

## APPENDIX

### Action on Bills, Amendments, Resolutions, Motions, etc.—Terminology Used by Presiding Officer in Announcing Vote or Action Taken

THE PRESIDING OFFICER. As many as are in favor of the . . . (motion, or proposition) . . . will say “aye.”

[After the “ayes” have responded collectively, the Chair continues:]

Those opposed will say “no.”

[After the “noes” have responded collectively, the Chair continues:]

The “ayes” (“noes”) appear to have it. The “ayes” (“noes”) have it, and the—

BILL—is passed, or, not passed (defeated).

JOINT RESOLUTION—is passed, or, not passed (defeated).

RESOLUTION—is agreed to (adopted), or, not agreed to (not adopted).

MOTION—is agreed to (adopted), or, not agreed to (not adopted).

AMENDMENT—is adopted (agreed to), or, not adopted (not agreed to, or rejected).

AMENDMENT OF THE HOUSE TO A SENATE BILL OR A HOUSE BILL—is concurred in, or, not concurred in.

POINT OF ORDER—is sustained (well taken), or, overruled (not well taken).

DECISION OF THE CHAIR—is sustained, or, not sustained.

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he had overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting see “Voting, Methods of,” pp. 1562–1564.]

**Adjourn**

A SENATOR. Mr. President—  
THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

A SENATOR. I move that the Senate adjourn.

OR

I move that the Senate do now adjourn.

OR

I move that the Senate adjourn pursuant to the previous order.

[Motions to adjourn to a day certain, or that when the Senate adjourns, it should be to a day certain, are also in order.]

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) moves that the Senate adjourn.

OR

The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) moves that the Senate do now adjourn.

OR

The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) moves that the Senate adjourn pursuant to the previous order.

The question is on the motion. As many as are in favor of the motion will say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

Those opposed will say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

OR

Without objection, the motion is agreed to.

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

**Adjournment in the Absence of a Quorum**

*See also: “Quorum Call, and a Quorum Is Present, or Not Present,” pp. 1530–1531.*

A SENATOR. Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The Clerk will call the roll.

[After the first call for a quorum, if a quorum fails to respond, the Chair announces that a quorum is not present and that the Clerk will call the roll of absentees. The names of the absentees are then called under the practices of the Senate. If a quorum does not show by the end of the second call, the Chair again announces:]

THE PRESIDING OFFICER. A quorum is not present.

[At any time, even after the first announcement that a quorum is not present, it would be in order to move to adjourn but the general practice is to wait until after the call of the absentees, and if a quorum has not responded by the end of that call, a motion is made to request the attendance of the absent Senators; the Senate usually proceeds to obtain a quorum before a motion to adjourn in the absence of a quorum is attempted. Note the following motions. They are usually made in the sequence listed below, depending on the results received in the enforcement of each.]

A SENATOR. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

**OR**

Mr. President, I move that the Sergeant at Arms be directed to compel the attendance of the absent Senators.

**OR**

Mr. President, I move that the Sergeant at Arms be directed to compel the attendance of absent Senators; that warrants for the arrests of all Senators not sick or excused be issued under the signature of the Presiding Officer and attested by the Secretary, and that such warrants be executed without delay.

[Rarely does the Senate resort to the use of the last motion, and the exact wording used each time may vary. See “Attendance of Absent Senators,” etc., pp. 1451–1453.]

THE PRESIDING OFFICER. The question is on the motion. As many as are in favor of the motion will say “aye.”

[After the “ayes” have responded collectively, the Chair continues:]

Those opposed will say “no.”

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

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[If a quorum is not obtained, or if it is decided to adjourn without a quorum, the procedure is as follows:]

A SENATOR. Mr. President, I move that the Senate adjourn.

OR

Mr. President, I move that the Senate adjourn (or recess) in accordance with the previous order.

OR

Mr. President, I move that the Senate adjourn in accordance with Concurrent Resolution \_\_\_\_\_.

OR

Mr. President, I move that the Senate adjourn (or recess) in accordance with the order of yesterday.

[Then, when the Senate meets again, note the procedure immediately following the prayer:]

THE PRESIDING OFFICER. The Senate having adjourned (or recessed) in the absence of a quorum on \_\_\_\_\_ day, the Chair directs the Clerk to call the roll to ascertain the presence of a quorum.

## Adjournment in the Absence of a Quorum Following a Rollcall Vote Without a Quorum

*See also: "Yea and Nay Vote When a Quorum Fails to Participate," p. 1564.*

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_, the nays are \_\_\_. A quorum having failed to vote, the vote is invalid; the Chair directs the Clerk to call the roll to ascertain the presence of a quorum.

[After the first call for a quorum, if a quorum fails to respond, the Chair announces that a quorum is not present and that the Clerk will call the roll of absentees. The names of the absentees are then called under the practices of the Senate. If a quorum does not show by the end of the second call, the Chair again announces:]

**THE PRESIDING OFFICER.** A quorum is not present.

[At any time, even after the first announcement that a quorum is not present, it would be in order to move to adjourn but the general practice is to wait until after the call of the absentees, and if a quorum has not responded by the end of that call, a motion is made to request the attendance of the absent Senators; the Senate usually proceeds to obtain a quorum before a motion to adjourn in the absence of a quorum is attempted. Note the following motions. They are made in sequence as listed below, depending on the results received in the enforcement of each.]

**A SENATOR.** Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

### OR

Mr. President, I move that the Sergeant at Arms be directed to compel the attendance of the absent Senators.

### OR

Mr. President, I move that the Sergeant at Arms be directed to compel the attendance of absent Senators; that warrants for the arrests of all Senators not sick or excused be issued under the signature of the Presiding Officer and attested by the Secretary, and that such warrants be executed without delay.

[Rarely does the Senate resort to the use of the last motion, and the exact wording used each time may vary. See "Attendance of Absent Senators," etc., pp. 1451-1453.]

**THE PRESIDING OFFICER.** The question is on the motion. As many as are in favor of the motion will say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

Those opposed will say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote, (which must be seconded by one-fifth of the Senators present, regardless of their total number) he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

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[If a quorum is not obtained, or if it is decided to adjourn without a quorum, the procedure is as follows:]

A SENATOR. Mr. President, I move that the Senate adjourn.

OR

Mr. President, I move that the Senate adjourn (or recess) in accordance with the previous order.

OR

Mr. President, I move that the Senate adjourn in accordance with Concurrent Resolution \_\_\_\_.

OR

Mr. President, I move that the Senate adjourn (or recess) in accordance with the order of yesterday.

[Then, when the Senate meets again, note the procedure immediately following the prayer:]

THE PRESIDING OFFICER. The Senate having adjourned (or recessed) in the absence of a quorum on \_\_\_\_ day, the Chair directs the Clerk to call the roll to ascertain the presence of a quorum.

[If, however, the yeas and nays were in process when the Senate adjourned without a quorum, as soon as a quorum is developed, the procedure is as follows:]

THE PRESIDING OFFICER. A quorum being present, the Clerk will now call the roll for the yea and nay vote begun on \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ (day), (date), (month). The ques-

tion is on the passage of the bill (S. \_\_\_\_\_ or H.R. \_\_\_\_\_ or whatever is the pending question). The Clerk will call the roll.

[A quorum not having voted on the previous day, when the yea and nay vote was taken, the rollcall starts *de novo* without further debate.]

### Adjournment to a Day Certain

A SENATOR. Mr. President—

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

A SENATOR. I move that when the Senate adjourns today, it adjourn to meet on Wednesday next at 10 o'clock a.m.

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) moves that when the Senate adjourns today, it adjourn to meet on Wednesday next at 10 o'clock a.m.

The question is on the adoption of the motion (to \_\_\_\_\_) by the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

### OR

Without objection, the motion is agreed to.

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

[When the motion to adjourn to a day certain has prevailed, or a motion to adjourn under such order prevails, the Chair states:]

THE PRESIDING OFFICER. The Senate stands adjourned until Wednesday next at 10 o'clock a.m. (or to whatever time is agreed upon).

## **Amendments—How To Present for Consideration**

**A SENATOR.** Mr. President—

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

**A SENATOR.** I offer (or propose) an amendment which I send to the desk.

**OR**

**A SENATOR.** I submit an amendment and ask for its immediate consideration.

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) proposes an amendment which the Clerk will report.

[The Clerk reads the amendment in full or states its identification as to the page(s) and line(s) of the bill where it will be inserted, or the page(s) and line(s) to be stricken, or the page(s) and line(s) to be stricken and the matter to be inserted in lieu thereof.]

—  
[The Senator offering the amendment may ask unanimous consent that the reading of the amendment be dispensed with and that it be printed in the Record.]

**THE PRESIDING OFFICER.** The question is on the adoption of the amendment by the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

[If no one seeks to debate the amendment, or after debate is concluded, the Chair states:]

**THE PRESIDING OFFICER.** The question is on the adoption of the amendment by the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

[The Chair may identify the amendment in more detail.]

**THE PRESIDING OFFICER.** As many as are in favor of the amendment say “aye.”

[After the “ayes” have responded collectively, the Chair continues:]

As many as are opposed say “no.”

[After the “noes” have responded collectively, the Chair continues:]

The “ayes” (“noes”) appear to have it. The “ayes” (“noes”) have it, and the amendment is agreed to (not agreed to).

**OR**

Without objection, the amendment is agreed to.

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

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**Amendments—Submitted for Printing and To Lie on the Table or Submitted for Printing and Reference**

[In modern practice, in Senate proceedings, many amendments called up for consideration in the Senate have previously been printed in the *Congressional Record*, making the language available to the entire membership when the proposal is before the Senate for consideration. There is nothing in the rules to provide for the printing of amendments, either when they are printed to lie on the table or when they are printed to be referred to the committee considering the bill to which the amendment is directed. Hence, while there are thousands of such amendments printed during each Congress, the orders are authorized by unanimous consent made from the floor or by bringing them to the desk to the appropriate member of the staff manning the desk, where they are marked for printing under a general instruction to that effect. If the request is made from the floor, it would take one of the following forms:]

A SENATOR. Mr. President—

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_  
(Mr. \_\_\_\_\_).

A SENATOR. I submit an amendment intended to be proposed to \_\_\_\_\_  
(citing the bill or resolution number and title)

and ask that it be printed and lie on the table.

THE PRESIDING OFFICER. Without objection, that will be the order of the Senate.

**OR**

A SENATOR. Mr. President—

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_  
(Mr. \_\_\_\_\_).

A SENATOR. I submit an amendment intended to be proposed to \_\_\_\_\_  
(citing the bill or resolution number and title)

and ask that it be printed and referred to the appropriate committee.

[It of course would be referred to the committee to which the designated bill was referred.]

**THE PRESIDING OFFICER.** Without objection, that will be the order of the Senate.

### **Appeal From the Decision of the Chair**

[The Presiding Officer having sustained a point of order, or having overruled the same, an appeal might be taken as follows:]

**A SENATOR.** Mr. President, I take an appeal from the decision of the Chair.

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) appeals from the decision of the Chair. The question is . . . (stating the point of order and the decision of the Chair on the same). Shall the decision of the Chair stand as the judgment of the Senate?

[After debate, if there is any, the Chair puts the question:]

**THE PRESIDING OFFICER.** The question . . . (stating the point of order and the decision of the Chair on the same). Shall the decision of the Chair stand as the judgment of the Senate?

As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the Senate sustains (overrules) the decision of the Chair.

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

[If the vote is taken by yeas and nays, the Chair makes the following statement:]

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_\_; the nays are \_\_\_\_\_. The Senate sustains (overrules) the decision of the Chair.

**OR**

The decision of the Chair stands as the judgment of the Senate (or the decision of the Chair is not sustained).

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**Appointments by the Vice President or President Pro Tempore Pursuant to Law or Resolution**

**THE VICE PRESIDENT.** The Chair, pursuant to Public Law \_\_\_\_\_ (or concurrent resolution \_\_\_\_\_, or resolution \_\_\_\_\_), appoints (or reappoints) the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) and the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to the \_\_\_\_\_ Commission.

**OR**

*(continuing)*

(in lieu of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) and the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_), retired (or resigned, or no longer a Member of the Senate)).

**OR**

**THE PRESIDING OFFICER.** The Chair, on behalf of the Vice President, pursuant to Public Law \_\_\_\_\_ (or concurrent resolution \_\_\_\_\_, or resolution \_\_\_\_\_) appoints (or reappoints) the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) and the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to the \_\_\_\_\_ Commission.

**OR**

*(continuing)*

(in lieu of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) and the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_), retired (or resigned, or no longer a Member of the Senate)).

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**Attendance of Absent Senators—Procedure for Compelling in the Absence of a Quorum**

[For procedure utilized by the Senate in arresting absent Senators and bringing them to the bar to ascertain a quorum, note the procedure

utilized on November 14, 1942. On that occasion when the Senate found itself without a quorum, it first adopted an order to direct the Sergeant at Arms to request the attendance of the absent Senators. After some time had elapsed, the Majority Leader, Mr. Barkley, made another motion, which was agreed to, to direct the Sergeant at Arms to compel the attendance of absent Senators. This order having been in operation for some time and a quorum still not being present, the Majority Leader asked that the Sergeant at Arms make a report to the Senate upon his efforts to compel the attendance of absent Senators. The report having been made as to the absent Senators who were out of town and those who were in Washington, the Majority Leader, Mr. Barkley, made another motion, which was agreed to, authorizing and directing the Vice President to issue warrants of arrest of the absent Senators then in Washington.]

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[The established forms utilized by the Senate for "Order for Arrest" and "Warrant for the Arrest of Senators" follow:]

[Form of Order for Issuance of Warrants of Arrest]

**In the Senate of the United States**

WHEREAS under the rules of the Senate a call of the Senate was ordered; and

WHEREAS the following-named Senators are absent without leave of the Senate, to wit:

[Names of Senators Absent Without Leave]

THEREFORE IT IS ORDERED, That the Sergeant at Arms be, and hereby is, directed to compel the attendance on the Senate of said named absent Senators; and it is further

ORDERED, That warrants for the arrest of said Senators be issued under the signature of the presiding officer, attested by the Secretary, and that the Sergeant at Arms be, and hereby is, directed to execute such warrants forthwith by arresting each of said named Senators and bringing him before the bar of the Senate, and that he make due return to the Senate of the execution of said warrants, and that this order shall be continuing until fully executed unless otherwise ordered by the Senate.

[Order Adopted on Nov. 14, 1942, for Issuance of Warrants of Arrest of Senators]

"Ordered, That the Vice President be authorized and directed to issue warrants of arrest for absent Senators and the Sergeant at Arms be instructed to serve such warrants of arrest on those Senators who are reported to be in the city of Washington in the District of Columbia."

## [Form of Warrant of Arrest Reduced to Writing]

**United States Senate**

WASHINGTON, D.C., \_\_\_\_\_, 19\_\_\_\_\_  
 To Sergeant at Arms, United States Senate:

The undersigned, presiding officer of the Senate, by virtue of the power vested in me, hereby command you in pursuance of the order of the Senate, this day made, to forthwith arrest and take into custody and bring to the bar of the Senate \_\_\_\_\_ who is absent without leave, to wit:  
 (name of Senator)

Hereof fail not and make due return of this warrant.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused to be affixed the seal of the United States Senate, this day of \_\_\_\_\_, 19\_\_\_\_\_.

*Presiding Officer.*

ATTEST:

*Secretary.*

**Senate of the United States**

## Office of the Sergeant at Arms

I do appoint and hereby empower \_\_\_\_\_ to serve this subpoena, and to exercise all the authority in relation thereto with which I am vested by the within order.

*Sergeant at Arms of the Senate of the United States.*

Washington, D.C., \_\_\_\_\_, 19\_\_\_\_\_  
 I made service of the within warrant through my Deputy \_\_\_\_\_ by \_\_\_\_\_

the within-named \_\_\_\_\_, at \_\_\_\_\_  
 at \_\_\_\_\_ o'clock \_\_\_\_\_ m., on the  
 day of \_\_\_\_\_, 19\_\_\_\_\_.

*Sergeant at Arms, Senate of the U.S.*

**Bills and Joint Resolutions, Introduction of**

[Under current practices, bills and joint resolutions are not formally introduced from the floor as a rule. They are introduced simply by a Senator signing the said bill or joint resolution and personally presenting them to the appropriate member of the staff manning the desk without any comment from the floor.

[While the Presiding Officer has the responsibility to make all such references, in actual practice today, this is performed by the Parliamentarian of the Senate in behalf of the Presiding Officer, without any comment whatsoever from the floor. Of course there are some exceptions, particularly when a matter involves multiple references, which action must be taken from the floor and is done by a Senator making a unanimous consent request to that effect, or occasionally, when a particular controversial issue is presented to the Senate for reference and the leadership seeks to make the determination of reference, and it is then done by motion.

[If for one reason or another, some Senator should insist that bills and joint resolutions on that day be formally introduced from the floor, having called for the regular order, thereby invoking the procedure under Rule VII, paragraph 1, the following procedure would then be utilized, the Chair having called for "the introduction of bills and joint resolutions."]

A SENATOR. Mr. President—

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_  
(Mr. \_\_\_\_\_).

A SENATOR. Mr. President. I introduce a bill (or joint resolution) and ask that it be appropriately referred.

[Technically, under the rule, the Senator should request that the bill be considered as having been read twice and appropriately referred since Rule XIV, paragraphs 2 and 3, require that each bill must be read twice on different days before being referred.]

THE PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred.

**OR**

[If the procedure is to be more formal, and Rules VII and XIV are to be complied with, note the procedure below:]

A SENATOR. Mr. President—

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_  
(Mr. \_\_\_\_\_).

A SENATOR. I introduce a bill (or joint resolution) which I ask may be read a first and second time and appropriately referred.

[Under Rule XIV, paragraphs 1 and 2, if objection is heard to the introduction of the bill or joint resolution, its introduction shall be postponed for one day, or if the bill or joint resolution is allowed to be introduced, and objection to its second reading is heard, that will put the bill over a legislative day for its second reading.]

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) introduces a bill (or joint resolution) which the Clerk will read a first time by title.

[The Clerk reads the bill by title.]

**THE PRESIDING OFFICER.** The bill, without objection, will be read a second time by title.<sup>1</sup>

[If some Senator objects to a second reading on the same day, the bill will go over to the next legislative day for its second reading. Note the following:]

**A SENATOR.** Mr. President. I object to a second reading of the bill at this time.

**THE PRESIDING OFFICER.** Objection having been heard to the second reading of the bill, the bill will go over to the next legislative day for its second reading as provided in Rule XIV.

[If the purpose of the Senator in objecting to the second reading of the bill is to get the bill placed on the Calendar without reference to a committee under Rule XIV, see "Consideration of House Bills and Joint Resolutions Without Reference to Committee," or "Consideration of Senate Bills and Joint Resolutions Without Reference to Committee."]

#### OR

**THE PRESIDING OFFICER.** Without objection, the bill will be considered as having been read a second time, and it will be appropriately referred.

[Here the Chair may designate the committee to which it will be referred.]

[If the bill is read a second time by title by the Clerk, the Chair announces the following:]

**THE PRESIDING OFFICER.** The bill having been read a second time by title, it will be referred to the Committee on \_\_\_\_\_ (or he may state it will be appropriately referred).

### Bills and Resolutions, Consideration of

**A SENATOR** (usually the majority leader or someone acting in his behalf). Mr. President, I move (or ask unanimous consent) that the Senate proceed to the consider-

<sup>1</sup> The Chair states, "without objection the bill will be read a second time" since Rule XIV, par. 2, requires that each reading must be on a different day unless otherwise ordered by unanimous consent.

ation of the bill S. \_\_\_\_\_ (or any other of the various bills or resolutions on the Calendar), Calendar No. \_\_\_\_.

**THE PRESIDING OFFICER.** The Clerk will report the bill (or resolution) by title for the information of the Senate.

[After the Clerk reports the bill (or resolution) by title,  
the Chair states:]

**THE PRESIDING OFFICER.** The question is on the motion (or is there objection to the request) of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to proceed to the consideration of S. \_\_\_\_\_ (or any other of the various bills or resolutions on the Calendar). Without objection the motion (or request) is agreed to.

[When a motion is made and agreed to, proceed to the consideration of a bill or resolution, except during the Morning Hour, it will displace any unfinished business before the Senate which will then be returned to the Calendar in the exact status existing when displaced, and if brought before the Senate again, the pending question at the time of displacement will again be the pending question before the Senate. If unanimous consent request is granted to consider a bill or resolution, any unfinished business before the Senate would not be displaced but its consideration would be temporarily suspended until the measure brought up by unanimous consent was disposed of or until the regular order is called for, unless otherwise ordered.]

## OR

[After any debate of the motion:]

**THE PRESIDING OFFICER.** The question is on the adoption of the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to proceed to the consideration of S. \_\_\_\_\_ (or any other of the various bills or resolutions on the Calendar).

As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote, (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless

that vote is reconsidered. For the methods of voting, see "Voting, Methods of, pp. 1562-1564.]

### Consideration When There Is No Committee Amendment

**THE PRESIDING OFFICER.** The bill (resolution) is open to amendment.

[If no one cares to speak, or offer an amendment, the Chair takes the following course:]

**THE PRESIDING OFFICER.** The bill (or resolution) is open to amendment. If there be no amendment, the bill (or joint resolution) will be (engrossed) and read a third time.

