

# CRS Report for Congress

Received through the CRS Web

## Committee of the Whole: Stages of Action on Measures

Richard S. Beth  
Specialist in the Legislative Process  
Government and Finance Division

The House gives initial floor consideration to most major legislation in Committee of the Whole, a parliamentary device that is technically a committee of the House to which all Members belong. This fact sheet describes seven chief stages that occur in considering a measure under this procedure: resolving into committee, general debate, amendment under the five-minute rule, reporting to the House, House vote on amendments, motion to recommit, and final passage. For more information on legislative process, see [<http://www.crs.gov/products/guides/guidehome.shtml>].

House Rule XVIII prescribes procedures in Committee of the Whole, but these may be modified by a rule for considering a specific measure, reported by the Committee on Rules. Clause 3 of the Rule requires that revenue, appropriation, and authorization measures be considered initially in Committee of the Whole. Other measures may be considered there pursuant to a rule.

**Resolving into Committee of the Whole.** The House usually takes up a measure in Committee of the Whole when the Speaker, acting pursuant to a rule for consideration, declares the House resolved into Committee of the Whole for the purpose (Rule XVIII, clause 2(b)). For certain privileged measures, such as general appropriation bills, the majority floor manager may instead move that the House resolve into Committee of the Whole to consider the measure (clause 2(a)). In either case, the Speaker then leaves the chair and appoints a chair of the Committee of the Whole (clause 1(a)), usually a senior Member of the majority party not serving on a committee that handled the measure.

**General Debate.** A rule for considering a measure normally specifies a time limit for general debate, often one hour, equally divided and controlled by majority and minority floor managers. Otherwise, the majority manager obtains unanimous consent for similar arrangements before the House resolves into committee. If a measure is reported from several committees, a pair of managers from each usually controls a separate period for general debate. Each manager yields specified amounts of time to Members, usually in his or her own party, whom the chair then recognizes for debate. General debate ends when this time is consumed or the managers yield it back.

**Amendment Under the Five-Minute Rule.** After general debate, the measure normally is considered for amendment by section (by paragraph, for appropriation bills).

The rule governing consideration normally provides that each section, when reached, be considered as read. Pursuant to the rule, or by unanimous consent, the measure may instead be considered for amendment by title, or may be considered as read and open to amendment at any point. Each amendment must be offered while the part of the measure it would amend is pending for amendment.

When an amendment is offered, its reading is often dispensed with by unanimous consent. Any point of order against it must be made or reserved before debate begins. The sponsor of the amendment is entitled to open the debate. A Member (often the majority manager) may then be recognized in opposition. Others may speak by offering a *pro forma* amendment to “strike the last word” (or the “requisite number of words”). Each speaker on an amendment may be recognized once, for five minutes (which may be extended by unanimous consent). Time for debate on an amendment or section may be limited by a motion (or unanimous consent) to close debate. Even after debate is closed, any amendment printed in advance in the *Record* may be debated for five minutes on each side (Rule XVIII, clauses 5, 8).

**Committee of the Whole Reports.** After all portions of a measure have been considered for amendment, the Committee of the Whole rises and reports the measure (with any adopted amendments) back to the House. It does so pursuant to either the rule for consideration or a motion offered by the majority manager. The Speaker then returns to the chair, and the chair of the Committee of the Whole reports the measure and any amendments recommended by Committee of the Whole.

**House Vote on Amendments.** Because it is technically a committee, the Committee of the Whole can only recommend amendments. When it reports a measure, the previous question is routinely ordered, either automatically by the terms of the rule, or by unanimous consent, thereby precluding the offering of any further amendment in the House. The chair then puts the amendments recommended by Committee of the Whole to a voice vote *en gros*. Any Member, however, may obtain a separate vote on any of these amendments. By this means, the House may reject an amendment adopted in Committee of the Whole. It may not vote to adopt amendments defeated in Committee of the Whole, however, for these are not reported back to the House.

**Motion to Recommit.** Next, the House routinely orders the measure engrossed (that is, printed as amended) and read a final time (by title). An opponent then has preference, usually exercised by the minority manager or floor leader, to move to recommit the measure (Rule XIX, clause 2(b)). No rule governing consideration may prevent such a motion by the minority leader (Rule XIII, clause 6(c)). A motion to recommit with instructions that the committee re-report forthwith with specified amendments is debatable for 10 minutes or, upon demand of the majority floor manager, for one hour. In the rare case when the House adopts this motion, the committee chairman immediately reports the measure back to the House with the amendments specified, on which the House then votes.

**Vote on Final Passage.** As on other matters, the Speaker initially puts the question on final passage to a voice vote, but a record vote may take place if requested from the floor with a sufficient second. After the vote, the chair routinely states that a motion to reconsider is tabled without objection. This action forecloses any later attempt to have the House reverse its decision.