

patronage committee nominated by the Committee on Committees and elected by the majority caucus. Thus, in 1911, a caucus resolution<sup>(12)</sup> provided for a committee that would distribute the appointive positions in the House organization among the members of "the various state delegations." And in 1918, the Republicans being in the majority, Republican members received from the temporary Chairman of their Committee on Committees instructions relating to the distribution of patronage.<sup>(13)</sup>

At the present time, the distribution of jobs through patronage is a very informal process. Many jobs on Capitol Hill, including a number in the offices of the Doorkeeper and the Sergeant at Arms of the House, are awarded through patronage, but no clear criteria exist by which the control of patronage is distributed to Members of the House. State delegations may be assigned quotas of jobs to be awarded under the patronage system.<sup>(14)</sup>

12. See 8 Cannon's Precedents § 3627.

13. See 8 Cannon's Precedents § 3628.

14. See *Congressional Quarterly's Guide to the Congress of the United States*, Congressional Quarterly Service (Washington, D.C., 1971), p. 428. For more detailed discussion of the Patronage Committee, see Ch. 7, *infra*.

## § 15. Official Objectors' Committees

On the Consent and Private Calendars are placed bills of a noncontroversial nature, susceptible of passage by the House without extensive debate.<sup>(15)</sup> Objection may be made, however, to consideration of any bill that has been called on either calendar, in which case disposition of the bill proceeds according to the rules of the House. For the purpose of determining whether objection should be made to any bills that have been called up on either calendar, official objectors appointed to act for each party analyze carefully the bills to be considered.<sup>(16)</sup> Official Objectors' Committees are appointed by each party's floor leader.<sup>(17)</sup>

Proceedings relating to bills on the Private Calendar are set forth in a House rule providing, in part, that,<sup>(18)</sup>

On the first Tuesday of each month . . . the Speaker shall direct the Clerk to call the bills and resolutions on the Private Calendar. Should objection be

15. For general discussion of the Private and Consent Calendars, see Ch. 22, *infra*.

16. See §§ 15.2, 15.4, *infra*.

17. See §§ 15.1, 15.3, *infra*.

18. Rule XXIV clause 6, *House Rules and Manual* § 893 (1973).

made by two or more Members to the consideration of any bill or resolution so called, it shall be recommitted to the committee which reported the bill or resolution, and no reservation of objection shall be entertained by the Speaker. . . .

On the third Tuesday . . . the Speaker may direct the Clerk to call the bills and resolutions on the Private Calendar, preference to be given to omnibus bills containing bills or resolutions which have previously been objected to. . . .

Proceedings relating to bills on the Consent Calendar are also set forth in the rules. Thus, it is provided<sup>(19)</sup> that,

. . . On the first and third Mondays of each month . . . the Speaker shall direct the Clerk to call the bills in numerical order, which have been for three legislative days upon the "Consent Calendar." Should objection be made to the consideration of any bill so called it shall be carried over on the calendar without prejudice to the next day when the "Consent Calendar" is again called, and if objected to by three or more Members it shall immediately be stricken from the Calendar. . . .

The objectors of both parties for the Consent Calendar may agree on and announce to the House certain rules or criteria by which the objectors will be guided in their consideration of bills on the calendar.<sup>(20)</sup> Similarly, objectors

for the Private Calendar generally announce agreements they have made respecting their consideration of bills on the Private Calendar.<sup>(1)</sup>

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### ***Objectors for Consent Calendar—Appointment***

#### **§ 15.1 Official objectors for the Consent Calendar are appointed by each party's floor leader, who announces such appointments in the House.**

In the 91st Congress, Mr. Wayne N. Aspinall, of Colorado, one of the objectors for the Consent Calendar, presented in the House a statement of the rules of operation of the official objectors for the Consent Calendar. Such statement read in part as follows:<sup>(2)</sup>

On February 18, the majority and minority floor leaders appointed their respective members of the official objectors committees, the gentleman from Oklahoma, Mr. [Carl] Albert, appointed three members of his party and the gentleman from Michigan, Mr. Gerald R. Ford, appointed three members of his party. The objectors committees are unofficial committees of the House of Representatives, existing at the request and at the pleasure of

19. Rule XIII clause 4, *House Rules and Manual* § 746 (1973).

20. See § 15.2, *infra*.

1. See § 15.5, *infra*.

2. 115 CONG. REC. 6543, 91st Cong. 1st Sess., Mar. 17, 1969.

the respective floor leaders of the two parties who, in order to facilitate the proper screening of legislation which may be placed on the Consent Calendar, designate members of each side of the aisle charged with the specific responsibility of seeing to it that legislation passing by such procedure is in the interest of good government.

