

# **Suspension of the Rules: House Practice in the 114<sup>th</sup> Congress (2015-2016)**

**Jane A. Hudiburg**

Analyst on Congress and the Legislative Process

February 28, 2019

**Congressional Research Service**

7-....

[www.crs.gov](http://www.crs.gov)

R45545



## Suspension of the Rules: House Practice in the 114<sup>th</sup> Congress (2015-2016)

Suspension of the rules is the most commonly used procedure to call up measures on the floor of the House of Representatives. As the name suggests, the procedure allows the House to suspend its standing and statutory rules in order to consider broadly supported legislation in an expedited manner. More specifically, the House temporarily sets aside its rules that govern the raising and consideration of measures and assumes a new set of constraints particular to the suspension procedure.

The suspension of the rules procedure has several parliamentary advantages: (1) it allows nonprivileged measures to be raised on the House floor without the need for a special rule, (2) it enables the consideration of measures that would otherwise be subject to a point of order, and (3) it streamlines floor action by limiting debate and prohibiting floor amendments. Given these features, as well as the required two-thirds supermajority vote for passage, suspension motions are generally used to process less controversial legislation.

In the 114<sup>th</sup> Congress (2015-2016), measures considered under suspension made up 62% of the bills and resolutions that received floor action in the House (743 out of 1,200 measures). The majority of suspension measures were House bills (83%), followed by Senate bills (11%) and House resolutions (4%). The measures covered a variety of policy areas but most often addressed government operations, such as the designation of federal facilities or amending administrative policies.

Most measures that are considered in the House under the suspension procedure are sponsored by a House or Senate majority party member. However, suspension is the most common House procedure used to consider minority-party-sponsored legislation regardless of whether the legislation originated in the House or Senate. In 2015 and 2016, minority-party members sponsored 31% of suspension measures, compared to 9% of legislation subject to different procedures, including privileged business (17 measures), unanimous consent (21 measures), and under the terms of a special rule (one Senate bill).

Most suspension measures are referred to at least one House committee before their consideration on the floor. The House Committee on Oversight and Government Reform (now called the Committee on Oversight and Reform) was the committee of primary jurisdiction for the plurality of suspension measures considered in the 114<sup>th</sup> Congress. Additional committees—such as Energy and Commerce, Homeland Security, Natural Resources, Foreign Affairs, and Veterans' Affairs—also served as the primary committee for a large number of suspension measures.

Suspension motions are debatable for up to 40 minutes. In most cases, only a fraction of that debate time is actually used. In the 114<sup>th</sup> Congress, the average amount of time spent considering a motion to suspend the rules was 13 minutes and 10 seconds.

The House adopted nearly every suspension motion considered in 2015 and 2016. Approval by the House, however, did not guarantee final approval in the 114<sup>th</sup> Congress. The Senate passed or agreed to 40% of the bills, joint resolutions, and concurrent resolutions initially considered in the House under suspension of the rules, and 276 measures were signed into law.

This report briefly describes the suspension of the rules procedure, which is defined in House Rule XV, and provides an analysis of measures considered under this procedure during the 114<sup>th</sup> Congress. Figures and one table display statistics on the use of the procedure, including the prevalence and form of suspension measures, sponsorship of measures by party, committee consideration, length of debate, voting, resolution of differences between the chambers, and the final status of legislation. In addition, an **Appendix** illustrates trends in the use of the suspension procedure from the 110<sup>th</sup> to the 114<sup>th</sup> Congress (2007-2016).

**R45545**

February 28, 2019

**Jane A. Hudiburg**

Analyst on Congress and  
the Legislative Process  
-redacted-@crs.loc.gov

For a copy of the full report,  
please call 7-.... or visit  
[www.crs.gov](http://www.crs.gov).

## Contents

Introduction .....	1
House Rule XV (Clause 1) .....	2
Prevalence and Form of Suspension Measures, 114 <sup>th</sup> Congress.....	3
Sponsors of Suspension Measures.....	4
Committee Consideration.....	5
Committee Referral.....	5
Committee Markup and Reporting.....	7
Floor Consideration.....	8
Raising Measures (Day of Week).....	8
Majority and Minority Floor Managers .....	9
Debate .....	9
Managers and Additional Speakers.....	9
Length of Consideration .....	10
Voting and Passage in the House.....	11
Voice Votes.....	11
Record Votes .....	11
Final Disposition of Measures Considered Under Suspension of the Rules .....	12
Passed by the Senate .....	12
Presidential Action .....	12

## Figures

Figure 1. Suspension Measures Compared to Total Number of Measures Considered on House Floor.....	3
Figure 2. Forms of Measures Considered Under Suspension Procedure .....	4
Figure 3. Suspension Measures by Party of Sponsor .....	5
Figure 4. Suspension Measures by Committee of Primary Jurisdiction.....	6
Figure 5. Total Number of Measures Considered on House Floor, Grouped by Committee of Primary Jurisdiction .....	7
Figure 6. Days of the Week Suspension Measures Were Considered .....	8
Figure 7. Length of Debate Periods for Suspension Measures.....	10
Figure 8. Adoption of Suspension Motions in the House.....	12

Figure A-1. Measures Considered Under Suspension Compared to Measures Considered Under Other Procedures on the House Floor .....	14
--	----

## Tables

Table 1. Final Status of Legislation Initially Brought Up Under Suspension .....	13
--	----

## **Appendixes**

Appendix. Use of Suspension Motions, 110 <sup>th</sup> -114 <sup>th</sup> Congresses .....	14
--	----

## **Contacts**

Author Contact Information .....	14
----------------------------------	----

## Introduction

The House of Representatives has standing rules that govern how bills and resolutions are to be taken up and considered on the floor. However, to expedite legislation receiving floor action, the House may temporarily set aside these rules for measures that are not otherwise privileged for consideration.<sup>1</sup> This can be done by agreeing to a special order of business resolution (special rule) or by adopting a motion to suspend the rules and pass the underlying measure.<sup>2</sup> In general, special rules enable the consideration of complex or contentious legislation, such as major appropriations or reauthorizations, while the suspension of the rules procedure is usually applied to broadly supported legislation that can be approved without floor amendments or extensive debate in the chamber.

Most bills and resolutions that receive floor action in the House are called up and considered under suspension of the rules. The suspension procedure allows nonprivileged measures to be raised without a special rule, waives points of order, limits debate, and prohibits floor amendments. Motions to suspend the rules and pass the measure require a two-thirds vote, so the procedure is typically reserved for bills and resolutions that can meet a supermajority threshold.<sup>3</sup>

Decisions to schedule bills for consideration under suspension are generally based on how widely supported the measures are, how long Members wish to debate them, and whether they want to propose floor amendments. These decisions are not necessarily related to the subject matter of the measure. Accordingly, measures brought up under suspension cover a wide range of policy areas but most often address government operations, such as the designation of federal facilities.

