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The following proceedings relating to H.R. 3982, the Omnibus Reconciliation Act of 1981, occurred in the House on July 31, 1981:[17]

MR. [BRUCE F.] VENTO [of Minnesota]: Mr. Speaker, I have a parliamentary inquiry.

THE SPEAKER PRO TEMPORE:[18] The gentleman will state it.

MR. VENTO: Mr. Speaker, I inquire of the Chair whether the papers of the reconciliation package, H.R. 3982, are in the possession of the House.

THE SPEAKER PRO TEMPORE: Yes, they are.

MR. VENTO: Mr. Speaker, I would further inquire, is it customary for these papers to remain in the possession of the House at the conclusion of a conference committee, and in this instance, were they retained at the conclusion of the conference committee, or were they more recently delivered to the House?

THE SPEAKER PRO TEMPORE: Yes, the Chair would say to the gentleman, it is customary for the papers to be transferred to the House which agreed to the conference—and is to act first on the report—at the conclusion of a successful conference.

MR. VENTO: In this case, Mr. Speaker, were the papers retained by the House conferees on the matter of the reconciliation conference?

THE SPEAKER PRO TEMPORE: Evidently not, because they were brought back to the House this morning at about 9:15 by a messenger from the other body.

MR. VENTO: Mr. Speaker, in other words, this violated one of the tenets that we have in terms of consideration.

I thank the Chair.

THE SPEAKER PRO TEMPORE: The Chair would advise the gentleman that this deviated from custom but did not especially violate the rules of the House.

§ 3. House Action on Senate Bills

Senate bills which are messaged to the House may be subject to a variety of legislative actions. Senate bills may be referred to the appropriate House committees in the same fashion as House-introduced bills,[19] considered in committee, reported to the House with amendments, considered in the House, where appropriate,[20] or in Committee of the Whole.[1] Senate measures may be held at the Speaker's table, awaiting later legislative action.[2] Some Senate bills are never acted on and remain at the rostrum or in committee until *sine die* adjournment.

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17. 127 CONG. REC. 18884, 18885, 97th Cong. 1st Sess.

18. Barney Frank (Mass.).

19. See §§ 3.1, 3.12, infra.

20. See § 3.7, infra.

1. See § 3.14, infra.

2. See §§ 3.3, 3.4, 3.5, infra.

The generally accepted principles of comity between the two Houses fosters the expectation that a bill of the House which acts first on a legislative measure is the numbered bill that is formally enrolled and presented to the President.[3]

Reference to Committee

§ 3.1 The reference of a Senate bill on the Speaker's table is within the discretion of the Chair.

On Mar. 27, 1936,[4] the House declined to grant unanimous consent to consider Senate Concurrent Resolution 238, providing for cancellation of mail contracts.

> MR. [FREDERICK R.] LEHLBACH [of New Jersey]: Mr. Speaker, a parliamentary inquiry.
>
> THE SPEAKER:[5] The gentleman will state it.
>
> MR. LEHLBACH: Mr. Speaker, unanimous consent for the present consideration of the Senate joint resolution having been refused, is the resolution now referred to the Committee on Merchant Marine and Fisheries?
>
> THE SPEAKER: It is within the discretion of the Chair to refer it.
>
> MR. LEHLBACH: I believe I asked is it now referred?
>
> THE SPEAKER: No; it has not been referred.

Senate Bills Similar to House Bills

§ 3.2 A resolution may provide that upon the passage of a House bill, a similar Senate bill may be taken from the Speaker's table, all after the enacting clause stricken, and in lieu thereof the provisions of the House bill as passed be inserted.

On May 6, 1947,[6] Mr. Clarence J. Brown, of Ohio, called up House Resolution 205, to make in order the consideration of H.R. 2616, to provide for assistance to Greece and Turkey. The resolution contained, *inter alia*, the following provision:

> . . . After the passage of the bill H.R. 2616 it shall be in order to take from the Speaker's table the bill S. 938 and to move to strike out all after the enacting clause of said Senate bill and to insert in lieu thereof the provisions contained in H.R. 2616.

