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Suspension of the Rules: House Practice in the 115th Congress (2017-2018)

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SUMMARY

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Suspension of the Rules: House Practice in the 115th Congress (2017-2018)

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 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 115th Congress (2017-2018), measures considered under suspension made up 64% of the bills and resolutions that received floor action in the House (952 out of 1,498 measures). The majority of suspension measures were House bills (83%), followed by Senate bills (10%) and House resolutions (5%). 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 2017 and 2018, minority-party members sponsored 27% of suspension measures, compared to 14% of legislation subject to different procedures, including privileged business (27 measures) and unanimous consent (48 measures). There were no minority-party sponsored bills that were considered under the terms of a special rule.

Most suspension measures are referred to at least one House committee before their consideration on the floor. The House Committee on Natural Resources was the committee of primary jurisdiction for the plurality of suspension measures considered in the 115th Congress. Additional committees—such as Energy and Commerce, Homeland Security, Oversight and Government Reform (now Oversight and Reform), 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, a fraction of that debate time is actually used. In the 115th Congress, the average amount of time spent considering a motion to suspend the rules was 12½ minutes.

The House adopted nearly every suspension motion considered in 2017 and 2018. Approval by the House, however, did not guarantee final approval in the 115th Congress. The Senate passed or agreed to 37% of the bills, joint resolutions, and concurrent resolutions initially considered in the House under suspension of the rules, and 316 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 115th 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 110th through the 115th Congresses (2007-2018).

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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.[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.[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 broadly supported legislation that 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 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.[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.

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 115th Congress (2017-2018). **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.[6] **Table 1** summarizes the final legislative status of measures initially considered in the House under the suspension of the rules.

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[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), 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.

[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 115th Congress, the House initially considered 64% of all measures receiving floor action under the suspension of the rules procedure, 15% of all measures receiving floor action were privileged under House rules and precedents, 12% were raised by a special rule reported by the Committee on Rules and adopted by the House, 10% were raised by unanimous consent, and no measures were considered under the discharge procedure.

[3] In the 115th Congress, the House considered H.J.Res. 2, proposing a balanced budget amendment to the Constitution, under the suspension of the rules procedure. However, the time for debate was extended to four hours pursuant to the terms of a special rule reported by the House Rules Committee: H.Res. 811. As noted, the suspension procedure is generally used for measures with broad bipartisan support. H.J.Res. 2 represents an exception.

[4] The statistics for use of suspension procedures in the 115th Congress do not differ in significant ways from those in the 114th Congress. See CRS Report R45545, *Suspension of the Rules: House Practice in the 114th Congress (2015-2016)*, by Jane A. Hudiburg.

[5] 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.

[6] 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 115th Congress.

Finally, the **Appendix** depicts the use of the suspension procedure from the 110th through the 115th Congresses (2009-2018).

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."[7]

Suspension motions are in order on designated days. Rule XV states that "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."[8] 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.[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 … such as ordering the previous question, third reading, recommittal, or division of the question."[11]

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.[12]

Suspension motions are "debatable for 40 minutes, one-half in favor of the motion and one-half in opposition thereto."[13] 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.

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[7] *House Practice*, ch. 53, §2.

[8] U.S. Congress, House, *Constitution, Jefferson's Manual and the Rules of the House* (hereinafter *House Manual*), 115th Cong., 2nd sess., 2017, 115-177 (Washington: GPO, 2019), §885.

[9] *House Manual*, §887.

[10] *House Manual*, §886a.

[11] *House Practice*, ch. 53, §2.

[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] In the 115th Congress, the House considered H.J.Res. 2 under the suspension of the rules procedure, but the consideration of the joint resolution was also affected by the terms of a special rule reported by the House Rules Committee, H.Res. 811, which allowed up to four hours of floor debate. See *House Manual*, §891.

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."[14] 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 consider the measure again under suspension, or the Committee on Rules may report a special rule that provides for floor consideration of the measure.[15]

