

Clerk without the coherence; whereupon the papers lie upon the table till the House, at its convenience, shall take up the report. *Scob.*, 52; *Hakew.*, 148.

This provision is to a large extent obsolete so far as the practice of the House is concerned. Most of the reports of committees are made by filing them with the Clerk without reading (clause 2 of rule XIII), and only the reports of committees having leave to report at any time are made by the chairman or other member of the committee from the floor (clause 5 of rule XIII). Except as provided in clause 2(c) of rule XIII, committee reports must be submitted while the House is in session; and this requirement may be waived by only by order of the House (by rule, suspension, or unanimous consent but not by motion) (Dec. 17, 1982, p. 31951). Subject to availability requirements under clause 4 and timing considerations under clause 6 of rule XIII, all reports privileged under clause 5 of rule XIII may be called up for consideration immediately after being filed (H. Res. 988, 93d Cong., Oct. 8, 1974, p. 34406). For a discussion of the three-day layover rule, see § 850, *infra*.

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

§ 420. Recommittal of a bill to a committee.

passed in committee is of no validity; the whole 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

§ 422. Consideration and action on reports.