

CRS Report for Congress

Points of Order and Appeals in the Senate

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POINTS OF ORDER AND APPEALS IN THE SENATE

SUMMARY

The Senate can control its floor proceedings by voting directly on points of order or by voting on appeals of rulings made by its Presiding Officer. During the 89th-99th Congresses (1965-1986), 213 questions of order arose on the Senate floor that gave rise to one or more rollcall votes. Although these questions touched on many aspects of the Senate's procedures, they related most frequently to amendments to appropriations measures, the germaneness of amendments, and the Senate's cloture procedure under Rule XXII.

POINTS OF ORDER AND APPEALS IN THE SENATE

This report presents a compilation of information on points of order and appeals on which the Senate acted by rollcall votes between 1965 and 1986, during the 89th-99th Congresses. The compilation is preceded by a brief discussion of why, how, and when points of order and appeals are likely to arise on the Senate floor.

DETERMINING AND ENFORCING SENATE RULES

Article I of the Constitution gives the Senate, as well as the House of Representatives, the authority to "determine the Rules of its Proceedings." From this authority flow the corollary powers of the Senate to interpret and enforce the rules it has adopted, and to ignore, waive, suspend, amend, or repeal any of these rules as its Members see fit. Several other provisions of Article I do govern aspects of the legislative process, but the Senate retains considerable discretion to determine what most of these provisions require or permit. According to Section 5, for example, a simple majority of Senators constitutes a quorum to do business, but the Senate assumes that a quorum is present, even when it clearly is not, unless and until its absence is formally demonstrated by a call of the roll. "Until a point of no quorum has been raised, the Senate operates on the assumption that a quorum is present, and even if only a few Senators are present, a bill may be passed."¹

The Senate's Presiding Officer, whether it be the Vice President or some Senator of the majority party, usually does not take the initiative to enforce the rules affecting the Senate's conduct of its legislative and executive business on the floor, or the precedents that have developed to govern the

¹ Floyd Riddick, *Senate Procedure*. Washington, U.S. Government Printing Office, 1981; Senate Document No. 97-2; 97th Congress, 1st Session, p. 833. This volume is the authoritative and indispensable collection of the Senate's precedents and practices.

interpretation and application of the rules.² Only after the Senate has invoked cloture, pursuant to Rule XXII, is the Presiding Officer to rule certain actions and matters out of order at his or her own initiative.³ Under other circumstances, it normally is the right and responsibility of each Senator to enforce the Senate's procedures by making a point of order whenever he or she believes that a violation of these procedures is occurring or is about to occur.⁴

MAKING POINTS OF ORDER

Under the Senate's regular rules and precedents, a Senator who has been recognized may make a point of order against some proposition or proposed action at any time the Senate is considering it, except when a vote or quorum call is in progress. For example, a Senator who has the floor may make a point of order against an amendment at any time after the amendment has been read (or its reading has been dispensed with by unanimous consent) and until the vote on the amendment has begun.⁵ But a point of order cannot be made against a proposition or proposed action until it actually is before the Senate. For instance, a Senator cannot make a point of order against a bill while the Senate is debating a motion to consider the bill. The point of order is timely only after the Senate has agreed to the motion and the Clerk has reported the bill itself for consideration.

The unanimous consent agreements under which the Senate frequently operates affect when Senators may make points of order. The Senate

² The Presiding Officer sometimes advises a Senator that an action he or she has initiated--for example, an amendment or motion that he or she has just offered--is not in order. The effect of this advice is to prevent the Senator from proceeding as he or she had planned. But the Presiding Officer is likely to intervene in this way only when failing to do so might seriously confuse or disrupt the Senate's conduct of business. In addition, the Presiding Officer often responds to parliamentary inquiries by offering judgments as to whether some action that a Senator contemplates taking would or would not be in order.

³ Under paragraph 4 of Rule XIX, the Presiding Officer does have the authority to call a Senator to order for transgressing the rules relating to debate.

⁴ There are some actions that Senators may not challenge by points of order. For example, a point of order "will not lie against the action of the Chair in counting Senators to ascertain whether a sufficient number have seconded the demand for the yeas and nays." Senate Procedure, p. 799.

⁵ Senate Procedure, p. 799.

transacts much of its business on the floor under "time agreements" that are arranged by unanimous consent and that supersede some of the Senate's debate rules by specifying periods of time for debating individual amendments, motions, or other matters. For example, such an agreement may provide for one hour of debate on each amendment to a certain bill, with each hour to be equally divided between the control of the Senator offering the amendment and the majority party Senator acting as floor manager of the bill on behalf of the committee that had reported it. Under such conditions, a point of order cannot be made against the amendment so long as time remains under the agreement for debating it.

RULING ON POINTS OF ORDER

The Presiding Officer rules on most points of order, according to paragraph 1 of Rule XX, normally after receiving the advice of the Senate's Parliamentarian. However, paragraph 2 of the same rule provides that the "Presiding Officer may submit any question of order for the decision of the Senate." The Presiding Officer is most likely to do so if the point of order raises a question of particular importance on which the existing rules and precedents fail to offer sufficiently clear guidance.⁶ In addition, paragraph 4 of Rule XVI states that the Senate shall decide all points of order concerning the relevancy or germaneness of amendments to appropriations bills without there first being a ruling by the Chair. Also, "[u]nder the uniform practices of the Senate, whenever a question of constitutionality is raised, the Chair submits the question to the Senate for decision."⁷

Senators have no right to debate a point of order on which the Presiding Officer is about to rule. However, "under recent precedents of the Senate, debate has been entertained in the discretion of the Presiding Officer for his own enlightenment and edification; and where the Chair permits such debate he may stop it at any time he desires."⁸ On the other hand, a point of order is debatable when the Presiding Officer has submitted it to the Senate for its decision, either at his or her discretion or in accordance with well-established practice, as in the case of constitutional questions. An exception is a point of order that an appropriations amendment is non-germane; Rule XVI provides that such questions are to be decided without debate. Similarly, Rule

⁶ In general, a question of order which the Senate itself decides has the greatest weight as precedent, followed by rulings of the Presiding Officer that are not appealed to the Senate. The least weight is accorded to the Chair's responses to parliamentary inquiries because they are advisory in nature and are not subject to appeal and reversal by the Senate as a whole.

⁷ Senate Procedure, p. 538-539.

⁸ Senate Procedure, p. 612.

XXII states that points of order shall be decided without debate when the Senate is operating under cloture. When the Senate acts on a point of order, it disposes of it by simple majority vote. The vote may occur on the question as posed by the Presiding Officer--whether the point of order is well-taken--or on a motion to table the point of order, thereby disposing of it adversely.

APPEALING DECISIONS OF THE CHAIR

To preserve control over its own proceedings, the Senate reserves the right to review and, if necessary, reverse almost any decision of its Presiding Officer on a point of order. A Senator who does not accept the judgment of the Chair may appeal that ruling so long as other business has not intervened between the ruling and the appeal. The Senate then decides whether to sustain the ruling of the Chair or overturn it on appeal. The Presiding Officer normally poses the question in this form: "Shall the decision of the Chair stand as the judgment of the Senate?" In such cases, a "Yea" vote supports the decision the Presiding Officer has rendered. Alternatively, a Senator may move to table the appeal, just as a point of order submitted to the Senate may be tabled. The Senate disposes of appeals by simple majority vote, except for certain points of order raised under the Budget Act, as discussed below.

Under most circumstances, appeals are debatable. For this reason, time agreements frequently impose debate limits on appeals as well as on points of order on which the Presiding Officer entertains debate or which he or she submits to the Senate for its decision. There is no debate on an appeal after the Senate has invoked cloture, however, and Senate precedents identify a number of circumstances in which an appeal has been held non-debatable when the underlying question to which the appeal related also was not debatable. An appeal may not be debated, for instance, when it relates to an adjournment resolution or a motion to table, neither of which is debatable.⁹

POINTS OF ORDER IN SENATE PRACTICE

Senators do not frequently make points of order on the floor. Many Senators share the view that the Senate is better served when issues are resolved through negotiation and accommodation, rather than through the strict application of its rules and precedents. Certain rules rarely are enforced. Only under extremely contentious circumstances, for example, do Senators invoke the "two speech rule"--the provision of Rule XIX that "no Senator shall speak more than twice upon any one question in debate on the same legislative day without leave of the Senate...." And Senators sometimes offer amendments that might be subject to points of order--often for proposing

⁹ Senate Procedure, p. 575-576.

to affect a bill in two or more non-contiguous places--without anyone noting the violation, much less insisting on a point of order.

Points of order are most likely to arise when the pending business is seriously contested and highly controversial. For example, a disproportionate number of points of order have related directly or indirectly to the Senate's cloture rule, both because measures considered under cloture evoke strong support and opposition and because the cloture rule itself sometimes has been the source of controversy. In such circumstances, Senators have greater incentive to take full advantage of their rights and prerogatives under the Senate's rules and precedents. Unusual tactics may be attempted and unusual situations may develop, giving rise to points of order that the proper procedures of the Senate are being abused or violated. Also under these circumstances, Senators are more prone to insist on enforcing some rules that are ignored or circumvented in the conduct of routine business. In addition, Senators have been known to make points of order or appeal rulings of the Chair, or both, not to challenge the propriety of the action involved, but instead to delay Senate action or express displeasure with some other development.

APPROPRIATIONS, BUDGET, AND TAX MEASURES

Appropriations amendments also attract a disproportionate number of points of order because Rule XVI subjects such amendments to certain prohibitions against proposing unauthorized appropriations or "new or general legislation." The same rule also requires that amendments to general appropriations measures must be germane; however, Senate precedents provide an important exception to the germaneness requirement. If a House-passed appropriations measure contains a legislative provision, the Senate may consider germane amendments to it, even if those amendments otherwise would constitute "new or general legislation." Thus, if a Senator makes a point of order that a pending amendment proposes legislation, another Senator who supports the amendment may raise the question or "defense" of germaneness, contending that the amendment is germane to a provision already in the bill as passed by the House. This question is decided by the Senate. If a majority holds the amendment germane, it is in order even if it is legislative in character. If the Senate votes that the amendment is non-germane, on the other hand, it is out of order for that reason.¹⁰

The Budget Act of 1974 created additional points of order that can be made during consideration of appropriations and other spending measures as

¹⁰ "If the House of Representatives opens the door by incorporating legislation in a general appropriation bill, the Senate has an inherent right to amend such proposed legislation, and to perfect that language, notwithstanding its rules." Senate Procedure, p. 133.

well as budget resolutions and tax and reconciliation bills. But the Act also created motions by which a simple majority of Senators could waive any provision of the Act that might provide grounds for a point of order. In framing the Gramm-Rudman-Hollings Act of 1985 and amending it in 1987, the Senate strengthened the 1974 Act and the new deficit reduction procedures attached to it by requiring a vote of three-fifths of all the Senators duly chosen and sworn to waive any of eight enforcement provisions.¹¹ If a Senator appeals a ruling based on one of these provisions, the same three-fifths vote is required to overturn it on appeal.¹² Also in 1985, the Senate applied this three-fifths vote requirement to motions to waive certain Budget Act provisions relating to reconciliation bills and amendments, and especially to extraneous provisions and amendments without direct and significant budgetary impact. The requirement also applies to appeals arising from the same provisions of the Act.¹³

WAIVERS, SUSPENSIONS AND APPEALS

The Budget Act and the related statutes of 1985 and 1987 are unusual in that they created points of order but also provided for motions to waive them--first by simple majority votes and then, in certain instances, by three-fifths votes. The Senate's other legislative procedures can only be set aside by unanimous consent or by motions to suspend the rules. A Senator wishing

¹¹ Section 271 of the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177). Two of the three-fifths requirements are permanent changes in the Budget Act; the others are to be in effect only for the duration of the Gramm-Rudman-Hollings deficit reduction procedures. A seventh temporary three-fifths waiver requirement was added by Section 211 of the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (P.L. 100-119). See U.S. Congress, Senate, Committee on the Budget, *Congressional Budget and Impoundment Control Act of 1974, as Amended*, 100th Congress, 1st Session; Committee Print; S. Prt. 100-73; January 1988, p. 38-39, 58-59.

¹² Section 210(c) of P.L. 100-119, the Gramm-Rudman-Hollings reaffirmation act of 1987.