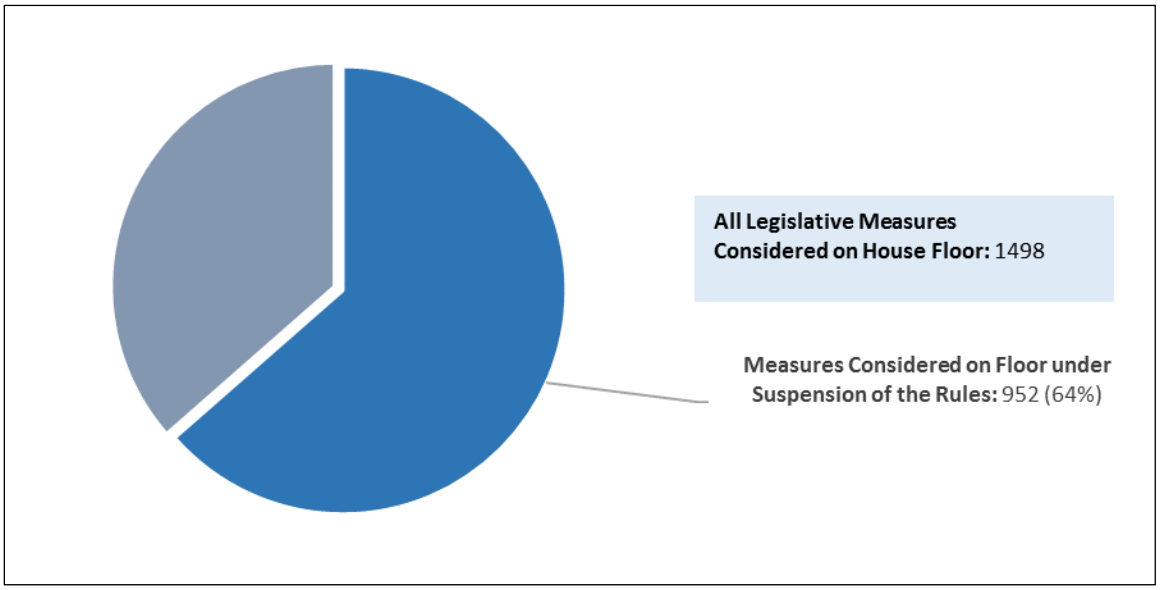
Prevalence and Form of Suspension Measures, 115th Congress

As illustrated in **Figure 1**, the majority of measures considered on the House floor during the 115th Congress were initially called up under the suspension of the rules procedure. Sixty-four percent of all measures that received floor action were initially considered under suspension (952 out of the 1,498), compared to those under the terms of a special rule (12%), unanimous consent (10%), or privileged business (15%).

Figure 2 displays the form of suspension measures. Most of the measures considered under suspension during the 115th Congress (94%) were bills. House bills made up 83% of the suspension total, Senate bills 10%. The remaining measures were House resolutions, House concurrent resolutions, and House joint resolutions. There were no Senate concurrent or joint resolutions considered under suspension of the rules in the 115th Congress.

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

115th Congress (2017-2018)



Source: CRS analysis of data from Congress.gov.

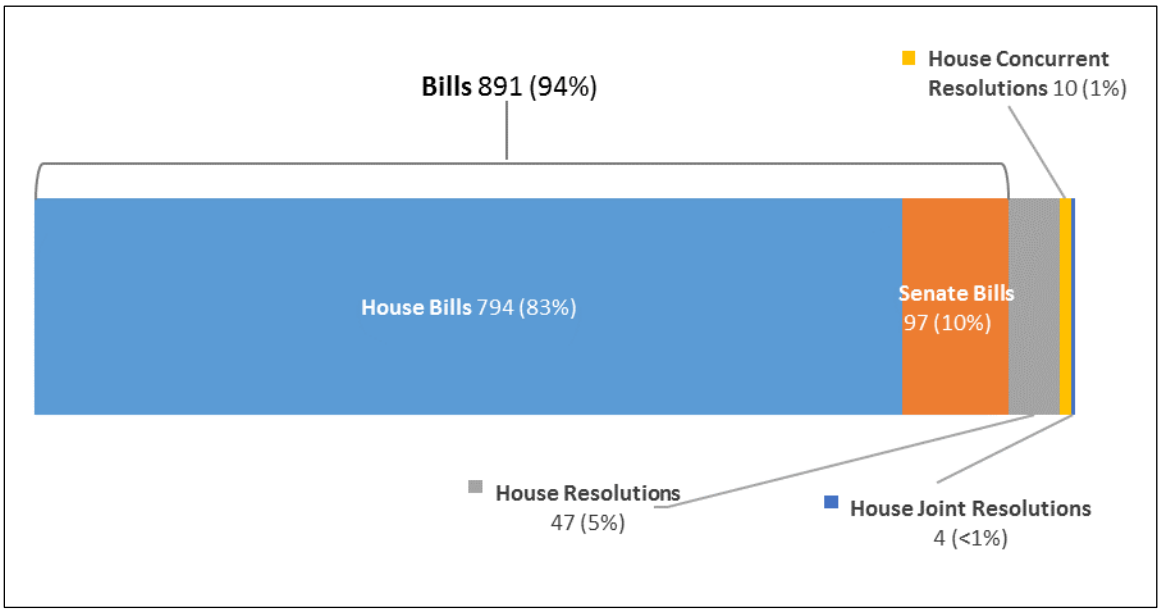
Note: Chart reflects initial consideration of House and Senate bills and resolutions.

[14] *House Manual*, §885.

[15] *House Practice*, ch. 53, §1.

Figure 2. Forms of Measures Considered Under Suspension Procedure

115th Congress (2017-2018)



Source: CRS analysis of data from Congress.gov.

