

On Mar. 5, 1970,⁽¹⁷⁾ the House was considering S. 2910, additional authorization for the Library of Congress James Madison Memorial Building. Mr. Marion G. Snyder, of Kentucky, offered a motion to recommit:

Mr. Snyder moves to recommit the bill S. 2910 to the Committee on Public Works with the instruction that it not be reported back to the House until all necessary designs, plans, and specifications have been completed.

Reporting Amendment to House Pursuant to Instructions

§ 28.9 An amendment is immediately reported to the House pursuant to a motion to recommit with instructions to report back “forthwith” with an amendment.

On Apr. 1, 1948,⁽¹⁸⁾ the House was considering H.R. 6055, the deficiency appropriation bill of 1948. After the engrossed copy of the bill was read and the Speaker, Joseph W. Martin, Jr., of Massachusetts, announced that the question was on the passage of the bill, Mr. Clarence Cannon, of Missouri, offered the following motion to recommit:

Mr. Cannon moves to recommit the bill to the Committee on Appropri-

17. 116 CONG. REC. 6191, 91st Cong. 2d Sess.

18. 94 CONG. REC. 3994, 80th Cong. 2d Sess.

tions with instructions to report the bill back forthwith with an amendment as follows:

On page 10, line 7, strike out “\$300,000,000” and insert in lieu thereof “\$400,000,000.”

After the Clerk announced the vote adopting the motion offered by Mr. Cannon, the Chair recognized Mr. John Taber, of New York.

MR. TABER: Mr. Speaker, in accordance with the instructions of the House, I report the bill back with an amendment which is at the desk.

THE SPEAKER: The Clerk will read the amendment.

The Clerk read as follows:

Page 10, line 7, strike out “\$300,000,000” and insert in lieu thereof “\$400,000,000.”

THE SPEAKER: The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time and was read the third time.

THE SPEAKER: The question is on the passage of the bill.⁽¹⁹⁾

§ 29. Time for Motion

After Engrossment and Third Reading.

§ 29.1 The motion to recommit is not in order until the bill

19. See also 108 CONG. REC. 16781, 87th Cong. 2d Sess., Aug. 16, 1962; and 94 CONG. REC. 448-450, 80th Cong. 2d Sess., Jan. 22, 1948.

has been engrossed and read a third time.

On June 12, 1961,⁽²⁰⁾ the House was considering H.R. 7053, relating to the admission of certain evidence in the courts of the District of Columbia. Mr. Abraham J. Multer, of New York, rose with a parliamentary inquiry:

MR. MULTER: Mr. Speaker, at what point is a motion to recommit in order?

THE SPEAKER PRO TEMPORE:⁽¹⁾ Prior to the passage of the bill and after the third reading.⁽²⁾

§ 29.2 Further consideration of a general appropriation bill having been postponed to a day certain by unanimous consent following engrossment and third reading of the bill, a motion to recommit the bill is in order when consideration resumes on the subsequent day.

On Apr. 17, 1973,⁽³⁾ the House having considered H.R. 6691, making appropriations for the leg-

20. 107 CONG. REC. 10080, 87th Cong. 1st Sess.

1. W. Homer Thornberry (Tex.).

2. See also 105 CONG. REC. 10561, 86th Cong. 1st Sess., June 11, 1959; 96 CONG. REC. 2254, 81st Cong. 2d Sess., Feb. 22, 1950; and 84 CONG. REC. 5535, 5536, 76th Cong. 1st Sess., May 15, 1939.

3. 119 CONG. REC. 12792, 93d Cong. 1st Sess.

islative branch for fiscal 1974, ordered that the bill be engrossed and read a third time, and then postponed further consideration thereof until the next day. On Apr. 18,⁽⁴⁾ the Speaker⁽⁵⁾ made the following statement:

The unfinished business is the question on the passage of the bill (H.R. 6691) making appropriations for the legislative branch for the fiscal year ending June 30, 1974, and for the other purposes.

The Clerk read the title of the bill.

MR. [ALPHONZO] BELL [of California]: Mr. Speaker, I offer a motion to recommit.

THE SPEAKER: Is the gentleman opposed to the bill?

MR. BELL: I am, Mr. Speaker.

THE SPEAKER: The Clerk will report the motion to recommit.

Pending Concurrence With Recommendation That Enacting Clause Be Stricken

§ 29.3 Whenever a bill is reported to the House by the Committee of the Whole with the recommendation that the enacting clause be stricken out, pending the question of concurrence, a motion to recommit the bill to a committee is in order.

On Mar. 24, 1949,⁽⁶⁾ the Committee of the Whole having had

4. *Id.* at p. 13079.