¹³ These waiver requirements remain in force until the end of Fiscal Year 1992. Section 20001 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272), as amended by Section 7006 of the Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509) and Section 205 of the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (P.L. 100-119). *Congressional Budget and Impoundment Control Act of 1974, as Amended*, p. 49-51. On this issue, see Edward M. Davis and Sandy Streeter, *Extraneous Matter in Reconciliation Measures: An Overview of the Practice*. Report by the Congressional Research Service, July 25, 1986.

to suspend the rules must give one day's notice of his or her intention to offer such a motion, and it requires the support of two-thirds of the Senators present and voting. Senators rarely propose suspension motions, presumably because of the extraordinary majority they require. There appear to have been only ten such motions on which the Senate acted by rollcall vote between 1967 and 1986, of which half were rejected. All but one of these motions was offered to permit a Senator to offer an amendment to an appropriations bill.¹⁴

The Senate has no procedure intended to enable Senators to waive points of order by simple majority vote, as the House frequently does when it adopts the resolutions (or "special rules") reported by its Rules Committee. The only way in which a simple majority of Senators can circumvent a requirement or prohibition of their floor procedures (other than the budget-related provisions that do not require a three-fifths vote to waive) is by its actions on points of order and appeals. If a majority of Senators are willing to do so, they can effectively waive a rule by failing to sustain a point of order made to enforce it, if the Presiding Officer submits the point of order to the Senate for decision, or by overruling its Presiding Officer on appeal, if the Presiding Officer rules on the point of order and sustains it. There is an inescapable temptation, therefore, for a majority of Senators to dispose of some questions of order in ways that enable them to avoid constraints on the policy decisions they wish to make. Adding to this temptation is the fact that, unlike the House, the Senate does not have a permanent Presiding Officer who also is its political leader.

NOTES ON THE COMPILATION

The compilation that follows documents instances in which the Senate acted on points of order and appeals by rollcall vote during the 89th-99th Congresses, between 1965 and 1986. The numbered entries are arranged in chronological order, and include (1) the date and Congress, (2) a statement of the question of order that arose, (3) a summary of the way in which the Senate disposed of it, (4) a citation to the Congressional Record, and (5) appropriate subject terms. These subject terms form the basis for the Subject List with entry numbers that precedes the compilation itself. Nothing in this compilation should be interpreted as an authoritative statement or interpretation of Senate precedents.

The compilation does not include points of order on which the Senate acted by voting for waiver motions or resolutions under the terms of the Budget Act as amended (see discussion above), nor does it contain points of order and appeals that were resolved without rollcall votes directly relating to them. For example, the Senate can act on points of order and appeals by

¹⁴ Data provided by the Inter-university Consortium for Political and Social Research at the University of Michigan.

voice or division votes. Alternatively, a point of order or appeal may be withdrawn, as may the matter or action that provoked the point of order in the first place.¹⁶ The information on which this compilation is based was developed and provided by the Inter-university Consortium for Political and Social Research at the University of Michigan. Summaries of the questions and their disposition derive from an examination of the Congressional Record.

RELATED CRS REPORTS

Parliamentary Reference Sources: An Introductory Guide. By Ilona B. Nickels, Report 86-175 GOV, November 12, 1986.

An Introduction to the Legislative Process on the Senate Floor. By Stanley Bach, Report 87-176 GOV, March 6, 1987.

The Amending Process in the Senate. By Stanley Bach, Report 83-230, December 7, 1983.

Senate Points of Order and Their Disposition: Trends in Recent Decades. By Richard S. Beth, August 11, 1986.

An Introduction to the Spending and Budget Process in Congress. By Stanley Bach, Report 86-20 GOV, January 29, 1986.

The Authorization-Appropriations Process: Formal Rules and Informal Practices. By Louis Fisher, Report 79-161 GOV, August 1, 1979.

Changes in the Congressional Budget Process Made by the Balanced Budget Act (P.L. 99-177). By Robert A. Keith, Report 86-713, May 23, 1986.

Debt-Limit Increase and 1985 Balanced Budget Act Reaffirmation: Summary of Public Law 100-119 (H.J.Res. 324). By Edward Davis and Robert Keith, Report 87-865 GOV, October 29, 1987.

Manual on the Federal Budget Process. By Allen Schick, Robert Keith, and Edward Davis, Report 87-286 GOV, March 31, 1987.

Resolving Legislative Differences in Congress: Conference Committees and Amendments Between the Houses. By Stanley Bach, Report 84-214 GOV, December 31, 1984.

¹⁶ For a more exhaustive analysis of this subject, see Richard S. Beth, Senate Points of Order and Their Disposition: Trends in Recent Decades. Report by the Congressional Research Service, August 11, 1986.

**POINTS OF ORDER AND APPEALS DECIDED
BY ROLLCALL VOTES IN THE SENATE:
89TH-99TH CONGRESSES (1965-1986)**

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II. CHRONOLOGICAL SUMMARY

1. Date: September 1, 1965

Congress: 89th

Question: On submission by the Chair to the Senate, whether a point of order was well taken that a committee amendment to H.R. 3157 was unconstitutional on the grounds that it violated the Origination Clause which prescribes that all bills for raising revenue shall originate in the House. H.R. 3157 proposed to amend the Railroad Retirement Act of 1937.

Disposition: The Senate held, by a vote of 41-44, that the point of order was not well taken and that the amendment was not unconstitutional.

Reference: 111 Congressional Record 22582-22589.

Subjects: constitutionality
Origination Clause
revenue measures

2. Date: July 14, 1966

Congress: 89th

Question: On submission by the Chair to the Senate, whether the point of order was well taken that S.Res. 283, an original measure reported by the Foreign Relations Committee, was not eligible for consideration because it consisted of subject matter predominately within the jurisdiction of the Armed Services Committee and, therefore, must be referred to that committee before it could properly be placed on the Senate Calendar. The resolution proposed to create a Committee on Intelligence Operations.

Disposition: The Senate held, by a vote of 61-28, that the point of order was well taken; the resolution was referred to the Armed Services Committee.

Reference: 112 Congressional Record 15672-15699.

Subjects: committee jurisdictions
 consideration
 referral of measures to committee

3. Date: October 7, 1966

Congress: 89th

Question: Whether the Dirksen amendment was germane to H.R. 17787, making public works appropriations for FY 1967. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 17-50, that the amendment was not germane and, therefore, not in order.

Reference: 112 Congressional Record 25780-25783.

Subjects: legislation on appropriations measures
 question of germaneness

4. Date: January 18, 1967

Congress: 90th

Question: On submission by the Chair to the Senate, whether the Dirksen point of order was well taken against the McGovern motion proposing that, notwithstanding the Standing Rules, the Senate vote after no more than two hours of debate on a motion to proceed to the consideration of S.Res. 6, to amend Rule XXII concerning the Senate's cloture procedures.

Disposition: The Senate held, by a vote of 59-37, that the point of order was well taken and that the motion concerning consideration of the resolution was not in order. Previously, by a vote of 37-61, the Senate had rejected a motion to table the point of order.

Reference: 113 Congressional Record 908-940.

Subjects: cloture
 constitutionality
 motions to proceed to consideration

5. Date: March 8, 1968

Congress: 90th

Question: On appeal, whether to sustain the ruling of the Chair that the Ervin amendment was not germane to the "Dirksen substitute," the Senate having invoked cloture during consideration of H.R. 2516, concerning interference with civil rights.

Disposition: The ruling of the Chair was reversed on appeal, by a vote of 28-54.

Reference: 114 Congressional Record 5835-5838.

Subjects: cloture
 germaneness

6. Date: January 16, 1969

Congress: 91st

Question: On appeal, whether to sustain the ruling of the Chair that, notwithstanding the provisions of Rule XXII, the Senate had invoked cloture by a vote of 51-47 on a motion to proceed to the consideration of S.Res. 11, proposing to amend Senate Rule XXII concerning cloture, and that further debate on the motion would proceed under the limitations of Rule XXII.

Disposition: The ruling of the Chair was reversed on appeal, by a vote of 45-53.

Reference: 115 Congressional Record 989-995.

Subjects: cloture
 motions to proceed to consideration

7. Date: December 10, 1969

Congress: 91st

Question: Whether to table an appeal from the ruling of the Chair that the McIntyre second-degree amendment to the Dole amendment was not debatable, all time having expired under the unanimous consent agreement limiting debate only on the Dole first-degree amendment. The question arose during consideration of H.R. 13270, the Tax Reform Act of 1969.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 57-38.

Reference: 115 Congressional Record 38286-38289.

Subjects: debate
unanimous consent agreements

8. Date: December 15, 1969

Congress: 91st

Question: On appeal, whether to sustain the ruling of the Chair that the Moss amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 15090, the defense appropriations bill for FY 1970.

Disposition: The ruling of the Chair was sustained by a vote of 66-22.

Reference: 115 Congressional Record 39201-39202.

Subject: legislation on appropriations measures

9. Date: December 18, 1969

Congress: 91st

Question: Whether the committee amendment was germane to H.R. 15209, making supplemental appropriations for FY 1970. The question was raised by Byrd (of West Virginia) with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 52-37, that the amendment was germane and, therefore, in order.

Reference: 115 Congressional Record 39968-39969.

Subjects: legislation on appropriations measures
question of germaneness

10. Date: December 20, 1969

Congress: 91st

Question: Whether to table a point of order, which the Chair had submitted to the Senate, against the conference report on S. 3016, the Economic Opportunity Amendments of 1969, on the grounds that the conferees had exceeded the scope of their authority.

Disposition: The Senate tabled the point of order, by a vote of 39-38, thereby holding the conference report to be in order.

Reference: 115 Congressional Record 40411-40414.

Subjects: authority of conferees
conference reports

11. Date: December 14, 1970

Congress: 91st

Question: Whether a committee amendment was germane to H.R. 19928, making supplemental appropriations for FY 1971. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 59-26, that the amendment was germane and, therefore, in order.

Reference: 116 Congressional Record 41328-41329, 41339-41341.

Subjects: legislation on appropriations measures
question of germaneness

12. Date: March 9, 1971

Congress: 92nd

Question: Whether to table an appeal from the ruling of the Chair that a vote of 55-39 was insufficient to agree to a cloture motion. The question arose following a cloture vote on the motion to proceed to the consideration of S.Res. 9, to amend Rule XXII regarding cloture. In appealing the ruling, Javits contended that a majority of Senators have a constitutional right to change their rules at the beginning of a Congress without being inhibited by the operation of the two-thirds vote requirement then needed to invoke cloture under Rule XXII.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 55-37.

Reference: 117 Congressional Record 5485-5486.

Subjects: cloture
debate
amendments to Standing Rules

13. Date: July 19, 1971

Congress: 92nd

Question: Whether to table an appeal from the ruling of the Chair that the Hart amendment violated Rule XVI by proposing an unauthorized appropriation that was not protected by the exception in the Rule for amendments "proposed in pursuance of an estimate submitted in accordance with law." The question arose during consideration of H.R. 9272, the State-Justice-Commerce appropriations bill for FY 1972.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 51-38.

Reference: 117 Congressional Record 25913-25920.

Subject: unauthorized appropriations

14. Date: August 5, 1971

Congress: 92nd

Question: On appeal, whether to sustain the ruling of the Chair that the Humphrey amendment was not germane to S. 2393, the Economic Disaster Area Relief Act of 1971, which the Senate was considering under a unanimous consent agreement requiring that amendments be germane.

Disposition: The ruling of the Chair was sustained by a vote of 53-29.

Reference: 117 Congressional Record 30131-30132.

Subjects: germaneness
unanimous consent agreements

15. Date: August 6, 1971

Congress: 92nd

Question: On appeal, whether to sustain the ruling of the Chair that the Bayh amendment was not germane to S. 659, the Education Amendments of

1971, which the Senate was considering under a unanimous consent agreement requiring that amendments be germane.

Disposition: The ruling of the Chair was sustained by a vote of 50-32.

Reference: 117 Congressional Record 30412-30415.

Subjects: germaneness
unanimous consent agreements

16. Date: November 22, 1971

Congress: 92nd

Question: On submission by the Chair to the Senate, whether the Pastore amendment to H.R. 10947, the Revenue Act of 1971, was unconstitutional on the ground that it provided for an appropriation and thereby violated the Origination Clause which prescribes that all bills for raising revenue shall originate in the House.

Disposition: The Senate held, by a vote of 41-58, that the point of order was not well taken and that the amendment was not unconstitutional.

Reference: 117 Congressional Record 42632.

Subjects: appropriations
constitutionality
Origination Clause

17. Date: November 23, 1971

Congress: 92nd

Question: On submission by the Chair to the Senate, whether the point of order was well taken that the Jackson amendment to H.R. 11731, the defense appropriations bill for FY 1982, proposed an unauthorized appropriation in violation of Rule XVI.

Disposition: The Senate held, by a vote of 14-81, that the point of order was not well taken and, therefore, that the amendment was in order.

Reference: 117 Congressional Record 42886-42892.

Subject: unauthorized appropriations

18. Date: March 14, 1972

Congress: 92nd

Question: On appeal, whether to sustain the ruling of the Chair that the Mansfield motion to recess to a certain time was in order, notwithstanding the fact that the Senate had just rejected a Mansfield motion to recess to a different time. The question arose during consideration of S. 2574, proposing a program of voter registration program by mail.

