

29

RULE XXIX

29

EXECUTIVE SESSIONS

- 29.1 1. When the President of the United States shall meet 29.1
the Senate in the Senate Chamber for the consideration
of Executive business, he shall have a seat on the right
of the Presiding Officer. When the Senate shall be con-
vened by the President of the United States to any other
place, the Presiding Officer of the Senate and the Senators
shall attend at the place appointed, with the necessary offi-
cers of the Senate.
- 29.2 2. When acting upon confidential or Executive business, 29.2
unless the same shall be considered in open Executive ses-
sion, the Senate Chamber shall be cleared of all persons
except the Secretary, the Assistant Secretary, the Principal
Legislative Clerk, the Parliamentarian, the Executive
Clerk, the Minute and Journal Clerk, the Sergeant at
Arms, the Secretaries to the Majority and the Minority,
and such other officers as the Presiding Officer shall think
necessary; and all such officers shall be sworn to secrecy.
- 29.3 3. All confidential communications made by the Presi- 29.3
dent of the United States to the Senate shall be by the
Senators and the officers of the Senate kept secret; and
all treaties which may be laid before the Senate, and all
remarks, votes, and proceedings thereon shall also be kept
secret, until the Senate shall, by their resolution, take off
the injunction of secrecy.
- 29.4 4. Whenever the injunction of secrecy shall be removed 29.4
from any part of the proceedings of the Senate in closed
Executive or legislative session, the order of the Senate
removing the same shall be entered in the Legislative Jour-
nal as well as in the Executive Journal, and shall be pub-
lished in the Congressional Record under the direction of
the Secretary of the Senate.
- 29.5 5.²⁴ Any Senator, officer or employee of the Senate who 29.5
shall disclose the secret or confidential business or pro-
ceedings of the Senate, including the business and pro-
ceedings of the committees, subcommittees and offices of
the Senate shall be liable, if a Senator, to suffer expulsion
from the body; and if an officer or employee, to dismissal
from the service of the Senate, and to punishment for con-
tempt.

²⁴ As amended by S. Res. 363, 102-2, Oct. 8, 1992.

29.6 6. Whenever, by the request of the Senate or any committee thereof, any documents or papers shall be communicated to the Senate by the President or the head of any department relating to any matter pending in the Senate, the proceedings in regard to which are secret or confidential under the rules, said documents and papers shall be considered as confidential, and shall not be disclosed without leave of the Senate. 29.6

30 RULE XXX 30

EXECUTIVE SESSION—PROCEEDINGS ON TREATIES

30.1a 1. (a) When a treaty shall be laid before the Senate for ratification, it shall be read a first time; and no motion in respect to it shall be in order, except to refer it to a committee, to print it in confidence for the use of the Senate, or to remove the injunction of secrecy. 30.1a

30.1b (b)²⁵ When a treaty is reported from a committee with or without amendment, it shall, unless the Senate unanimously otherwise directs, lie over one day for consideration; after which it may be read a second time, after which amendments may be proposed. At any stage of such proceedings the Senate may remove the injunction of secrecy from the treaty. 30.1b

30.1c (c) The decisions thus made shall be reduced to the form of a resolution of ratification, with or without amendments, as the case may be, which shall be proposed on a subsequent day, unless, by unanimous consent, the Senate determine otherwise, at which stage no amendment to the treaty shall be received unless by unanimous consent; but the resolution of ratification when pending shall be open to amendment in the form of reservations, declarations, statements, or understandings. 30.1c

30.1d (d) On the final question to advise and consent to the ratification in the form agreed to, the concurrence of two-thirds of the Senators present shall be necessary to determine it in the affirmative; but all other motions and questions upon a treaty shall be decided by a majority vote, except a motion to postpone indefinitely, which shall be decided by a vote of two-thirds. 30.1d

30.2 2. Treaties transmitted by the President to the Senate for ratification shall be resumed at the second or any subsequent session of the same Congress at the stage in which they were left at the final adjournment of the session at 30.2

²⁵ As amended by S. Res. 28, 99-2, Feb. 27, 1986.