

Suspension of the Rules: House Practice in the 117th Congress (2021-2022)

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Suspension of the Rules: House Practice in the 117th Congress (2021-2022)

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 non-privileged measures to be raised on the House floor without the need for a special rule, (2) it enables the consideration of a measure 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.

The 117th Congress (2021-2022) occurred during a Speaker-designated pandemic emergency and featured notable changes in House procedure, which affected the consideration of measures subject to motions to suspend the rules, including

- proxy voting in the House and roll call votes automatically made in order pursuant to H.Res. 8, the rules package for the 117th Congress;
- special rules enabling en bloc voting on multiple suspension measures subject to a request for the “yeas and nays” (roll call votes); and
- consideration of motions to suspend the rules on any day of the week (not just on Mondays, Tuesdays, and Wednesdays, as clause 1 of Rule XV had provided for), pursuant to H.Res. 1230, which amended House rules in the second session of the Congress.

In other respects, the use of suspension procedure followed trends from previous Congresses. In the 117th Congress, measures considered under suspension made up 71% of the bills and resolutions that received floor action in the House (783 out of 1,106 measures). The majority of suspension measures were House bills (78%), followed by Senate bills (19%), House resolutions (3%), and House concurrent resolutions (less than 1%). (The House considered no joint resolutions or Senate concurrent resolutions via suspension of the rules.) 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.

Certain House committees are more likely to be referred measures that are subsequently considered under suspension. The Committee on Oversight and Reform served as the committee of primary jurisdiction for the most suspension measures in the 117th Congress. Additional committees—such as Energy and Commerce, Veterans’ Affairs, Foreign Affairs, and Natural Resources—were also referred a large number of suspension measures.

Suspension motions are debatable for up to 40 minutes. Commonly, a fraction of that debate time is actually used. In the 117th Congress, the average amount of time spent considering a motion to suspend the rules was under 11 minutes.

The House adopted nearly every suspension motion considered in 2021 and 2022. Approval by the House, however, did not guarantee final approval in the 117th Congress. The Senate agreed to one of the House concurrent resolutions considered under suspension of the rules and passed 175 of the 607 House bills initially considered under suspension (29%). The President signed 318 suspension measures into law.

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Introduction

The House of Representatives has well-established 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.¹ 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, which is defined in clause 1 of House Rule XV.² 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 measures that are perceived to have broad bipartisan support and can be approved without floor amendments or extensive debate in the chamber.³

Most bills and resolutions that receive floor action in the House are called up and considered under suspension of the rules.⁴ The suspension procedure allows non-privileged measures to be raised without special rules, waives points of order, limits debate, and prohibits floor amendments. A motion to suspend the rules and pass the measure requires a two-thirds vote, so the procedure is typically reserved for bills and resolutions that can meet a supermajority threshold.⁵

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.

In 2021 and 2022, the House operated under a Speaker-designated pandemic emergency period⁶ pursuant to H.Res. 8, the rules package for the Congress, and in accordance to regulations submitted by the Committee on Rules. During the 117th Congress

¹ 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), resolutions providing for adjournment, questions of the privileges of the House, and bills returned following veto by the President. See John V. Sullivan et al., *House Practice: A Guide to the Rules, Precedents, and Procedures of the House* (GPO, 2024) (hereinafter *House Practice*), ch. 36, §§6-7.

² The House may also take up and consider non-privileged legislation by unanimous consent or under procedures associated with clause 2 of Rule XV, the House discharge rule. In the 117th Congress, the House initially considered 71% of all measures receiving floor action under the suspension of the rules procedure, 14% of all measures receiving floor action were privileged under House rules and precedents (being special rules or other privileged measures), 12% were raised by special rules reported by the Committee on Rules and agreed to by the House, 3% were raised by unanimous consent, and no measures were considered under discharge procedure (clause 2 of House Rule XV).

³ *House Practice*, ch. 53, §2.

⁴ The statistics for use of suspension procedures in the 117th Congress do not differ in significant ways from those in the 114th, 115th, or 116th Congresses. See CRS Report R45545, *Suspension of the Rules: House Practice in the 114th Congress (2015-2016)*; CRS Report R46364, *Suspension of the Rules: House Practice in the 115th Congress (2017-2018)*; and CRS Report R47327, *Suspension of the Rules: House Practice in the 116th Congress (2019-2020)*, by Jane A. Hudiburg.

⁵ For additional information on the suspension of the rules procedure, see *House Practice*, ch. 53, and CRS Report 98-314, *Suspension of the Rules in the House: Principal Features*, by Elizabeth Rybicki.

⁶ H.Res. 8 (117th Congress) continued many of the provisions of H.Res. 965 (116th Congress), which enabled the Speaker to designate a COVID-related “covered period.” The previously agreed to resolution stated, in part, that “at any time after the Speaker or the Speaker’s designee is notified by the Sergeant-at-Arms, in consultation with the Attending Physician, that a public health emergency due to a novel coronavirus is in effect, the Speaker or the (continued...)”

- Members could vote by proxy in the House, and roll call votes were automatically taken upon a demand for the “yeas and nays”;⁷
- special rules enabled en bloc voting on multiple motions to suspend the rules under specified circumstances; and
- after July 19, 2022, the Speaker could entertain motions to suspend the rules on any day of the week (as opposed to Mondays, Tuesdays, and Wednesdays) pursuant to H.Res. 1230, which amended House rules in the second session of the Congress.