OR

[If the measure is a House bill, the amendments will be ordered engrossed and the bill will be read a third time.]

---

[Concurrent and simple resolutions are not read three times as are bills and joint resolutions.]

---

[After the Clerk reads the bill or joint resolution again by title, the Chair states:]

**THE PRESIDING OFFICER.** The question is on passage of the bill (or joint resolution). Without objection, the bill or joint resolution is passed.

[Concurrent or simple resolutions are adopted or agreed to.]

OR

**THE PRESIDING OFFICER.** The question is on passage of the bill (or joint resolution).

As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the bill (or joint resolution) is passed (defeated).

**OR**

[If a concurrent or simple resolution, when the Senate is ready for final action thereon, the Chair states:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the concurrent resolution (or simple resolution) is agreed to (not agreed to).

[The vote of course may be by voice vote, division vote, or by yeas and nays.]

---

[If the yeas and nays have been ordered, the Chair states:]

**THE PRESIDING OFFICER.** The question is on passage of the bill (or joint resolution) (or adoption of the concurrent or simple resolution). The yeas and nays have been ordered. The Clerk will call the roll.

[After the roll has been called and the Clerk has handed the tabulation to the Presiding Officer, the Chair states:]

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_, the nays are \_\_\_. The bill (or joint resolution) is passed (is not passed).

[If a concurrent or simple resolution, the Chair states:  
The resolution is agreed to (or not agreed to).]

**OR****Consideration When There Is a Committee  
Amendment or Amendments**

[After a motion or unanimous consent to consider a bill or resolution is agreed to, if there is a committee amendment, the procedure would be as set forth below:]

**THE PRESIDING OFFICER.** The Clerk will report the first committee amendment.

[At this stage, if the bill is reported with a committee amendment proposing to strike out all after the enacting clause and substitute new language for the bill (or if reported without an amendment and a Senator offers an amendment from the floor, in the nature of a substitute for the bill), the substitute amendment is treated as text for the purpose of further amendment, which is open to amendment in two degrees, and all further amendments offered to it from the floor are treated as amendments to the committee amendment (or to the amendment in the nature of a substitute offered from the floor, as the case might be) in the nature of a substitute for the bill. The language proposed to be stricken out by the substitute amendment would also be open to perfecting amendments in two degrees. After all such amendments to the committee amendment in the nature of a substitute or to the substitute offered from the floor have been called up and disposed of, the question is put on agreeing to the committee amendment in the nature of a substitute for the bill, or on the substitute amendment offered from the floor in the nature of a

substitute for the bill, or on either of such substitute amendments as amended, if amendments are added thereto. Once a committee amendment in the nature of a substitute for the bill, or a substitute amendment for the bill offered from the floor, has been agreed to, no further amendments to the bill are in order. The next question is on the engrossment and third reading of the bill.]

## OR

[Under recent practices of the Senate, at this stage of the proceedings, if there are multiple committee amendments, perfecting in nature, the manager of the bill usually or frequently asks unanimous consent that the committee amendments, if there are several, be agreed to en bloc, and that the bill, as thus amended, be treated as original text for the purpose of further amendment. If it is a general appropriation bill, the request also includes that points of order against any legislative provisions not be waived. If such a request is not made, or if made and objected to, the Senate acts on each amendment separately, and the Chair takes the following course:]

[After the Clerk reports the perfecting amendment, the Chair states:]

**THE PRESIDING OFFICER.** The question is on the adoption of the committee amendment.

[At this stage the committee amendment is open to amendment. If an amendment is offered to the committee amendment, the question is put on the amendment to the committee amendment, and if adopted, the question recurs on the committee amendment as amended. If rejected, the question recurs on the committee amendment, unless another amendment is offered to the committee amendment. After one amendment to the committee amendment has been disposed of, another amendment would be in order, unless a substitute amendment for the committee amendment had been agreed to. If the amendment to the committee amendment is an amendment in the nature of a substitute, the question occurs on the adoption of the substitute for the committee amendment and if agreed to, no further amendments to that committee amendment would be in order, and the question recurs on the committee amendment as amended by the amendment in the nature of a substitute. After the committee amendment has been agreed to, no further amendments to that amendment are in order.]

---

[After the debate, or if there is no debate or amendment offered, the Presiding Officer puts the question on the adoption of the committee amendment, and after the first committee amendment is disposed of, the following occurs:]

**THE PRESIDING OFFICER.** The Clerk will report the next committee amendment.

[After the Clerk reports the committee amendment, the Chair states:]

**THE PRESIDING OFFICER.** The question is on the adoption of the committee amendment.

[After the disposition of this amendment, following the same procedure set forth above, the Clerk reports the next committee amendment, if there be one, and the same procedure is followed on all or any of the

remaining committee amendments. After all of the committee amendments are disposed of, the Chair makes the following statement:]

**THE PRESIDING OFFICER.** The bill is open to further amendment.

[If amendments are offered from the floor to other parts of the bill, they each would be open to amendment. After all amendments are disposed of, or when no one seeks to offer further amendments, nor seeks recognition, the Chair will state:]

**THE PRESIDING OFFICER.** If there be no further amendments, the bill will be (engrossed) and read a third time.

[If a House bill, the amendments will be ordered engrossed and the bill will be read a third time.]

---

[If the measure is a concurrent or simple resolution, since there is no third reading of such measures, the Chair states: The question is on agreeing to the resolution, or agreeing to the resolution as amended.]

---

[If it is a bill or joint resolution, after the Clerk has read the bill for the third time, the Chair makes the following statement, if no one seeks recognition:]

**THE PRESIDING OFFICER.** The question is on passage of the bill (or joint resolution).

[In the case of concurrent or simple resolutions, the question is put on agreeing to or adopting the resolution. For procedure of voting on passage, see above part of this section on "Bills and Resolutions, Consideration of."]

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## Calendar

[The Senate "Calendar" or "Calendar of Bills and Resolutions" is mentioned in four different rules of the Senate, but nowhere is the term described or defined. Actually, the Calendar, as it exists today, is a listing or compilation of the business, legislative in nature, awaiting consideration by the Senate. As measures are reported from committees or otherwise obtain a status to be brought up by the Senate for consideration, they are placed on the "Calendar of Business" under the section designated "General Orders." Each measure so placed on the Calendar sets forth a Calendar order number, the number of the bill or resolution, the title thereof, and by whom reported, together with the date and the committee reporting the measure. In addition to the "General Orders," the daily Calendar of Business includes the following sections: a listing on the cover of the unfinished or pending business, if any, any adopted special orders, any unanimous consent agreements entered into, and a listing of standing, select and special committee memberships. Other sections of the Calendar list any "Resolutions and Motions Over Under the Rule," any "Motions to Reconsider," any "Subjects on the Table," and bills in conference. On the back page it gives the status of appropriation bills for that session of the Congress. There is also an Executive

Calendar on which is listed any treaties or nominations awaiting Senate consideration.]

### Calendar Call

[Under the rules, the call of the Calendar is the order of business each new legislative day during the Morning Hour after the close of morning business until the end of the Morning Hour, or until the call has been completed. Also, except on Mondays, a motion to take up any specific bill on the Calendar to be determined without debate is in order after the morning business, or 1 hour after the Senate convenes, which would block a call of the Calendar if such bill were called up on motion. To initiate the call under the rule, the Chair states:]

THE PRESIDING OFFICER. Is there further morning business? If there be none, the morning business is now closed and the Calendar, under Rule VIII, is in order. The Clerk will report the first bill.

[The Clerk reports the number and title of the bill, and if there be no objection, the following occurs:]

THE PRESIDING OFFICER. Is there objection to the present consideration of the bill (resolution)?

[Under call of the Calendar procedure, a single objection at any time until a bill is passed, whether objection is heard to the present consideration of the bill (resolution), or during the consideration of the bill (resolution), or while amendments are being proposed thereto, puts the bill over until a later call of the Calendar, unless when such objection is heard, the Senate on motion agrees to "continue such consideration" of the said measure, which is determined without debate. If the Senate should decide to consider such a bill (resolution) on motion, it would then be debatable, and if not disposed of before the end of the Morning Hour, the bill would go back to the Calendar and the call of the Calendar would have been terminated and the unfinished business would be laid down. While a single objection either blocks the consideration of a measure during a Calendar call or stops further consideration thereof, any amendments offered to the bill (resolution) are acted on by a majority vote, and likewise, debate is limited since "each Senator is entitled to speak once and for 5 minutes only upon any question," as contrasted to the debate of a measure the consideration of which has been continued by motion.]

[Under recent procedure, the call of the Calendar is generally pursuant to an order or a unanimous consent request to that effect which has been made by the majority leader (or someone acting in his behalf) and agreed to by the Senate. The order, or unanimous consent agreement, usually specifies the Calendar number where the call is to begin. Once the order has been agreed to, or the unanimous consent request has been made and granted, and the time for the call arrives, the Chair will state:]

THE PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the call of the Calendar begin-

ning at Calendar number \_\_\_\_\_. The Clerk will report the first bill (resolution).

**OR**

Without objection (the leader having made such a request for an immediate call of the Calendar), the Senate will now proceed with a call of the Calendar, and the Clerk will report the first bill (resolution).

[The Clerk reads the bill (resolution) by title.]

**THE PRESIDING OFFICER.** Is there objection to the present consideration of the bill (resolution)?

[If there are no amendments to the bill (resolution), and if no one cares to speak, the Chair continues:]

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[When a Senate bill or Senate joint resolution:]

Without objection, the bill (joint resolution) will be considered, ordered to be engrossed for a third reading, read a third time and passed.

**OR**

[When House measures, without amendments, the Chair states:]

Without objection, the bill will be considered, read a third time and passed.

**OR**

[If a concurrent or Senate resolution, and there are no amendments, the Chair states:]

Without objection, the resolution will be considered and agreed to.

**OR**

[Under current general practices, the usual terminology used by the Chair is:]

**THE PRESIDING OFFICER.** Without objection, the bill (resolution) will be considered and passed (or agreed to).

**OR**

[If there is a committee amendment or amendments, note the following:]

**THE PRESIDING OFFICER.** The Clerk will report the bill.

[The Clerk reports the bill (resolution) by title.]

**THE PRESIDING OFFICER.** Is there objection to the present consideration of the bill (resolution)?

[If there is no debate, the Chair continues:]

Without objection, the Senate will proceed to the consideration of the bill (resolution).

[At this stage, if the bill is reported with a committee amendment proposing to strike out all after the enacting clause and substitute new language for the bill (or if reported without an amendment and a Senator offers an amendment from the floor, in the nature of a substitute for the bill), the substitute amendment is treated as text for the purpose of further amendment, and all further amendments offered to it from the floor are treated as amendments to the committee amendment (or to the amendment in the nature of a substitute offered from the floor, as the case might be) in the nature of a substitute for the bill. After all such amendments to the committee amendment in the nature of a substitute or to the substitute offered from the floor have been called up and disposed of, the question is put on agreeing to the committee amendment in the nature of a substitute for the bill, or on the substitute amendment offered from the floor in the nature of a substitute for the bill, as the case might be, or on either of such substitute amendments as amended, if amendments are added thereto. Once a committee amendment in the nature of a substitute for the bill, or a substitute amendment for the bill offered from the floor, has been agreed to, no further amendments to the bill are in order. The next question is on the engrossment and third reading of the bill.]

---

[If the bill on the Calendar were reported with committee amendment(s), perfecting in nature, the Chair continues:]

The Clerk will report the (first) committee amendment.

[The Clerk reads the amendment.]

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[This committee amendment is then open to amendment. After the Clerk reads the committee amendment, if no one offers an amendment thereto, the Chair states:]

**THE PRESIDING OFFICER.** The question is on agreeing to the committee amendment. Without objection, the amendment is agreed to (not agreed to).

[Any one of the other methods of voting may be utilized.]

---

[If there are several non-controversial amendments, the majority leader (or someone acting in his behalf) or the "manager of the bill" will request that the amendments be agreed to en bloc, which expedites the disposition of the amendments. If such request is not made or if objected to, the Chair states:]

**THE PRESIDING OFFICER.** The Clerk will report the next committee amendment (if there be a second amendment).

[The Clerk reads the next amendment.]

[After the Clerk reads the amendment, if no amendment is offered thereto, the Chair states:]

**THE PRESIDING OFFICER.** The question is on the adoption of the amendment. Without objection, the amendment is agreed to (not agreed to).

[Any one of the other methods of voting may be utilized.]

[Any other committee amendments are reported and acted on in same fashion as set forth above, and after all committee amendments are disposed of, the bill is open to amendment, to be offered by any Senator from the floor.]

[If there are no other amendments, including any which may be offered from the floor after the committee amendments are disposed of, the Chair states:]

**THE PRESIDING OFFICER.** The question is on passage of the bill (as amended). Without objection, the bill is passed.

[Any one of the other methods of voting may be utilized.]

[Under call of the Calendar procedure, the Chair never calls for a third reading of the bill by title. This procedure expedites the disposition of non-controversial bills and resolutions, and numerous measures are often passed in a short time, the leadership having an established procedure for Senators concerned to register their objections to the passage of any measure under a call of the Calendar. A single objection can block the passage of a measure under this procedure.]

### **Calendar Call on Monday, Waiver of**

**A SENATOR.** Mr. President. I ask unanimous consent that the call of the Calendar of Bills and Resolutions, under Rules VII and VIII, be dispensed with.

**THE PRESIDING OFFICER.** Without objection it is so ordered.

## Certificates of Appointments To Fill Unexpired Terms Due to Resignations

[The form usually taken to lay before the Senate at the beginning of a new Congress the resignations of Senators and the certificates of appointment to fill the said unexpired terms:]

**THE PRESIDING OFFICER.** The Chair lays before the Senate the following matters: Copies of the resignation(s) of Senator(s) \_\_\_\_\_ of the State of \_\_\_\_\_ (and \_\_\_\_\_ of the State of \_\_\_\_\_), and the certificate(s) of appointment of \_\_\_\_\_ of the State of \_\_\_\_\_ (and \_\_\_\_\_ of the State of \_\_\_\_\_).

The Clerk will read the letter(s) of resignation and the certificate(s) of appointment, which will be placed on file.

## Closed Sessions

[All legislative sessions of the Senate, until the end of the second session of the 3d Congress, with the exception of the contested election case of Albert Gallatin, were held behind closed doors. This was not without protest and there were frequent attempts, including some roll call votes, during this time to open up the legislative session, and finally on December 9, 1795, the Senate agreed to a resolution, as amended, which resolved "That, in conformity to a resolution of the Senate of the United States, passed on the 20th day of February, 1794, the gallery of the Senate chamber be permitted to be open every morning, subject to the restrictions in said resolution mentioned."]

[Executive sessions for the confirmation of nominations and for advising and consenting to treaties were held behind closed doors, unless the Senate had specifically voted to open them, until June 17, 1929, when Rule XXXVIII (now XXXI) of the Senate was amended to provide that "Hereafter all business in the Senate shall be transacted in open session, unless the Senate in closed session by a majority vote shall determine that a particular nomination, treaty, or other matter shall be considered in closed executive session." This language was modified some in the 1979 revision.]

[The first rule for closing the doors was adopted on February 20, 1794, as Rule XXVIII, which provided:]

On a motion made and seconded to shut the door of the Senate, on the discussion of any business which may, in the opinion of a member, require secrecy, the President shall direct the gallery to be cleared; and, during the discussion of such motion, the doors shall remain shut.

[The present rule on closed doors (Rule XXI), except paragraph 2, was added in the 1979 revision, was adopted in January 1877. The procedure thereunder is as follows:]

**A SENATOR.** Mr. President. In accordance with Rule XXI, I now move that the Senate go into closed session.

A SECOND SENATOR. I second that motion.

THE PRESIDING OFFICER. The motion having been made and seconded that the Senate go into closed session, the Chair, pursuant to Rule XXI, now directs the Sergeant at Arms to clear all galleries, close all doors of the Senate Chamber, and exclude from the Chamber and its immediate corridors all employees and officials of the Senate who, under the rule, are not eligible to attend the closed session and who are not sworn to secrecy.

The question is not debatable.

[Without further ado, the order of the Presiding Officer is executed, and after the Senate is behind closed doors, the Senators may discuss any issues that they see fit or make any determinations as to action on proposed legislation, debate, or procedure, including a vote to return to open session.]

### Cloture

[When the business on which cloture is to be proposed is pending before the Senate, a motion to invoke cloture may be presented and read even though another Senator has been recognized and is speaking, as follows:]

A SENATOR. Mr. President. I send to the desk a cloture motion and ask that it be read.

[Under Rule XXII, "the Presiding Officer or clerk at the direction of the Presiding Officer, shall at once state the motion to the Senate," but the Chair usually states that without objection the Clerk will read the motion, as follows:]

THE PRESIDING OFFICER. The cloture motion having been presented under Rule XXII, the Chair directs the Clerk to read the motion.

[The Clerk reads the cloture motion, for example, as follows:]

#### [Form of Motion]

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the bill (H.R. \_\_\_\_\_ or S. \_\_\_\_\_), \_\_\_\_\_, or amendment, or motion, as the case might be.

- |          |           |
|----------|-----------|
| 1. _____ | 9. _____  |
| 2. _____ | 10. _____ |
| 3. _____ | 11. _____ |
| 4. _____ | 12. _____ |
| 5. _____ | 13. _____ |
| 6. _____ | 14. _____ |
| 7. _____ | 15. _____ |
| 8. _____ | 16. _____ |

[Once a cloture motion has been signed by at least 16 Senators and duly filed, the Senate has until one hour after the Senate convenes on the following calendar day of session, but one, before it proceeds to vote to determine whether cloture should be invoked on the said issue, unless by unanimous consent some other time is set. The form utilized by the Chair in announcing to the Senate the procedure to be followed once the hour for the vote arrives is set forth below:]

**THE PRESIDING OFFICER.** One o'clock having arrived (or one hour after the Senate convenes), under Rule XXII, the Clerk will report the motion to invoke cloture.

[Clerk reads the motion.]

**THE PRESIDING OFFICER.** Pursuant to Rule XXII the Chair now directs the Clerk to call the roll to ascertain the presence of a quorum.

[A quorum having answered to their names,  
the Presiding Officer states:]

**THE PRESIDING OFFICER.** A quorum is present. The question is: Is it the sense of the Senate that debate on \_\_\_\_\_ shall be brought to a close?

The yeas and nays are mandatory under the rule and the Clerk will call the roll.

[The Clerk calls the roll, and after the call is completed, and a tabulation of the vote is handed to the Presiding Officer, he states:]

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_\_\_; the nays are \_\_\_\_\_. Three-fifths (two-thirds of the Senators present and voting in the case of vote on rules changes) of the Senators duly chosen and sworn, having voted (not having voted) in the affirmative, the motion is agreed to (not agreed to).

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## Committee Amendments

*See also* "Consideration When There Is a Committee Amendment or Amendments," under "Bills and Resolutions, Consideration of," pp. 1458-1460.

[Whenever a bill is before the Senate, if there are proposed committee amendments, such amendments and any amendments thereto (except substitute amendments for the whole bill, on which there is a special procedure) are first disposed of, after which any part of the bill not already amended is open to amendment in two degrees, to be offered by Senators from the floor, unless of course the committee amendment agreed to was an amendment in the nature of a substitute for the bill, in which case no further amendments would be in order. As soon as the Senate proceeds to the consideration of a bill to which committee

amendments are pending, the Chair directs the Clerk to report the first committee amendment as soon as there is a hiatus or no one cares to debate the bill further. Note the following:

**THE PRESIDING OFFICER.** The Clerk will report the first committee amendment.

[After the Clerk states the first committee amendment, the Chair states:]

**THE PRESIDING OFFICER.** The question is on the adoption of the committee amendment.

[At this stage, the committee amendment is open to amendment to the second degree, but if no amendment is offered, and no one seeks recognition to debate the committee amendment, the Chair restates the question as:]

**THE PRESIDING OFFICER.** The question is on the adoption of the committee amendment.

[The question is then put to a vote. For the detailed procedure see "Consideration When There Is a Committee Amendment or Amendments," under "Bills and Resolutions, Consideration of," pp. 1458-1460.]

[After all committee amendments and amendments thereto have been disposed of, the Chair states:]

**THE PRESIDING OFFICER.** The bill is open to further amendment.

[When there are no further amendments to be offered, or no one is seeking to debate the bill further, the Chair then calls for the engrossment and third reading of the bill (joint resolution) as set forth under "Bills and Resolutions, Consideration of." Senate resolutions and concurrent resolutions are not required to be read three times.]

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### Committees, Standing, Appointment of

[Mr. Gilfry in his *Precedents of the United States Senate*, published in 1914, gives a brief account of the development of the Senate standing committees and how they were appointed, which is quoted below:]

Prior to December, 1816, all bills and joint resolutions, and other matters requiring such consideration, were referred to and reported upon by special committees appointed for the purpose. The different subjects treated of in the messages of the Presidents and the general appropriation bills were included in the measures thus referred. But three committees came into existence in the Senate prior to 1816: The Committee on Enrolled Bills, a joint committee composed of two Members of the House of Representatives and one Member of the Senate, the first Senate Member being Mr. Wingate, appointed July 31, 1789; the Committee on Engrossed Bills, March 26, 1806, composed of three members, as now; and the Committee to Audit and Control the Contingent Expenses, created November 4, 1807.

