



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

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**R**ules in the House of Representatives typically 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*.

## 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 when legislation is being considered.

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 House rules. 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 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 111<sup>th</sup> Congress are set out below and are referenced in the House rules for the 111<sup>th</sup> Congress.<sup>1</sup>

## 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.

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<sup>1</sup> *The Constitution, Jefferson’s Manual, and Rules of the House of Representatives*, H.Doc. 110-162, 110<sup>th</sup> Cong., 2<sup>nd</sup> sess., [compiled by] John V. Sullivan, Parliamentarian (Washington: GPO, 2009), secs. 950-951.

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 111<sup>th</sup> Congress, following five-minute special orders, four hours of longer special order speeches may be delivered, but in no case may it extend beyond midnight. The Member serving as the presiding officer, following consultation with the leadership and notification to the House, may extend the four-hour period for special orders on a given day, again, not 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*, by Judy Schneider.

## One-Minute Speeches

One-minute speeches are normally given at the start of the legislative day, but occasionally may 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 to 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*, by Judy Schneider.

## Morning Hour Debates

Since the 103<sup>rd</sup> Congress, the House, by unanimous consent, has set aside a period on Mondays and Tuesdays for the purpose of conducting "morning hour debates." The amount of time reserved for these speeches varies. In the 111<sup>th</sup> Congress, the following schedule was agreed to. Before May 18, 2009, the House could convene for special order speeches 90 minutes before the regular House meeting times for Monday and Tuesday. After May 18, 2009, the House could convene for morning hour speeches on Tuesday one hour before the regular meeting time. If the House met at a time different than that set out in H.Res. 10, the resolution establishing regular meeting times for the 111<sup>th</sup> Congress, morning hour debate on either Mondays or Tuesdays was 90 minutes before the regular meeting time.

If morning hour speeches begin 90 minutes before the House meeting time, 30 minutes of that time is controlled by each party; if the House begins morning hour debate one hour before the

regular meeting time, 25 minutes are 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.

When a morning hour debate is concluded, the House recesses until the meeting time established for that day's session. For more detailed information, see CRS Report RS20131, *Morning Hour Debates: Current House Practices*, by Judy Schneider.

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