THE SPEAKER: The question is on the motion offered by the gentleman from Washington (Mr. Meeds) to suspend the rules and agree to the conference report on the bill H.R. 620.

The question was taken.

MR. MEEDS: Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken by electronic device, and there were—yeas 109, nays 132, not voting 193.

§ 27. Time for Consideration; the Three-day Rule

Prior to the 92d Congress, a conference report was eligible for consideration once it and the accompanying statement of the managers had been printed in the *Congressional Record*. As a practical matter this meant that a conference report could not be considered until the day after it had been filed, since the daily edition of the *Congressional Record* for a particular day is not printed and published until the following day. This restriction was not in effect during the last six days of a session.(15)

The Legislative Reorganization Act of 1970 amended the rules of the House in this regard and imposed a three-day layover period before conference reports could be considered in the House. This qualification of the privilege of considering conference reports is inapplicable during the last six days of a session.(16) This provision was perfected late in the 92d Congress to clarify the method for calculating the three-day period.(17) However, this three-day layover requirement is often waived by the House, either by a suspension of the rules,(18) by unanimous consent,(19) or pursuant to a resolution reported by the Committee on Rules.(20) Such a waiver may provide for consideration on the day after the report is

15. Rule XXVIII clause 2, *House Rules and Manual* § 912 (1969).

16. 84 Stat. 1140, Pub. L. No. 91–510, § 125(b)(2) (Oct. 26, 1970), the provisions of which became part of the rules of the House pursuant to H. Res. 5, 92d Cong. 1st Sess. (Jan. 22, 1971); Rule XXVIII clause 2(a), *House Rules and Manual* § 912a (1997).

17. See § 27.1, infra, especially *Parliamentarian's Note.*

18. § 27.3, infra.

19. §§ 27.3, 27.4, 27.7–27.9, infra. See also §§ 22.2, 22.6, 22.7, 22.19, supra, for comparable precedents which predate the three-day rule.

20. §§ 27.5, 27.6, infra. See also §§ 22.8, 22.18, supra, for comparable precedents which predate the three-day rule.

filed[1] or at any time after filing,[2] and may be effective for a specified time period[3] or even for the remainder of a session.[4] Rule XXVIII clause 2(b)[5] does not require separate unanimous consent for the consideration of numbered Senate amendments reported in disagreement after unanimous consent has been obtained for consideration of the conference report.[6]

A rule adopted in the 94th Congress specifies that the availability of conference reports for two hours is a prerequisite for their consideration. This requirement may also be waived.[7]

Consideration Three Days After Filing

§ 27.1 In the 92d Congress, the House adopted a privileged resolution reported from the Committee on Rules amending the rules of the House to permit consideration of conference reports, including reports in complete disagreement, on the third day following the filing thereof in the House, provided that such reports had been printed in the daily edition of the Record for the day on which they had been filed.

On Oct. 13, 1972,[8] Speaker Carl Albert, of Oklahoma, recognized Mr. B. F. Sisk, of California, to call up House Resolution 1153, to amend the rules of the House. Mr. Sisk explained that the resolution provided, *inter alia*, for the following change:

> First, it changes the wording of the 3-day rule on conference reports and the 3-day rule on committee reports to make it clear that what we mean is 3 days and not 4. As the rules are presently interpreted, a conference report filed on a Monday is not eligible for floor consideration until Friday. We think this is unreasonable. So we suggest changing the language of the rule to make sure that a conference report filed on Monday could be considered on

1. § 27.7, infra.
2. §§ 27.7–27.9, infra. See also §§ 22.6–22.8, 22.18, supra, for comparable precedents which predate the three-day rule.
3. § 27.4, infra. See also §§ 22.16, 22.18, supra, for comparable precedents which predate the three-day rule.
4. § 27.11, infra. See also §§ 22.19, 22.20, supra, for comparable precedents which predate the three-day rule.
5. *House Rules and Manual* § 912b (1997).
6. *Deschler's Procedure* (93d Cong.), Ch. 33 § 21.7.
7. See § 27.10, infra.
8. 118 CONG. REC. 36014, 36021–23, 92d Cong. 2d Sess.

Thursday. Surely, this should give Members enough time to study the report.

Mr. Sisk then proposed and the House approved an amendment to the resolution making its provisions effective immediately before noon, Jan. 3, 1973, after which the House adopted the resolution as so amended.

