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Commonly Used Motions and Requests in the House of Representatives

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Summary

This report identifies the most commonly used motions and requests available to Members during proceedings in the House of Representatives. It does not identify motions and requests used when the House is in the Committee of the Whole House on the State of the Union. (See CRS Report RL32200, *Debate, Motions, and Other Actions in the Committee of the Whole*, by Bill Heniff Jr. and Elizabeth Rybicki. For a discussion of motions and requests used in committees, see CRS Report RS20308, *House Committee Markups: Commonly Used Motions and Requests*, by Judy Schneider.)

The report divides the motions and requests into seven broad categories based on when the motion or request is in order and who can make the motion or request. "Daily Business" is the category that includes items that are routine to the conduct of business in the House each day, such as the motion to adjourn. "Decorum and Privilege" covers issues of the rights and privileges of Members and the House and how Members conduct themselves on the floor. In "Parliamentary Tools," motions and requests are identified that Members may use to get information about the parliamentary situation or to object to the pending proposal. "Proceedings on Legislation" includes motions and requests available to Members that are related to bringing up and considering legislation. "Closing Debate and Voting" identifies motions and requests used to bring debate to a close and obtain a vote. "Commit, Recommit, Refer" looks at the motions and requests used to send a bill to committee. Finally, "Resolving Differences" identifies motions and requests used to facilitate amendments between the chambers or to set up a conference between the chambers on differing versions of legislation.

This report will be updated as needed.

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Introduction

Members of the House of Representatives have an array of options available to them to participate in the activities of the House. Those options allow Members to ask questions about the parliamentary situation, object to proceedings in the House, or ask for a recorded vote, among other things.

This report identifies the motions and requests Members may use to exercise these options during House proceedings. It describes only procedures used in the House proper. It does not identify motions and requests used when the House is in the Committee of the Whole House on the State of the Union.[1] The discussion that follows is intended to provide a general introduction to motions in order in the House. It is not exhaustive, however, and it cannot substitute for a careful examination of the House's rules and precedents themselves or consultation with the Parliamentarian's office on specific procedural problems and opportunities. Also note that the procedures used to bring legislation to the House floor may in some instances limit or entirely preclude Members' ability to offer certain motions discussed here.

For the purposes of this report, a motion is a formal proposal by a Member to institute any one of a broad array of procedural actions as provided for under House rules. Motions must be agreed to by the House to take effect. Motions include the motion to adjourn and the motion to table.

Also, for the purposes of this report, requests are efforts by a Member to accomplish some action that is disposed of not by a vote but by an act of the Speaker or with the consent of the House. An example of a request is a unanimous consent request or a parliamentary inquiry. The former would be accomplished with the consent of the House; the latter is answered by the Speaker.

The following discussion divides the motions and requests into seven categories based on when the motion or request is in order and who is most likely to make the motion or request:

1. **Daily Business** includes motions and requests that are routinely made in the House;
2. **Decorum and Privilege** covers motions and requests that deal with Members' rights and conduct;
3. **Parliamentary Tools** identifies motions and requests that Members may use to get information about, or challenge, the parliamentary situation or pending proposals;
4. **Proceedings on Legislation** includes motions and requests related to bringing up a measure for consideration;
5. **Closing Debate and Voting** consists of motions and requests to conclude consideration and proceed to a vote on a measure or matter;
6. **Commit, Recommit and Refer** deals with motions that may send a bill to committee; and
7. **Resolving Differences** identifies motions and requests used to set up a conference between the House and Senate or to facilitate the exchange of amendments between the chambers.

[1] See CRS Report RL32200, *Debate, Motions, and Other Actions in the Committee of the Whole*, by Bill Heniff Jr. and Elizabeth Rybicki; also CRS Report RS20308, *House Committee Markups: Commonly Used Motions and Requests*, by Judy Schneider.

Unless otherwise noted, a motion or request that is in order may be made by any Member if he or she has the floor or is recognized by the Speaker for that purpose. On motions that are debatable, as noted in the report, the debate begins after the reading of the motion. Debatable motions are considered under the hour rule,[2] unless otherwise noted. Any Member may demand that any motion be reduced to writing. Many motions are customarily presented in writing, especially those incidents to consideration of a measure; others, like the motion to adjourn, are customarily not. Requests are typically not presented in writing.

