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Chapter 8
Calendar Wednesday

§ 1. In General; Forms
§ 2. Business Considered on Calendar Wednesday
§ 3. — In Committee of the Whole
§ 4. Privilege and Precedence of Calendar Wednesday Business
§ 5. The Call of Committees
§ 6. Calling Up Calendar Wednesday Business; Authorization
§ 7. The Question of Consideration
§ 8. Consideration and Debate
§ 9. — Use of Additional or Subsequent Wednesdays
§ 10. Unfinished Business; Effect of Previous Question
§ 11. Dispensing with Calendar Wednesday

Research References
7 Cannon §§ 881–971
Deschler Ch 21 § 4
Manual §§ 900, 901

§ 1. In General; Forms

Under rule XV clause 7, the Calendar Wednesday rule, Wednesdays are set apart for the consideration, pursuant to a call of committees, of unprivileged bills on the House and Union Calendars. The Calendar Wednesday procedure is utilized infrequently due to its cumbersome operation and to the fact that unprivileged bills may be considered more effectively pursuant to other procedures, such as a special order from the Committee on Rules, suspension of the rules, or unanimous consent. Deschler Ch 21 § 4.

The Calendar Wednesday rule may be dispensed with and does not apply during the last two weeks of a session. *Manual* § 900; § 11, infra.

Form

SPEAKER: Today is Calendar Wednesday, and the Clerk will call the roll of committees.

MEMBER (when his committee is called): Mr. Speaker, by direction of the Committee on _____, I call up the bill H.R. _____.

Note: Calendar Wednesday business may be called up only on formal authorization by the committee. A Mem-

ber without such authorization may not call up the bill if objection is made. § 6, infra.

SPEAKER: This bill is on the House Calendar. The Clerk will report the bill.

[or, if the bill is on the Union Calendar . . .]

SPEAKER: This bill is on the Union Calendar, and under the rule the House automatically resolves itself into the Committee of the Whole House on the state of the Union, with the gentleman from _____, Mr. _____, in the Chair.

CHAIRMAN: The House is in the Committee of the Whole House on the state of the Union for the [further] consideration of the bill H.R. _____, which the Clerk will report [by title].

Note: When first called up, the bill is read in full unless reading is dispensed with by unanimous consent. If consideration is extended beyond the day, it is read by title when called up on subsequent days.

CHAIRMAN: Under the rule, general debate is limited to two hours, and the Chair will recognize the gentleman from _____, Mr. _____ [usually the chairman of the committee], for the hour in favor of the bill and later the gentleman from _____, Mr. _____ [usually the ranking minority member of the committee], for the hour in opposition. The gentleman from _____, is recognized.

§ 2. Business Considered on Calendar Wednesday

Committees called under the Calendar Wednesday rule may call up for consideration any unprivileged bill on either the House or the Union Calendar but not on the Private Calendar. *Manual* § 900; Deschler Ch 21 § 4. No priority is given to bills on the House or the Union Calendar. 7 Cannon §§ 938, 963.

The Calendar Wednesday procedure applies only to bills reported from committee and not to amendments between the Houses or to unreported bills. 98–2, June 28, 1984, p 19770. Another limitation of rule XV clause 7(b) is that it applies only to unprivileged public bills. *Manual* § 900. A privileged bill is ineligible for consideration under the Calendar Wednesday rule, whether it is reported from the floor or delivered to the Clerk. 7 Cannon § 936. Unprivileged bills given privileged status by unanimous-consent agreement or special order are ineligible for consideration under the Calendar Wednesday procedure. 7 Cannon §§ 932–935.

The purpose of the Calendar Wednesday rule is to preserve that day for the class of legislation specified by the rule—namely, unprivileged bills. *Manual* § 900. Committee *reports* on bills may be filed on Calendar Wednesday, but they may not be called up for consideration or other action on such days. 7 Cannon § 907.

When Calendar Wednesday business is being considered under the rule, it is not in order to:

- Move a change of reference. 7 Cannon §§ 884, 2117.
- Call up a conference report. 7 Cannon §§ 899–901.
- Offer a motion for recess. *Manual* § 900.
- Call up a privileged bill, even though given privileged status by special order. 7 Cannon §§ 932, 934, 935.
- Call up a private bill. Deschler Ch 21 § 4.10.
- Consider business coming over from Tuesday with the previous question ordered. 7 Cannon § 890.
- Call up a resolution of inquiry or move to discharge a committee from the consideration of such a resolution. 7 Cannon §§ 896–898.

