

## Chapter CCXL.<sup>1</sup>

### CONSIDERATION “IN THE HOUSE AS IN COMMITTEE OF THE WHOLE.”

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1. Consideration is under 5-minute rule. Sections 2431-2434.
  2. Unfinished business. Section 2435.
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**2431. Consideration “in the House as in Committee of the Whole” comprises reading for amendment and debate under the five-minute rule without general debate.**

On May 26, 1911,<sup>2</sup> during a call of the committees, Mr. S.A. Roddenbery, from the Committee on Accounts, called up the joint resolution (H.J. Res. 75) reducing the number of Capitol police.

On motion of Mr. Oscar W. Underwood, of Alabama, by unanimous consent, the joint resolution was considered in the House as in Committee of the Whole.

In response to a parliamentary inquiry by Mr. Robert L. Henry, of Texas, as to the procedure when considering a measure in the House as in the Committee of the Whole, the Speaker<sup>3</sup> said:

The precedents show that there is no general debate when considering a resolution in the House as in the Committee of the Whole. According to the rule you are pursuing debate under the five-minute rule.

The gentleman from Georgia, Mr. Roddenbery, has the floor for the first five minutes.

**2432.** On October 17, 1921,<sup>4</sup> the bill (H.R. 7761) relative to proceedings in contested-election cases, was being considered in the House as in the Committee on the Whole.

The bill having been read the first time in full, through inadvertence, was at the instance of the Speaker pro tempore,<sup>5</sup> by unanimous consent, again read by sections for amendment under the five-minute rule.

**2433. When a bill is considered “in the House as in Committee of the Whole” it is read the first time by title only and immediately thereafter by sections for amendment under the five-minute rule.**

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<sup>1</sup> Supplementary to Chapter CX.

<sup>2</sup> First session Sixty-second Congress, Record, p. 1611.

<sup>3</sup> Champ Clark, of Missouri, Speaker.

<sup>4</sup> First session Sixty-seventh Congress, Record, p. 6393.

<sup>5</sup> Cassius C. Dowell, of Iowa, Speaker pro tempore.

On August 28, 1922,<sup>1</sup> on motion of Mr. Benjamin K. Focht, of Pennsylvania, by unanimous consent, the bill (S. 3086) for the removal of snow from sidewalks in the District of Columbia, was considered in the House as in Committee of the Whole.

The Clerk proceeded to read the bill by sections for amendment, when Mr. William H. Stafford, of Wisconsin, by way of a parliamentary inquiry, asked if it was not necessary in reading the bill for the first time to read it in full.

The Speaker<sup>2</sup> said:

Where a bill is considered in the House as in Committee of the Whole, the reading by title is the first reading.

**2434. Union Calendar bills considered in the House as in the Committee of the Whole are read for amendment under the five-minute rule by section and not by paragraphs.**

On January 22, 1930,<sup>3</sup> it being Calendar Wednesday, Mr. George S. Graham, of Pennsylvania, for the Judiciary Committee, called up the bill (H. R. 6807) establishing two institutions for the confinement of United States prisoners.

On motion of Mr. Graham, by unanimous consent, the bill was considered in the House as in the Committee of the Whole.

The Clerk having reported the bill, Mr. William H. Stafford, of Wisconsin, asked, as a parliamentary inquiry, if it was the practice of the House to consider Union Calendar bills under the circumstances in their entirety, or by paragraphs or sections.

The Speaker<sup>4</sup> said:

The bill is considered by sections under the five-minute rule.

**2435. When the House, considering a bill as in the Committee of the Whole, by unanimous consent, adjourns with the bill still pending, that consent obtains when the bill is again taken up as the unfinished business.**

On Monday, February 11, 1929,<sup>5</sup> the House was considering bills reported by the Committee of the District of Columbia.

Mr. Frederick N. Zihlman, of Maryland, by direction of that committee, called up the bill (H.R. 6664) to establish a woman's bureau in the Metropolitan police department of the District of Columbia, and asked unanimous consent that it be considered in the House as in the Committee of the Whole.

The Speaker<sup>6</sup> held:

The Chair will state the parliamentary situation in reference to this bill as he understands it. On last March 26 the bill was being considered in the House as in the Committee of the Whole House on the state of the Union by unanimous consent. A number of committee amendments had been offered and are now pending. The chair thinks the consent hitherto granted would prevail during the consideration of the bill at this time, so the bill is called up to be considered in the House as in Committee of the Whole House on the state of the Union.

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<sup>1</sup> Second session Sixty-seventh Congress, Record, p. 11880.

<sup>2</sup> Frederick H. Gillett, of Massachusetts, Speaker.

<sup>3</sup> Second session Seventy-first Congress, Record, p. 2141.

<sup>4</sup> Nicholas Longworth, of Ohio, Speaker.

<sup>5</sup> Second session Seventieth Congress, Record, p. 3271.

<sup>6</sup> Nicholas Longworth, of Ohio, Speaker.