Terms in italics have their own entries in the report. Some descriptions also provide typical language used to invoke the motion or request.[3]

Daily Business

A number of motions and requests are routinely made in the House each day as a part of its daily business.

Adjourn

A motion to adjourn is not debatable and must be considered before all other motions. It is not in order to *table* this motion. Generally, it is not in order to repeat the motion to adjourn immediately after one such motion has been defeated.

A Member would say: *Mr. Speaker, I move that the House do now adjourn.*

Adjourn to a Date and Time Certain

A motion that the House adjourn to a date and time certain may not be *tabled*, is not debatable, and may not be amended.

Approve the Journal

At the start of each day that the House is in session, the Speaker declares his approval of the *Journal* of the previous day's proceedings. A Member may request a vote on the question of the Speaker's approval of the *Journal*. These votes are generally used by the House leadership to see who is in town and available to vote. The *Journal* is the official record of the proceedings of the House.

[2] The "hour rule" is the default rule for consideration of measures or matters in the House. Under the rule, each Member could be granted one hour of debate. In practice, however, the first Member recognized under the hour rule moves the previous question at the end of the first hour of debate, which, if approved by the House, has the effect of ending debate and bringing the underlying measure or matter to a vote.

[3] For complete, official information on House rules, see *U.S. Congress, House, Constitution, Jefferson's Manual, and Rules of the House of Representatives*, 114th Congress, H.Doc. 113-181, 113th Cong., 2nd sess., [compiled by] Thomas J. Wickham, Parliamentarian (Washington: GPO, 2015).

Insert Material in the Congressional Record

A Member may ask to insert material into the *Congressional Record* only by *unanimous consent*. There is no motion to be made if unanimous consent is not given. Occasionally, "general leave" to insert statements on a measure in the *Record* is granted to all Members by unanimous consent.[4]

Morning Hour Debate

In recent Congresses, the House, by *unanimous consent*, has set aside a period on most weekdays for the purpose of conducting "morning hour debate." On those days, the House generally convenes two hours earlier than normal for the purpose of recognizing Members to speak on subjects of their choosing, with time for debate divided equally between the two parties. Members must reserve time in advance with their respective leadership, speeches are generally limited to five minutes, and the chair alternates recognition between the majority and minority side of the aisle.[5]

One-Minute Speeches

A Member may ask *unanimous consent* to address the House for one minute. After being recognized by the Speaker, the Member may speak for one minute on any topic. The Speaker has discretion to decide how many "one-minutes" (if any) will be permitted each day and when in the day they will take place. (Typically, they are at the beginning of a day's session.) At the beginning or end of a one-minute speech, a Member may ask *unanimous consent* to revise and extend his or her remarks.

Recess

Unlike an adjournment of the House, a recess is a temporary interruption or suspension of a meeting of the House, generally proposed by a member of the leadership. The Speaker may entertain a nondebatable motion authorizing him to declare a recess, and that motion will be considered before any other motion except a motion to adjourn. In addition, the Speaker is authorized to declare a recess "for a short time" when no question is pending before the House. House rules also authorize the Speaker, even while business is pending, to declare an emergency recess when notified of an imminent threat to the safety of the House.[6]

Special Order Speeches

Special order speeches are normally in order after legislative business has concluded in the House for the day, and they can be on any topic the Member chooses. Members are granted permission to speak from five minutes up to one hour and are generally placed on a list to obtain the time by their party's leadership. Members are recognized for special order speeches at the discretion of the Speaker, and the practice is allowed by *unanimous consent* of the body—no standing rules provide for special order speeches.

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[4] William Holmes Brown, Charles W. Johnson, and John V. Sullivan, *House Practice: A Guide to the Rules, Precedents and Procedures of the House* (Washington: GPO, 2011), ch. 15, §5, pp. 377-378.

[5] The five-minute limit on morning hour speeches does not apply to the majority and minority leaders or the minority whip.

[6] *House Practice*, ch. 45, §3, p. 782.

Decorum and Privilege

Members may act to protect their privileges or those of the House or to respond to a break in the decorum of the House by using these motions and requests, which involve the rights and privileges of a Member of the House or deal with Member conduct in the House.

Personal Privilege, Question of

Members can raise a question of personal privilege when they believe that their rights, reputation, or conduct as Representatives have been called into question. When a Member raises a question of personal privilege, the Speaker must determine whether the question qualifies under the rules and precedents of the House. If it does, the Speaker would recognize the Member for one hour to talk about the question. Unlike a *question of privileges of the House*, a question of personal privilege does not need to be in the form of a House resolution.

