sup>32</sup> and
- Discussing the “official policies, actions, and opinions” of Senators who are nominated presidential candidates so long as the remarks are not personally offensive or critical of a Senator’s character or integrity.<sup>33</sup>

Examples of improper references to individual Senators include stating the name of a Senator serving on a conference committee, referring to a Senator’s statements or speeches outside the Senate chamber, mentioning past actions of Senators (e.g., specific votes), or discussing future actions a Senator might take. Moreover, critical references to Senators and characterizations of a Senator’s position on legislative issues are prohibited even when the Senator is not identified by name (e.g., “the gentleman in the other body from the state of Kentucky”). It also is out of order to cite in debate such critical references or characterizations made by another person.

### **Addressing Remarks to the Chair.**

Rule XVII, clause 1(a), requires that Members rise and address the chair before speaking or delivering “a matter to the House.” It is a breach of decorum to direct one’s remarks to the President, the television audience, individuals in the House galleries,<sup>34</sup> or any other persons or organizations outside the chamber. At all times, Members must address their remarks to the chair only. When Members address one another, they do so in the third person, through the chair (e.g., “Mr. Speaker, will the gentleman yield for a question?”). This form of address helps avoid any undue familiarity in debate that might lead to breaches in decorum. The need to speak in the third person also may help restrain Members from making intemperate remarks.

Under House precedents, Representatives are prohibited from referring to other Members in floor debate by name or in the second person (“you”).<sup>35</sup> The appropriate way to refer to another Member is to say “the gentleman” or “the gentlewoman” and to name the Member’s state (e.g., “the gentlewoman from California”). When addressing the chair, Members can refer to themselves in the first person (“I”). Though Members can refer to the chair in the second person, they generally use “the chair” and “Mr. (or Madam) Speaker” or “Mr. (or Madam) Chairman” as forms of address.

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<sup>32</sup> *House Practice*, “Consideration and Debate” chapter, sec. 23, p. 379.

<sup>33</sup> *Jefferson’s Manual*, in *House Rules and Manual*, sec. 371, p. 179.

<sup>34</sup> Rule XVII, clause 7, also prohibits Members from introducing or bringing to the House’s attention anyone in the galleries when the House is in session.

<sup>35</sup> *Hinds’ Precedents*, vol. V, sec. 5144; *Cannon’s Precedents of the United States House of Representatives* (Washington: GPO, 1935), vol. VIII, secs. 2526, 2529, 2536; and *Jefferson’s Manual*, sec. 361, p. 168.

## House Rule XVII, Clause 5

When the Speaker is putting a question or addressing the House, a Member, Delegate, or Resident Commissioner may not walk out of or across the Hall. When a Member, Delegate, or Resident Commissioner is speaking, a Member, Delegate, or Resident Commissioner may not pass between the person speaking and the Chair. During the session of the House, a Member, Delegate, or Resident Commissioner may not wear a hat or remain by the Clerk's desk during the call of the roll or the counting of ballots. A person may not smoke or use any personal, electronic office equipment, including cellular phones and computers, on the floor of the House. The Sergeant-at-Arms is charged with the strict enforcement of this clause.

Clause 5 of House Rule XVII proscribes certain conduct, such as passing between the chair and a speaking Member, as a breach of decorum.<sup>36</sup> Even if the words a Member uses are in order, the Member's behavior may constitute a breach of decorum.<sup>37</sup> Besides the unparliamentary behavior specified in clause 7, speaking beyond the time recognized, interrupting another Member who has the floor and has not yielded, and ignoring the chair's repeated admonitions to proceed in order are examples of conduct that the chair has held to be breaches of decorum.<sup>38</sup>

## Speaker's Announced Policies on Decorum in Debate

### Opening Day Announcements.

As mentioned earlier, Speakers have announced policies to implement certain aspects of House procedure. In practice, the Speaker's announced policies on decorum in debate underline key principles of decorum from the House's rules, *Jefferson's Manual*, and House precedents. These policies usually are announced on the opening day of a new Congress and are printed in that day's *Congressional Record*.

The Speaker's current policies on decorum in debate were announced and inserted in the *Record* on January 6, 1999.<sup>39</sup> These announcements continue the application of policies that the Speaker first announced on January 3, 1991, and January 4, 1995.

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<sup>36</sup> The clause's prohibition against the use of electronic equipment was added at the start of the 104<sup>th</sup> Congress.

<sup>37</sup> *Congressional Record*, daily edition, vol. 140, July 29, 1994, pp. H6461-H6462.

<sup>38</sup> The House also prohibits Members from wearing buttons or badges to communicate a message on the House floor, because doing so would violate the requirement that Members rise and address the chair before making a communication. This prohibition is not enforced quite as strongly as other standards of decorum, particularly the stricture against personalities in debate. *House Rules and Manual*, sec. 749, p. 554.

<sup>39</sup> *Congressional Record*, daily edition, vol. 145, Jan. 6, 1999, p. H220. The references to rule XIV are to the rule in previous Congress that contained the provisions of Rule XVII.

## 5. DECORUM IN DEBATE

The Speaker's policies with respect to decorum in debate announced on January 3, 1991, and January 4, 1995, will apply during the 106<sup>th</sup> Congress as supplemented by the announcement made by the Speaker earlier today.

*Announcement by the Speaker, January 3, 1991*

The SPEAKER: It is essential that the dignity of the proceedings of the House be preserved, not only to assure that the House conducts its business in an orderly fashion but to permit Members to properly comprehend and participate in the business of the House. To this end, and in order to permit the Chair to understand and to correctly put the question on the numerous requests that are made by Members, the Chair requests that Members and others who have the privileges of the floor desist from audible conversation in the Chamber while the business of the House is being conducted. The Chair would encourage all Members to review [rule XIV] rule XVII to gain a better understanding of the proper rules of decorum expected of them, especially: First, to avoid "personalities" in debate with respect to references to other Members, the Senate, and the President; second, to address the Chair while standing and only when and not beyond the time recognized, and not to address the television or other imagined audience; third, to refrain from passing between the Chair and the Member speaking, or directly in front of a Member speaking from the well; fourth, to refrain from smoking in the Chamber; and generally to display the same degree of respect to the Chair and other Members that every Member is due.

The Speaker's announcement of January 4, 1995, will continue to apply in the 106<sup>th</sup> Congress as follows:

The Chair will like all Members to be on notice that the Chair intends to strictly enforce time limitations on debate. Furthermore, the Chair has the authority to immediately interrupt Members in debate who transgress [rule XIV] rule XVII by failing to avoid "personalities" in debate with respect to references to the Senate, the President, and other Members, rather than wait for Members to complete their remarks.

Finally, it is not in order to speak disrespectfully of the Speaker; and under the precedents the sanctions for such violations transcend the ordinary requirements for timeliness of challenges. This separate treatment is recorded in volume 2 of Hinds' Precedents, at section 1248 and was reiterated on January 19, 1995.

