



CRS Report for Congress

Committee of the Whole: Stages of Action on Measures

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

Generally, the House gives initial floor consideration to the most important legislation in Committee of the Whole, a parliamentary device that is technically a committee of the House to which all Members belong. House Rule XVIII prescribes procedures to be followed in Committee of the Whole. Often, these procedures may be modified by the terms of a special rule for considering a specific measure. Clause 3 of Rule XVIII requires that revenue, appropriation, and authorization measures be considered initially in Committee of the Whole. Other measures also are sometimes considered in Committee of the Whole pursuant to special rules. Because the Committee of the Whole is technically a committee, it can only recommend amendments, and must report measures back for final action under the rules of the House proper. Proceedings on measures considered in Committee of the Whole involve the following eight stages.

- **House Resolves into Committee of the Whole.** The House has two ways of taking up a measure in Committee of the Whole. (1) Usually, a special rule provides that the Speaker may declare the House resolved into Committee of the Whole to consider the measure specified (Rule XVIII, clause 2(b)). (2) For certain privileged measures, such as general appropriation bills, the majority floor manager may 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 another Member to serve as chair of the Committee of the Whole (clause 1(a)). The chair is usually a member of the majority party who does not serve on a committee with jurisdiction over the measure.
- **General Debate.** A special rule 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 such an arrangement 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 in 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.

- **Measure Read or Considered for Amendment.** After general debate, the measure normally is considered for amendment by section (by paragraph, for appropriation bills). A special rule normally provides that each section, when reached, be considered as read. By special rule, or by unanimous consent in Committee of the Whole, 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.
- **Amendments Debated Under the Five-Minute Rule.** When an amendment is offered, its sponsor 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 is entitled to 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 Rises and Reports.** After all portions of a measure have been considered for amendment, the special rule commonly provides that the Committee of the Whole automatically rise and report the measure (with any adopted amendments) back to the House. Otherwise, the committee adopts a motion for this purpose 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 amendments recommended by Committee of the Whole.
- **House Vote on Committee-Approved Amendments.** When a measure is reported from Committee of the Whole, the offering of further amendments is routinely precluded by ordering the previous question, either automatically by the terms of the special rule, or by unanimous consent. The chair then normally 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, an amendment adopted in Committee of the Whole may be rejected in the House. Amendments defeated in Committee of the Whole may not be

voted on again in this way, because they 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). The minority then has preference, usually exercised by the minority manager or floor leader, to move to recommit the measure. House Rule XIII, clause 6(c), prohibits any special rule that would eliminate this opportunity. A motion to recommit with instructions to 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. 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.