



CRS Report for Congress

Special Order Speeches and Other Forms of Non-Legislative Debate in the House

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Rules in the House of Representatives limit the length of floor speeches and require debate to be germane to pending business. A series of unanimous consent practices have evolved, however, that permit Members to address the House for specified durations and at specified times on subjects of their own choosing, outside the consideration of legislative business. The principal forms of *non-legislative debate* are *special order speeches*, *one-minute speeches*, and *morning hour debate*. For more information on legislative process, see [<http://www.crs.gov/products/guides/guidehome.shtml>].¹

Background. Nearly every aspect of floor proceedings in the House is governed by a time limitation rule. The Hour Rule for debate in the House, the five-minute rule for debate of amendments in the Committee of the Whole, and time limits imposed by special rules or under suspension of the rules procedures are essential tools for managing a crowded agenda in such a large legislative body. In addition, Members in debate must confine themselves to the question under consideration. Together, these speech constraints severely limit the opportunities for Members to speak on subjects of concern to them.

In response to this logistical dilemma, several practices and procedures for “non-legislative debate” have evolved, to afford Members the opportunity to make themselves heard on issues of interest. None of these practices is officially provided for in the Rules of the House. Rather, they are customs that have evolved as unanimous consent practices.

Unfettered by normal House germaneness requirements, these forms of non-legislative debate cover a variety of subjects. Topics may include local, national or international issues, proposed bills, or internal House procedures, as well as tributes or eulogies. In recent years, non-legislative debates have provided a convenient forum for Members, particularly the minority party, to draw attention to their legislative agenda.

¹ Thomas P. Carr, former Analyst in American National Government at CRS, originally wrote this report. The listed author updated this report and is available to respond to inquiries on the subject.

The policies governing these practices have been modified over time in response to contemporary needs. Typically, on the opening day of a new Congress, unanimous consent agreements and the Speaker's announced policies governing the conduct of non-legislative debate during that Congress are stated. The practices prescribed for the 109th Congress are set out below, and are discussed in more detail in the *House Rules and Manual*, Section 950-951.

Special Order Speeches. Special order speeches occur routinely at the end of the day when all legislative business has been completed. Members may be recognized to speak on any topic they wish for periods of from five to 60 minutes. Recognition for special orders is the prerogative of the Speaker, and Members reserve their time in advance through their party's leadership.

During the special order period, Members with five-minute or shorter special order speeches are recognized first. Then Members wishing to speak longer than five minutes are recognized, normally for speeches of 60 minutes in length. It is common for each party's leadership to choose a designee to deliver a so-called "leadership special order" during the first hour of longer special orders.

Pursuant to the Speaker's announced policy for the 109th Congress, on Tuesdays, following five-minute special orders, any number of longer special order speeches may be delivered provided they do not extend beyond midnight. On other days, the special order period for longer special orders is limited to four hours, but in no case may it extend beyond midnight. The time allotted each day is divided equally between the parties, and initial and subsequent recognition alternates between the majority and minority. For more detailed information, see CRS Report RL30136, *Special Order Speeches: Current House Practices*.

One- Minute Speeches. One-minute speeches are normally given at the start of the legislative day, but may occasionally occur at other times in the legislative program. Customarily, after the daily prayer, the Pledge of Allegiance, and approval of the previous day's *Journal*, Members ask for unanimous consent to address the House for one minute on a topic of their choice.

Recognition for one-minute speeches is at the prerogative of the Speaker, who may limit daily speeches to a certain number, or move them to a different place in the program, on any given day. Members seeking recognition for this purpose sit in the first row on their party's side of the chamber. Recognition for one-minute speeches alternates between the majority and the minority, with possible exceptions for Members of the leadership, and Members having business requests. For more detailed information, see CRS Report RL30135, *One-Minute Speeches: Current House Practices*.

Morning Hour Debates. Since the 103rd Congress, the House, by unanimous consent, has set aside a period on Mondays and Tuesdays for the purpose of conducting "morning hour debates." Under the terms of this agreement, the House convenes 90 minutes earlier than normal for the purpose of recognizing Members for special order speeches, and 30 minutes is allocated to each party. After May 16, 2005, the time set aside for morning hour debate on Tuesdays was reduced to one hour, with 25 minutes allocated to each party.

Members must reserve time in advance with their respective leadership, and speeches are limited to five minutes. However, more time may be granted for speeches by the majority leader, the minority leader, and the minority whip. The chair alternates initial and subsequent recognition between the majority and minority parties, in accord with lists supplied by the leadership. For more detailed information, see CRS Report RS20131, *Morning Hour Debates: Current House Practices*.