In anticipation of impeachment proceedings against the President, the Speaker pro tempore made an additional statement to the House, emphasizing the boundary between appropriate and inappropriate decorum during debate. This statement included the following:<sup>40</sup>

As indicated, in section 17 of Jefferson's Manual, which under rule XXVIII is incorporated as a part of the Rules of the House for the 106<sup>th</sup> Congress as adopted today, Members engaged in debate must abstain from language that is personally critical of the President. This restriction extends to referencing extraneous material personally critical of the President that would be improper if spoken as the Member's own words....

The Chair will reiterate the bounds of permissible debate announced on September 10, 1998. Debate may include expressions of opinion about executive policy or competence to hold office. Members may continue to challenge the President on matters of policy. The line drawn by the rule of decorum remains one between political criticism and personal criticism.

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<sup>40</sup> *Congressional Record*, daily edition, vol. 145, Jan. 6, 1999, p. H217.

What the rule of decorum requires is that the oratory remain above personality and refrain from terms personally offensive....

It is a general principle of comity that certain references to the Senate are to be avoided in debate in the House. Rule XVII specifically provides that debate in the House may not include characterizations of Senate action or inaction. As the Chair most recently ruled on October 10, 1997, and as recorded in section 371 of the House Rules and Manual, Members are also prohibited from urging the Senate to undertake a certain action. The Chair would remind all Members to refrain from such references on the floor of the House in the event of an impeachment trial in the Senate.

The Chair will enforce these rules of decorum with respect to references to the President and the Senate, and asks and expects the cooperation of all Members in maintaining a level of decorum that properly dignifies the proceedings of the House.

### **Other Policy Announcements.**

Besides announcing policies on the opening day of a Congress, the Speaker may make additional policy statements related to decorum on the floor during the course of a Congress. For example, on September 27, 1995, the Speaker announced standards for the distribution of printed handouts “on and adjacent to the House floor,” and declared that violations of these standards might create a breach of decorum and give rise to a question of privilege (see “Questions of Privilege”). The Speaker’s policy announcement on handouts was reiterated when the 106<sup>th</sup> Congress first convened.<sup>41</sup>

The SPEAKER: A recent misuse of handouts on the floor of the House has been called to the attention of the Chair and the House. At the bipartisan request of the Committee on Standards of Official Conduct, the Chair announces that all handouts distributed on or adjacent to the House floor by Members during House proceedings must bear the name of the Member authorizing their distribution. In addition, the content of those materials must comport with standards of propriety applicable to words spoken in debate or inserted in the Record. Failure to comply with this admonition may constitute a breach of decorum and may give rise to a question of privilege.

The Chair would also remind Members that, pursuant to [clause 4, rule XXXII] clause 5 of rule IV, staff are prohibited from engaging in efforts in the Hall of the House or rooms leading thereto to influence Members with regard to the legislation being amended. Staff cannot distribute handouts.

In order to enhance the quality of debate in the House, the Chair would ask Members to minimize the use of handouts.

## **Enforcement of Decorum in Debate**

The rules of the House provide several mechanisms for enforcing decorum in floor debate: an admonishment or call to order by the chair (Rule I, clause 2, and Rule XVII, clause 4); a point of order, usually accompanied by a demand that a Member’s

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<sup>41</sup> *Congressional Record*, daily edition, vol. 145, Jan. 6, 1999, p. H220. The reference to Rule XXXII is to the House rules before they were recodified in 1995.



words be taken down (Rule XVII, clause 4); and a Member's raising a question of privilege from the floor (Rule IX).<sup>42</sup>

## Speaker's Admonishment or Call to Order

In most aspects of House procedure, the chair usually will not call to the chamber's attention that a violation of House rules is taking place. Instead, the resulting proceedings are considered valid unless a Member makes a timely point of order. In preserving decorum and order, however, the Chair takes more initiative in enforcing House rules and precedents. Besides calling Members to order for words and conduct specified in clauses 1 and 5 of Rule XVII, the Speaker also may admonish Members against using vulgar or profane words.<sup>43</sup>

The Speaker's authority to admonish Members and call them to order for indecorous remarks or conduct in floor debate derives from two House rules:

- **Rule I, clause 2:** "The Speaker shall preserve order and decorum and, in case of disturbance or disorderly conduct in the galleries or in the lobby, may cause the same to be cleared."
- **Rule XVII, clause 4:** "If a Member, Delegate, or Resident Commissioner, in speaking or otherwise, transgresses the rules of the House, the Speaker shall, or a Member, Delegate, or Resident Commissioner may, call to order the offending Member, Delegate, or Resident Commissioner, who shall immediately sit down unless permitted on motion of another Member, Delegate, or the Resident Commissioner to explain...."

Under House precedents, the chair takes the initiative in calling Representatives to order for making improper references to the President, Senators, or the Senate. By contrast, the chair generally lets Representatives take the initiative in enforcing appropriate decorum when unparliamentary remarks about another Representative are spoken in House debate. However, when Members do engage in personalities in debate, the Speaker's announced policies, quoted above, provide that the chair may interrupt Members in the middle of their remarks to call them to order.

Upon calling a Member to order, the chair usually directs the Representative to proceed in order. Under House precedents, however, the chair can deny further recognition to a Member who violates the House's standards of decorum, such as ignoring the chair's admonishments to proceed in order.<sup>44</sup> Any Representative could then offer a motion to allow the seated Member to proceed in order.

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<sup>42</sup> In the past, but not since 1921, the House also enforced its standards of decorum by adopting resolutions to censure Members for disorderly words spoken in debate. *Hinds' Precedents*, vol. II, secs. 1247, 1249, 1251, 1253, 1254, 1259, 1305; and *Cannon's Precedents*, vol. VI, sec. 236.

<sup>43</sup> *House Rules and Manual*, sec. 749, p. 553.

<sup>44</sup> For example, see *Congressional Record*, daily edition, vol. 142, Sept. 18, 1996, p. H10529.

Under clause 2 of Rule I and clause 3 of Rule II, the Speaker may direct the Sergeant-at-Arms to restore order in the chamber by, for example, removing a violating Member from the floor or presenting the mace (the House's traditional symbol of order).<sup>45</sup> The chair also enforces order and decorum in the galleries.<sup>46</sup> When there was applause in the galleries on March 26, 1996, a Member asked the chair to inform the gallery of House rules. The chair proceeded to admonish individuals in the galleries that "any manifestation of approval or disapproval of proceedings is in violation of the rules of the House."<sup>47</sup>

## Words Taken Down

Clause 4(a) of Rule XVII, as quoted above, empowers individual Members to call another Member to order for transgressing the House's rules and precedents governing decorum in debate. In exercising this power, a Member can make a point of order on which the chair then rules. Most often though, in addition to, or instead of, making a point of order, a Member demands that the offending words "be taken down." What follows also is governed by the remainder of clause 4(a) and by clause (b) of the same rule:

If a Member, Delegate, or Resident Commissioner is called to order, the Member, Delegate, or Resident Commissioner making the call to order shall indicate the words excepted to, which shall be taken down in writing at the Clerk's desk and read aloud to the House.