Disposition: The ruling of the Chair was sustained by a vote of 51-26.

Reference: 118 Congressional Record 8305-8308.

Subject: motions to recess

19. Date: June 15, 1972

Congress: 92nd

Question: On appeal, whether to sustain the ruling of the Chair that the Tunney amendment to H.R. 14989, the State-Justice-Commerce appropriations bill for FY 1973, proposed an unauthorized appropriation in violation of Rule XVI.

Disposition: The ruling of the Chair was sustained by a vote of 51-17.

Reference: 118 Congressional Record 21076-21078.

Subject: unauthorized appropriations

20. Date: March 20, 1973

Congress: 93rd

Question: On appeal, whether to sustain the ruling of the Chair that the McIntyre amendment was not germane to S. 398, which the Senate was considering under a unanimous consent agreement requiring that amendments be germane. S. 398 proposed the Economic Stabilization Act Amendments of 1973.

Disposition: The ruling of the Chair was reversed on appeal, by a vote of 43-44.

Reference: 119 Congressional Record 8829-8830.

Subjects: germaneness
unanimous consent agreements

21. Date: May 29, 1973

Congress: 93rd

Question: Whether a committee amendment was germane to H.R. 7447, making supplemental appropriations for FY 1973. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 55-21, that the amendment was germane and, therefore, in order.

Reference: 119 Congressional Record 17124-17140.

Subjects: legislation on appropriations measures
question of germaneness

22. Date: June 7, 1973

Congress: 93rd

Question: On appeal, whether to sustain the ruling of the Chair that the Moss amendment was not germane to S. 1888, the Agriculture and Consumer Protection Act of 1973, which the Senate was considering under a unanimous consent agreement requiring that amendments be germane.

Disposition: The ruling of the Chair was sustained by a vote of 59-31.

Reference: 119 Congressional Record 18659-18660.

Subjects: germaneness
unanimous consent agreements

23. Date: July 16, 1973

Congress: 93rd

Question: On appeal, whether to sustain the ruling of the Chair that the Moss amendment was not germane to S. 1081, the Alaska pipeline bill, which the Senate was considering under a unanimous consent agreement requiring that amendments be germane.

Disposition: The ruling of the Chair was sustained by a vote of 52-33.

Reference: 119 Congressional Record 24089, 24095-24096.

Subjects: germaneness
unanimous consent agreements

24. Date: June 12, 1974

Congress: 93rd

Question: Whether the Fong amendment was germane to H.R. 14434, making appropriations for energy research and development for FY 1975. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 40-50, that the amendment was not germane. The Chair then sustained the point of order that the amendment proposed legislation and, therefore, was not in order.

Reference: 120 Congressional Record 18948-18951.

Subjects: legislation on appropriations measures
question of germaneness

25. Date: December 17, 1974

Congress: 93rd

Question: On appeal, whether to sustain the ruling of the Chair that, under cloture, the Kennedy amendment was not germane to H.R. 421, relating to tariffs on upholstery regulators. The amendment proposed to amend the Internal Revenue Code regarding the minimum tax.

Disposition: The ruling of the Chair was sustained by a vote of 61-31.

Reference: 120 Congressional Record 40362-40363, 40373-40374.

Subjects: cloture
germaneness

26. Date: February 20, 1975

Congress: 94th

Question: Whether to table Mansfield's point of order against consideration of the Pearson motion that, notwithstanding Rule XXII, the Senate proceed without debate to decide by simple majority vote whether to consider S.Res. 4, proposing to amend Rule XXII with respect to cloture.

Disposition: The Senate tabled the point of order by a vote of 51-42.

Reference: 121 Congressional Record 3835-3854.

Subjects: cloture
debate
motions to proceed to consideration

27. Date: February 24, 1975

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair that the Allen point of order against S.Res. 4 was not in order. The question arose during consideration of a motion to consider S.Res. 4, which proposed to amend Rule XXII governing cloture.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 54-32. Subsequently, by a vote of 51-35, the Senate agreed to a motion to table Allen's motion to reconsider the vote by which his appeal had been tabled.

Reference: 121 Congressional Record 4108-4113.

Subjects: motions to proceed to consideration
points of order

28. Date: February 24, 1975

Congress: 94th

Question: Whether to table Mansfield's point of order against consideration of the Mondale motion that, notwithstanding Rule XXII, the Senate proceed without debate to decide by simple majority vote whether to consider S.Res. 4, proposing to amend Rule XXII with respect to cloture.

Disposition: The Senate tabled the point of order by a vote of 48-40. Subsequently, by a vote of 48-40, the Senate tabled a motion to reconsider the vote by which the point of order had been tabled.

Reference: 121 Congressional Record 4108-4115.

Subjects: cloture
debate
motions to proceed to consideration

29. Date: February 24, 1975

Congress: 94th

Question: On appeal, whether to sustain the ruling of the Chair that the pending motion regarding consideration of S.Res. 4 was not debatable. S.Res. 4 proposed to amend the cloture procedures of Rule XXII.

Disposition: The ruling of the Chair was sustained by a vote of 48-40.

Reference: 121 Congressional Record 4115-4116.

Subjects: consideration
debate

30. Date: February 25, 1975

Congress: 94th

Question: Whether to table a point of order against consideration of a motion that the pending business be postponed for one week. The question arose during consideration of a motion relating to S.Res. 4, proposing to amend the cloture procedures of Rule XXII.

Disposition: The Senate tabled the point of order by a vote of 89-2.

Reference: 121 Congressional Record 4208.

Subjects: consideration
motions to postpone

31. Date: February 26, 1975

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair. The Chair had overruled Allen's point of order that his right to debate was being improperly limited by the application of the debate limits under Rule XXII because, although the Senate had just voted to invoke cloture, the rule was not then in full force and effect. The question arose during consideration of the motion to concur in a House amendment to S. 281, the Regional Rail Reorganization Act Amendments of 1975, on which the Senate had invoked cloture. At issue, however, was S.Res. 4, proposing to amend the cloture rule, and whether Rule XXII was available and necessary to limit debate in connection with that resolution.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 92-0.

Reference: 121 Congressional Record 4352-4354.

Subjects: cloture
debate

32. Date: February 26-March 3-5, 1975

Congress: 94th

Question: On submission by the Chair to the Senate, whether Mansfield's point of order was well taken against the first division of the Mondale motion on the grounds that that part of the motion precluded debate, intervening motions, and amendments. The Mondale motion proposed that the Senate proceed immediately to decide by simple majority vote whether to consider S.Res. 4, proposing to amend the cloture procedures under Rule XXII.

Disposition: The Senate held, by a vote of 53-43, that the point of order was well taken. Previously, by a vote of 46-43, the Senate had tabled the point of order, but then voted 53-38 to reconsider that vote and, on reconsideration, rejected the motion to table by a vote of 40-51.

Reference: 121 Congressional Record 4370, 4972, 5242-5251.

Subjects: debate
 motions to proceed to consideration

33. Date: March 7, 1975

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair that the Allen amendment, in the form of a motion to strike and insert, was not divisible. The question arose during consideration of S.Res. 4, to amend the Senate's cloture rule.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 73-14.

Reference: 121 Congressional Record 5619-5620.

Subject: amendments

34. Date: July 14, 1975

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair that the Tunney amendment was not germane to S. 1849, a bill being considered under a unanimous consent agreement requiring that amendments be germane. The bill proposed to extend the Emergency Petroleum Allocation Act.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 68-14.

Reference: 121 Congressional Record 22565-22566.

Subjects: germaneness
unanimous consent agreements

35. Date: July 16, 1975

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair that the yeas and nays had been properly ordered on a motion to table an amendment to S.Res. 166. The Senate had been operating under a unanimous consent agreement that at a time certain the Senate would begin consideration of a conference report. The Chair ruled that, the time certain having arrived during a quorum call, it was in order after the quorum call for a Senator to ask for the yeas and nays on the motion to table because the clerk had not yet reported the conference report as the next order of business. S.Res. 166 addressed the Wyman-Durkin New Hampshire contested election.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 54-36.

Reference: 121 Congressional Record 23017-23020.

Subjects: pending business
quorum calls
rollcall votes
unanimous consent agreements

36. Date: July 21, 1975

Congress: 94th

Question: On appeal by Byrd (of West Virginia), whether to sustain the ruling of the Chair that it was in order for Allen to present a cloture motion on the unfinished business, S.Res. 166, even though the resolution was not before the Senate at that time as the pending business. S.Res. 166 related to the Wyman-Durkin New Hampshire election contest.

Disposition: The ruling of the Chair was reversed on appeal by a vote of 31-61.

Reference: 121 Congressional Record 23743.

Subject: cloture

37. Date: July 21, 1975

Congress: 94th

Question: On appeal, whether to sustain the ruling of the Chair that a presidential message is not required to be read. The question arose during consideration of the motion to proceed to the consideration of H.R. 6219, to amend the Voting Rights Act of 1965.

Disposition: The ruling of the Chair was sustained by a vote of 88-0.

Reference: 121 Congressional Record 23750.

Subject: presidential messages

38. Date: July 24, 1975

Congress: 94th

Question: On appeal, whether to sustain the ruling of the Chair that the Tower amendment was not in order under cloture because it proposed to amend the bill at more than one point. The question arose during consideration of H.R. 6219, to amend the Voting Rights Act of 1965.

Disposition: The ruling of the Chair was sustained by a vote of 78-12.

Reference: 121 Congressional Record 24750-24751.

Subjects: amendments
 cloture

39. Date: July 31, 1975

Congress: 94th

Question: On appeal, whether to sustain the ruling of the Chair that the Moss amendment was not germane to S. 391, the Federal Coal Leasing Amendments of 1975, which the Senate was considering under a unanimous consent agreement requiring that amendments be germane.

Disposition: The ruling of the Chair was sustained by a vote of 70-25.

Reference: 121 Congressional Record 26374-26376.

Subjects: germaneness
 unanimous consent agreements

40. Date: September 19, 1975

Congress: 94th

Question: Whether the Scott (of Pennsylvania) amendment was germane to H.R. 8069, the Labor-HEW appropriations bill for FY 1976. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 47-37, that the amendment was germane and, therefore, in order.

Reference: 121 Congressional Record 29544-29545.

Subjects: legislation on appropriations measures
question of germaneness

41. Date: September 25, 1975

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair that the Brooke amendment was not in order under cloture because it had not been read, as Rule XXII then required: "Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time." The question arose during consideration of H.R. 8069, the Labor-HEW appropriations bill for FY 1976; the subject of the Brooke amendment was school busing.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 50-39.

Reference: 121 Congressional Record 30345-30355.

Subjects: amendments
cloture

42. Date: September 25, 1975

Congress: 94th

Question: Whether the Biden amendment was germane to H.R. 8069, the Labor-HEW appropriations bill for FY 1976. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 44-41, that the amendment was germane and, therefore, in order.

Reference: 121 Congressional Record 30357.

Subjects: legislation on appropriations measures
question of germaneness

43. Date: November 11, 1975

Congress: 94th

Question: Whether to table a point of order that debate must be germane to a motion on which the Senate has invoked cloture. The question arose during consideration of the motion to proceed to the consideration of H.R. 5900, a common situs picketing bill.

Disposition: The Senate rejected the motion to table by a vote of 25-48. The point of order then was withdrawn by unanimous consent.

Reference: 121 Congressional Record 35922-35924.

Subjects: cloture
debate

44. Date: November 18, 1975

Congress: 94th

Question: On submission by the Chair to the Senate, whether a point of order was well taken that the Javits-Williams amendment, offered under cloture, was not germane to H.R. 5900, a common situs picketing bill.

Disposition: The Senate held, by a vote of 31-59, that the amendment was germane and that the point of order was not well taken. Subsequently, by a vote of 56-31, the Senate tabled a motion to reconsider its vote on the point of order.

Reference: 121 Congressional Record 37225-37226.

Subjects: cloture
germaneness

45. Date: December 10, 1975

Congress: 94th

Question: Whether a committee amendment was germane to H.R. 10647, making supplemental appropriations for FY 1976. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 57-33, that the amendment was germane and, therefore, in order.

Reference: 121 Congressional Record 39659.

Subjects: legislation on appropriations measures
question of germaneness

46. Date: May 26, 1976

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair that the Tower second-degree amendment was not germane to the Thurmond first-degree amendment. The question arose during consideration of H.R. 12438, the defense authorization bill for FY 1977, which was being considered pursuant to a unanimous consent agreement under which first-degree amendments were in order only if filed by a time certain and under which second-degree amendments were in order only if germane.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 50-30.

Reference: 122 Congressional Record 15655-15657.

