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§ 46. Reservation of Objection

Discretion of Chair

§ 46.1 Recognition for a reservation of objection to a unanimous-consent request is within the discretion of the Speaker, and sometimes he refuses to permit debate under such a reservation and immediately puts the question.

On Dec. 3, 1969,[9] the House was considering an extension of the Economic Opportunity Act of 1964. Mrs. Edith S. Green, of Oregon, had sought a special order permitting her to address the House for two hours, but the Speaker, John W. McCormack, of Massachusetts, informed her that she would have to limit her request to one hour.

> MRS. GREEN of Oregon: Mr. Speaker, I am always cooperative with the Speaker of the House. I therefore ask unanimous consent that I be permitted to address the House for 1 hour after the close of business today.
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> MR. [ROMAN C.] PUCINSKI [of Illinois]: Mr. Speaker, reserving the right to object——
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> THE SPEAKER: The Chair will state that it will not recognize anyone else at this moment. Either the gentlewoman receives permission, or she does not.
>
> Is there objection to the request of the gentlewoman from Oregon?
>
> There was no objection.

§ 46.2 Recognition for a reservation of objection to a unanimous-consent request is within the discretion of the Chair, who endeavors to protect the right of Members to make timely reservations, but who may also refuse to permit debate under such reservation and immediately put the question on the request.

On July 23, 1970,[10] the Committee of the Whole was considering H.R. 18515, appropriations for the Departments of Labor and Health, Education, and Welfare for fiscal 1971. Mr. Daniel J. Flood, of Pennsylvania, sought unanimous consent to grant Mr. Robert N. Giaimo, of Connecticut, an additional five minutes of debate. Mr. John E. Moss, Jr., of California, attempted to reserve the right to object to the unanimous-consent request, and a discussion arose between Mr. Moss and the Chairman of the Committee of the Whole, Chet Holifield, of California, as to the timeliness of Mr. Moss' reserva-

9. CONG. REC. (daily ed.), 91st Cong. 1st Sess.

10. 116 CONG. REC. 25620, 91st Cong. 2d Sess.

tion of the right to object. The issue was resolved in the following manner:

THE CHAIRMAN: If the gentleman insists that he was seeking to reserve the right to object, the Chair will again put the request.

MR. MOSS: I do so insist, Mr. Chairman.

THE CHAIRMAN: Is there objection to the request of the gentleman?

MR. MOSS: Reserving the right to object——

THE CHAIRMAN: The gentleman has already reserved the right to object.

MR. MOSS: That is correct. . . .

I want to state my point, if the Chair will permit it.

THE CHAIRMAN: Reservations to object are entertained only in the prerogative of the Chair. The Chair does not recognize the gentleman from California, Mr. Moss, any further unless he objects.

Yielding Under a Reservation

§ 46.3 A Member holding the floor under a reservation of the right to object to a unanimous-consent request yielded to another Member who moved that the House adjourn.

On Sept. 22, 1965,[11] the House was considering a home rule bill for the District of Columbia, when the Speaker, John W. McCormack, of Massachusetts, announced pursuant to a call of the House that a quorum was present.

THE SPEAKER: . . . Without objection, further proceedings under the call will be dispensed with.

MR. [JOHN D.] DINGELL [of Michigan]: Mr. Speaker, I reserve the right to object.

THE SPEAKER: The Chair has announced that without objection further proceedings under the call will be dispensed with.

MR. DINGELL: Mr. Speaker, I was on my feet at the time seeking recognition.

MR. [CARL] ALBERT [of Oklahoma]: Mr. Speaker, I move that further proceedings under the call be dispensed with.

THE SPEAKER: Without objection, it is so ordered.

MR. DINGELL: Mr. Speaker, I still reserve the right to object.

THE SPEAKER: The gentleman from Michigan reserves the right to object.

MR. DINGELL: Mr. Speaker, I wish to ask whether or not it is the intention of the leadership to adjourn.