(b) The Speaker shall decide the validity of a call to order. The House, if appealed to, shall decide the question without debate. If the decision is in favor of the Member, Delegate, or Resident Commissioner called to order, the Member, Delegate, or Resident Commissioner shall be at liberty to proceed, but not otherwise. If the case requires it, an offending Member, Delegate, or Resident Commissioner shall be liable to censure or such other punishment as the House may consider proper. A Member, Delegate, or Resident Commissioner may not be held to answer a call to order, and may not be subject to the censure of the House therefor, if further debate or other business has intervened.

Representatives can invoke this "words taken down" procedure to call another Member to order for using unparliamentary language in House debate, including references that violate clause 1 of Rule XVII, and vulgar, profane, or otherwise improper words.

When a Representative demands that another Member's words be taken down, the offending words are transcribed from the official reporters' notes and read to the House by a clerk. The demand that words be taken down must be made before debate continues or other business begins. When intervening debate or business has transpired, the demand is untimely and out of order unless the objecting Member was

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<sup>45</sup> Presentation of the mace takes place infrequently in the modern House.

<sup>46</sup> The Speaker has this authority under Rule I, clause 2. House Rule XVIII, clause 1, gives the chairman in the Committee of the Whole the authority to preserve order in the chamber "[i]n case of disturbance or disorderly conduct in the galleries or lobby."

<sup>47</sup> *Congressional Record*, daily edition, vol. 142, March 22, 1996, p. H2675.

on his or her feet and seeking recognition at the appropriate time.<sup>48</sup> In the 104<sup>th</sup> Congress, for example, a demand that words be taken down was untimely when it came several sentences after the offending words were spoken.<sup>49</sup> An important exception involves remarks that constitute personal remarks concerning the Speaker. Under the Speaker's announced policies, based on long-established precedent, such remarks can be disciplined even if intervening debate has taken place.

The business of the House is suspended until the words in question have been taken down and reported by the clerk.<sup>50</sup> Meanwhile, the Representative called to order must be seated. If the words objected to are spoken in the Committee of the Whole, the business of the committee is suspended and the clerk reports the words to the committee. The committee then rises and reports the words taken down to the House. Before directing the clerk to read the words taken down, the chair may ask the Member called to order if he or she seeks unanimous consent to withdraw or modify the remarks in question.

After the clerk reads the words taken down, the chair rules on whether the remarks are unparliamentary. Debate is in order at the discretion of the chair. The chair may ask for an explanation from the Member whose remarks are at issue, or a Representative can move to allow that Member to explain his or her words. The Member called to order also may ask unanimous consent to modify or withdraw those words. Representatives sometimes object to a Member's request to withdraw the words at issue until that Member apologizes for the remarks.<sup>51</sup> The chair makes no ruling if the words are withdrawn or modified in a way that makes them appropriate speech. If the Member called to order claims the words were inaccurately taken down, "the question as to the words" is put to the House for a vote.<sup>52</sup>

When the Chair rules that the words taken down are out of order, the words are usually stricken from the permanent edition of the *Congressional Record* by unanimous consent (the chair states, "Without objection, the words are stricken from the *Record*").<sup>53</sup> If unanimous consent is refused, a motion to strike the words from the *Congressional Record* is in order and "debatable within narrow limits under the hour rule."<sup>54</sup> The question before the House is whether the words will be stricken from

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<sup>48</sup> U.S. Congress, House, *Cannon's Precedents*, vol. 8, sec. 2528.

<sup>49</sup> *Congressional Record*, daily edition, vol. 142, March 28, 1996, p. H3022.

<sup>50</sup> The Representative who demanded that the words be taken down may withdraw the demand before the clerk reports the words.

<sup>51</sup> For some examples, see *Congressional Record*, daily edition, vol. 142, Jan. 4, 1996, p. H1107, and Jan. 24, 1995, p. H546-47.

<sup>52</sup> *Hinds' Precedents*, vol. V, sec. 5179-80.

<sup>53</sup> After the chair rules on a point of order, any Member may appeal that ruling. Appeals are debatable under the hour rule, although appeals often are tabled without debate. This right to appeal enables the House to reverse a ruling of the chair by a majority vote; however, this has not happened in many years.

<sup>54</sup> *House Practice*, "Consideration and Debate" chapter, sec. 32, p. 388.

the *Congressional Record*. Stricken words are replaced in the *Record* with three asterisks (\* \* \*).

A Member whose words are ruled out of order may not speak again that day, even on time yielded by another Representative, without permission of the House. He or she is prohibited from inserting or extending remarks in the *Congressional Record*, but may continue to vote and to demand the yeas and nays. By custom, permission to speak again on that day usually is granted by unanimous consent after the chair's ruling on the words taken down. The motion is most often stated on the chair's initiative (e.g., the chair states, "Without objection, the gentleman from New Jersey may proceed in order."). If objection is heard, a Representative may offer a privileged motion that the Member be allowed to proceed in order. This motion is "debatable within narrow limits of relevance under the hour rule."<sup>55</sup>

After the words taken down procedure is completed, the House resumes its suspended business. If the words taken down were spoken in Committee of the Whole, the House automatically resolves itself back into the committee and resumes the business it had been conducting.

## Questions of Privilege

Under Rule IX, Representatives may raise from the floor one of two types of questions of privilege: a question of the *privileges of the House*, or a question of *personal privilege*. Both types of questions of privilege may be used under certain circumstances to enforce the House's standards of decorum. However, questions of privilege may not be used as an alternative to demanding that a Member's words be taken down, since clause 4 of Rule XVII prohibits challenges to a Member's remarks (except against the Speaker) if debate has intervened.

### *Questions of the Privileges of the House.*

Questions of the privileges of the House are "those affecting the rights of House collectively, its safety, dignity, and the integrity of its proceedings" (Rule IX, clause 1). A Member can submit a resolution stating this type of question from the floor. The Majority and Minority Leaders may offer such a resolution for immediate consideration whenever the House is not considering another measure. Members other than the leaders must first announce their intention to offer such a resolution and the resolution's content. Under clause 2 of Rule IX, that resolution must be considered within two legislative days after this announcement, at a time designated by the Speaker.

In either case, and before the House takes up the resolution, the Speaker first rules on whether it poses a question of the privileges of the House. The resolution must show a "prima facie violation or breach of the privilege of the House."<sup>56</sup> The Speaker's ruling may be appealed by any Member. If the Speaker rules that the

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<sup>55</sup> Ibid., p. 389.

