

Individual Requests and Legislative Requests Distinguished

§ 43.3 The Speaker announced that he would recognize Members to make individual unanimous-consent requests prior to recognizing Members for unanimous-consent requests relating to legislative business.

On Oct. 5, 1972,⁽⁷⁾ the Speaker, Carl Albert, of Oklahoma, made the following announcement:

The Chair is going to recognize Members who have individual unanimous-consent requests.

The Chair cannot determine, when a Member rises, whether he has a legislative purpose for rising or whether he has a unanimous-consent request to make and desires something to be put into the Record.

After that, the Chair will recognize any Member who has a unanimous-consent request in connection with business.

Withdrawal of Request

§ 43.4 Unanimous consent is not required to withdraw a unanimous-consent request in the House.

On Mar. 14, 1968,⁽⁸⁾ the House was considering H.R. 2516, pro-

7. 118 CONG. REC. 34039, 92d Cong. 2d Sess.

8. 114 CONG. REC. 6474-80, 6489-92, 90th Cong. 2d Sess.

viding penalties for interference with certain civil rights (with a Senate amendment containing further civil rights legislation, including open housing). Mr. Emanuel Celler, of New York, requested unanimous consent that the reading of the Senate amendment be dispensed with. Mr. H. R. Gross, of Iowa, and Mr. Joe D. Waggonner, Jr., of Louisiana, both reserved the right to object. The Speaker, John W. McCormack, of Massachusetts, then recognized Mr. Celler.

Mr. Speaker, I ask unanimous consent to withdraw my request.

The SPEAKER: It does not require unanimous consent.⁽⁹⁾

§ 44. Recognizing Members for Requests

Grounds for Refusal to Recognize

§ 44.1 The Speaker may decline to recognize for a unanimous-consent request for the consideration of a bill until the Member making such request consults with the Speaker and the Majority and Minority Leaders.

9. See also 110 CONG. REC. 2614, 2615, 88th Cong. 2d Sess., Feb. 8, 1964.

On July 11, 1946,⁽¹⁰⁾ Mrs. Clare Boothe Luce, of Connecticut, made the following request from the floor of the House:

. . . Mr Speaker, I ask unanimous consent to consider immediately the Wolcott bill (H.J. Res. 372) to reinstate rent control, which I send to the desk.

The SPEAKER:⁽¹¹⁾ Did the gentleman consult the Speaker about this and notify him that she was going to make this request?

Mrs. LUCE: I did not, Mr. Speaker.

The SPEAKER: The Chair refuses to recognize the gentlewoman for that purpose. . . .

The Chair desires to make a statement. For a long time, ever since 1937 at least, the present occupant of the chair knows that when Members intend to ask unanimous consent to bring up a bill they have always properly consulted with both the majority and minority leaders of the House and with the Speaker. That has been the unailing custom. The Chair is exercising that right and intends to continue to exercise it as long as he occupies the present position because the Chair wants the House to proceed in an orderly fashion.

Recognition of Committee Chairmen

§ 44.2 The Speaker, in response to a parliamentary inquiry, indicated that only the chairman of a committee

10. 92 CONG. REC. 8726, 8728, 79th Cong. 2d Sess.

11. Sam Rayburn (Tex.)

having jurisdiction of the subject matter of the bill would be recognized to ask unanimous consent to take it from the Speaker's table, disagree to the Senate amendment and ask for a conference.

On the legislative day of Aug. 31, 1960,⁽¹²⁾ Mr. Charles A. Halleck of Indiana, was recognized to offer a parliamentary inquiry:

Mr. HALLECK: Would it be in order for a unanimous-consent request to be made to send the bill that has just come from the Senate to conference?

The SPEAKER:⁽¹³⁾ That would be up to the gentleman from North Carolina [Mr. Cooley].⁽¹⁴⁾

Recognition Pending Motion to Suspend Rules

§ 44.3 The Speaker declined to recognize a request for unanimous consent during consideration of a motion to suspend the rules.

On July 21, 1947,⁽¹⁵⁾ the following occurred on the floor of the House:

12. 106 CONG. REC. 18920, 86th Cong. 2d Sess., Sept. 1, 1960 (Calendar Day).

13. Sam Rayburn (Tex.).

14. Mr. Cooley was Chairman of the Committee on Agriculture during the 86th Congress.

15. 93 CONG. REC. 9522-51, 80th Cong. 1st Sess.

MR. [RALPH A.] GAMBLE [of New York]: Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 29) making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers.

After the House defeated a motion to adjourn and after the Speaker ruled out as dilatory a point of no quorum, the following occurred:

MR. [TOM] PICKETT [of Texas]: Mr. Speaker, I ask unanimous consent—

THE SPEAKER:⁽¹⁶⁾ The Chair will refuse to entertain any unanimous-consent requests until after the vote on this bill.

§ 45. Objecting to Requests

Rising to Object

§ 45.1 When objecting to a unanimous-consent request a Member must rise from his seat.

On Feb. 20, 1946,⁽¹⁷⁾ the House was considering H.R. 3370, the school lunch program, when the following occurred:

THE CHAIRMAN:⁽¹⁸⁾ The time of the gentleman from Texas has expired.

16. Joseph W. Martin, Jr. (Mass.).

17. 92 CONG. REC. 1500, 79th Cong. 2d Sess.

18. Henry M. Jackson (Wash.).

MR. [WILLIAM R.] POAGE [of Texas]: Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

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

MR. [WILLIAM J.] GALLAGHER [of Minnesota]: Mr. Chairman, I object.

MR. [JOHN E.] RANKIN [of Mississippi]: Mr. Chairman, a point of order.

THE CHAIRMAN: The gentleman will state it.

MR. RANKIN: To make an objection a Member has to rise to object.

The Chairman: The point of order is well taken.

Time for Objection

§ 45.2 An objection to a unanimous-consent request is properly made to the request put by the Chair, not as put by the Member making the request.

On Sept. 4, 1940,⁽¹⁾ Mr. Beverly M. Vincent, of Kentucky, and Mr. Martin L. Sweeney, of Ohio, became engaged in an acrimonious personal debate; Mr. Vincent sought to withdraw a remark in which he referred to Mr. Sweeney as a traitor:

MR. VINCENT of Kentucky: Mr. Speaker, I ask unanimous consent to withdraw the last sentence of my statement.

1. 86 CONG. REC. 11516, 11517, 76th Cong. 3d Sess.