Otherwise, the use of the suspension of the rules procedure followed trends from previous Congresses. **Figures 1-8** display statistical data on the use of the suspension of the rules procedure during the 117th Congress, including the prevalence and form of suspension measures, sponsors of measures and party affiliation, committee consideration, length of floor debate, and method of voting and adoption of suspension measures in the House.⁸ **Table 1** summarizes the final legislative status of measures initially considered in the House under suspension procedure. The **Appendix** depicts the use of the suspension procedure from the 113th-117th Congresses (2013-2022) as a percentage of all measures considered on the floor during that 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.”⁹

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 ____.”¹⁰ The House rules that are suspended under this procedure include those that “would impede an immediate vote on passage of a measure.” For instance, suspension measures are not subject to votes on the previous question (commonly used to close debate on a special rule) or motions to recommit.¹¹

A measure considered under the suspension procedure is not open 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

Speaker’s designee, in consultation with the Minority Leader or the Minority Leader’s designee, may designate a [covered] period,” during which Members could vote by proxy in the House, among other changes in House and committee procedure.

⁷ Pursuant to clause 8 of House Rule XX, when the yeas and nays are ordered, the Speaker may postpone the roll call vote on the question to another time in the legislative schedule within two additional legislative days.

⁸ Congress.gov provided the data presented in this report, including the legislative status of all measures initially considered on the House floor under the suspension of the rules procedure during the 117th Congress.

⁹ *House Practice*, ch. 53, §2.

¹⁰ U.S. Congress, House, *Constitution, Jefferson’s Manual and the Rules of the House One Hundred Seventeenth Congress*, 116th Cong., 2nd sess., 116-177 (GPO, 2021) (hereinafter *House Manual*), §886a.

¹¹ *House Practice*, ch. 53, §2.

incorporated into the text are passed “as amended.” There are no separate votes on the floor approving such amendments.¹²

Suspension motions are “debatable for 40 minutes, one-half in favor of the motion and one-half in opposition thereto.” 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. The managers make opening statements and may yield increments of the 20 minutes they control to other Members to debate the measure. The time for debate on a motion to suspend the rules may be extended by unanimous consent or by adopting a House resolution for that purpose, although this rarely occurs.

Once debate has concluded, a single vote is held on the motion to suspend the rules and pass the measure in whatever form it was put before the House. The motion requires approval by “two-thirds of the Members voting, a quorum being present.”¹³ Should the vote fall short of the two-thirds required for passage (290, if all Members voted), the measure is not permanently rejected. Before the end of the session of Congress, the House may consider the measure again under suspension, or the Committee on Rules may report a special rule that provides for floor consideration of the measure.¹⁴

House Practice Specific to the 117th Congress

Raising Measures (Day of Week)

As in previous Congresses, at the start of the 117th Congress, suspension motions were in order on designated days of the week. Rule XV stated, “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.”¹⁵ However, a suspension measure could 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 before the additional suspension day(s) commenced.¹⁶

In the second session of the Congress, the House amended clause 1(a) of Rule XV to remove the limitation on when the Speaker could entertain motions to suspend the rules. Under the terms of H.Res. 1230, suspension measures could be considered on any day of the week for the rest of the Congress.¹⁷

¹² 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.”

¹³ *House Manual*, §885.

¹⁴ *House Practice*, ch. 53, §1.

¹⁵ *House Manual*, §885.

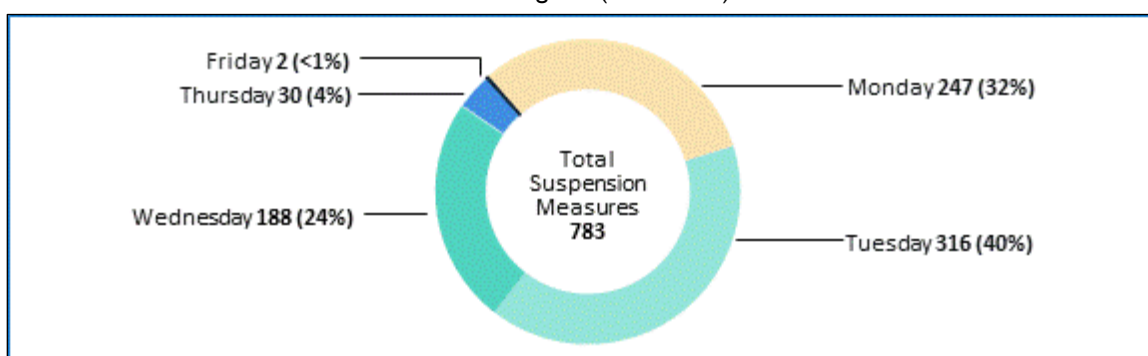
¹⁶ *House Manual*, §887.

¹⁷ On July 19, 2022, H.Res. 1230 (117th Congress) was considered as adopted pursuant to H.Res. 1232 (117th Congress). H.Res. 1230 amended clause 1(a) of Rule XV to allow the Speaker to entertain motions to suspend the rules on any day of the week for the remainder of the 117th Congress. Pursuant to clause 1(a) of Rule XV, the House continued to allow the consideration of suspension measures on any day of the week during the 118th Congress (2023-2024). At the start of the 119th Congress, the House adopted H.Res. 5 (the rules package), which reinstated the Monday-Tuesday-Wednesday limitation on suspension motions but without the previous exception for the last six days of Congress. See CRS Report R48449, *House Rules Changes Affecting Floor Proceedings in the 119th Congress (2025-2026)*, by Jane A. Hudiburg.