<sup>56</sup> U.S. Congress, House, *Deschler's Precedents of the U.S. House of Representatives*, 94<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 1977), vol. 3, ch. 11, sec. 4.1.

resolution does not raise a valid question of privilege, it is not in order for floor consideration under Rule IX. If the Speaker finds that the resolution does raise a question of privilege, the House proceeds to debate the resolution under the one-hour rule, subject to a nondebatable motion to table it. If no motion to table is made, the time for debating the resolution is divided equally between the resolution's proponent and the Majority or Minority Leader (or their designees).

Indecorous words or conduct can give rise to a question of the privileges of the House if a Member believes that the alleged breach of decorum has undermined the integrity of House proceedings. For example, on September 18, 1997, Representative Menendez offered and was recognized to debate H. Res. 233, a resolution stating a question of the privileges of the House. Representative Menendez proceeded to explain that, while making a parliamentary inquiry on the previous day, a former Representative who was in the chamber that day had "used profane language, accused me of religious bigotry, called my integrity into question, and, by the tone of his voice and the context of his remarks, clearly attempted to lure me off the floor into a physical altercation." H. Res. 233 called for the House to affirm "its unequivocal commitment to the principle that every person who exercises the privilege of admission to the Hall of the House or rooms leading thereto assumes a concomitant responsibility to comport himself in a manner that properly dignifies the proceedings of the House." The resolution also instructed the Sergeant-at-Arms to remove the former Representative from the chamber and adjoining rooms, and to prevent the gentleman's return until his contested election was resolved.<sup>57</sup> A motion to table Representative Menendez's resolution was defeated 86-291, and the resolution was adopted, 289-65, after debate.

### *Questions of Personal Privilege.*

Questions of personal privilege are "those affecting the rights, reputation, and conduct of Members, Delegates, or the Resident Commissioner, individually, in their representative capacity only" (Rule IX, clause 1). A question of personal privilege "ordinarily involves a reflection on a Member's integrity or reputation."<sup>58</sup> Criticism of a Member's legislative activity, for example, usually does not qualify as a question of personal privilege.<sup>59</sup> Questions of personal privilege are not raised in the form of a resolution. A Member can raise a question of personal privilege from the floor, but must justify why the question is one of personal privilege. The Speaker rules on whether the question constitutes one of personal privilege. If the Speaker decides in the affirmative, the Member is recognized under the one-hour rule and controls the debate time. No vote occurs at the end of the debate because there is no question pending before the House.

Questions of personal privilege may not be based on remarks made during House floor debate, presumably because the offended Member has an alternative recourse

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<sup>57</sup> Former Representative Robert Dornan had contested the results of his November 1996 election defeat to Representative Loretta Sanchez.

<sup>58</sup> *Deschler's Precedents*, vol. 3, ch. 11, sec. 24.1.

<sup>59</sup> *Ibid.*

available: to demand that the offending words be taken down, which is the exclusive remedy under clause 4 of Rule XVII. Questions of personal privilege can be raised, however, in response to words that are not spoken in debate and, therefore, cannot be taken down. For example, questions of personal privilege have been raised because of words inserted in the *Congressional Record* (e.g., in “Extensions of Remarks,” in inserted letters and articles, or in a speech printed under a Member’s “leave to revise and extend his remarks”), or remarks one Representative made about another in the media.<sup>60</sup>

For example, on May 14, 1996, a Representative raised a question of personal privilege to respond to questions about him that had been mentioned in another Member’s “Dear Colleague” and “Extensions of Remarks” communications. This Representative used the personal privilege procedure to, in his words, “set the record straight.”<sup>61</sup> In another example, a Member rose to a question of personal privilege on June 27, 1996, to reply to newspaper accounts in which another Representative had described him as “full of prejudice and hatred.”<sup>62</sup>

Alternative mechanisms for responding to attacks on a Member’s personal privilege include delivering a one-minute or special order speech,<sup>63</sup> or inserting remarks in the *Congressional Record*.<sup>64</sup> The response, however, must not violate the chamber’s standards of decorum in debate.

## Use of Exhibits in Debate

Exhibits can be used in floor debate only when the Representative who placed the exhibit on the floor is speaking.<sup>65</sup> House rules provide two methods for removing exhibits that constitute a breach of decorum or are objectionable to an individual Member: (1) the Speaker’s authority to preserve decorum and order under House Rule I, clause 2; and (2) the procedure outlined in House Rule XVII, clause 6.

The latter rule provides that “[w]hen the use of an exhibit in debate is objected to by any Member, Delegate, or Resident Commissioner, its use shall be decided without debate by a vote of the House.” Under this rule, any Member may rise and object to an exhibit being used in House floor debate. This objection is not a point of order requiring a ruling from the chair. Instead, when objection to an exhibit is heard, the chair puts the question of allowing the exhibit to a majority vote of the House. No debate on the question is permitted, and the objecting Member does not have to justify his or her objection. When an objection is raised in the Committee of the Whole, the committee does not rise; it immediately votes on the question of allowing the exhibit.

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<sup>60</sup> *Ibid.*, sec. 27.

<sup>61</sup> *Congressional Record*, daily edition, vol. 142, May 14, 1996, p. H4922.

<sup>62</sup> *Congressional Record*, daily edition, vol. 142, June 27, 1996, p. H7052.

<sup>63</sup> *Deschler’s Precedents*, vol. 3, ch. 11, sec. 22.4.

<sup>64</sup> *House Practice*, “Questions of Privilege” chapter, sec. 22, p. 706.

<sup>65</sup> *Congressional Record*, daily edition, vol. 141, Nov. 10, 1995, p. H12119.

Voluntary removal of the exhibit is an alternative to proceeding to a vote. Parliamentary inquiries asking the chair to judge “the accuracy of the content of an exhibit” are not in order.<sup>66</sup>

Under clause 2 of Rule I, the Speaker may rule exhibits out of order if doing so is necessary to preserve decorum and order. House precedents establish that the Speaker must disallow exhibits that disrupt decorum, or demean the House or one of its Members.<sup>67</sup> For example, during one-minute speeches on November 16, 1995, the chair ruled out of order the front page of a newspaper as an exhibit because it was demeaning to the Speaker.<sup>68</sup> The chair’s decision that an exhibit is out of order can be appealed by any Member. Before recognizing a Member, the chair can inquire about a Member’s intentions to use an exhibit.<sup>69</sup> In one case, when a Member indicated an intention to use allegedly pornographic photographs as exhibits, the chair announced he would prohibit the display of such exhibits on the floor.<sup>70</sup>

## **Examples of Calls to Order for Alleged Breaches of Decorum**

Presented below are examples of words spoken in House floor debate that led to a call to order initiated by the chair or by a Member from the floor. These examples from the 103<sup>rd</sup>, 104<sup>th</sup>, and 105<sup>th</sup> Congresses are presented in reverse chronological order and are grouped into four categories, based on the subject of the remarks: (1) an individual Representative or an identifiable group of Representatives; (2) the Speaker of the House; (3) the President of the United States; and (4) the Senate or Senators. For each example, the debate situation and the type of procedure used (point of order, words taken down, or chair’s admonishment) are noted, and *Congressional Record* (daily edition) page references are listed in brackets after the date (e.g., p. H1624). The procedures that were invoked are classified according to how the *Congressional Record* reported the parliamentary situation.