A Member would say: *Mr. Speaker, I rise to a question of personal privilege.*

Privileges of the House, Question of

Questions of the privileges of the House are defined as those affecting the rights of the House and the safety, dignity, and integrity of its proceedings. Questions of privilege have priority of consideration above all other motions except the motion to adjourn. A question of the privileges of the House must be presented in the form of a House resolution. After a Member has presented the question in the form of a resolution, the Speaker determines when the House will consider it. If the question is raised by the majority or minority leader, has been reported from a committee, or concerns the House's right to originate revenue bills, the question must be considered immediately. On other questions, the Speaker has the discretion to postpone consideration for up to two days. Once such a question has been raised and called up, the Speaker then determines whether it qualifies as a question of the privileges of the House under House rules and precedents. If so, the Speaker then recognizes the Member who made the motion for debate for half of the one hour allotted. The second half hour would be controlled by the majority leader, the minority leader, or a designee, as determined by the Speaker. The question, in the form of a resolution, is subject to the motion to *table*. See also *Personal Privilege*.

A Member would say: *Mr. Speaker, I rise to a question of the privileges of the House, and offer a resolution....*

Words Taken Down (Take Down the Words)

A Member may demand that the words of another Member be taken down. This typically takes place during debate when one Member believes another Member has violated the rules of decorum in the House. The request requires that the Member's remarks be read to the House so that the Speaker may determine whether they are offensive or otherwise violate the rules of the House. If the Speaker determines that the words are out of order, the violator is customarily given a chance to withdraw or amend them, and the Member may ask the House for *unanimous consent* to strike the words from the *Congressional Record*. If there is objection, a motion may be offered to strike the words from the debate. Upon the demand that the words be taken down, the alleged violator must immediately sit down and await the Speaker's decision. A Member whose words have been ruled out of order may not speak again on the same day without the House's permission, but the Member can vote.

A Member would say: *Mr. Speaker, I rise to a point of order, and ask that the gentleman's (or gentlelady's) words be taken down*.

Parliamentary Tools

The following are motions and requests that are available to all Members during proceedings of the House that allow Members to gain an understanding of the parliamentary situation or allow a Member to register his or her disapproval of the conduct of business or try to stop it. They can be seen as parliamentary tools.

Appeal the Ruling of the Chair

With this request, a Member formally protests a ruling, or decision, made by the presiding officer of the House. The appeal must be made immediately after the ruling or decision. A motion to appeal the ruling from the chair is debatable and can be followed by a motion by another Member to *table* the appeal or to order the *previous question*, which, if approved, would end debate on the matter. Some decisions by the Speaker are not subject to an appeal, such as a decision about whom to recognize to speak. The appeal of the ruling of the chair is decided by the Speaker; Members may request a vote to sustain the ruling or overturn the ruling.

A Member would say: *Mr. Speaker, I respectfully appeal the ruling of the Chair*.

Objection

By objecting to a *unanimous consent* request, a Member may prevent the occurrence of an action, not otherwise in order under the rules, for which unanimous consent has been requested but that he or she would prefer the House not take. See also "Reserve the Right to Object."

Parliamentary Inquiry

A Member may ask the Speaker to explain the existing parliamentary situation by raising a parliamentary inquiry, or a Member may use the parliamentary inquiry to question whether something taking place is permitted by, or in violation of, the rules. A parliamentary inquiry may be used to ascertain information only about procedural questions—the Speaker will not provide information about substantive policy questions. After the Speaker has responded to the parliamentary inquiry, Members may ask additional questions to clarify the situation further or may proceed to challenge the pending action through a *point of order*.

A Member would say: *Mr. Speaker, I have a parliamentary inquiry.*

Point of Order

A point of order is a claim by a Member from the floor that a pending proceeding violates the rules of the House. A point of order may not be made after debate on the matter being challenged begins; a Member desiring to raise a point of order receives preference in recognition from the Speaker. Once the Member is recognized to make a point of order, he or she must specifically cite which House rule is being violated and why. No further action may take place until the Speaker rules on the point of order. In order to make a ruling, the Speaker may ask Members to argue for and against a point of order, but any debate is at the discretion of the Speaker. If the Speaker sustains the point of order, the proposed action falls from consideration. A Member may *appeal the ruling of the chair* on a point of order. See also "Reserve a Point of Order."