Subjects: germaneness
unanimous consent agreements

47. Date: June 8, 1976

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair that it was dilatory and, therefore, not in order under cloture for Scott (of Virginia) to suggest the absence of a quorum because no business had intervened since the previous vote which had demonstrated the presence of a quorum. The question arose during consideration under cloture of H.R. 8532, the Antitrust Improvements Act of 1976.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 51-28.

Reference: 122 Congressional Record 16942-16943.

Subjects: cloture
dilatatory actions
quorum calls

48. Date: June 9, 1976

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair that it was in order under cloture for Byrd (of West Virginia) to present notice of his intention to move to suspend the rules in order to permit consideration of an amendment that had not been filed in advance of the cloture vote. In support of his point of order, Allen had argued that Byrd's action would violate the requirement of Rule XXII that a matter on which the Senate invokes cloture shall remain the unfinished business until disposed of. The question arose during consideration under cloture of H.R. 8532, the Antitrust Improvements Act of 1976.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 51-25.

Reference: 122 Congressional Record 17273-17274.

Subjects: cloture
suspension of the rules

49. Date: June 23, 1976

Congress: 94th

Question: On appeal, whether to sustain the ruling of the Chair that the Moss amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 14237, the agriculture appropriations bill for FY 1977.

Disposition: The ruling of the Chair was sustained by a vote of 76-18.

Reference: 122 Congressional Record 19865-19866.

Subject: legislation on appropriations measures

50. Date: June 24, 1976

Congress: 94th

Question: Whether a committee amendment was germane to H.R. 14261, the Treasury-Postal Service appropriations bill for FY 1977. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 65-26, that the amendment was germane and, therefore, in order.

Reference: 122 Congressional Record 20182.

Subjects: legislation on appropriations measures
question of germaneness

51. Date: July 19, 1976

Congress: 94th

Question: On appeal, whether to sustain the ruling of the Chair that the Mansfield amendment was not germane to H.R. 366, which the Senate was considering under a unanimous consent agreement requiring that amendments be germane. H.R. 366 was designated the Public Safety Officers Benefits Act of 1976.

Disposition: The ruling of the Chair was reversed on an appeal by Mansfield, by a vote of 38-44. Previously, by a vote of 34-47, the Senate had rejected a motion to table the appeal.

Reference: 122 Congressional Record 22645-22651.

Subjects: germaneness
unanimous consent agreements

52. Date: August 2, 1976

Congress: 94th

Question: Whether the Bellmon amendment was germane to H.R. 14262, the defense appropriations bill for FY 1977. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 48-37, that the amendment was germane and, therefore, in order.

Reference: 122 Congressional Record 24941-24942.

Subjects: legislation on appropriations measures
question of germaneness

53. Date: September 8, 1976

Congress: 94th

Question: Whether a committee amendment was germane to H.R. 14238, the legislative branch appropriations bill for FY 1977. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 28-53, that the amendment was not germane. The Chair then ruled that the amendment did propose legislation and, therefore, was not in order.

Reference: 122 Congressional Record 29358-29359.

Subjects: legislation on appropriations measures
question of germaneness

54. Date: September 8, 1976

Congress: 94th

Question: Whether the Hollings amendment was germane to H.R. 14238, the legislative branch appropriations bill for FY 1977. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 60-20, that the amendment was germane and, therefore, in order.

Reference: 122 Congressional Record 29359.

Subjects: legislation on appropriations measures
question of germaneness

55. Date: September 23, 1976

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair that it was not in order to debate the appeal from another ruling in response to a

point of order made during the reading of the Journal. Later on the same day, the Senate invoked cloture on S. 2278, the Civil Rights Attorneys' Fees Awards Act of 1976.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 69-20. Subsequently, by a vote of 76-14, the Senate voted to table a motion to reconsider the vote by which the appeal had been tabled.

Reference: 122 Congressional Record 32167-32169.

Subjects: appeals
debate
Journal

56. Date: September 23, 1976

Congress: 94th

Question: On appeal by Byrd (of West Virginia), whether to sustain the ruling of the Chair against Byrd's point of order that Rule XXII, specifying the time for acting on a cloture motion, requires suspending the reading of the Journal, notwithstanding the provision of Rule III that "the reading of the Journal shall not be suspended unless by unanimous consent." Later on the same day, the Senate invoked cloture on S. 2278, the Civil Rights Attorneys' Fees Awards Act of 1976.

Disposition: The ruling of the Chair was reversed on an appeal by Byrd, by a vote of 36-50. Previously, by a vote of 34-54, the Senate had rejected a motion to table the appeal, and then, by a vote of 72-15, agreed to table a motion to reconsider that vote.

Reference: 122 Congressional Record 32167-32171.

Subjects: cloture
Journal

57. Date: September 23, 1976

Congress: 94th

Question: Whether to table an appeal from the ruling of the Chair that the Allen amendment to the Journal was not in order because it violated paragraph 1 of Rule IV, concerning the matter included in the Journal. The question arose after the Senate had invoked cloture on S. 2278, the Civil Rights Attorneys' Fees Awards Act of 1976.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 69-5.

Reference: 122 Congressional Record 32173-32174

Subjects: amendments
Journal

58. Date: April 1, 1977

Congress: 95th

Question: Whether the committee amendment was germane to H.R. 4877, making supplemental appropriations for FY 1977. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI. Before submitting the question, the Presiding Officer stated that, "since there is no House language involved here, the Chair thinks that the question of germaneness is not properly raised, but submits the question as he must under the rule."

Disposition: The Senate held, by a vote of 56-30, that the amendment was germane and, therefore, in order.

Reference: 123 Congressional Record 10084-10085.

Subjects: legislation on appropriations measures
question of germaneness

59. Date: June 28, 1977

Congress: 95th

Question: Whether the Helms amendment was germane to H.R. 7555, the Labor-HEW appropriations bill for FY 1978. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 33-62, that the amendment was not germane. The Presiding Officer then sustained the point of order that the amendment proposed legislation and, therefore, was not in order.

Reference: 123 Congressional Record 21225-21226.

Subjects: legislation on appropriations measures
question of germaneness

60. Date: June 29, 1977

Congress: 95th

Question: On submission by the Chair to the Senate pursuant to Rule XVI, whether the Brooke amendment was germane to H.R. 7555, the Labor-HEW appropriations bill for FY 1978.

Disposition: The Senate held, by a vote of 74-21, that the amendment was germane and, therefore, in order.

Reference: 123 Congressional Record 21501-21502.

Subjects: appropriations measures
 germaneness

61. Date: July 13, 1977

Congress: 95th

Question: Whether the Kennedy amendment was germane to H.R. 7553, the public works appropriations bill for FY 1978. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 48-47, that the amendment was germane and, therefore, in order.

Reference: 123 Congressional Record 22794-22795.

Subjects: legislation on appropriations measures
 question of germaneness

62. Date: July 19, 1977

Congress: 95th

Question: Whether a committee amendment was germane to H.R. 7933, the defense appropriations bill for FY 1978. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 62-31, that the amendment was germane and, therefore, in order.

Reference: 123 Congressional Record 23831-23833.

Subjects: legislation on appropriations measures
 question of germaneness

63. Date: August 3, 1977

Congress: 95th

Question: On submission by the Chair to the Senate, whether a point of order was well taken that the Packwood amendment was unconstitutional on the grounds that it proposed to change revenue laws in violation of the Origination Clause. The question arose during consideration of S. 926, proposing public financing of Senate elections.

Disposition: The Senate held, by a vote of 53-43, that the point of order was well taken and that the amendment was not in order.

Reference: 123 Congressional Record 26313-26320.

Subjects: constitutionality
Origination Clause
revenue measures

64. Date: September 26, 1977

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Kennedy amendment, offered under cloture during consideration of S. 2104, was not in order because it was not germane. S. 2104 proposed to establish a comprehensive natural gas policy.

Disposition: The ruling of the Chair was sustained by a vote of 60-31.

Reference: 123 Congressional Record 30824-30825.

Subjects: cloture
germaneness

65. Date: September 26, 1977

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Abourezk amendment, offered under cloture during consideration of S. 2104, was not in order on the grounds that the amendment previously had been proposed and tabled. S. 2104 proposed to establish a comprehensive natural gas policy.

Disposition: The ruling of the Chair was sustained on appeal, by a vote of 86-3.

Reference: 123 Congressional Record 30826-30827.

Subjects: amendments
cloture

66. Date: September 26-27, 1977

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that the Abourezk amendment, offered under cloture during consideration of S. 2104, was not in order on the grounds that the amendment was non-germane and that it sought to amend the bill in two different places. S. 2104 proposed to establish a comprehensive natural gas policy.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 73-6.

Reference: 123 Congressional Record 30880, 31151.

Subjects: amendments
cloture
germaneness

67. Date: September 27, 1977

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that the Abourezk amendment, offered under cloture during consideration of S. 2104, was not germane and, therefore, not in order. S. 2104 proposed to establish a comprehensive natural gas policy.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 70-13.

Reference: 123 Congressional Record 31242-31243.

Subjects: cloture
germaneness

68. Date: September 27, 1977

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that the Metzenbaum amendment, offered under cloture during consideration of S.

2104, was not in order because it sought to amend the bill in two places. S. 2104 proposed to establish a comprehensive natural gas policy.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 57-27.

Reference: 123 Congressional Record 31260.

Subjects: amendments
cloture

69. Date: September 28, 1977

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Johnston amendment, offered under cloture during consideration of S. 2104, was not in order because it was not germane. S. 2104 proposed to establish a comprehensive natural gas policy.

Disposition: The ruling of the Chair was reversed on appeal by a vote of 22 to 70.

Reference: 123 Congressional Record 31415.

Subjects: cloture
germaneness

70. Date: September 29, 1977

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Long amendment, offered under cloture during consideration of S. 2104, was not in order. S. 2104 proposed to establish a comprehensive natural gas policy.

Disposition: The ruling of the Chair was sustained by a vote of 95-0.

Reference: 123 Congressional Record 31588-31589.

Subjects: amendments
cloture

71. Date: September 29, 1977

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Long amendment, offered under cloture during consideration of S. 2104, was out of order on its face because it sought to amend an amendment that was not before the Senate. S. 2104 proposed to establish a comprehensive natural gas policy.

Disposition: The ruling of the Chair was sustained by a vote of 90-1.

Reference: 123 Congressional Record 31599.

Subjects: amendments
 cloture

72. Date: October 1, 1977

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Danforth amendment, offered under cloture during consideration of S. 2104, was not in order because it sought to amend language that did not appear on the page specified. S. 2104 proposed to establish a comprehensive natural gas policy.

Disposition: The ruling of the Chair was sustained by a vote of 77-2.

Reference: 123 Congressional Record 31856-31857.

Subjects: amendments
 cloture

73. Date: October 1, 1977

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that an amendment offered under cloture is to be read even if the amendment has been printed and that the reading of a printed amendment is not dilatory. The question arose during consideration of S. 2104, to establish a comprehensive natural gas policy.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 47-33.

Reference: 123 Congressional Record 31857-31858.

Subjects: amendments
 cloture

74. Date: October 1, 1977

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that, the Senate proceeding under cloture, a quorum call was dilatory. The question arose during consideration of S. 2104, to establish a comprehensive natural gas policy.

Disposition: The ruling of the Chair was sustained by a vote of 56-26.

Reference: 123 Congressional Record 31861-31862.

Subjects: cloture
 dilatory actions
 quorum calls

75. Date: October 1, 1977

Congress: 95th

Question: On submission by the Chair to the Senate, whether a point of order was well taken that, when the Senate is operating under cloture, an appeal taken from the ruling of the Chair that an amendment is out of order on its face is dilatory. The question arose during consideration of S. 2104, to establish a comprehensive natural gas policy.

Disposition: The Senate determined, by a vote of 9-71, that the point of order was not well taken and, therefore, that the appeal was not dilatory.

Reference: 123 Congressional Record 31869-31870.

Subjects: appeals
 cloture
 dilatory actions

76. Date: October 1, 1977

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Chafee amendment, offered under cloture during consideration of S. 2104, was not in order because it sought to amend language that did not appear on the page specified. S. 2104 proposed to establish a comprehensive natural gas policy.

Disposition: The ruling of the Chair was sustained by a vote of 77-3.

Reference: 123 Congressional Record 31868-31870.

Subjects: amendments
cloture

77. Date: October 3, 1977

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that, under cloture, the Chair is required to take the initiative to rule out of order an amendment which is dilatory or which, on its face, is out of order. The question arose during consideration under cloture of S. 2104, to establish a comprehensive natural gas policy.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 79-14.

Reference: 123 Congressional Record 31916-31920.

Subjects: amendments
cloture
dilatory actions
Presiding Officer

78. Date: October 3, 1977

Congress: 95th

Question: On submission by the Chair to the Senate, whether a point of order is well taken that, when the Senate is operating under cloture, a Senator may, as a matter of right, remove from the desk amendments that he or she has filed. The question arose during consideration under cloture of S. 2104, to establish a comprehensive natural gas policy.