On December 10, 1816, a resolution was agreed to making it a rule of the Senate that the following standing committees be appointed at

each session: On Foreign Relations, Finance, Commerce and Manufactures, Military Affairs, the Militia, Naval Affairs, Public Lands, Claims, the Judiciary, the Post Office and Post Roads, and on Pensions. This list has been added to from time to time, as the necessities have seemed to require, until the present time, when there are 73 standing committees. The number of members of these committees, with few exceptions, has also been increased from time to time until many of the more important have as high as 17 members.

These committees were originally elected by the Senate. In 1823, however, an effort was made to change the rule to provide for their appointment by the presiding officer, and in 1826 this was rescinded, and in December of that year it was provided that the Senate elect the chairmen, and then by one ballot choose the remaining members of the committees.

December 24, 1828, the rule was again changed to provide for the appointment of the committees by the President pro tempore. In several instances in the absence of the Vice President the rule was suspended and the President pro tempore elected to a chairmanship. The rest of the committees were then appointed by the Chair.

The practice then grew up of suspending the rule by unanimous consent and leaving the appointment of the committees to the President of the Senate, but at the first session of the Twenty-ninth Congress, the Senate, after debate, refused to follow the custom and the committees were elected. In 1838 and 1839 the committees were appointed by unanimous consent. December 13, 1847, the rule was suspended and a resolution was adopted assigning the Members to committees. In the Thirty-fourth Congress, 1855, a part of the committees were chosen by ballot and the rest by resolution.

[The jurisdictions of the standing committees were not defined in the rules until 1946, when Congress passed the Legislative Reorganization Act. For further details, see "References to Standing Committees," pp. 1542-1544.]

[The present Rule XXIV, as modified, was adopted, Nov. 14, 1979,  
and it provides:]

1. In the appointment of the standing committees, or to fill vacancies thereon, the Senate, unless otherwise ordered, shall by resolution appoint the chairman of each such committee and the other members thereof. On demand of any Senator, a separate vote shall be had on the appointment of the chairman of any such committee and on the appointment of the other members thereof. Each such resolution shall be subject to amendment and to division of the question.
2. On demand of one-fifth of the Senators present, a quorum being present, any vote taken pursuant to paragraph 1 shall be by ballot.
3. Except as otherwise provided or unless otherwise ordered, all other committees, and the chairmen thereof, shall be appointed in the same manner as standing committees.
4. When a chairman of a committee shall resign or cease to serve on a committee, action by the Senate to fill the vacancy in such committee, unless specially otherwise ordered, shall be only to fill up the number of members of the committee, and the election of a new chairman.

[In practice in recent years and until the present rule was adopted in 1979, in the absence of any point being raised, the Senate proceeded to the appointment of members to the various standing committees by adopting Senate resolutions providing for the same, without waiving the rule. Generally, the slate for each party is set forth in separate resolutions. The resolutions, when agreed to, not only make the appointments of the membership for each committee for each party, but also name the chairmen and set forth the seniority ranking of each member for each party. In the 92d and 93d Congresses, while resolutions were presented and agreed to accomplish this end, "a division of the question," in effect, was requested each time and granted, so that a separate vote was taken on each chairman and then a vote on the remaining membership of each committee, or on particular ones.

[Under earlier practices of the Senate, while orders or resolutions were utilized for appointing the membership of the various standing committees, a resolution was agreed to in keeping with Rule XXIV, to provide "that so much of Rule XXIV as provides for the appointment of the standing and other committees by ballot be suspended."

[The resolution for the appointment of the standing and other committees of the Senate for that Congress was then presented and agreed to.]

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[Under current practices, under the present rule, the resolutions are submitted by the leader of each party, or someone acting in their behalf, and are treated as privileged business, and unless someone demands a separate vote as provided for in Rule XXIV, they are adopted by voice vote without discussion. They, of course, could be open to amendment—that is, any Member could offer an amendment(s) substituting any other name or names in lieu of the names set forth in the resolution, including a substitute name for any chairmanship. The procedure is usually as follows:]

[Majority Party Committee Slate]

A SENATOR (the majority leader). I submit a resolution and ask for its immediate consideration.

THE PRESIDING OFFICER. The Clerk will report the resolution.

[The Clerk reports the resolution as follows:]

**NAMING THE MAJORITY PARTY'S MEMBERSHIP ON  
COMMITTEES IN THE SENATE**

*Resolved*, That the following shall constitute the majority party's membership on the standing committees (of the Senate) for the Hundredth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY:  
Mr. Leahy (Chairman), Mr. Zorinsky, Mr. Melcher, Mr. Pryor, Mr. Boren, Mr. Heflin, Mr. Harkin, Mr. Conrad, Mr. Fowler, and Mr. Daschle.

\* \* \* \* \*

**THE PRESIDING OFFICER.** Without objection, the Senate will proceed to the immediate consideration of the resolution.

[After debate or discussion, if any:]

**THE PRESIDING OFFICER.** The question is on agreeing to the resolution. Without objection the resolution is agreed to.

**OR**

As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the resolution is agreed to (not agreed to).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

[*Minority Party Committee Slate*]

**A SENATOR** (the minority leader). I submit a resolution and ask for its immediate consideration.

**THE PRESIDING OFFICER.** The Clerk will report the resolution.

[The Clerk reports the resolution as follows:]

**NAMING THE MINORITY PARTY'S MEMBERSHIP ON THE STANDING COMMITTEES OF THE SENATE**

*Resolved*, That the following shall constitute the minority party's membership on the standing committees (of the Senate) for the Hundredth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY:  
Mr. Helms, Mr. Dole, Mr. Lugar, Mr. Cochran, Mr. Boschwitz, Mr. McConnell, Mr. Bond, and Mr. Wilson.

\* \* \* \* \*

**THE PRESIDING OFFICER.** Without objection, the Senate will proceed to the immediate consideration of the resolution.

[After debate or discussion, if any:]

**THE PRESIDING OFFICER.** The question is on agreeing to the resolution. Without objection the resolution is agreed to.

**OR**

As many as are in favor of the resolution say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the resolution is agreed to (not agreed to).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

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### **Conference, Motions To Agree to**

**A SENATOR.** Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. \_\_\_\_\_ (H.R. \_\_\_\_\_), \_\_\_\_\_<sup>(title of bill)</sup>.

**THE PRESIDING OFFICER.** The Chair lays before the Senate message from the House of Representatives on S. \_\_\_\_\_ (H.R. \_\_\_\_\_), which the Clerk will report for the information of the Senate.

[The Clerk reports the message.]

**A SENATOR.** Mr. President, I move that the Senate insist on its amendment(s) (disagree to the House amendments) and agree to the conference requested by the House on the disagreeing votes of the two Houses and that the Chair be authorized to appoint the conferees.

[Without being so authorized, the Chair has no authority to appoint conferees; this authority is lodged in the Senate.]

**THE PRESIDING OFFICER.** The question is on the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

[After the Chair puts the question, if there is no debate thereon, the Chair states:]

**THE PRESIDING OFFICER.** Without objection, the motion is agreed to.

**OR**

As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered.]

[If the motion is agreed to, the Chair states:]

**THE PRESIDING OFFICER.** The motion is agreed to and the Chair appoints the following conferees, which the Clerk will report.

[The Clerk reads the names of the conferees.]

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### **Conference, Motions To Request**

**A SENATOR.** Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. \_\_\_\_\_ (H.R. \_\_\_\_\_), \_\_\_\_\_.

(title of bill)

**THE PRESIDING OFFICER.** The Chair lays before the Senate a message from the House of Representatives on S. \_\_\_\_\_ (H.R. \_\_\_\_\_), which the Clerk will report for the information of the Senate.

[The Clerk reports the message.]

A SENATOR. Mr. President, I move that the Senate disagree to the amendment(s) of the House and request a conference [or, if it is a House bill just passed by the Senate and the Senate wishes to request a conference without waiting for House action, the motion would be, I move that the Senate insist on its amendment(s) and request a conference] with the House on the disagreeing votes of the two Houses and that the Chair be authorized to appoint the conferees.

[Without being so authorized, the Chair has no authority to appoint conferees; this authority is lodged in the Senate.]

THE PRESIDING OFFICER. The question is on the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

[After the Chair puts the question, if there is no debate thereon, the Chair states:]

THE PRESIDING OFFICER. Without objection, the motion is agreed to.

OR

As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564; or see an example on p. 1562.]

[If the motion is agreed to, the Chair states:]

THE PRESIDING OFFICER. The motion is agreed to and the Chair appoints the following conferees, which the Clerk will report.

[The Clerk reads the names of the conferees.]

## Conference Reports, Consideration of

[The consideration of a conference report is highly privileged and its presentation "shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately put and shall be determined without debate."]

[The report under the established practices is submitted first to the body agreeing to the request for a conference since under the established procedure for sending a bill to conference that would be the body that would be in possession of the papers after the conference is over. The Senate must be in possession of the papers for it to be in order to consider the said conference report. The procedure for its consideration follows:]

A SENATOR. Mr. President, I submit a conference report on S. \_\_\_\_\_ (H.R. \_\_\_\_\_) (or any other type of measure),  
\_\_\_\_\_  
(citing the title)  
consideration.

THE PRESIDING OFFICER. The Clerk will state the report.

[On demand, the report must be read in full.]

[The Clerk states the report.]

THE PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

[If the question of its consideration is raised, and a motion to consider the report is made, the Chair would have to put the question to a vote, by either method demanded, and that vote would come immediately without debate since the motion to take up a conference report is not debatable.]

[After the Senate has agreed to proceed to the consideration of a conference report, the Chair puts the question on adoption of the conference report. At this stage of the proceedings, the conference report is open to unlimited debate. Whenever there is a hiatus and no Senator is seeking recognition, the Chair restates the question, namely, the question is on adoption of the conference report, as follows:]

THE PRESIDING OFFICER. The question is on the adoption of the conference report.

[Other motions could be made at this stage. For example: a motion to table or recommit, if the report has not already been agreed to by the other House.]

[When there is no further debate nor other motions to be made,  
the Chair states:]

The question is on the adoption of the conference report. Without objection, the conference report is agreed to.

**OR**

The question is on the adoption of the conference report. As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the conference report is agreed to (not agreed to).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yeas and nays vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered.]

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[After the conference report has been agreed to (disposed of), the Chair lays before the Senate amendments reported in disagreement, if there be any. These may be disposed of en bloc by unanimous consent or a separate vote may be taken on each amendment reported in disagreement or question related thereto as follows:]

**THE PRESIDING OFFICER.** The Chair lays before the Senate the first amendment reported in disagreement.

**A SENATOR.** Mr. President, I move that the Senate concur in the House amendment.

**OR**

Mr. President, I move that the Senate concur in the House amendment with an amendment.

**OR**

Mr. President, I move that the Senate recede from (insist on) its amendment.

[A separate vote may be taken on each of these issues by any of the methods of voting.]

## Conference Reports, Forms for Various Types

[Form of conference report when it is proposed that the Senate agree to the amendment(s) of the House of Representatives to a Senate bill.]

A SENATOR, from the committee of conference, submitted the following:

### CONFERENCE REPORT

(To accompany S. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment(s) of the House to the bill (S. \_\_\_\_\_),  
\_\_\_\_\_  
(title of bill)  
having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment(s) of the House of Representatives to the bill, and agree to the same.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the Senate.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the House.*

[A conference report submitted to the House for its consideration lists the signatures of the managers on the part of the House first and those on the part of the Senate last; a report submitted to the Senate lists the signatures of the managers on the part of the Senate first and those on the part of the House last.]

[Form of conference report when it is proposed that the House of Representatives agree to a Senate amendment(s) to a bill of the House of Representatives.]

A SENATOR, from the committee of conference submitted the following:

## CONFERENCE REPORT

(To accompany H.R. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment(s) of the Senate to the bill (H.R. \_\_\_\_\_),  
\_\_\_\_\_  
(title of bill), having met, after full and free confer-

ence, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment(s) of the Senate to the bill, and agree to the same.

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*Managers on the Part of the Senate.*

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*Managers on the Part of the House.*

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[Form of a conference report when the bill passed by the Senate is amended by striking out all after the enacting clause and new language is inserted in lieu thereof by the House, and it is proposed that the Senate recede and concur in the amendment of the House of Representatives.]

A SENATOR, from the committee of conference, submitted the following:

## CONFERENCE REPORT

(To accompany S. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. \_\_\_\_\_),  
\_\_\_\_\_  
(title of bill), having met, after full and free confer-

ence, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House of Representatives to the bill, and agree to the same.

\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the Senate.*  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the House.*  
\_\_\_\_\_

[Form of a conference report when the bill passed by the House of Representatives is amended by striking out all after the enacting clause and new language is inserted in lieu thereof by the Senate, and it is proposed that the House recede and concur in the amendment of the Senate.]

A SENATOR, from the committee of conference, submitted the following:

CONFERENCE REPORT

(To accompany H.R. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. \_\_\_\_\_),

\_\_\_\_\_  
(title of bill), having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the bill, and agree to the same.

\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the Senate.*  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the House.*  
\_\_\_\_\_

[Form of a conference report when it is proposed that the Senate recede from its amendment to a bill of the House of Representatives.]

A SENATOR, from the committee of conference, submitted the following:

## CONFERENCE REPORT

(To accompany H.R. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. \_\_\_\_\_),  
\_\_\_\_\_  
(title of bill), having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the Senate.*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Managers on the Part of the House.*

[Form of a conference report when it is proposed that the House of Representatives recede from its amendment to a Senate bill.]

A SENATOR, from the committee of conference, submitted the following:

## CONFERENCE REPORT

(To accompany S. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. \_\_\_\_\_),  
\_\_\_\_\_  
(title of bill), having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the Senate.*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Managers on the Part of the House.*

[Form of a conference report when it is proposed that the House of Representatives recede from its amendment to an amendment of the Senate to a bill of the House of Representatives.]

A SENATOR, from the committee of conference, submitted the following:

CONFERENCE REPORT

(To accompany H.R. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to an amendment of the Senate to the bill (H.R. \_\_\_\_\_), \_\_\_\_\_, having met,

(title of bill)

after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House of Representatives recede from its amendment to the amendment of the Senate and concur therein.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the Senate.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the House.*

[Form of a conference report when it is proposed that the Senate recede from its amendment to an amendment of the House to a Senate bill.]

A SENATOR, from the committee of conference, submitted the following:

CONFERENCE REPORT

(To accompany S. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to an amendment of the House to the bill (S. \_\_\_\_\_), \_\_\_\_\_ having met,

(title of bill)

after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the amendment of the House of Representatives and concur therein.

*Managers on the Part of the Senate.*

*Managers on the Part of the House.*

[Form of conference report on a Senate bill when conferees agree on entirely new text instead of the amendment by the House of Representatives in the nature of a substitute for the bill, or the language of the bill as passed by the Senate.]

A SENATOR, from the committee of conference, submitted the following:

CONFERENCE REPORT

(To accompany S. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. \_\_\_\_\_),  
\_\_\_\_\_, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

\* \* \* \* \*

That the Senate recede from its disagreement to the amendment of the House to the bill, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

\* \* \* \* \*

And the House agree to the same.

*Managers on the Part of the Senate.*

*Managers on the Part of the House.*

[Form of conference report on a House bill when conferees agree on an entirely new text instead of the amendment by the Senate in the nature of a substitute for the bill, or the language of the bill as passed by the House of Representatives.]

A SENATOR, from the committee of conference, submitted the following:

CONFERENCE REPORT

(To accompany H.R. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. \_\_\_\_\_),  
\_\_\_\_\_  
(title of bill), having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the bill, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

\* \* \* \* \*

And the Senate agree to the same.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the Senate.*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the House.*  
\_\_\_\_\_

[Form of a conference report when it is proposed that the House of Representatives recede from one of its amendments to a Senate bill and that the Senate recede from its disagreement and agree to an amendment of the House of Representatives.]

A SENATOR, from the committee of conference, submitted the following:

CONFERENCE REPORT

(To accompany S. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. \_\_\_\_\_),  
\_\_\_\_\_  
(title of bill), having met, after full

and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House of Representatives recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

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---

*Managers on the Part of the Senate.*

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*Managers on the Part of the House.*

[Form of a conference report when it is proposed that the Senate recede from one of its amendments to a bill of the House of Representatives and that the House of Representatives recede from its disagreement and agree to a Senate amendment.]

A SENATOR, from the committee of conference, submitted the following:

#### CONFERENCE REPORT

(To accompany H.R. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. \_\_\_\_\_),  
\_\_\_\_\_, having met, after full and free conference,  
(title of bill) have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

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---

*Managers on the Part of the Senate.*

---

---

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*Managers on the Part of the House.*

[Form of conference report when it is proposed that the House of Representatives recede from some of its amendments to a Senate bill, that the Senate recede from its disagreement and agree to some House amendments, and that the Senate agree to another amendment of the House of Representatives with an amendment; and that the conferees also report one amendment in disagreement.]

A SENATOR, from the committee of conference, submitted the following:

CONFERENCE REPORT

(To accompany S. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. \_\_\_\_\_), \_\_\_\_\_ having met, after full and  
(title of bill)

free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House of Representatives recede from its amendments numbered 1, 2, 3, etc.

That the Senate recede from its disagreement to the amendments of the House of Representatives numbered 4 and 6, and agree to the same.

Amendment numbered 5:

That the Senate recede from its disagreement to the amendment of the House of Representatives numbered 5 and agree to the same with an amendment as follows: Strike out the language in lines \_\_\_\_\_ and \_\_\_\_\_ of said amendment and insert in lieu thereof the following: "*Two hundred million dollars shall be for . . .*"; and the House of Representatives agree to the same.

[If there are other amendments in conference to be disposed of, they generally would be handled in one of the categories above, depending on what the conferees agree upon; or if the conferees are unable to reach an accord on certain amendments, they may be reported in disagreement as illustrated below.]

The committee of conference report in disagreement amendment numbered 7.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the Senate.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the House.*

[Form of conference report when it is proposed that the Senate recede from some of its amendments to a House bill, that the House of Representatives recede from its disagreement and agree to some Senate

amendments, and that the House agree to another amendment of the Senate with an amendment; and that the conferees also report one amendment in disagreement.]

A SENATOR, from the committee of conference, submitted the following:

CONFERENCE REPORT

(To accompany H.R. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. \_\_\_\_\_),  
\_\_\_\_\_, having met, after full and free conference,  
(title of bill)

have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, etc.  
That the House recede from its disagreement to the amendments of the Senate numbered 4 and 6, and agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with an amendment as follows: Strike out the language in lines \_\_\_\_\_ and \_\_\_\_\_ of said amendment and insert in lieu thereof the following: "*Two hundred million dollars shall be for . . .;*" and the Senate agree to the same.

[If there are other amendments in conference to be disposed of, they generally would be handled in one of the categories above, depending on what the conferees agree upon; or if the conferees are unable to reach an accord on certain amendments, they may be reported in disagreement as illustrated below.]

The committee of conference report in disagreement amendment numbered 7.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Managers on the Part of the Senate.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Managers on the Part of the House.*

[Form of conference report when the conferees of the two Houses are unable to agree on any amendment(s) of the House of Representatives to a Senate bill.]

A SENATOR, from the committee of conference, submitted the following:

## CONFERENCE REPORT

(To accompany S. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment(s) of the House of Representatives to the bill (S. \_\_\_\_\_), \_\_\_\_\_, having met, after full  
(title of bill)  
and free conference, have been unable to agree.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the Senate.*  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the House.*  
\_\_\_\_\_

[Form of conference report when the conferees of the two Houses are unable to agree on any Senate amendment(s) to a bill of the House of Representatives.]

A SENATOR, from the committee of conference, submitted the following:

## CONFERENCE REPORT

(To accompany H.R. \_\_\_\_\_)

The committee of conference on the disagreeing votes of the two Houses on the amendment(s) of the Senate to the bill (H.R. \_\_\_\_\_),  
(title of bill)  
have been unable to agree.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the Senate.*  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*Managers on the Part of the House.*  
\_\_\_\_\_

### Consideration of House Bills and Joint Resolutions Without Reference to Committee by Unanimous Consent Procedure

[A House bill (joint or concurrent resolution) coming to the Senate in a message from the House is usually referred to the appropriate standing committee, but the leadership, or a Senator acting with the approval of the leadership, sometimes requests the Senate to proceed to the immediate consideration of a House bill (joint or concurrent resolution) without it being referred. Such procedure, however, requires previous consultation with all parties concerned which may take several hours after the message has been received by the Senate. When this method of consideration is utilized, the leader, or a Senator, requests the Chair to lay the bill (joint resolution) before the Senate with the expectation of taking it up immediately. Note the following phraseology utilized for this type procedure:]

A SENATOR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. \_\_\_\_\_ (H.J. Res. \_\_\_\_\_), H. Con. Res. \_\_\_\_\_.

(title of bill)

THE PRESIDING OFFICER. The Clerk will report the measure.

[The Clerk reads the bill (joint or concurrent resolution) by title.]

[If the measure is a bill or joint resolution]

A SENATOR. I ask unanimous consent that the bill (joint resolution) be considered as having been read twice and that the Senate proceed to its immediate consideration.