Prior to this rules change on July 29, 2022, 28% of the suspension measures were considered on Mondays, 45% on Tuesdays, and 24% on Wednesdays. Special rules enabled 10 measures (2%) to be considered on Thursdays and two on Fridays. After the rules change, 39% of the suspension measures were considered on Mondays, 29% on Tuesdays, 24% on Wednesdays, and 9% on Thursdays. No suspension measures were considered on Fridays.

Notwithstanding the rules change, the percentage of suspension measures considered on days outside of Mondays, Tuesdays, and Wednesdays decreased from the 116th Congress (12%) to the 117th Congress (less than 5%). During the entire Congress, suspension measures were most often considered on Tuesdays (316), followed by Mondays (247), Wednesdays (188), Thursdays (30), and Fridays (2).¹⁸

Figure 1. Days of the Week Suspension Measures Were Considered
117th Congress (2021-2022)



Source: CRS analysis of data from Congress.gov.

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

Voting Procedure

The standard House practice is for Members to vote in person in the House chamber. In most instances, the presiding officer asks Members to respond “aye” or “nay” to a question. Upon the demand of a Member, this voice vote may be followed by a record (roll call) vote provided that the demand for the record vote is supported by a sufficient number of Members, and one roll call vote typically decides the outcome for one motion to suspend the rules.¹⁹

The 117th Congress featured departures from this practice. During a “covered” pandemic emergency, Members who were not present in the chamber could vote by proxy. Also, if a Member demanded the yeas and nays, a roll call vote was automatically in order without the need for support from other Members.

Throughout the 117th Congress, Members requested significantly more roll call votes on suspension measures as compared to previous Congresses. In order to reduce the time consumed

¹⁸ The two Friday measures involved an extension in funding and authorization for surface transportation programs (H.R. 5434) and a temporary suspension of duties for imported infant formula products (H.R. 8351).

¹⁹ During periods of normal House operation, there are three ways to secure a record vote in the House: objecting to a vote for lack of quorum (clause 6 of Rule XX), which leads to the automatic ordering of the yeas and nays; ordering a recorded vote by one-fifth of a quorum; and ordering the yeas and nays by one-fifth of the Members present. See *House Practice*, ch. 58, §21; CRS Report 98-228, *House Voting Procedures: Forms and Requirements*, by Jane A. Hudiburg.

by floor votes, the House, pursuant to special rules, voted on numerous suspension measures “en bloc,” meaning that one roll call vote enabled multiple measures to be adopted at once.²⁰

Proxy Voting in the House

H.Res. 8, the rules package for the 117th Congress, continued, with slight modifications, proxy-voting procedure set forth in H.Res. 965 (116th Congress). During pandemic-related “covered periods,” Members were able to designate other Members to cast “proxy” votes on their behalf in the House chamber. Members designated proxies by submitting signed letters to the Clerk in accordance with regulations submitted for publication to the *Congressional Record* by the Committee on Rules.²¹

Normally, the House conducts record votes by electronic device. Pursuant to 2(a) of Rule XX, the minimum time for a record vote by electronic device is 15 minutes—or two minutes if the vote follows a 15-minute vote or a quorum call.²²

Proxy voting required the designated Member to seek recognition in the House and state the vote of the Member(s) not present in the chamber, which could prolong a vote by at least several minutes.²³

Voice Votes

On most questions, voice votes are the House chamber’s default method of voting.²⁴ A voice vote may determine the outcome of the question (e.g., “Shall the House suspend the rules and pass the bill?”) if a record vote is not requested and obtained.

In the 117th Congress, 226 (29%) of the motions to suspend the rules on initial consideration of measures were agreed to by voice votes, reflecting a significant decrease from the previous Congress. In the 116th Congress, voice votes led to the final approval of 77% (608) of the motions to suspend the rules and pass the measures.²⁵

Roll Call Votes Ordered Upon Demand

H.Res. 8 (117th Congress) also continued the provision in H.Res. 965 (116th Congress), which provided that during a pandemic-covered period the yeas and nays would be considered as ordered on any vote on which a Member requested a roll call vote. After the initial voice vote, Members, by demanding the yeas and nays, triggered eventual roll call votes on 557 (71%) of the suspension measures considered in the 117th Congress. In all but six instances, the chair elected to

²⁰ Lindsey McPherson, “House Democratic Leaders Fight Back Against GOP Delay Tactics,” *Roll Call*, April 20, 2021, <https://rollcall.com/2021/04/20/house-democratic-leaders-fight-back-against-gop-delay-tactics/>.

²¹ Regulations and other documents associated with H.Res. 965 (116th Congress) are available from *Congressional Emergency Remote Proceedings*, Committee on Rules (Democrats), <https://democrats-rules.house.gov/rules-and-resources/congressional-emergency-remote-proceedings>. See CRS Report R46790, *House Rules Changes Affecting Floor Proceedings in the 117th Congress (2021-2022)*, by Jane A. Hudiburg.

²² CRS Report 98-988, *Voting and Quorum Procedures in the House of Representatives*, coordinated by Elizabeth Rybicki.

²³ McPherson, “House Democratic Leaders Fight Back.”

²⁴ A voice vote ascertains the approval or disapproval on a question, while record votes list the names of Members and how they voted. Record votes are often referred to as roll call votes.

²⁵ CRS Report R47327, *Suspension of the Rules: House Practice in the 116th Congress (2019-2020)*, by Jane A. Hudiburg.

postpone the vote to a later period within two additional legislative days pursuant to clause 8 of House Rule XX or to a later time pursuant to a special rule.²⁶

Of the 557 measures, the House passed or adopted 547 suspension measures by record votes. Ten suspension motions did not achieve the required two-thirds supermajority vote, and thus, the associated bills were not passed by the suspension of the rules procedure.²⁷

En Bloc Voting Pursuant to Special Rules

According to news accounts, the increase in demands for roll call votes led to the use of special rules, which enabled en bloc voting on motions to suspend the rules.²⁸ The special rules vacated the previous orders for the yeas and nays and allowed the House to pass multiple suspension measures with one vote.