### **Words About an Individual Representative or Group of Representatives:**

**April 9, 1997** (p. H1353)

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<sup>66</sup> *House Rules and Manual*, sec. 915, p. 778.

<sup>67</sup> *Ibid.*, sec. 622, p. 320.

<sup>68</sup> The chair’s ruling was appealed, and the House adopted a motion to table the appeal, 231-173. See *Congressional Record*, daily edition, vol. 141, Nov. 16, 1995, pp. H13040-H13041.

<sup>69</sup> *House Practice*, “Consideration and Debate” chapter, sec. 62, p. 421.

<sup>70</sup> *Ibid.*

**Debate situation:** Debate on a House resolution making it in order to entertain motions to suspend the rules on two days.<sup>71</sup>

**Procedure used:** Words taken down, followed by a parliamentary inquiry.

**Words taken down:** “If you give \$10,000, you can have a meeting. You know what you get, ladies and gentlemen? You get seats in the gallery. You get public seats in the gallery. You know what big donors get? They get access to leadership power and decisions. That is under the existing system, and that is why we are saying it has to be reformed. Two years ago we watched as top lobbyists sat in the majority whip’s office and drafted legislation to the Clean Water Act.”

**Chair’s ruling:** “In the opinion of the Chair, there was no direct reference to a Member specifically performing a quid pro quo. Therefore the Chair will rule that the words are not unparliamentary. The Chair would, however, admonish all Members that it is a violation of the House rules to address the people in the galleries. It is also a violation of both the rule and the spirit of the rule to challenge or question another Member's personal motives.”

**Parliamentary inquiry:** “Mr. Speaker, if I understand your ruling correctly, the gentleman from California has made statements about another Member of this House that are incorrect. Is it the chair’s ruling that a Member can make incorrect statements about another Member on the floor and not have his words taken down?”

**Chair’s response:** “The Chair is not in a position to rule on the truthfulness or veracity of a statement made by a Member on the floor of the House. That is a subject for debate.”

**July 25, 1996** (p. H8523)

**Debate situation:** Special order speech.

**Procedure used:** Words taken down.

**Words taken down:** “I was aware of what you were going to say today. You know full well the reason you came down here on the floor and said what you said is that you didn’t have the nerve to go up in the Press Gallery and make those charges because you would be subject to a lawsuit.”

**Chair’s ruling:** “In the opinion of the Chair, the remarks question the integrity of the gentleman from Pennsylvania [...] and constitute a personality in debate.”

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<sup>71</sup> Under Rule XV, clause 1, a motion to suspend the rules and pass a particular measure is in order every Monday and Tuesday, and sometimes during the closing days of a session. At all other times, this motion is in order only by unanimous consent or by a resolution making it in order on other days.



**June 27, 1996** (p. H7048)

**Debate situation:** House consideration of a special rule making it in order to consider a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period.

**Procedure used:** Words taken down, followed by parliamentary inquiries and the issuance of apologies.<sup>72</sup>

**Words taken down:** “And to the gentleman from Arizona, every time somebody says something you don’t like, you open your mouth and your start shouting from your seat. You are one of the most impolite Members I have ever seen in my service in this House.”

**Chair’s ruling:** “In the opinion of the chair, the last sentence of the gentleman from Wisconsin constitutes a personality in violation of clause 1 of rule XIV.”<sup>73</sup>

**Parliamentary inquiry:** “What actions can the House take against an individual, what are the parliamentary avenues available to a speaker when an individual, either verbally or through motions, is disrupting his time in speaking on the floor ...?”

**Chair’s response:** “The Chair will take the initiative to maintain order in the Chamber when Members are speaking.”

**January 5, 1996** (p. H190)

**Debate situation:** One-minute speech.

**Procedure:** Chair’s admonishment.

**Words spoken:** “Now the Republican lunatics are now going to propose that we let the Federal workers go to work, that is fine, get paid, that is fine, but they cannot do anything because they are not going to fund the functions that they are to perform. Lunacy still prevails.”

**Chair’s admonishment:** “The Chair would caution those who are giving 1-minutes not to use words that might be taken down. ‘Lunacy’ and ‘lunatics,’ in addressing any Members on the floor of the House, are not permissible words.”

**November 15, 1995** (p. H13035)

**Debate situation:** Special order speech.

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<sup>72</sup> In this situation, other Members on the floor suggested that the two Members involved apologize to each other. These apologies were issued, and the Member who uttered the words taken down was allowed to proceed in order.

<sup>73</sup> Now clause 1 of Rule XVII.

**Procedure:** Words taken down.

**Words taken down:** “For example, when one of the leaders of the Democratic party says, ‘Well, Republicans are going to cut Medicare,’ knowing full well we are going from \$4,800 to \$6,700 per person knowing that, and they look your mother in the eye and your dad and assume that they do not know what is going on and say, ‘The Republicans are going to cut your Medicare.’ Wouldn’t it be great to have a beep come on and for all these C-SPAN viewers out there to know the person who is now speaking is lying.”

**Chair’s ruling:** “The words are not a specific reference to any individual members. Earlier this evening, reference was made to the ‘so-called leadership’ of the House and that was not a reference to a specific person. The Chair would rule that these words are not out of order, but the Chair would caution Members again to be respectful to the House leadership and to each other here this evening.”

**June 8, 1995** (p. H5697)

**Debate situation:** One-minute speech.

**Procedure used:** Words taken down.<sup>74</sup>

**Words taken down:** “One after another after another of our liberal colleagues take to the well to carp, to moan, to deceive, and to distort. The lies roll off their tongues so easily. They can say the most outlandish things with such ease, you would swear that it is Mephistopheles himself that was up there speaking. For instance, they say that Republicans are drastically cutting Medicare. It is not true and they know it. Far from cutting Medicare, Republicans are strengthening the programs and saving it from certain bankruptcy as said so by the trustees of the program itself. They tell the same lies about the programs for children, about education, about nutrition, you name it.”

**Chair’s ruling:** “The Chair’s ruling is that the use of the word ‘lies’ in that context as it relates to specific Members and generally as it relates under the Rules of the House regarding Members’ participation in debate, is inappropriate and is a breach of decorum.”

**March 29, 1995** (p. H3896)

**Debate situation:** Committee of the Whole debate on H. J. Res. 73, the term limits constitutional amendment.

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<sup>74</sup> While the Clerk of the House was taking down the words, the Member who uttered the words asked unanimous consent to strike “lies” from his remarks and to proceed. There was an objection to this request. The words taken down procedure was then carried out to completion.