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

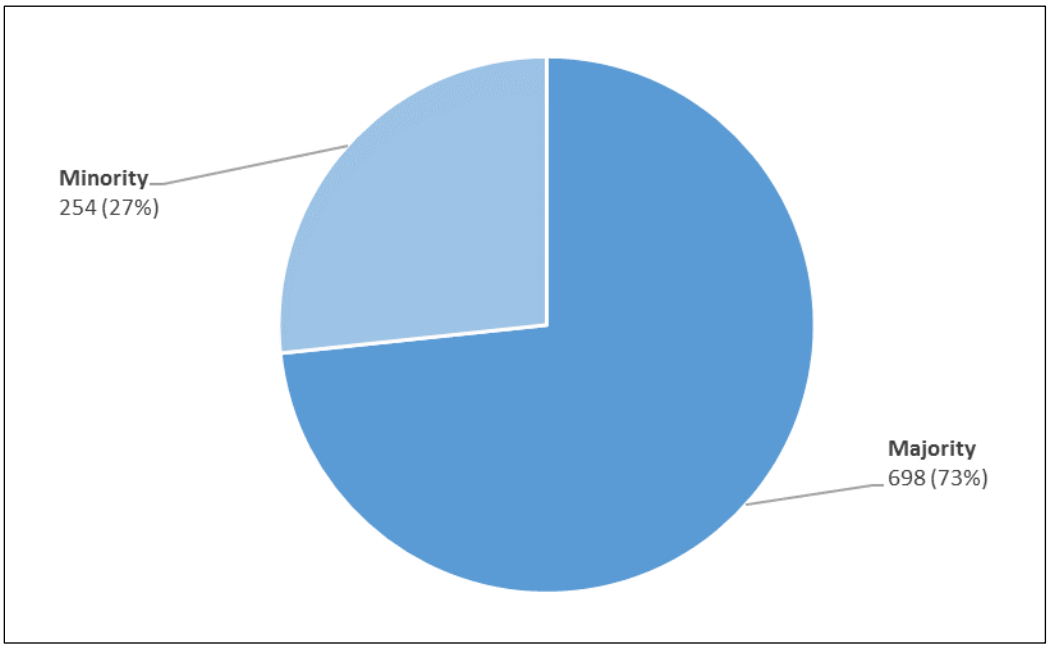
Sponsors of Suspension Measures

As represented in **Figure 3**, most suspension measures were sponsored by members of the majority party during the 115th Congress. House or Senate majority-party members sponsored 73% of all bills and resolutions initially considered in the House under suspension, while House majority-party members sponsored 627 (73%) of the 855 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 115th Congress, 77% 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 27% of all suspension measures originating in either chamber, compared to 14% of legislation subject to different procedures, including privileged business (27 measures) and unanimous consent (48 measures). Minority-party House Members sponsored 228 (27%) of the 855 House measures considered under suspension. There were no minority-sponsored measures considered under the terms of a special rule.

Figure 3. Suspension Measures by Party of Sponsor

115th Congress (2017-2018)



Source: CRS analysis of data from Congress.gov.

Note: 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 115th Congress, 896 out of the 952 suspension measures considered (94%) were previously referred to a House committee. Of the 55 measures that were considered without a referral, 51 were Senate bills that were "held at the desk," and 4 were House resolutions that provided concurrence to Senate amendments with an amendment.[16]

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.

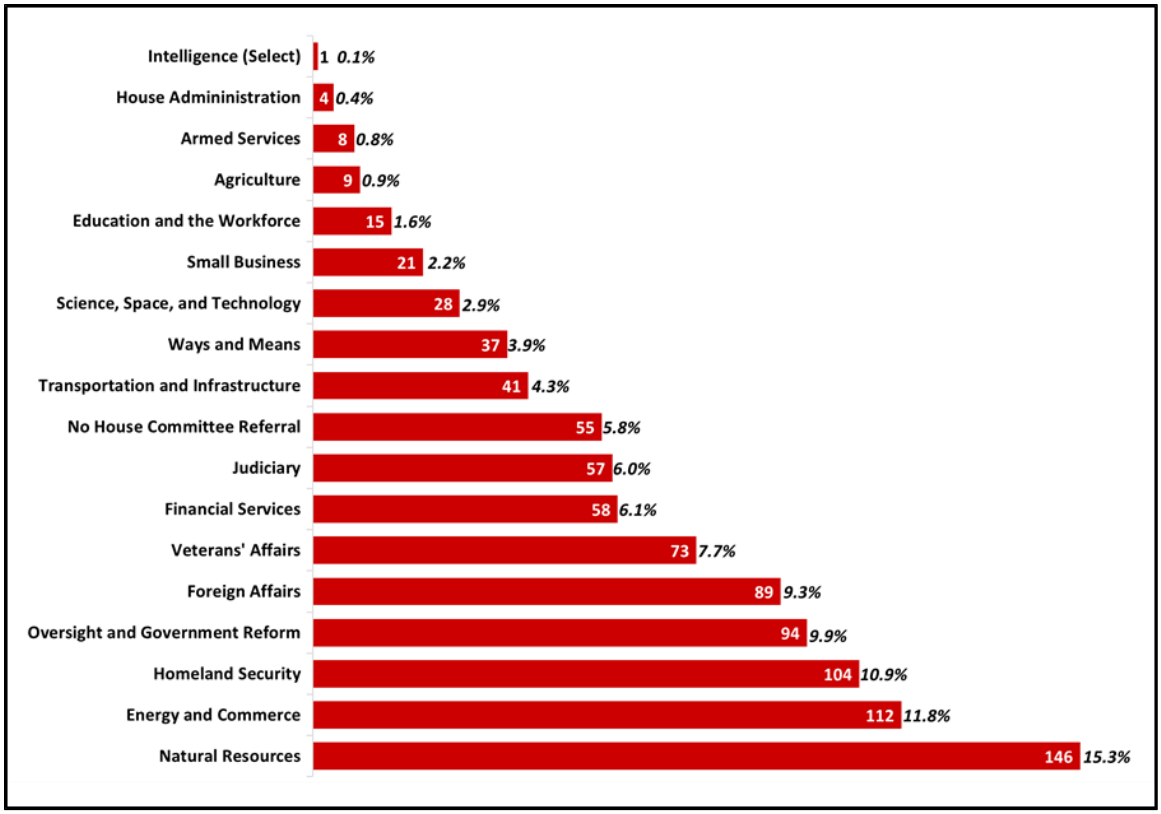
The House Committee on Natural Resources was the committee of primary jurisdiction for the plurality of measures considered under suspension in the 115th Congress: 146, or 15%, of the total