If agreed to by the House, special rules temporarily waive certain House rules and specify procedures for the consideration of measures or motions. The special rules that provided for en bloc voting on motions to suspend the rules stated, “At any time through the legislative day of _____, the Speaker may entertain motions offered by the Majority Leader or a designee that the House suspend the rules as though under clause 1 of rule XV with respect to multiple measures.”²⁹

Of the 557 suspension measures subject to a demand for the yeas and nays, 191 were passed by motions that included multiple measures. In these cases, the majority leader or a designee sought recognition and stated, “I move to suspend the rules and pass the bills: _____.”

Prevalence and Form of Suspension Measures

As illustrated in **Figure 2**, most measures considered on the House floor during the 117th Congress were subject to a motion to suspend the rules. Seventy-one percent of all measures that received floor action were initially considered under suspension (783 out of 1,106), compared to those that were considered under the terms of special rules (12%) or by unanimous consent (3%) or were privileged for consideration (14%).³⁰ Suspension measures comprised 76% of House-considered measures if consideration of special rules is excluded.³¹

Figure 3 displays the form of suspension measures. Most of the measures considered under suspension during the 117th Congress (96%) were bills. House bills made up 78% of the suspension total, Senate bills 19%. The remaining measures were House resolutions (3%) and

²⁶ *House Manual*, Rule XX, clause 8(a), §1030.

²⁷ Eight of these bills were later considered and approved under the terms of special rules. The other two bills were not returned to the floor and therefore did not pass the House.

²⁸ McPherson, “House Democratic Leaders Fight Back”; Sarah Ferris et al., “Democratic Leaders Find a Way to Defuse Conservatives’ House Floor Sabotage,” *Politico*, April 20, 2021, <https://www.politico.com/news/2021/04/20/house-democratic-leaders-republican-delay-tactics-483462>.

²⁹ See H.Res. 330 (117th Congress) for an example of a special rule enabling en bloc voting on multiple measures subject to motions to suspend the rules and a demand for the yeas and nays.

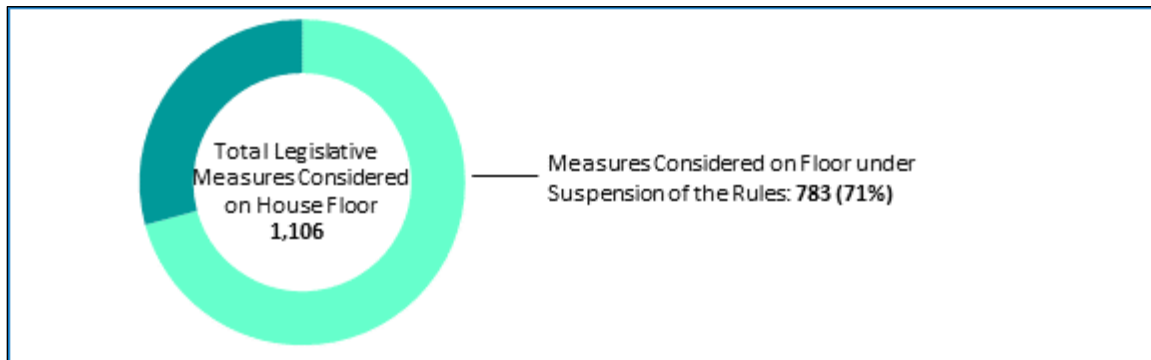
³⁰ Privileged measures include special rules reported by the Committee on Rules and other bills and resolutions that are privileged pursuant to House rules, statutes, or the Constitution. See CRS Report 98-315, *Privileged Business on the House Floor*, by James V. Saturno.

³¹ House resolutions containing special rules are considered via the hour rule. See CRS Report 98-427, *Considering Measures in the House Under the One-Hour Rule*, by James V. Saturno.

House concurrent resolutions (less than 1%). No House or Senate joint resolutions or Senate concurrent resolutions were considered under suspension of the rules in the 117th Congress.

Figure 2. Number of Suspensions Compared to All Measures Considered on the House Floor

117th Congress (2021-2022)

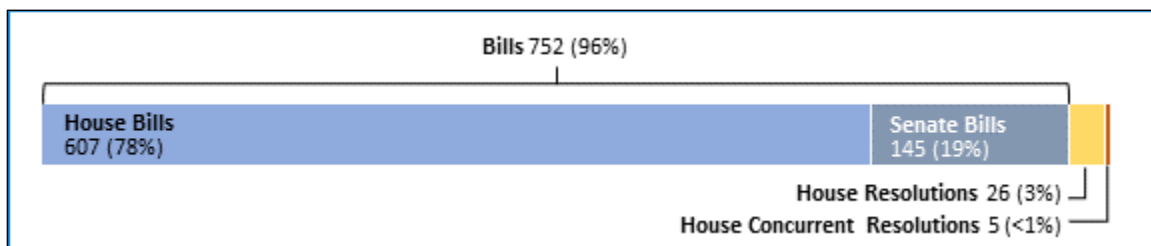


Source: CRS analysis of data from Congress.gov.

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

Figure 3. Forms of Measures Considered Under Suspension Procedure

117th Congress (2021-2022)



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 4**, most suspension measures were sponsored by Members of the majority party during the 117th Congress. House or Senate majority party Members sponsored 67% of all bills and resolutions initially considered in the House under suspension.