On Calendar Wednesdays, the Speaker ordinarily declines to entertain unanimous-consent requests not connected with Calendar Wednesday business. 7 Cannon §§ 882–888. However, the House may by unanimous consent, prior to the call of committees on Calendar Wednesday, permit a one-minute speech (Deschler-Brown Ch 29 § 10.62), allow a bill to be sent to a House-Senate conference (*Manual* § 901), or permit consideration of a resolution electing a committee chairman (98–2, Jan. 25, 1984, p 357).

§ 3. — In Committee of the Whole

When a bill on the Union Calendar is called up on Calendar Wednesday, the House automatically resolves into the Committee of the Whole without motion from the floor. *Manual* § 901. When such a bill comes up as the unfinished business on the next Calendar Wednesday when the same committee can be recognized, the House automatically resolves into the Committee of the Whole immediately without waiting for the call; and debate is resumed from the point at which it was discontinued on the previous Wednesday. 7 Cannon §§ 940, 942, 966; Deschler Ch 21 § 4.26.

On rejection by the House of a recommendation by the Committee of the Whole for peremptory disposition of a bill under consideration on Calendar Wednesday, the House automatically resolves into the Committee of the Whole for its further consideration. 7 Cannon § 943.

Resolving into the Committee generally, see COMMITTEES OF THE WHOLE.

§ 4. Privilege and Precedence of Calendar Wednesday Business

No business in order on Calendar Wednesdays may precede the call of committees unless the call has been dispensed with as provided for in rule XV clause 7. *Manual* § 900; 7 Cannon § 881. Calendar Wednesday business

is privileged matter which may interrupt the daily order of business as specified in rule XIV clause 1. *Manual* § 871. It takes precedence over other business privileged under the rules, except a veto message privileged under the Constitution (Deschler Ch 21 § 4.6), a question of privilege (7 Cannon §§ 908–911; Deschler Ch 21 § 4.5), and the administration of the oath to Members (6 Cannon § 22). When the call of committees is completed on Calendar Wednesday, business otherwise in order may be called up on that day. 7 Cannon § 921.

The call of committees on Calendar Wednesday has precedence over:

- The consideration of conference reports. 7 Cannon §§ 899–901.
- Business provided for by special order unless the special order expressly specifies Wednesday and was passed by two-thirds vote. 7 Cannon § 773; § 11, infra.
- The motion to go into Committee of the Whole to consider revenue and appropriation bills. 7 Cannon § 904.
- Business on which the previous question is operating and undisposed of at adjournment on the preceding day. 7 Cannon § 890.
- The motion for change of reference to committees. 7 Cannon §§ 883, 884.
- Privileged resolutions of inquiry. 7 Cannon § 896.
- Contested election cases. 7 Cannon § 903.
- Motions to reconsider. 7 Cannon § 905.
- Certain procedural propositions relating to impeachment. 7 Cannon § 902.
- Budget messages from the President. 7 Cannon § 914.
- Senate bills privileged because of similarity to a bill on the House Calendar. 7 Cannon § 906.
- Unanimous-consent requests generally. 7 Cannon §§ 882–888.

Motions to reconsider may be entered but not considered. 7 Cannon § 905. Privileged reports may be presented for printing but without the right to call up for immediate consideration. 7 Cannon § 907.

§ 5. The Call of Committees

Committees are called seriatim in the order in which they appear in rule X, the call being limited to those committees which have been elected. 7 Cannon §§ 922, 923, 925. Select committees with legislative jurisdiction are called after standing committees. Deschler Ch 21 § 4. When a committee is reached during a Calendar Wednesday call of committees, it is ordinarily not in order to ask recognition for any purpose other than to call up a bill for consideration. 6 Cannon § 754.

During a call of committees under the rule, a committee may not yield or exchange its order of rotation. 7 Cannon § 927. Any committee declining

to proceed with consideration of a bill when called on Wednesday loses that opportunity until again called in regular order. 7 Cannon § 926.

