

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 (except under extraordinary circumstances), (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 paragraphs have, on distinct questions, been agreed to *seriatim*, 5 *Grey*, 366; 6 *Grey*, 368; 8 *Grey*, 47, 104, 360; 1 *Torbuck's Deb.*, 125; 3 *Hats.*, 348, no question needs be put on the whole report. 5 *Grey*, 381.

§ 422. Consideration and action on reports.

In the House committees usually report bills, joint resolutions, concurrent resolutions, or simple resolutions. These come before the House for action while the written reports accompanying them, which are always printed, do not (IV, 4674), and even the reading of the reports is in order only in the time of debate (V, 5292). The Chair will not recognize a Member

during debate on a bill in the House or in the Committee of the Whole for unanimous consent to amend the accompanying committee report in a specified manner, as the House should not change the substance of a committee report upon which it is not called to vote (Apr. 2, 1985, p. 7209; Nov. 7, 1989, p. 27762). In rare instances, however, committees submit merely written reports without propositions for action. Such reports being before the House may be debated before any specific motion has been made (V, 4987, 4988), and are in such case read to the House (IV, 4663) and after being considered the question is taken on agreeing. In such cases the report appears in full on the Journal (II, 1364; IV, 4675; V, 7177). When reports are acted on in this way it has not been the practice of the House to consider them by paragraphs, but the question has been put on the whole report (II, 1364).

On taking up a bill reported with amendments the amendments only are read by the Clerk. The Speaker then reads the first, and puts it to the question, and so on till the whole are adopted or rejected, before any other amendment be admitted, except it be an amendment to an amendment. *Elsynge's Mem.*, 53. When through the amendments of the committee, the Speaker pauses, and gives time for amendments to be proposed in the House to the body of the bill; as he does also if it has been reported without amendments; putting no questions but on amendments proposed; and when through the whole, he puts the question whether the bill shall be read a third time?

The procedure outlined by this provision of the parliamentary law applies to bills when reported from the Committee of the Whole; but in practice it is usual to vote on the amendments in gross. But any Member may demand a separate vote (see § 337, *supra*). The principle that the committee amendments should be voted on before amendments proposed by individual Members is recognized (IV, 4872–4876; V, 5773; VIII, 2862, 2863), except when it is proposed to amend a committee amendment. The Clerk reads the amendments and the Speaker does not again read them. Frequently the House orders the previous question on the committee amendments and the bill to final passage, thus preventing further amendment. When

a bill is of such nature that it does not go to Committee of the Whole, it comes before the House from the House Calendar, on which it has been placed on being reported from the standing or select committee or pursuant to a special order of business. On being taken from the House Calendar the bill is read through and then the amendments proposed by the committee are read. In modern practice the House may adopt a special order "self-executing" the adoption of the reported committee amendments in the House, and may permit further amendment to the amended text (*e.g.*, H. Res. 245, 106th Cong., July 15, 1999, p. 16216).

SEC. XXX—QUASI-COMMITTEE

If on motion and question the bill be not committed, or if no proposition for commitment be made, then the proceedings in the Senate of the United States and in Parliament are totally different. The former shall be first stated.

§ 424. Procedure "in the House as in Committee of the Whole."

The proceeding of the Senate as in a Committee of the Whole, or in quasi-committee, is precisely as in a real Committee of the Whole, taking no question but on amendments. When through the whole, they consider the quasi-committee as risen, the House resumed without any motion, question, or resolution to that effect, and the President reports that "the House, acting as in a Committee of the Whole, have had under their consideration the bill entitled, &c., and have made sundry amendments, which he will now report to the House." The bill is then before them, as it would have been if reported from a committee, and the questions are regularly to be put again on every amendment; which being gone through, the President pauses to give time to the House to propose amendments to the body of the bill, and, when through, puts the question whether it shall be read a third time?