The floor leaders generally announce to the House their respective appointments of objectors. Sometimes, the floor leader announces his designation of one of the objectors as Chairman of the Official Objectors' Committee. In the 91st Congress, the announcement of the appointment of objectors was as follows:<sup>(3)</sup>

MR. GERALD R. FORD [of Michigan]: Mr. Speaker, I have asked for this time for the purpose of announcing the official objectors for the Republican Members for the Consent Calendar. They are to be as follows: the gentleman from Washington (Mr. Pelly), the gentleman from Missouri (Mr. Hall), and the gentleman from Pennsylvania (Mr. Johnson).

In the 84th Congress, the announcement of the appointment of Democratic objectors for the Consent Calendar was made as follows:<sup>(4)</sup>

MR. [JOHN W.] McCORMACK [of Massachusetts]: Mr. Speaker, I desire to

3. 115 CONG. REC. 3721, 91st Cong. 1st Sess., Feb. 18, 1969.
4. 101 CONG. REC. 496, 84th Cong. 1st Sess., Jan. 20, 1955.

announce to the House the appointment of the official Democratic objectors on the Consent Calendar as follows:

The distinguished gentleman from North Carolina, Mr. Deane, Chairman of the Committee on Consent Calendar Objectors; the gentleman from Colorado, Mr. Aspinall; and the gentleman from Massachusetts, Mr. Boland.

Generally, three members are appointed to the Official Objectors' Committee for the Consent Calendar and three members to the Committee of Official Objectors for the Private Calendar. There have been minor departures from this practice. In the 85th Congress, the appointment of four Republican objectors for the Consent Calendar was announced as follows:<sup>(5)</sup>

MR. [JOSEPH W.] MARTIN [Jr., of Massachusetts]: I desire to announce the appointment on the Republican side of members on the official objectors committee on the Consent Calendar: the gentleman from Iowa, Mr. Cunningham; the gentleman from Wisconsin, Mr. Byrnes; the gentleman from Michigan, Mr. Ford; and the gentleman from Nebraska, Mr. Weaver.

In the 82d Congress, three Democratic objectors were appointed who served on both the Consent and the Private Calendar. The announcement of the appointments was as follows:<sup>(6)</sup>

5. 103 CONG. REC. 1488, 85th Cong. 1st Sess., Feb. 4, 1957.
6. 97 CONG. REC. 792, 82d Cong. 1st Sess., Jan. 31, 1951. For other in-

MR. [JOHN W.] McCORMACK [of Massachusetts]: Mr. Speaker . . . may I say that the following named Members will be the official objectors on the Democratic side for the 82nd Congress for the Consent Calendar and the Private Calendar: the gentleman from Arkansas [Mr. Trimble], the gentleman from North Carolina [Mr. Deane], and the gentleman from Colorado [Mr. Aspinall.]

Similarly, the announcement of the appointment of Democratic objectors in the 81st Congress was made as follows: <sup>(7)</sup>

MR. McCORMACK: Mr. Speaker, I desire to announce the appointment of the Objectors Committee on the Democratic side. The distinguished gentleman from Arkansas [Mr. Trimble], the distinguished gentleman from North Carolina [Mr. Deane], and the distinguished gentleman from Colorado [Mr. Aspinall]. The gentleman from Arkansas [Mr. Trimble], being the ranking Member, is Chairman of the Objectors Committee on the Democratic side.

### ***Agreement by Official Objectors on Rules of Operation***

#### **§ 15.2 It has been the practice of the official objectors to**

stances in which a Member was appointed to serve as objector for both the Consent and Private Calendar, see 115 CONG. REC. 3721, 91st Cong. 1st Sess., Feb. 18, 1969; and 101 CONG. REC. 496, 84th Cong. 1st Sess., Jan. 20, 1955.

