

Chapter 9

Calendars

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Research References

4 Hinds §§ 3115–3118
7 Cannon §§ 881–1023
Deschler Ch 22 §§ 1, 2
Manual §§ 828–830, 892, 898

§ 1. In General; Kinds of Calendars

Under rule XIII clause 1, the House maintains various calendars to facilitate the scheduling and consideration of its legislative business. These include:

- The House Calendar. This calendar receives referrals of public bills that do not raise revenue or directly or indirectly make or require an appropriation of money or property. *Manual* § 828.
- The Union Calendar. Measures belonging on the Union Calendar are those on subjects which fall within the jurisdiction of the Committee of the Whole. Deschler Ch 22 § 2. Subjects which must be considered in the Committee of the Whole are specified in rule XVIII clause 3. Bills appropriating money or property are referred to the Union Calendar. *Manual* §§ 828, 973. The same is true of bills authorizing an undertaking by a governmental agency which will incur an expense to the government, however small. 8 Cannon § 2401.
- The Private Calendar (to which are referred bills of a private character). See PRIVATE CALENDAR.
- The Corrections Calendar. § 5, *infra*.
- The Discharge Calendar (to which are referred motions to discharge committees). *Manual* §§ 830, 892; see DISCHARGING MEASURES FROM COMMITTEES.

These calendars—the Discharge Calendar excepted—consist primarily of lists of measures on which committee action has been completed and

which are ready for floor action. They are printed daily and appear in *Calendars of the United States House of Representatives*.

Calendar Wednesday and Suspension of the Rules are not legislative calendars. Calendar Wednesday refers to the procedure for the call of committees on Wednesday for the consideration of unprivileged bills on the House and Union Calendars. See CALENDAR WEDNESDAY. Suspension of the Rules refers to the procedure under which the House considers motions to suspend the rules on Monday and Tuesday. See SUSPENSION OF RULES.

§ 2. Referrals to Calendars

Measures Reported Favorably

Bills that are favorably reported from a committee are referred to the appropriate calendar under the direction of the Speaker unless referred to other committees under rule XII clause 2. *Manual* § 816. Public bills favorably reported are referred either to the Union Calendar or to the House Calendar. Deschler Ch 22 § 2. Bills favorably reported and placed on either calendar may be placed on the Corrections Calendar under the procedures prescribed in rule XV clause 6.

The reference of a bill to a particular calendar is governed by the text of the bill as referred to committee, and amendments reported by a committee are not considered in making this determination. 8 Cannon § 2392.

Measures Reported Unfavorably

Bills and resolutions that are adversely reported from committee are not referred to a calendar unless a request to that effect is made by the committee or a Member. Deschler Ch 22 § 1.1. Under rule XIII clause 2(a)(2), Members have three days in which to request such a referral. *Manual* § 832. Such request is normally communicated by the committee to the Clerk at the time of reporting, although it also may be made by a Member from the floor. Absent such a request, an adversely reported measure is laid on the table. *Manual* § 832. Thereafter, it may be taken from the table and placed on the calendar only by unanimous consent. 6 Cannon § 750.

Privileged measures are excepted from the general rule that only favorably reported bills are referred to a calendar. Adverse reports on privileged resolutions (including resolutions of inquiry) are automatically referred to the proper calendar by the Speaker. 6 Cannon § 411.

Measures Reported Improperly

A bill that has been improperly reported from a committee is not entitled to a place on the calendar, and should be recommitted. 4 Hinds § 3117.

§ 3. — Erroneous Referrals

A bill that is on the wrong calendar is subject to a point of order when it is called up for consideration. *Manual* § 828; 6 Cannon §§ 746, 747. Such a point of order is untimely if made after consideration of the measure has begun. 7 Cannon § 856.

The Speaker has general authority to correct an erroneous reference by him of a reported bill to a calendar, and to transfer the bill to the proper calendar. *Manual* § 828; 7 Cannon § 859. Thus, a private bill erroneously referred to the Union Calendar may be transferred to the Private Calendar by direction of the Speaker. *Manual* § 828. The transfer of the bill to the proper calendar may be made effective as of the date of the original reference. Deschler Ch 22 § 1.2. The Speaker may correct such a reference at any time before consideration of the bill begins and while the question of consideration is pending. 6 Cannon § 748. The authority of the Speaker to correct a calendar reference does not apply where the reference was made by the House itself. 6 Cannon § 749.

An error in the referral of a bill to a calendar may also be corrected pursuant to motion. Such a motion presents a question of the privileges of the House. 3 Hinds §§ 2614, 2615. However, a mere clerical error in the calendar, such as an incorrect date, does not give rise to such a question. 3 Hinds § 2616.

§ 4. Discharge From Calendars

Although the Speaker has no specific authority under the House rules to remove a reported bill from the Union Calendar, he may discharge such a bill for reference to another committee pursuant to his general responsibility under rule XII clause 2 to fashion sequential referrals where appropriate. *Manual* § 816. Section 401(b) of the Congressional Budget Act of 1974 and rule X clause 4(a)(2) give the Speaker discretionary authority to discharge a bill from the Union Calendar and refer for 15 days to the Committee on Appropriations bills reported by another committee providing certain new entitlement authority. *Manual* §§ 747, 1127.

§ 5. The Corrections Calendar

Under rule XV clause 6, bills favorably reported from committee and on the House or Union Calendar are also eligible for placement on the Corrections Calendar. Placement on the calendar is by direction of the Speaker in his discretion (after consultation with the Minority Leader). The Speaker

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may discharge a bill from the Corrections Calendar at any time. *Manual* § 898.

Bills on the calendar may be called up for consideration in the House on the second and fourth Tuesdays of each month at any time and in any order. *Manual* § 898. Such bills are debatable for one hour but are not subject to amendment unless offered by the committee of primary jurisdiction or its chairman or his designee. Bills called up under this procedure require a three-fifths vote for passage. *Manual* § 898.