A Member would say: *Mr. Speaker, I make a point of order against ... on the grounds that...*

Regular Order

A Member may demand "regular order" to request that the House return to the pending business. For example, if a Member had *reserved a point of order*, a demand for regular order would force that Member to either make the *point of order* or withdraw the reservation. Similarly, a demand for regular order would require a Member who had *reserved the right to object* to state his or her objection or withdraw the reservation.

Reserve a Point of Order

If a Member is unsure whether an amendment or other action would violate House rules, the Member may reserve a point of order against the action at the time it is proposed. Debate on the proposal would then proceed. By reserving a point of order when an action is initially proposed, a Member may preserve the right to make the *point of order* against the action at some later point after debate has occurred (but before the House disposes of the proposed action). For example, if a Member offers an amendment, another Member may reserve a point of order against the amendment to gain time to examine it. Subsequently, if the reserving Member finds that the amendment violates no rule, or is substantively acceptable, he or she may withdraw the reservation. Otherwise, the Member may also insist on the point of order. A Member is allowed to reserve a point of order at the Speaker's discretion—once the Speaker desires to hear the point of order, the Member must make it or withdraw it. Similarly, if there is a demand for *regular order*, the Member reserving a point of order must make it or withdraw it.

A Member would say: *Mr. Speaker, I reserve a point of order.*

Reserve the Right to Object

A Member may "reserve the right to object" to a *unanimous consent* request. As *unanimous consent* requests are not debatable, a Member may reserve the right to object, to allow the proponent of the request time to explain the proposal. For example, if a Member asks unanimous consent to bring up a bill, another Member may reserve the right to object and then yield to the original Member to allow an explanation of what is proposed. If, in light of the explanation, the reserving Member is not satisfied with the proposed action, he or she may then object to the unanimous consent request; if satisfied, he or she may withdraw the reservation of objection. See also "Objection, Regular Order."

Table, Lay on the Table

If agreed to, a motion to table disposes of the pending matter adversely and without a direct vote on its substance. The motion is not debatable and is adopted by majority vote or without objection. If adopted, the tabling motion is the same as defeating the underlying proposition. If the tabling motion is defeated, the situation reverts to where it was when the motion to table was made. The House does not allow the tabling motion against the motion to *recommit*, but it is in order against some other motions, such as the motion to *reconsider a vote* or *appeal the ruling of the chair*. A motion to table an amendment, if successful, would also table the underlying proposition to which the amendment was proposed.

A Member would say: *Mr. Speaker, I move to lay the [proposition] on the table.*

Unanimous Consent

A Member may make a unanimous consent request to allow an action to take place, even if it is contrary to House rules or practice. Although Members rarely object to routine unanimous consent requests, they have the right to do so and thereby force full compliance with the rules. A Member might ask unanimous consent to address the House for *one minute*. Or a Member might ask unanimous consent that all Members have five legislative days in which to revise and extend their remarks on a measure. See "Reserve the Right to Object." Under a long-standing announced policy, the Speaker will not entertain a unanimous consent request to consider unreported bills and resolutions unless that request has been cleared in advance with both party floor and committee leaders.[7]

A Member would say: *Mr. Speaker, I ask unanimous consent that...*

Proceedings on Legislation

These are motions and requests that allow a Member to participate in proceedings on legislation, such as the consideration and disposition of legislation on the House floor.

Consideration, Question of

A Member may raise the question of consideration—literally whether the House should take up a measure—only if the measure being called up is being debated without a special rule to govern its consideration and the measure does not need to be considered in the Committee of the Whole. The question is in order at the point when the measure is called up but before debate begins. The question may also be raised on some motions, such as the motion to *recommit*. The question is not debatable. Once the question has been raised, the House must vote on whether to consider the measure.

A Member would say: *Mr. Speaker, I raise the question of consideration*.

Postpone Indefinitely

A pending matter may be subject to a motion to postpone indefinitely, which kills it. The motion to postpone indefinitely is not amendable. It is debatable and may also be *tabled*, which, if successful, would kill the motion to postpone indefinitely but not the underlying matter or measure.

A Member would say: *Mr. Speaker, I move that the [further] consideration of ____ be postponed indefinitely*.

