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A Look at Suspension Bills in the 117th Congress

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The standing rules of the House of Representatives govern the daily order of the chamber, from what members can wear on the House floor to how bills are considered. One of the standing rules most often used actually *bypasses* the rules that control the consideration of bills on the House floor and fasttracks legislation that has broad support and little need for prolonged debate.

The majority of bills that pass in the House do so under “suspension of the rules,” making the expedited “suspension bill” process attractive to lawmakers who want to advance their legislation. This explainer examines trends around suspension bills that received a recorded vote¹ during the first session of the 117th Congress, covering calendar year 2021. The data that informed this report can be found [here](#).

How the Suspension Process Works

House Rule XV, Clause 1 establishes the [motion to suspend the rules](#), which allows a bill to advance to a floor vote without lawmakers adopting a rule that would otherwise govern the bill’s consideration and stipulate matters like debate time or allowing amendments to the bill on the House floor. However, there are some constraints when using this procedure. First, the *motion to suspend the rules* is only in order on Mondays, Tuesdays, and Wednesdays, as well as during the last six days of a session of Congress. The Speaker of the House can also recognize this motion on other days by unanimous consent or by special order of business. Second, the *motion to suspend the rules* is debatable for 40 minutes, equally divided between the majority and the minority party. Generally, the floor managers are the Chair and Ranking Member of the committee with jurisdiction over the bill being considered. Third, lawmakers cannot offer floor amendments to the bill when it is considered under suspension. The member moving to suspend the rules, however, can offer amendments as part of their motion. Lastly, this procedure requires at least two-thirds of the members voting to approve the suspension, meaning that bills considered through this procedure are usually noncontroversial. If the suspension motion fails to get a two-thirds vote, the bill can be considered again under suspension of the rules or under a rule that has been passed by the Rules Committee and the full House.

¹ Some suspension bills pass via voice vote, but recorded votes became more common in 2021 as they were used by some Republican members to slow down floor proceedings.

Rate of Passage

Suspension bills make up the majority of the bills the House votes on, and almost always pass. During the first session of the 117th Congress, a total 370 bills and resolutions received a recorded vote in the House, with suspension bills accounting for 261, or around 71%, of the recorded votes. Of these suspension bills, 257, or 99%, passed the House and only four bills were voted down. Additionally, suspension bills account for 54, or around 64%, of the 85 bills that were enacted and signed into law by President Biden thus far.

While the *motion to suspend the rules* is a mechanism unique to the House, it can also be used to advance bills that originated and passed in the Senate. Of the 261 suspension bills voted on in the first session of the 117th Congress, 18 originated in the Senate and 243 came from the House. Even though Senate bills only accounted for 7% of all suspension bills, all 18 became law, compared to 36 bills that originated in the House. The following breakdowns will look at the 243 bills that originated in the House and their sponsors.

Breakdown by Party of the the Sponsor

House leadership and committee chairs play a major role in deciding which bills advance through the suspension process. Because Democrats currently control the House, it is expected that most suspension bills considered and passed will be sponsored by a Democratic lawmaker. In fact, 69%, or 168, of the 243 suspension bills that received a recorded vote and originated in the House were spearheaded by Democrats, while 31% were led by Republicans. Moreover, Democrats accounted for 28, or around 78%, of the 36 bills enacted. Republicans accounted for eight, or 22%.

Passing bills is an important responsibility for all lawmakers, but it is especially important for vulnerable incumbents and freshman lawmakers, and House leadership will typically work to ensure they secure wins that they can tout in their districts. The Democratic freshman class for the 117th Congress consists of 18 lawmakers, or around 8% of their caucus, and account for around 4% of the Democratic-sponsored suspension bills. The 32 Democratic members with [the most competitive seats](#) make up 14% of their caucus, and account for 14% of the Democratic-sponsored suspension bills.

Breakdown by Race and Ethnicity of the Sponsor

While Congress is an overwhelmingly White institution, lawmakers from diverse backgrounds have found some success passing bills through the suspension process. White lawmakers make up around 72% of House members, but accounted for 66% of the suspension bills that received a recorded vote and originated in the House. Meanwhile, Black lawmakers make up around 13% of House members, but accounted for around 20% of the suspension bills. Lawmakers from the Asian American and Pacific Islander (AAPI) communities make up around 4% of House members, but accounted for around 6% of the suspension bills. Native American lawmakers make up 1% and accounted for 1% of the suspension bills. However, not all

demographics were proportionally represented. Latino lawmakers make up just over 10% of House members, but only accounted for 9% of suspension bills. Likewise, lawmakers from the Middle East and North African communities make up close to 2% of House members, but accounted for around 1.5%. It is important to note that some lawmakers belong to more than one of the above mentioned groups.

Breakdown by Sponsors' Caucuses

Congress has hundreds of caucuses that focus on a variety of issues. Some of the largest and most active caucuses are those comprised of members with certain racial or ethnic backgrounds. Looking at the Congressional Black Caucus (CBC), the Congressional Hispanic Caucus (CHC), and the Congressional Asian Pacific American Caucus (CAPAC), all of which have Democratic members only, just one organization outperforms their makeup in the Democratic Caucus. The 56 members of the CBC make up just over a quarter of House Democrats, but accounted for close to 29% of the Democratic-led suspension bills. The 34 CHC members make up around 15% of House Democrats, but accounted for just under 10% of suspension bills. The disparity for CAPAC is much wider. The 70 CAPAC members make up close to 32% of House members, but accounted for around 7% of suspension bills. However, it is important to note that CAPAC membership goes beyond lawmakers from the AAPI community and includes lawmakers from different racial and ethnic backgrounds. It is also important to note that some lawmakers belong to more than one of the above mentioned organizations.