7. 95 CONG. REC. 925, 81st Cong. 1st Sess., Feb. 7, 1949.

**agree upon certain rules and principles that will govern their consideration of bills on the Consent Calendar, and to present a statement of such rules and principles to the House.**

In the 91st Congress,<sup>(8)</sup> Mr. Wayne N. Aspinall, of Colorado, one of the official objectors, presented a statement of the rules of operation of the official objectors for the Consent Calendar. The proceedings were as follows:

MR. ASPINALL: Mr. Speaker . . . one of the most important procedures that the House follows in considering legislation is known as the Consent Calendar operation. . . . It is under this procedure that most of the acts of Congress which become public laws are considered by the House of Representatives.

It has been the practice heretofore of the official objectors for Consent Calendar committees—the majority members and the minority members—to agree upon rules of procedure at the beginning of a session. I would suggest, to the new Members especially, that they read the statement regarding these rules of procedure, which has the approval of and bears the initials of all the members of the Consent Calendar committees, three members of the majority and three members of the minority.

The statement is as follows:

8. 115 CONG. REC. 6543, 6544, 91st Cong. 1st Sess., Mar. 17, 1969.

STATEMENT OF RULES OF OPERATION  
OF THE OFFICIAL OBJECTORS FOR  
THE CONSENT CALENDAR

. . . For several sessions now objectors on both sides of the aisle have followed certain rules for consideration of Consent Calendar bills which they have made known to the Members at the beginning of a session. These rules are not publicized at this time to establish hard-and-fast procedures but rather to advise the Members of the House as to the manner in which the committee plans to operate throughout the 91st Congress.

The members of the committee feel that generally no legislation should pass by unanimous consent which involves an aggregate expenditure of more than \$1 million; second, that no bill which changes national policy or international policy should be permitted to pass on the Consent Calendar but rather should be afforded the opportunity of open and extended debate; third, that any bill which appears on the Consent Calendar, even though it does not change national or international policy, or does not call for an expenditure of more than \$1 million, should not be approved without the membership being fully informed of its contents, providing it is a measure that would apply to the districts of a majority of the Members of the House of Representatives . . . fourth, that if a bill has been placed on the Consent Calendar and the members of the committee having jurisdiction over the legislation show that it has not been cleared by the Bureau of the Budget, by the respective Department affected by such legislation, or that such reports from the committee or from the Department show that the legislation is not in accord with the President's program, it should not pass on the Consent Calendar. . . .

***Official Objectors for Private  
Calendar—Appointment***

**§ 15.3 Each party's official objectors for the Private Calendar are appointed by the party floor leader, who announces in the House the names of those he has appointed.**

In the 89th Congress, during the course of describing procedures relating to the Private Calendar, Mr. Edward P. Boland, of Massachusetts, remarked that, "The majority leader and minority leader each appoint three Members to serve as Private Calendar objectors during a Congress."<sup>(9)</sup>

The following announcements, made in the 91st Congress,<sup>(10)</sup> represent the usual manner in which the floor leader notifies the House of his appointment of official objectors:

(Mr. Carl Albert, of Oklahoma, asked and was given permission to address the House for one minute and to revise and extend his remarks.)

MR. ALBERT [after announcing appointment of Consent Calendar objectors]:

I have also designated as official objectors for the majority for the Private Calendar the following Members: the

9. 111 CONG. REC. 3914, 89th Cong. 1st Sess., Mar. 2, 1965.

10. 115 CONG. REC. 3721, 91st Cong. 1st Sess., Feb. 18, 1969.

gentleman from Massachusetts (Mr. Boland), the gentleman from Georgia (Mr. Davis), and the gentleman from Oklahoma (Mr. Edmondson). . . .

MR. GERALD R. FORD [of Michigan] [after announcing appointment of Consent Calendar objectors]:

Also, Mr. Speaker, the official objectors for the Republican Members for the Private Calendar are to be as follows: the gentleman from Tennessee (Mr. Duncan), the gentleman from Ohio (Mr. Clarence J. Brown), and the gentleman from New Jersey (Mr. Hunt).