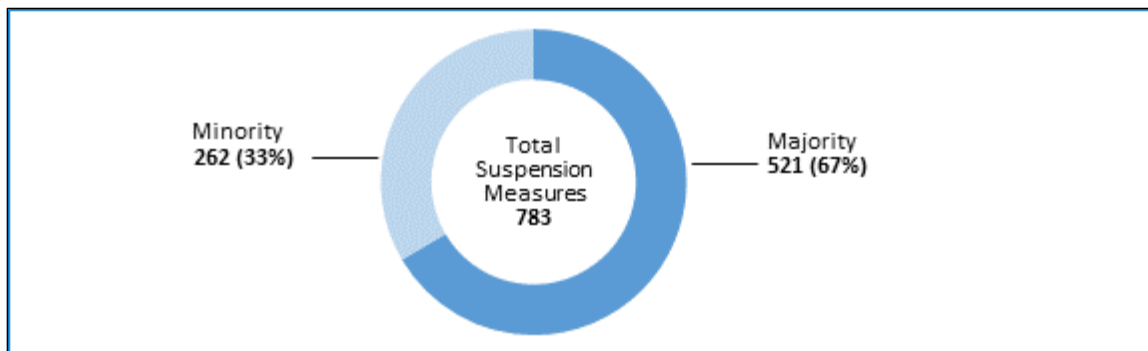
However, by a wide margin, suspension is the most common procedure used to consider minority-sponsored legislation in the House. In the 117th Congress, 88% of the minority-sponsored measures that were considered on the House floor were raised under the suspension procedure. Members of the House or Senate minority parties sponsored 33% of all suspension measures originating in either chamber, and minority party House Members sponsored 197 (31%) of the 638 House measures considered under suspension.³² In contrast, minority party Members

³² In the 117th Congress, the Democratic Party controlled the House and Senate. The Senate was split, with 50 Senators caucusing with the Democratic Party and 50 conferencing with the Republican Party. Democratic Vice President Kamala Harris had the power to cast tie-breaking votes, giving the majority to the Democrats. Senate Republicans (continued...)

sponsored 11% of legislation originating in either chamber that was subject to different procedures: privileged business (30 measures), unanimous consent (four measures), and three bills considered pursuant to special rules.³³

Figure 4. Suspension Measures by Party of Sponsor

117th Congress (2021-2022)



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 117th Congress, 641 out of the 783 suspension measures considered (82%) were previously referred to House committees. One House resolution (H.Res. 1512) was considered in the House without a referral. The remaining 141 measures were Senate bills that were “held at the desk” prior to consideration.³⁴

The percentage of suspension measures not referred to House committees significantly increased from the 116th Congress (6% of all suspension measures) to the 117th Congress (18%). This increase was due, in part, to the rise in the number of Senate bills considered under suspension. In the 116th Congress, 11% of suspension measures were Senate bills. In the 117th Congress, the percentage was 19%.

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.

The House Committee on Oversight and Reform was the committee of primary jurisdiction for the largest number of committee-referred measures considered under suspension in the 117th

sponsored 45% (65 bills) of the total number of Senate bills (145) raised and considered under the suspension of the rules procedure.

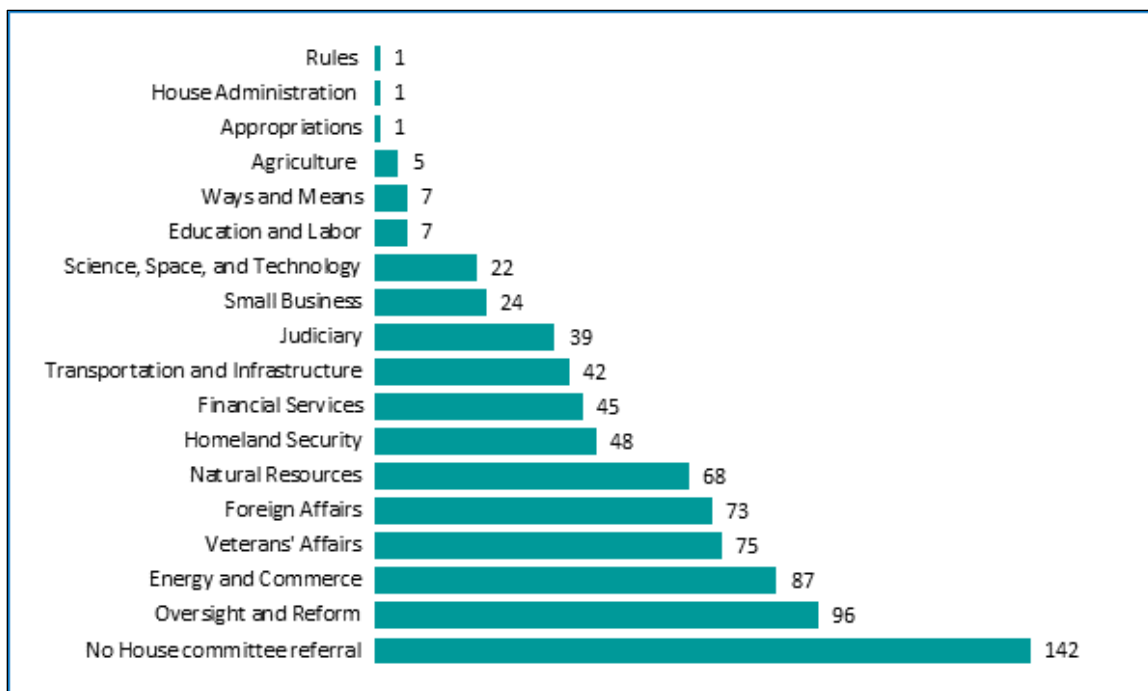
³³ The minority-sponsored bills considered pursuant to special rules were H.R. 4040, S. 1605, and S. 3522.