This report describes the suspension procedure, which is defined in clause 1 of House Rule XV, and provides an analysis of measures considered under suspension during the 114<sup>th</sup> Congress (2015-2016). **Figures 1-8** display statistical data, including the prevalence and form of suspension measures, sponsors of measures, committee consideration, length of floor debate, voting, and resolution of differences between the chambers.<sup>4</sup> **Table 1** summarizes the final legislative status of measures initially considered in the House under the suspension of the rules. Finally, **Figure A-1** depicts the use of the suspension procedure from the 110<sup>th</sup> through the 114<sup>th</sup> Congresses (2007-2016).

---

<sup>1</sup> Privileged business has precedence over the regular order of business. Measures and motions that are privileged include general appropriation bills, conference reports, order of business resolutions (special rules), providing for adjournment, questions of the privileges of the House, and bills returned following a veto by the President. Charles W. Johnson, John V. Sullivan, and Thomas J. Wickham Jr., *House Practice: A Guide to the Rules, Precedents, and Procedures of the House* (Washington: GPO, 2017), ch. 36, pp. 675-676.

<sup>2</sup> The House may also take up and consider nonprivileged legislation by unanimous consent or under procedures associated with clause 2 of Rule XV, the House discharge rule. In the 114<sup>th</sup> Congress, the House initially considered 62% of all measures receiving floor action under the suspension of the rules procedure, 16% of all measures receiving floor action were privileged under House rules and precedents, 14% were raised by a special rule reported by the Committee on Rules and adopted by the House, 7% were raised by unanimous consent, and one bill was considered under the discharge procedure. See CRS Report R44734, *How Legislation Is Brought to the House Floor: A Snapshot of Parliamentary Practice in the 114th Congress (2015-2016)*, by Christopher M. Davis.

<sup>3</sup> For additional information on the suspension of the rules procedure, see *House Practice*, ch. 53, pp. 897-905; and CRS Report 98-314, *Suspension of the Rules in the House: Principal Features*, by Elizabeth Rybicki.

<sup>4</sup> Data used in this report were collected from the Congress.gov database, which provided the legislative status of all measures initially considered on the House floor under the suspension of the rules procedure during the 114<sup>th</sup> Congress.

## House Rule XV (Clause 1)

The suspension of the rules procedure is established by clause 1 of House Rule XV. Bills, resolutions, House amendments to Senate bills, amendments to the Constitution, conference reports, and other types of business may be considered under suspension, even those “that would otherwise be subject to a point of order ... [or have] not been reported or referred to any calendar or previously introduced.”<sup>5</sup>

Suspension motions are in order on designated days. As Rule XV states, “the Speaker may not entertain a motion that the House suspend the rules except on Mondays, Tuesdays, and Wednesdays and during the last six days of a session of Congress.”<sup>6</sup> Suspension measures, however, may be considered on other days by unanimous consent or under the terms of a special order of business (special rule) reported by the Committee on Rules and agreed to by the House.<sup>7</sup>

A motion to suspend the rules is a compound motion to suspend the House rules and pass a bill or agree to a resolution. When considering such a motion, the House is voting on the two questions simultaneously. Once recognized, the Member making the motion will say, “Mr. [or Madam] Speaker, I move to suspend the rules and pass \_\_\_\_.”<sup>8</sup> The House rules that are suspended under this procedure include those that “would impede an immediate vote on passage of a measure ... such as ordering the previous question, third reading, recommittal, or division of the question.”<sup>9</sup>

A measure considered under the suspension procedure is not subject to floor amendment. The motion to suspend and pass the measure, though, may provide for passage of the measure in an amended form. That is, the text to be approved may be presented in a form altered by committee amendments or by informal negotiations. Suspension measures that are passed with changes incorporated into the text are passed “as amended.” There are no separate votes on the floor approving such amendments.<sup>10</sup>

Suspension motions are “debatable for 40 minutes, one-half in favor of the motion and one-half in opposition thereto.”<sup>11</sup> However, in most instances, a true opponent never claims half the time, and most speakers come to the floor to express support for the measure. Debate time is controlled by two floor managers, one from each party, who sit on a committee of jurisdiction. Each manager makes an opening statement and may yield increments of the 20 minutes they control to other Members to debate the measure.

Once debate has concluded, a single vote is held on the motion to suspend the rules and pass the measure. The motion requires approval by “two-thirds of the Members voting, a quorum being present.”<sup>12</sup> Should the vote fall short of the two-thirds required for passage (290, if all Members vote), the measure is not permanently rejected. Before the end of the Congress, the House may

---

<sup>5</sup> *House Practice*, ch. 53, §2, p. 898.

<sup>6</sup> U.S. Congress, House, *Constitution, Jefferson’s Manual and the Rules of the House* (hereinafter *House Manual*), 114<sup>th</sup> Cong., 2<sup>nd</sup> sess., 2017, 114-192 (Washington: GPO, 2017), §885, p. 685.

<sup>7</sup> *House Manual*, §887, p. 688.

<sup>8</sup> *House Manual*, §886a, p. 687.

<sup>9</sup> *House Practice*, ch. 53, §2, p. 898.

<sup>10</sup> If the measure considered under the suspension procedure contains different text than the introduced version, the question is on “the motion to suspend the rules and pass the bill [resolution], as amended.”

<sup>11</sup> *House Manual*, §891, p. 690.

<sup>12</sup> *House Manual*, §885, p. 685.

consider the measure again under suspension, or the Committee on Rules may report a special rule that provides for floor consideration of the measure.<sup>13</sup>

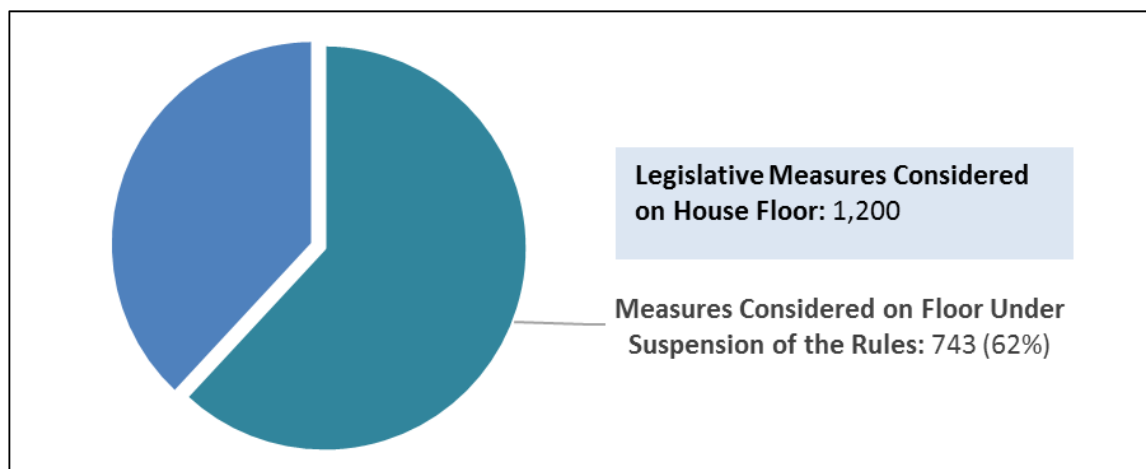
## Prevalence and Form of Suspension Measures, 114<sup>th</sup> Congress