Parliamentarian's Note: House Resolution 1153 amended Rule XXVIII clause 2 (applying to conference reports) and added clause 2(b) (applying to amendments reported from a conference still in disagreement) to clarify the manner for calculating the three-day layover period that must precede the consideration of such reports. The original "three-day rule" was in effect a four-day rule, since pursuant thereto, a conference report became privileged for consideration three days after it and the accompanying statement had been printed in the daily edition of the *Congressional Record*. However, as a practical matter, the daily edition of the Record for a given day is not published until the next day. Hence, a report filed on Monday would be printed on Tuesday (in Monday's Record), and therefore would not be eligible for consideration until Friday. House Resolution 1153 took cognizance of this fact and specified that the three-day layover period would begin on the day of filing, and that consideration of the report would be in order only if the report and statement had been printed in the daily edition of the *Congressional Record* for the day on which such report had been filed.

Saturdays, Sundays, and Legal Holidays (Under Rule in Effect in 1974)

§ 27.2 Saturdays, Sundays, and legal holidays are not counted in computing the three-day layover period after which conference reports become privileged for consideration.[9]

On Tuesday, Oct. 17, 1972,[10] Mr. Wilbur D. Mills, of Arkansas, called up the conference report on H.R. 16810 (providing for a temporary increase in the public debt limitation), which had been filed in the House the previous Saturday, Oct. 14.[11]

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9. See Rule XXVIII clause 2, *House Rules and Manual* § 912a (1972).

10. 118 CONG. REC. 36938, 92d Cong. 2d Sess.

11. *Id.* at p. 36520.

MR. MILLS of Arkansas (during the reading): Mr. Speaker, a parliamentary inquiry.

THE SPEAKER:[12] The gentleman will state it.

MR. MILLS of Arkansas: Mr. Speaker, is it true that this conference report not having laid over for 3 days cannot be called up except by unanimous consent?

THE SPEAKER: That is correct.

MR. MILLS of Arkansas: Mr. Speaker, I withdraw my request for consideration of the conference report.

THE SPEAKER: The gentleman from Arkansas withdraws his request for consideration of the conference report.

Consideration Prior to Expiration of Three Days

§ 27.3 Prior to the expiration of three calendar days (not including Saturdays, Sundays, and legal holidays) from the filing of a conference report in total disagreement, the report and Senate amendment in disagreement may be considered by unanimous consent or under suspension of the rules on suspension days.

On June 29, 1973,[13] the following occurred in the House:

MR. [WILBUR D.] MILLS of Arkansas: Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report and the Senate amendment reported from the conference in disagreement on the bill (H.R. 8410) to continue the existing temporary increase in the public debt limit through November 1973, and for other purposes. . . .

MR. [WILLIAM A.] STEIGER of Wisconsin: Mr. Speaker, reserving the right to object, may I propound a parliamentary inquiry?

THE SPEAKER:[14] The gentleman from Wisconsin may propound a parliamentary inquiry.

MR. STEIGER of Wisconsin: Mr. Speaker, my parliamentary inquiry is this: that if an objection is heard to the request made by the gentleman from Arkansas, is it in order for the gentleman from Arkansas, the distinguished chairman of the Committee on Ways and Means, to move to suspend the rules to bring this to the floor of the House?

THE SPEAKER: The Chair will state that the Chair has the authority to recognize the gentleman for such a motion.

§ 27.4 By unanimous consent, the consideration of a conference report was made in order during the following week on a day prior to the expiration of the three cal-

12. Carl Albert (Okla.).
13. 119 CONG. REC. 22381, 22382, 22384, 93d Cong. 1st Sess.
14. Carl Albert (Okla.).

endar days required by Rule XXVIII clause 2.[15]

On June 24, 1971,[16] Mr. George H. Mahon, of Texas, made the following request:

> Mr. Speaker, I ask unanimous consent that the managers on the part of the House on the bill (H.R. 7016) making appropriations for the Office of Education and related agencies, for the fiscal year ending June 30, 1972, and for other purposes, may have until midnight Monday next to file the conference report and that it may be in order on Wednesday next to consider the conference report in the House.
>
> THE SPEAKER PRO TEMPORE:[17] Is there objection to the request of the gentleman from Texas?
>
> There was no objection.