**Procedure used:** Words taken down.<sup>75</sup>

**Words taken down:** “I had specific conversation with the gentleman from Michigan, and he stated to me very clearly that it is his intention to vote against this bill on final [passage]. Now, if that is not a cynical manipulation and exploitation of the American public, then what is? What could be more cynical? What could be more hypocritical?”

**Chair’s ruling:** “In the opinion of the Chair, ascribing hypocrisy to another Member has been ruled out of order in the past, and is unparliamentary. Without objection, the words are stricken from the record.”

**January 24, 1995** (p. H554)

**Debate situation:** One-minute speech.

**Procedure used:** Words taken down, followed by a parliamentary inquiry.

**Words taken down:** “But it is apparent to anyone who is paying attention to what is going on that the Democratic Party is doing everything they can to derail the Contract With America. They are proposing hundreds of amendments to slow down the process. All I want to say is that it is the height of hypocrisy, the height of hypocrisy for the Democrats to come down here and complain about what the Republicans are doing after the way they have run this House for the last 40 years.”

**Chair’s ruling:** “It would be out of order for the gentleman to make reference to a particular Member, but precedent suggests that reference to procedures, or amendments, or to parties is not out of order. The House will proceed in regular order please.”

**Parliamentary inquiry:** “The second half of the statement of the distinguished gentleman made reference to the Democrats. The context clearly indicated that it was the Democratic Members of the House that he was referring to. My parliamentary inquiry, therefore: Since the rules prohibit the impugning of motives of Members of the House, just under half the Members of the House; so is it not permitted under the rules then to impugn the motives of an individual Member of the House, but to impugn the motives of a group of Members of the House is permitted?”

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<sup>75</sup> Before the Clerk reported the words, the Member who uttered the remarks asked unanimous consent to withdraw the word “hypocritical,” but declined to apologize or withdraw the word “cynical.” Objection was heard from the Member who was the subject of the offending remarks. The clerk proceeded to report the words. After the House voted, 212-197, to allow the Member who made the remarks to proceed in order, that Member issued an apology to the Representative from Michigan.

**Chair's response:** "The Chair believes that collective political motivation can be discussed and it was not discernible that it was relating to any particular Member. The House will proceed in regular order, please."

**January 18, 1995** (pp. H306-H307)

**Debate situation:** One-minute speech.

**Procedure used:** Words taken down, followed by a parliamentary inquiry.

**Words taken down:** "That is what is happening here. The other side of the aisle is trying every tactic they can to stop the Contract With America. That is quite evident to the American people."

**Chair's ruling:** "In the opinion of the Chair that is not an improper personal reference to any Member."

**Parliamentary inquiry:** ". . . what the Chair is saying is it is all right to impugn motives by innuendo of a whole group. Is that correct? So he can say it about the whole group, but not to a Member, because that is by innuendo he implied our motives and my motives."

**Chair's response:** "It is the opinion of the Chair that the words do not engage in personal innuendo against any one Member, and Members can engage in debate on political motivation ... which is not personal."

**July 29, 1994** (pp. H6461-H6462)

**Debate situation:** One-minute speech.

**Procedure used:** Words taken down.

**Words taken down:** "He had to be gaveled out of order because he badgered a woman who was a witness from the White House.... I am pleased I was able to come to her defense. Madam Chairwoman, the day is over when men can badger and intimidate women."

**Chair's ruling:** "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 California was not in good order in the subsequent period immediately following those words having been uttered. . . . [I]t 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 find [sic] of the chair that her demeanor at that point in refusing to accept the Chair's instructions was out of order."

**May 13, 1993** (p. 9922)

**Debate situation:** Committee of the Whole debate on an amendment to H.R. 820, a bill to amend the Stevenson-Wydler Technology Innovation Act of 1980.

**Procedure used:** Words taken down

**Words taken down:** “The Walker amendment, so-called middle-class amendment set-aside, in our opinion, demeans, demeans the well-established policy to bring minorities and women into the economic mainstream and should be strenuously opposed. And I ask my colleagues to again support the committee in opposing Mr. Walker’s demeaning amendment.”

**Chair’s ruling:** “The Chair rules that the use of the language ‘demeaning’ has, as its descriptive objective, the amendment itself and the policy therein and does not go to the motive or the character of the individual who is offering the amendment. Members may take issue with the description of the amendment, but it is certainly, in this instance, not used to describe the character of the Member or his motives. The words are not unparliamentary.”

#### **Words About the Speaker of the House:**

**April 17, 1997** (p. H1624)

**Debate situation:** One-minute speech.

**Procedure used:** Words taken down.<sup>76</sup>

**Words taken down:** “I am surprised to see my Republican colleagues on the floor today congratulating Speaker Newt Gingrich for doing something he should have done months ago, paying \$300,000 for lying to Congress. Speaker Gingrich admitted to bringing discredit on the House of Representatives. He has admitted to lying to this House.”

**Chair’s ruling:** “The words of the gentleman from Georgia constitute a personality against the Speaker. Under the precedents, the debate should not go to the official conduct of a Member where that question is not pending as a question of privilege on the House floor. The fact that the House has addressed a Member’s conduct at a prior time does not permit this debate at this time. Therefore, the gentleman’s words are out of order.”

**September 24, 1996** (p. H10773)

**Debate situation:** One-minute speech.

**Procedure used:** Series of points of order.

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<sup>76</sup> There was an objection to allowing the Member to proceed in order. A motion to allow the Member to proceed was then offered. The House tabled this motion by a vote of 223-199.

**Words spoken:** “Madam Speaker, here we continue on; it has been over a month. Mr. Cole has filed his report with the Committee on Standards of Official Conduct on Speaker Gingrich. This is a huge dark cloud that hangs over the House.”

**First point of order:** “The gentleman in the well is referring to matters before the Committee on Standards of Official Conduct, which is explicitly against the rules of the House.”

**Chair’s ruling:** “The Chair sustains the point of order and directs the gentleman from Missouri to proceed in order.”

Two identical points of orders were subsequently raised and sustained.

**September 17, 1996** (p. H10439)

**Debate situation:** One-minute speech.

Procedure used: Point of order.

**Words spoken:** “Mr. Speaker, I rise today to once again add my voice to the growing chorus of Members of this House, editorial board writers, public interest groups, and American citizens calling for the release of the ethics report on Speaker Gingrich.”

**Point of order:** “Mr. Speaker, I have a point of order. . . . Mr. Speaker, is it within the rules of the House to refer to matters before the Committee on Standards of Official Conduct on the floor of the House?”

**Chair’s ruling:** “That is not in order and the gentleman will proceed in order.”

**September 12, 1996** (p. H10332)

**Debate situation:** One-minute speech.

**Procedure used:** Point of order, followed by parliamentary inquiries.

**Words spoken:** “Mr. Speaker, in an editorial yesterday, the New York Times said, the House Ethics Committee, quote, ‘seems determined to sacrifice whatever is left of its credibility by letting Congress adjourn without resolving any of the pending ethics complaints against Speaker Newt Gingrich.’”