THE PRESIDING OFFICER. Is there objection? Without objection, it is so ordered, and the Senate will proceed to its immediate consideration.

[A motion to that effect would not be in order since a bill must be read three times before passage and each reading is required to be on different legislative days. The bill (joint resolution) if considered is debatable and amendable, but if no amendment is offered, and no one cares to speak, the Chair makes the following statement:]

THE PRESIDING OFFICER. The bill (joint resolution) is open to amendment; if there be no amendment, the bill (joint resolution) will be read a third time.

[The Clerk reads the bill (joint resolution) a third time by title.]

THE PRESIDING OFFICER. The question is on passage of the bill (joint resolution). Without objection, the bill (joint resolution) is passed.

OR

The question is on passage of the bill (joint resolution). As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the bill (joint resolution) is passed (not passed.)

[If the measure is a House Concurrent Resolution]

**THE PRESIDING OFFICER.** The concurrent resolution is open to amendment. If there are no amendments, the question is on the adoption of the resolution. Without objection, the resolution is agreed to.

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

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### Consideration of Senate Bills and Joint Resolutions Without Reference to Committee by Unanimous Consent Procedure

[A Senate bill (joint resolution) when introduced is usually referred to the appropriate standing committee, but the leadership, or a Senator acting with the approval of the leadership, sometimes introduces a bill or resolution and asks for its immediate consideration or that the bill be placed on the Calendar without being referred. Such procedure, however, to be successful requires previous clearance with all parties concerned before such a request is made, otherwise objection is likely to be heard. When this method of consideration is utilized, the leadership, or a Senator, introduces the bill or resolution and makes such a request which takes the following form:]

**A SENATOR.** Mr. President, I introduce a bill (joint resolution) and ask unanimous consent that it be considered as having been read twice and that the Senate proceed to its immediate consideration.

**THE PRESIDING OFFICER.** The Clerk will report the bill (joint resolution) by title for the information of the Senate.

[The Clerk reads the bill (joint resolution) by title.]

**THE PRESIDING OFFICER.** Is there objection to the request of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_)

that the bill (joint resolution) be considered as having been read twice and that the Senate proceed to its immediate consideration? Without objection, it is so ordered, and the Senate will proceed to its immediate consideration.

[The request could be that the bill (joint resolution) be considered as having been read twice and placed on the Calendar; in which case there would be no further action on the measure at that time.]

[A motion to that effect would not be in order since a bill must be read three times before passage and each reading is required to be on different legislative days.]

[At this stage, the bill (joint resolution) is debatable and amendable, but if no amendment is offered, and no one cares to speak, the Chair makes the following statement:]

**THE PRESIDING OFFICER.** The bill (joint resolution) is open to amendment; if there be no amendment, the bill (joint resolution) will be read a third time.

[The Clerk reads the bill (joint resolution) a third time by title.]

**THE PRESIDING OFFICER.** The question is on passage of the bill (joint resolution). Without objection, the bill (joint resolution) is passed.

#### OR

The question is on passage of the bill. As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the bill (joint resolution) is passed (not passed).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

## Constitutional Amendments

[Proposals to amend the Constitution are generally presented in the form of a joint resolution. When any such joint resolution is being considered, any amendment offered thereto is disposed of by a majority vote. It takes a two-thirds vote of the Senate to concur in a House amendment to a Senate joint resolution, or it takes a two-thirds vote of the House to concur in a Senate amendment to a House joint resolution. On the question of passage of the joint resolution, it takes a two-thirds vote, and it also takes a two-thirds vote to adopt a conference report on a measure which proposes an amendment to the Constitution. After the vote on passage is concluded, and the vote is tabulated and handed to the Chair, if by rollcall vote, the Chair states:]

THE PRESIDING OFFICER. On this vote the yeas are \_\_\_\_\_, the nays are \_\_\_\_\_. Two-thirds of the Senators voting, a quorum being present, having voted in the affirmative (not having voted in the affirmative), the joint resolution is passed (or is not passed).

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## Constitutionality of Questions

[Under the uniform precedents and practices of the Senate, a point of order having been raised as to the constitutionality of a bill, an amendment proposing to raise revenue, or a Senate rule or procedure, the Chair submits the question to the Senate for decision. As stated on numerous occasions, the Chair has no power or authority to pass on the constitutionality of a matter. If a point should be raised, the procedure would be somewhat as follows:]

A SENATOR. Mr. President, I make a point of order that the amendment proposed by the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) proposes to raise revenue and is being offered to a Senate bill. Under the Constitution, this is not in order.

THE PRESIDING OFFICER. Under the precedents and practices of the Senate, the Chair has no power or authority to pass on such a point of order. The Chair, therefore, under the precedents of the Senate, submits the question to the Senate. Is the point of order well taken?

[This point is debatable and after any debate thereon, the Senate proceeds to vote.]

## Contempt Proceedings

### Form of Particular Subpoena

UNITED STATES OF AMERICA  
CONGRESS OF THE UNITED STATES

To \_\_\_\_\_,

(name of person)

, Greeting:

(address)

Pursuant to lawful authority, YOU ARE HEREBY COMMANDED to appear before the Senate Committee on \_\_\_\_\_ of the Senate of the United States,  
(name of committee)

on Forthwith \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_m., at their  
(date) (hour)  
committee room, Room \_\_\_\_\_, Senate Office Building,  
(number)

Washington, D.C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and produce your personal financial records for the period \_\_\_\_\_, to date, including cancelled  
(date)

checks, check stubs, deposit slips, bank statements, records of loans, securities, insurance policies and income tax returns, together with records of all businesses or enterprises in which you have or have had an interest.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To \_\_\_\_\_ to serve and return.

(name of officer)

Given under my hand, by order of the committee, this  
\_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord one  
(month)  
thousand nine hundred and \_\_\_\_\_.  
(year)

*Chairman, Senate Committee on \_\_\_\_\_*

## Form of a Resolution of Arrest of Witnesses To Appear Before a Committee, Adopted by the Senate in 1951

Whereas the Senate Committee on \_\_\_\_\_  
(name of committee)

has reported to the Senate that subpoenas have been issued for \_\_\_\_\_, and that these persons are important  
(names of persons)  
witnesses, necessary to the successful conclusion of inquiries being conducted by that committee pursuant to Senate Reso-

lution \_\_\_\_\_ Congress, \_\_\_\_\_ session, and that the said persons have not been located for service despite diligent search on the part of persons employed by the committee, and peace officers assisting the committee and that thereafter new subpoenas calling for the appearance of these persons were handed to the Sergeant at Arms of the Senate, pursuant to the policy recommendation of the \_\_\_\_\_  
(name of committee)

Committee of the Senate, with the request that he endeavor to make service of these subpoenas through all the facilities at his command and that the Sergeant at Arms, after using great diligence in endeavoring to locate the said witnesses and to serve them, has reported to the chairman of the committee that he had been unable to effectuate service; and that the committee has reasonable cause to believe and does believe that the named persons will not appear in response to subpoenas but are in hiding or have left the United States in order to evade the service of subpoenas upon them and will continue to be unavailable for service of subpoenas upon them in order to avoid testifying before the committee; and

Whereas the appearance and testimony of the witnesses named before is material and necessary in order that the committee may properly execute the functions assigned to it and may obtain information necessary as a basis for proposed legislation: It is therefore

*Resolved*, That the President of the Senate issue warrants commanding the Sergeant at Arms of the Senate, or such persons as may be deputized by him, to take into custody the bodies of \_\_\_\_\_;  
(names of persons) and to bring the said persons before

the Senate Committee on \_\_\_\_\_ at Washington,  
(name of committee) District of Columbia, or if the said committee be no longer in existence when the arrest is made, before the bar of the Senate or such appropriate standing committee as the Senate may designate, then and there to answer such questions pertinent to the matter under inquiry as the said committee, the Senate itself or such appropriate committee as the Senate may designate;  
(name of committee)

That, for the purpose of executing warrants issued in accordance with this resolution the Sergeant at Arms of the Senate may by all-inclusive order or orders deputize all law enforcement officers of the Federal Government; and

That the Senate Committee on \_\_\_\_\_, the Senate  
(name of committee) itself or such appropriate standing committee as the Senate may designate, may discharge any of the persons taken into custody under the authorization of this resolution upon proper assurance by recognition, or otherwise, that he will appear to give testimony when required to do so. The committee, the Senate, or such appropriate committee as the Senate may designate, may require such assurances as it deems necessary, not to exceed \$25,000 for any one witness.

For the purpose of discharging any person from custody and ordering assurances, one member of the said committee, or of an appropriately designated committee of the Senate, shall be a quorum.

**Form of a Resolution of Arrest of Witnesses To  
Appear Before the Bar of the Senate, Adopted in the  
Senate in 1934**

Whereas the committee of the Senate, elected pursuant to S. Res. \_\_\_\_\_, \_\_\_\_\_ Congress, \_\_\_\_\_ session, has submitted a report to the Senate; and

Whereas it appears from such report that \_\_\_\_\_  
of \_\_\_\_\_, was on \_\_\_\_\_ duly  
served with a subpoena to appear forthwith before such com-  
mittee, in Washington, District of Columbia, and then and  
there to testify relative to subject matters, and to produce  
specified files, records, and books, pertinent to the matter  
under inquiry; and

Whereas it appears from such report that the said \_\_\_\_\_ has failed, declined, and refused, in disobedience  
(name of person) of such subpoenas, to produce all files, records, and books;  
and

Whereas the appearance and testimony and correspondence, records, files, and books are material and necessary in order that the committee may properly execute the functions imposed upon it and obtain information necessary as a basis for such legislation as the Senate may deem necessary, concerning \_\_\_\_\_: Therefore be it

(subject matter)

*Resolved*, That the President of the Senate issue his warrant commanding the Sergeant at Arms, or his deputy, to take into custody the body of the said \_\_\_\_\_ (name of person) before the bar of the Senate and to bring with him the correspondence, memoranda, books, files, and records referred to and then and there to answer such questions pertinent to the matter under inquiry with reference to facts regarding correspondence, memoranda, books, and files as the Senate may propound, and to keep the said \_\_\_\_\_ (name of person) in custody to await the further action of the Senate.

## **Forms of Senate Contempt Resolutions**

[The following forms of resolutions have been utilized by the Senate to cite certain witnesses for contempt:]

S. Res. \_\_\_\_\_

*In the Senate of the United States,*

(date)

*Resolved*, That the President (or President pro tempore) of the Senate certify the report of the Committee on \_\_\_\_\_ of the United States Senate  
 \_\_\_\_\_  
 (name of committee)  
 as to the refusal of \_\_\_\_\_  
 \_\_\_\_\_  
 (name of person)  
 to answer questions before the Committee (or Subcommittee) on \_\_\_\_\_, said refusal to answer  
 \_\_\_\_\_  
 (name of committee)  
 being pertinent to the subject matter under inquiry together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of \_\_\_\_\_, to the end  
 \_\_\_\_\_  
 (name of district)  
 that the said \_\_\_\_\_  
 \_\_\_\_\_  
 (name of person)  
 may be proceeded against in the manner and form provided by law.

Attest:

*Secretary.*

S. Res. \_\_\_\_\_

*In the Senate of the United States,*

\_\_\_\_\_  
 (date)  
*Resolved*, That the President (or President pro tempore) of the Senate certify the report of the Committee on \_\_\_\_\_ of the United States Senate  
 \_\_\_\_\_  
 (name of committee)  
 on the appearance of \_\_\_\_\_ and  
 \_\_\_\_\_  
 (name of person)  
 before the Senate Committee  
 (name of person)  
 (or Subcommittee) on \_\_\_\_\_ on  
 \_\_\_\_\_  
 (name of committee)  
 \_\_\_\_\_, in Washington, District of  
 \_\_\_\_\_  
 (date)  
 Columbia, at which they—  
 (1) refused to produce books and records lawfully subpoenaed to be produced before the said committee, and  
 (2) failed to appear or to produce the said books and records pursuant to the order and direction of the chairman with the approval of the committee before \_\_\_\_\_  
 (hour)  
 on \_\_\_\_\_, together with all the facts  
 in connection therewith, under the seal of the United States Senate, to the United States attorney for the District of \_\_\_\_\_, to the end that the said  
 \_\_\_\_\_  
 (name of district)  
 \_\_\_\_\_ and  
 \_\_\_\_\_  
 (name of person)  
 \_\_\_\_\_ may be proceeded  
 (name of person)

against in the manner and form provided by law.

Attest:

*Secretary.*

S. Res. \_\_\_\_\_

*In the Senate of the United States,*

(date)

*Resolved*, That the President (or President pro tempore) of the Senate certify the report of the Committee on \_\_\_\_\_ of the United States

(name of committee)

Senate on the appearance of \_\_\_\_\_ (name of witness)  
before the Senate Committee on \_\_\_\_\_ (name of committee)  
(or subcommittee of a committee) as to refusal of \_\_\_\_\_  
on \_\_\_\_\_ (name of witness) (date)

in Washington, District of Columbia—

(1) to answer questions propounded to him pertinent to the subject matter under inquiry;  
(2) to produce books and records, lawfully subpoenaed to be produced before the said Committee on \_\_\_\_\_; and

(name of committee)  
(3) to appear on \_\_\_\_\_ (date) or to produce the  
said books and records pursuant to the order and direction of the chairman with the approval of the committee before  
on \_\_\_\_\_ (hour) (date),

said refusal to answer and to produce the aforementioned papers being pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of \_\_\_\_\_, to the  
(name of district)

end that the said \_\_\_\_\_ (name of witness)

may be proceeded against in the manner and form provided by law.

Attest:

*Secretary.*

#### **Forms Used by President or President Pro Tempore Citing Witness for Contempt**

[The following forms are used by the President (or President pro tempore) of the Senate to transmit a resolution adopted by the Senate or

"Statement of Fact" by a committee citing a witness for contempt to the said United States attorney for presentation to the grand jury for proceeding against the witness as provided for by law.]

[Form When Senate Adopts Resolution]

To the United States Attorney for the District of Columbia  
(or name of other judicial district):

The undersigned, the President (or President pro tempore) of the Senate of the United States, pursuant to Senate Resolution \_\_\_\_\_, (\_\_\_\_ Congress, \_\_\_\_ session), agreed to on \_\_\_\_\_, (date) an official engrossed copy of which is hereto attached, certifying the report of the Senate Committee on \_\_\_\_\_ concerning \_\_\_\_\_, (name of committee) \_\_\_\_\_, does hereby, under the seal of the \_\_\_\_\_, (name of person) Senate, certify to you, as the United States attorney for the \_\_\_\_\_ District of \_\_\_\_\_, (name of judicial district) an official printed copy of Senate Report No. \_\_\_\_\_, \_\_\_\_\_ Congress, \_\_\_\_\_ session, containing facts relative to the refusal of said \_\_\_\_\_ to answer questions propounded to him as \_\_\_\_\_, (name of person) a witness before the Committee on \_\_\_\_\_, (name of committee) (or said subcommittee of a committee) of the Senate (and any other charges, as "for departing from the hearing without leave"); said report having been submitted to the Senate on \_\_\_\_\_, (legislative day, \_\_\_\_\_) (date) by Mr. \_\_\_\_\_, (name of Senator) from the said Committee on \_\_\_\_\_, (name of committee) and ordered to be reprinted.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of the Senate of the United States of America at the city of Washington, this the \_\_\_\_\_th day of \_\_\_\_\_, A.D. \_\_\_\_\_.  
(month) (year)

President (or President pro tempore) of the Senate of the United States of America.

Attest: \_\_\_\_\_  
Secretary of the Senate of the United States.

[Form for "Statement of Fact by Committee" When Congress Is in Sine Die Adjournment]

To the United States Attorney for the District of Columbia  
(or District of \_\_\_\_\_):  
(name of district)

The Senate being in sine die adjournment, the undersigned, the President (or President pro tempore) of the

Senate of the United States of America, pursuant to the provisions of title 2, section 194, United States Code, hereby certifies to you, under the seal of the Senate, a printed statement of facts reported to and filed with me by the Chairman of the Committee on \_\_\_\_\_  
 (name of committee)

(if a special committee, add: 'duly created by the Senate,'),  
 constituting the refusal of \_\_\_\_\_  
 (name of person)

to produce certain books, papers, records, and documents as summoned; the refusal of the said \_\_\_\_\_  
 (name of person)

to answer certain questions pertinent to the subject under inquiry; the facts concerning the destruction, alteration, and mutilation of certain of the said documents, and the transcript of the committee's hearings on \_\_\_\_\_  
 (date)

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of the Senate of the United States of America at the city of Washington, this the \_\_\_\_\_th day of \_\_\_\_\_, A.D. \_\_\_\_\_  
 (month) (year)

President (or President pro tempore) of the Senate of the United States of America.

Attest:  
 Secretary of the Senate of the United States.

**[Report and Statement of Facts by Committee in Proceedings Against for Contempt of the Senate]**

TO THE PRESIDENT OF THE SENATE, GREETING:

Pursuant to lawful authority, there is reported to you herewith, for filing, a statement of fact constituting the refusal of \_\_\_\_\_ to produce  
 (name of person)

certain books, papers, records, and documents as summoned; and the refusal of the said \_\_\_\_\_  
 (name of person)

to answer certain questions pertinent to the subject under inquiry; and the facts concerning the destruction, alteration, and mutilation of certain of the aforesaid documents; and the transcript of this Committee's hearings reflecting false statements by the said \_\_\_\_\_ in  
 (name of person)

connection with certain of the records aforesaid.

It is respectfully requested, pursuant to title 2, United States Code, sections 192 and 194, that the President (or President pro tempore) of the Senate, certify the attached statements of facts under the seal of the Senate to the appropriate United States attorney, whose duty it shall be to bring the matter before the grand jury for its action.

\_\_\_\_\_  
 Chairman, Senate Committee on

[A statement of facts is attached including any questions and denials to answer, etc.]

## Credentials, Form for Presenting to Senate

[Under current practices, the credentials of Senators at the beginning of a new Congress are laid before the Senate en bloc without being read. If some Senators have resigned or died previous to the adjournment or during the sine die adjournment and Governors had made appointments to fill such vacancies, or if some Senators were elected to fill such short terms or unexpired terms, the letters of resignation, if the vacancy was not caused by death, and the credentials of appointment to fill vacancies caused by death or resignation, and the credentials of elected Senators to fill unexpired terms caused by death or resignations, will be laid down first and are usually read. Note the following procedure under current practices:]

[If by appointment:]

THE PRESIDING OFFICER (usually the Vice President). The Chair lays before the Senate the letter(s) of resignation (if the vacancy was not caused by death) of Senator \_\_\_\_\_ of the State of \_\_\_\_\_ (and Senator \_\_\_\_\_ of the State of \_\_\_\_\_, etc.), together with the certificate(s) of appointment of Mr. \_\_\_\_\_ of the State of \_\_\_\_\_ (and Mr. \_\_\_\_\_ of the State of \_\_\_\_\_, etc.), which without objection will be placed on file. The Clerk will read the certificate(s).

[The Clerk reads the letter(s) of resignation and the certificate(s) of appointment.]

[Or if by election:]

THE PRESIDING OFFICER (usually the Vice President). The Chair lays before the Senate the credentials of Mr. \_\_\_\_\_, duly chosen a Senator by the qualified electors of the State of \_\_\_\_\_ on November \_\_\_\_ 19\_\_\_\_, caused by the death of Hon. \_\_\_\_\_, which without objection is ordered to be placed on file. The Clerk will read the certificate(s) of election for the information of the Senate.

[The Clerk reads the certificate of election.]

[If there are other certificates falling in some other special category, the Chair lays them one at a time as above before the Senate to be read and placed on file. After those in the special categories have been disposed

[of, the Chair lays before the Senate the certificates of election of the Senators elected in the general election for full 6-year terms as follows:]

**THE PRESIDING OFFICER** (usually the Vice President). The Chair lays before the Senate the credentials of 33 (or 34) Senators elected for 6-year terms beginning January 3, 19\_\_\_\_\_. All certificates, the Chair is advised, are in the form suggested by the Senate, except (if any) the ones from the State of \_\_\_\_\_ and the State of \_\_\_\_\_, which used State forms but contains all the requirements of the form suggested by the Senate. If there be no objection, the reading of the certificates will be waived and they will be printed in full in the *Record*, and placed on file.

[If there are no other matters involved, the Chair continues:]

**THE PRESIDING OFFICER** (usually the Vice President). If Senators to be sworn will now present themselves at the desk in groups of four as their names are called in alphabetical order, the Chair will administer the oath of office required by the Constitution and as prescribed by law. The Clerk will call the names.

[The Senators-elect come to the desk in four's to be sworn, with each escorted to the desk by the other Senator from his State. In presenting themselves before the Presiding Officer to be sworn, the Senators raise their right hand while the oath or affirmation is presented to them, and it is customary also for the Presiding Officer to raise his right hand. The Presiding Officer states:]

**THE PRESIDING OFFICER** (usually the Vice President). Please raise your right hand, and I will administer the oath.

[The Chair then states the following oath:]

**THE PRESIDING OFFICER.** Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter: So help you God.

**THE SENATORS IN GROUP.** I do.

[After the oath is so administered, the group (four in number) of Senators subscribe to the oath in the official oath book, and then the next group of four with their escorts advance to the desk for their oath. This process is followed until all have taken their oath.]