§ 3.3 Where the rule under which a bill is being considered in the House provides

3. See §§ 3.4, 3.8, 3.9, 3.13, infra.
4. 80 CONG. REC. 4547, 74th Cong. 2d Sess.
5. Joseph W. Byrns (Tenn.).
6. 93 CONG. REC. 4605, 80th Cong. 1st Sess.

that upon passage of the bill a similar Senate bill at the Speaker's table shall be taken therefrom, making in order a motion to strike all after the enacting clause and insert the provisions of the House bill in lieu thereof, the House proceeds to the disposition of the Senate bill immediately after passage of the House bill.

On May 9, 1947,[7] the House had completed consideration of H.R. 2616, to provide assistance to Greece and Turkey.

THE SPEAKER:[8] The question is on the passage of the [House] bill. . . .

The question was taken; and there were—yeas 287, nays 107, answered "present" 2, not voting 35. . . .

THE SPEAKER: Under the rule, it is now in order to take from the Speaker's table the bill S. 938 and to move to strike out all after the enacting clause of said bill and to insert in lieu thereof the provisions contained in the bill H.R. 2616.

The Clerk will report the Senate bill.

The Clerk read the title of the bill.

MR. [CHARLES A.] EATON [of New Jersey]: Mr. Speaker, I move to strike out all after the enacting clause of the bill S. 938 and to insert in lieu thereof the provisions contained in the bill H.R. 2616.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

Amending Senate Bill, Prior to Stage of Disagreement

§ 3.4 Unanimous consent request making in order, before the stage of disagreement, a debatable motion to take a Senate bill from the Speaker's table, to insert the text of a House-passed bill with the previous question ordered without intervening motion except one motion to recommit.

On several occasions in the 104th Congress, the Senate chose to refer a House-passed bill to committees of the Senate, then later pass its own version of the measure and message the Senate numbered bill to the House. This sequence of events ignores the general practice which recognizes that the numbered bill which is first messaged to the other House is the one which becomes the vehicle for proceeding to conference.

7. 93 CONG. REC. 4975, 4976, 80th Cong. 1st Sess.
8. Joseph W. Martin, Jr. (Mass.).

On May 17, 1995,[9] two Senate bills considered in the Senate after receipt of the corresponding House bills were taken up in the House. S. 4, granting the President power to reduce budget authority (the line-item veto bill), and S. 219, the Regulatory Transition Act of 1995, were called up and amended by motions made in order by such unanimous-consent requests. Both measures passed the House, as amended. The House then insisted on its amendments to the bills and agreed to the conferences with the Senate.[10]

THE SEPARATE ENROLLMENT AND LINE-ITEM VETO ACT OF 1995

MR. [WILLIAM F.] CLINGER [Jr., of Pennsylvania]: Mr. Speaker, I ask unanimous consent that: First, it be in order to consider in the House a motion to take from the Speaker's table the bill (S. 4) to grant the power to the President to reduce budget authority, and for other purposes, to strike all after the enacting clause of the Senate bill, and to insert the text of H.R. 2 as passed by this House; second, that the motion be debatable for not to exceed 1 hour, to be equally divided and controlled among the chairman and ranking minority members of the Committee on Government Reform and Oversight and the Committee on Rules, and third, that the previous question be ordered on the motion to final adoption without intervening motion except for one motion to recommit.

THE SPEAKER PRO TEMPORE:[11] Is there objection to the request of the gentleman from Pennsylvania? . . .

MR. CLINGER: Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. Clinger moves that the House take from the Speaker's table the bill (S. 4) to grant the power to the President to reduce budget authority, and for other purposes, strike all after the enacting clause of the Senate bill, and insert the text of H.R. 2, as passed by the House.

THE SPEAKER PRO TEMPORE: The gentleman from Pennsylvania [Mr. Clinger] will be recognized for 15 minutes, the gentleman from West Virginia [Mr. Wise] will be recognized for 15 minutes, the gentleman from Florida [Mr. Goss] will be recognized for 15 minutes, and the gentleman from Ohio [Mr. Hall] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. Clinger].

