



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 can limit the time allowed for floor speeches and require debate to be germane to pending business. A series of unanimous consent practices have evolved 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 such *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 House floor proceedings is governed by time limitations. 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 a large legislative body. In addition, Members in debate must confine themselves to the question under consideration. Together, these constraints severely limit the opportunities for Members to speak on subjects of concern to them.

In response to this dilemma, several practices and procedures for “non-legislative debate” have evolved, to afford Members the opportunity to make themselves heard from the House floor 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, Members using these forms of non-legislative debate can speak on a wide 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.

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

¹ This report was originally prepared by former CRS analyst, Thomas P. Carr. Please direct any inquiries to the listed author.

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 110th Congress are set out below, and are discussed in more detail in *The Constitution, Jefferson's Manual, and Rules of the House of Representatives*, frequently called the *House Manual*.²

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. When recognizing a Member, the Speaker would say:

Under a previous order of the House, the gentleman from _____ is recognized.

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 110th 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 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*, Judy Schneider.

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. When seeking recognition, a Member would say:

I ask unanimous consent to address the House for one minute and revise and extend my remarks.

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*, Judy Schneider.

² *The Constitution, Jefferson's Manual, and Rules of the House of Representatives*, H..Doc. 109-157, 109th Cong., 2nd sess., [compiled by] John V. Sullivan, Parliamentarian (Washington: GPO, 2007), secs. 950-951.

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 to speak with 30 minutes controlled by each party. After mid-May of each year, the time set aside for morning hour debate on Tuesdays is 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. 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. When recognizing Members for this purpose, the Speaker would say:

Pursuant to the order of the House of [date here] the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate. The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

For more detailed information, see CRS Report RS20131, *Morning Hour Debates: Current House Practice*, by Judy Schneider.