[When a Senator dies or resigns during a session of Congress and a new Senator is appointed by the governor or elected in a special election during that session and appears to take his oath, the following procedure is utilized. If a resignation, the Chair first lays before the Senate the letter of resignation before laying down the certificate of appointment or election as the case might be.]

**THE PRESIDING OFFICER.** The Chair lays before the Senate the letter(s) of resignation (if the vacancy was not caused by death or if the letter of resignation had not already been laid before the Senate), which the Clerk will read.

[After the letter of resignation is read, if there be one,  
the Chair states:]

**THE PRESIDING OFFICER.** The Chair lays before the Senate the credentials of Mr. \_\_\_\_\_ of the State of \_\_\_\_\_, duly certified by the governor of the said State, which the Clerk will read.

[The Secretary reads the credentials.]

**THE PRESIDING OFFICER.** The credentials will be recorded and placed on file if there be no objection. If the Senator will now present himself at the desk, the Chair will administer his oath.

[The Senator-elect is usually escorted to the desk by the other Senator from his State. In presenting himself before the Presiding Officer to be sworn, the Senator raises his right hand while the oath or affirmation is presented to him, and it is customary also for the Presiding Officer to raise his right hand. The Presiding Officer, as set forth above, asks the Senator to raise his right hand and the oath is administered. The new Senator subscribes to the oath in the official oath book.]

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## Debate, Interruption of a Speaking Senator

[While a Senator is speaking—]

**A SENATOR.** Mr. President, will the Senator yield to me at this time?

**THE PRESIDING OFFICER.** Will the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) yield to the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_)?

**A SENATOR** (speaking). I yield to the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

**THE PRESIDING OFFICER.** The Senator yields to the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

[When the regular order is being insisted upon, a Senator can yield only for a question and the following procedure is utilized:]

A SENATOR. Mr. President, will the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) yield to me for a question?

THE PRESIDING OFFICER. Does the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) yield to the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) for a question?

A SENATOR (speaking). I yield for a question.

THE PRESIDING OFFICER. The Senator yields to the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) for a question.

OR

A SENATOR (speaking). I decline to yield at this time.

THE PRESIDING OFFICER. The Senator declines to yield at this time for a question.

**Discharge of a Committee From Further Consideration of a Bill (Resolution) and Immediate Consideration Thereof by the Senate Under Unanimous Consent Procedures**

A SENATOR. Mr. President, I ask unanimous consent that the Committee on \_\_\_\_\_ be discharged from further consideration of S. \_\_\_\_\_, (title of bill), and

that the Senate proceed to its immediate consideration.

THE PRESIDING OFFICER. Is there objection to the request of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_)? Without objection, it is so ordered.

OR

A SENATOR. Mr. President, I submit a resolution to discharge the Committee on \_\_\_\_\_ from further consideration of S. \_\_\_\_\_ and ask for the immediate consideration of the resolution.

THE PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution submitted by the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_)? Without objection, the Senate will proceed to its consideration.

OR

Objection is heard to the immediate consideration of the resolution and the resolution goes over under Rule XIV, paragraph 6.

[For details on procedure for the consideration of a resolution ordered over under the rule, see "Over Under the Rule," pp. 1525-1526.]

## Division of a Question Containing More Than One Proposition

[Under Rule XV, "if the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided." This applies to amendments and motions but not to the original text of the bill, which, except by unanimous consent or suspension of the rules, must be acted on as a single question in one vote—that is, on the question of passage. Motions to strike out any portion of any bill, not already stricken by the Senate, when before the Senate for consideration is in order at the appropriate time.]

A SENATOR. Mr. President, I ask that the question be divided and that a separate vote be taken on each of the following parts of the amendment (or motion).

[This request might be made in any of various ways as long as each vote requested is on a separate proposition.]

THE PRESIDING OFFICER. A division of the question has been requested and since the question can be properly divided as requested, a separate vote will be taken on each proposition as stated. The first vote will be taken on the first part, after which the second vote will occur on the second part, etc. The Clerk, for the information of the Senate, will state the first part to be voted on.

[The Clerk states the first part, and after debate, if any, the Chair states:]

THE PRESIDING OFFICER. The question is on agreeing to the first part of the proposition (putting the question).

[After the first vote is concluded, the Chair directs the Clerk to state the second part, as follows:]

THE PRESIDING OFFICER. The question is on agreeing to the second part of the proposition, which the Clerk will report.

[Then after the vote on the second part has been announced, the procedure on each part, no matter how many there are, will be taken in the same fashion as above. If the yeas and nays have been ordered on any proposition which can be divided before a division of the question is requested, each vote on each question will be by yeas and nays automatically.]

### Division Vote Ordered by the Chair

[If the Chair is in doubt as to the results of a voice vote, he may call for a division vote (show of hands or standing) to ascertain the results of the same—a Senator at the same time could block such a vote by asking for the yeas and nays, if there were a sufficient second to order them. If the Chair calls for a division vote when in doubt of the outcome of a voice vote, the following procedure is pursued:]

**THE PRESIDING OFFICER.** The Chair is in doubt (of the outcome of the voice vote). As many as are in favor of the amendment (or any other pending question) will rise and remain standing until they are counted (or raise their hands and keep them up until they are counted).

[After the proponents are counted, the Chair states:]

As many as are opposed will rise and stand until they are counted (or raise their hands and keep them up until they are counted).

[The Clerk, after the proponents and opponents have been tabulated, hands the count to the Presiding Officer, who states:]

The amendment (or any other pending question) is agreed to (or not agreed to).

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### Division Vote Requested From Floor

[When a Senator does not care for a rollecall vote, but is not satisfied with a voice vote, before the vote is announced, he may request the Senators to stand and be counted.]

**A SENATOR.** Mr. President. I ask for a division (vote) on this question.

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) asks for a division. As many as are in favor of the amendment (or any other pending question) will rise and stand until they are counted (or raise their hands and keep them up until they are counted).

[After the proponents are counted, the Chair states:]

As many as are opposed will rise and stand until they are counted.

[The Clerk, after both the proponents and opponents have been tabulated, hands them to the Presiding Officer, who states:]

The amendment (or any other pending question) is agreed to (or not agreed to).

### Engrossment, Correction of

[It is not uncommon when the Senate passes a complex or major bill for a unanimous consent request to be made to authorize the Secretary of the Senate to make certain technical and clerical corrections in the engrossment thereof. Such request is usually as follows:]

A SENATOR (generally the manager of the bill or the majority leader or his designee). Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized in the engrossment of S. \_\_\_\_ (in the case of House bills and resolutions only amendments thereto are engrossed) to make any necessary technical and clerical corrections.

THE PRESIDING OFFICER. Without objection, it is so ordered.

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### Enrollment, Correction of

#### [Form of Concurrent Resolution for Correcting Enrollment]

S. Con. Res. \_\_\_\_

(\_\_\_\_ Congress, \_\_\_\_ Session)

*Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. \_\_\_\_)*  
\_\_\_\_ the Secretary of the Senate (House bills  
(title of bill)

and joint resolutions are enrolled by the House of Representatives) is hereby authorized and directed, in the enrollment of the said bill, to make the following corrections, namely:  
[Specify corrections to be made, including titles, sections, pages and lines. Variations of course are possible depending on the kinds of correction to be made.]

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### Executive Business

A SENATOR. Mr. President—

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_  
(Mr. \_\_\_\_\_).

A SENATOR. I move (ask unanimous consent) that the Senate go into executive session for the transaction of executive business (to consider certain nominations).

[This motion is not debatable.]

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_  
(Mr. \_\_\_\_\_) moves (asks unanimous consent) that the

Senate go into executive session for the consideration of executive business (or to consider certain nominations).

Without objection, the motion (the request) is agreed to, and the Senate will proceed to the consideration of executive business (or the Clerk will report the first nomination).

OR

As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

[If agreed to, the Chair continues:]

The Senate will proceed to the consideration of executive business (or the Clerk will report the first nomination).

[A division vote may be called for or the yeas and nays may be ordered, if done before the Chair announces the final results of the voice vote.]

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[In executive session the Senate will either consider nominations, treaties, or executive business, which is usually indicated by the Senator making the motion to go into executive session. After the executive business has been transacted, the Senate returns to legislative session as indicated below:]

A SENATOR. Mr. President, I move (ask unanimous consent) that the Senate return to legislative session (or to the consideration of legislative business).

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) moves (asks unanimous consent) that the Senate return to legislative session (or that the Senate resume the consideration of legislative business).

[After putting the question, and the motion (or request) is agreed to, he continues:]

THE PRESIDING OFFICER. The motion (request) is agreed to and the Senate returns to legislative session (resumes the consideration of legislative business).

## Forms Generally Used by the Presiding Officer for Putting the Question on Passage of Bills and Resolutions, and Actions on Amend- ments, Motions, etc.

[For forms used by the Presiding Officer to put such questions, see "Action on Bills, Amendments, Resolutions, Motions, etc.— Terminology Used by Presiding Officer in Announcing Vote or Action Taken," p. 1441.]

### Germaneness of Amendments to General Appropriation Bills

[Under Rule XVI, amendments proposed to general appropriation bills, legislative in nature, are subject to a point of order. Likewise, the rule provides that when the question of germaneness of an amendment to provisions of a bill is raised, the question must be submitted to the Senate for decision without debate.]

A SENATOR. Mr. President, I make a point of order that the amendment is general legislation and not in order to a general appropriation bill under Rule XVI.

ANOTHER SENATOR. Mr. President, I concede that the amendment is legislative in nature but I raise the question of germaneness of the amendment to language already in the bill.

[If the Chair is satisfied that there is House legislative language in the bill to which the amendment in question could possibly be germane.]

THE PRESIDING OFFICER. The Chair, under Senate Rule XVI, now submits to the Senate the question raised by the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_); namely, is the amendment germane or relevant to any legislative language already in the House-passed bill. The question is not debatable.

As many as hold the amendment to be germane or relevant to the House-passed bill say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the amendment is held to be germane (not germane).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by

at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered. For the methods of voting, see "Voting, Methods of," pp. 1562-1564.]

[If the Senate votes that the amendment is germane, the point of order fails and if debate thereon has concluded, the Chair puts the question on the adoption of the amendment; otherwise, the amendment fails.]

### Hour of Daily Meetings of the Senate

[At the beginning of a new Congress, or a new session, on the opening day, generally, immediately after the adoption of resolutions to inform the House of Representatives and the President of the United States that a quorum is assembled and ready to do business, a resolution is submitted to set the hour for the daily meetings of the Senate during that session as follows:]

A SENATOR. Mr. President, I submit a resolution which I send to the desk and ask for its immediate consideration.

THE PRESIDING OFFICER. The Clerk will report the resolution for the information of the Senate.

[The Clerk reads the resolution:]

*Resolved*, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

THE PRESIDING OFFICER. Without objection, the Senate will proceed to the immediate consideration of the resolution.

[If no discussion, the Chair continues:]

The question is on agreeing to the resolution. Without objection, the resolution is agreed to.

OR

THE PRESIDING OFFICER. Without objection, the resolution will be considered and agreed to.

### House Bills and Resolutions Placed on Senate Calendar Under Rule XIV Without Reference to Committee

[A House bill (joint resolution) coming to the Senate in a message from the House is usually referred to the appropriate standing committee, but

under Rule XIV, a Senator may request the Chair to lay any such bill or joint resolution before the Senate and ask for its first reading, and without objection, a second reading on the same legislative day. If objection is heard, the second reading of the bill (joint resolution) goes over one legislative day. After the second reading, any Senator may object to its further consideration at that time, and the Chair, under Rule XIV, will state that the bill (joint resolution) will be placed on the Calendar. A bill (joint resolution) thus placed on the Calendar can, on the next legislative day, be brought up on motion, or by unanimous consent, just as any other bill (joint resolution) which has been reported by committee and placed on the Calendar. Note the following phraseology utilized for this type procedure.]

A SENATOR. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H. R. \_\_\_\_\_ (H.J. Res. \_\_\_\_\_), \_\_\_\_\_ for its first reading.

THE PRESIDING OFFICER. The Clerk will read H.R. \_\_\_\_\_ (H.J. Res. \_\_\_\_\_) for the first time.

[The Clerk reads the bill (joint resolution) the first time by title.]

A SENATOR. Mr. President, I ask that the bill (joint resolution) be read a second time.

THE PRESIDING OFFICER. Without objection, the Clerk will read the bill (joint resolution) a second time by title.

[The Clerk reads the bill (joint resolution) a second time by title.]

A SENATOR. Mr. President, I object to the further consideration of the bill (joint resolution) at this time.

THE PRESIDING OFFICER. Objection having been heard to further consideration of the bill (joint resolution) at this time, under Rule XIV, paragraph 4, the bill (joint resolution) will be placed on the Calendar.

## OR

[After the measure has been laid before the Senate and read a first time, note the following:]

A SENATOR. Mr. President, I ask that the bill (joint resolution) be read a second time.

A SECOND SENATOR. Mr. President, I object.

THE PRESIDING OFFICER. Objection having been heard, the second reading will go over one legislative day.

[A bill (joint resolution) may be read a second time on the same day only if there is no objection since the rules provide that every bill (joint resolution) shall be read three times before it is passed, with each reading occurring on a different legislative day.]

[Objection having been heard to the second reading on the same day, and the bill (joint resolution) having gone over a legislative day for its second reading, the Chair lays the bill (joint resolution) before the Senate during the morning business on the next legislative day when he calls for the introduction of bills and joint resolutions and orders it read a second time after which the following phraseology is utilized to get the bill (joint resolution) on the Calendar:]

**THE PRESIDING OFFICER.** The bill (joint resolution) will be read a second time.

[The Clerk reads the bill (joint resolution) a second time by title.]

**A SENATOR.** Mr. President, I object to further consideration of the bill (joint resolution) at this time.

**THE PRESIDING OFFICER.** Objection having been heard to further consideration of the bill (joint resolution) at this time, under Rule XIV, paragraph 4, the bill (joint resolution) will be placed on the Calendar.

[The bill (joint resolution), having been placed on the Calendar under Rule XIV, paragraph 4, is eligible to be brought up by unanimous consent immediately, or on the next legislative day by motion, on the same conditions as any other reported bill (joint resolution) ordered placed on the Calendar. Of course, when the bill (joint resolution) has been brought up and is before the Senate, a motion to refer it to a committee would be in order.]

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### House Bills Placed on Calendar

[Likewise, House bills and joint resolutions when messaged to the Senate are placed on the Senate Calendar automatically if they are companion measures to Senate bills and joint resolutions already reported in the Senate and on the Calendar, except when Senate committees having jurisdiction thereof specifically want such House bills referred. When such House bills are thus placed on the Calendar, cross references to the said Senate measures are designated, respectively.]

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### House Bills Substituted for, by Senate Bills

[The procedure below would be applicable to any type of proposed legislation on which the Senate and House have companion measures.]

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[When the Senate considers a Senate bill and there is a like House bill on the Senate Calendar or in a Senate committee, and it is desired that the House bill be passed instead of the Senate bill, any Senator, usually the manager of the bill, may request or move, particularly after the Senate bill has been read a third time, that the Senate proceed to the consideration of the House bill (when on the Calendar) or request that the committee to which it was referred be discharged from further consideration of the Senate bill (when in committee) and that the Senate proceed to its immediate consideration. If both the House and Senate

bills are identical, after the Senate bill has been read a third time, the House bill, when motioned up, would nevertheless be open to amendment, but if no amendment is offered, and no debate is desired thereon, it will be read a third time and passed without amendment, embodying the same language as in the Senate bill at the time of its third reading, clearing the measure for the President's signature. The Senate bill can then be indefinitely postponed. If the Senate bill at the time of the third reading is different from that of the House bill, the House bill could be motioned up and amended by adopting one or more perfecting amendments to make it conform to that of the Senate version, or by striking out all after the enacting clause of the House bill and substituting the Senate version of the bill therefor, and then passing the bill, after which the Senate bill could be indefinitely postponed.]

[When a third reading of a pending Senate bill is reached in such a case, a Senator takes the following action:]

A SENATOR. Mr. President, I move (or ask unanimous consent) that the Senate proceed to the consideration of H.R. \_\_\_\_, Calendar No. \_\_\_\_.

THE PRESIDING OFFICER. The Clerk will report the bill by title.

[The Clerk reports the bill by title.]

THE PRESIDING OFFICER. The question is on the motion (or is there objection to the unanimous consent request) to proceed to the consideration of H.R. \_\_\_\_?

[The question is then put to a vote.]

OR

A SENATOR. Mr. President, I ask unanimous consent that the Committee on \_\_\_\_\_ be discharged from further consideration of H.R. \_\_\_\_\_, and that the Senate proceed to its immediate consideration.

THE PRESIDING OFFICER. The Clerk will report the bill by title.

[The Clerk reports the bill by title for the information of the Senate.]

THE PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to discharge the Committee on \_\_\_\_\_ from further consideration of H.R. \_\_\_\_\_, and that the Senate proceed to its immediate consideration?

[The request is either granted or rejected. Here a motion to that effect would not be in order.]

[After the House bill is before the Senate, however brought up, the Chair states:]

**THE PRESIDING OFFICER.** The bill is open to amendment. If there be no amendment, the bill will be read a third time and passed.

[If the House bill is to be amended, or if all of the language after the enacting clause of the House bill is to be stricken out and the language of the Senate bill is to be substituted therefor, the following occurs:]

[When perfecting amendments are offered and adopted:]

**A SENATOR.** Mr. President, I submit a perfecting amendment to the House bill.

**THE PRESIDING OFFICER.** The Clerk will report the amendment.

[The Clerk reports the amendment.]

**THE PRESIDING OFFICER.** The question is on agreeing to the perfecting amendment.

[The vote is then taken thereon. If there are other amendments to be offered, they are disposed of in like fashion. When no further amendments are proposed, the engrossment of the amendments and the third reading of the bill are called for, and then passage of the bill.]

[When a substitute amendment for the bill is offered and adopted:]

**A SENATOR.** Mr. President, I move to strike out all after the enacting clause of the House bill and insert the language of S. \_\_\_\_\_ (or as amended) therefor.

**THE PRESIDING OFFICER.** The Clerk will report the amendment.

[The Clerk reports the amendment by description, unless a full reading is demanded.]

**THE PRESIDING OFFICER.** The question is on agreeing to the amendment in the nature of a substitute for the bill.

[The vote is then taken, if no amendments thereto are offered, after which the Senate amendment is ordered engrossed, the bill is read a third time, and then the question is put on the passage of the bill.]

## House of Representatives Notified That a Quorum of Senate Is Assembled To Do Business

[At the beginning of a new Congress, or a new session, after the roll is called and a quorum has been established, the Senate always adopts two resolutions—one to inform the House of Representatives that a quorum of the Senate is assembled and is ready to do business and the other to appoint a committee to join a committee appointed by the House to wait upon the President of the United States and to inform the President that a quorum is assembled and is ready to receive any communication he may care to send to the Congress. Note the following:]

A SENATOR. Mr. President, I suggest the absence of a quorum.

[This usually occurs immediately after the swearing in of the new Senators, of a new Congress, or after a quorum call at the beginning of any other session.]

THE PRESIDING OFFICER. The Secretary will call the roll to ascertain if a quorum is present.

[After the roll is called and a quorum is present, the Clerk so notifies the Presiding Officer, who states:]

THE PRESIDING OFFICER. A quorum is present.

A SENATOR. Mr. President—

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

A SENATOR. I submit a resolution which I send to the desk and ask for its immediate consideration.

THE PRESIDING OFFICER. The Clerk will report the resolution for the information of the Senate.

[The Secretary reads the resolution:]

*Resolved*, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

THE PRESIDING OFFICER. Without objection, the Senate will proceed to the immediate consideration of the resolution.

[After a pause, if there is no discussion, the Chair continues:]

The question is on agreeing to the resolution. Without objection the resolution is agreed to.

OR

Without objection, the resolution is considered and agreed to.

[See also "President of the United States, Adoption of Resolution To Notify That a Quorum of the Senate Is Assembled To Do Business," pp. 1529-1530.]

### Interruption of a Speaking Senator

See: "Debate, Interruption of a Speaking Senator," pp. 1501-1502.

### Joint Session To Hear the President Deliver His State of the Union Message

[It is normally assumed when the Senate goes over to the House for a joint session to hear the President deliver his State of the Union Message, that the Senate is still in session. If the Senate desires to adjourn at the end of the joint session without returning to the Senate Chamber, it can adopt a unanimous consent order to authorize such adjournment until the hour it next expects to meet. This allows continuation of the Senate in session, and for adjournment without the Senators returning to the Senate Chamber. Note the following:]

A SENATOR (usually the Majority Leader). Mr. President, I ask unanimous consent that the Senate now go in body to the House of Representatives to hear the President of the United States deliver his message on the State of the Union to a joint session of Congress as provided by House Concurrent Resolution \_\_\_\_\_, adopted by both Houses today (or whatever time the resolution was agreed to), and that after the President completes his message, the Senate stand in adjournment until \_\_\_\_\_ (noon tomorrow).

THE PRESIDING OFFICER. Without objection, that will be the order of the Senate.