As illustrated in **Figure 1**, the majority of measures considered on the House floor during the 114<sup>th</sup> Congress were called up under the suspension of the rules procedure. Sixty-two percent of all measures that received floor action were considered under suspension (743 out of the 1,200), compared to those under the terms of a special rule (14%), unanimous consent (7%), or privileged business (16%).<sup>14</sup>

**Figure 2** displays the form of suspension measures. Most of the measures considered under suspension during the 114<sup>th</sup> Congress (94%) were bills. House bills made up 83% of the suspension total, Senate bills 11%.

**Figure 1. Suspension Measures Compared to Total Number of Measures Considered on House Floor**

114<sup>th</sup> Congress (2015-2016)



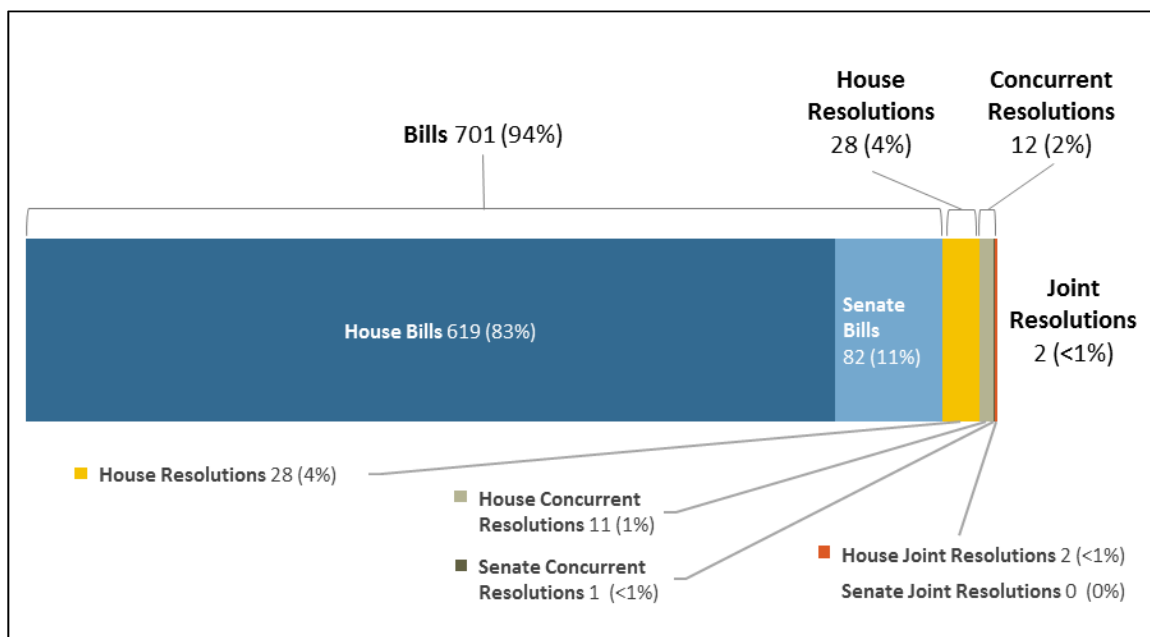
**Source:** CRS analysis of data from Congress.gov.

**Notes:** Chart reflects initial consideration of House and Senate bills and resolutions.

<sup>13</sup> *House Practice*, ch. 53, §1, p. 897.

<sup>14</sup> There was also one resolution considered pursuant to a successful discharge petition. Percentages do not add up to 100% due to rounding. See CRS Report R44734, *How Legislation Is Brought to the House Floor: A Snapshot of Parliamentary Practice in the 114th Congress (2015-2016)*, by Christopher M. Davis.

**Figure 2. Forms of Measures Considered Under Suspension Procedure**  
114<sup>th</sup> Congress (2015-2016)



**Source:** CRS analysis of data from Congress.gov.

**Notes:** Chart reflects initial consideration of House and Senate bills and resolutions.

## Sponsors of Suspension Measures

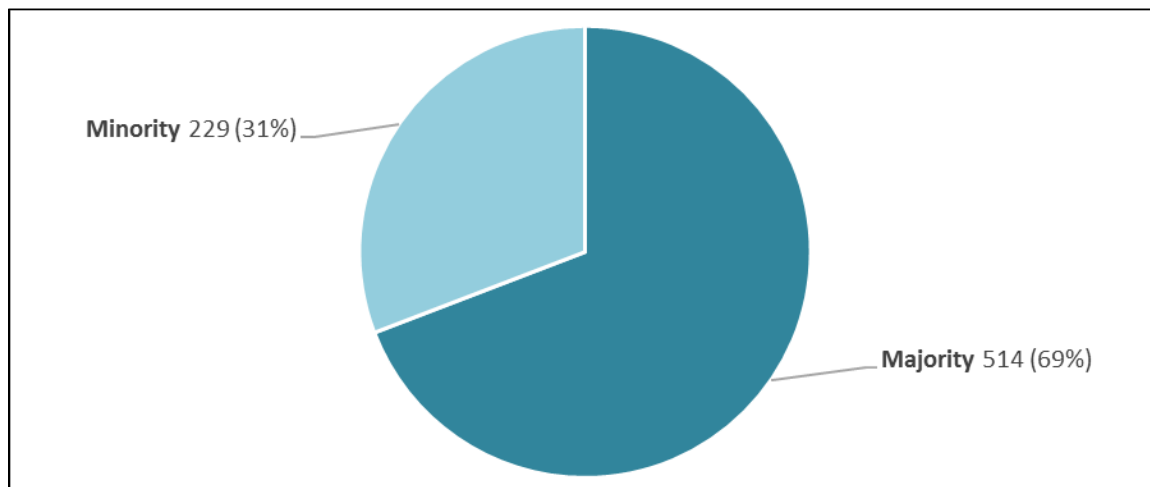
As represented in **Figure 3**, most suspension measures were sponsored by members of the majority party during the 114<sup>th</sup> Congress. House or Senate majority-party members sponsored 69% of all bills and resolutions initially considered in the House under suspension, while House majority-party members sponsored 467 (71%) of the 660 House-originated measures (designated with an H.R., H.Res., H.Con.Res. or H.J.Res. prefix).