Postpone Until a Day Certain

The motion to postpone to a day certain postpones consideration of specified business and brings it back for consideration on the specified day. The motion to postpone until a day certain is amendable, and it is debatable. The motion may not specify a time when the matter will be considered. It is in order to offer a motion to *table* this motion, which, if successful, would kill the motion to postpone to a date certain but not the underlying matter or measure.

[7] Ibid, ch. 54, §2, pp. 892-893.

A Member would say: *Mr. Speaker, I move that the [further] consideration of ____ be postponed until Friday next*.

Suspend the Rules

Noncontroversial measures can be considered by moving that the House suspend the rules and pass a bill, adopt a resolution or conference report, or concur in amendments of the Senate. Typically, the motion to suspend the rules is offered by the chair of the committee or subcommittee of jurisdiction. A measure considered under suspension of the rules must pass by a two-thirds vote of those Members present and voting. Debate on a motion to suspend the rules and pass a measure is limited to 40 minutes; the time is evenly divided between proponents and opponents of the measure. Members may not offer amendments from the floor, but the motion itself can include an amendment, typically a committee amendment.

A Member would say: *Mr. Speaker, I move that the House suspend the rules and pass...*

Take from the Speaker's Table

The Speaker is required to dispose of certain communications received by the House from the executive branch and from the Senate (such as Senate-passed bills), and until he does so, these communications are said to be on his table. He can refer them to appropriate committees. Customarily, a floor manager of legislation may make a *unanimous consent* request or a motion that the House act on an item at the Speaker's table, such as to motion to *concur in the Senate amendments* to a bill.

Closing Debate and Voting

There are a variety of motions and requests available to Members who want to bring debate to a close or get to a vote on a measure or matter.

Previous Question

The previous question is a nondebatable motion to close consideration and bring a pending matter to an immediate vote. If the motion is agreed to by a majority vote, it generally cuts off further debate and prevents the offering of additional amendments or motions. If the previous question is ordered on a debatable proposal before any debate has occurred, the proposal may be debated after the previous question is ordered for 40 minutes. When the House considers a special rule from the Rules Committee, the majority floor manager usually moves the previous question on the resolution when time for debate has been used or yielded back. If the motion fails, the Speaker recognizes a Member who opposed ordering the previous question to offer and debate an amendment. After debate on the amendment, that Member typically then moves the previous question on the resolution and the amendment to it. Once a special rule has been approved and the House considers the matter governed by it, typically in the Committee of the Whole, the special rule normally directs that the previous question is ordered as soon as the Committee of the Whole reports the measure back to the House.

A Member would say: *Mr. Speaker, I move the previous question on...*

Quorum Call

Also known as the Call of the House. A Member may make a point of order that a quorum is not present. Under the Constitution, a majority of House Members (218) must be present to conduct business, but the House typically assumes it has a quorum present (a "presumptive quorum"). In general, Members may make this point of order only when the Speaker has put the question on a pending matter.

A Member would say: *Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make a point of order that a quorum is not present*.

Reconsider (a Vote)

A Member who has voted with the prevailing side may make a motion that the House reconsider a vote. This motion allows the House one opportunity to review its decision on a motion, amendment, measure, or any other proposition on which it has voted. The motion to reconsider must be offered on the same day as the original vote or on the next legislative day. The motion is debatable only when offered to a proposal that was debatable. If the motion to reconsider a vote succeeds, it brings the original question back before the House. Immediately after the result of a vote has been announced, the Speaker usually declares, "Without objection, a motion to reconsider is laid on the table." Any Member can object and force a vote on the motion to reconsider or on a motion to table the motion to reconsider. Those who oppose reconsidering the vote may move to *table* the motion, which would kill the move to reconsider the vote and block any future attempt to reopen the issue.

A Member would say: *I move to reconsider the vote by which the [proposition] was passed [or rejected]*.

Recorded Vote

A vote in which Members are recorded by name. The House uses an electronic voting system in which a Member can record his or her vote in one of three ways: yea, nay, or present. Obtaining a recorded vote in the House requires support from 44 Members (one-fifth of a quorum), but a Member can usually obtain a vote without the requisite quorum if the Member notes the absence of a *quorum* when asking for the vote. Recorded votes may be requested in both the House and the Committee of the Whole.