5. Carl Albert (Okla.).

6. 95 CONG. REC. 3110-15, 81st Cong. 1st Sess.

under consideration H.R. 2681, to provide pensions for the veterans of World War I and World War II, reported the bill back to the House with the recommendation that the enacting clause be stricken out. As the Speaker pro tempore, John W. McCormack, of Massachusetts, stated that the question would be on that recommendation, Mr. Olin Teague, of Texas, and Mr. John E. Rankin, of Mississippi, both members of the majority party, rose:

THE SPEAKER PRO TEMPORE: The question is on the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out.

Mr. Teague rose.

THE SPEAKER PRO TEMPORE: For what purpose does the gentleman from Texas rise?

MR. RANKIN: Mr. Speaker, a point of order.

THE SPEAKER PRO TEMPORE: The gentleman will state it.

MR. RANKIN: I make the point of order that, according to the rules of the House, the vote comes now on the motion to strike out the enacting clause. I looked into the matter carefully last night.

THE SPEAKER PRO TEMPORE: In this particular legislative situation the motion to recommit is in order under clause 7 of rule 23.

The Chair recognizes the gentleman from Texas [Mr. Teague]. . . .

MR. TEAGUE: Mr. Speaker, I offer a motion to recommit.

MR. RANKIN: Mr. Speaker, a point of order.

THE SPEAKER PRO TEMPORE: The gentleman will state it.

MR. RANKIN: The gentleman from Texas to qualify to offer a motion to recommit must announce that he is opposed to the bill.

THE SPEAKER PRO TEMPORE: Is the gentleman from Texas opposed to the bill?

MR. TEAGUE: Mr. Speaker, I am opposed to the bill as now written.

THE SPEAKER PRO TEMPORE: The gentleman qualifies. The Clerk will report the motion to recommit.

After Ordering of Previous Question

§ 29.4 A motion to recommit a resolution is properly made after the previous question on that resolution is ordered.

On Sept. 17, 1965,⁽⁷⁾ the House was considering House Resolution 585, dismissing five Mississippi election contests. After the previous question was ordered, the Speaker, John W. McCormack, of Massachusetts, stated that the question would be on the resolution as amended. Mr. Charles S. Gubser, of California, rose with a parliamentary inquiry:

MR. GUBSER: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

7. 111 CONG. REC. 24291, 89th Cong. 1st Sess.

MR. GUBSER: Mr. Speaker, I intend to offer a motion to recommit. Will the Chair please advise when that will be in order?

THE SPEAKER: Is the gentleman opposed to the resolution?

MR. GUBSER: I am, Mr. Speaker.

THE SPEAKER: The Chair will advise the gentleman now is the appropriate time.

After Yeas and Nays Ordered

§ 29.5 Where the yeas and nays had been ordered on the passage of a bill, it was held to be too late to offer a motion to recommit.

On June 27, 1935,⁽⁸⁾ the House was considering H.R. 8555, the merchant marine bill. Speaker Joseph W. Byrns, of Tennessee, put the question on the passage of the bill, and the following occurred:

MR. [WILLIAM D.] MCFARLANE [of Texas]: Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The Clerk proceeded to call the roll.

MR. [RALPH O.] BREWSTER [of Maine]: Mr. Speaker—

THE SPEAKER: For what purpose does the gentleman from Maine rise?

MR. BREWSTER: To propound a parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

MR. BREWSTER: Mr. Speaker, it was my intention to offer a motion to recommit.

8. 79 CONG. REC. 10288, 10289, 74th Cong. 1st Sess.

MR. [THOMAS L.] BLANTON [of Texas]: Mr. Speaker, I rise to a point of order. The Clerk had already begun the calling of the roll and had called the first name, "Allen." I make the point of order the gentleman from Maine cannot interrupt the roll call.

THE SPEAKER: The Chair overrules the point of order. The gentleman from Maine is entitled to propound a legitimate parliamentary inquiry, and the Chair presumes that the inquiry propounded is a proper one. The gentleman from Maine will state his parliamentary inquiry.

MR. BREWSTER: Mr. Speaker, do I understand that a motion to recommit cannot be submitted at this stage?

THE SPEAKER: Such a motion is not in order at this time.

After Announcing Result of Vote

§ 29.6 A motion to recommit comes too late when the Chair has put the question on passage and has announced the apparent result of the vote.

On Dec. 11, 1969,⁽⁹⁾ the House was considering H.R. 4249, extending portions of the Voting Rights Act of 1965.

THE SPEAKER:⁽¹⁰⁾ The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

9. 115 CONG. REC. 38536, 38537, 91st Cong. 1st Sess.

10. John W. McCormack (Mass.).

MR. [DON] EDWARDS of California: Mr. Speaker, a parliamentary inquiry: has a motion to recommit been made?

THE SPEAKER: The Chair will state that a motion to recommit comes too late at this stage. The Chair has already put the question on the passage of the bill and announced that the ayes appeared to have it.