Suspension is, however, the most common procedure used to consider minority-sponsored legislation in the House by a wide margin. In the 114<sup>th</sup> Congress, 85% of the minority-sponsored measures that were considered on the House floor were raised under the suspension procedure. Members of the House or Senate minority parties sponsored 31% of all suspension measures originating in either chamber, compared to 9% of legislation subject to different procedures, including privileged business (17 measures), unanimous consent (21 measures), and special rules (one Senate bill).

Minority-party House Members sponsored 193 (29%) of the 660 House measures considered under suspension. No minority-party House Member sponsored a House-originated measure that was considered under a special rule.



**Figure 3. Suspension Measures by Party of Sponsor**  
114<sup>th</sup> Congress (2015-2016)



**Source:** CRS analysis of data from Congress.gov.

**Notes:** Chart reflects initial consideration of House and Senate bills and resolutions.

## Committee Consideration

### Committee Referral

Most suspension measures are referred to at least one House committee before their consideration on the chamber floor. In the 114<sup>th</sup> Congress, 710 out of the 743 suspension measures considered (96%) were previously referred to a House committee. Of the 33 measures that were considered without a referral, 31 were Senate bills that were “held at the desk,” and two were House resolutions that provided concurrence to Senate amendments.<sup>15</sup>

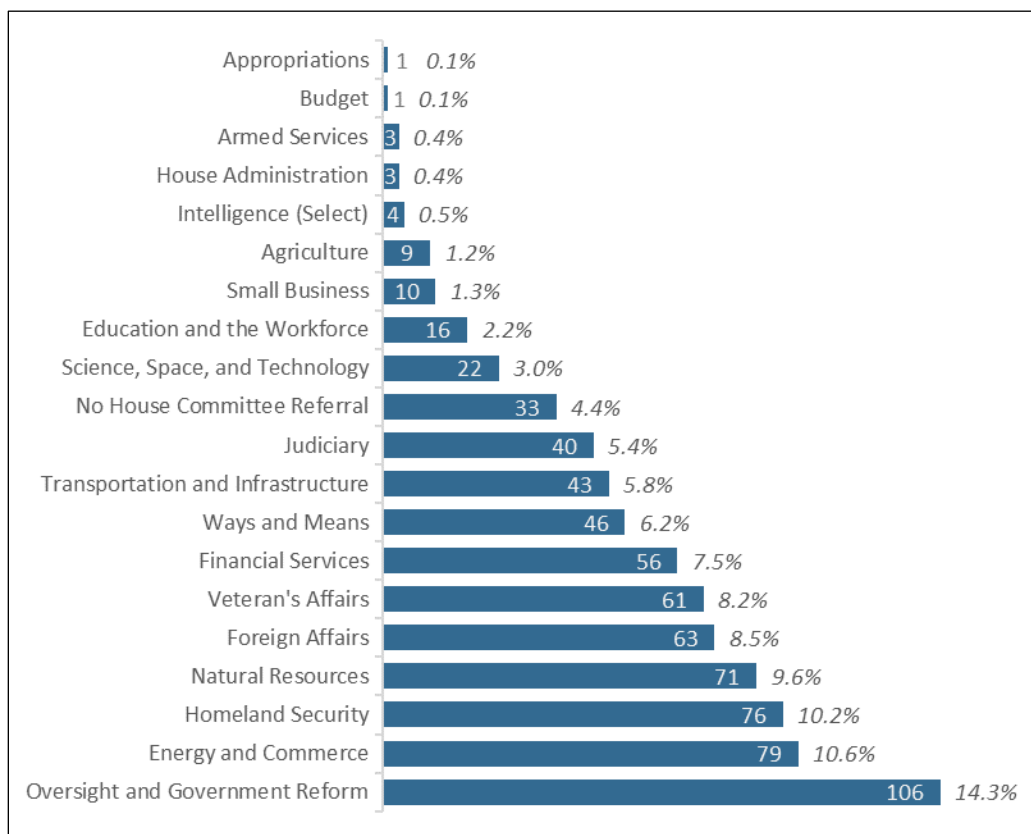
Measures may be referred to multiple House committees before receiving floor action. When a bill or resolution is referred to more than one House committee, the Speaker will designate one committee as primary, meaning it is the committee exercising jurisdiction over the largest part of the measure. Generally, the chair of the committee of primary jurisdiction works with majority party leadership to determine if and when a measure should be considered under suspension.

**Figure 4** shows the number and percentage of measures brought up under suspension from each House committee of primary jurisdiction.

The House Committee on Oversight and Government Reform (now Oversight and Reform) was the committee of primary jurisdiction for the plurality of measures considered under suspension in the 114<sup>th</sup> Congress: 106, or 14%, of the total number of suspension measures considered. Many of these bills designated names for post offices or other federal properties.

<sup>15</sup> When a Senate-passed bill is received in the House and “held at the desk,” it is not referred to a committee. The measure may remain at the desk or instead be called up on the floor by suspension of the rules or by unanimous consent.

**Figure 4. Suspension Measures by Committee of Primary Jurisdiction**  
114<sup>th</sup> Congress (2015-2016)



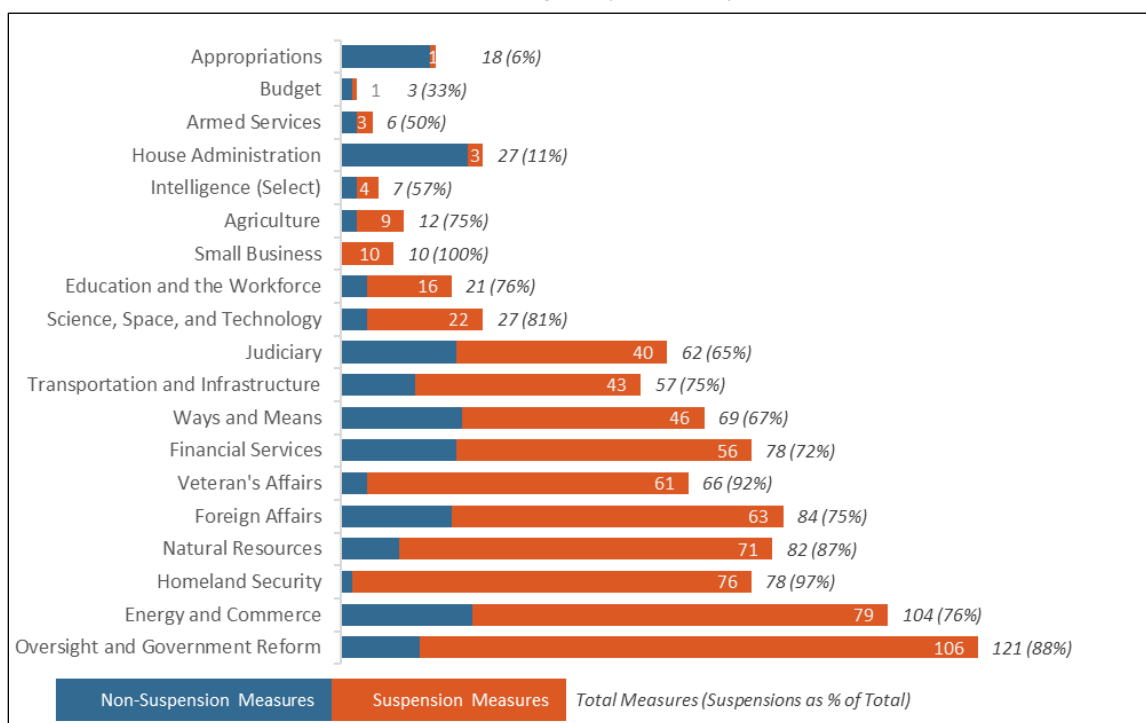
**Source:** CRS analysis of data from Congress.gov.