[16] 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.

number of suspension measures considered. Many of these bills concerned the designation or use of federally owned land.

Figure 4. Suspension Measures by Committee of Primary Jurisdiction

115th Congress (2017-2018)



Source: CRS analysis of data from Congress.gov.

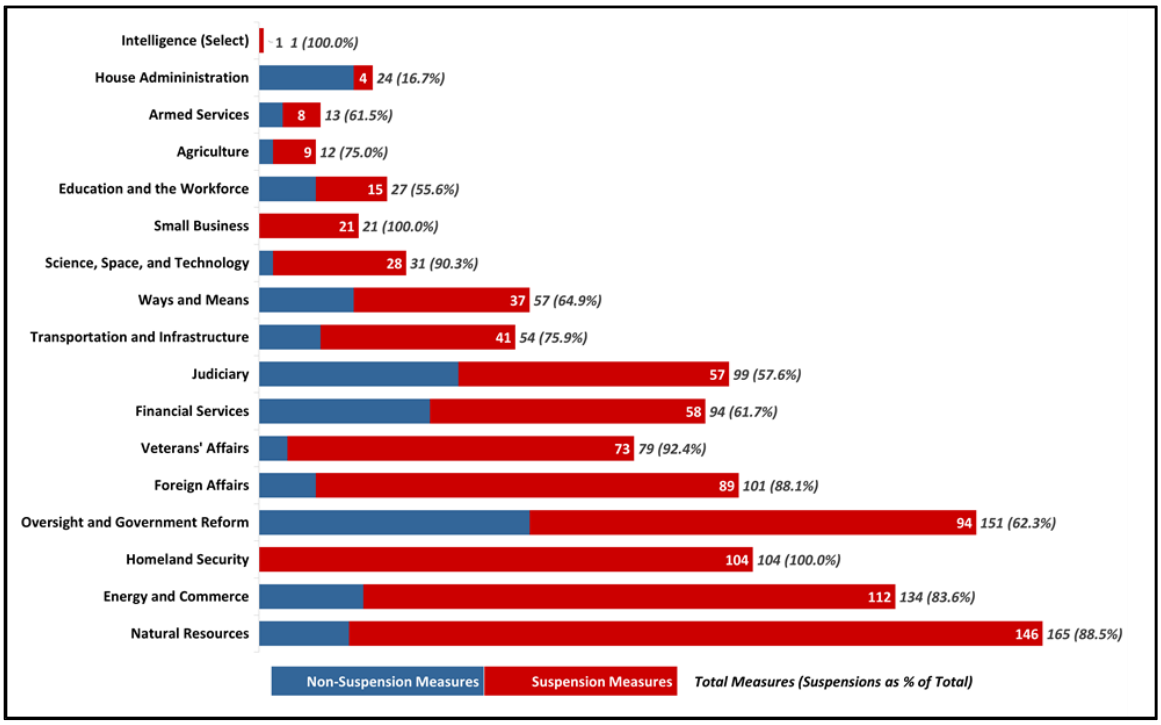
Notes: Chart reflects initial consideration of House and Senate bills and resolutions. Percentages may not total 100% due to rounding.

For most House committees, the majority of their referred measures that reached the floor were raised under the suspension procedure. In the 115th Congress, the three exceptions were the Committee on House Administration—which had several measures considered by unanimous consent—and the Committees on Budget and Appropriations, which had all or most of their measures considered pursuant to special rules, respectively. For the other committees, suspension measures ranged from 56% 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 115th Congress, high-suspension committees included Small Business and Homeland Security (100% of measures receiving floor action); Veterans' Affairs (92%); and Science, Space, and Technology (90%). 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

115th Congress (2017-2018)



Source: CRS analysis of data from Congress.gov.