A Member would say: *Mr. Speaker, on that I demand a recorded vote.*

Separate Vote

After a bill has been reported back to the House from the Committee of the Whole, any Member may demand a separate vote on first-degree amendments that were agreed to in the Committee of the Whole. A separate vote is not in order on amendments that were defeated in the Committee of the Whole. Typically, the Speaker will inquire: "Is a separate vote demanded on any amendment? If not, the Clerk will put them *en gros*."

A Member would say: *Mr. Speaker, I demand a separate vote on amendment...*

Yea-and-Nay Vote

Under the Constitution, any Member, with the support of one-fifth of those present, may request a Yea-and-Nay vote when in the House. These votes are typically taken by the electronic voting system. The Constitution (as well as some laws and House rules) requires that specific questions pending before the House be decided by the yeas and nays. A yea-and-nay vote is required, for example, to override a presidential veto.

A Member would say: *Mr. Speaker, I demand the yeas and nays.*

Commit, Recommit, Refer

Although the formal purpose of these motions is to send to committee legislation being considered by the House, they are in practice used principally to bring amendments to the measure before the House. These motions are most likely offered by an opponent of the pending legislation toward the end of House consideration (except for *Refer*, which is used earlier in the process). Only one such motion is in order; the parliamentary situation would determine which of these very similar motions is in order in a given circumstance.

Commit

The motion to commit sends a measure or matter to a committee or committees. It is in order only on measures or matters that have not been previously referred to and reported from committee. When the measure or motion was reported by committee, the motion to *recommit* is used. Agreement to the motion to commit sends the measure or matter to a committee or committees. If the motion is on a bill or joint resolution and contains instructions (essentially telling the committee how to handle it), it is debatable. It may be *tabled*. It is in order only after the motion for the *previous question* has been moved or ordered.

Recommit

A motion to recommit—to send the bill back to committee—may be offered with or without instructions. The motion to *recommit with instructions* is discussed below. The motion to recommit without instructions, sometimes called a "straight" motion to recommit, sends the pending matter back to committee and can effectively kill the measure. In modern practice, the straight motion to recommit is infrequently offered. The motion is offered just before the vote on final passage or adoption, and only one such motion (*commit*, *recommit*, or either of those with *instructions*) is permitted. The Speaker gives priority of recognition for offering the motion to recommit, in order, to minority members of the reporting committee, to any other minority party member, to majority members of the committee, and finally to any other majority party member—but only to a member who declares that he or she opposes the measure. The Rules Committee may generally not report a special rule that prevents the motion from being offered to a bill or joint resolution on initial House consideration. The motion to recommit may not be *tabled*. The straight motion to recommit is debatable for 10 minutes, equally divided, but it may be amended to include instructions, so long as the amendment is germane to the underlying measure. A conference report may be subject to a motion to recommit, with or without instructions, if the House is the first chamber to act on the conference agreement.

Recommit with Instructions

The motion to recommit with instructions sends the pending matter back to committee to take some action that may include reporting it back to the House but may also include holding hearings or studying the matter further. In this form, the motion can be, essentially, an attempt to amend the bill before final passage. Such instructions call for the committee to report back "forthwith," and if the motion to recommit is successful, then the committee is presumed to have acted upon the bill in the manner included in the instructions, and it is immediately before the House with the specified amendment pending. The motion is offered just before the vote on final passage or adoption, and only one such proper motion (*commit*, *recommit*, or either of those with *instructions*) is permitted. The motion to recommit with instructions is subject to the same priority for recognition as the motion to *recommit* (see above). When offered on a bill or a joint resolution, the motion is debatable for 10 minutes, equally divided between proponents and opponents, although the majority floor leader may extend debate to one hour. This motion may not be *tabled*, and the instructions are amendable. An amendment must be germane to the underlying bill and may not violate the right of the minority to offer the motion to recommit (by, for example, completely changing the intent of the original motion). A conference report may be subject to a motion to recommit, with or without instructions, if the House is the first chamber to act on the conference agreement.

Refer

The motion to refer sends a measure or matter to a committee or committees. It is in order only on measures or matters that have not been referred to a committee and are being considered under the general rules of the House. It is a debatable motion that may contain instructions (see "Recommit with Instructions"), and it may be *tabled*. It is in order only before the *previous question* has been moved or ordered.