MR. CLINGER: Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on February 6 of this year, this House passed H.R. 2, the Line-Item Veto Act, to give the President the power to restrain irresponsible Federal spending through a true line-item veto. On March 23, the Senate followed suit in passing S. 4, which I think we would all agree is a weaker

9. 141 CONG. REC. 13265, 13266, 104th Cong. 1st Sess.

10. *Id.* at p. 24030. S. 4 was the enrolled bill eventually transmitted to the President.

11. Fred Upton (Mich.).

bill, which nonetheless moves toward greater Federal spending control, so both of our bodies have gone on record as saying we encourage and desire to enact something that will act as a restraint on further Federal spending control.

Since that time, however, Mr. Speaker, both bills have been stalled really in parliamentary limbo awaiting further action in preparation for conference. That has been some several months now.

Because of the Senate's unusual handling of the House-passed bill, unfortunately neither body is currently in a position to request the needed conference and the legislation has been at a standstill, just literally in limbo. . . .

REGULATORY TRANSITION ACT OF 1995

MR. CLINGER: Mr. Speaker, I ask unanimous consent that: First, it be in order to consider in the House a motion to take from the Speaker's table the Senate bill (S. 219) to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes, to strike all after the enacting clause of S. 219 and to insert in lieu the text of H.R. 450 as passed by the House;

Second, that the motion be debatable for not to exceed 1 hour, to be equally divided and controlled among chairmen and ranking minority members of the Committees on Government Reform and Oversight and the Judiciary; and

Third, that the previous question be ordered on the motion to final adoption without intervening motion except one motion to commit. . . .

THE SPEAKER PRO TEMPORE:[12] Is there objection to the request from the gentleman from Pennsylvania?

There was no objection.

MOTION OFFERED BY MR. CLINGER

MR. CLINGER: Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. Clinger moves to take from the Speaker's table the bill (S. 219) to grant the power to the President to reduce budget authority, and for other purposes, strike all after the enacting clause of the Senate bill, and insert the text of H.R. 450 as passed by the House.

Amending Senate Bill Before Stage of Disagreement

§ 3.5 Proceedings in the House pursuant to a special rule which provided for: (1) taking up a Senate bill; (2) waiving points of order against its consideration; (3) amending the Senate bill in several discrete particulars by one indivisible motion; and (4) making in order a motion to insist and request a conference with the Senate.

House Resolution 197, the special order establishing the procedure for sending to conference the bill S. 395, the Alaska Power Administration Asset Sale and Ter-

12. Bill Emerson (Mo.).

mination Act of 1995, was adopted on July 24, 1995. The rule provided, first, for the consideration of H.R. 70, relating to exports of Alaskan North Slope oil. The proceedings to follow passage of H.R. 70 were carried in section 2 of that resolution, the text of which is set forth here.

SEC. 2. (a) After passage of H.R. 70, it shall be in order to take from the Speaker's table the bill S. 395 and to consider the Senate bill in the House. All points of order against the Senate bill and against its consideration are waived. It shall be in order to consider in the House, any rule of the House to the contrary notwithstanding, the motion to amend described in subsection (b). The motion to amend shall not be subject to a demand for division of the question. The previous question shall be considered as ordered on the motion to amend and on the Senate bill without intervening motion except one motion to recommit the bill with or without instructions. If the motion to amend is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendments to S. 395 and request a conference with the Senate thereon.

(b) The motion to amend the Senate bill made in order by subsection (a) is as follows:

"(1) Strike title I.

"(2) Strike sections 201 through 204 and insert the text of H.R. 70, as passed by the House.

"(3) Strike section 205.

"(4) Strike section 206.

"(5) Strike title III.".

The proceedings in the House on July 25, 1995,[13] following the passage of H.R. 70, are carried here. Noteworthy is the Speaker's appointment of specific conferees from the House for each of the five House amendments.

ALASKA POWER ADMINISTRATION ASSET SALE AND TERMINATION ACT

MR. [DON] YOUNG of Alaska: Mr. Speaker, pursuant to section 2 of House Resolution 197, I call up the Senate bill (S. 395) to authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and to authorize the export of Alaska North Slope crude oil, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 395

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. SHORT TITLE.