Note: 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 115th Congress, 521 suspension measures (55% 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.[17] 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.[18] Instead, the motion to suspend the rules discharges the committee and moves the legislation directly to the House floor.

[17] *House Practice*, ch. 11, §28.

[18] In regular practice, House committees will vote to order a measure reported (almost always favorably), then the committee will often prepare a written report and file it on the floor. 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

In the 115th Congress, 659 (69%) suspension measures were ordered to be reported by a House committee. Of this number, 505 were reported with an accompanying House committee report. Fifty-seven measures that did not have a House report did have a Senate report (of these, 24 were Senate bills that did not receive a House committee referral), while 390 measures had no written report from either chamber (41% of the total number of suspension measures).

Floor Consideration

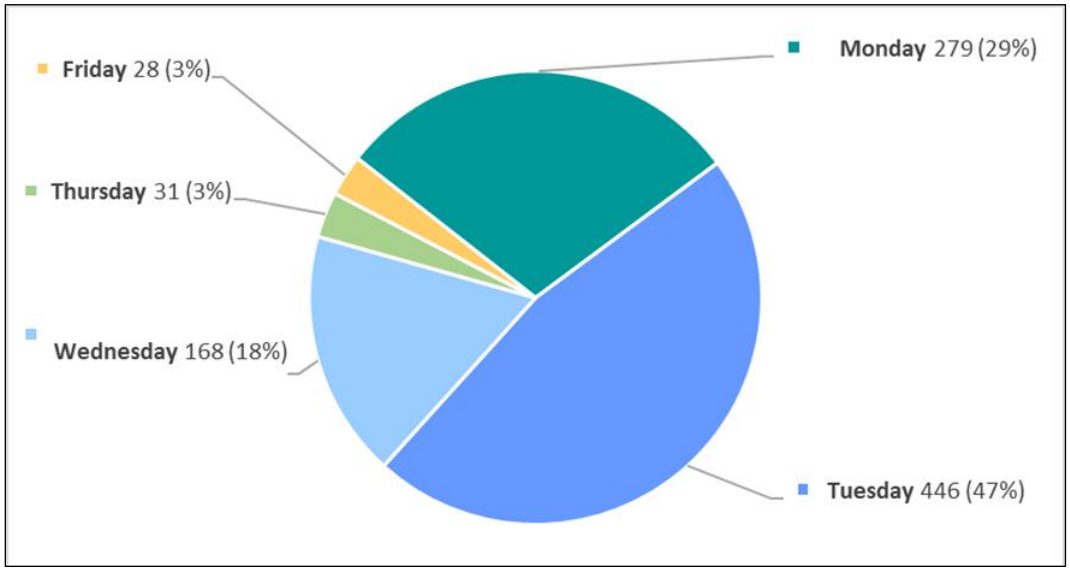
Raising Measures (Day of Week)

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 115th Congress, the plurality of suspension measures were considered on Tuesdays (446, 47% of the total number considered), followed by Mondays (279, 29%) and Wednesdays (168, 18%). In addition, 31 suspension measures were considered on Thursdays and 28 on Fridays. Of these, 7 were considered by unanimous consent, while 52 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

115th Congress (2017-2018)



Source: CRS analysis of data from Congress.gov.

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

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.

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."[19] 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.[20] 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 115th Congress, the measure's sponsor served as the majority manager on 23% of the suspension measures receiving floor action. The committee chair managed 28% of the measures. The minority manager was the measure's sponsor for 9% of the measures and the committee's ranking member for 25% of the measures considered.

Occasionally, floor managers controlling time on a motion to suspend the rules ceded their control to other Members during debate. By unanimous request, the other Member then controlled the remaining amount of time allotted.

In one identified case, another Member claimed the time in true opposition during the initial floor consideration on the basis of both the majority and minority floor managers favoring the measure. Pursuant to the rule, the Member in true opposition then controlled 20 minutes of debate.[21] In at least two instances, the minority manager opposed the measure.[22]

Debate

Managers and Additional Speakers

A majority floor manager makes the motion to suspend the rules by stating, "Mr. [or 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 115th Congress, on a motion to suspend the rules, the average number of speakers in addition to the floor managers was fewer than two. On 56% of the measures (531) considered, there were one or two additional speakers. On 28% of the measures (268) considered, there were no additional speakers, and in 14% of the measures (136) considered, there were 3 to 13 additional speakers. Seventeen measures had 14 or

[19] *House Manual*, clause 1(c), Rule XV, §891, p. 690.

[20] In the event a true opponent claimed the time in opposition, the time is often divided among 3 managers, with each supporter controlling 10 minutes and the opponent controlling 20 minutes.

[21] One Member rose in true opposition to S. 447, Justice for Uncompensated Survivors Today Act of 2017.

