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THE SPEAKER PRO TEMPORE:[14] The Chair must hold that under the spirit of the rule for the consideration of omnibus private bills, such an amendment, which is in effect a pro forma amendment, is not in order, and in addition thereto, the amendment offered is an amendment to an amendment already adopted, and therefore not in order.

Striking Part of Omnibus Bill

§ 13.18 Where an omnibus private bill contains an individual private bill that has been laid on the table, the Chair upon the presentation of a point of order has ordered the individual bill stricken from the omnibus bill.

On Apr. 22, 1936,[15] during the call on the Private Calendar of the omnibus bill H.R. 852, Mr. John J. Cochran, of Missouri, raised the point of order that title IX of such bill (H.R. 3075) was laid on the table in August of 1935:

MR. COCHRAN: . . . Mr. Speaker, I make the point of order that the committee had no right or authority to include this bill in an omnibus bill, because it has already been tabled and was not rereferred to the committee.

THE SPEAKER:[16] . . . The Chair holds that this bill, having been laid on the table by action of the House, is not a proper bill to be included in the pending omnibus bill. The only way to get it up would be by submitting a unanimous-consent request to take it from the table and consider it.

The Chair therefore sustains the point of order.

§ 14. Private Bills and House-Senate Relations

Resolving Omnibus Bill Into Individual Bills

§ 14.1 Under the Private Calendar rule omnibus bills upon their passage are resolved into the several original bills of which they are composed and are messaged to the Senate as individual bills and not as an omnibus bill.

On Jan. 27, 1936,[17] Mr. John J. Cochran, of Missouri, raised a parliamentary inquiry:

MR. COCHRAN: In the last session of Congress the House passed an omnibus-claims bill. That bill went to the Senate and one bill I have in mind was passed by the Senate with amendments and is now in conference. I desire to inquire if that conference report will come back to the House on that particular bill or will it come back to the House as a conference report on the omnibus claims bill?

14. John J. O'Connor (N.Y.).

15. 80 CONG. REC. 5894, 5895, 74th Cong. 2d Sess.

16. Joseph W. Byrns (Tenn.).

17. 79 CONG. REC. 1047, 74th Cong. 2d Sess.

THE SPEAKER:[18] The conferees will report on the individual bill which was passed by the two Houses. The gentleman understands that under the Private Calendar rule, after an omnibus bill is passed by the House, it is resolved into the several bills of which it is composed so that each bill contained therein again assumes its original form. The Chair thinks the gentleman will find that there are no omnibus-claims bills in conference but that there may be some individual bills in conference that were at one time incorporated in an omnibus bill. In that case the conferees could only report on the individual bills committed to them.

MR. COCHRAN: Then it will come back here as a conference report on an individual bill and considered under the general rules of the House?

THE SPEAKER: The gentleman is correct.

Considering Senate Bill by Resolution

§ 14.2 Parliamentarian's Note: Where a private Senate bill resulting in the expenditure of public funds (and thus requiring consideration in the Committee of the Whole) is not privileged and cannot be taken from the Speaker's table for direct action by the House, the House may adopt a resolution taking the bill from the table and providing for its consideration.

18. Joseph W. Byrns (Tenn.).

On Mar. 14, 1961,[19] the House considered and adopted House Resolution 224, called up from the Committee on Rules, providing for the taking from the Speaker's table and considering in the Committee of the Whole House on the State of the Union the bill (S. 1173) to authorize the appointment of Dwight David Eisenhower to the active list of the regular Army.

Tabling Part of an Omnibus Bill

§ 14.3 After passage of an omnibus private bill on the calendar, Senate bills pending on the Speaker's table which are identical or similar to those contained in the omnibus bill may be disposed of in the House by unanimous consent. After disposition of a Senate bill, the similar House bill—a component of the omnibus bill—may be laid on the table by unanimous consent so that two measures involving the same private relief will not be messaged to the Senate.

On Sept. 17, 1968,[20] Mr. Herbert Tenzer, of New York, asked

19. 107 CONG. REC. 3911, 3914, 87th Cong. 1st Sess.

20. 114 CONG. REC. 27184, 27185, 90th Cong. 2d Sess.

unanimous consent for the immediate consideration of the bill (S. 857) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash. This bill was similar to title IX (H.R. 4949) of the omnibus bill (H.R. 16187) which the House had just passed.[1]

There was no objection.

Mr. Tenzer then offered an amendment to the Senate bill reducing the amount of the claim provided for in the bill from $44,016.62 to $9,593.72, so that the Senate bill as amended would be identical to the House bill just passed.

The amendment was agreed to, the Senate bill was passed, and by unanimous consent the proceedings whereby the identical House bill (H.R. 4949) was passed were vacated and the House bill laid on the table.

