

TREASURY DEPARTMENT

INTER OFFICE COMMUNICATION

DATE DEC 19 1944

TO Mr. Brenner
FROM Mr. Speck

Reference is made to your inquiry whether an appropriation contained in general legislation would be subject to a point of order. The inquiry referred specifically to a bill pending before the House Committee on Banking and Currency.

Section 4 of Rule XXI of the House of Representatives forbids the carrying of appropriations in bills or joint resolutions reported by committees without jurisdiction to report appropriations. 1/ Since the Committee on Banking and Currency is not an appropriations committee, any appropriation contained in legislation reported by such Committee would be subject to a point of order.

There is, however, a way in which this rule may be circumvented. It is possible to obtain from the Committee on Rules a resolution calling for the consideration by the Committee of the Whole House of the bill reported and the resolution can provide for the waiver of all points of order against the bill. An example of such a resolution may be found in the Congressional Record, August 29, 1944, p. 7437. It is, of course, necessary that such a resolution be agreed to by the House.

1/ Cannon's Precedents of the House of Representatives, VII, § 2133.