This title may be cited as the "Alaska Power Administration Asset Sale and Termination Act". . . .

SEC. 102. SALE OF SNETTISHAM AND EKLUTNA HYDROELECTRIC PROJECTS. . . .

13. 141 CONG. REC. 20286–89, 20298, 104th Cong. 1st Sess.

TITLE II

SEC. 201. SHORT TITLE.

This title may be cited as "Trans-Alaska Pipeline Amendment Act of 1995". . . .

SEC. 205. RETIREMENT OF CERTAIN COSTS INCURRED FOR THE CONSTRUCTION OF NON-FEDERAL PUBLICLY OWNED SHIPYARDS.

(a) IN GENERAL.—The Secretary of Energy shall—

(1) deposit proceeds of sales out of the Naval Petroleum Reserve in a special account in amounts sufficient to make payments under subsections (b) and (c); and

(2) out of the account described in paragraph (1), provide, in accordance with subsections (b) and (c), financial assistance to a port authority that—

(A) manages a non-Federal publicly owned shipyard on the United States west coast that is capable of handling very large crude carrier tankers . . . .

SEC. 206. OIL POLLUTION ACT OF 1990.

Title VI of the Oil Pollution Act of 1990 (Public Law 101–380; 104 Stat. 554) is amended by adding at the end thereof the following new section:

"SEC. 6005. TOWING VESSEL REQUIRED. . . .

TITLE III

SEC. 301. SHORT TITLE.

This Title may be referred to as the "Outer Continental Shelf Deep Water Royalty Relief Act".

SEC. 302. AMENDMENTS TO THE OUTER CONTINENTAL SHELF LANDS ACT. . . .

AMENDMENTS OFFERED BY MR. YOUNG OF ALASKA

MR. YOUNG of Alaska: Mr. Speaker, pursuant to section 2(b) of House Resolution 197, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. Young of Alaska: (1) Strike title I.

(2) Strike sections 201 through 204 and insert the text of H.R. 70, as passed by the House.

(3) Strike section 205.

(4) Strike section 206.

(5) Strike title III.

THE SPEAKER PRO TEMPORE:[14] The question is on the amendments offered by the gentleman from Alaska [Mr. Young].

The amendments were agreed to.

The Senate bill was read a third time and passed, and a motion to reconsider was laid on the table.

The title of the Senate bill was amended so as to read: "A bill to permit exports of certain domestically produced crude oil, and for other purposes."

APPOINTMENT OF CONFEREES

MR. YOUNG of Alaska: Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Young moves pursuant to House Resolution 197 that the House insist on its amendment to S. 395 and request a conference with the Senate thereon.

THE SPEAKER PRO TEMPORE: The question is on the motion offered by the gentleman from Alaska [Mr. Young].

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MR. MILLER OF CALIFORNIA

MR. [DAN] MILLER of California: Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

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14. Scott McInnis (Colo.).

Mr. Miller of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendments to the bill S. 395 be instructed to insist upon the provisions of the House amendments which strike Title III of S. 395.

THE SPEAKER PRO TEMPORE: Under the rule, the gentleman from California [Mr. Miller] will be recognized for 30 minutes, and the gentleman from Alaska [Mr. Young] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. Miller]. . . .

After the motion to instruct was agreed to, the Speaker named managers on the part of the House.

Without objection, the Chair appoints the following conferees on S. 395: On House amendment No. 1: Messrs. Young of Alaska, Calvert, Bliley, Miller of California, and Dingell.

On House amendment No. 2: Messrs. Young of Alaska, Calvert, Thomas, Roth, Bliley, Coble, Miller of California, Hamilton, Dingell, and Mineta.

On House amendment No. 3: Messrs. Spence, Kasich, and Dellums.

On House amendment No. 4: Mr. Coble, Mrs. Fowler, and Mr. Mineta.

On House amendment No. 5: Messrs. Young of Alaska, Calvert, and Miller of California.

There was no objection.