Disposition: The Senate determined, by a vote of 59-34, that the point of order was well taken, and that a Senator has the right and authority to remove amendments that he or she had properly filed in anticipation of cloture being invoked.

Reference: 123 Congressional Record 31922-31924.

Subjects: amendments
cloture

79. Date: October 3, 1977

Congress: 95th

Question: On submission by the Chair to the Senate, whether a point of order is well taken that, when the Senate is operating under cloture, a request by a Senator to conduct business which the Senate declines to conduct--for instance, the making of a motion which is ruled dilatory, the offering of an amendment which is ruled out of order, or a request for the yeas and nays which is refused--is not the transaction of business for the purpose of calling another quorum. The question arose during consideration under cloture of S. 2104, to establish a comprehensive natural gas policy.

Disposition: The Senate determined, by a vote of 74-21, that the point of order was well taken, and that, under cloture, such actions do not constitute business for purposes of quorum calls.

Reference: 123 Congressional Record 31925-31927.

Subjects: business
 cloture
 quorum calls

80. Date: April 18, 1978

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that a point of order does not lie against an amendment to a resolution of ratification on the basis of the amendment's substance--specifically, that it properly relates to a different resolution of ratification and the treaty it accompanies. The question arose during consideration of the resolution of ratification accompanying the Panama Canal Treaty.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 74-22.

Reference: 124 Congressional Record 10498-10499.

Subjects: amendments
 resolutions of ratification
 treaties

81. Date: August 8, 1978

Congress: 95th

Question: Whether the Cannon amendment was germane to H.R. 12932, the Department of the Interior appropriations bill for FY 1979. The question was raised with a point of order pending against the amendment for proposing

legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI. Before submitting the question, the Presiding Officer stated: "since there is no House language involved here, the Chair thinks that the question of germaneness is not properly raised, but submits it as he must under the rule."

Disposition: The Senate held, by a vote of 53-40, that the amendment was germane and, therefore, in order.

Reference: 124 Congressional Record 24853-24854.

Subjects: legislation on appropriations measures
question of germaneness

82. Date: August 9, 1978

Congress: 95th

Question: Whether the Johnston second-degree amendment was germane. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure--H.R. 12932, the Department of the Interior appropriations bill for FY 1979--and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 65-31, that the amendment was germane and, therefore, in order.

Reference: 124 Congressional Record 25087.

Subjects: legislation on appropriations measures
question of germaneness

83. Date: August 15, 1978

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Long amendment to H.R. 12050, the Tuition Tax Relief Act of 1978, was not in order because it violated Sections 303 and 401 of the Budget Act.

Disposition: The ruling of the Chair was sustained by a vote of 75-21.

Reference: 124 Congressional Record 26107-26108.

Subjects: amendments
Budget Act

84. Date: August 16, 1978

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that, during the second hour of the Morning Hour, a non-debatable motion to proceed to the consideration of a measure is in order before the Senate has considered and disposed of all resolutions that have come over under the rule. The question arose in connection with a motion to consider H.J.Res. 554, a proposed constitutional amendment to provide congressional representation for the District of Columbia.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 64-28.

Reference: 124 Congressional Record 26343-26344.

Subjects: Morning Hour
 motions to proceed to consideration
 resolutions over under the rule

85. Date: September 27, 1978

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that the Bartlett amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 12929, the Labor-HEW appropriations bill for FY 1979.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 50-45. Previously, by a vote of 47-46, the Senate had tabled the question of germaneness raised by Bartlett after the point of order under Rule XVI had been made.

Reference: 124 Congressional Record 31856-31861.

Subjects: legislation on appropriations measures
 question of germaneness

86. Date: October 5, 1978

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Roth amendment to H.R. 13511, the Revenue Act of 1978, was not in order because it violated Section 303(a) of the Budget Act by providing for a decrease in revenues to become effective during a fiscal year before the first budget resolution for that year had been adopted.

Disposition: The ruling of the Chair was reversed on appeal by a vote of 38-48. Subsequently, by a vote of 46-40, the Senate tabled a motion to reconsider the vote by which the appeal had been upheld.

Reference: 124 Congressional Record 33945-33952.

Subjects: amendments
Budget Act

87. Date: October 9, 1978

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Heinz amendment to H.R. 13511, the Revenue Act of 1978, was not in order because it proposed to reduce revenues beneath the level set in the applicable budget resolution, thereby violating Section 311 of the Budget Act.

Disposition: The ruling of the Chair was sustained by a vote of 65-22.

Reference: 124 Congressional Record 34773-34775.

Subjects: amendments
Budget Act

88. Date: October 10, 1978

Congress: 95th

Question: On appeal, whether to sustain the ruling of the Chair that the Helms amendment to H.R. 13511, the Revenue Act of 1978, was not in order because it proposed to reduce revenues beneath the level set in the applicable budget resolution, thereby violating Section 311 of the Budget Act.

Disposition: The ruling of the Chair was sustained by a vote of 49-42. Subsequently, by a vote of 50-41, the Senate tabled a motion to reconsider the vote by which the ruling had been sustained.

Reference: 124 Congressional Record 35285-35289.

Subjects: amendments
Budget Act

89. Date: October 14, 1978

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that the Weicker motion to recess, made while the Senate was operating was cloture, was dilatory and, therefore, not in order. The question arose during consideration of the conference report on H.R. 5263, the Energy Tax Act of 1978.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 64-21.

Reference: 124 Congressional Record 37401-37402.

Subjects: cloture
 dilatory actions
 motions to recess

90. Date: October 14, 1978

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that, under cloture, a unanimous consent request, whether granted or not, does not constitute business for purposes of suggesting the absence of a quorum. The question arose during consideration of the conference report on H.R. 5263, the Energy Tax Act of 1978.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 59-23.

Reference: 124 Congressional Record 37402-37403.

Subjects: business
 cloture
 quorum calls
 unanimous consent requests

91. Date: October 14, 1978

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that the Abourezk motion to adjourn, made while the Senate was operating under cloture, was dilatory and, therefore, not in order. The question arose during consideration of the conference report on H.R. 5263, the Energy Tax Act of 1978.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 63-19.

Reference: 124 Congressional Record 37409-37410, 37421-37422.

Subjects: cloture
dilatatory actions
motions to adjourn

92. Date: October 14, 1978

Congress: 95th

Question: Whether to table an appeal from the ruling of the Chair that, under cloture, the granting of unanimous consent to insert material in the Congressional Record does not constitute the transaction of business for purposes of calling a quorum. The question arose during consideration of the conference report on H.R. 5263, the Energy Tax Act of 1978.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 54-11.

Reference: 124 Congressional Record 37431-37432.

Subjects: business
cloture
Congressional Record
quorum calls
unanimous consent agreements

93. Date: April 30, 1979

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that the Jepsen amendment was not germane to S. 210, to establish the Department of Education, which the Senate was considering under a unanimous consent agreement prohibiting non-germane amendments.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 68-24.

Reference: 125 Congressional Record 8927-8928.

Subjects: germaneness
unanimous consent agreements

94. Date: April 30, 1979

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that the Hayakawa amendment was not germane to S. 210, to establish the Department of Education, which the Senate was considering under a unanimous consent agreement prohibiting non-germane amendments.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 59-32.

Reference: 125 Congressional Record 8935-8937.

Subjects: germaneness
unanimous consent agreements

95. Date: June 26, 1979

Congress: 96th

Question: Whether the Stennis amendment was germane to H.R. 4289, making supplemental appropriations for FY 1979. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 83-11, that the amendment was germane and, therefore, in order.

Reference: 125 Congressional Record 16523.

Subjects: legislation on appropriations measures
question of germaneness

96. Date: July 20, 1979

Congress: 96th

Question: Whether the Church amendment was germane to H.R. 4389, the Labor-HEW appropriations bill for FY 1980. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 54-38, that the amendment was germane and, therefore, in order.

Reference: 125 Congressional Record 19793-19794.

Subjects: legislation on appropriations measures
question of germaneness

97. Date: September 27, 1979

Congress: 96th

Question: Whether the Melcher amendment was germane to H.J.Res. 404, making continuing appropriations for FY 1980. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 44-44, that the amendment was not germane and, therefore, not in order.

Reference: 125 Congressional Record 26465.

Subjects: legislation on appropriations measures
question of germaneness

98. Date: October 15, 1979

Congress: 96th

Question: Whether the Byrd amendment was germane to H.R. 4930, the Department of the Interior appropriations bill for FY 1980. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 56-34, that the amendment was germane and, therefore, in order.

Reference: 125 Congressional Record 28295.

Subjects: legislation on appropriations measures
question of germaneness

99. Date: October 16, 1979

Congress: 96th

Question: Whether the Magnuson amendment was germane to H.R. 4930, the Department of the Interior appropriations bill for FY 1980. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 35-62, that the amendment was not germane and, therefore, not in order.

Reference: 125 Congressional Record 28400.

Subjects: legislation on appropriations measures
question of germaneness

100. Date: November 9, 1979

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that when a Senator raises the question of germaneness in defense against a point of order that an amendment proposes legislation to an appropriations measure in violation of Rule XVI, the Chair is to rule on the point of order without first submitting the question of germaneness to the Senate if there is no House language to which the amendment could be germane. The question arose during consideration of the Armstrong amendment to H.R. 5359, the defense appropriations bill for FY 1980.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 44-40.

Reference: 125 Congressional Record 31892-31894.

Subjects: legislation on appropriations measures
question of germaneness
points of order
Presiding Officer

101. Date: December 12, 1979

Congress: 96th

Question: On submission by the Chair to the Senate, whether a point of order was well taken that a cloture vote was not timely because the requirements of Rule XXII had not yet been met. The question arose during consideration of H.R. 3919, the Crude Oil Windfall Profit Tax Act of 1979.

Disposition: The Senate determined, by a vote of 43-32, that the point of order was well taken and that the cloture vote was not then in order. Previously, by a vote of 30-44, the Senate had rejected a motion to table the point of order.

Reference: 125 Congressional Record 35692-35699.

Subject: cloture

102. Date: December 17, 1979

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that, under cloture, the Tower amendment was not germane and, therefore, not in order during consideration of H.R. 3919, the Crude Oil Windfall Profit Tax Act of 1979.

Disposition: The ruling of the Chair was sustained by a vote of 61-36.

Reference: 125 Congressional Record 36484-36486.

Subjects: cloture
 germaneness

103. Date: December 17, 1979

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that, under cloture, the Bumpers amendment was not germane and, therefore, not in order during consideration of H.R. 3919, the Crude Oil Windfall Profit Tax Act of 1979.

Disposition: The ruling of the Chair was sustained by a vote of 69-26.

Reference: 125 Congressional Record 36486-36487.

Subjects: cloture
 germaneness

104. Date: January 30, 1980

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that the Bayh amendment was not germane to H.R. 3236, the Social Security Disability Amendments of 1979, which the Senate was considering under a unanimous consent agreement requiring that amendments be germane.

Disposition: The ruling of the Chair was reversed on appeal, by a vote of 37-55.

Reference: 126 Congressional Record 1201-1203.

Subjects: germaneness
 unanimous consent agreements

105. Date: March 5, 1980

Congress: 96th

Question: On appeal by Byrd, whether to sustain the ruling of the Chair that it is not in order to move that the Senate go into executive session for a specific, stated purpose. The question arose when Byrd moved that the Senate go into executive session to consider the first nomination on the Executive Calendar, that of Robert E. White to be Ambassador to El Salvador. According to Byrd, "I maintain that the Senate should be able to reach a nomination on the Executive Calendar without having to first go through the treaties or deal with a filibuster on the motion to proceed to the first nomination on the calendar."

Disposition: The ruling of the Chair was reversed on appeal, by a vote of 38-54.

Reference: 126 Congressional Record 4729-4732.

Subject: motions to go into executive session

106. Date: May 15, 1980

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that the Metzenbaum amendment was not germane to S. 598, the Soft Drink Interbrand Competition Act, on which the Senate had invoked cloture.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 86-6.

Reference: 126 Congressional Record 11352.

Subjects: cloture
 germaneness

107. Date: June 10, 1980

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that the committee amendment and the amendment thereto which the Senate was considering at the time it invoked cloture on H.J.Res. 521 were not germane and, therefore, not in order after cloture was invoked. The joint resolution related to draft registration.

Disposition: The ruling of the Chair was reversed on appeal, by a vote of 43-49. Previously, by a vote of 37-57, the Senate had rejected a motion to table the appeal.

Reference: 126 Congressional Record 13864-13869.

Subjects: cloture
 germaneness

108. Date: June 10, 1980

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that the Kassebaum amendment (to the committee amendment), offered while the Senate was operating under cloture, was not germane and therefore, not in order. The question arose during consideration of H.J.Res. 521, relating to draft registration.