³⁴ 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, by unanimous consent, or via special rule.

Congress: 96, or 12%, of the total number of suspension measures considered. **Figure 5** shows the number of measures brought up under suspension from each House committee of primary jurisdiction.

Figure 5. Suspension Measures by Committee of Primary Jurisdiction

117th Congress (2021-2022)



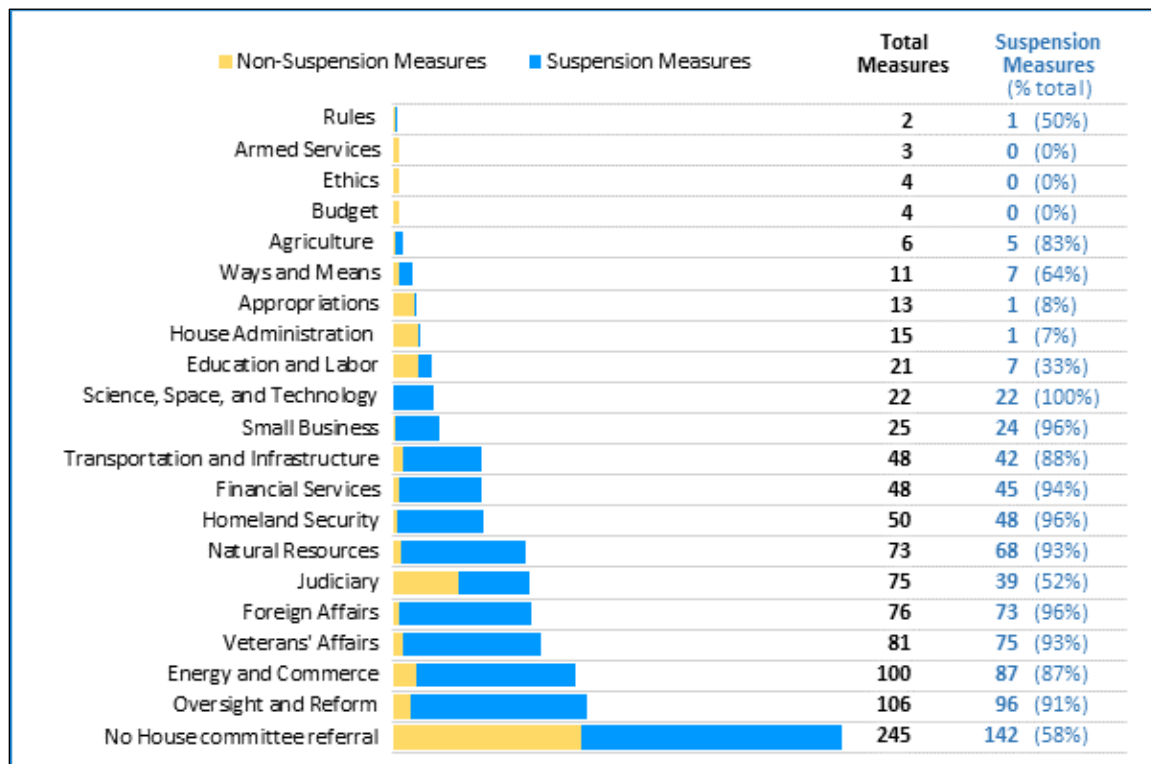
Source: CRS analysis of data from Congress.gov.

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

For most House committees, the majority of their referred measures that reached the floor were raised under the suspension procedure. In the 117th Congress, the exceptions included Armed Services, Ethics, Budget, Appropriations, House Administration, and Education and Labor, which had the majority of their measures considered by special rules, by unanimous consent, or as privileged business (**Figure 6**).

Because a suspension motion requires 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 117th Congress, high-suspension committees included Science, Space, and Technology (100% of the committee's measures receiving floor action); Foreign Affairs, Small Business, and Homeland Security (96%); Financial Services (94%); Natural Resources, and Veterans' Affairs (93%); and Oversight and Reform (91%).

Figure 6. Number of Suspensions Compared to All Measures Considered on the House Floor, Grouped by Committee of Primary Jurisdiction
117th Congress (2021-2022)



Source: CRS analysis of data from Congress.gov.

Notes: Chart displays House and Senate bills and resolutions that were considered on the House floor, excluding special rules reported by the Committee on Rules.

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. A 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 117th Congress, 351 suspension measures (45% of the total) were considered “as amended,” meaning that the text considered pursuant to the suspension motion differed from the measure’s introduced or reported text.

Clause 2 of House Rule XIII requires that a measure reported by a House committee must be accompanied by a written report. Otherwise, it is not placed on a calendar of measures eligible for floor consideration.³⁵ However, the written report requirement is among those rules suspended under the suspension procedure. Thus, a measure may be called up on the floor under suspension of the rules even if a committee never ordered it to be reported or wrote an accompanying committee report.³⁶ Instead, the motion to suspend the rules discharges the committee and brings the legislation directly to the House floor.

³⁵ *House Practice*, ch. 11, §28.

³⁶ In regular practice, a House committee will vote to order a measure reported (almost always favorably), then the (continued...)