§ 27.5 Resolutions reported from the Committee on Rules have provided for the consideration of conference reports prior to the expiration of three calendar days as required by Rule XXVIII clause 2.[18]

On Feb. 24, 1972,[19] the following occurred in the House:

> MR. [JOHN A.] YOUNG of Texas: Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 838 and ask for its immediate consideration.
>
> The Clerk read the resolution as follows:
>
> H. RES. 838
>
> *Resolved,* That it shall be in order to consider a conference report on the bill (H.R. 12067) making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1972, and for other purposes, notwithstanding the provisions of clause 2, rule XXVIII.
>
> THE SPEAKER:[20] The gentleman from Texas is recognized for 1 hour.
>
> MR. YOUNG of Texas: . . . Mr. Speaker, House Resolution 838 merely provides for consideration of the conference report on H.R. 12067, the foreign assistance and related programs appropriation bill, 1972, notwithstanding the provisions of clause 2, rule XXVIII, which is the so-called 3-day rule. . . .
>
> MR. YOUNG of Texas: Mr. Speaker, I move the previous question on the resolution.
>
> The previous question was ordered.
>
> The resolution was agreed to.[1]

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15. See *House Rules and Manual* § 912a (1997).
16. 117 CONG. REC. 21905, 92d Cong. 1st Sess.
17. Hale Boggs (La.).
18. See *House Rules and Manual* § 912a (1997).
19. 118 CONG. REC. 5495, 92d Cong. 2d Sess.
20. Carl Albert (Okla.).
1. See also 118 CONG. REC. 29128, 29129, 92d Cong. 2d Sess., Aug. 18, 1972.

§ 27.6 At the end of a session, the House often adopts a special order permitting the same day consideration of conference reports and amendments in disagreement, waiving the necessity for a three-day layover but retaining the requirement of two-hour availability.

The special order called up in the House on Sept. 29, 1976,[2] is illustrative of those often used to facilitate business as *sine die* adjournment approaches.

MR. [B. F.] SISK [of California]: Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1582 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1582

Resolved, That it shall be in order at any time during the remainder of this session to consider conference reports and amendments reported from conference in disagreement on the same day reported or any day thereafter notwithstanding the provisions of clause 2, rule XXVIII (but subject to the two-hour availability requirement of that clause).

THE SPEAKER:[3] The gentleman from California (Mr. Sisk) is recognized for 1 hour. . . .

MR. SISK: . . . The Rules Committee decided to report three separate resolutions rather than one omnibus resolution to permit Members a separate vote on each of the questions.

House Resolution 1582 permits the same-day consideration of conference reports. It waives the provisions of clause 2, rule XXVIII, the 3-day layover rule. However, the 2-hour availability requirement of that clause, adopted by this Congress, is retained.

Consideration on Day After Filing

§ 27.7 By unanimous consent, the consideration of a conference report was made in order on the day after it was filed, notwithstanding the requirement of Rule XXVIII clause 2[4] that the conference report be printed in the Record three calendar days prior to its consideration.

On June 29, 1971,[5] the following occurred in the House:

MR. [GEORGE W.] ANDREWS of Alabama: Mr. Speaker, I ask unanimous consent that the managers on the part

2. 122 CONG. REC. 33518, 94th Cong. 2d Sess.

3. Carl Albert (Okla.).

4. See *House Rules and Manual* § 912a (1997).

5. 117 CONG. REC. 22568–70, 92d Cong. 1st Sess.

of the House may have until midnight tonight to file a conference report on the bill (H.R. 8825) making appropriations for the legislative branch for the fiscal year ending June 30, 1972, and for other purposes.

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

There was no objection. . . .

MR. ANDREWS of Alabama: Mr. Speaker, I ask unanimous consent that it may be in order on tomorrow, June 30, 1971, to consider the conference report on the bill (H.R. 8825) making appropriations for the legislative branch for the fiscal year ending June 30, 1972, and for other purposes.

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

There was no objection.[7]

Consideration Immediately After Filing

§ 27.8 Consideration of a conference report was, by unanimous consent, made in order at any time following the filing of the report.

On May 20, 1971,[8] the following occurred in the House regarding H.R. 8190, the second supplemental appropriation bill for fiscal 1971:

MR. [GEORGE H.] MAHON [of Texas]: . . . My purpose is to ask unanimous consent that it may be in order at any time after the filing of the conference report on the second supplemental appropriation bill to call up the conference report for consideration. . . .

THE SPEAKER:[9] Is there objection to the request of the gentleman from Texas?

There was no objection.

§ 27.9 By unanimous consent, the House considered a conference report and Senate amendments in disagreement immediately following their submission to the House.