Disposition: The ruling of the Chair was reversed on appeal, by a vote of 37-55.

Reference: 126 Congressional Record 13876-13877.

Subjects: cloture
 germaneness

109. Date: June 10, 1980

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that, under cloture, a quorum call was dilatory because the Chair had ascertained that a quorum actually was present. The question arose during consideration of H.J. Res. 521, relating to draft registration.

Disposition: The ruling of the Chair was sustained by a vote of 52-34.

Reference: 126 Congressional Record 13903-13904.

Subjects: cloture
 dilatory actions
 quorum calls

110. Date: June 10-11, 1980

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that, under cloture, a motion to reconsider the 15-69 vote by which the Senate had rejected a tabling motion was dilatory. The question arose during consideration of H.J.Res. 521, relating to draft registration.

Disposition: The ruling of the Chair was sustained by a vote of 53-31.

Reference: 126 Congressional Record 13905, 14051.

Subjects: cloture
 dilatory actions
 motions to reconsider

111. Date: June 11, 1980

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that, under cloture, the Mathias amendment was not germane and, therefore, not in order during consideration of H.J.Res. 521, relating to draft registration.

Disposition: The ruling of the Chair was sustained by a vote of 51-36. Subsequently, by a vote of 28-58, the Senate rejected a motion to reconsider the vote by which the ruling had been sustained.

Reference: 126 Congressional Record 14202-14203.

Subjects: cloture
 germaneness

112. Date: June 27, 1980

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that the Bellmon amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 7542, making supplemental appropriations for FY 1980.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 65-24.

Reference: Congressional Record, daily edition, S8571-S8572.

Subject: legislation on appropriations measures

113. Date: June 27, 1980

Congress: 96th

Question: On submission by the Chair to the Senate pursuant to Rule XVI, whether a committee amendment to an appropriations measure was not germane. The question arose during consideration of H.R. 7542, making supplemental appropriations for FY 1980.

Disposition: The Senate held, by a vote of 36-55, that the amendment was not germane. Previously, by a vote of 37-54, the Senate had rejected a motion to table the point of order.

Reference: Congressional Record, daily edition, S8594-S8595.

Subjects: appropriations measures
germaneness

114. Date: June 27, 1980

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that the Cranston amendment to H.R. 7542, making supplemental appropriations for FY 1980, violated Section 311 of the Budget Act, regarding budget authority and outlay levels specified in the appropriate budget resolution, and, therefore, was not in order.

Disposition: The ruling of the Chair was sustained by a vote of 72-11.

Reference: Congressional Record, daily edition, S8630-S8631.

Subjects: amendments
appropriations measures
Budget Act

115. Date: June 28, 1980

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that the Heinz amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 7542, making supplemental appropriations for FY 1980.

Disposition: The ruling of the Chair was sustained by a vote of 52-31.

Reference: 126 Congressional Record 17638-17641.

Subject: legislation on appropriations measures

116. Date: July 28, 1980

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that a motion to go into executive session cannot be tabled because, under paragraph 1 of Rule XXII, the motion to proceed to executive business takes precedence over the motion to lay on the table.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 50-37.

Reference: 126 Congressional Record 19966-19967.

Subjects: motions to go into executive session
 motions to table

117. Date: August 5, 1980

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that, when the Senate is proceeding under a unanimous consent agreement, the time consumed by a quorum call is charged to the time controlled by the Senator suggesting the absence of a quorum, unless the Senate determines otherwise by unanimous consent. The question arose during consideration of H.R. 39, the Alaska National Interest Lands Conservation Act.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 91-0.

Reference: 126 Congressional Record 21314-21318.

Subjects: quorum calls
 unanimous consent agreements

118. Date: August 5, 1980

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that the Chair may not entertain a unanimous consent request that would have the effect of allowing Senators to vote after the Chair has announced the outcome of a vote. The question arose during consideration of H.R. 39, the Alaska National Interest Lands Conservation Act.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 91-0. Subsequently, by a vote of 88-0, the Senate tabled a motion to reconsider the vote by which the appeal had been tabled.

Reference: 126 Congressional Record 21320-21324.

Subjects: unanimous consent requests
voting

119. Date: August 5, 1980

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that it was in order for a Senator to file a cloture motion affecting a measure the Senate was considering under a unanimous consent agreement. The question arose during consideration of H.R. 39, the Alaska National Interest Lands Conservation Act.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 72-16.

Reference: 126 Congressional Record 21327-21328.

Subjects: cloture
unanimous consent agreements

120. Date: August 20, 1980

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that it was in order for a Senator to file a cloture motion on an amendment when that amendment was not the amendment which was the question then pending before the Senate. A cloture motion had been filed on a substitute when there was pending an amendment to the text proposed to be stricken by the substitute. The Chair held that "a cloture motion is eligible to be filed on the bill or any amendment pending thereto." The question arose during consideration of H.R. 1197, the Tonnage Measurement Simplification Act, to which had been offered an amendment on the subject of strip mining.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 74-15.

Reference: 126 Congressional Record 22096-22097.

Subjects: amendments
cloture

121. Date: August 21, 1980

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that the McGovern amendment, offered under cloture, was not in order because it sought to amend language that did not appear at the specified page and line. The question arose during consideration of H.R. 1197, the Tonnage Measurement Simplification Act, to which had been offered an amendment on the subject of strip mining.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 72-22.

Reference: 126 Congressional Record 22479-22481.

Subjects: amendments
 cloture

122. Date: August 21, 1980

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that the Metzenbaum amendment, offered under cloture, was not in order because it sought to amend language that did not appear at the specified page and line. The question arose during consideration of H.R. 1197, the Tonnage Measurement Simplification Act, to which had been offered an amendment on the subject of strip mining.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 73-16. Subsequently, by a vote of 71-20, the Senate tabled a motion to reconsider the vote by which the appeal had been tabled.

Reference: 126 Congressional Record 22482-22483.

Subjects: amendments
 cloture

123. Date: November 25, 1980

Congress: 96th

Question: Whether to table an appeal from the ruling of the Chair that a point of order is not debatable when made at the time that the question pending before the Senate is a non-debatable motion to go into executive session. The motion proposed that the Senate go into executive session to consider the nomination of Stephen Breyer to be a U.S. Circuit Court judge.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 40-37.

Reference: 126 Congressional Record 31037-31039.

Subjects: debate
 motions to go into executive session
 points of order

124. Date: November 25, 1980

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that the McClure amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 7591, the agriculture appropriations bill for FY 1981.

Disposition: The ruling of the Chair was reversed on appeal, by a vote of 33-49.

Reference: 126 Congressional Record 31060-31063.

Subject: legislation on appropriations measures

125. Date: December 11, 1980

Congress: 96th

Question: On appeal, whether to sustain the ruling of the Chair that a committee amendment to H.J.Res 637 constituted legislation proposed to an appropriations measure, in violation of Rule XVI. H.J.Res. 637 proposed to make further continuing appropriations for FY 1981.

Disposition: The ruling of the Chair was reversed on appeal, by a vote of 25-57.

Reference: Congressional Record, daily edition, S16205-S16207.

Subject: legislation on appropriations measures

126. Date: May 21, 1981

Congress: 97th

Question: Whether to table an appeal from the ruling of the Chair that the DeConcini amendment constituted legislation proposed to an appropriations

measure, in violation of Rule XVI. The question arose during consideration of H.R. 3512, making supplemental appropriations for FY 1981.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 60-38.

Reference: Congressional Record, daily edition, S5430, S5442.

Subject: legislation on appropriations measures

127. Date: June 25, 1981

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the Denton amendment was not germane to S. 1377, the Omnibus Reconciliation Act of 1981, to which the Budget Act requires that amendments be germane.

Disposition: The ruling of the Chair was sustained by 73-21.

Reference: 127 Congressional Record 13886-13887.

Subjects: Budget Act
germaneness
reconciliation measures

128. Date: July 31, 1981

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the Riegle motion to proceed to the consideration of H.R. 4331 was not in order on the grounds that the motion violated paragraph 3 of Rule XIV, stating that no bill from the House of Representatives shall be considered or debated on the day it is received except by unanimous consent. H.R. 4331 proposed to amend the Omnibus Reconciliation Act of 1981 to restore minimum benefits under the Social Security Act.

Disposition: The ruling of the Chair was sustained by a vote of 57-30.

Reference: 127 Congressional Record 19147-19148.

Subjects: House measures
motions to proceed to consideration
Rule XIV

129. Date: September 24, 1981

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the Stevens amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.J.Res. 325, making continuing appropriations for FY 1982. After the point of order was made, Stevens sought to raise the question of germaneness, but the Presiding Officer stated: "Under the precedents of the Senate if there is no House language on the subject then the Chair must rule on the question of legislation. There is no House language. The point of order is sustained." Disposition: The ruling of the Chair was reversed on appeal, by a vote of 44-54.

Reference: 127 Congressional Record 21912-21913.

Subjects: legislation on appropriations measures
question of germaneness

130. Date: September 24, 1981

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the Chiles amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.J.Res. 325, making continuing appropriations for FY 1982.

Disposition: The ruling of the Chair was sustained by a vote of 60-32.

Reference: 127 Congressional Record 21919.

Subjects: legislation on appropriations measures

131. Date: November 3, 1981

Congress: 97th

Question: Whether a committee amendment was germane to H.R. 4209, the transportation appropriations bill for FY 1982. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 75-12, that the amendment was germane and, therefore, in order.

Reference: 127 Congressional Record 26316.

Subjects: legislation on appropriations measures
question of germaneness

132. Date: November 13, 1981

Congress: 97th

Question: Whether a committee amendment was germane to H.R. 4169, the State-Justice-Commerce appropriations bill for FY 1982. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 57-23, that the amendment was germane and, therefore, in order.

Reference: 127 Congressional Record 27417.

Subjects: legislation on appropriations measures
question of germaneness

133. Date: December 2, 1981

Congress: 97th

Question: Whether the Pryor amendment was germane to H.R. 4995, the defense appropriations bill for FY 1982. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 44-50, that the amendment was not germane and, therefore, not in order.

Reference: 127 Congressional Record 29355.

Subjects: legislation on appropriations measure
question of germaneness

134. Date: December 10, 1981

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that it was dilatory and, therefore, not in order under cloture to move to reconsider the 70-28 vote by which the Senate had tabled a motion. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982.

Disposition: The ruling of the Chair was sustained by a vote of 70-27.

Reference: 127 Congressional Record 30408-30410.

Subjects: cloture
 dilatory actions
 motions to reconsider

135. Date: February 11, 1982

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the third committee amendment, being considered after the Senate had invoked cloture, was not germane and, therefore, not in order. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982.

Disposition: The ruling of the Chair was sustained by a vote of 65-25.

Reference: 128 Congressional Record 1668-1669.

Subjects: cloture
 germaneness

136. Date: February 24, 1982

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the Gorton amendment, being considered after the Senate had invoked cloture, was germane and, therefore, in order. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982.

Disposition: The ruling of the Chair was sustained on appeal, by a vote of 63-30.

Reference: 128 Congressional Record 2244-2245.

Subjects: cloture
 germaneness

137. Date: February 24, 1982

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the Johnston amendment, being considered after the Senate had invoked cloture, was germane and, therefore, in order. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982.

Disposition: The ruling of the Chair was sustained on appeal, by a vote of 66-27.

Reference: 128 Congressional Record 2254-2255, 2339-2340.

Subjects: cloture
 germaneness

138. Date: February 24, 1982

Congress: 97th

Question: Whether to table an appeal from the ruling of the Chair that, the Senate having invoked cloture, a quorum call was not in order because there had been no intervening business since the establishment of a quorum by the previous vote. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 69-23.

Reference: 128 Congressional Record 2341-2342.

Subjects: business
 cloture
 quorum calls

139. Date: February 24, 1982

Congress: 97th

Question: Whether to table an appeal from the ruling of the Chair that, the Senate having invoked cloture, Amendment No. 453 was not germane and, therefore, not in order. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 65-28.

Reference: 128 Congressional Record 2343.

Subjects: cloture
germaneness

140. Date: February 24, 1982

Congress: 97th

Question: Whether to table an appeal from the ruling of the Chair that, the Senate having invoked cloture, Amendment No. 454 was dilatory and, therefore, not in order. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982. (In fact, the Congressional Record shows that the Chair ruled that "[t]he amendment is not in order because it is not dilatory.")

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 67-25.

Reference: 128 Congressional Record 2344.

Subjects: amendments
cloture
dilatory actions

141. Date: February 24, 1982

Congress: 97th

Question: Whether to table an appeal from the ruling of the Chair that, the Senate having invoked cloture, Amendment No. 455 was not in order. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 68-23.

Reference: 128 Congressional Record 2344.