Resolving Differences

The actions discussed in this section are used to resolve differences on legislation that has been considered by both chambers and passed in differing versions. The requests and motions described below represent the two methods Congress has of resolving differences between the two chambers' versions of legislation. One method is called amendments between the chambers. Under this method, the bill is amended by one chamber and then sent over to the second chamber, either for its approval or for further amendment. Differences can also be resolved if the two chambers agree to go to conference on a measure. The House and Senate can disagree to each other's positions and then agree to create a conference committee to propose a package of settlements to all their disagreements. The motions described below can be used to send amendments back and forth or to get to a conference between the chambers. The majority of these requests and motions are typically made by the majority floor manager of the legislation. The motions discussed below are debatable under the hour rule.

Concur in the Senate Amendment(s), Concur in the Senate Amendment(s) with an Amendment

The motion to concur in the Senate amendment or any of its variations is associated with the method of resolving differences known as amendments between the chambers, a process that is sometimes colloquially called "Ping-Pong." If the House concurs in a Senate amendment, it

clears the measure for the President. If the House concurs in the amendment with a further amendment, the action sends the matter back to the Senate for action on the House amendment to the Senate amendment. This motion can be used only when the last amendments were those of the Senate.

A Member would say: *Mr. Speaker, I ask unanimous consent to take _____ from the Speaker's table and a Senate amendment thereto, and concur in the Senate amendment.*

Disagree to the Senate Amendment(s)

The motion to disagree to the Senate amendments is associated with setting up a conference. The House must first formally disagree to the Senate amendments to be able to request a conference with the Senate to work out those differences. This motion puts the House on record as disagreeing to an amendment or amendments from the Senate and may initiate action to go to conference between the two chambers on the measure. This motion is used when the Senate was the latter chamber to amend the measure.

A Member would say: *Mr. Speaker, I ask unanimous consent to take _____ from the Speaker's table with the Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.*

Insist on House Amendment(s)

The motion to insist on House amendments is associated with setting up a conference. Essentially, it is a motion that the House reiterate a position it has already taken during the process of amendments between the houses. The House may insist on its amendment before or after the Senate has disagreed to it, or the House may insist on its previous disagreement to an amendment of the Senate. The motion is typically accompanied by a request for a conference or agreement to a conference requested by the Senate.

A Member would say: *Mr. Speaker, I ask unanimous consent to take _____ from the Speaker's table, insist on the House amendment and request a conference with the Senate thereon.*

Instruct Conferees

The result of a motion to instruct conferees is a formal vote of the House to tell its conference committee members how they should resolve an issue. Under House precedents, the right to offer a motion to instruct conferees is the prerogative of the minority. There are three situations where such a motion may be offered: (1) after the House decides to go to conference but before House conferees are named (only one such motion is in order); (2) 45 calendar days and 25 legislative days after conferees have been named if a conference report has not been filed; and (3) as a part of a motion to recommit a conference report with instructions. This last opportunity does not exist if the Senate has already acted on the conference report. Motions to instruct conferees are not binding. There is no point of order against a conference report that does not follow a House-passed motion to instruct. Motions to instruct are debated under the hour rule.

A Member would say: *Mr. Speaker, I offer a motion to instruct*.

Recede and Concur, Recede and Concur with an Amendment

The motion to recede and concur and its variations are associated with amendments between the houses after the House has already previously disagreed to Senate amendments or insisted on

House amendments so as to go to conference. It can be used only when the last amendments are those of the Senate. These are motions that allow the House to go back to the method of amendments between the chambers after having disagreed or insisted on its position and possibly gone to conference. If used in this situation or in any situation in which the House had already insisted on House amendments, the motion would have to propose that the House recede from insistence on its own amendment as well as receding from the amendment itself. These steps are typically taken when items are reported from a conference in disagreement or when a conference report has been defeated.

A Member would say: *Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate and agree to the same, with an amendment.*

Recede from House Amendment(s)

The motion to recede from House amendments is also associated with amendments between the houses. This is a motion that the House withdraw from its previous position during the process of amendments between the houses. The House would use this to recede from its amendments if it was the last chamber to act. This step is typically taken when items are reported from a conference in disagreement or when a conference report has been defeated. The motion to recede from House amendments would typically be followed by a motion to concur in Senate amendments with a new and different House amendment.

A Member would say: *Mr. Speaker, I move that the House recede from its amendment.*

Author Information

Christopher M. Davis
Analyst on Congress and the Legislative Process

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This report was originally written by Betsy Palmer, former analyst on Congress and the Legislative Process, at CRS. The listed author is available to answer questions from congressional clients upon request.

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