On June 30, 1973,[10] Mr. George H. Mahon, of Texas, submitted the conference report and statement of the managers on House Joint Resolution 636, and immediately made the following request:

Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report and of the Senate amendments reported from conference in disagreement on the joint resolution (H.J. Res. 636), making continuing appropriations for the fiscal year 1974, and for other purposes.

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6. Carl Albert (Okla.).
7. See also 116 CONG. REC. 24030, 91st Cong. 2d Sess., July 14, 1970.
8. 117 CONG. REC. 16148, 92d Cong. 1st Sess.
9. Carl Albert (Okla.).
10. 119 CONG. REC. 22632, 22633, 93d Cong. 1st Sess.

THE SPEAKER:[11] Is there objection to the request of the gentleman from Texas?

There was no objection.

Availability of Conference Report

§ 27.10 In the second session of the 94th Congress the House amended Rule XXVIII clause 2, to require that conference reports and amendments reported from conference in disagreement to be available to Members at least two hours prior to consideration, but permitting a waiver of this rule by a two-thirds vote.

On Feb. 26, 1976, a resolution amending the rules of the House, reported from the Committee on Rules, was called up for consideration in the House.[12] The purpose of this rules change was to impose a two-hour availability on bills reported from standing committees, on conference reports, and on amendments reported from conference in disagreement. The new rule also permitted the immediate consideration of a resolution reported from the Committee on Rules waiving this requirement but requiring a two-thirds vote for the adoption of such a waiver.

The resolution was reported with a committee amendment which was adopted. The text of the resolution, together with portions of the debate on the new rules, are carried herein.[13]

MR. [CLAUDE D.] PEPPER [of Florida]: Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 868 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 868

Resolved, That Rule XI of the Rules of the House of Representatives is amended by adding at the end thereof the following new clause:

"7. It shall not be in order to consider any report of a committee unless copies or reproductions of such report have been available to the Members on the floor for at least two hours before the beginning of such consideration. The provisions of this clause shall not be construed to supersede any other rule of the House requiring a longer period of time before such consideration is in order. The provisions of this clause shall not apply to any report of the Committee on Rules dealing with the consideration of a bill.".

SEC. 2. Rule XXII of the Rules of the House of Representatives is amended by adding at the end thereof the following new clause:

"7. It shall not be in order to consider any bill or resolution unless

11. Carl Albert (Okla.).

12. H. Res. 868. See 122 CONG. REC. 4625, 94th Cong. 2d Sess.

13. 122 CONG. REC. 4625–27, 4629, 94th Cong. 2d Sess., Feb. 26, 1976.

copies or reproductions of such bill or resolution have been available to Members on the floor for at least two hours before the beginning of such consideration. The provisions of this clause shall not be construed to supersede any other rules of the House requiring a longer period of time before such consideration is in order. The provisions of this clause shall not apply to any resolution reported by the Committee on Rules dealing with the consideration of a bill.".

SEC. 3. Rule XXVIII of the Rules of the House of Representatives is amended by adding at the end thereof the following new clause:

"7. It shall not be in order to consider any report of a committee of conference unless copies or reproductions of such report have been available to Members on the floor for at least two hours before the beginning of such consideration. The provisions of this clause shall not be construed to supersede any other rules of the House requiring a longer period of time before such consideration is in order. The provisions of this clause shall not apply to any resolution or report of the Committee on Rules relating to any report of a committee of conference.".

With the following committee amendment:

Strike all after the resolving clause and insert in lieu thereof:

That rule XI, clause 2(l)(6) of the Rules of the House of Representatives is amended by inserting after the first sentence the following: "Nor shall it be in order to consider any measure or matter reported by any committee (except the Committee on Rules in the case of a resolution making in order the consideration of a bill, resolution, or other order of business, or any other committee in the case of a privileged resolution), unless copies of such report and the reported measure or matter have been available to the Members for at least two hours before the beginning of such consideration; *provided, however*, that it shall always be in order to call up for consideration, notwithstanding the provisions of clause 4(b), rule XI, a report from the Committee on Rules specifically providing for the consideration of a reported measure or matter notwithstanding this restriction."

SEC. 2. The second sentence of rule XXVIII, clause 2(a) of the House of Representatives is amended by striking all after the word "statement" and inserting in lieu thereof the following: "have been available to Members for at least two hours before the beginning of such consideration; *provided, however,* that it shall always be in order to call up for consideration, notwithstanding the provisions of clause 4(b). Rule XI, a report from the Committee on Rules only making in order the consideration of a conference report notwithstanding this restriction."