Ideological caucuses like the Congressional Progressive Caucus (CPC), composed of progressive Democrats, and New Democrat Coalition (NDC), composed of centrist Democrats, also have large and active memberships. The CPC and NDC each account for around 44% of House Democrats, respectively, and have comparable success in leading suspension bills. CPC members accounted for close to 45% of Democratic-sponsored suspension bills, while NDC members accounted for just under 44%. It is important to note that 14 CPC members are also committee chairs and often lead suspension bills that are under their respective committee's jurisdiction. CPC members who do not hold chairs make up around 37% of House Democrats, while accounting for 32% of the Democratic-sponsored suspension bills. On the other hand, only three NDC members hold committee chairs. NDC members who do not hold chairs make up around 42% of House Democrats, while accounting for 41% of Democratic-sponsored suspension bills. Note that some members belong to both the CPC and the NDC.

As mentioned above, the *motion to suspend the rules* is a procedure used at the discretion of House leadership, so the data in this report on the current Congress pertains to the Democratic party currently in the majority. To get a better idea of how a party's ideological caucuses perform, it is also useful to look at the use of the suspensions procedure in the 115th Congress, when Republicans last controlled the House. During that Congress, the Freedom Caucus and the Tuesday Group, also known as the Republican Governance Group (RGG), were well-known and active Republican caucuses. The Freedom Caucus, composed of the most conservative Republicans, made up 15% of House Republicans but accounted for 7% of the

Republican-sponsored suspension bills. On the other hand, the Tuesday Group, composed of centrist Republicans, made up around 21% of House Republicans, but accounted for around 30% of the Republican-sponsored suspension bills.²

Breakdown by Committee Jurisdiction

Some committees had a much higher number of bills considered under suspension of the rules than others, which is to be expected given that some committees have considerably broader jurisdiction. In fact, around 26% of all suspension bills were under the jurisdiction of the House Committee on Energy & Commerce, which oversees and legislates on issues concerning health care, technology, energy, environmental protection, consumer protection, and more. It is important to note that 79 of the 243 suspension bills were referred to more than one committee.

Looking at the suspension bills that have actually become law so far in the 117th Congress, most committees either matched or outperformed their makeup of all suspension bills that received a recorded vote. Two notable examples are the Committees on Veterans' Affairs and the Budget, which respectively accounted for close to 8% and 5% of suspension bills. However, they each accounted for around 19% of suspension bills that became law. On the other hand, some committees were not as successful. For example, the Committee on Foreign Affairs accounted for just over 12% of suspension bills that received a recorded vote but made up just under 6% of enacted suspension bills. Moreover, some committees, like the Committee on Homeland Security, did not have any of their suspension bills made law, although the committee accounted for close to 9% of suspension bills on the House floor:

House committee	# of suspension bills	% of all suspension bills	% of enacted suspension bills
Energy & Commerce	63	25.9%	25%
Foreign Affairs	30	12.3%	5.6%
Judiciary	29	11.9%	16.7%
Natural Resources	25	10.3%	16.7%
Financial Services	22	9.1%	11.1%
Homeland Security	21	8.6%	0%
Veterans' Affairs	19	7.8%	19.4%
Transportation & Infra.	17	7%	11.1%
Science, Space, & Tech.	12	4.9%	5.6%
Budget	11	4.5%	19.4%
Small Business	11	4.5%	2.8%

² The House Freedom Caucus and the Republican Governance Group have never made their membership lists publicly available, so the exact estimates are unknown. These figures were based on public reporting.

Oversight & Reform	9	3.7%	11.1%
Agriculture	7	2.9%	0%
Administration	4	1.6%	8.3%
Ways & Means	4	1.6%	5.6%
Education & Labor	2	0.8%	0%
Appropriations	2	0.8%	2.8%
Intelligence	1	0.4%	0%
Armed Services	1	0.4%	0%

Conclusion

The *motion to suspend the rules* is one of the fastest and most effective ways for members to pass legislation and secure wins for their districts. However, disparities exist regarding which members have been able to successfully use this procedure. While lawmakers from the Black, Native American, and Asian American and Pacific Islander communities are well represented with respect to suspension bills that advanced last year, Latino and Middle East and North African lawmakers' bills advanced less frequently via the suspension process. Similarly, CHC and CAPAC members are not sponsoring and passing suspensions bills at the same rate as other members in the Democratic Caucus. Additionally, CPC members who do not chair committees sponsor a lower percentage of suspension bills than their makeup in the House.

In 2021, while members from different cohorts in the House were largely able to advance their bills through the *motion to suspend the rules* at rates one might expect, use of suspensions among members from key racial and ethnic demographics is still lower than their numbers in Congress would suggest. This gives rise to the question of whether House leadership might play a stronger role in ensuring more equitable use of suspensions in the lawmaking process.

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