In the 117th Congress, 477 (61%) suspension measures were ordered to be reported by House committees. Of this number, 263 (34% of all suspension measures) were reported with accompanying written reports.

Floor Consideration

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.”³⁷ 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. (CRS identified no true opponents of suspension measures in the 117th Congress.³⁸)

The floor managers each control 20 minutes of debate. The managers may be their parties’ sole representatives 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 117th Congress, the measures’ sponsors served as the majority managers on 72 (9%) of the suspension measures. The committee chairs managed 373 (48%) of the measures.

If the majority and minority managers have secured additional speakers, the speakers generally alternate between the parties within the 40-minute limit. Occasionally, floor managers controlling time on a motion to suspend the rules cede their control to other Members during debate. By unanimous consent, the other Member then controls the remaining amount of time allotted.

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 extraneous materials on this bill [resolution].” This request enables “general leave” statements to be inserted into the *Congressional Record*.

Debate and Length of Consideration

Suspension measures are limited to 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 actual period between the start of the first speaker’s remarks and the conclusion of debate may

committee will often prepare a written report and file it on the floor or through the eHopper. However, a motion to suspend the rules and pass a 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. See *House Practice*, ch. 53, §2.

³⁷ Rule XV, clause 1(c); *House Manual*, §891.

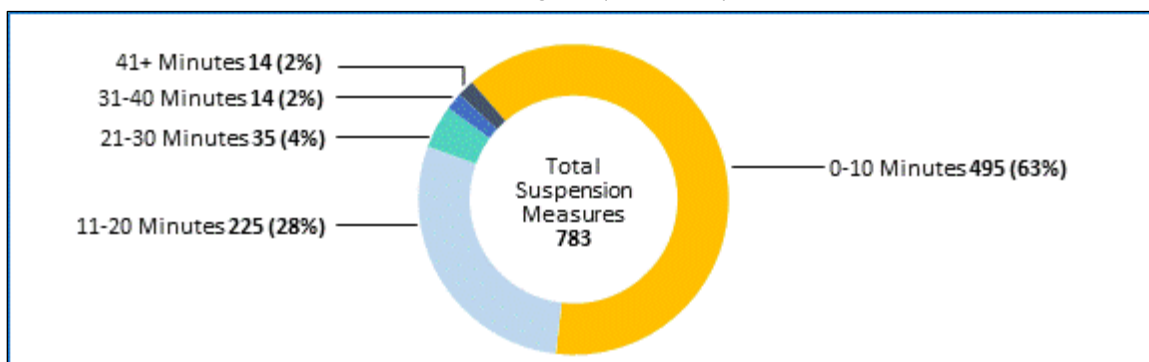
³⁸ In the event that a true opponent claims the time in opposition, the true opponent and the majority bill manager each control 20 minutes of debate time, but either individual may yield a portion of the time (commonly, 10 minutes) to the minority bill manager.

exceed 40 minutes.³⁹ 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.⁴⁰

In the 117th Congress, the average length of consideration on a motion to suspend the rules was under 11 minutes, and more than 60% of the measures considered had debate periods of 10 minutes or less. Thus, while overall debate is limited to 40 minutes under the rule, on most suspension measures, a fraction of that time was actually expended during consideration. Fourteen measures, however, had consideration periods that appeared to exceed 40 minutes as a result of a unanimous consent request for additional time to debate or due to unspecified procedural delays.⁴¹

Figure 7. Length of Debate Periods for Suspension Measures

117th Congress (2021-2022)



Source: CRS analysis of data from Congress.gov.

Notes: Chart reflects initial consideration of House and Senate bills and resolutions. Measures that were debated for a length of time between the displayed intervals (e.g., 10 minutes and 20 seconds) are included in the next higher interval.

House Passage

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 or adopted by the House in the 117th Congress. The defeat of a motion to suspend the rules, however, does not necessarily kill the legislation. After the first failed vote, the Speaker may choose to recognize a Member to make another motion to suspend the rules and pass the bill, perhaps in an amended form, or the House may consider the measure pursuant to a special rule reported by the Committee on Rules.

Via motions to suspend the rules, the House passed 599 of the 607 House bills, 143 of the 145 Senate bills, and all of the House resolutions (26) and House concurrent resolutions (five) that were initially considered under suspension procedure. Eight House bills did not receive the requisite supermajority to pass under suspension procedure. Six of these bills were later considered and approved under the terms of special rules. The other two bills were not returned to

³⁹ “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).

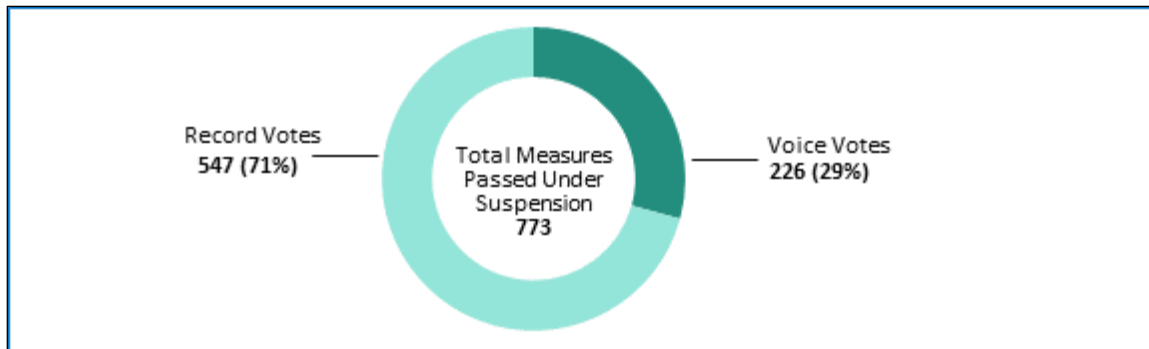
⁴⁰ For the purposes of this report, the length of consideration is the difference in the time between a measure being called up under suspension and the conclusion of debate, as noted in Congress.gov.