Considering Similar Senate and House Bills

§ 14.4 After the passage in the House of an omnibus private bill it is in order by unanimous consent to take from the Speaker's table and pass a similar Senate bill, in which event the proceedings whereby the House bill passed should be vacated and the bill laid on the table.

On Apr. 22, 1936,[2] Mr. Clyde Williams, of Missouri, asked unanimous consent for the present consideration of the bill (S. 713) granting jurisdiction to the Court of Claims to hear the case of David A. Wright, which was identical to the bill H.R. 2713 in the (omnibus) bill (H.R. 8524, title IV) just passed:

> THE SPEAKER:[3] Is there objection?
>
> There being no objection, the bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.
>
> MR. WILLIAMS: Mr. Speaker, I ask unanimous consent to vacate the proceedings of the House by which H.R. 2713 was passed.
>
> THE SPEAKER: The gentleman from Missouri asks unanimous consent to vacate the proceedings of the House whereby H.R. 2713 was passed and to lay that bill on the table. Is there objection?
>
> There was no objection.

§ 14.5 Where an omnibus private bill is passed containing House bills similar to Senate bills on the Speaker's table the Speaker recognizes Members for unanimous-consent requests to take up such Senate bills for consideration; upon passage of the Senate

1. *Id.* at p. 27184.

2. 80 CONG. REC. 5897, 5898, 74th Cong. 2d Sess.

3. Joseph W. Byrns (Tenn.).

bill, the House vacates action on the similar House bill.

On Aug. 21, 1935,[4] the Chair made the following statement:

THE SPEAKER:[5] In the omnibus bills which were passed on yesterday there were included several bills which had previously passed the Senate and were on the Speaker's table. The Chair feels that those Members who are interested in those particular bills should have an opportunity to ask unanimous consent for the immediate consideration of the Senate bills, so that they can be taken out of the omnibus bills when they are reported to the Senate. . . .

MR. [WILLIAM A.] PITTENGER [of Minnesota]: Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1448) for the relief of certain claimants who suffered loss by fire in the State of Minnesota during October 1918.

THE SPEAKER: Is that one of the bills in the omnibus bill that was passed yesterday?

MR. PITTENGER: It is one of the bills in the omnibus bill passed on yesterday.[6]

The Clerk read the title of the bill.

THE SPEAKER: Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE SPEAKER: Without objection the procedure by which title IV of the omnibus bill (H.R. 3662) was passed on yesterday will be vacated, and the House bill laid on the table.

There was no objection.

Private Senate Bills at the Speaker's Table

§ 14.6 The House by resolution provided for the consideration of private Senate bills on the Private Calendar as well as private Senate bills on the Speaker's table, where similar House bills have been favorably reported and were on the Private Calendar.

On Feb. 25, 1933,[7] the House considered House Resolution 398, called up by Mr. Henry T. Rainey, of Illinois:

Resolved, That on Wednesday, March 1, 1933, it shall be in order to move that the House take a recess until 8 o'clock p.m., and that at the evening session until 10:30 p.m. it shall be in order to consider Senate bills on the Private Calendar and Sen-

4. 79 CONG. REC. 13993, 74th Cong. 1st Sess.

5. Joseph W. Byrns (Tenn.).

6. By this Mr. Pittenger meant that the Senate bill in question was the same as the House bill (H.R. 3662) which was passed the previous day as part of the omnibus bill (H.R. 8108, 79 CONG. REC. 13842–55, 74th Cong. 1st Sess., Aug. 20, 1935), while its counterpart, S. 1443, remained at the Speaker's table.

7. 76 CONG. REC. 5021, 72d Cong. 2d Sess.

ate bills on the Speaker's table where similar House bills have been favorably reported and are now on the Private Calendar, the call of said bills to begin where the last call of the Private Calendar ended. In order to expedite the consideration of said bills the Clerk shall prepare a special Private Calendar of Senate bills eligible to be considered under this resolution, and the bills on said special calendar unobjected to shall be considered in their numerical order on said calendar in the House as in Committee of the Whole: *Provided*, That after the completion of the call of bills on said special Private Calendar of Senate bills it shall be in order to call the bills on the Private Calendar where the last call on the Private Calendar ended.

House Bills and Unrelated Amendments

§ 14.7 The House has suspended the rules and agreed to a private House bill with a Senate amendment extending the life of the Civil Rights Commission.

On Oct. 7, 1963,[8] Mr. Emanuel Celler, of New York, moved that the House suspend the rules and adopt a resolution (H. Res. 541) that the private bill (H.R. 3369) for the relief of Elizabeth G. Mason, with a Senate amendment thereto extending the life of the Civil Rights Commission for one year, be taken from the Speaker's table and agreed to.

The motion and the resolution were agreed to.[9]

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8. 109 CONG. REC. 18851–64, 88th Cong. 1st Sess.

9. *Id.* at pp. 18863, 18864.