

# Considering Measures in the House Under the One-Hour Rule

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The fundamental rule of the House of Representatives governing debate is the one-hour rule.<sup>1</sup> Clause 2 of Rule XVII states in part that no one shall “occupy more than one hour in debate on a question in the House.” When the House debates a bill on the floor under this rule, the bill is said to be considered “in the House.” The House considers bills on the floor under the one-hour rule unless it resorts to one of the alternative packages of floor procedures provided under House rules, especially the Committee of the Whole and motions to suspend the rules. In some cases, a primary advantage for choosing one of these alternative procedures is that they avoid some of the difficulties that can arise when the House debates a bill under the one-hour rule.<sup>2</sup>

In theory, the one-hour rule allows each Member of the House to speak for an hour on any question, meaning not only each bill but also each amendment to that bill and each debatable motion that Members propose during the bill’s consideration. Potentially, the result could be debates of interminable length, which could make it impossible for the House to complete its legislative work in a timely fashion. In practice, however, the one-hour rule typically limits *all* Members of the House to a *total* of only a single hour of debate on the bill and any amendments and motions relating to its passage. This can be insufficient time for the House to consider many of the important and controversial bills that it takes up each year. As a result, the House actually debates relatively few bills on the floor each year under the one-hour rule. Although any bill or resolution on the House Calendar (but not those on the Union Calendar) can be considered “in the House,” the measures most likely to be considered in this way are “special rules”—resolutions reported by the Rules Committee providing for other bills and resolutions to be considered in the Committee of the Whole.

### ***Controlling the First Hour***

When a bill is considered “in the House,” the Speaker recognizes the majority floor manager of the bill to control the first hour of debate. The majority floor manager is typically the chair of the committee or subcommittee that had reported the bill. The majority floor manager controls what happens during this hour. No one else can speak or propose an amendment or motion unless the majority floor manager yields to another Member for that purpose. The majority floor manager normally yields part of the one hour to other Members “for purposes of debate only.”

### ***Opening Statements***

The majority floor manager first makes an opening statement on the bill. Even before beginning this statement, the majority floor manager customarily yields one-half of this hour to be controlled by the minority floor manager, who is usually the ranking minority Member of the same committee or subcommittee. In these instances, the majority floor manager opens the debate and then reserves the balance of his or her time. The minority floor manager follows with an opening statement and also concludes by reserving the balance of his or her time.

### ***Yielding Time***

Each floor manager then yields portions of the time remaining under his or her control to other Members who also wish to speak. Either floor manager may yield to another Member for a

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<sup>1</sup> For more information on consideration and debate in the House, including the hour rule, see Wm. Holmes Brown, Charles W. Johnson, and John V. Sullivan, *House Practice: A Guide to the Rules, Precedents, and Procedures of the House* (Washington, DC: GPO, 2011), chapter 16, pp. 381-448.

<sup>2</sup> For more on consideration of measures in the House generally, see CRS Report RS20067, *How Measures Are Brought to the House Floor: A Brief Introduction*, by Christopher M. Davis.

specified number of minutes or for as much time as that other Member may consume. At the conclusion of each speech, the Speaker again recognizes one of the floor managers either to speak or to yield time for other Members to speak. In doing so, the Speaker may recognize the floor manager who has the most time remaining in an effort to make sure that the time for debate on each side is used at roughly the same rate. The majority floor manager has the right to close the debate.

### *The Previous Question*

At the end of the hour, or at least after any time that the minority floor manager controls has been consumed or yielded back, the majority floor manager can be expected to move the previous question on the bill. This nondebatable motion proposes to end the debate on the bill, preclude amendments to the bill, and bring the House to a vote on passing the bill without intervening motions, except for the possibility of motions to adjourn, table the bill, or recommit the bill to committee (with or without amendatory instructions). The motion to order the previous question requires only a simple majority vote for adoption, and the motion is rarely defeated. As a result, debate under the one-hour rule rarely continues for more than one hour in total, not one hour for each Member.

### *Opportunities to Amend*

Although amendments are not prohibited under the hour rule, they are rare. There are three ways in which Members may be able to offer amendments, however. First, the motion to recommit the bill can instruct the committee to report the bill back to the House immediately with a certain amendment that is contained in the instructions. The House's rules protect the right of the minority party to offer such a motion.<sup>3</sup> Second, it may be possible to offer an amendment before the previous question is ordered. There is no right to do this, however, and it happens only if the Member recognized by the Speaker to control the hour—in other words, the floor manager—yields time for that purpose. In virtually every case, however, the majority floor manager supports the bill in the form in which it is called up for consideration and is thus unlikely to yield for that purpose. As a consequence, this happens infrequently. Finally, the House can vote against ordering the previous question, allowing the debate to continue for a second hour. For control of this hour, the Speaker recognizes the leading opponent of ordering the previous question—usually the minority floor manager—and that Member can then propose an amendment or yield to an ally for that purpose. At the conclusion of the second hour, if not before, the Member controlling the floor can be expected to move the previous question on both the bill and the amendment to it. If the House votes to order the previous question, it proceeds to vote first on the amendment and then on the bill as it may now have been amended.

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<sup>3</sup> The motion to recommit is not in order on a special rule. U.S. Congress, House of Representatives, *Constitution, Jefferson's Manual and Rules of the House of Representatives of the United States, One Hundred Fourteenth Congress*, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., H.Doc. 113-181 (Washington, DC: GPO, 2015), §1002, p. 815.

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This report was originally authored by Stanley Bach, former Senior Specialist at CRS. The listed author updated this report and is available to respond to inquiries on the subject.

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