**Note:** Chart reflects initial consideration of House and Senate bills and resolutions. Percentages may not total 100% due to rounding.

For most House committees, the majority of their referred measures that reached the floor were raised under the suspension procedure. In the 114<sup>th</sup> Congress, the four exceptions were the Committee on House Administration—which had several measures considered by unanimous consent—and the Committees on Appropriations, the Budget, and Armed Services, which had at least half of their measures considered pursuant to special rules. For the other committees, suspension measures ranged from 57% to 100% of the total number of the committee's measures receiving floor action (**Figure 5**).

Since suspension motions require a two-thirds majority for passage, House committees that handle less contentious subjects tend to have more of their measures considered under the suspension procedure in comparison to other committees. In the 114<sup>th</sup> Congress, high-suspension committees included Small Business (100% of measures receiving floor action) and Veterans' Affairs (92%). The Small Business Committee's measures sought to authorize new business development programs. Veterans' Affairs measures included authorizations, reauthorizations, and bills designating federal facilities.

**Figure 5. Total Number of Measures Considered on House Floor, Grouped by Committee of Primary Jurisdiction**  
114<sup>th</sup> Congress (2015-2016)



**Source:** CRS analysis of data from Congress.gov.

**Notes:** Chart displays House and Senate bills and resolutions that were initially considered on the House floor under the suspension procedure, as sorted by the committee of primary jurisdiction.

## Committee Markup and Reporting

While suspension measures are not subject to floor amendments, committees may recommend amendments to legislative texts during markup meetings or through informal negotiations. The motion to suspend the rules can include these proposed changes when a Member moves to suspend the rules and pass the measure “as amended.” In the 114<sup>th</sup> Congress, 396 suspension measures (53% of the total) were considered “as amended,” meaning that the text to be approved differed from the measure’s introduced text.

Clause 2 of House Rule XIII requires that measures reported by House committees must be accompanied by a written report. Otherwise, they are not placed on a calendar of measures eligible for floor consideration.<sup>16</sup> However, the written report requirement is among those rules suspended under the suspension procedure. Thus, measures may be called up on the floor under suspension of the rules even if a committee never ordered them to be reported or wrote an accompanying committee report.<sup>17</sup> Instead, the motion to suspend the rules discharges the committee and moves the legislation directly to the House floor.

<sup>16</sup> *House Practice*, ch. 11, §28, p. 291.

<sup>17</sup> In regular practice, House committees will vote to order a measure reported (almost always favorably), then the committee will prepare a written report and file it on the floor. However, a motion to suspend the rules and pass a

In the 114<sup>th</sup> Congress, 517 (70%) suspension measures were ordered to be reported by a House committee. Of this number, 398 were reported with an accompanying House committee report. Twenty measures that did not have a House report did have a Senate report, while 325 measures had no written report from either chamber (43% of the total number of suspension measures).

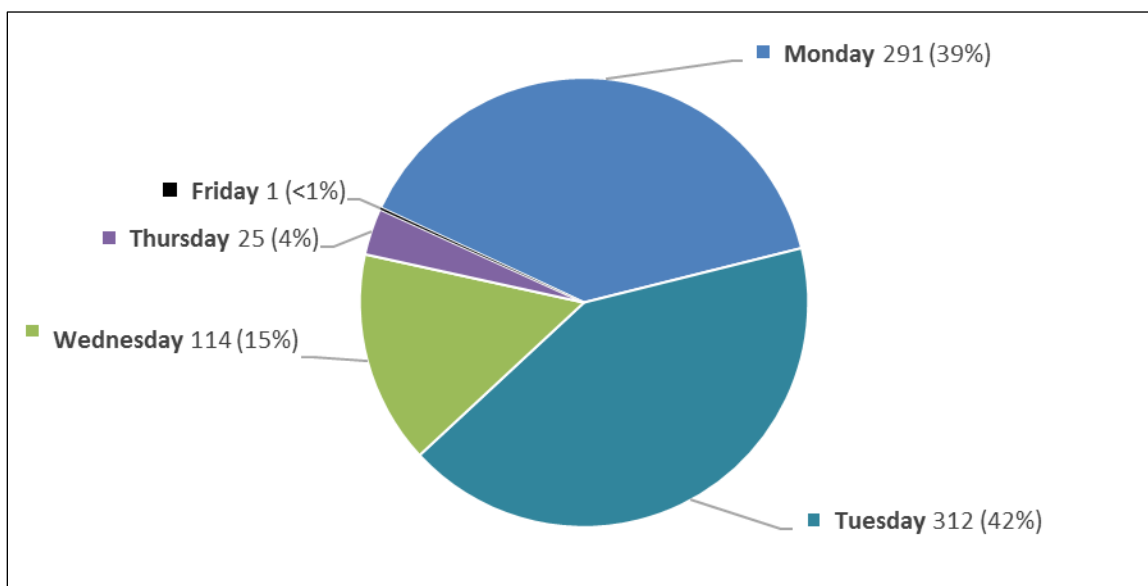
## Floor Consideration

### Raising Measures (Day of Week)

Pursuant to Rule XV, motions to suspend the rules are regularly in order on Mondays, Tuesdays, and Wednesdays or on the last six days of a session of Congress. However, suspension motions may be considered on other days by unanimous consent or under the terms of a special rule reported by the Committee on Rules and agreed to by the House.

As displayed in **Figure 6**, in the 114<sup>th</sup> Congress, the plurality of suspension measures were considered on Tuesdays (312, 42% of the total number considered), followed by Mondays (291, 39%) and Wednesdays (114, 15%). In addition, 25 suspension measures were considered on Thursdays and one on a Friday. Of these, one was considered by unanimous consent, while 25 were called up under suspension pursuant to permission included in a special rule reported by the Rules Committee and agreed to by the full House. Such special rules included a provision stating, “It shall be in order at any time on the legislative day of \_\_\_ for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV.”