Subjects: amendments
cloture

142. Date: February 24, 1982

Congress: 97th

Question: Whether to table an appeal from the ruling of the Chair that, the Senate having invoked cloture, Amendment No. 456 was dilatory and, therefore, not in order. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 65-26.

Reference: 128 Congressional Record 2345.

Subjects: amendments
 cloture
 dilatory actions

143. Date: February 24, 1982

Congress: 97th

Question: Whether to table an appeal from the ruling of the Chair that, the Senate having invoked cloture, Amendment No. 459 was dilatory and, therefore, not in order. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 65-25.

Reference: 128 Congressional Record 2345-2346.

Subjects: amendments
 cloture
 dilatory actions

144. Date: February 24, 1982

Congress: 97th

Question: Whether to table an appeal from the ruling of the Chair that, the Senate having invoked cloture, Amendment No. 461 was dilatory and, therefore, not in order. The question arose during consideration of S. 951, the Department of Justice authorization bill for FY 1982.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 65-25.

Reference: 128 Congressional Record 2346.

Subjects: amendments
 cloture
 dilatory actions

145. Date: March 31, 1982

Congress: 97th

Question: On submission to the Senate pursuant to Rule XVI, whether the Armstrong amendment was germane to H.J.Res. 409, making further continuing appropriations for FY 1982.

Disposition: The Senate held, by a vote of 57-41, that the amendment was germane and, therefore, in order.

Reference: 128 Congressional Record 6167.

Subjects: appropriations measures
germaneness

146. Date: March 31, 1982

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the Armstrong amendment, as amended, constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.J.Res. 409, making further continuing appropriations for FY 1982.

Disposition: The ruling of the Chair was sustained by a vote of 51-48. Subsequently, by a vote of 52-47, the Senate agreed to table a motion to reconsider the vote by which the ruling had been sustained.

Reference: 128 Congressional Record 6169-6170.

Subjects: legislation on appropriations measures

147. Date: May 27, 1982

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that, under cloture, the Riegle substitute for the Lugar amendment was not germane and, therefore, not in order during consideration of H.R. 5922, making supplemental appropriations for FY 1982. Previously, by a vote of 63-27, the Senate had voted to suspend the rules necessary to permit consideration of the Lugar amendment.

Disposition: The ruling of the Chair was sustained by a vote of 64-25.

Reference: 128 Congressional Record 12273-12274.

Subjects: cloture
germaneness

148. Date: June 23, 1982

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the Proxmire amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 6645, making urgent supplemental appropriations for FY 1982.

Disposition: The ruling of the Chair was reversed on appeal by a vote of 33-66.

Reference: 128 Congressional Record 14834.

Subject: legislation on appropriations measures

149. Date: July 20, 1982

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the Packwood amendment to H.R. 4961, the Tax Equity and Fiscal Responsibility Act of 1982, did not violate Section 305(b)(2) of the Budget Act, requiring that amendments to reconciliation measures be germane. In support of his appeal, Cannon contended that the amendment was within the jurisdiction of the Commerce Committee, not the Finance Committee.

Disposition: The ruling of the Chair was sustained by a vote of 53-44.

Reference: 128 Congressional Record 16997-16999.

Subjects: Budget Act
 committee jurisdictions
 germaneness
 reconciliation measures

150. Date: July 22, 1982

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the Thurmond amendment to H.R. 4961, the Tax Equity and Fiscal Responsibility Act of 1982, was not in order because it violated Section 305(b)(2) of the Budget Act, requiring that amendments to reconciliation measures be germane.

Disposition: The ruling of the Chair was sustained by a vote of 79-18.

Reference: 128 Congressional Record 17516-17518.

Subjects: Budget Act
germaneness
reconciliation measures

151. Date: August 10, 1982

Congress: 97th

Question: Whether to table an appeal from the ruling of the Chair that the Proxmire amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 6863, making supplemental appropriations for FY 1982.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 50-48.

Reference: 128 Congressional Record 20057-20061.

Subject: legislation on appropriations measures

152. Date: August 10, 1982

Congress: 97th

Question: Whether a committee amendment was germane to H.R. 6863, making supplemental appropriations for FY 1982. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 53-46, that the amendment was germane and, therefore, in order.

Reference: 128 Congressional Record 20065-20068.

Subjects: legislation on appropriations measures
question of germaneness

153. Date: August 12, 1982

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the conference report on H.R. 5930, to extend the aviation insurance program, was subject to a point of order on the grounds that the conferees had exceeded their authority by including in their report new matter not committed to them by either house.

Disposition: The ruling of the Chair was sustained by a vote of 59-38. The Presiding Officer then stated that the conference report was recommitted.

Reference: 128 Congressional Record 20897.

Subjects: authority of conferees
conference reports

154. Date: August 19, 1982

Congress: 97th

Question: On appeal, whether to sustain the ruling of the Chair that the conference report on H.R. 4961, the Tax Equity and Fiscal Responsibility Act of 1982, was not subject to a point of order on the grounds that the conferees had exceeded their authority by including in their report new matter not committed to them by either house. In ruling, the Presiding Officer stated: "The conferees went to conference with a complete substitute, which gives them the maximum latitude allowable to conferees. The standard is that matter entirely irrelevant to the subject matter is not in order."

Disposition: The ruling of the Chair was sustained by a vote of 68-27.

Reference: Congressional Record, daily edition, S10898-S10901.

Subjects: authority of conferees
conference reports

155. Date: December 2, 1982

Congress: 97th

Question: Whether a committee amendment was germane to H.R. 7019, the transportation appropriations bill for FY 1983. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 67-27, that the amendment was germane and, therefore, in order.

Reference: Congressional Record, daily edition, S13779.

Subjects: legislation on appropriations measures
question of germaneness

156. Date: December 18, 1982

Congress: 97th

Question: Whether to table an appeal from the ruling of the Chair that the Helms amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.J.Res. 631, making further continuing appropriations for FY 1983.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 62-29.

Reference: Congressional Record, daily edition, S15421-S15422.

Subject: legislation on appropriations measures

157. Date: December 20, 1982

Congress: 97th

Question: Whether to table the Helms point of order that H.R. 6211, the Surface Transportation Assistance Act of 1982, violated P.L. 95-435 and, therefore, was not in order. P.L. 95-435 provides: "Beginning with fiscal year 1981, the total budget outlays of the Federal Government shall not exceed its receipts."

Disposition: The Senate tabled the point of order by a vote of 73-22.

Reference: Congressional Record, daily edition, S15719-S15720.

Subject: Public Law 95-435

158. Date: March 22, 1983

Congress: 98th

Question: Whether to table an appeal from the ruling of the Chair that the Heinz amendment to a House amendment reported from conference in disagreement was not in order because it had the effect of increasing outlays for the fiscal year in progress, thereby violating Section 311 of the Budget Act. The question arose during consideration of amendments in disagreement after the Senate had agreed to the conference report on H.R. 1718, making emergency jobs appropriations for FY 1983.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 62-32.

Reference: Congressional Record, daily edition, S3636-S3640.

Subjects: amendments between the houses
Budget Act

159. Date: June 15, 1983

Congress: 98th

Question: Whether the Bumpers amendment was germane to H.R. 3069, making supplemental appropriations for FY 1983. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 35-60, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S8432-S8433.

Subjects: legislation on appropriations measures
question of germaneness

160. Date: August 3, 1983

Congress: 98th

Question: On appeal, whether to sustain the ruling of the Chair that a committee amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 3363, the Department of the Interior appropriations bill for FY 1984.

Disposition: The ruling of the Chair was reversed on appeal by a vote of 40-57.

Reference: Congressional Record, daily edition, S11411-S11415.

Subject: legislation on appropriations measures

161. Date: September 20, 1983

Congress: 98th

Question: Whether the Domenici amendment was germane to H.R. 3363, the Department of the Interior appropriations bill for FY 1984. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 77-16, that the amendment was germane and, therefore, in order.

Reference: Congressional Record, daily edition, S12515.

Subjects: legislation on appropriations measures
question of germaneness

162. Date: October 4, 1983

Congress: 98th

Question: Whether to table an appeal from the ruling of the Chair that the Bradley amendment violated Rule XVI and, therefore, was not in order because it proposed levels of appropriations which did not carry out the provisions of any existing law, treaty, or measure passed by the Senate during that session, or budget estimate. The question arose during consideration of H.R. 3913, the Labor-HHS-Education appropriations bill for FY 1984.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 50-45.

Reference: Congressional Record, daily edition, S13529.

Subject: unauthorized appropriations

163. Date: October 26, 1983

Congress: 98th

Question: On appeal, whether to sustain the ruling of the Chair that a committee amendment to H.R. 3959, making supplemental appropriations for FY 1984, was not in order because it violated paragraph 5 of Rule XV, prohibiting a committee amendment from containing "any significant matter not within the jurisdiction of the committee proposing such amendment."

Disposition: The ruling of the Chair was reversed on appeal by voice vote after the Senate had voted, 32-57, to reject a motion to lay the appeal on the table.

Reference: Congressional Record, daily edition, S14741-S14746.

Subjects: amendments
committee jurisdictions

164. Date: November 9, 1983

Congress: 98th

Question: On appeal, whether to sustain the ruling of the Chair that the Denton second-degree amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of S.J.Res. 194, making further continuing appropriations for FY 1984.

Disposition: The ruling of the Chair was reversed on appeal by a vote of 46-46.

Reference: Congressional Record, daily edition, S15749-S15750.

Subject: legislation on appropriations measures

165. Date: November 10, 1983

Congress: 98th

Question: On appeal, whether to sustain the ruling of the Chair that the Riegle amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.J.Res. 413, making further continuing appropriations for FY 1984.

Disposition: The ruling of the Chair was sustained by a vote of 47-36.

Reference: Congressional Record, daily edition, S15884.

Subject: legislation on appropriations measures

166. Date: November 10, 1983

Congress: 98th

Question: On appeal, whether to sustain the ruling of the Chair that the Ford amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.J.Res. 413, making further continuing appropriations for FY 1984.

Disposition: The ruling of the Chair was sustained by a vote of 42-40.

Reference: Congressional Record, daily edition, S15894.

Subject: legislation on appropriations measures

167. Date: November 10, 1983

Congress: 98th

Question: On appeal, whether to sustain the ruling of the Chair that the Metzenbaum amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.J.Res. 413, making further continuing appropriations for FY 1984.

Disposition: The ruling of the Chair was sustained by a vote of 43-37.

Reference: Congressional Record, daily edition, S15918-S15919.

Subject: legislation on appropriations measures

168. Date: May 3, 1984

Congress: 98th

Question: On submission by the Chair to the Senate, whether the Mattingly amendment was unconstitutional on the grounds that it sought by statute to empower the president to veto items of appropriations. The question arose during consideration of H.R. 2163, to amend the Federal Boat Safety Act of 1971.

Disposition: The Senate held, by a vote of 56-34, that the point of order was well taken and that the amendment was unconstitutional. Previously, by a vote of 45-46, the Senate had rejected a motion to table the point of order.

Reference: Congressional Record, daily edition, S5312-S5323.

Subjects: amendments
 constitutionality

169. Date: June 28, 1984

Congress: 98th

Question: On appeal, whether to sustain the ruling of the Chair that a committee amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 5712, the Commerce-State-Justice appropriations bill for FY 1985.

Disposition: The ruling of the Chair was reversed on appeal by a vote of 27-72.

Reference: Congressional Record, daily edition, S8585-S8586.

Subject: legislation on appropriations measures

170. Date: August 8, 1984

Congress: 98th

Question: On submission to the Senate pursuant to Rule XVI, whether the Pell amendment was germane to H.R. 6040, making supplemental appropriations for FY 1984.

Disposition: The Senate held, by a vote of 23 to 69, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S9953-S9954.

Subjects: appropriations measures
 germaneness

171. Date: September 27, 1984

Congress: 98th

Question: Whether the Byrd amendment was germane to H.J.Res. 648, making continuing appropriations for FY 1985. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 51-48, that the amendment was germane and, therefore, in order.

Reference: Congressional Record, daily edition, S12136-S12138, S12166-S12167.

Subjects: legislation on appropriations measures
 question of germaneness

172. Date: September 29-October 2, 1984

Congress: 98th

Question: Whether to table an appeal from the ruling of the Chair that, the Senate having invoked cloture, the Baker/Hatch amendment (No. 5728) relating to school busing was not germane and, therefore, not in order during consideration of H.J.Res. 648, making continuing appropriations for FY 1985.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 55-39. Subsequently, by a vote of 60-37, the Senate agreed to reconsider the vote by which it had agreed to the motion to table. Then the Senate voted, 41-56, to reject the motion to table the appeal. Finally, and notwithstanding the fact that the appeal was pending, the Senate agreed by voice vote to a motion to table amendment No. 5727, thereby tabling Amendment No. 5828 and disposing of the question as well.