MR. ALBERT: Yes; we have only two or three unanimous-consent requests.

MR. [LESLIE C.] ARENDS [of Illinois]: Mr. Speaker, will the gentleman from Michigan yield to me?

MR. DINGELL: I yield.

MR. ARENDS: Mr. Speaker, the gentleman from Michigan has yielded to me. I move that the House do now adjourn.

THE SPEAKER: If the gentleman from Illinois will withhold that for a moment——

MR. ARENDS: Mr. Speaker, the gentleman from Michigan has yielded to me.

11. 111 CONG. REC. 24716, 24717, 89th Cong. 1st Sess.

THE SPEAKER: I do not think the gentleman yielded for that purpose.

Does the gentleman from Michigan yield for that purpose?

MR. DINGELL: Yes, I do.

MR. ARENDS: Mr. Speaker, I make the motion that the House do now adjourn.

THE SPEAKER: The question is on the motion of the gentleman from Illinois.

Parliamentarian's Note: The Chair could have refused to recognize the Member to whom the floor was yielded under the reservation until the unanimous-consent request was disposed of. The motion to adjourn, being so highly privileged could have been made as a matter of right whether the unanimous-consent request were agreed to or disagreed to.

§ 46.4 A Member who reserves the right to object to a unanimous-consent request loses control of the floor when the request is withdrawn.

On Feb. 8, 1964,[12] the Committee on the Whole was considering H.R. 7152, the Civil Rights Act of 1963 when Mr. Carl Albert, of Oklahoma, sought unanimous consent to limit debate on title VII of the bill.

THE CHAIRMAN:[13] Is there objection to the request of the gentleman from Oklahoma?

MR. [WILLIAM M.] COLMER [of Mississippi]: Mr. Chairman, reserving the right to object, and I am just one ordinary Member of this House, but I do have certain rights as one ordinary Member of the House, if I understand what was agreed upon originally, I am willing to abide by that agreement. . . .

MR. [WAYNE L.] HAYS [of Ohio]: Mr. Chairman, will the gentleman yield to me?

MR. COLMER: I yield to the gentleman from Ohio.

MR. HAYS: Mr. Chairman, I would like to propound a parliamentary inquiry. If the unanimous-consent request of the majority leader should be objected to, would not the majority leader or the chairman of the committee have a right to move that that be set and that the debate be ended at a specified time on Monday?

THE CHAIRMAN: The Chair would say a motion to limit debate would be in order after there has been debate on the title.

MR. ALBERT: Mr. Chairman, may I withdraw my unanimous-consent request and ask unanimous consent that the debate on title VII and all amendments thereto be limited to not exceeding 2 hours on Monday?

MR. [CLARENCE J.] BROWN of Ohio: Mr. Chairman, reserving the right to object, I think it is about time I make a little comment on the whole matter.

I opened the debate for our side of the aisle on this rule, and I explained it thoroughly. I thought at that time I had explained the agreement. I want to repeat that an agreement was made.

MR. COLMER: Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

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12. 110 CONG. REC. 2614, 2615, 88th Cong. 2d Sess.

13. Eugene J. Keogh (N.Y.).

MR. BROWN of Ohio: If it does not come out of my time.

MR. COLMER: Mr. Chairman, the majority leader made a unanimous-consent request. I reserved the right to object. Then the gentleman from Oklahoma, the majority leader, after some discussion, asked unanimous consent to withdraw his unanimous-consent request. I did not hear the Chair rule on the gentleman's request, therefore, I assume I still have the floor.

THE CHAIRMAN: The gentleman from Oklahoma withdrew his unanimous-consent request to which the gentleman from Mississippi had reserved the right to object. The gentleman from Oklahoma submitted a new unanimous-consent request to which the gentleman from Ohio [Mr. Brown] reserved the right to object.

MR. BROWN of Ohio: The gentleman from Ohio has the floor?