[22] The two identified instances in which the minority manager opposed the measure were H.J.Res. 2, "proposing a balanced budget amendment to the Constitution," and H.Res. 990, "supporting the officers and personnel who carry out the important mission of the U.S. Immigration and Customs Enforcement."

more additional speakers. The measure with the most additional speakers (34), H.J.Res. 2, proposing an amendment to the Constitution, was allowed four hours of debate under the terms of a special rule (H.Res. 811).

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*. In 20% of the suspension measures considered in the 115th 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.[23] 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.[24]

In the 115th Congress, the average length of consideration on a motion to suspend the rules was 12 minutes and 21 seconds, and more than half of the measures considered had a debate period of 10 minutes or less.[25] 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. Twenty-eight measures, however, had consideration periods that exceeded 40 minutes due to procedural delays or, in the case of H.J.Res. 2, proposing an amendment to the Constitution, due to the terms of a special rule (H.Res. 811), which enabled 4 hours of debate.[26]

[23] "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.

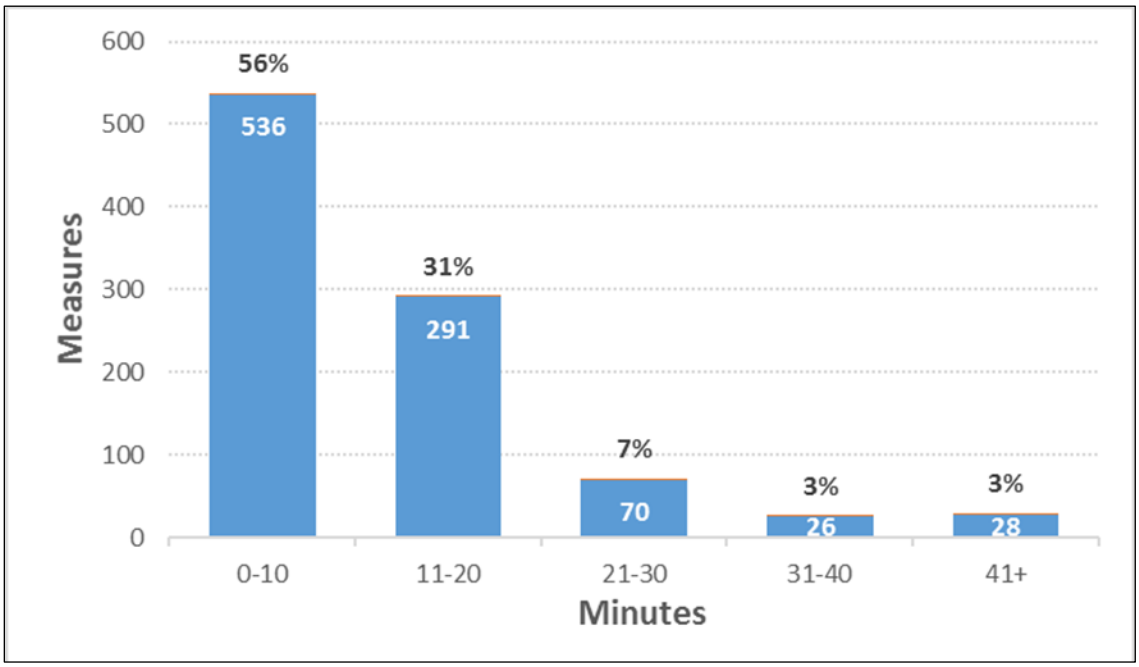
[24] For the purposes of this report, the length of consideration is the difference in the time between a measure being called up under suspension and the conclusion of debate.

[25] This excludes H.J.Res. 2, proposing an amendment to the Constitution, which was provided four hours of debate under the terms of H.Res. 811, and H.R. 132, whose floor consideration was interrupted by an agreed-to motion to adjourn.

[26] H.Res. 811 stated, in part, "(a) It shall be in order at any time on the legislative day of April 12, 2018, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the joint resolution (H.J.Res. 2) proposing a balanced budget amendment to the Constitution of the United States. Debate on such a motion shall be extended to four hours."

Figure 7. Length of Debate Periods for Suspension Measures

115th Congress (2017-2018)



Source: CRS analysis of data from Congress.gov.

Notes: Chart reflects initial consideration of House and Senate bills and resolutions. Percentages may not total 100% due to rounding. H.R. 132, which had its debate interrupted by a motion to adjourn, is not included.

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 115th Congress.

The House passed, via motions to suspend the rules, 790 of the 794 House bills that were initially considered under suspension. Four House bills did not receive the requisite supermajority. Three of these bills were later considered and approved under the terms of a special rule. The other bill did not return to the floor and therefore did not pass the House.[27]

The House agreed to all House resolutions (47) and concurrent resolutions (10) that were considered under suspension. The House approved three out of the four House joint resolutions. The House joint resolution that did not receive the requisite supermajority was H.J.Res. 2, proposing a balanced budget amendment to the Constitution.[28] The House approved 93 out of the 97 Senate bills under the suspension procedure. One of the Senate bills, which initially failed in the House, was later passed under the terms of a special rule.[29] The other three Senate bills did not receive further consideration in the House.

