

Senators May Disregard Subpoena:

“The constitutional privilege of Members in the matter of arrest has been construed to exempt them from subpoena during sessions of Congress.”⁴

A Senator having been subpoenaed to appear before the grand jury of the District of Columbia announced in the Senate that he would disregard it.⁵

A Senator having declined to heed a summons to appear and testify before a Federal grand jury, the court held that if he failed to obey the subpoena voluntarily the court was without power to compel his attendance.⁶

A subpoena *duces tecum* issued by a United States District Court and served upon a Member of a Senate committee was referred, after the authority of the court had been challenged, to the Committee on the Judiciary for a report. The records of the Senate do not show that the matter was reported back to the Senate.⁷

CONTESTED ELECTION CASES

See “Credentials and Oath of Office,” pp. 695–710.

CONTINGENT FUND

See also “Expenditures by,” pp. 399–400; “Investigations and Inquiries,” pp. 881–890; “References to Committees,” pp. 1150–1169; “Reports,” pp. 1176–1201; “Resolutions,” pp. 1202–1213.

The Committee on Rules and Administration has jurisdiction over “Payment of money out of the contingent fund of the Senate or creating a charge upon the same (except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee).”¹

⁴ *Cannon*, VI, sec. 588. Senator Eastland, chairman of the Committee on the Judiciary, on Mar. 21, 1957, asked unanimous consent to be permitted to testify in the United States District Court for the District of Columbia in proceedings against Seymour Peck, to which an objection was raised. S. Res. 116 to grant permission was submitted and debated but put over for further debate on the next day. On Mar. 22, after a long debate, the resolution was indefinitely postponed. For details of arguments for and against see proceedings of Senate for Mar. 21 and 22, 1957.

⁵ *Cannon*, VI, sec. 588.

⁶ *Ibid.*

⁷ Mar. 13, 1913, 62–3, *Journal*, p. 308, 63—Special Session, *Record*, p. 7.

¹ Rule XXV, paragraph 1(n)(1).

Under the above rule, the Chair has held that a resolution providing for expenditures of money from the contingent fund of the Senate, when reported from the substantive committee must be referred, under the rule, to the Committee on Rules and Administration.²

The Committee on Rules and Administration, in its consideration of resolutions for investigations by other committees, has no authority to amend the substantive provisions thereof, but is limited to matters concerning the payment of the expenses of such investigations.³

An amendment authorizing the payment of money from the contingent fund of the Senate for a particular purpose, proposed to a Senate resolution relating to a different matter, is not in order unless it has received favorable consideration of the Committee To Audit and Control the Contingent Expenses of the Senate (now Committee on Rules and Administration).⁴

CONTINUOUS SESSION

A motion, during the consideration of a matter, that the Senate remain in continuous session until an hour certain is not in order.¹

CONTRIBUTIONS FOR SENATORIAL CANDIDATES

See also Title I of Ethics in Government Act of 1978 (Pub. L. 95-521).

Acceptance of contributions by a Senator or person seeking election to the Senate is subject to the provisions of Rule XLI:

1. No officer or employee of the Senate may receive, solicit, be a custodian of, or distribute any funds in connection with any campaign for the nomination for election, or the election, of any individual to be a Member of the Senate or to any other Federal office. This

² Jan. 23, 1951, 82-1, *Record*, p. 548; June 27, 1951, 82-1, *Record*, p. 7250; June 16, 1952, 82-2, *Record*, p. 7230.

³ Jan. 30, 1957, 85-1, *Record*, p. 1275.

⁴ Apr. 21, 1913, 63-1, *Record*, pp. 275-76.

¹ May 10, 1950, 81-2, *Record*, p. 6797.