**Figure 6. Days of the Week Suspension Measures Were Considered**  
114<sup>th</sup> Congress (2015-2016)



**Source:** CRS analysis of data from Congress.gov.

**Note:** Chart reflects initial consideration of House and Senate bills and resolutions. Percentages may not total 100% due to rounding.

measure may occur without a measure being ordered reported or after the measure is ordered reported but without the filing of an accompanying committee report. The motion to suspend the rules, if adopted, discharges the committee from the further consideration of the measure and places it directly on the floor. *House Practice*, ch. 53, §2, p. 898.

## Majority and Minority Floor Managers

Pursuant to Rule XV, suspension measures are “debatable for 40 minutes, one-half in favor of the motion and one-half in opposition thereto.”<sup>18</sup> In practice, there is rarely a true opponent to a motion to suspend the rules, and the time is divided between two floor managers, usually one from each party, who both favor the motion.<sup>19</sup> The floor managers each control 20 minutes of debate. The managers may be their parties’ sole representative for or against the motion, or they may yield increments of the 20-minute allotment to other Members.

Typically, the relevant committee chairs and ranking members select the majority and minority floor managers for particular bills and resolutions. These managers may be the measure’s sponsor, the chair or ranking member of the measure’s committee of primary jurisdiction, or another committee member.

In the 114<sup>th</sup> Congress, the measure’s sponsor served as the majority manager on 26% of the suspension measures receiving floor action. The committee chair managed 29% of the measures. The minority manager was the measure’s sponsor for 11% of the measures and the committee’s ranking member for 26% of the measures considered.

Occasionally, floor managers controlling time on a motion to suspend the rules ceded their control to other Members during debate. In two identified cases, both the majority and minority floor managers favored the measure, and another Member claimed the time in true opposition during the initial floor consideration of the measure. In at least one other instance, the minority manager asked unanimous consent to yield managerial control to another Member.<sup>20</sup>

## Debate

### Managers and Additional Speakers

A majority floor manager makes the motion to suspend the rules by stating, “Mr. [Madam] Speaker, I move to suspend the rules and pass the bill [or resolution] \_\_\_\_.” The Speaker [or Speaker pro tempore] responds, “Pursuant to the rule, the gentleman[woman] from [state] and the gentleman[woman] from [state] each will control twenty minutes.” The majority and minority managers then, in turn, make opening statements regarding the measure using the 20 minutes each controls.

If the majority and minority managers have secured additional speakers, the speakers generally alternate between the parties within the 40-minute limit. During the 114<sup>th</sup> Congress, on a motion to suspend the rules, the average number of speakers in addition to the floor managers was fewer than two. On 83% of the measures (620) considered, there were one or two additional speakers. On 27% of the measures (199) considered, there were no additional speakers, and in 16% of the measures (120) considered, there were 3 to 12 additional speakers. Three measures had 20, 21, and 25 additional speakers, respectively.

At the start of the debate period, the majority manager may request “unanimous consent that all Members may have five legislative days in which to revise and extend their remarks and add

---

<sup>18</sup> *House Manual*, clause 1(c), Rule XV, §891, p. 690.

<sup>19</sup> In the event a true opponent claimed the time in opposition, the time is often divided among three managers, with each supporter controlling 10 minutes and the opponent controlling 20 minutes.

<sup>20</sup> The two identified instances when Members claimed time in actual opposition to the measure during initial consideration were in regard to H.R. 4919 and H.R. 5859. The unanimous consent request to yield minority control of debate time to another Member was in regard to S. 2040.

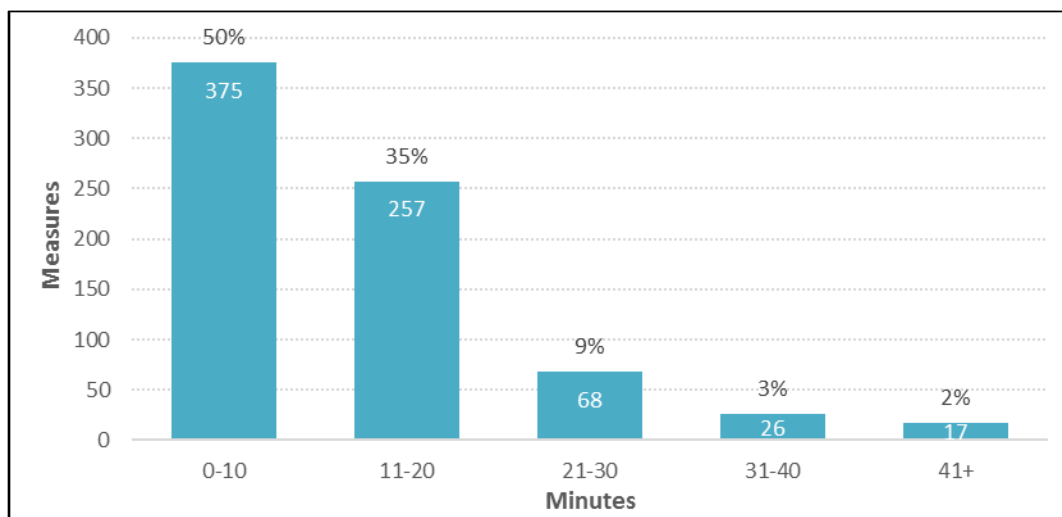
extraneous materials on this bill [resolution].” This request enables general leave statements to be inserted into the *Congressional Record*. In 29% of the suspension measures considered in the 114<sup>th</sup> Congress, a written general leave statement appeared in the *Record* following in-person remarks, indicating that the remarks were submitted on the day the legislation was considered. General leave statements submitted on a day other than the day of consideration appear in the *Extension of Remarks* section of the *Congressional Record*.

## Length of Consideration

Suspension measures are limited to a maximum of 40 minutes of debate under Rule XV. However, if there are time gaps between speakers or procedural interruptions, such as a vote on a motion to adjourn, the time period between the start of the first speaker’s remarks and the conclusion of debate may exceed 40 minutes.<sup>21</sup> The statistics displayed in **Figure 7** show the length of consideration of suspension measures as documented in Congress.gov, not the accumulated length of statements, as kept by official timekeepers in the chamber.<sup>22</sup>

In the 114<sup>th</sup> Congress, the average length of consideration on a motion to suspend the rules was 13 minutes and 10 seconds, and half of the measures considered had a debate period of 10 minutes or less. Thus, while overall debate is limited to 40 minutes under the rule, on most suspension measures, only a fraction of that time was actually expended during consideration. Seventeen measures, however, had consideration periods that exceeded 40 minutes due to procedural delays or, in the case of one measure, a request for unanimous consent to extend debate by 10 minutes to each side.

**Figure 7. Length of Debate Periods for Suspension Measures**  
114<sup>th</sup> Congress (2015-2016)



**Source:** CRS analysis of data from Congress.gov.

**Note:** Chart reflects initial consideration of House and Senate bills and resolutions. Percentages may not total 100% due to rounding.