SEC. 3. The second sentence of rule XXVIII, clause 2(b) of the Rules of the House of Representatives is amended by striking all after the second comma and inserting in lieu thereof the following: "have been available to Members for at least two hours before the beginning of such consideration; *provided, however*, that it shall always be in order to call up for consideration, notwithstanding the provisions of clause 4(b), rule XI, a report from the Committee on Rules only making in order the consideration of such an amendment notwithstanding this restriction."

PARLIAMENTARY INQUIRY

MR. [ROBERT E.] BAUMAN [of Maryland]: Mr. Speaker, I have a parliamentary inquiry.

THE SPEAKER:[14] The gentleman will state it.

MR. BAUMAN: Mr. Speaker, this resolution is to be considered in the House which would preclude an amendment from being offered by any Member.

THE SPEAKER: It is a rule that comes from the Committee on Rules. It is under the charge of the gentleman handling the resolution.

MR. BAUMAN: So unless the gentleman yields for the purpose of an amendment, none would be in order?

THE SPEAKER: The gentleman is correct. . . .

MR. BAUMAN: If the gentleman would yield further, I would say that when we amended the rules the last time I seem to recall the resolution was considered in the House as in the Committee of the Whole and all the Members had the right to offer amendments. What was the reason for precluding individuals from offering amendments today?

MR. PEPPER: This resolution comes out from the Rules Committee in the exercise of its jurisdiction relative to the rules of the House and it comes out as a closed rule and therefore I have no authority in handling the rule to yield to Members except for the purposes of debate. . . .

Mr. Speaker, I yield 30 minutes to the able gentleman from Illinois (Mr. Anderson), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 868, as amended by the Committee on Rules, proposes to amend two rules of the House in order to insure that Members have an adequate opportunity, no less than 2 hours, to review reported measures, conference reports, and Senate amendments in disagreement.

House Resolution 868, as reported, would amend rule XI, clause 2(l)(6), the 3-day layover rule, to provide that no measure or matter reported by any committee—except the Committee on Rules with respect to order of business resolutions, and other committees with respect to privileged resolutions—may be considered unless copies of the measure have been available for at least 2 hours prior to consideration. The requirements of rule XI, clause 2(l)(6) do not apply to measures for the declaration of war, the declaration of a national emergency by Congress, or to congressional actions with respect to executive decisions or determinations which would become or continue to be effective unless disapproved or otherwise invalidated by one or both Houses of Congress. The proposed 2-hour availability requirement would likewise not be applicable to the consideration of such measures.

House Resolution 868 also amends rule XXIII, clause 2 (a) and (b), relating to conference reports, to prohibit consideration both of conference reports and of any amendment of the Senate to any measure reported in disagreement, unless copies of the report and statement of the managers have been available for at least 2 hours prior to consideration.

The amendments to these rules contain a proviso which states that the 2-hour requirement may be waived by the Committee on Rules and a resolution to that effect may be considered on the same day reported notwithstanding

14. Carl Albert (Okla.).

rule XI, clause 4(b) prohibiting consideration of a resolution from rules on the same day reported unless so determined by a two-thirds vote. The requirement could also be dispensed with by unanimous consent or under suspension of the rules. . . .

MR. [JOHN B.] ANDERSON of Illinois: . . . As the gentleman from Florida (Mr. Pepper) has already explained, the main purpose of these rules changes is to insure that Members will have advance access to written copies of bills, reports, and conference reports at least 2 hours before they are called up for consideration. . . . The only exceptions, in the case of bills, are if they are: brought up under unanimous consent, to which any Member may object; under suspension of the rules, which requires a two-thirds vote; through a waiver of the 3-day rule by the Committee on Rules, which must first be adopted by a majority vote; or through a blanket waiver of the 3-day rule applying to all bills brought up during a certain period of time, again which must first be adopted by a majority vote. Moreover, the House is doubly protected by clause 3 of rule XVI which reads, and I quote:

> When any motion or proposition is made, the question, Will the House now consider it? shall not be put unless demanded by a Member. . . .

In other words, Mr. Speaker, even if the House should adopt a special rule which waives the 3-day rule against a bill or conference report, any Member may still raise the question of consideration on the motion to resolve into the Committee of the Whole to consider the bill, and it takes a majority vote of the House to proceed with consideration.

The same situation applies with respect to the consideration of conference reports when the 3-day rule has been waived. Even though conference reports are highly privileged, the precedents are quite clear, and I quote:

> The question of consideration may be demanded against a matter of the highest privilege.