**Point of order:** “Mr. Speaker, point of order...the gentleman from Georgia is engaging in debate which is outside the rules of the House and should be admonished by the chair.”

**Chair’s ruling:** “The gentleman from Pennsylvania is correct. Consistent with prior rulings, the gentleman from Georgia is advised to proceed in order.”

**Parliamentary inquiry:** “Is the Chair now telling us that if there has been a periodical published, that in regard to the Ethics Committee, that we cannot comment on it? Or cannot read from it?”

**Chair’s response:** “Newspaper accounts detailing an investigation before the Standards Committee not yet brought to the floor of the House come under the same restrictions as the Member’s own words. That has been the basis of the rulings of the Chair, yes, sir.”

**Further parliamentary inquiry:** “In other words, you are saying, under your ruling, every Member of this House is gagged as far as commenting on a report from the Ethics Committee?”

**Chair’s response:** “Precedents have long held that to be the standard, that is correct. That is the ruling of the Chair.”

**March 22, 1996** (p. H2687)

**Debate situation:** Committee of the Whole debate on H.R. 125, the “Gun Crime Enforcement and Second Amendment Restoration Act of 1996.”

**Procedure used:** Chair’s admonishment.

**Words spoken:** “Newt Gingrich has bent his knee and is kissing the ring of the NRA, even though most of his own Republican colleagues know that this rash step is the wrong thing to do.”

**Chair’s admonishment:** “The gentleman from New York...is reminded that rules of the House do not allow personal attack on the House floor. The gentleman should confine his remarks to the subject at hand.”

**November 16, 1995** (p. H13040)

**Debate situation:** One-minute speech.

**Procedure used:** Parliamentary inquiries.

**Words spoken:** “He may really be a crybaby, but Newt Gingrich wants to demonstrate that he is king of the mountain.”

**Parliamentary inquiry:** “Is it parliamentary to call the Speaker of the House a crybaby?”

**Chair’s ruling:** “Such remarks are not in order and Members should refrain from using such language.”

**Parliamentary inquiry:** “Mr. Speaker, so that I may comply with the rules of the House, I understand that I am not to refer to the Speaker as a crybaby. May I use the term ‘Newt’s tantrum’?”

**Chair's response:** "In answering the gentleman's question, the Chair would point out to the gentleman that the gentleman should be respectful of all Members of the House and the Speaker as well. The gentleman may not use demonstrations to be disrespectful to any Member or to the Speaker."

**January 18, 1995** (p. H301)

**Debate situation:** One-minute speech.

**Procedure used:** Words taken down, followed by a parliamentary inquiry and an appeal of the Chair's ruling.<sup>77</sup>

**Words taken down:** "News accounts tell us that while the Speaker may have given up the \$4.5 million advance, he stands to gain that amount and much more. That is a whole lot of dust where I come from. If anything now, how much the Speaker earns has grown much more dependent on how hard his publishing house hawks his book."

"Now more than ever before the perception of impropriety, not to mention the potential conflict of interest, still exists and cannot be ignored."

**Chair's ruling:** "It is the Speaker's opinion that innuendo and critical references to the Speaker's personal conduct are not in order."

**Parliamentary inquiry:** "Is the Speaker saying it is the ruling of the Chair that any statements as to activity, whether it is illegal or not, by the Speaker of the House in his private actions cannot be brought to the floor of this House? Is that the Chair's ruling? It appears that it is.... I appeal the ruling of the Chair. I want to know what the ruling of the Chair is."

**Chair's response:** "In answer to the gentleman's question, first, it has been the chair's ruling and the precedents of the House support this, a proper level of respect is due to the Speaker."

**Words About the President of the United States:**

**May 30, 1996** (p. H5653)

**Debate situation:** One-minute speech.

**Procedure used:** Chair's admonishment.

**Words spoken:** "There is a huge difference between Bill Clinton's view on welfare reform and the Republican view on welfare reform. Bill Clinton wants to demagog. He wants to protect Washington bureaucracy and Washington spending."

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<sup>77</sup> The House agreed, by a vote of 214-169, to table the appeal of the chair's ruling.



**Chair's admonishment:** "The Chair would remind the Member not to refer to the President in personal terms."

**May 2, 1996** (p. H4411)

**Debate situation:** Special order speech.

**Procedure used:** Chair's admonishment, followed by a parliamentary inquiry.

**Words spoken:** "Another editorialist, Robert Samuelson, for the Washington Post, wrote in straightforward terms that 'The President,' and I am quoting Robert Samuelson, I would say this on the floor myself, but Robert Samuelson said, 'The President lied on Medicare to win votes from senior citizens when the President knew that Social Security was going bankrupt.'" <sup>78</sup>

**Chair's admonishment:** "The Chair would remind the gentleman from Florida that he is not to use any personally derogatory terms in relation to the President."

**Parliamentary inquiry:** "Mr. Speaker are they permissible if they are not my terms?"

**Chair's response:** "The rules of the House do not allow the gentleman to quote from anyone, from any source, that may give some derogatory term to the President which would be improper if spoken in the Member's own words."

**December 19, 1995** (p. H15122)

**Debate situation:** Consideration of a special rule.

**Procedure used:** Words taken down, followed by a parliamentary inquiry.

**Words taken down:** "Yesterday he puts a bunch of children behind him kind of as props and attacks everybody who is expecting him to keep his word. It is very simple. Mr. President, keep your word to the American people. When you talk to those children, talk to them about scout's honor, talk to them about the importance of keeping your word. That is what it all comes down to."

**Chair's ruling:** "In the opinion of the Chair, this is not an improper personal reference to the President."

**First parliamentary inquiry:** "Were not those words just read a direct statement to the President of the United States? Read them again. This is not, under the rules of the House, permitted."

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<sup>78</sup> In this special order speech, the Member also referred to other articles discussing the President.

**Chair's response:** "The Member should not directly address the President.... While the Chair will remind all Members to address the Speaker, not the President, the words were not pejorative to the President."

**November 18, 1995** (p. H13313)

**Debate situation:** Debate on a House resolution giving the Speaker authority to entertain motions to suspend the rules.

**Procedure used:** Words taken down.<sup>79</sup>

**Words taken down:** "We heard him now, I am sure you have seen the recent commercial. We also have Bill Clinton saying, I think it can be done. Well, it can be done, first of all it can be done in 7 years. That is May 1995. Then we heard him in 10 years, then we heard 9 years, and 8 years. Well, my colleagues, we are here to nail the little bugger down, and that is the purpose of this."

**Chair's ruling:** "In the opinion of the Chair, there is an improper reference to the President of the United States and the remarks are not in order."

