

under clause 5 of rule XIII at one time could be called up for consideration immediately after being filed, but since January 3, 1975 (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34406), such reports—with certain exceptions—are subject to the requirement of clause 4 of rule XIII and cannot be considered in the House until the third calendar day (excluding Saturdays, Sundays, and legal holidays) on which they are available to Members. The exceptions from the three-day rule include, an exception for declarations of war, actions on certain executive determinations, certain reports from the Committee on Rules, primary expense resolutions reported from the Committee on House Administration, and bills on the Corrections Calendar. Reports not filed as privileged under clause 5 of rule XIII are subject to the three-day rule unless specifically exempted therefrom (in clause 4 of rule XIII) or unless privileged under rule IX. It has been held, for example, that a privileged report involving the privileges of the House under rule IX (such as a report from a committee on the contemptuous conduct of a witness before the committee) would not be subject to the three-day rule (Speaker Albert, July 13, 1971, pp. 24720–23). The general rule (clause 1 of rule XIII) is that reports shall be placed on the calendars of the House to await action under the rules for the order of business (rule XIV).

The report being made, the committee is dissolved and can act no more without a new power. *Scob. 51*. But it may be revived by a vote, and the same matter recommitted to them. *4 Grey, 361*.

§ 419. Reports; dissolution and revival of select committees.

This provision does not apply now to the Committees of the Whole or to the standing committees. It does apply to select committees, which expire when they report finally, but may be revived by the action of the House in referring in open House a new matter (IV, 4404, 4405). The provision does not preclude a standing committee from reporting a bill similar to one previously reported by such committee (VIII, 2311).

SEC. XXVIII—BILL, RECOMMITMENT

After a bill has been committed and reported, it ought not, in any ordinary course, to be recommitted; but in cases of importance, and for special reasons, it is sometimes recommitted, and usually to the same committee. *Hakew, 151*. If a report be recommitted before agreed to in the House, what has passed in committee is of no validity; the whole

§ 420. Recommittal of a bill to a committee.

question is again before the committee, and a new resolution must be again moved, as if nothing had passed. *3 Hats., 131—note.*

In Senate, January, 1800, the salvage bill was recommitted three times after the commitment.

Where a matter is recommitted with instructions the committee must confine itself within the instructions (IV, 4404), and if the instructions relate to a certain portion only of a bill, other portions may not be reviewed (V, 5526). When a report has been disposed of adversely a motion to recommit it is not in order (V, 5559). Bills are sometimes recommitted to the Committee of the Whole as the indirect result of the action of the House (clause 9 of rule XVIII; IV, 4784) or directly on motion either with or without instructions (V, 5552, 5553).

A particular clause of a bill may be committed without the whole bill, *3 Hats., 131*; or so much of a paper to one and so much to another committee.

§ 421. Division of matters for reference to committees.

In the usage of the House before the rules provided that petitions should be filed with the Clerk instead of being referred from the floor, it was the practice to refer a portion of a petition to one committee and the remainder to another when the subject matter called for such division (IV, 3359). Clause 2 of rule XII now permits the Speaker to refer bills, and resolutions, with or without time limitations, either (1) simultaneously to two or more committees for concurrent consideration, while indicating one committee of primary jurisdiction, (2) sequentially to appropriate committees after the report of the committee or committees initially considering the matter, (3) to divide the matter for referral, (4) to appoint an ad hoc committee with the approval of the House, or (5) to make other appropriate provisions, in order to assure that to the maximum extent feasible each committee with subject matter jurisdiction over provisions in that measure may consider and report to the House with respect thereto. Under former precedents a bill, resolution, or communication could not be divided for reference (IV, 4372, 4376).

SEC. XXIX—BILL, REPORTS TAKEN UP

When the report of a paper originating with a committee is taken up by the House, they proceed exactly as in committee. Here, as in committee, when the

§ 422. Consideration and action on reports.