⁴¹ H.R. 2954 was subject to a unanimous consent request to extend the time for debate to 80 minutes.

the floor and therefore did not pass the House.⁴² Two motions to suspend the rules and pass Senate bills failed by record vote. The bills, S. 2938 and S. 4003, subsequently passed the House pursuant to special rules.

Figure 8. Adoption of Suspension Motions in the House

117th Congress, 2021-2022



Source: CRS analysis of data from Congress.gov.

Notes: 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 117th Congress, the Senate agreed to one of the five House concurrent resolutions considered under suspension of the rules. The Senate passed 175 of the 607 House bills initially considered under suspension (29%).

Of the 321 suspension measures that passed the House and Senate, 31 entered a “resolution of differences” stage between the chambers.⁴³ Nineteen House bills and 12 Senate bills were subject to the amendment exchange process. (No measure initially considered under suspension of the rules had bicameral differences resolved in conference committees.)

One of these 31 measures, H.R. 5746, did not have its differences resolved because the House and Senate did not agree on the final text as amended by both chambers. The remaining 30 bills were enacted into public law. Another bill, H.R. 5343, passed the Senate with an amendment but did not enter the resolving differences phase or become law because the House did not consider the Senate amendment.

⁴² H.R. 1204 and H.R. 2842 were not considered again in the House after their associated motions to suspend the rules failed by roll call votes.

⁴³ If one chamber passes the other chamber’s bill with an amendment, the two chambers must resolve the textual differences between the two versions of the bill before the bill can be presented to the President. This may be done via an amendment exchange process or a conference committee. See CRS Report R41003, *Amendments Between the Houses: Procedural Options and Effects*, by Elizabeth Rybicki.

Presidential Action

Of the measures initially considered under suspension during the 117th Congress, 173 House bills and 145 Senate bills were presented to President Biden for signature or veto. The President signed all of these measures, so a total of 318 bills were enacted into law (see **Table 1**).

Table 1. Final Status of Legislation Initially Brought Up Under Suspension
117th Congress, 2021-2022

Form of Measure	Number of Measures	Passed House	Passed Both Chambers	Presented to President	Vetoed	Achieved Final Passage/ Became Law
House Bill	607	605 ^a	175	173 ^c	0	173
Senate Bill	145	145 ^b	145	145	0	145
House Concurrent Resolution	5	5	1	N/A	N/A	1
Senate Concurrent Resolution	0	0	0	N/A	N/A	0
House Resolution	26	26	N/A	N/A	N/A	26
Total	783	781	321	318	0	345

Source: CRS analysis of data from Congress.gov.

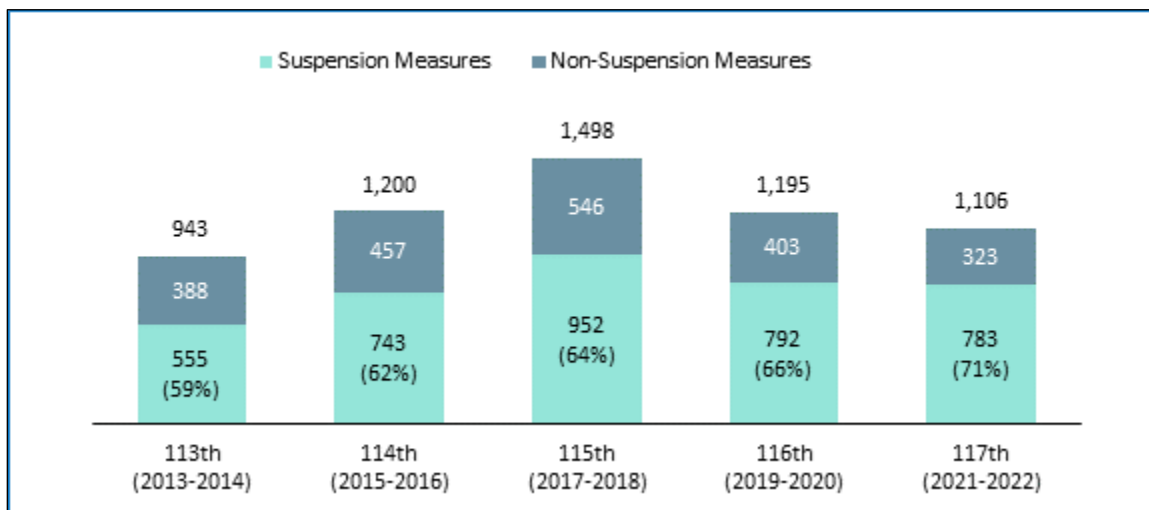
Notes:

- a. Of the 607 House bills initially considered under suspension of the rules, the House passed 599 House bills under the suspension procedure and six under the terms of special rules.
- b. The House passed 143 Senate bills under the suspension procedure and two under the terms of special rules.
- c. Two bills passed both the House and the Senate, but the House and Senate did not agree to identical text, so the bills were not presented to the President.

Appendix. Use of Suspension Motions, 110th-117th Congresses

Figure A-1. Number of Suspensions Compared to All Measures Considered on the House Floor

113th-117th Congresses, 2013-2022



Source: Congress.gov and the following reports by Christopher M. Davis: 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.

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