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Chapter 31
Morning Hour; Call of Committees

§ 1. In General; Place in Order of Business
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Research References
4 Hinds §§ 3118–3141
6 Cannon §§ 751–755; 7 Cannon § 944
Deschler Ch 21 § 4
Manual §§ 869, 880, 881, 951

§ 1. In General; Place in Order of Business

Generally

The morning hour call of committees under rule XIV clause 4 is a rarely used procedure for calling up for consideration in the House bills that have been reported by committees and that are on the House Calendar. *Manual* § 880. Other avenues that are more frequently used for this purpose are special rules from the Committee on Rules; suspension of the rules; unanimous-consent agreements; and, historically, Calendar Wednesday (all of which are discussed under separate titles in this work). Because of the availability of these more effective procedures, and because most reported bills are referred to the Union Calendar, the morning hour call has become largely obsolete. Deschler Ch 21 § 4. However, since the demise of the Consent Calendar in the 104th Congress, the morning hour remains an alternative to suspensions as a way of disposing of relatively noncontroversial bills on the House Calendar.

Morning-hour Debates Distinguished

In the 103d Congress the House established a procedure for ''morning-hour debates.'' *Manual* § 951. Under this practice, which is permitted by a standing order adopted by unanimous consent each Congress, the House meets before the regular convening hour on Mondays and Tuesdays to entertain up to five-minute speeches for up to one hour from lists submitted by the Majority and Minority Leaders. No business is permitted during such periods. See CONSIDERATION AND DEBATE for further discussion of this practice.

Calendar Wednesday Distinguished

Unprivileged measures on the House or Union Calendar may be considered when committees are called alphabetically under the Calendar Wednesday rule. Rule XV clause 7. Calendar Wednesday is routinely dispensed with by unanimous consent, but it may be dispensed with by a motion that takes two-thirds to adopt. *Manual* § 900; see also CALENDAR WEDNESDAY.

Order of Morning Hour Business; Precedence

The morning hour is listed seventh in the rule governing the order of business in the House, coming just after ''unfinished business.'' Rule XIV clause 1. A bill once brought up on the morning hour call continues before the House in that order of business until disposed of, unless withdrawn by authority of the committee with jurisdiction over the bill. 4 Hinds § 3120. Such withdrawal must occur before amendment or other House action on the bill. 4 Hinds § 3129. Once consideration of the bill has begun under the morning hour rule, the House may not on motion postpone its further consideration to a day certain. 4 Hinds § 3164. However, other more highly privileged matters, such as a privileged report from the Committee on Rules, may intervene. 4 Hinds § 3131.

§ 2. Procedure; Business Considered

Generally

The morning hour rule provides that, after the disposition of unfinished business, the Speaker shall call each standing committee, ''in regular order,'' and then select committees. Rule XIV clause 4. This rule is interpreted to mean that committees are to be called seriatim in the order in which they are listed in rule X. 6 Cannon § 751. Each committee, when named, may then call from the House Calendar a bill it has previously reported. Rule XIV clause 4. Bills called up under this procedure are debated under the hour rule, with debate being confined to the bill under consideration. Deschler Ch 21 § 4.2.

Business Considered During the Morning Hour

In the early practice the morning hour was used for the reception of reports from committees. 4 Hinds § 3118. In 1890 the rule was amended so as to devote the morning hour to ''any bill'' reported by a committee ''on a previous day'' and that is on the House Calendar. *Manual* § 880. Thus, the bill must actually be on the House Calendar, and properly there, in order to be considered; a bill on the Union Calendar may not be brought up dur-

ing the morning hour call of committees. 4 Hinds §§ 3122–3126; 6 Cannon § 753.

Committee Authorization

A Member calling up a bill under the morning hour rule must be authorized to do so by the committee reporting the bill. Deschler Ch 21 § 4.2. In the event of a dispute as to whether committee authorization was in fact granted, the Speaker may decline to resolve the matter on the ground that such an issue gives rise to a question of fact to be resolved by the committee. 4 Hinds § 3127. He may, however, rule on the question of authorization based on statements by the chairman and other members of the reporting committee. 4 Hinds § 3128.

§ 3. Duration; Interruption or Termination

Generally

The term ''morning hour'' is to some extent misleading, since, under the modern rule, the call of committees does not necessarily terminate in one hour. 4 Hinds § 3119. Morning hour does not terminate until the call is exhausted, until the House adjourns or votes to go into Committee of the Whole, or until other privileged matter intervenes. *Manual* §§ 881–883; 4 Hinds § 3131. Under the modern practice, privileged business is always available to obviate morning hour business. After the intervening business is concluded, the morning hour call of committees is resumed unless the House adjourns. 4 Hinds § 3133.

Motions to go Into Committee of the Whole

The House rules permit the interruption of the morning hour call of committees by a motion to go into Committee of the Whole. Rule XIV clause 5; see COMMITTEES OF THE WHOLE. Under this rule, the motion lies ''after one hour'' of the call of committees, and may be made for the purpose of taking up a particular bill. *Manual* § 882. The motion may interrupt the call of committees after the expiration of one hour and may be made even sooner if the call of committees is exhausted before the hour expires. 4 Hinds §§ 3131, 3141.

Before expiration of the hour, the Speaker has declined to permit the call to be interrupted by a committee report or by a unanimous-consent request to consider a bill that is not on the House Calendar. 4 Hinds §§ 3130, 3132.