In the 91st Congress, when Mr. Garry E. Brown, of Michigan, was appointed to replace a member of the Republican Objectors Committee for the Private Calendar, the following announcement was made by the Minority Leader:<sup>(11)</sup>

MR. GERALD R. FORD: Mr. Speaker, I announce that the Republican Members of the Private Calendar objectors committee for the remainder of the 2nd session of the 91st Congress will be: the gentleman from Tennessee (Mr. Duncan), the gentleman from Ohio (Mr. Brown), and the gentleman from Michigan (Mr. Brown).

Similarly, in the 84th Congress, on Apr. 26, 1955,<sup>(12)</sup> the Minority Leader announced as follows:

MR. [JOSEPH W.] MARTIN [Jr., of Massachusetts]: Mr. Speaker, I desire

11. 116 CONG. REC. 7677, 91st Cong. 2d Sess., Mar. 17, 1970.

12. 101 CONG. REC. 5120, 84th Cong. 1st Sess.

to announce that Mr. William K. Van Pelt has been placed upon the list of objectors on the Private Calendar, representing the minority, to take the place of the gentleman from Ohio [Mr. Ayres].

As in the case of appointments to the Official Objectors Committee for the Consent Calendar,<sup>(13)</sup> announcements of appointments to the Official Objectors Committee for the Private Calendar have sometimes included the designation of a chairman.<sup>(14)</sup>

As noted above,<sup>(15)</sup> a Member has sometimes been appointed to serve on both the Official Objectors Committee for the Private Calendar and the Official Objectors Committee for the Consent Calendar.

### *Functions of Official Objectors*

#### **§ 15.4 The Official Objectors Committees for the Private Calendar study all bills placed on that calendar, and may make objection to any private bill when the calendar is called.**

In the 89th Congress, Mr. Edward P. Boland, of Massachusetts,

13. See § 15.1, supra.

14. See 101 CONG. REC. 496, 84th Cong. 1st Sess., Jan. 20, 1955 (announcement by Mr. John W. McCormack [Mass.]).

15. See § 15.1, supra.

in the course of discussing procedures relating to the Private Calendar, remarked as follows:<sup>(16)</sup>

The objectors have the responsibility of carefully studying all bills which are placed on the Private Calendar. When the Private Calendar is called, the objectors are on the floor ready to object to any private bill which they feel is objectionable for any reason. Seated near them to provide technical assistance are the majority and minority legislative clerks.

Should any Member have a doubt or question about a particular private bill, he can get assistance from the objectors, their clerks, or from the Member who introduced the bill.

***Agreement as to Bills to be Considered***

**§ 15.5 The official majority and minority objectors for the Private Calendar agree upon rules governing their consideration of private bills, and announce such rules in the House. The official objectors usually agree that they will consider only those bills which have been on the Private Calendar for a period of seven calendar days.**

In the 89th Congress, Mr. Edward P. Boland, of Massachusetts, in the course of describing proce-

16. 111 CONG. REC. 3914, 89th Cong. 1st Sess., Mar. 2, 1965.

dures relating to the Private Calendar, announced as follows:<sup>(17)</sup>

The great volume of private bills and the desire to have an opportunity to study them carefully before they are called on the Private Calendar has caused the six objectors to agree upon certain ground rules. Those rules limit consideration of bills placed on the Private Calendar only shortly before the Calendar is called. The agreement is as follows:

Reaffirming the policy initially adopted on June 3, 1958, the members of the majority and minority Private Calendar objectors committees have today agreed that during the 89th Congress they will consider only those bills which have been on the Private Calendar for a period of seven calendar days, excluding the day the bills are reported and the day the Private Calendar is called.

It is agreed that the majority and minority legislative clerks will not submit to the objectors any bills which do not meet this requirement.

This policy will be strictly observed except during the closing days of each session when House rules are suspended.

**§ 16. Campaign Committees; Informal Party Groups**

Party campaign committees exist for the purpose of aiding in

17. 111 CONG. REC. 3914, 3915, 89th Cong. 1st Sess., Mar. 2, 1965. Similar announcements have been made in other Congresses; see, for example, 115 CONG. REC. 6656, 91st Cong. 1st Sess., Mar. 18, 1969.