§ 3.6 A resolution (reported from the Committee on Rules) making in order the disposition of a Senate bill on the Speaker's table after passage of a House bill reported by the Committee on Post Office and Civil Service, was amended to delete all references to the Senate bill.

On Sept. 9, 1970,[15] Mr. Spark M. Matsunaga, of Hawaii, was recognized on the floor of the House.

MR. MATSUNAGA: Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1046 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1046

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16542) to amend title 39, United States Code, to regulate the mailing of unsolicited credit cards, and for other purposes. . . . After the passage of H.R. 16542, it shall then be in order in the House to take from the Speaker's table the bill S. 721 and to move to strike all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 16542 as passed by the House.

THE SPEAKER:[16] The gentleman from Hawaii is recognized for 1 hour.

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15. 116 CONG. REC. 30873, 91st Cong. 2d Sess.

16. John W. McCormack (Mass.).

MR. MATSUNAGA: Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Matsunaga: On page 2, strike out all of the last sentence, beginning with "After the passage of" in line 6 and ending with the period in line 11.

THE SPEAKER: The question is on the amendment offered by the gentleman from Hawaii.

The amendment was agreed to.[17]

§ 3.7 By unanimous consent, the House considered a Senate bill under the terms of a resolution adopted for consideration of a similar House bill.

On Mar. 12, 1959,[18] the Committee of the Whole rose and reported to the House that it had come to no resolution on the bill H.R. 4221.

MR. [JOHN W.] MCCORMACK [of Massachusetts]: Mr. Speaker, I renew my unanimous-consent request, heretofore made, that it may be in order for the House to consider the bill S. 50, in lieu of the bill H.R. 4221, under the terms and provisions of House Resolution 205 adopted yesterday by the House in relation to the Hawaiian statehood bill.[19]

THE SPEAKER:[20] Is there objection to the request of the gentleman from Massachusetts?

MR. [JOHN R.] PILLION [of New York]: Mr. Speaker, I do not renew my previous objection.

There was no objection.

After some intervening business, the House again resumed consideration of the Hawaiian statehood bill pursuant to the following motion:

HAWAII STATEHOOD

MR. [LEO W.] O'BRIEN of New York: Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 50) to provide for the admission of the State of Hawaii into the Union, in lieu of the bill H.R. 4221.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 50, with Mr. Kilday in the chair.

§ 3.8 Senate bills substantially the same as House bills al-

17. *Parliamentarian's Note:* The Senate bill, S. 721, to amend the "Truth-in-Lending Act," which was *not* similar to H.R. 16542, was then referred to the Committee on Banking and Currency.

18. 105 CONG. REC. 4005, 86th Cong. 1st Sess.

19. H. Res. 205 had been reported from the Committee on Rules on Mar. 10, 1959. The Senate passed its version of the Hawaiian statehood bill (S. 50) on Mar. 11, 1959, too late for the rule to reflect its availability.

20. Sam Rayburn (Tex.).

ready favorably reported by a committee of the House, and not required to be considered in Committee of the Whole, may be disposed of as the House may determine on motion directed to be made by such committee.

On Jan. 1, 1951,[1] the following occurred on the floor of the House:

MR. [LINDLEY] BECKWORTH [of Texas]: Mr. Speaker, by direction of the Committee on Interstate and Foreign Commerce, I call up from the Speaker's table the bill (S. 3295) to amend the Railway Labor Act and to authorize agreements providing for union membership and agreements for deductions from the wages of carriers' employees for certain purposes and under certain conditions, a bill substantially the same (H.R. 7789) being on the House Calendar.

The Clerk read the title of the Senate bill.

MR. [HOWARD W.] SMITH of Virginia: Mr. Speaker, I raise the question of consideration.

THE SPEAKER:[2] The gentleman from Virginia raises the question of consideration.

The question is, Will the House consider the bill? . . .

The question was taken; and there were—yeas 286, nays 48, not voting 94. . . .

1. 96 CONG. REC. 17046, 17047, 81st Cong. 2d Sess.
2. Sam Rayburn (Tex.).