### Journal

[Under Rule IV, at the commencement of each legislative day's session, after the Presiding Officer has taken the Chair, and a quorum being present, the *Journal* of the preceding day shall be read, and any mistakes made in the entries corrected.]

[Following an adjournment, the Majority Leader, or someone acting in his behalf, in order to comply with the provisions of Rule IV usually makes the following request:]

A SENATOR. Mr. President, I ask unanimous consent that the reading of the *Journal* of the proceedings of the

previous day (or the date the Senate last met) be dispensed with.

THE PRESIDING OFFICER. Without objection it is so ordered.

#### OR

A SENATOR. Mr. President, I ask unanimous consent that the *Journal* of the proceedings be approved to date.

THE PRESIDING OFFICER. Without objection it is so ordered.

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### Messages From the House of Representatives

[Some messages from the House of Representatives when received, are held at the Desk until laid before the Senate. If the messages embody only House-passed bills and resolutions, these are generally referred or otherwise disposed of on the date of receipt. If the messages involve Senate-passed bills with House amendments or House-passed bills with Senate amendments, or Senate amendments with House amendments thereto, they are held at the Desk until a request from the floor is made to dispose of them. Generally, when a request is made from the floor to lay such messages before the Senate, the Senate will concur in the House amendments, or concur in the House amendments with amendments, or send such bills which have passed both Houses with amendments to conference.]

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### Measures Passed by Both Houses

[Messages from the House of Representatives on measures which have already passed the Senate and the House of Representatives with amendments, when received in the Senate, are held at the desk for further disposition. Generally, such proposals, which have privileged status to be laid before the Senate, are either sent to conference or a motion is made to concur in the House amendments thereto. Note the following:]

A SENATOR. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S.\_\_\_\_\_ (or any other legislative proposal with House amendment(s)), \_\_\_\_\_<sup>(title)</sup>.

THE PRESIDING OFFICER. The Chair lays before the Senate a message from the House of Representatives on S.\_\_\_\_\_, which the Clerk will report for the information of the Senate.

[If the message involves a House amendment(s) to any legislative proposal, the Senator in charge of the bill, or the Leader, usually makes some motion to dispose of the amendment(s), if a conference thereon is not requested. To illustrate:]

A SENATOR. Mr. President, I move that the Senate concur in the House amendment(s).

[The motion could be to concur in the House amendment(s) or to concur in the House amendment(s) with amendment(s), or other possible motions thereon.]

THE PRESIDING OFFICER. The question is on the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to concur in the House amendment(s).

OR

The question is on the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to concur in the House amendment(s) with amendment(s).

[After debate, if any, the Chair will put the question and state:]

THE PRESIDING OFFICER. Without objection, the motion is agreed to.

OR

As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

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### Procedure for Receiving

[When the messenger of the House of Representatives appears at the door of the Senate, and a Senator is speaking, the procedure is as follows:]

THE PRESIDING OFFICER. Will the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) kindly suspend for a moment so that the Senate might receive a message from the House of Representatives?

**OR**

[If no Senator has been recognized, or no Senator is speaking, the procedure is as follows:]

**THE PRESIDING OFFICER.** The Senate will receive a message from the House of Representatives.

**THE DOORKEEPER.** A message from the House of Representatives.

**THE MESSENGER OF THE HOUSE.** Mr. President—

**THE PRESIDING OFFICER.** Mr. Clerk.

**THE MESSENGER OF THE HOUSE.** I am directed by the House to inform the Senate that the House has passed sundry Senate bills, without amendment (reciting titles); etc., . . . etc.

**THE PRESIDING OFFICER.** The message will be received (or the message will be received and appropriately referred).

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**Received During Adjournment of the Senate**

[Form of unanimous consent order to authorize the Secretary of the Senate to receive messages from the House of Representatives during an adjournment or recess of the Senate.]

**A SENATOR.** Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives during the adjournment (or recess) of the Senate from \_\_\_\_\_,

\_\_\_\_\_, \_\_\_\_\_ until \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, when the Senate reconvenes.  
(day) (year) (month) (day)  
(year)

**THE PRESIDING OFFICER.** Without objection, that will be the order of the Senate.

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**Received During an Adjournment of the Senate and Authorization of References Thereof**

[Form of unanimous consent order to authorize the Secretary of the Senate to receive messages from the House of Representatives during an adjournment or recess of the Senate and to authorize their reference to the appropriate standing committee.]

**A SENATOR.** Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives during the adjournment (or recess) of the Senate from \_\_\_\_\_,

\_\_\_\_\_, \_\_\_\_\_ until \_\_\_\_\_, \_\_\_\_\_,  
(day) (year) (month) (day)  
\_\_\_\_\_, when the Senate reconvenes, and that the  
(year) messages be appropriately referred.

**THE PRESIDING OFFICER.** Without objection, that will be  
the order of the Senate.

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#### **Received During an Adjournment of the Senate, and Signing of Duly Enrolled Bills and Joint Resolutions**

[Form of unanimous consent order to authorize the Secretary of the Senate to receive and the duly authorized Presiding Officer to sign enrolled bills or joint resolutions received from the House of Representatives during a recess or adjournment of the Senate.]

**A SENATOR.** Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives and that the Vice President (the President pro tempore, or the Acting President pro tempore, or all of them) be authorized to sign duly enrolled bills and joint resolutions during the adjournment (or recess) of the Senate from \_\_\_\_\_,  
(month)  
\_\_\_\_\_, \_\_\_\_\_ until \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
(day) (year) (month) (day)  
\_\_\_\_\_, when the Senate reconvenes.  
(year)

**THE PRESIDING OFFICER.** Without objection, that will be  
the order of the Senate.

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#### **Messages Received From the President of the United States**

[When a secretary of the President of the United States appears at the door of the Senate carrying a message for the Senate, and a Senator is speaking, the procedure is as follows:]

**THE PRESIDING OFFICER.** Will the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) kindly suspend for a moment so that the Senate might receive a message from the President of the United States?

**OR**

[If no Senator has been recognized, or no Senator is speaking, the procedure is as follows:]

**THE PRESIDING OFFICER.** The Senate will receive a message from the President of the United States.

**THE DOORKEEPER.** A message from the President of the United States.

**THE SECRETARY.** Mr. President—

**THE PRESIDING OFFICER.** Mr. Secretary.

**THE SECRETARY.** I am directed by the President of the United States to deliver to the Senate a message in writing (or, and to announce his approval of sundry Senate bills and joint resolutions).

**THE PRESIDING OFFICER.** The message will be received (or the message will be received and appropriately referred).

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### **Messages Received From the President During Adjournment**

[Form of unanimous consent order to authorize receipt of messages from President of the United States during an adjournment or recess of the Senate.]

**A SENATOR.** Mr. President. I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the President of the United States during an adjournment (or recess) of the Senate from \_\_\_\_\_, (month)  
\_\_\_\_\_, (day) until \_\_\_\_\_, (month)  
\_\_\_\_\_, (day), (year)  
\_\_\_\_\_, (year), when the Senate reconvenes.

**THE PRESIDING OFFICER.** Without objection, that will be the order of the Senate.

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### **Messages Received From the President During Adjournment and References Thereof**

[Form of unanimous consent order to authorize the Secretary of the Senate to receive messages from the President of the United States during an adjournment or recess of the Senate and to authorize their reference to the appropriate standing committee.]

**A SENATOR.** Mr. President. I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the President of the United States during the adjournment (or recess) of the Senate from \_\_\_\_\_, (month)  
\_\_\_\_\_, (day) until \_\_\_\_\_, (month)  
\_\_\_\_\_, (day), (year)  
\_\_\_\_\_, (year), when the Senate reconvenes, and that the messages be appropriately referred.

## Morning Business

[The first order of business of each new legislative day is defined in Rule VII, Paragraph 1. After the Presiding officer assumes the Chair, and the *Journal* has been read or approved, according to the rule, he lays before the Senate messages from the President, reports and communications from the heads of the Departments, and other communications addressed to the Senate, and such bills, joint resolutions, and other messages from the House of Representatives as may remain upon his table from any previous day's session undisposed of, and then he calls for business in the following order:

- The presentation of petitions and memorials.
- Reports of committees.
- The introduction of bills and joint resolutions.
- The submission of other resolutions.

If a Senator insists on following Rule VII for the transaction of routine morning business, the order of business set forth above must be followed.]

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[The exact procedure defined in Rule VII is seldom used in recent years, and then only if a Senator insists that the rule be followed, to accomplish some parliamentary advantage to be derived therefrom. One Senator may insist upon this procedure since it takes unanimous consent to do otherwise.]

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[The phraseology and procedure used for the transaction of the four types of business set forth above will be found under the headings of "Petitions and Memorials, Presentation of"; "Reports of Committees Filed in the Senate"; "Bills and Joint Resolutions, Introduction of"; and "Resolutions and Concurrent Resolutions".]

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## Morning Business, Limitations on Statements During Transaction of

[Under Rule VII, debate is not in order during the transaction of routine morning business, but under current practices, in order to give each Senator a few minutes to discuss briefly certain matters in which he might have a concern, a request is usually made each day which is generally granted, to give each Senator, when recognized, a limited period of time for debate. Note the following:]

A SENATOR. Mr. President, I ask unanimous consent that the period for the transaction of the morning business be limited to \_\_\_\_\_ minutes, and that Senators be permitted to speak therein for not to exceed \_\_\_\_\_ minutes.

## Motions, How Made and Form of Putting the Question

A SENATOR. Mr. President, I move to lay the amendment on the table (or whatever the pending motion might be).

[The motion to table is not debatable, nor is the motion to adjourn or to adjourn to a day certain, to take a recess, or to proceed to the consideration of executive business. Generally speaking, other motions are debatable; therefore, the Senate would not vote on the question until no one sought recognition to debate the issue further. The Chair would put the question as follows:]

THE PRESIDING OFFICER. The question is on the adoption of the motion (to \_\_\_\_\_) by the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_). As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

### OR

Without objection, the motion is agreed to.

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered.]

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## Nominations

[Nominations and treaties compose practically all of the executive business of the Senate and when this business is reported to the Senate, it is placed on the Executive Calendar as distinguished from the Calendar of Business. Under Rule XXII, a motion to go into executive session and consider executive business is privileged, next to the motion to recess, and it is not debatable. When nominations are considered, the procedure generally is as follows:]

A SENATOR. Mr. President, I move that the Senate go into Executive Session.

[The Majority Leader or his designee usually asks that the Senate go into Executive Session to consider nominations that are on the Calendar, or if there are treaties and nominations, he will designate which are to be considered. Actually, after the Senate goes into Executive Session it can then determine whether treaties or nominations will be considered.]

**THE PRESIDING OFFICER.** The question is on the motion (or is there objection to the unanimous consent request if the Leader should submit a unanimous consent request instead of making a motion).

[A motion to go into Executive Session is not debatable. If there is no contest, the Chair will state:]

**THE PRESIDING OFFICER.** Without objection, the motion is agreed to (or without objection, the request is agreed to), and the clerk will report the first nomination.

[After the nomination is reported by the Clerk, the Chair states:]

**THE PRESIDING OFFICER.** The question is on the confirmation of the nomination. Without objection, the nomination is confirmed.

## OR

As many as are in favor of the confirmation of the nomination say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the nomination is confirmed (not confirmed).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered.]

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## Nominations, Reported by Committee

[Reports on nominations, being executive business, under the rules, should be filed in executive session. Likewise, if a Senator should be recognized in legislative session to file a report on a nomination, he should make the following request: "Mr. President, I ask unanimous consent as in executive session to file a report on the nomination of

\_\_\_\_\_ to be \_\_\_\_\_." Usually, however, reports on nominations are not formally presented from the Floor. The Senator filing the report merely presents the nomination personally to the proper Clerk manning the desk for him to make proper entries for printing in the *Congressional Record* and for printing on the Executive Calendar. When such a report is formally filed in executive session, note the following procedure:]

A SENATOR. Mr. President—  
THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

A SENATOR. I am directed (or instructed) by the committee on \_\_\_\_\_ to whom was referred the nomination (reciting the name of the nominee and the office for which he was nominated), to report the same favorably (or adversely).

[Usually a written report does not accompany a nomination but if a nomination is very controversial, the committee might file a written report with or without minority views.]

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) reports from the committee on \_\_\_\_\_ the nomination of \_\_\_\_\_ to be \_\_\_\_\_. The nomination will be placed on the Calendar, which the Clerk will report for the information of the Senate.

#### OR

[A form which is less formal, and the one usually used when a Senator is recognized to file a report on a nomination from the floor, follows:]

A SENATOR. Mr. President, I file a report from the committee on \_\_\_\_\_ on the nomination of \_\_\_\_\_ to be \_\_\_\_\_.

THE PRESIDING OFFICER. The nomination will be received and placed on the Executive Calendar.

[If a written report accompanied the nomination, he should state:]

THE PRESIDING OFFICER. The report will be received and printed, and the nomination will be placed on the Executive Calendar.

## Nominations Sent to President After Confirmation

**[Form Used To Notify the President of the United States of Senate Confirmation of Nomination]**

### Senate of the United States

#### IN EXECUTIVE SESSION

*Resolved*, That the Senate advise and consent to the following nomination:

\_\_\_\_\_, of \_\_\_\_\_  
(Name) \_\_\_\_\_ (Name of state or District of Columbia)

to be Secretary of State.

Attest: \_\_\_\_\_  
Secretary.

### Oath of Office to Newly Elected Senators

See "Credentials, Form of Presenting to Senate," on pp. 1499-1501.

### Officers of the Senate, Election of

[Since the Senate is a continuing body in nature, its officers have no stated or statutory term of office; they serve until their successors are elected by the Senate, which is usually determined by the adoption of a resolution. Generally speaking, the officers of the Senate are never changed all at once, unless there is a change in party control of the Senate, when a new slate might be elected. The particular officers elected by the Senate vary from time to time. For example, the Senate no longer elects an Assistant Doorkeeper, but while the Senate did not previously elect Secretaries to the Majority and Minority, these persons are elected just as the Secretary and the Sergeant at Arms are. The form of resolution used to elect these officers follows:]

*Resolved*, That \_\_\_\_\_, of \_\_\_\_\_, be and he is hereby, elected Secretary of the Senate of the United States.

*Resolved*, That \_\_\_\_\_, of \_\_\_\_\_, be, and he is hereby, elected Sergeant at Arms and Doorkeeper of the Senate of the United States.

*Resolved*, That \_\_\_\_\_, of \_\_\_\_\_, be, and he is hereby, elected Chaplain of the Senate of the United States.

*Resolved*, That \_\_\_\_\_, of \_\_\_\_\_, be, and he is hereby, elected Secretary for the Majority of the Senate of the United States.

*Resolved*, That \_\_\_\_\_, of \_\_\_\_\_, be, and he is hereby, elected Secretary for the Minority of the Senate of the United States.

## Opening of a Daily Session of the Senate

[The Presiding Officer enters the Senate Chamber accompanied by the Chaplain punctually at 12 o'clock meridian (or the hour to which the Senate recessed or adjourned) of the day to which the Senate had adjourned (recessed), and with the gavel raps once and announces:]

**THE PRESIDING OFFICER.** The Senate will come to order.  
The Chaplain will "open the session with prayer."

[The Chaplain offers prayer.]

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[The Presiding Officer takes the Chair, and using the gavel says:]

**THE PRESIDING OFFICER.** The Senate will be in order.

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## Over Under the Rule

[A resolution which is submitted and a request made for the immediate consideration thereof, to which an objection is heard, must lie over one legislative day. On the next legislative day, following the order for the introduction of concurrent and other resolutions, and before the close of morning business, the Chair lays before the Senate such a resolution coming over from the previous legislative day. If two or more resolutions had gone over under the rule, they would be considered in the same order as submitted.]

**THE PRESIDING OFFICER.** The Chair lays before the Senate S. Res. \_\_\_\_\_, \_\_\_\_\_, which yesterday (or the last legislative day) was ordered to lie over one day under the rule, which the Clerk will report.

[The resolution is then read by the Clerk.]

**THE PRESIDING OFFICER.** The question is on agreeing to the resolution.

[Debate is in order and the resolution is open to amendment, and subject to various motions. If such a resolution is debated until the close of the Morning Hour, without passage, unless otherwise ordered, the resolution will be placed on the Calendar, to be brought up in the same fashion as any other bill or resolution which has been reported by the committee and placed on the Calendar. The Morning Hour having come to a close, the Chair will state:]

**THE PRESIDING OFFICER.** The Morning Hour having expired, the resolution will be placed on the Calendar and the Chair lays before the Senate the unfinished business.

[If the Senators allow the resolution to come to a vote before the close of the Morning Hour, note the following procedure:]

**THE PRESIDING OFFICER.** The question is on agreeing to the resolution. As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the resolution is agreed to (not agreed to).

[A division vote may be requested or a yea and nay vote may be ordered.]

---

### Pairs Between Senators

[It is quite a common practice in the Senate for one Senator to pair with another on yea and nay votes when one is absent from the Senate and unable to cast his vote. While the rules do not provide for pairing, it has been an established practice over the years, and under the precedents, that a Senator announcing a pair is not excused from the requirement of the rule as to assigning a reason for not voting, but the fact that he is paired, under the practice of the Senate, excuses him from voting whenever the question is raised. The announcement of a pair takes the following form:]

A SENATOR (when his name is called). On this vote I have a pair with the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_). If he were present and voting, he would vote "yea," (or "nay"). If I were permitted to vote, I would vote "nay" (or "yea"). I therefore withhold my vote.

OR

[If the Senator has already voted, and at the last minute before the vote is announced decides to pair with another Senator who is absent, the phraseology would be as follows when he is recognized by the Chair for that purpose, after having voted:]

A SENATOR (after having voted). On this vote I have a pair with the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_). If he were present and voting, he would vote "yea" (or "nay"). If I were permitted to vote, I would vote "nay" (or "yea"). I therefore withdraw my vote.

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### Petitions, Memorials, Reports, and Communications, Presentation of

[Rule VII, Paragraph 1, provides: "After the Journal is read, the Presiding Officer on demand of any Senator shall lay before the Senate messages from the President, reports and communications from the heads of Departments, and other communications addressed to the Senate, and such bills, joint resolutions, and other messages from the House of

Representatives as may remain upon his table from any previous day's session undisposed of . . ."]

[Under the current practices, messages from the President, reports and communications from the heads of Departments, petitions and memorials from the public or from the administration addressed to the appropriate officials of the Senate are seldom laid before the Senate formally for reference. They are received at the desk and after the appropriate reference is designated on each, they are noted by the Journal Clerk in his minute book, and sent out to the Secretary's Office to be transcribed or noted in the appropriate records, and later transmitted to the appropriate standing committee, respectively, at which time they are signed for by the designated staff member of said committee, to which referred. No comment is made from the floor about this action, but action taken on each such communication, report, petition, or memorial is recorded and published in the *Congressional Record* and *Journal* of the Senate. If for parliamentary reasons, some Senator insists on following the order for the transaction of morning business defined in Rule VII, and a unanimous consent agreement is not possible, all such petitions, memorials, and communications will be laid before the Senate in accordance with the provisions of Rule VII, and this action is the first order of business set forth in Rule VII as follows:]

**THE PRESIDING OFFICER.** The Chair lays before the Senate a petition (message, communication, report, or memorial) from \_\_\_\_\_ which the Clerk will state.

[The Clerk states the substance of the document(s) and other essential information thereon.]

**THE PRESIDING OFFICER.** The matter will be referred to the Committee on \_\_\_\_\_.

OR

**THE PRESIDING OFFICER.** The Chair lays before the Senate a communication (or message, report, petition, or memorial) from \_\_\_\_\_, (citing its substance), which will be referred to the Committee on \_\_\_\_\_.

OR

**THE PRESIDING OFFICER.** The Chair lays before the Senate certain communications, messages, reports, petitions, or memorials, which, if there be no objection, will be referred to the appropriate committees.

[Messages from the House of Representatives, embodying House bills and joint resolutions, when laid before the Senate by the Presiding Officer, are read twice, if no objection, and appropriately referred. Concurrent resolutions are not required to be read twice, but are held at the desk for consideration by the Senate or referred to committee. Note the following procedure:]

**THE PRESIDING OFFICER.** The Chair lays before the Senate a message from the House of Representatives on H.R. \_\_\_\_\_ (H.J. Res. \_\_\_\_\_ or H. Con. Res. \_\_\_\_\_), \_\_\_\_\_, which the Clerk will read by title.  
(citing the title)

[The Clerk reports the bill or resolution by title.]

**THE PRESIDING OFFICER.** Without objection, the bill (or joint resolution) will be considered as having been read a second time and will be referred to the Committee on

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[If a Senator objects to the second reading of a bill or joint resolution on the same day, the Chair states that under Rule XIV the second reading of the measure would be put over until the next legislative day.]

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[As soon as all matters "as remain upon his table" (the Vice President's or President pro tempore's), the Chair calls for the presentation of petitions and memorials from the floor. This procedure follows:]

**THE PRESIDING OFFICER.** The presentation of petitions and memorials is now in order.

**A SENATOR.** Mr. President—

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

**A SENATOR.** I present a petition (or memorial) from \_\_\_\_\_ (briefly stating the petition or memorial and its contents) and ask for its appropriate reference.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

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[After disposition of the order for presentation of petitions and memorials, the Senate proceeds to the other orders of business set forth under Rule VII. For procedures for filing reports of standing committees, see "Reports of Committees Filed in the Senate," on pp. 1545-1547; for introduction of bills and joint resolutions, see "Bills and Joint Resolutions, Introduction of," on pp. 1454-1455; and for introduction of concurrent and other resolutions, see "Resolutions and Concurrent Resolutions," on pp. 1547-1548.]

