

§ 908. Rules of Senate and House of Representatives on reorganization plans

Sections 909 through 912 of this title are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions with respect to any reorganization plans transmitted to Congress (in accordance with section 903(b) of this chapter¹) on or before December 31, 1984; and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 397; Pub. L. 95-17, §2, Apr. 6, 1977, 91 Stat. 33; Pub. L. 98-614, §2(b), Nov. 8, 1984, 98 Stat. 3192.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: 5 U.S.C. 133z-10, June 20, 1949, ch. 226, §201, 63 Stat. 206.

The words "Sections 909-913 of this title" are substituted for "The following sections of this title" to reflect the codification of sections 202-206 of Title II of the Act of June 20, 1949.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

1984—Par. (1). Pub. L. 98-614 substituted "with respect to any reorganization plans transmitted to Congress (in accordance with section 903(b) of this chapter) on or before December 31, 1984" for "described in section 909 of this title".

1977—Pub. L. 95-17 substituted "Sections 909 through 912 of this title" for "Sections 909-913 of this title" in provisions preceding par. (1).

§ 909. Terms of resolution

For the purpose of sections 908 through 912 of this title, "resolution" means only a joint resolution of the Congress, the matter after the resolving clause of which is as follows: "That the Congress approves the reorganization plan numbered transmitted to the Congress by the President on , 19 .", and includes such modifications and revisions as are submitted by the President under section 903(c) of this chapter. The blank spaces therein are to be filled appropriately. The term does not include a resolution which specifies more than one reorganization plan.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 397; Pub. L. 95-17, §2, Apr. 6, 1977, 91 Stat. 33; Pub. L. 98-614, §3(c), Nov. 8, 1984, 98 Stat. 3192.)

¹ So in original. Probably should be "title".

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: 5 U.S.C. 133z-11, June 20, 1949, ch. 226, §202, 63 Stat. 207.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

REFERENCES IN TEXT

Section 903(c) of this chapter, referred to in text, means section 903(c) of this title.

AMENDMENTS

1984—Pub. L. 98-614 substituted "a joint resolution of the Congress" for "a resolution of either House of Congress", and "the Congress approves" for "the does not favor".

1977—Pub. L. 95-17 substituted "sections 908 through 912 of this title" for "sections 908-913 of this title" and provision that the blank spaces are to be appropriately filled for provision that the first blank space is to be filled with the name of the resolving House and the other blank spaces are to be appropriately filled and inserted provision that "resolution" includes such modifications and revisions as are submitted by the President under section 903(c) of this chapter.

§ 910. Introduction and reference of resolution

(a) No later than the first day of session following the day on which a reorganization plan is transmitted to the House of Representatives and the Senate under section 903, a resolution, as defined in section 909, shall be introduced (by request) in the House by the chairman of the Government Operations Committee of the House, or by a Member or Members of the House designated by such chairman; and shall be introduced (by request) in the Senate by the chairman of the Governmental Affairs Committee of the Senate, or by a Member or Members of the Senate designated by such chairman.

(b) A resolution with respect to a reorganization plan shall be referred to the Committee on Governmental Affairs of the Senate and the Committee on Government Operations of the House (and all resolutions with respect to the same plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be. The committee shall make its recommendations to the House of Representatives or the Senate, respectively, within 75 calendar days of continuous session of Congress following the date of such resolution's introduction.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 397; Pub. L. 95-17, §2, Apr. 6, 1977, 91 Stat. 33; Pub. L. 98-614, §3(b)(3), Nov. 8, 1984, 98 Stat. 3192.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: 5 U.S.C. 133z-12, June 20, 1949, ch. 226, §203, 63 Stat. 207.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

1984—Subsec. (b). Pub. L. 98-614 substituted "75 calendar days" for "45 calendar days".

1977—Pub. L. 95-17 substituted “Introduction and reference of resolution” for “Reference of resolution to committee” in section catchline, designated existing provisions as subsec. (b), substituted “the Committee on Governmental Affairs of the Senate and the Committee on Government Operations of the House” for “a committee” and inserted requirement that the Committee shall make its recommendation to the House or Senate within 45 calendar days of continuous session of Congress following the date of a resolution’s introduction, and added subsec. (a).

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

Committee on Government Operations of House of Representatives treated as referring to Committee on Government Reform and Oversight of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Government Reform and Oversight of House of Representatives changed to Committee on Government Reform of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999. Committee on Government Reform of House of Representatives changed to Committee on Oversight and Government Reform of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 911. Discharge of committee considering resolution

If the committee to which is referred a resolution introduced pursuant to subsection (a) of section 910 (or, in the absence of such a resolution, the first resolution introduced with respect to the same reorganization plan) has not reported such resolution or identical resolution at the end of 75 calendar days of continuous session of Congress after its introduction, such committee shall be deemed to be discharged from further consideration of such resolution and such resolution shall be placed on the appropriate calendar of the House involved.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 397; Pub. L. 92-179, § 5, Dec. 10, 1971, 85 Stat. 576; Pub. L. 95-17, § 2, Apr. 6, 1977, 91 Stat. 34; Pub. L. 98-614, § 3(b)(4), Nov. 8, 1984, 98 Stat. 3192.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 133z-13.	June 20, 1949, ch. 226, § 204, 63 Stat. 207.

In subsection (a), the words “at the end of 10 calendar days . . . it is” are substituted for “before the expiration of ten calendar days . . . it shall then (but not before) be”.

In subsection (b), the words “A motion to discharge” are substituted for “Such motion”.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

1984—Pub. L. 98-614 substituted “75 calendar days” for “45 calendar days”.

1977—Pub. L. 95-17 substituted provisions deeming the committee discharged from further consideration of a resolution where that committee has not reported the resolution within 45 days of continuous session of

Congress after the resolution’s introduction for provisions permitting a motion to discharge a committee where the committee considering a resolution has not reported the resolution within 20 calendar days after the resolution’s introduction, provisions permitting a motion to discharge to be made only by an individual favoring the resolution and limiting debate to 1 hour, and provisions prohibiting a renewal of a motion to discharge where the original motion was agreed to or disagreed to or the making of another motion with respect to a resolution from the same reorganization plan.

1971—Subsec. (a). Pub. L. 92-179 substituted “20 calendar days” for “10 calendar days”.

§ 912. Procedure after report or discharge of committee; debate; vote on final passage

(a) When the committee has reported, or has been deemed to be discharged (under section 911) from further consideration of, a resolution with respect to a reorganization plan, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. The motion shall not be subject to amendment, or to a motion to postpone, or a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(b) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than ten hours, which shall be divided equally between individuals favoring and individuals opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is passed or rejected shall not be in order.

(c) Immediately following the conclusion of the debate on the resolution with respect to a reorganization plan, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(d) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

(e) If, prior to the passage by one House of a resolution of that House, that House receives a resolution with respect to the same reorganization plan from the other House, then—

(1) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(2) the vote on final passage shall be on the resolution of the other House.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 398; Pub. L. 95-17, § 2, Apr. 6, 1977, 91 Stat. 34; Pub. L. 98-614, § 3(d), (e)(1), (2), Nov. 8, 1984, 98 Stat. 3193.)