The only apparent exceptions being veto messages and reports and orders of business out of the Committee on Rules. So again, any Member who is not satisfied that the conference report has been available for a sufficient amount of time prior to consideration, whether 2 hours or 1 day, may force a vote on the question of consideration, and that conference report cannot be considered until a majority of the House votes to proceed with consideration.

MR. PEPPER: Mr. Speaker, I would just add this. The Committee on Rules had 4 days of hearings on this matter and concluded that, after fair consideration of the measure by the House, it should be adopted.

Mr. Speaker, I move the previous question on the committee amendment and the resolution.

The previous question was ordered.

THE SPEAKER: The question is on the committee amendment.

The committee amendment was agreed to.

THE SPEAKER: The question is on the resolution.

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

MR. [WILLIAM A.] STEIGER of Wisconsin: Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

THE SPEAKER: Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 258, nays 107, not voting 67. . . .

Consideration on Same Day Reported for Remainder of Session

§ 27.11 A resolution reported from the Committee on Rules made in order the consideration of conference reports on the same day reported during the remainder of the session of Congress.

On Dec. 9, 1971,[15] Speaker Carl Albert, of Oklahoma, recognized Mr. William M. Colmer, of Mississippi, to call up and explain House Resolution 729:

Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 729 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 729

Resolved, That during the remainder of the first session of the Ninety-second Congress it shall be in order to consider conference reports the same day reported, notwithstanding the provisions of clause 2, rule XXVIII.

MR. COLMER: . . . Mr. Speaker, I assure the Speaker and the Members of the House that I do not intend to use anything like the time that is permitted under the rule.

Mr. Speaker, this is a very simple resolution.

Under the rules of the House conference reports on bills must lay over, for a period of 3 days and be printed in the Record.

Now, under the standing rules of the House, for the last 6 days of the session, the House can take such action.

Mr. Speaker, since we are in the drive for adjournment and since no one can predict accurately when the 6 days begins, this is a simple resolution to expedite the consideration of the conference reports. Otherwise we would be forced to await the joint adoption of a *sine die* resolution before this waiver could become effective.[16]

Immediate Consideration for Remainder of Week

§ 27.12 The House rejected a resolution reported from the Committee on Rules which would have provided for the immediate consideration of

15. 117 CONG. REC. 45873, 92d Cong. 1st Sess.

16. See *House Rules and Manual* § 912a (1997).

conference reports for the remainder of that week.

On Aug. 16, 1972,[17] the following occurred in the House:

> MR. [WILLIAM M.] COLMER [of Mississippi]: Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1094 and ask for its immediate consideration.
>
> The Clerk read the resolution, as follows:
>
> H. RES. 1094
>
> *Resolved,* That during the remainder of this week it shall be in order to consider conference reports the same day reported, notwithstanding the provisions of clause 2, rule XXVIII.[18] . . .
>
> The previous question was ordered.
>
> THE SPEAKER:[19] The question is on the resolution. . . .
>
> The question was taken; and there were—yeas 159, nays 223, not voting 50. . . .
>
> So the resolution was rejected.

§ 28. Debating Reports

Time for debate on a conference report is under the hour rule[20] and since 1971 has been divided between the majority and minority parties.[1] An additional 40 minutes of debate has been allowed on each of several specified sections of a conference report which contained Senate amendments which were alleged to be nongermane to the House bill,[2] and this time was divided in each instance between a Member supporting the section at issue and a Member opposed thereto.[3] This procedure was expanded and included in the standing rules of the House pursuant to House Resolution 1153, 92d Cong. 2d Sess. (Oct. 13, 1972) and became effective immediately before noon on Jan. 3, 1973.[4] The hour of debate on a conference report may be divided three ways, with 20 minutes allotted to a Member opposed, if both managers support the report.[5] The standing rules governing debate time can be abrogated or altered by special order.[6]

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17. 118 CONG. REC. 28351–57, 92d Cong. 2d Sess.

18. See *House Rules and Manual* § 912a (1997).

19. Carl Albert (Okla.).

20. §§ 28.1, 28.2, infra.

1. § 28.6, infra, especially footnote, and § 28.8, infra.

2. §§ 28.11–28.13, infra.

3. §§ 28.11–28.13, infra, and Rule XXVIII clause 4(b), *House Rules and Manual* § 913(b) (1997).

4. See Rule XXVIII clause 4, *House Rules and Manual* § 913(b) (1997).

5. See §§ 28.7, 29.24, infra.

6. See §§ 28.3, 28.13, infra.