Senate amendment, add legislation thereto. As was the case in Chairman Holifield's ruling of June 26, 1973, the language would constitute a change in the allotment formula contained in the language of the Senate amendment. The Chair therefore holds that the motion to recommit is not a permissible motion within the meaning of clause 2, rule XX, and sustains the point of order.

§ 13. Extending Power of Managers

Authority To Agree to Senate Amendments

§ 13.1 The House agreed to a special rule taking a House joint resolution making appropriations with Senate amendments from the Speaker's table, disagreeing to the amendments, agreeing to the conference requested, directing the Speaker to immediately appoint conferees without intervening motion, and giving specific authority to the conferees to agree or disagree to any Senate amendment.

On Mar. 26, 1935,[1] Mr. John J. O'Connor, of New York, was recognized by Speaker Joseph W. Byrns, of Tennessee, for the purpose of offering the following resolution relating to House Joint Resolution 117, an appropriations measure for relief purposes:

H. RES. 174

Resolved, That immediately upon the adoption of this resolution the joint resolution, House Joint Resolution 117, with Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table; that the Senate amendments be, and they are hereby, disagreed to by the House; that the conference requested by the Senate on the disagreeing votes of the two Houses on the said joint resolution be, and hereby is, agreed to by the House; that the Speaker shall immediately appoint managers on the part of the House without intervening motion; and that the managers on the part of the House are hereby given specific authority to agree, with or without amendment, or disagree to any amendment of the Senate to the said joint resolution notwithstanding the provisions of clause 2 of rule XX.

After considerable debate, the resolution was agreed to by the House.

1. 79 CONG. REC. 4465–77, 74th Cong. 1st Sess.

§ 13.2 The House granted unanimous consent to take from the Speaker's table an appropriation bill with Senate amendments thereto, disagree to the Senate amendments, agree to the conference asked by the Senate, authorize the managers on the part of the House to agree to the amendments of the Senate with amendments, notwithstanding the provisions of Rule XX clause 2, and permit the conference report to be considered at any time.

On July 2, 1947,[2] the following occurred in the House:

MR. [JOHN] TABER [of New York]: Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4031) making appropriations to meet emergencies for the fiscal year ending June 30, 1948, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate; and that the managers on the part of the House have authority to agree to the amendments of the Senate with amendments, notwithstanding the provisions of clause 2 of rule XX, and that the conference report may be considered at any time.

THE SPEAKER:[3] Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. Taber, Wigglesworth, Engel of Michigan, Stefan, Case of South Dakota, Keefe, Kerr, and Mahon.[4]

Use of Concurrent Resolution To Place New Matter in Conference

§ 13.3 By adoption of a concurrent resolution in both Houses, conferees may be authorized to consider a matter not committed to them in the text of a bill passed by one House and amended by the other.

On Dec. 17, 1974,[5] the House, by unanimous consent, adopted the following concurrent resolution which had been messaged from the Senate.

MR. [GEORGE H.] MAHON [of Texas]: Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 124) relating to conference consideration of the bill (H.R. 17468), and ask for its immediate consideration.

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2. 93 CONG. REC. 8131, 80th Cong. 1st Sess.
3. Joseph W. Martin, Jr. (Mass.).
4. See also 80 CONG. REC. 8822, 74th Cong. 2d Sess., June 3, 1936.
5. 120 CONG. REC. 40472, 93d Cong. 2d Sess.

The Clerk read the title of the Senate concurrent resolution.

THE SPEAKER:[6] Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 124

Resolved by the Senate (the House of Representatives concurring), That, due to an inadvertent omission in the Senate reported version of H.R. 17468, entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1975, and for other purposes", in resolving the difference between the Senate and the House on such bill, it shall be deemed that the Senate agreed to an amendment (No. 6) striking from the House-passed bill the following section 111, and the conferees are authorized to consider the same:

SEC. 111. Notwithstanding any other provision of law, funds available to the Department of Defense during the current fiscal year for the construction of family housing units may be used to purchase sole interest in privately owned and Federal Housing Commissioner held family housing units if the Secretary of Defense determines it is in the best interests of the Government to do so. . . .

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

Other examples of enlarging the scope of conference can be found in 5 Hinds' Precedents, §§ 6437–6439.

§ 14. When Conferees Fail To Act

Failure To Report Within 20 Days

§ 14.1 Where conferees have been appointed for 20 calendar days and have failed to file a report, a motion to instruct the House managers at the conference is in order, and is privileged under Rule XXVIII clause 1(c).

On Aug. 1, 1935,[7] Mr. Sam Rayburn, of Texas, submitted the following resolution to instruct the House conferees on S. 2796, the Public Utilities Act of 1935:

Resolved, That the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill of the Senate, S. 2796, be, and they are hereby, instructed to agree to the provisions of section 11 of the Senate bill.

Mr. John J. O'Connor, of New York, interposed a point of order against the resolution offered by

6. Carl Albert (Okla.).

7. 79 CONG. REC. 12265, 12266, 74th Cong. 1st Sess.