§ 6. Calling Up Calendar Wednesday Business; Authorization

Generally

The Calendar Wednesday rule permits committees to call up unprivileged bills from either the House Calendar or the Union Calendar, provided that there has been compliance with other rules of the House requiring that the measure and the report thereon be available for three days prior to consideration. *Manual* §§ 850, 900.

Calendar Wednesday business may be called up only on formal authorization by the reporting committee. 7 Cannon § 929. Rule XIII clause 2(b), requiring the chairman of each committee to take necessary steps to bring reported measures to a vote, is sufficient authority for the chairman to call up a bill on Calendar Wednesday. Deschler Ch 21 § 4.16. However, any other committee member must obtain specific authorization of his committee to call up a reported bill on Calendar Wednesday. *Manual* § 901; 4 Hinds § 3128; 7 Cannon §§ 928, 929. Committee authorization to a committee member to ''use all parliamentary means to bring the bill before the House'' is sufficient authorization to the member to call up the bill on Calendar Wednesday. 8 Cannon § 2217. Authority having been given to one Member to call up a bill, another may not be recognized for that purpose if objection is made. 7 Cannon §§ 928, 929. Only the member authorized by the committee reporting the bill may call up that bill on Calendar Wednesday. Deschler Ch 21 § 4.12. It is within the discretion of the committee to determine which member to authorize to call up the bill. Deschler Ch 21 § 4.15.

Withdrawal

After a bill has been called up on Calendar Wednesday, it may be withdrawn at any time before amendment. 7 Cannon § 930.

§ 7. The Question of Consideration

The question of consideration may be demanded on a bill called up under the Calendar Wednesday rule. Deschler Ch 21 § 4.18. The question is properly raised after the Clerk has read the title of the bill. Deschler Ch 21 § 4.20. The question of consideration is properly raised on a Union Calendar bill in the House before going into Committee of the Whole. 7 Cannon § 952. If the question is decided in the affirmative, the House automatically resolves itself into the Committee of the Whole for the consideration of the bill. Deschler Ch 21 § 4.20.

The refusal of the House to consider a bill called up under the Calendar Wednesday rule does not preclude the bill from being brought up under another procedure, such as pursuant to a rule from the Committee on Rules. Deschler Ch 21 § 4.19.

It is not in order to reconsider the vote whereby the House has declined to consider a proposition under the Calendar Wednesday rule. Deschler Ch 21 § 4.25.

§ 8. Consideration and Debate

In the House

The hour rule for debate applies to House Calendar bills called up in the House on Calendar Wednesday as on other days, and the Member in charge of the bill may move the previous question at any time after debate begins. 7 Cannon §§ 955–957.

In Committee of the Whole

The Calendar Wednesday rule allows not more than two hours of general debate on any measure called up on Calendar Wednesday, to be confined to the subject and to be equally divided between those favoring and those opposing. *Manual* § 900. This provision has been construed as applying only in the Committee of the Whole. 7 Cannon § 955. The two hours permitted by the rule may be reduced by the House by unanimous consent to one hour. 98–2, Jan. 25, 1984, pp 357, 358. However, time allotted for debate under the rule may not be extended in the Committee of the Whole even by unanimous consent. 7 Cannon § 959. When a bill previously debated is called up for the first time on Calendar Wednesday, consideration may proceed in the Committee of the Whole as if there had been no previous debate. 7 Cannon § 954.

In recognizing Members to control the time in opposition to the bill, the Chair recognizes minority members of the committee reporting the bill in the order of their seniority on the committee. Deschler Ch 21 § 4.24. They are entitled to prior recognition to oppose it, but if no member of the committee rises to oppose it, any Member may be recognized in opposition. 7 Cannon §§ 958, 959. The bill is read for amendment at the conclusion of an hour in favor of the bill if no one rises in opposition. 7 Cannon §§ 960, 961.

Amendments

In the Committee of the Whole, amendments may not be offered until the close of the two hours of debate, and the bill is taken up under the five-minute rule and read by section for amendment. 7 Cannon § 960. Committee

amendments are considered first as each section is reached. When the reading of the bill under the five-minute rule has been completed, the Committee rises and reports to the House. See COMMITTEES OF THE WHOLE.