### Point of Order

**A SENATOR.** Mr. President, I rise to a question of order.

**THE PRESIDING OFFICER.** The Senator will state the point of order.

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[After the Senator states the point of order, the Chair may entertain some debate for his own edification or rule immediately. The phraseology follows:]

**THE PRESIDING OFFICER.** The point of order is sustained (or is overruled).

**OR**

The Chair thinks the point of order is well taken (or is not well taken).

**OR**

[Under Rule XX the Chair has the option of ruling or submitting the question of the Senate.]

**THE PRESIDING OFFICER.** The Chair submits the question of order (stating it) to the Senate for decision.

[After debate, if any, the question is decided by vote of the Senate.  
The Chair puts the question:]

**THE PRESIDING OFFICER.** Is the point of order well taken? As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the point of order is sustained (not sustained).

[If any Senator is apprehensive of the outcome of a voice vote, or otherwise wishes a division or a yea and nay vote (which must be seconded by at least one-fifth of the Senators present, a quorum being present), he must request the same before the final result of the voice vote is announced, but not after the Chair has announced that vote; unless, of course, the Chair rescinds his announcement because he has overlooked some Senator seeking recognition prior to the announcement, or unless that vote is reconsidered.]

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**President of the United States, Adoption of Resolution To Notify That a Quorum of the Senate Is Assembled To Do Business**

[At the beginning of each session of Congress, after the roll is called and a quorum has been established, the Senate always adopts two resolutions—one to inform the House of Representatives that a quorum of the Senate is assembled and is ready to do business and the other to appoint a committee to join a committee appointed by the House to wait upon the President and to inform the President that a quorum is assembled and is ready to receive any communication he may care to send to the Congress. At the beginning of a new Congress the resolution to inform the President that a quorum is present is acted on after the roll has been called to establish the presence of a quorum, which takes the following form:]

A SENATOR. I submit a resolution which I send to the desk and ask for its immediate consideration.

THE PRESIDING OFFICER. The Clerk will report the resolution for the information of the Senate.

[The Clerk reads the resolution:]

*Resolved*, That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

THE PRESIDING OFFICER. The question is on agreeing to the resolution. Without objection, the resolution is considered and agreed to.

#### OR

THE PRESIDING OFFICER. Without objection, the Senate will proceed to the immediate consideration of the resolution.

[After a pause, if there is no discussion, the Chair continues:]

The question is on agreeing to the resolution. Without objection the resolution is agreed to.

[The Chair then appoints the committee of Senators as follows:]

THE VICE PRESIDENT (or Presiding Officer). The Chair appoints the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) and the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) as members of the committee on the part of the Senate to join the members of the committee on the part of the House to consult with the President and to notify him that a quorum of each House is present.

[Usually the Majority and Minority Leaders are the two Senators appointed to this committee.]

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[See also "House of Representatives Notified That a Quorum of the Senate Is Assembled To Do Business," pp. 1513-1514.]

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### Quorum Call, and a Quorum Is Present, or Not Present

A SENATOR. Mr. President, I suggest the absence of a quorum.

[Since the Presiding Officer has no authority to count to see if a quorum is present, and the rule provides that once a Senator suggests the absence of a quorum, "the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result," the Chair always after a quorum is suggested makes the following statement:]

**THE PRESIDING OFFICER.** The Clerk will call the roll (to ascertain the presence of a quorum).

[After the quorum call, and a majority of the Senators have responded to the call, whether after the first or second call of the roll, the Chair announces:]

**THE PRESIDING OFFICER.** A quorum is present.

[The Senate then proceeds with its business.]

**OR**

**A SENATOR.** Mr. President, I suggest the absence of a quorum.

[Since the Presiding Officer has no authority to count to see if a quorum is present, and the rule provides that once a Senator suggests the absence of a quorum, "the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result." The Chair always after a quorum is suggested (when a quorum call is otherwise in order) makes the following statement:]

**THE PRESIDING OFFICER.** The Clerk will call the roll (to ascertain the presence of a quorum).

[After the roll is called the first time and a quorum does not respond, the Chair states:]

**THE PRESIDING OFFICER.** A quorum is not present. The Clerk will call the names of the absentees.

[After the call of the absentees, if a quorum fails to develop, the Chair states:]

**THE PRESIDING OFFICER.** A quorum is not present.

[The Senate can then either adjourn or proceed to try to get a quorum under the procedures set forth below:]

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### Quorum, Lack of Disclosed on Call of

[If a quorum has failed to show after a second call, the invariable practice of the Senate is for the Majority Leader, or someone in his behalf, to move that the Sergeant at Arms be authorized to request the attendance of the absent Senators.]

#### [Request Attendance]

**A SENATOR.** Mr. President, I move that the Sergeant at Arms be directed to request the attendance of the absent Senators.

**THE PRESIDING OFFICER.** The question is on the motion. As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to), and the Sergeant at Arms is so instructed.

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

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[At any time after the Chair announces that a quorum is not present, particularly after the call of the absentees, or any time thereafter, a motion to adjourn is in order and a majority of those present, regardless of how few, may adjourn the Senate, but not to a time certain, unless a previous unanimous consent agreement to that effect had been agreed to, nor is a motion to recess in order, unless a previous order to that effect has been adopted. Likewise, no business is in order when the Senate finds itself without a quorum, except either to get the absent Senators present or to adjourn. The motion to request the attendance of absent Senators must be agreed to by vote and not by unanimous consent and it takes only a majority of those present, even if less than a quorum. Under the old procedure, after a quorum had responded, further proceedings of the call were usually dispensed with by the Chair stating:]

**THE PRESIDING OFFICER.** A quorum of Senators having answered to their name, further proceedings under the call, if there be no objection, will be dispensed with.

OR

### Current Practice

**THE PRESIDING OFFICER.** A quorum is present.

[Under recent practice, as soon as a quorum appears, the Chair announces the same and further proceedings are never dispensed with; the Senate goes on about its business.]

### [Compel Attendance]

[Under the practices of the Senate, the motion to compel attendance is not made until the Senate has attempted to get a quorum by authorizing the Sergeant at Arms to "request attendance." If the Senate fails to get the presence of a quorum or does not adjourn, it usually resorts to a motion to compel attendance, as follows:]

A SENATOR (usually the majority leader or his assistant). Mr. President, I move that the Sergeant at Arms be directed to compel the attendance of the absent Senators.

THE PRESIDING OFFICER. The question is on the motion. As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to), and the Sergeant at Arms is so instructed.

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

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[Any of the motions in the absence of a quorum may be voted on not only by voice vote but by yea and nay vote, if one-fifth of those present orders the same, and a majority of those present determines the outcome of the motion, even though it be less than a quorum.]

#### [Orders for Arrest]

[The Senate seldom resorts to this procedure, but it is possible.  
Note the following form:]

A SENATOR. Mr. President, I move that the Sergeant at Arms be directed to compel the attendance of absent Senators; that warrants for the arrests of all Senators not sick nor excused be issued under the signature of the Presiding Officer and attested by the Secretary, and that such warrants be executed without delay.

#### OR

A SENATOR. Mr. President, I move that the Sergeant at Arms be directed to use all necessary means to compel the attendance of absent Senators.

[When the motion is reduced to a formal order it is as follows:]

*Ordered*, That the Sergeant at Arms be, and hereby is, directed to compel the attendance on the Senate of said named absent Senators; *and it is further*

*Ordered*, That warrants for the arrest of said Senators be issued under the signature of the presiding officer, attested by the Secretary, and that the Sergeant at Arms be, and hereby is, directed to execute such warrants forthwith by arresting each of said named Senators and bringing him before the bar of the Senate, and that he make due return to

the Senate of the execution of said warrants, and that this order shall be continuing until fully executed unless otherwise ordered by the Senate.

*See also "Attendance or Absent Senators, Procedure for Compelling the Absence of a Quorum," pp. 1451-1453.*

**THE PRESIDING OFFICER.** The question is on the motion. As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

[A division vote may be requested or the yeas and nays may be ordered, if done before the Chair announces the final results of the voice vote. The above order, when agreed to by the Senate, is put in the form of a warrant addressed to the Sergeant at Arms, bearing the name of the Senator, endorsed by the Presiding Officer, and attested by the Secretary of the Senate. For forms of such warrants, see pp. 1452-1453.]

## Quorum, Lack of Disclosed on Rollcall Vote

[When a yea and nay vote is announced which discloses less than a quorum of Senators present, the Chair proceeds to make the following statement:]

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_, the nays are \_\_\_. A quorum having failed to vote, the vote is not valid. Under the precedents of the Senate the Chair directs the Clerk to call the roll to ascertain the presence of a quorum.

[The roll is called for a quorum and as their names are called, the Senators respond "here" or "present." After the call is completed and a quorum having responded, the Chair announces:]

**THE PRESIDING OFFICER.** A quorum is present. The question before the Senate is \_\_\_\_\_. The Clerk will call the roll.

[In other words, the yea and nay vote is taken again, de novo.]

## Recapitulation of a Vote

[The recapitulation of a rollcall vote is not in order prior to the announcement of the results, and the recapitulation of a vote having been ordered under the precedents and practices, no Senator not having

voted may vote, nor may any Senator change his vote, except by unanimous consent. The form of request for a recapitulation would be something as follows, the rollcall vote having been completed and the Chair having made an announcement as follows:]

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_\_; the nays are \_\_\_\_.

[At this point a Senator may request a recapitulation or the Chair on his own may order a recapitulation to be sure to ascertain the correct results. The Clerk then re-calls the names, and re-tabulates the results, after which the Chair announces the results again as follows:]

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_\_; the nays are \_\_\_\_\_. The bill is passed (not passed), or the motion is agreed to (not agreed to) (or the Chair announces whatever the question and results might be.)

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### Recess

**A SENATOR.** Mr. President—

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

**A SENATOR.** I move that the Senate take a recess today from 1:00 o'clock p.m. to 4:00 o'clock p.m.

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) moves that the Senate take a recess today from 1:00 o'clock p.m. until 4:00 o'clock p.m. today.

Without objection, the motion is agreed to.

### OR

The question is on the motion. As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

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[A motion to adjourn, if made would take precedence over the motions to recess, and if agreed to, the question would never be put on the motion to recess.]

[If a recess is agreed to, when the time to reconvene arrives, the Presiding Officer takes the Chair.]

**THE PRESIDING OFFICER.** (using the gavel). The hour of 4:00 o'clock having arrived, the Senate resumes its session.

**OR**

The Senate will come to order.

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**Reconsideration**

[When the Senate votes on the passage of any bill, joint resolution, or motion, or on any other question, that vote is open to reconsideration under Rule XIII immediately, or on the same day, or on either of the next two days of actual session of the Senate thereafter.]

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[If other business has intervened and the matter is no longer before the Senate or if other business is pending, a Senator may enter a motion to reconsider, if within the prescribed time, without proceeding to its immediate consideration. When such a motion is entered, the action taken by the Senate against which the motion was directed is stayed until the motion is disposed of. To consider a motion to reconsider which has been entered requires a majority vote and is generally debatable. Once the Senate agrees to consider a motion to reconsider, the question occurs on the adoption of the motion to reconsider.]

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[If the motion to reconsider is made immediately after the vote, the procedure, including a motion to table if a Senator desires to make it, takes the following form:]

**A SENATOR.** Mr. President, I move to reconsider the vote whereby the Senate passed (defeated) the bill, S. \_\_\_ or H.R. \_\_\_ (motion, resolution, or whatever the question was).

**ANOTHER SENATOR.** Mr. President, I move to lay that motion on the table.

**THE PRESIDING OFFICER.** The question is on the motion to lay on the table the motion to reconsider (the passage of the bill, motion, resolution, or whatever the question was).

Without objection, the motion is agreed to.

**OR**

As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion to table is agreed to (not agreed to).

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

[If the motion to table the motion to reconsider is not agreed to, then the Chair states:]

**THE PRESIDING OFFICER.** The question recurs on the motion to reconsider.

As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion to reconsider is agreed to (not agreed to).

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

[If a motion to reconsider is entered without being taken up immediately when the Senate turns to consider the motion, it must first adopt a motion to consider the motion to reconsider, which is as follows:]

**A SENATOR.** Mr. President, I move that the Senate proceed to the consideration of the motion to reconsider S. \_\_\_\_ (H.R. \_\_\_\_, or any other question), which I entered on \_\_\_\_\_.

(date)

**THE PRESIDING OFFICER.** The question is on the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to proceed to the consideration of the motion to reconsider the vote on passage of S. \_\_\_\_ (H.R. \_\_\_\_, or any other question).

[After debate, if any, the Chair puts the question:]

**THE PRESIDING OFFICER.** The question is on the adoption of the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to proceed to the consideration of the motion

to reconsider S. \_\_\_\_\_ (H.R. \_\_\_\_\_ or any other question).

[For complete details of a motion to reconsider when other business has intervened or the matter is no longer before the Senate, see "Reconsideration, When Other Business Has Intervened or Matter No Longer Before the Senate," pp. 1539-1542.]

[If time under the rule for the reconsideration of any vote which the Senate has taken has expired, it takes unanimous consent, in which case the following procedure would be followed:]

A SENATOR. Mr. President, the time for reconsideration of this action having expired, I ask unanimous consent to enter a motion to reconsider the vote whereby the bill, S. \_\_\_\_\_ or H.R. \_\_\_\_\_ (motion, resolution, or whatever the question), was passed (defeated) by the Senate.

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) asks unanimous consent to enter a motion to reconsider the vote whereby the bill, S. \_\_\_\_\_ or H.R. \_\_\_\_\_ (motion, resolution, or whatever the question) was passed (defeated) by the Senate.

Is there objection? The Chair hears none. The motion to reconsider will be entered.

[In any case when a motion to reconsider the passage of a bill or joint resolution is made or entered, if the desire of the Senator is to amend the bill or joint resolution he must ask also that the third reading thereof be reconsidered in order to back up to the stage of amending the said measure.]

#### [Reconsideration, To Prevent]

[After the passage of any bill, or after action is taken on any proposition in the Senate, a reconsideration of that action may be blocked, except by unanimous consent, by taking the following action:]

A SENATOR. Mr. President, I move to reconsider the vote by which the bill (S. \_\_\_\_\_, or whatever the measure was) was passed (or whatever the question was that the vote was taken on).

ANOTHER SENATOR. Mr. President, I move that the motion to reconsider be laid on the table.

THE PRESIDING OFFICER. The question is on the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to table the motion to reconsider the vote by which the Senate passed the bill (or whatever the question was that the vote was taken on).

Without objection, the motion is agreed to.

OR

As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to).

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

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[If a motion to table is agreed to that locks up the action on the measure unless unanimous consent is given to the contrary.]

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[If the motion to table the motion to reconsider should fail, the Chair states:]

**THE PRESIDING OFFICER.** The question now recurs on the motion to reconsider.

[If a bill is reconsidered and the third reading reconsidered, the bill is before the Senate and open to further amendment. After the third reading this time, the question recurs again on passage of the bill. If amended and repassed, or if defeated on this vote, another motion to reconsider would be in order if made or entered within the required time.]

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**[Reconsideration, When Other Business Has Intervened or Matter No Longer Before the Senate]**

[When the Senate votes on the passage of any bill, joint resolution or motion, or on any other question, that vote is open to reconsideration under Rule XIII "on the same day or on either of the next 2 days of actual session" of the Senate thereafter. If other business has intervened or the matter is no longer before the Senate, the usual procedure is to enter a motion to reconsider that vote, if within prescribed time—the same day or next 2 days of actual session, and at a later time proceed to the consideration of said motion. When such a motion is entered, the procedure is as follows:]

**A SENATOR.** I enter a motion to reconsider the vote whereby the Senate passed (defeated) the bill, S. \_\_\_\_ or H.R. \_\_\_\_ (motion, resolution, or whatever the question was) on the \_\_\_\_\_ day of \_\_\_\_\_, (together with the third reading thereof).

**THE PRESIDING OFFICER.** The motion will be entered.

[If the vote to be reconsidered was on the passage of a bill that had been transmitted to the House of Representatives the rule provides that an additional motion must be made as follows:]

**A SENATOR.** Mr. President, the bill has been transmitted to the House of Representatives. I therefore move that the Secretary of the Senate be authorized to request the House of Representatives to return the said bill to the Senate.

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) enters a motion to reconsider the vote whereby the Senate passed the bill S. \_\_\_\_\_. The bill having been transmitted to the House of Representatives the Senator also moves that the Secretary of the Senate be authorized to request the House of Representatives to return the said bill to the Senate.

Without objection, the motion is agreed to.

OR

The question is on the motion. As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion is agreed to (not agreed to), and the Secretary will request the return of the bill (or papers).

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

[If the motion is not agreed to, that in effect kills reconsideration.]

[If the motion is agreed to, when the bill has been returned to the Senate, it is laid before the Senate as follows:]

**THE PRESIDING OFFICER.** The House of Representatives has, pursuant to the request of the Senate, returned the bill (stating its title) upon the passage of which a notice of motion for reconsideration has been entered by the Sena-

tor from \_\_\_\_\_ (Mr. \_\_\_\_\_.) The bill will lie on the table pending the consideration of that motion.

[Bills recalled are usually reconsidered according to the following form for the purpose of amendment: The Senate may proceed to its immediate reconsideration or the motion to consider the motion to reconsider may be made at a later date as follows:]

A SENATOR. Mr. President, I move to proceed to the consideration of the motion to reconsider the vote by which the bill (S. \_\_\_\_ or H.R. \_\_\_\_ ) was passed on \_\_\_\_\_ day of \_\_\_\_\_, and the vote whereby it was read the third time.

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) moves to proceed to the consideration of the motion to reconsider the vote whereby the bill S. \_\_\_\_\_ (H.R. \_\_\_\_\_, or any other question) was read a third time and was passed.

As many as are in favor of the motion say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion to reconsider is agreed to (not agreed to).

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

[If a motion is agreed to, the Chair then states:]

THE PRESIDING OFFICER. The question recurs on the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to reconsider the vote whereby the bill S. \_\_\_\_\_ (H.R. \_\_\_\_\_, or any other question) was read a third time and was passed.

As many as are in favor of the motion to reconsider the bill say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the motion to reconsider is agreed to (not agreed to).

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

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[Once the motion to reconsider the vote was before the Senate, a motion to table would have been in order, if any Senator had cared to make such a motion. But in the absence of such a motion to table, the Senate, as set forth above, would have proceeded to vote on the motion to reconsider.]

[After the motion to reconsider is agreed to, if agreed to, the Chair would state:]

**THE PRESIDING OFFICER.** The bill is now before the Senate and open to amendment.

[The motion to reconsider having been agreed to, the bill is then open to amendment. Whether amended or not, after the bill is read again the third time, the question recurs again on the passage of the bill. If amended and repassed, or if defeated on this vote, another motion to reconsider would be in order if made or entered within the required time.]

## References to Standing Committees

### [References to Matters Laid Before the Senate by the Presiding Officer]

[Should some Senator demand that Rule VII be followed and that the Chair actually lay before the Senate individually all messages, communications and reports from the Departments and Agencies, messages from the House of Representatives involving bills and resolutions, and all petitions and memorials, then the Chair would be compelled to comply with the rule and the form would be as follows:]

**THE PRESIDING OFFICER.** The Chair lays before the Senate a petition (message, communication, report, or memorial) from \_\_\_\_\_, which the Clerk will state.

[The Clerk states the substance of the document(s) and other essential information thereon.]

**THE PRESIDING OFFICER.** The matter will be referred to the Committee on \_\_\_\_\_.

**OR**

**THE PRESIDING OFFICER.** The Chair lays before the Senate a communication (or message, report, petition, or memorial) from \_\_\_\_\_ which will be referred to the Committee on \_\_\_\_\_.  
(citing its substance)

**OR**

[With the permission of the Senate:]

**THE PRESIDING OFFICER.** The Chair lays before the Senate certain communications, messages, reports, petitions, or memorials, which, if there be no objection, will be referred to the appropriate committees.

[Messages from the House of Representatives, embodying House bills, joint resolutions and concurrent resolutions, when laid before the Senate by the Presiding Officer, are read twice (not concurrent resolutions), if no objection, and appropriately referred, as follows:]

**THE PRESIDING OFFICER.** The Chair lays before the Senate a message from the House of Representatives on H.R. \_\_\_\_\_ (H.J. Res. \_\_\_\_\_ or H. Con. Res. \_\_\_\_\_) which the Clerk will  
(citing the title)  
read by title.

[The Clerk reports the bill or resolution by title.]

**THE PRESIDING OFFICER.** Without objection, the bill (or joint resolution) will be considered as having been read a second time and will be referred to the Committee on

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[If objection is made to the second reading of the measure on the same day, note the following procedure:]

**A SENATOR.** Mr. President, I object to a second reading today.

**THE PRESIDING OFFICER.** Objection having been heard to the second reading of the bill (joint resolution), the bill will go over to the next legislative day for its second reading as provided in Rule XIV.

