

## insights

TYPES NOT MAPPED YET May 18, 2023 | TTR not mapped yet | Christopher T. Murray

# Point of Order

An [objection](#) to a pending matter or proceeding believed to be in violation of the rules of the House or Senate.

### Slow Hand

A point of order is a parliamentary rule designed to ensure members of Congress follow the rules of their chamber and behave with decorum during House or Senate proceedings. It was introduced to the legislative process in a [rules manual](#) authored by Thomas Jefferson during his time as vice president, which was later adopted as the official rulebook for the House in 1837. Today, the House and Senate have similar rules governing points of order, albeit with some unique stipulations in each chamber.

### I'm So Excited

Any member can seek recognition, insist they have a point of order, and then explain the potential violation. This tool is most often used to challenge an amendment, section, or paragraph of a bill being debated during committee markup or on the floor. The presiding speaker or committee chair then must sustain or reject it, often under advisement from committee counsel or the chamber's parliamentarian.

Points of order guarantee the minority party the ability to air grievances with how bills have been brought through Congress. They also play an important role in the congressional budgetary process, with the Congressional Budget Act of 1974 establishing many [distinct](#) points of order. Finally, they can help hold members of Congress accountable for their behavior during official proceedings.

### Jump

In [2013](#), after former Senate Majority Leader Harry Reid (D-NV) grew tired of Senate Republicans standing in the way of many of former President Obama's judicial nominees, Senate Democrats raised a point of order to appeal the Senate [rule](#) invoking cloture. Once called the "nuclear option," this action ultimately led to the Senate eliminating the sixty-vote supermajority for judicial nominees (other than for the Supreme Court). Then-Minority Leader Mitch McConnell (R-KY) railed against this change. But in [2017](#), he utilized the same steps to make Supreme Court nominations also only subject to a simple majority to secure the confirmation of Justice Gorsuch. All judicial nominations are now only subject to a majority vote for Senate confirmation.

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