THE CHAIRMAN: The gentleman from Ohio [Mr. Brown] has the floor.

Demand for Regular Order

§ 46.5 An objection cannot be reserved against a unanimous-consent request if the regular order is demanded.

On July 29, 1968,[14] Mr. Thaddeus J. Dulski, of New York, sought unanimous consent to take from the Speaker's table the bill H.R. 15387, relating to disciplinary action against employees of the postal field service. After brief discussion on Mr. Dulski's request, Mr. Wayne L. Hays, of Ohio, rose to his feet:

MR. HAYS: Mr. Speaker, in view of the fact that the gentleman from Illinois is going to object, I demand the regular order.

MR. [CHARLES R.] JONAS [of North Carolina]: Mr. Speaker, reserving the right to object——

THE SPEAKER:[15] The gentleman from Ohio [Mr. Hays] has demanded the regular order. The regular order is, Is there objection to the request of the gentleman from New York?

MR. [EDWARD J.] DERWINSKI [of Illinois]: Mr. Speaker, in deference to the gentleman from Ohio, I will reserve my right to object.

MR. JONAS: Mr. Speaker, I reserve the right to object.

THE SPEAKER: The regular order has been demanded, and the Chair has no discretion.

Is there objection to the request?

MR. [JOHN M.] ASHBROOK [of Ohio]: Mr. Speaker, I object.

§ 46.6 Where a Member has reserved the right to object to a unanimous-consent request pending before the House and the regular order is demanded, further reservation of the right to object to that request is precluded and that Member must either object or permit the request to be granted.

14. 114 CONG. REC. 23935, 23936, 90th Cong. 2d Sess.

15. John W. McCormack (Mass.).

On Feb. 4, 1971,[16] the following occurred on the floor of the House:

THE SPEAKER:[17] Is there objection to the request of the gentleman from Arkansas?

MR. [ANDREW] JACOBS [Jr., of Indiana]: Mr. Speaker, I reserve the right to object, and I do so because I want to reply to the statements made by the gentlewoman from Oregon.

MR. [WILBER D.] MILLS [of Arkansas]: Regular order, Mr. Speaker.

THE SPEAKER: Regular order has been demanded, and the regular order is, Is there objection to dispensing with the reading of the resolution?

MR. JACOBS: Mr. Speaker, reserving the right to object——

THE SPEAKER: The regular order has been demanded. The gentleman can either object or permit the request to be granted.

Is there objection to the request of the gentleman from Arkansas?

There was no objection.[18]

§ 47. Scope and Application of Request

Closing Debate on Unread Titles

§ 47.1 When a bill is being read by titles, debate may be closed on titles that have not been read by unanimous consent.

On Feb. 8, 1964,[1] the Committee of the Whole was considering the bill H.R. 7152, the Civil Rights Act of 1963, when a question arose concerning the time limit for debate on the bill:

MR. [WILLIAM M.] MCCULLOCH [of Ohio]: I should like to ask, Mr. Chairman, if the Committee of the Whole House on the State of the Union can now effect binding action as to time on the titles of the bill which we have not reached?

THE CHAIRMAN:[2] The Chair would inform the gentleman from Ohio that that could be done only by unanimous consent.

Reading of Amendment

§ 47.2 The reading of a substitute amendment in the Committee of the Whole may be dispensed with by unanimous consent.

On May 4, 1960,[3] the Committee of the Whole was considering S. 722, the Area Redevelopment Act of 1960, when Mr. Silvio O. Conte, of Massachusetts, offered a substitute for the com-

16. 117 CONG. REC. 1713, 92d Cong. 1st Sess.
17. Carl Albert (Okla.).
18. See also 109 CONG. REC. 10674, 88th Cong. 1st Sess., June 11, 1963.

1. 110 CONG. REC. 2614, 2615, 88th Cong. 2d Sess.
2. Eugene J. Keogh (N.Y.).
3. 106 CONG. REC. 9468, 86th Cong. 2d Sess.