Amending Special Rule for Disposition of Senate Bill

§ 3.9 On the day following passage of a House bill, the Committee on Interstate and Foreign Commerce was discharged, by unanimous consent, from further consideration of a similar Senate bill (which had been messaged to the House prior to the reporting of the House bill); the Senate bill was then considered, amended to conform to the provisions of the House bill, passed, and the proceedings whereby the House bill was passed were vacated by unanimous consent.

On May 18, 1961,[3] Mr. Oren Harris, of Arkansas, made the following request:

Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 610, to strengthen the domestic and foreign commerce of the United States by providing for Service within the Department of Commerce and a Travel Advisory Board, strike out all after the enacting clause, and insert the provisions of H.R. 4614 as passed by the House.

The Clerk read the title of the bill.

3. 107 CONG. REC. 8367, 8368, 87th Cong. 1st Sess.

THE SPEAKER:[4] Is there objection to the present consideration of the bill?

There was no objection.

Mr. Harris then offered as an amendment in the nature of a substitute for S. 610 the provisions of H.R. 4614 as passed by the House.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table. . . .

By unanimous consent the proceedings by which the bill (H.R. 4614) was passed were vacated, and that bill was laid on the table.[5]

Passage of Senate Bill Vacated

§ 3.10 By unanimous consent, the House may vacate proceedings whereby it has amended and passed a Senate bill.

On Aug. 31, 1962,[6] Mr. John J. McFall, of California, sought unanimous consent to correct a mistake whereby an amendment to a Senate bill, S. 919, removed certain penalties under the Hatch Act instead of merely modifying those penalties.

MR. MCFALL: Mr. Speaker, I ask unanimous consent that the proceedings whereby the House passed S. 919, with an amendment, be vacated, and that the House proceed to the further consideration of the Senate bill for the purpose of considering an amendment thereto.[7]

THE SPEAKER:[8] Is there objection to the request of the gentleman from California? . . .

There was no objection.

Senate Bill Identical to Provision in Conference Report

§ 3.11 During debate on a conference report, the House by unanimous consent considered and passed a Senate bill which was identical to a provision in the conference report then under consideration.

On Oct. 18, 1972, the House was considering the conference report

4. Sam Rayburn (Tex.).
5. See also 80 CONG. REC. 5897, 5898, 74th Cong. 2d Sess., Apr. 22, 1936. Compare 105 CONG. REC. 15512, 86th Cong. 1st Sess., Aug. 11, 1959, where a similar result was accomplished by use of a special order.
6. 108 CONG. REC. 18300, 87th Cong. 2d Sess.
7. S. 919 had passed the House on the preceding day, Aug. 30, 1962. It had not yet been messaged to the Senate so the House did not have to request the return of the papers before taking this action.
8. John W. McCormack (Mass.).

on S. 3939, authorizing appropriations for the construction of certain highways in accordance with title 23 of the United States Code. Mr. John C. Culver, of Iowa, was then recognized.[9]

MR. CULVER: Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3822) authorizing the City of Clinton Bridge Commission to convey its bridge structures and other assets to the State of Iowa and to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, Iowa, by the State Highway Commission of the State of Iowa.

The Clerk read the title of the Senate bill.

THE SPEAKER:[10] Is there objection to the request of the gentleman from Iowa? . . .

MR. [DURWARD G.] HALL [of Missouri]: It would be redundant if they were both to pass, but the gentleman's concern is we might not be in a position to operate, and if there are no objections to the bill, I have no objection to it. . . .

Mr. Speaker, I have no further objection, and I withdraw my reservation of objection.

THE SPEAKER: Is there objection to the request of the gentleman from Iowa?

There was no objection. . . .

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The consideration of the conference report was then resumed.

Referral of Senate Bill After Recommittal of House Bill

§ 3.12 Where a House bill was recommitted, a similar Senate bill (which had been held at the Speaker's table pending disposition of the House measure) was referred by the Speaker to the appropriate committee of the House.