<sup>21</sup> “Pending a motion to suspend the rules, only one motion to adjourn is in order, unless the failure of a quorum is demonstrated.” *House Practice*, ch. 53, §5, p. 901.

<sup>22</sup> For the purposes of this report, the length of consideration is the difference in the time between a measure being called up under suspension and the conclusion of debate.

## Voting and Passage in the House

House leaders generally choose measures for suspension that are likely to achieve the two-thirds majority threshold for passage. Thus, almost all suspension measures were passed by the House in the 114<sup>th</sup> Congress. The full House approved all House resolutions (28), concurrent resolutions (12), joint resolutions (2), and Senate bills (82) that were considered under suspension. The House also passed, via motions to suspend the rules, 612 of the 619 House bills that were initially considered under suspension. Seven bills did not receive the requisite supermajority. Two of these bills were later considered and approved under the terms of a special rule. The remaining five bills did not return to the floor and therefore did not pass the House.

### Voice Votes

Most suspension motions are agreed to in the House by voice vote, which is the chamber's default method of voting on most questions. In 2015 and 2016, this method of voting led to the final approval of 72% (531) of the motions to suspend the rules and pass the measures (see **Figure 8**).

### Record Votes

After the initial voice vote, Members triggered an eventual record vote (often called a roll call vote) on 212 (28%) of the suspension measures considered in the 114<sup>th</sup> Congress. This was done by demanding the “yeas and nays,” objecting to the vote “on the grounds that a quorum is not present,” or, in one case, demanding a recorded vote.<sup>23</sup> In most instances, the chair elected to postpone the vote to a later period, within two additional legislative days, pursuant to clause 8 of House Rule XX.<sup>24</sup> Of the 212 record votes, 3 immediately followed debate on the measure. The remaining 209 votes were postponed to another time on the legislative schedule, usually later the same day.

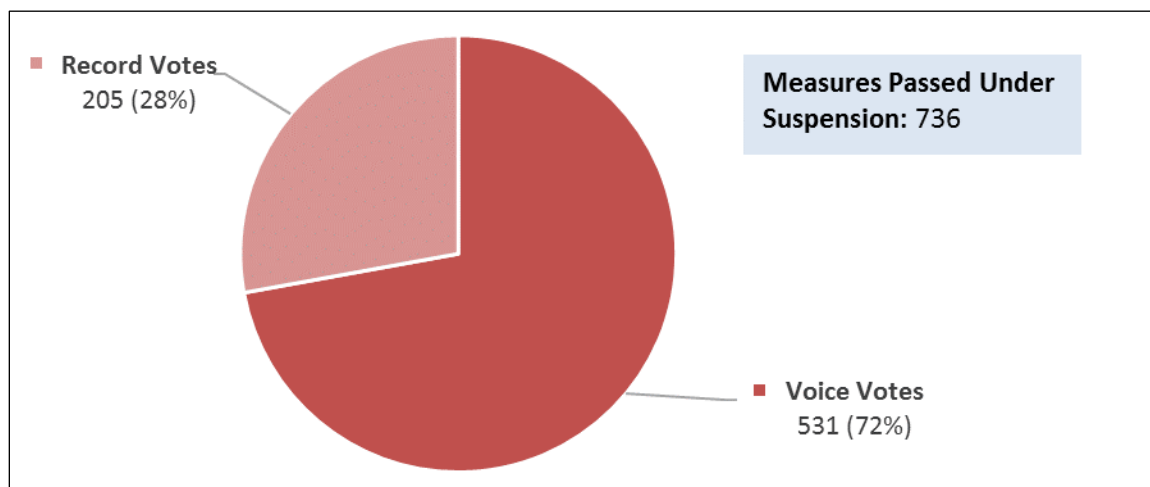
In the 114<sup>th</sup> Congress, 205 suspension motions were adopted by record vote, and 7 motions to suspend the rules were defeated by record votes. The defeat of a motion to suspend the rules, however, does not necessarily kill the legislation. The Speaker may choose to recognize a Member at a later time to make another motion to suspend the rules and pass the bill, or the House may consider the measure pursuant to a special rule reported by the Committee on Rules. Accordingly, two of the initially unsuccessful measures were later called up and passed under the terms of a special rule. Five measures were not considered again, via any House floor procedure, before the end of the 114<sup>th</sup> Congress.

---

<sup>23</sup> Voice votes ascertain the approval or disapproval on a question, while record votes also list the names of Members and how they voted. Record votes are often referred to as roll call votes. There are three types of record votes: (1) those that are triggered by a sustained point of order alleging that a quorum is not present, in which case the yeas and nays are automatically ordered without the need for a sufficient second; (2) those that are triggered by a demand for the yeas and nays with the concurrence of one-fifth present; and (3) those that are triggered by a demand for a recorded vote with the concurrence of one-fifth of a quorum—44 Members. See CRS Report 95-563, *The Legislative Process on the House Floor: An Introduction*, by Christopher M. Davis; and CRS Report 98-228, *House Voting Procedures: Forms and Requirements*, by Jane A. Hudiburg.

<sup>24</sup> *House Manual*, clause 8(a), Rule XX, §1030, p. 860.

**Figure 8. Adoption of Suspension Motions in the House**  
114<sup>th</sup> Congress, 2015-2016



**Source:** CRS analysis of data from Congress.gov.

**Note:** Chart reflects initial consideration of House and Senate bills and resolutions.

## Final Disposition of Measures Considered Under Suspension of the Rules

### Passed by the Senate

Although suspension measures generally receive broad support, measures that receive the requisite two-thirds majority in the House are not guaranteed passage in the Senate. As noted in **Table 1**, in the 114<sup>th</sup> Congress, the Senate passed 197 of the 619 House bills initially considered under suspension (32%). Additionally, the Senate agreed to 1 of the 2 House joint resolutions and 5 of the 11 House concurrent resolutions considered under suspension of the rules.

Of the number of suspension measures that passed the House and Senate, 60 required a resolution of differences between the chambers. Forty-four House measures and 15 Senate bills were subject to an amendment exchange process, and on one occasion, a conference committee was used to resolve the differences between the House and Senate versions of a House bill.<sup>25</sup>

The Senate passed three House bills, initially approved in the House under suspension, that did not become public law because the House did not agree to the final bill text, as amended by the Senate. In those instances, the House did not reconsider the bills once the Senate returned the Senate-amended versions to the House chamber. Thus, 194 House bills were presented to the President for signature.