Recommittal of Conference Report

§ 29.7 A motion to recommit a conference report is not in order unless the previous question has been ordered on the conference report.

On Dec. 15, 1970,⁽¹¹⁾ the House was considering H.R. 17755, Department of Transportation appropriations for fiscal 1971. Pending the ordering of the previous question on the conference report on H.R. 17755, Mr. Sidney Yates, of Illinois, was recognized.

MR. YATES: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER PRO TEMPORE:⁽¹²⁾ The gentleman will state his parliamentary inquiry.

MR. YATES: Mr. Speaker, as I understand, in order to have specific instructions given to the conferees it is necessary that the previous question be voted down; is that correct? I mean on the motion to recommit?

11. 116 CONG. REC. 41502, 41503, 91st Cong. 2d Sess.

12. Wilbur D. Mills (Ark.).

THE SPEAKER PRO TEMPORE: The Chair will state that the gentleman from Illinois is in error. The previous question on the conference report has to be ordered before there can be a motion to recommit.⁽¹³⁾

§ 29.8 A motion to recommit a conference report is not in order when the other House has, by acting on the report, discharged its managers.

On June 5, 1968,⁽¹⁴⁾ the House was considering the conference report on H.R. 11308, amending the National Foundation of Arts and Humanities Act of 1965.

MR. [FRANK] THOMPSON of New Jersey: Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

MR. [WILLIAM J.] SCHERLE [of Iowa]: Mr. Speaker, I offer a motion to recommit.

MR. THOMPSON of New Jersey: Mr. Speaker, a point of order.

THE SPEAKER PRO TEMPORE:⁽¹⁵⁾ The gentleman will state the point of order.

MR. THOMPSON of New Jersey: Mr. Speaker, I make a point of order against the motion to recommit on the ground that the other body has already acted.

13. See also 111 CONG. REC. 25663, 89th Cong. 1st Sess., Sept. 30, 1965; 109 CONG. REC. 25409, 88th Cong. 1st Sess., Dec. 21, 1963; and 101 CONG. REC. 9379, 84th Cong. 1st Sess., June 29, 1955.

14. 114 CONG. REC. 16058, 90th Cong. 2d Sess.

15. Carl Albert (Okla.).

THE SPEAKER PRO TEMPORE: The point of order is sustained.⁽¹⁶⁾

§ 30. Debating the Motion

Time for Debate

§ 30.1 Pursuant to Rule XVI clause 4, five minutes of debate in favor of and five minutes in opposition to a motion to recommit with instructions are in order notwithstanding the ordering of the previous question on a bill or joint resolution to final passage.

On July 19, 1973,⁽¹⁷⁾ the House was considering H.R. 8860, to amend and extend the Agricultural Act of 1970. After the previous question was ordered on the bill, Mr. Charles M. Teague, of California, was recognized:

MR. TEAGUE of California: Mr. Speaker I offer a motion to recommit.

THE SPEAKER:⁽¹⁸⁾ Is the gentleman opposed to the bill?

16. See also 109th CONG. REC. 25249, 88th Cong. 1st Sess., Dec. 19, 1963; 107 CONG. REC. 5288, 87th Cong. 1st Sess., Mar. 29, 1961; 102 CONG. REC. 13755, 13764, 84th Cong. 2d Sess., July 20, 1956; and 89 CONG. REC. 7135, 78th Cong. 1st Sess., July 3, 1943.

17. 119 CONG. REC. 24966, 93d Cong. 1st Sess.

18. Carl Albert (Okla.).

MR. TEAGUE of California: I am, Mr. Speaker.

THE SPEAKER: The Clerk will report the motion to recommit. . . .

Under the rule the gentleman from California is recognized for 5 minutes. . . .

Does the gentleman from Texas desire to rise in opposition to the motion to recommit?

MR. [WILLIAM R.] POAGE [of Texas]: I do, Mr. Speaker.⁽¹⁹⁾

Parliamentarian's Note: Rule XVI clause 4 was amended by the Legislative Reorganization Act of 1970 [84 Stat. 1140, Pub. L. No. 91-510, §123 (Oct. 26, 1970)] to provide that 10 minutes of debate shall always be in order on a motion to recommit with instructions after the previous question is ordered on the passage of a bill or joint resolution. This change became effective on Jan. 22, 1971 (H. Res. 5, 92d Cong. 1st Sess.).

Yielding to Another Member After Debate

§ 30.2 The Member offering a motion to recommit a bill with instructions may, at the conclusion of debate thereon, yield to another Member to

19. See also 119 CONG. REC. 13079, 93d Cong. 1st Sess., Apr. 18, 1973; 118 CONG. REC. 3451-53, 92d Cong. 2d Sess., Feb. 9, 1972; and 117 CONG. REC. 34345-47, 92d Cong. 1st Sess., Sept. 30, 1971.