Reference: Congressional Record, daily edition, S12414, S12422, S12511-S12523, S12625-S12626, S12643.

Subjects: cloture
 germaneness

173. Date: September 29-October 2, 1984

Congress: 98th

Question: Whether to table an appeal from the ruling of the Chair that, the Senate having invoked cloture, the Baker/McClure amendment (No. 5727) relating to gun control was not germane and, therefore, not in order during consideration of H.J.Res. 648, making continuing appropriations for FY 1985.

Disposition: The motion to table was rejected, by a vote of 31-63. Subsequently, by a vote of 20-77, the Senate voted not to reconsider the vote by which it had rejected the tabling motion. Finally, and notwithstanding the fact that the appeal was pending, the Senate agreed by voice vote to a motion to table the amendment, thereby disposing of the question as well.

Reference: Congressional Record, daily edition, S12421-S12422, S12523-S12524, S12625-12626, S12643.

Subjects: cloture
 germaneness

174. Date: October 2, 1984

Congress: 98th

Question: On submission to the Senate pursuant to Rule XVI, whether the DeConcini amendment was germane to H.J.Res 648, making continuing appropriations for FY 1985.

Disposition: The Senate held, by a vote of 28-67, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S12646-S12649.

Subjects: appropriations measures
 germaneness

175. Date: October 2, 1984

Congress: 98th

Question: Whether the Bradley amendment was germane to H.J.Res. 648, making continuing appropriations for FY 1985. The question was raised with

a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 38-59, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S12652, S12658.

Subjects: legislation on appropriations measures
question of germaneness

176. Date: October 2, 1984

Congress: 98th

Question: Whether the Bumpers amendment was germane to H.J.Res. 648, making continuing appropriations for FY 1985. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 33-63, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S12678.

Subjects: legislation on appropriations measures
question of germaneness

177. Date: October 3, 1984

Congress: 98th

Question: On submission to the Senate pursuant to Rule XVI, whether the Moynihan amendment was germane to H.J.Res. 648, making continuing appropriations for FY 1985.

Disposition: The Senate held, by a vote of 24-74, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S12987.

Subjects: appropriations measures
germaneness

178. Date: October 3, 1984

Congress: 98th

Question: On submission to the Senate pursuant to Rule XVI, whether the Cranston amendment was germane to H.J.Res. 648, making continuing appropriations for FY 1985.

Disposition: The Senate held, by a vote of 41-57, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S13002-S13003.

Subjects: appropriations measures
germaneness

179. Date: October 3, 1984

Congress: 98th

Question: Whether the Abdnor amendment was germane to H.J.Res. 648, making continuing appropriations for FY 1985. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 36-60, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S13160.

Subjects: legislation on appropriations measures
question of germaneness

180. Date: April 30, 1985

Congress: 99th

Question: On appeal, whether to sustain the ruling of the Chair that the Metzenbaum motion to recess was not in order. The motion provided for a 15 minute recess to be followed immediately by a vote on a specified amendment. The question arose during consideration of S.Con.Res. 32, the first budget resolution for FY 1986.

Disposition: The ruling of the Chair was sustained by a vote of 54-45.

Reference: 131 Congressional Record 9850.

Subject: motions to recess

181. Date: October 23, 1985

Congress: 99th

Question: Whether the Evans amendment was germane to H.R. 3244, the transportation appropriations bill for FY 1986. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 56-39, that the amendment was germane and, therefore, in order.

Reference: Congressional Record, daily edition, S13863.

Subjects: legislation on appropriations measures
question of germaneness

182. Date: November 1, 1985

Congress: 99th

Question: Whether to table the point of order that the Helms/Armstrong amendment to H.R. 2965, the Commerce-Justice-State appropriations bill for FY 1986, was unconstitutional on the grounds that it violated the 8th Amendment concerning cruel or unusual punishment.

Disposition: The Senate rejected the motion to table by a vote of 47-48. The Senate then held, by voice vote, that the point of order was well taken and that the amendment was unconstitutional and, therefore, not in order.

Reference: Congressional Record, daily edition, S14629-S14633.

Subjects: amendments
constitutionality

183. Date: November 7, 1985

Congress: 99th

Question: Whether a committee amendment was germane to H.R. 3327, the military construction appropriations bill for FY 1986. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 45-49, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S15002.

Subjects: legislation on appropriations measures
question of germaneness

184. Date: December 9, 1985

Congress: 99th

Question: Whether to table an appeal from the ruling of the Chair that the Kennedy amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.J.Res. 465, making further continuing appropriations for FY 1986.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 53-37.

Reference: 131 Congressional Record 35327.

Subject: legislation on appropriations measures

185. Date: December 9, 1985

Congress: 99th

Question: Whether to table an appeal from the ruling of the Chair that the Heinz amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.J. Res. 465, making further continuing appropriations for FY 1986.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 45-41.

Reference: 131 Congressional Record 35329.

Subject: legislation on appropriations measures

186. Date: December 10, 1985

Congress: 99th

Question: Whether the Humphrey amendment was germane to H.J.Res. 465, making further continuing appropriations for FY 1986. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 46-47, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S17284-S17285.

Subjects: legislation on appropriations measures
question of germaneness

187. Date: December 10, 1985

Congress: 99th

Question: Whether the Boren amendment was germane to H.J.Res. 465, making further continuing appropriations for FY 1986. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 19-77, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S17303.

Subjects: legislation on appropriations measures
question of germaneness

188. Date: December 10, 1985

Congress: 99th

Question: Whether the Wallop amendment was germane to H.J.Res 465, making further continuing appropriations for FY 1986. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 39-58, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S17312-S17313.

Subjects: legislation on appropriations measures
question of germaneness

189. Date: December 11, 1985

Congress: 99th

Question: On appeal, whether to sustain the ruling of the Chair that the conference report on H.J.Res. 372, to increase the statutory limit on the public debt, was subject to a point of order on the grounds that the conferees

exceeded their authority by including in their report new matter not committed to them by either house.

Disposition: The ruling of the Chair was reversed on appeal by a vote of 27-68.

Reference: Congressional Record, daily edition, S17399-S17400.

Subjects: authority of conferees
conference reports

190. Date: December 13, 1985

Congress: 99th

Question: Whether to table an appeal from the ruling of the Chair that the Melcher amendment to S. 1396 was not germane. The Senate was considering the bill, the White Earth Reservation Land Settlement Act of 1985, under a unanimous consent agreement requiring that amendments be germane.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 56-36.

Reference: 131 Congressional Record 36250-36251, 36399-36401.

Subjects: germaneness
unanimous consent agreements

191. Date: February 4, 1986

Congress: 99th

Question: Whether to table the point of order that the Danforth substitute for S.638, providing for the sale of Conrail, was unconstitutional on the grounds that it proposed changes in revenues, thereby violating the Origination Clause which prescribes that all bills for raising revenue shall originate in the House.

Disposition: The Senate tabled the point of order by a vote of 70-17.

Reference: Congressional Record, daily edition, S887-S890.

Subjects: constitutionality
Origination Clause
revenue measures

192. Date: March 13, 1986

Congress: 99th

Question: Whether to table an appeal from the ruling of the Chair that the pending House amendment was not in order because it violated Section 311 of the Budget Act, as amended, by proposing levels of budget authority and outlays in excess of the levels specified in the applicable budget resolution. The question arose during consideration of the House amendment to the Senate amendment to H.J.Res. 534, making an urgent supplemental appropriation for the Department of Agriculture for FY 1986, the conference committee having reported the House amendment in disagreement.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 61-33. Previously, by a vote of 1-92, the Senate had rejected a motion, under Section 904 of the Budget Act, to waive Section 311 for purposes of considering the House amendment.

Reference: Congressional Record, daily edition, S2640-S2655.

Subjects: amendments between the houses
Budget Act

193. Date: June 5, 1986

Congress: 99th

Question: Whether a committee amendment was germane to H.R. 4515, making urgent supplemental appropriations for FY 1986. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 62-36, that the amendment was germane and, therefore, in order.

Reference: Congressional Record, daily edition, S6841-S6842.

Subjects: legislation on appropriations measures
question of germaneness

194. Date: June 5, 1986

Congress: 99th

Question: Whether to table an appeal from the ruling of the Chair that the Proxmire amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 4515, making urgent supplemental appropriations for FY 1986.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 68-30.

Reference: Congressional Record, daily edition, S6880-S6882.

Subject: legislation on appropriations measures

195. Date: June 6, 1986

Congress: 99th

Question: Whether the Wilson amendment was germane to H.R. 4515, making urgent supplemental appropriations for FY 1986. The question was raised with a point of order pending against the amendment for proposing legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 40-52, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S6991.

Subjects: legislation on appropriations measures
question of germaneness

196. Date: June 6, 1986

Congress: 99th

Question: Whether to table an appeal from the ruling of the Chair that the Abdnor amendment constituted legislation proposed to an appropriations measure, in violation of Rule XVI. The question arose during consideration of H.R. 4515, making urgent supplemental appropriations for FY 1986.

Disposition: The appeal was tabled, thereby sustaining the ruling of the Chair, by a vote of 46-44.

Reference: Congressional Record, daily edition, S7008-S7010.

Subject: legislation on appropriations measures

197. Date: June 6, 1986

Congress: 99th

Question: Whether the Kennedy amendment was germane to H.R. 4515, making urgent supplemental appropriations for FY 1986. The question was raised with a point of order pending against the amendment for proposing

legislation to an appropriations measure, and was submitted to the Senate for its decision as required by Rule XVI.

Disposition: The Senate held, by a vote of 45-47, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S7012-S7013.

Subjects: legislation on appropriations measures
question of germaneness

198. Date: September 25, 1986

Congress: 99th

Question: On appeal by Byrd (of West Virginia), whether to sustain the ruling of the Chair that certain actions constituted speeches for purposes of the two-speech rule of Rule XIX, paragraph 1.

Disposition: The ruling of the Chair was reversed on appeal by a vote of 5-92.

Reference: Congressional Record, daily edition, S13687-S13701.

Subject: debate

199. Date: October 1, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Danforth amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 49-49, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S14411-S14412.

Subjects: appropriations measures
germaneness

200. Date: October 1, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Dixon amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 40-58, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S14412.

Subjects: appropriations measures
germaneness

201. Date: October 1, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Harkin amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 47-52, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S14425.

Subjects: appropriations measures
germaneness

202. Date: October 2, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Gore amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 44-54, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S14672, S14674.

Subjects: appropriations measures
germaneness

203. Date: October 2, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Helms amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 34-65, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S14683-S14684.

Subjects: appropriations measures
germaneness

204. Date: October 2, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Heinz amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 46-53, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S14691-S14692.

Subjects: appropriations measures
germaneness

205. Date: October 2, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Bumpers amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 45-53, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S14696.

Subjects: appropriations measures
germaneness

206. Date: October 2, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Leahy amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 48-50, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S14704.

Subjects: appropriations measures
 germaneness

207. Date: October 2, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Hawkins amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 78-17, that the amendment was germane and, therefore, in order.

Reference: Congressional Record, daily edition, S14721.

Subjects: appropriations measures
 germaneness

208. Date: October 2, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Mattingly amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 61-33, that the amendment was germane and, therefore, in order.

Reference: Congressional Record, daily edition, S14737.

Subjects: appropriations measures
 germaneness

209. Date: October 2, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Kasten amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 32-60, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S14753, S14757.

Subjects: appropriations measures
 germaneness

210. Date: October 3, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Humphrey amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 34-64, that the amendment was not germane and, therefore, not in order.

Reference: Congressional Record, daily edition, S14861-S14862.

Subjects: appropriations measures
 germaneness

211. Date: October 3, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Warner amendment was germane to H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 63-35, that the amendment was germane and, therefore, in order.

Reference: Congressional Record, daily edition, S14865.

Subjects: appropriations measures
 germaneness

212. Date: October 3, 1986

Congress: 99th

Question: On appeal, whether to sustain the ruling of the Chair that the Kennedy amendment to H.J.Res. 738, making continuing appropriations for FY 1987, was not in order because it provided a new item of appropriations that was not authorized.

Disposition: The ruling of the Chair was sustained by a vote of 75-23.

Reference: Congressional Record, daily edition, S14879.

Subject: unauthorized appropriations

213. Date: October 16, 1986

Congress: 99th

Question: On submission to the Senate pursuant to Rule XVI, whether the Goldwater amendment was germane to the Abdnor amendment offered to a House amendment to a Senate amendment. The Senate amendment had been reported from conference in disagreement to accompany the conference report on H.J.Res. 738, making continuing appropriations for FY 1987.

Disposition: The Senate held, by a vote of 69-21, that the amendment was germane and, therefore, in order.

Reference: Congressional Record, daily edition, S16659.

Subjects: amendments between the houses
appropriations measures
germaneness