### Presidential Action

Of the measures initially considered under suspension during the 114<sup>th</sup> Congress, President Obama was presented with 194 House bills, 82 Senate bills, and 1 House joint resolution for

<sup>25</sup> A conference committee was used to resolve the differences between the chambers on H.R. 22 (P.L. 114-94). However, as amended by the Senate, H.R. 22 did not contain the same policy provisions that were in the version that the House passed under the suspension of the rules procedure.



signature or veto. The President vetoed H.R. 1777 (Presidential Allowance Modernization Act of 2016) and S. 2040 (Justice Against Sponsors of Terrorism Act). The House chose not to attempt a veto override on H.R. 1777, so the measure did not become public law. Both the Senate and House voted to override the veto of S. 2040, enabling it to become law without the President's signature (P.L. 114-222). Thus, of the 703 law-making measures (bills and joint resolutions) initially considered under suspension of the rules, 193 House bills, 82 Senate bills, and 1 House joint resolution became public law (see **Table 1**).

**Table 1. Final Status of Legislation Initially Brought Up Under Suspension**  
114<sup>th</sup> Congress, 2015-2016

Form of Measure	Number of Measures	Passed House	Passed Both Chambers	Presented to President	Vetoed	Achieved Final Passage/Became Law (% of Number of Measures)
House Bill	619	614 <sup>a</sup>	197	194	1 <sup>b</sup>	193 (31%)
Senate Bill	82	82	82	82	1 <sup>b</sup>	82 (100%)
House Joint Resolution	2	2	1	1	0	1 (50%)
House Concurrent Resolution	11	11	5	N/A	N/A	5 (45%)
Senate Concurrent Resolution	1	1	1	N/A	N/A	1 (100%)
House Resolution	28	28	N/A	N/A	N/A	28 (100%)
<b>Total</b>	<b>743</b>	<b>738</b>	<b>286</b>	<b>277</b>	<b>2<sup>b</sup></b>	<b>310 (42%)</b>

**Source:** CRS analysis of data from Congress.gov.

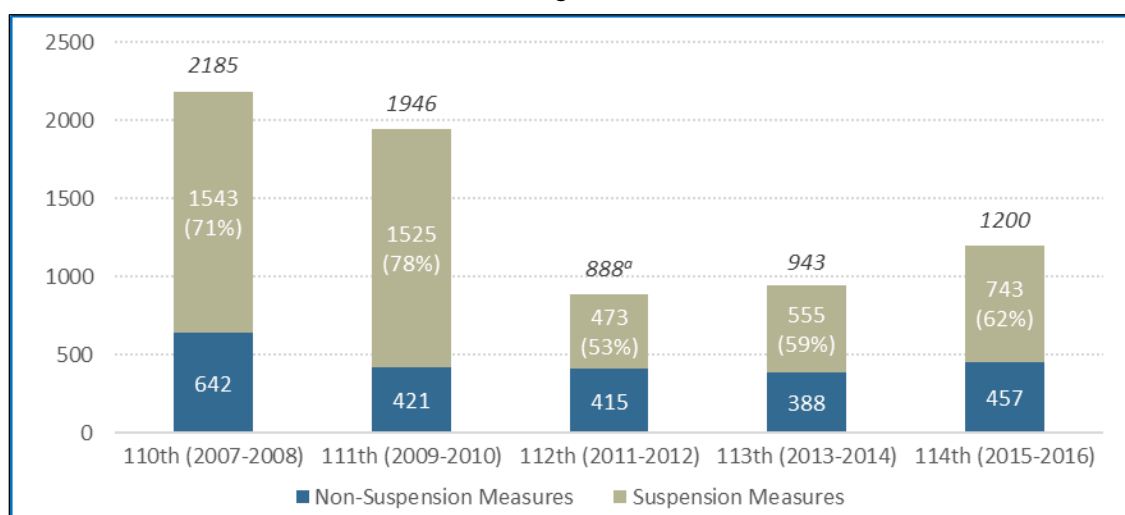
**Notes:**

- a. Of the measures initially considered under suspension of the rules, the House passed 612 bills under the suspension procedure and two under the terms of a special rule.
- b. The President vetoed H.R. 1777 and S. 2040 (P.L. 114-222). The House and Senate voted to override the veto of S. 2040 but did not hold a vote to override the veto of H.R. 1777.

## Appendix. Use of Suspension Motions, 110<sup>th</sup>-114<sup>th</sup> Congresses

**Figure A-1. Measures Considered Under Suspension Compared to Measures Considered Under Other Procedures on the House Floor**

110<sup>th</sup>-114<sup>th</sup> Congresses, 2007-2016



**Source:** Congress.gov and the following reports by Christopher M. Davis: CRS Report R40829, *How Legislation Is Brought to the House Floor: A Snapshot of Recent Parliamentary Practice in the 111th Congress (2009-2010)*; CRS Report R43039, *How Legislation Is Brought to the House Floor: A Snapshot of Parliamentary Practice in the 112th Congress (2011-2012)*; CRS Report R43912, *How Legislation Is Brought to the House Floor: A Snapshot of Parliamentary Practice in the 113th Congress (2013-2014)*; and CRS Report R44734, *How Legislation Is Brought to the House Floor: A Snapshot of Parliamentary Practice in the 114th Congress (2015-2016)*.

**Notes:** Chart reflects initial consideration of House and Senate bills and resolutions.

a. At the start of the 112<sup>th</sup> Congress (2011-2012), the House Republican Conference amended its conference rules to generally prohibit the Republican leader from scheduling for consideration under suspension of the rules any bills or resolutions that recognize individuals, groups, institutions, anniversaries of events, or a period of time. This action likely reduced the number of measures considered under the suspension procedure as well as the total number of measures considered on the House floor during this and subsequent Congresses under Republican control. See CRS Report R43539, *Commemorations in Congress: Options for Honoring Individuals, Groups, and Events*, coordinated by Jacob R. Straus.

## Author Contact Information

Jane A. Hudiburg  
Analyst on Congress and the Legislative Process  
fedacted@crs.loc.gov , 7-....

## **Acknowledgments**

Christopher M. Davis assisted with the development of this report, Sarah Solomon provided research assistance, and Paulo Ordoveza prepared the report's graphics.

# EveryCRSReport.com

The Congressional Research Service (CRS) is a federal legislative branch agency, housed inside the Library of Congress, charged with providing the United States Congress non-partisan advice on issues that may come before Congress.

EveryCRSReport.com republishes CRS reports that are available to all Congressional staff. The reports are not classified, and Members of Congress routinely make individual reports available to the public.

Prior to our republication, we redacted phone numbers and email addresses of analysts who produced the reports. We also added this page to the report. We have not intentionally made any other changes to any report published on EveryCRSReport.com.

CRS reports, as a work of the United States government, are not subject to copyright protection in the United States. Any CRS report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS report may include copyrighted images or material from a third party, you may need to obtain permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

Information in a CRS report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to members of Congress in connection with CRS' institutional role.

EveryCRSReport.com is not a government website and is not affiliated with CRS. We do not claim copyright on any CRS report we have republished.