On June 22, 1962,[11] the following entry appeared in the Record:

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3225. An act to improve and protect farm income, to reduce costs of farm programs to the Federal Government, to reduce the Federal Government's excessive stocks of agricultural commodities, to maintain reasonable and stable prices of agricultural commodities and products to consumers, to provide adequate supplies of agricultural commodities for domestic and foreign needs, to conserve natural resources, and for other purposes; to the Committee on Agriculture.

9. 118 CONG. REC. 37115, 37135–37, 92d Cong. 2d Sess.

10. Carl Albert (Okla.).

11. 108 CONG. REC. 11433, 11434, 87th Cong. 2d Sess.

Parliamentarian's Note: H.R. 11222, the food and agricultural bill of 1962, had been acted on by the House the preceding day and had been recommitted to the Committee on Agriculture.

Resolution Discharging House Committee and Providing for Consideration of Senate Bill Similar to House Measure Already Reported

§ 3.13 The House discharged its committee from further consideration of a Senate bill, considered and passed the bill, and then laid on the table a similar House bill which had been reported by the committee.

On Mar. 29, 1961,[12] Mr. Richard Bolling, of Missouri, by direction of the Committee on Rules, called up House Resolution 238, which provided, *inter alia*:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 153) to further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1963, and all points of order against said bill are hereby waived. . . .
>
> THE SPEAKER:[13] The question is on the resolution.
>
> The resolution was agreed to.

After considering S. 153, the Committee of the Whole reported that bill back to the House.

> THE SPEAKER: The question is on the passage of the bill.
>
> The bill was passed.
>
> A motion to reconsider was laid on the table.
>
> A similar House bill (H.R. 5742) was laid on the table.

Consideration of Private Senate Bill in Committee of the Whole

§ 3.14 The House may adopt a resolution taking a private Senate bill from the Speaker's table and providing for its consideration in Committee of the Whole.

On Mar. 14, 1961,[14] Mr. William M. Colmer, of Mississippi, called up House Resolution 224.

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consid-

12. 107 CONG. REC. 5267, 5268, 5273, 87th Cong. 1st Sess.

13. Sam Rayburn (Tex.).

14. 107 CONG. REC. 3911, 87th Cong. 1st Sess.

eration of the bill (S. 1173) to authorize the appointment of Dwight David Eisenhower to the active list of the Regular Army, and for other purposes.[15]

Senate Bills Included in Omnibus Bills

§ 3.15 Where an omnibus private bill is passed containing House bills similar to Senate bills on the Speaker's table, the Speaker may recognize Members for unanimous-consent requests to take up such Senate bills for consideration.

On Aug. 21, 1935,[16] Speaker Joseph W. Byrns, of Tennessee, made the following statement:

> Permit the Chair to make a statement. In the omnibus bills which were passed on yesterday there were included several bills which had previously passed the Senate and were on the Speaker's table. The Chair feels that those Members who are interested in those particular bills should have an opportunity to ask unanimous consent for the immediate consideration of the Senate bills, so that they can be taken out of the omnibus bills when they are reported to the Senate. The Chair will therefore first recognize Members who have such bills. The Chair understands there are a number of Members on the floor who have such bills.

Parliamentarian's Note: The provisions of Rule XXIV clause 6, provide a procedure for the consideration of private bills and resolutions on the first and third Tuesdays of the month. On the third Tuesday of the month, the Speaker may entertain omnibus bills, which may contain measures objected to when called previously on the Calendar. It was within the context of this rule[17] that the Speaker made the statement carried above.

§ 4. House Action on Senate Resolutions

Senate resolutions, concurrent and joint, are subject to various legislative actions in the House as are Senate-passed bills.[18] Simple

15. *Parliamentarian's Note:* Since a private Senate bill resulting in the expenditure of public funds (and thus requiring consideration in the Committee of the Whole) is not privileged and cannot be taken from the Speaker's table by motion for direct action by the House, the House adopted a resolution taking the bill from the table and providing for its consideration.
16. 79 CONG. REC. 13993, 74th Cong. 1st Sess.
17. See *House Rules and Manual* § 893 (1997).
18. See §§ 4.2, 4.3, 4.4, infra.