**May 18, 1995** (p. H5338)

**Debate situation:** Consideration of the conference report on H.R. 1158, an emergency supplemental appropriations bill for fiscal year 1995.

**Procedure used:** Chair's admonishment, followed by a parliamentary inquiry.

**Words spoken:** "What a lie, Mr. President. We are sick of the rhetoric that you are using on this. Do not do it.... I am insulted by the way the President is behaving."

**Chair's admonishment:** "Members are reminded that the President of the United States is to be treated in debate in the same manner as Members of the House."

**Parliamentary inquiry:** "Mr. Speaker, do the rules of the House allow a Member to impugn the motives or activities of the President of the United States without being subjected to having the words taken down, as they would if he made that charge about another Member of the House?"

**Chair's response:** "The rules require that no Member may be personally abusive to the President of the United States, and the words may be taken down, as with

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<sup>79</sup> After a Member asked that the words be taken down, the Representative who uttered the words in question asked unanimous consent that those words be stricken from the *Record*. There was an objection to this request. There also was an objection to allowing the Member to proceed in order. A motion then was offered to allow the Member to proceed in order. The House agreed to this motion, 199-189.

Members, if such conduct takes place. The words to be taken down, though, would be requested from the floor.”

**January 25, 1995** (p. H598)

**Debate situation:** One-minute speech.

**Procedure used:** Words taken down.

**Words taken down:** “Even Andrea Mitchell of NBC took note that it is Ronald Reagan’s prerogative, George Bush’s and all of us who wore the uniform or served in a civilian capacity to crush the evil empire. Clinton gave aid and comfort to the enemy.”

**Chair’s ruling:** “In the opinion of the Chair, that is not a proper reference to the President.”

**May 10, 1994** (p. H3197)

**Debate situation:** Committee of the Whole debate on H.R. 820, National Competitiveness Act of 1993.

**Procedure used:** Chair’s admonishment.

**Words spoken:** “Mr. Speaker, the President must answer many charges in the months to come. The most serious of all to the American people is the President’s penchant for factual harassment.”

**Chair’s admonishment:** “The Chair wishes to remind Members that comments regarding the President of the United States are covered by House rules of comity, and Members should avoid any references to the President that involve suggestions of a personal character. The Chair wishes to allow reasonable latitude for debate on subjects of personal interest and importance, but Members will observe the rules of comity with regard to the President, Members of the other body, and their fellow Members.”

**Words About the Senate, Individual Senators, or a Group of Senators:**

**June 5, 1997** (p. H3536)

**Debate situation:** Debate on a conference report on an emergency supplemental appropriations bill.

**Procedure used:** Point of order, followed by a parliamentary inquiry.

**Words spoken:** “But the senior Senator from Alaska decides that he would rather hold the flood victims hostage. The senior Senator from Alaska has decided rather than have an open debate, he would rather stick it into a bill for people in a desperate situation.”

**Point of order:** “I do not ask that the gentleman’s words be taken down because of the lateness of the day. But I would make a point of order that the gentleman’s words were out of order.”

**Intervening parliamentary inquiry from the Member who uttered the words:** “I guess I need to be reminded again how we identify who is being talked about if we are talking about somebody in the Senate. What does one say? A Senator?”

**Chair’s response:** “The Chair would remind all Members not to mention specific Senators in a derogatory manner.”

**March 13, 1997** (p. H994)

**Debate situation:** House debate on a special rule.

**Procedure used:** Chair’s admonishment.

**Words spoken:** “. . . we passed campaign finance reform and President George Bush vetoed it. We passed it through this House. It got to the Senate, and I can only reference the gentleman in the other body in the Republican Party from Kentucky who filibustered it to death, and in the opening days of this Congress he threatened to filibuster any new campaign finance reform bill to death.”

**Chair’s admonishment:** “The Chair would advise Members to avoid making references to Members of the other body.”

**February 27, 1997** (p. H690)

**Debate situation:** Special order speech.

**Procedure used:** Chair’s admonishment.

**Words spoken:** “I am calling on, today, hoping that our colleagues on the other side of the Capitol, when this vote comes up next week, will look into their hearts and see if this is not the right move. It is not only the right move, it is the only move if we are to preserve a future for our kids and for our grand kids. I hope we will have the opportunity in this House, if the Senate goes first and votes and will approve a balanced budget amendment, that we can do it in the House and make this a better place for the next generation.”

**Chair’s admonishment:** “The Chair reminds Members to refrain from references to Members of the other body urging action by the other body.”

**February 27, 1997** (p. H695)

**Debate situation:** Special order speech.

**Procedure used:** Chair’s admonishment.

**Words spoken:** “For the rest of America, if an advertiser does a bait and switch, they get sent to jail. But in Congress that is OK because there is a Senator back in 1994 who in November 1994 promised that if she got to Washington, D.C. again, if she was reelected again, that she would support the balanced budget amendment. Well, she got elected in November 1994, and 6 weeks later she came to Washington, D.C.”

**Chair’s admonishment:** “Would the gentlemen suspend? The Chair must remind the Member that he has to refrain from references to Members of the other body and to direct his remarks to the Speaker.”

**July 12, 1996** (p. H7507)

**Debate situation:** Special order speech.

**Procedure used:** Chair’s admonishment.

**Words spoken:** “Because the Senate Republicans are holding the minimum wage hostage to special interests. In exchange for releasing their hold on the minimum wage, Republican Senators want medical savings accounts added to health care reform as a ransom for its release. MSAs, the Republican payoff to special interests and big donor insurance companies....”<sup>80</sup>

**Chair’s admonishment:** “The Chair would remind Members that under the rules and precedents of the House it is not in order to cast reflections on the Senate or its Members, either individually or collectively.”

**January 3, 1996** (p. H4)

**Debate situation:** House debate on whether a resolution before the House constituted a question of privilege.

**Procedure used:** Chair’s admonishments.

**Words spoken:** “...I would like to quote initially today’s *Congressional Record*, specifically the majority leader of the Senate, Senator Dole. Senator Dole, I quote says, ‘Let me just say I read a wire story, there’s a split between the House and the Senate on what ought to happen. I do not get that feeling at all in talking with the Speaker. In fact, we just had a 30-minute meeting.’”

**Chair’s first admonishment:** “The gentleman is not discussing the matter before the House which is the question of privilege. The gentleman will confine his remarks to the matter before the House.”

**Follow-up words spoken by same Member:** “The majority leader of the Senate, in offering this motion and speaking to it prior to its passage in the

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<sup>80</sup> Similar words were spoken throughout the special order. This is a selected excerpt.

Senate, which it has now, this is the very same motion offered by the minority leader.”

**Chair’s second admonishment:** “The Chair will remind the gentleman of the proceedings of the House. He is not to quote matters that have taken place in the other body unless they related specifically to the matter before the House, which is the question of privilege. So the gentleman will have to confine his remarks to those matters that relate to the question of privilege before the House.”