§ 9. — Use of Additional or Subsequent Wednesdays

In its original form, the Calendar Wednesday rule was largely ineffective. It permitted extended consideration of bills by a single committee, to the exclusion of other committees. Sometimes Wednesdays were monopolized by one committee for an entire session. This defect was remedied by the adoption in 1916 of a proviso to the rule which prohibited committees from occupying more than one Wednesday in succession to the exclusion of other committees. 7 Cannon § 881. Today, a committee called under the Calendar Wednesday rule is not entitled to a second Wednesday to complete its business on a bill until the other committees have been called, unless the previous question is operating at adjournment. 8 Cannon § 2680. However, the House may by two-thirds vote authorize completion on a subsequent Wednesday of an unfinished bill. *Manual* § 900; 7 Cannon § 946; 8 Cannon § 2680.

The motion to grant a committee an additional Wednesday under the second proviso of the Calendar Wednesday rule is in order in the House prior to the Wednesday on which the committees are again called. 7 Cannon § 946. The motion is not in order in the Committee of the Whole. *Manual* § 900.

Any portion of a day is considered an entire day in the apportionment of Calendar Wednesdays to committees. 7 Cannon § 945.

§ 10. Unfinished Business; Effect of Previous Question

Where the previous question has been ordered on a bill on Calendar Wednesday, and the House adjourns, the bill becomes the unfinished business on the next legislative day. 8 Cannon §§ 895, 967; Deschler Ch 21 §§ 4.17, 4.28. Where a quorum fails on ordering the previous question on a bill under consideration on a Calendar Wednesday, and the House adjourns, the vote goes over until the next Calendar Wednesday available to the committee reporting the bill. Deschler Ch 21 § 4.29.

When the House adjourns on Tuesday without voting on a proposition on which the previous question was ordered, the question occurs not on Wednesday but on Thursday. 7 Cannon §§ 890–894. In one instance, a bill on which the previous question had been ordered at adjournment on Wednesday was taken up as the unfinished business on Thursday and took

precedence of a motion to go into the Committee of the Whole for the consideration of a bill privileged by special order. 8 Cannon § 2674.

It is not in order on a regular legislative day to move to postpone consideration of a pending measure to a Calendar Wednesday. 8 Cannon § 2614. A bill postponed from a Wednesday to a subsequent Wednesday becomes unfinished business to be considered when the committee calling it up is called again in its turn. 7 Cannon § 970.

§ 11. Dispensing with Calendar Wednesday

Generally

Calendar Wednesday business may be dispensed with by unanimous consent, normally pursuant to a request made by the Majority Leader during the previous week; but such a request may be entertained at any time prior to the beginning of the call. Deschler Ch 21 §§ 4.40–4.42.

Calendar Wednesday business may also be dispensed with pursuant to motion under rule XV clause 7. A Member may propose the motion to dispense with Calendar Wednesday any time on Wednesday or any preceding day. 7 Cannon §§ 915, 916; Deschler Ch 21 §§ 4.30, 4.31. For example, the motion may precede District of Columbia business under rule XV clause 4. Deschler Ch 21 § 4.33.

Debate on the motion to dispense with Calendar Wednesday is limited to 10 minutes, to be divided, five minutes in favor of the motion and five minutes in opposition. *Manual* § 900. In recognizing a Member for the five minutes in opposition to the motion, the Speaker extends preference to a member of the committee having the call. Deschler Ch 21 § 4.35.

A two-thirds vote of the Members present is required for its adoption. *Manual* § 900. The motion to dispense may not be laid on the table. Deschler Ch 21 § 4.36. If there are no bills on the calendar eligible for consideration under the Wednesday call of committees, a motion to dispense with the business in order on that day is not required. 7 Cannon §§ 918–920.

By Special Rule

A special rule that provides merely that a particular bill shall be in order for consideration upon adoption of the special rule, or from day-to-day until disposed of, does not dispense with Calendar Wednesday. 7 Cannon §§ 773, 789. Indeed, rule XIII clause 6(c) specifically precludes the Committee on Rules from reporting a special rule dispensing with Calendar Wednesday business by less than a two-thirds vote. *Manual* § 857. However, the Committee on Rules may report a special rule permitting the Speaker

to entertain motions to suspend the rules, which could ultimately lead to the suspension of the Calendar Wednesday rule. 8 Cannon § 2267.