[27] H.R. 7388 failed under suspension and was not reconsidered. H.R. 3180, H.R. 3823, and H.R. 5247 passed in the House under a special rule.

[28] Amendments to the Constitution require a two-thirds vote of approval in both houses regardless of whether they are initially considered in the House under the terms of a special rule or under the suspension of the rules procedure.

[29] S. 114 initially failed under suspension and later was approved following consideration under the terms of a special

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 2017 and 2018, this method of voting led to the final approval of 72% (687) 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 266 (28%) of the suspension measures considered in the 115th 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 two cases, demanding a recorded vote.[30] 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.[31] Of the 266 record votes, 2 immediately followed debate on the measure. The remaining 264 votes were postponed to another time on the legislative schedule, usually later the same day.

In the 115th Congress, 257 suspension motions were adopted by record vote, and 9 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, four of the initially unsuccessful measures were later called up and passed under the terms of a special rule. The House Rules Committee reported a special rule for another measure, but the special rule was not considered on the floor, so the measure did not receive further action. Four additional measures were not considered again, via any procedure, before the end of the 115th Congress. Thus, of the measures initially considered on the House floor under suspension of the rules, five did not receive House approval.

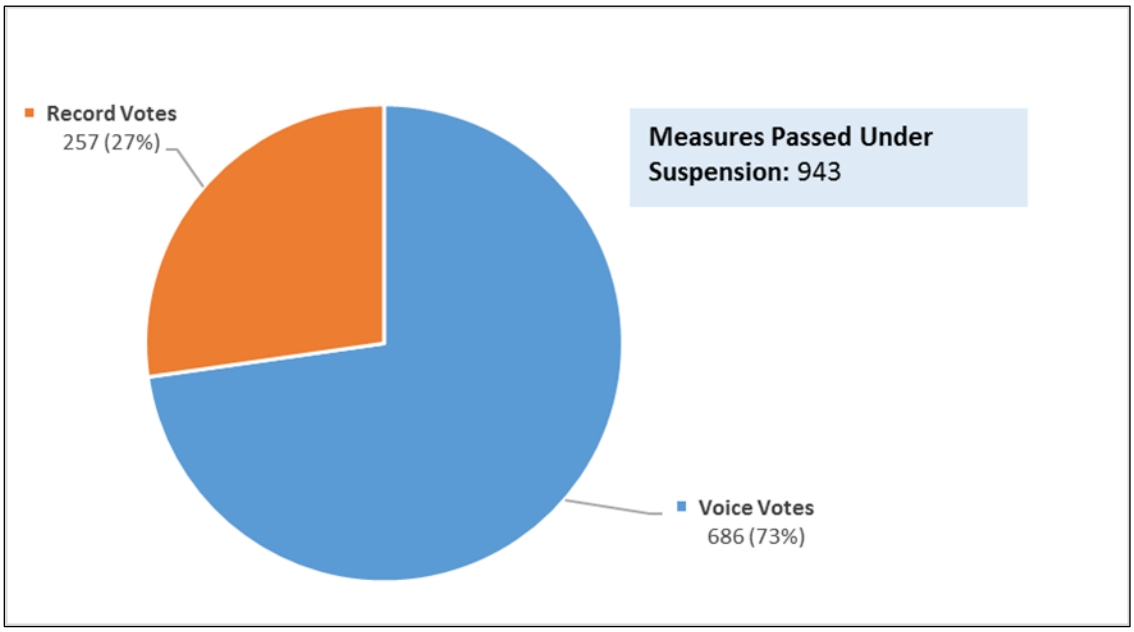
rule. The three Senate bills that failed under suspension and were not later approved were S. 2322, S. 3277, and S. 1934.

[30] 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; CRS Report 98-228, *House Voting Procedures: Forms and Requirements*, by Jane A. Hudiburg; and CRS Report 98-988, *Voting and Quorum Procedures in the House of Representatives*, coordinated by Elizabeth Rybicki.

[31] *House Manual*, clause 8(a), Rule XX, §1030.

Figure 8. Adoption of Suspension Motions in the House

115th Congress, 2017-2018



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 115th Congress, the Senate agreed to 1 of the 4 House joint resolutions and 6 of the 10 House concurrent resolutions considered under suspension of the rules. The Senate passed 229 of the 794 House bills initially considered under suspension (29%).

Of the number of suspension measures that passed the House and Senate, 77 entered a "resolution of differences" stage between the chambers. Fifty-eight House measures and 19 Senate bills were subject to an amendment exchange process. (No measure initially considered under suspension of the rules had bicameral differences resolved in a conference committee.) Two of these measures, H.R. 88 and H.R. 695, did not have their differences resolved because the House and Senate did not agree on the final text as amended by both chambers.

The House passed, with amendments, two Senate bills (S. 488 and S. 2497) that did not enter the "resolving differences" stage because the Senate did not take up the House amendments. Likewise, the Senate passed, with amendments, four House bills (H.R. 4969, H.R. 4203, H.R. 1967, and H.R. 1020) that did not receive final passage because the House did not take up the

Senate amendments. Thus, these bills, as well as H.R. 88 and H.R. 695, were not enacted into law.[32]

Presidential Action

Of the measures initially considered under suspension during the 115th Congress, President Trump was presented with 223 House bills, 92 Senate bills, and one House joint resolution for signature or veto. The President signed all of these measures (vetoing none), so a total of 315 bills, and one joint resolution, were enacted into law (see **Table 1**).

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

115th Congress, 2017-2018

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	794	793[a]	229	223	0	223 (28%)
Senate Bill	97	94[b]	94	92	0	92 (95%)
House Joint Resolution	4	3	1	1	0	1 (25%)
House Concurrent Resolution	10	10	6	N/A	N/A	6 (60%)
Senate Concurrent Resolution	0	0	0	N/A	N/A	0
House Resolution	47	47	N/A	N/A	N/A	47 (100%)
Total	**952**	**947**	**330**	**316**	**0**	**369 (39%)**

Source: CRS analysis of data from Congress.gov.

Notes:

a. Of the measures initially considered under suspension of the rules, the House passed 790 House bills under the suspension procedure and 3 under the terms of a special rule.

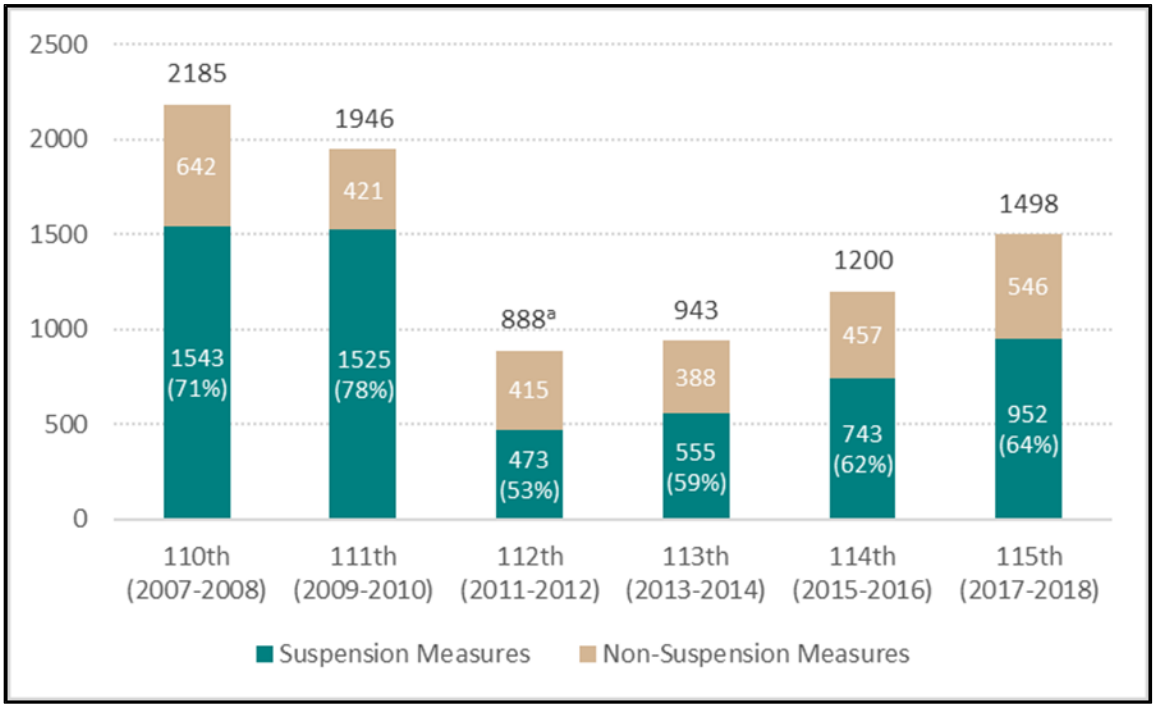
b. The House passed 93 Senate bills under the suspension procedure and 1 under the terms of a special rule.

[32] H.R. 695's initial title was the Child Protection Improvements Act of 2017. The bill was later used as a vehicle to consider FY2019 appropriations to several agencies. Provisions in H.R. 695 were later rolled into H.R. 1625, the Consolidated Appropriations Act, 2018. Additional bills that were not adopted had provisions that were added to measures that were enacted.

Appendix. Use of Suspension Motions, 110th-115th Congresses

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

110th-115th Congresses, 2007-2018



Sources: 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. At the start of the 112th 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. See CRS Report R43539, *Commemorations in Congress: Options for Honoring Individuals, Groups, and Events*, coordinated by Jacob R. Straus.

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