[If the purpose of objecting to the second reading is to get the bill placed on the Calendar without reference to a committee, see "Consideration of House Bills and Joint Resolutions Without Reference to Committee," pp. 1488-1489.]

[**References of Petitions and Memorials, Senate Bills and Joint Resolutions, and Concurrent and Other Resolutions Submitted by Senators**]

[After the Chair has laid before the Senate all matters "upon his table," under Rule VII, the Chair calls first for the presentation of petitions and memorials; secondly, reports of committees; thirdly, the introduction of bills and joint resolutions; and fourthly, the submission of other resolutions. These matters when presented from the floor are referred by the Presiding Officer, except reports which are ordered placed on the Calendar, or if a simple resolution is submitted and its immediate consideration is requested, to which an objection is heard, goes over under the rule.

[In day-to-day operations, this business is transacted without comment under a general order or without objection. The Senators involved merely bring this business to the desk and after signing it, present it to the proper member of the staff manning the desk for appropriate reference. No statement from the floor is made but all such business is recorded in the *Journal* and the *Congressional Record*.

[Should objection be heard to transacting this business informally and demand that Rule VII be followed, the Presiding Officer would call for the business in the order defined in Rule VII. He would first call for "The presentation of petitions and memorials." For the form followed in presentation and reference of these, *see* under the heading "Petitions and Memorials," pp. 1526-1528.

[The Chair next calls for "Reports of committees." For the form followed in presenting reports, *see* under the heading "Reports of Committees Filed in the Senate," pp. 1545-1547.

[The Chair next calls for "The introduction of bills and joint resolutions." For the phraseology and procedure used in transacting this business, *see* under "Bills and Joint Resolutions, Introduction of," pp. 1454-1455.

[The Chair next calls for "the submission of other resolutions." For the phraseology and procedure as defined in Rule VII, *see* under "Resolutions and Concurrent Resolutions," pp. 1547-1548.]

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**Reporting of Bill and Request for Immediate Consideration**

A SENATOR. Mr. President, by direction of the Committee on \_\_\_\_\_, I report favorably the following bill (or resolution) and ask unanimous consent for its immediate consideration.

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) from the Committee on \_\_\_\_\_, reports favorably the following bill, and asks for its immediate consideration.

The bill will be reported by title for the information of the Senate.

[The Clerk reads the bill by title for the information of the Senate.]

**THE PRESIDING OFFICER.** Is there objection? The Chair hears none, and the Senate will proceed to its immediate consideration.

[The consideration of the bill or resolution is then proceeded with in the usual manner. See under "Bills and Resolutions, Consideration of," pp. 1455-1460.]

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### Reports, Filing of During Adjournment of the Senate

[Form of unanimous consent agreement to authorize the filing of reports (or to report bills and resolutions) of standing committees during the adjournment of the Senate.]

A SENATOR (usually the majority leader). Mr. President, I ask unanimous consent that the standing committees of the Senate be authorized to file reports (or to report bills and resolutions) during the adjournment (or recess) of the Senate from \_\_\_\_\_ (month) \_\_\_\_\_ (day) \_\_\_\_\_ (year) until \_\_\_\_\_ (month) \_\_\_\_\_ (day) \_\_\_\_\_ (year), the date the Senate next reconvenes.

**THE PRESIDING OFFICER.** Without objection, that will be the order of the Senate.

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### Reports of Committees Filed in the Senate

[Under current practices, reports from standing committees are very seldom formally submitted from the floor. They are brought to the desk by Senators and personally presented to the appropriate member of the staff manning the desk without any comment from the floor, unless, because of one reason or another, the Senator filing the report desires to be recognized to announce the filing of the said report, or some Senator should insist that the report be formally submitted by a Senator at the appropriate time as defined by Rule VII, paragraph 1. If a report is formally submitted from the floor under Rule VII, it would come after the disposition of the presentation of petitions and memorials, that order of business having been announced by the Presiding Officer. When submitted from the floor, in accordance with the procedure prescribed by Rule VII, the colloquy is as follows:]

A SENATOR. Mr. President—

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

A SENATOR. I am directed (or instructed) by the Committee on \_\_\_\_\_, to whom was referred the bill (reciting the number and title of the bill or resolution), to

report the same to the Senate with (or without) certain amendment(s).

[The committee could report the bill or resolution adversely or with any other recommendation it might think fit, including minority or supplemental views.]

The PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) reports from the Committee on \_\_\_\_\_ the bill (or resolution, as the case might be). The report will be printed and the bill (or resolution) will be placed on the Calendar, which the Clerk will report by number and title.

[The Clerk reports the bill by number and title.]

OR

[Which is less formal and the usual form used when a Senator is recognized to file a report from the floor:]

A SENATOR. Mr. President, I file a report from the Committee on \_\_\_\_\_ (reciting the number and title of the bill or joint resolution).

THE PRESIDING OFFICER. The report will be received and printed, and the bill placed on the Calendar.

[Report of an Original Bill]

[If a committee reports an original (new) bill in lieu of one or more bills which have been referred to it or if it reports an original (new) bill based on proposed legislative subject matters which were referred to it, or if it reports an original (new) bill on some subject matter falling within its jurisdiction studied by the committee, it takes the form set forth below, if formally presented from the floor as defined by Rule VII, paragraph 1. However, under current practice, such reports are seldom formally submitted from the floor. They are brought to the desk by Senators and personally presented to the appropriate member of the staff manning the desk without comment.]

A SENATOR. Mr. President—

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

A SENATOR. I am directed by the Committee on \_\_\_\_\_ to report an original (new) bill on (citing the title) and ask that the same be read a first and second time and be placed on the Calendar.

THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) from the Committee on \_\_\_\_\_ reports the following bill, which will be read by the Clerk.

[The Clerk reads the title of the original (new) bill.]

**THE PRESIDING OFFICER.** Without objection, the bill will be considered as having been read a second time and will be placed on the Calendar.

**OR**

**A SENATOR.** Mr. President—

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

**A SENATOR.** I am directed by the Committee on \_\_\_\_\_ to whom was referred (citing the number and title, or proposed legislative subject matter, or the matter studied by the committee), to report an original (new) bill on \_\_\_\_\_ <sup>(citing the title)</sup> and ask that the same be read a first and second time and be placed on the Calendar.

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) from the Committee on \_\_\_\_\_ reports an original bill which, without objection, will be considered as having been read a first and second time and placed on the Calendar.

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## Resolutions and Concurrent Resolutions

*See also "Bills and Joint Resolutions, Introduction of," pp. 1454-1455.*

[Bills and joint resolutions are introduced while simple and concurrent resolutions are submitted; unlike bills and joint resolutions, simple and concurrent resolutions are not required to be read twice before they are referred, nor three times before they are agreed to.]

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[In recent years, the Senate seldom proceeds with morning business as defined in Rule VII; such business is generally transacted rather informally. Resolutions, like bills, are usually submitted under a general order or without objection to the proper member of the staff manning the desk personally by the Senators after being signed, and they are referred without any comment from the floor. If Rule VII is invoked on demand for the regular order, they would have to be submitted from the floor during the transaction of routine morning business, when the Chair calls for concurrent and other resolutions, which comes just after the introduction of bills and joint resolutions. All this business is transacted during the first portion of the Morning Hour known as routine morning business.]

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[The procedure and phraseology used in submitting simple and concurrent resolutions, when proceeding in accordance with Rule VII, after the Chair calls for "the submission of other resolutions," follows:]

A SENATOR. Mr. President—  
THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

A SENATOR. Mr. President. I submit a resolution (S. Res. \_\_\_\_\_ or S. Con. Res. \_\_\_\_\_) and ask for its appropriate reference.

THE PRESIDING OFFICER. The resolution will be received and appropriately referred.

OR

[If the immediate consideration of such resolutions are called for when submitted, note the following procedure:]

A SENATOR. Mr. President—  
THE PRESIDING OFFICER. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_).

A SENATOR. Mr. President. I submit a resolution (S. Res. \_\_\_\_\_) and ask for its immediate consideration.

THE PRESIDING OFFICER. The Clerk will report the resolution by title.

[The Clerk reads the resolution by title.]

THE PRESIDING OFFICER. Is there objection to the immediate consideration of S. Res. \_\_\_\_\_? Without objection, the Senate will proceed to its immediate consideration.

OR

THE PRESIDING OFFICER. Is there objection to the immediate consideration of S. Res. \_\_\_\_\_?

A SENATOR. I object.

THE PRESIDING OFFICER. Objection having been heard to its immediate consideration, the resolution goes over under the rule.

[See procedure of "Over Under the Rule," pp. 1525-1526.]

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## Senate—Opening of a New Session

### [Annual Session of Congress, Opening of the Senate]

[On the third of January annually (unless by law the Congress designates another day), the Senators and Senators-elect, if there be any, assemble in the Senate Chamber. The Presiding Officer enters the Chamber, accompanied by the Chaplain, punctually at 12:00 o'clock meridian, and with the gavel raps once, calling the Senate to order and announcing the prayer by the Chaplain.]

[The Chaplain offers the prayer]

**THE PRESIDING OFFICER.** This being the day designated by the Constitution of the United States (or by law) for the annual meeting of Congress, the Senate, pursuant thereto, is now in session, and will come to order.

[The Senate then proceeds to the swearing in of the Senators-elect, if a first session of a new Congress. If the Vice President is not present, or there is no Vice President, or if the President pro tempore is not present, or has not been elected, then the Senate proceeds to elect a Presiding Officer (President pro tempore) as soon as practicable, with the Secretary of the Senate having had to open the session as authorized under Rule I. After a quorum call and the establishment of a quorum, resolutions are then adopted to notify the President and the House of Representatives that a quorum is present in the Senate, and to fix the daily hour of the meeting of the Senate, together with any other resolution that might be essential to the beginning of a new session or a new Congress.]

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### **Signing of Bills and Joint Resolutions Authorized During an Adjournment of the Senate**

[Form of unanimous consent order to authorize the signing of duly enrolled bills and joint resolutions during an adjournment or recess of the Senate.]

**A SENATOR.** Mr. President. I ask unanimous consent that the Vice President (also the President pro tempore or the Acting President pro tempore, if so desired) be authorized to sign duly enrolled bills and joint resolutions during the adjournment (or recess) of the Senate from \_\_\_\_\_, (month)  
\_\_\_\_\_, (day), \_\_\_\_\_, (year) until \_\_\_\_\_, (month), \_\_\_\_\_, (day),  
\_\_\_\_\_, (year), when the Senate reconvenes.

**THE PRESIDING OFFICER.** Without objection, that will be the order of the Senate.

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### **Special Order, Procedure for Making**

**A SENATOR.** Mr. President, I move that (citing the bill, joint resolution, or other matter) be made the special order for \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.

[After debate if, any:]

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) moves that \_\_\_\_\_ be made the special

order for \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock  
m.

Without objection, that will be the special order of the Senate.

OR

As many as are in favor say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

Two-thirds of the Senators present and voting appear to have voted in the affirmative (appear not to have voted in the affirmative). The motion is agreed to (not agreed to), and it is so ordered.

OR

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote. After the yeas and nays are ordered on the motion, if ordered, the question will be put as follows:]

THE PRESIDING OFFICER. On this motion the yeas and nays have been ordered. The Clerk will call the roll.

[After the rollcall is concluded, the Clerk tabulates the vote and hands it to the Chair, who announces:]

On this vote the yeas are \_\_\_\_\_; the nays are \_\_\_\_\_. Two-thirds of the Senators present and voting, having voted in the affirmative (not having voted in the affirmative), the motion is agreed to (not agreed to), and it is so ordered.

[Upon the arrival of the hour fixed for consideration of the special order, the Chair lays that business before the Senate unless there is pending business taking precedence over the special order as defined in Rule X. For example, unfinished business then pending would take precedence.]

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### Special Session of the Congress

[When an extra session of the Congress is called by the President, the form of the *Journal* entry after the dateline is: "The \_\_\_\_\_ session of the \_\_\_\_\_ Congress commence this day, in pursuance of the proclamation of the President of the United States." On that date designated by the President, the Senators (and Senators-elect, if there be any) assemble in the Senate Chamber. The Presiding Officer enters the Chamber accompanied by the Chaplain, punctually at 12 o'clock meridian and with the gavel raps once, calling the Senate to order and announcing the prayer by the Chaplain.]

[The Chaplain offers the prayer.]

**THE PRESIDING OFFICER.** The Senate will come to order and the Secretary will read the proclamation of the President of the United States convening the Congress into extraordinary session.

*By the President of the United States of America:*

#### A PROCLAMATION

Whereas public interests require that the Congress of the United States should be convened in extra session at 12 o'clock noon on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, to receive

(month) (year)  
such communication as may be made by the Executive:

Now, therefore, I, \_\_\_\_\_, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol, in the city of Washington, on the \_\_\_\_\_ day of \_\_\_\_\_, (month) (year),

at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

Given under my hand and the seal of the United States of America the \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord one thousand nine hundred and \_\_\_\_\_, and of the Independence of the United States the one hundred and

[SEAL]  
By the President:

\_\_\_\_\_  
President of the United States

\_\_\_\_\_  
Secretary of State

#### Special Session of the Senate

[When the President calls the Senate into a special session, the Senators and Senators-elect, if there be any, assemble in the Senate Chamber on the date proclaimed by the President. On that day, the Presiding Officer enters the Chamber accompanied by the Chaplain, punctually at 12 o'clock meridian, and with the gavel raps once, calling the Senate to order and announcing the prayer by the Chaplain.]

[The Chaplain offers the prayer.]

**THE PRESIDING OFFICER.** The Senate will come to order and the Secretary will read the President's proclamation convening the Senate in special session.

*By the President of the United States of America:*

**A PROCLAMATION**

*Whereas* public interests require that the Senate should be convened at 12 o'clock on the \_\_\_\_\_ day of \_\_\_\_\_  
(month)  
next, to receive such communications as may be made by the Executive:

*Now, therefore, I, \_\_\_\_\_, President of the United States, do hereby proclaim and declare that an extraordinary occasion requires the Senate of the United States to convene at the Capitol, in the city of Washington, on the \_\_\_\_\_ day of \_\_\_\_\_ next, at 12 o'clock noon,*  
(month)

*of which all persons who shall at that time be entitled to act as Members of that body are hereby required to take notice.*

*Given under my hand and the seal of the United States at Washington, the \_\_\_\_\_ day of \_\_\_\_\_, the year of  
(month)  
our Lord \_\_\_\_\_, and of the Independence of the United States the \_\_\_\_\_.*

[SEAL]

By the President:

\_\_\_\_\_  
President of the United States

\_\_\_\_\_  
Secretary of State

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**Suspension of the Rules**

[With two or three exceptions, any rule of the Senate, or any portion of any one of them, may be suspended by unanimous consent or by two-thirds vote after a one calendar day notice thereof. For example, under Rule XVI, paragraph 4, "No amendment which proposes general legislation shall be received to any general appropriation bill. . ." Therefore, if a Senator wishes to offer an amendment embodying general legislation to a general appropriation bill, he may file a notice one calendar day before he proposes to call up the amendment somewhat as follows:]

A SENATOR. Mr. President, I submit the following notice in writing: "In accordance with Rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of Rule XVI for the purpose of proposing to the bill (H.R. \_\_\_\_\_), making appropriations \_\_\_\_\_ for the fiscal year  
(citing the full title)  
ending June 30, \_\_\_, and for other purposes, the following amendment; namely: on page \_\_, after line \_\_, insert the following: . . ."

[The full text of the language would then be set forth.]

**THE PRESIDING OFFICER.** The notice will be filed.

[Then when the bill is up for consideration, and all the committee amendments have been adopted, the Senator who filed the notice, when he is recognized, usually calls up his amendment for consideration. If no point of order is made, the Senate may proceed and vote on the amendment even though it would be subject to a point of order if any Senator cared to make such a point of order. If a Senator makes a point of order against the amendment as being legislative in nature and the Chair sustains the point of order, the Senator, having filed his notice, addresses the Chair:]

**A SENATOR.** Mr. President, pursuant to the notice given by me on \_\_\_\_\_, I move to suspend paragraph 4, Rule XVI.

[The motion is debatable. After any debate, the Presiding Officer states the question:]

**THE PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to suspend paragraph 4 of Rule XVI, so that it will be in order for him to call up his amendment.

[If there is no further discussion, the Chair continues:]

As many as are in favor of the motion to suspend the rule say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

Two-thirds of the Senators present and voting appear to have voted in the affirmative (appear not to have voted in the affirmative). The motion is agreed to (not agreed to), and it is so ordered.

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

## OR

[If the yeas and nays are ordered, the Chair states:]

**THE PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) to suspend paragraph 4 of Rule XVI, on which the yeas and nays have been ordered.

[If there is no debate, the Chair continues:]

**THE PRESIDING OFFICER.** The Clerk will call the roll.

[After the vote is completed and the Clerk hands the tabulation to the Chair, the Chair states:]

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_\_; the nays are \_\_\_. Two-thirds of the Senators present and voting, having voted in the affirmative (not having voted in the affirmative), the motion is agreed to (not agreed to).

[The procedure continues:]

**A SENATOR.** I now call up my amendment on which I gave notice.

**THE PRESIDING OFFICER.** The Clerk will report the amendment.

[The Senate then proceeds to act on this amendment by majority vote.]

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## Treaties

[All amendments, motions, and questions on a treaty require only a majority vote for adoption except the question of agreeing to the resolution of ratification and a motion to postpone indefinitely, both of which take a two-thirds vote for adoption.]

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[Nominations and treaties compose practically all of the executive business of the Senate and when this business is reported to the Senate, it is placed on the Executive Calendar as distinguished from the Calendar of Business. Under Rule XXII, a motion to go into executive session to consider executive business is privileged, next to the motion to recess, and it is not debatable.]

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[Rule XXX, paragraph 1(b), provides: 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.]

---

### [Controversial Treaties]

[Should the treaty be controversial enough for a Senator to offer amendments to the treaty as opposed to reservations to the resolution of ratification, the procedure becomes more complex. Under Rule XXX a reported treaty must lie over one day before consideration, "unless the Senate unanimously otherwise directs."]

**A SENATOR.** I ask that the Senate turn to the consideration of the treaty, entitled: \_\_\_\_\_, Calendar No. \_\_\_\_\_, Executive \_\_\_\_\_ (\_\_\_\_ Congress, \_\_\_\_ Session).

**THE PRESIDING OFFICER.** The Clerk will report the treaty by title.

[When the treaty is reported on this occasion, it is considered "read a second time" and is then before the Senate for consideration. The Senate then considers the treaty much the same as it considers a proposed piece of legislation. The Committee amendments are acted upon first when amendments from the floor are in order to the committee amendments as they are taken up and acted on by the Senate. After committee amendments and amendments thereto are disposed of, floor amendments are then in order to other parts of the treaty. The question before the Senate is usually as follows:]

**THE PRESIDING OFFICER.** The treaty is before the Senate. The Clerk will report the first committee amendment (if there be any).

[The committee amendment or amendments are open to amendment when before the Senate for consideration.]

---

[After the Senate concludes its consideration of the treaty for all amendments, the Chair makes the following statement:]

**THE PRESIDING OFFICER.** If there be no further amendments, the Clerk will report the resolution of ratification.

[The resolution of ratification with or without reservations, except by unanimous consent, must lie over one day unless the Senate determines otherwise. When the Senate proceeds to the consideration of the resolution of ratification, if reservations, declarations or understandings have been reported to the resolution, they are disposed of first and then the resolution of ratification would be open to further reservations, declarations or understandings. If the resolution of ratification has been reported with reservations, the Chair makes the following statement:]

**THE PRESIDING OFFICER.** The question is on agreeing to the reservation (understanding) to the resolution of ratification.

[The reservation (understanding or declaration) is then open to amendment. If no amendment is offered, the Chair continues:]

Without objection, the reservation (understanding) is agreed to.

**OR**

As many as are in favor of the reservation (understanding) say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

The "ayes" ("noes") appear to have it. The "ayes" ("noes") have it, and the reservation (understanding) is agreed to (not agreed to).

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

[After the resolution of ratification has been presented, no further amendments to the treaty are in order and if no reservations, declarations or understandings are offered to the resolution of ratification, the Senate proceeds to vote on the resolution of ratification. Whatever the situation when the Senate is ready to vote on the resolution of ratification, with or without reservations, declarations, or understandings, the Chair makes the following statement:]

**THE PRESIDING OFFICER.** The question is on the adoption of the resolution of ratification (with reservations, declarations, or understandings, if any) of Calendar No. \_\_\_\_, Executive \_\_\_\_ (\_\_\_\_ Congress, \_\_\_\_ Session).

As many as are in favor of the adoption of the resolution of ratification say "aye."

[After the "ayes" have responded collectively, the Chair continues:]

As many as are opposed say "no."

[After the "noes" have responded collectively, the Chair continues:]

Two-thirds of the Senators present (a quorum being present), appear to have voted in the affirmative (appear not to have voted in the affirmative). The resolution of ratification is adopted (not adopted).

[A division vote may be requested or the yeas and nays may be ordered thereon, if done before the Chair announces the final results of the voice vote.]

## OR

[Under recent practices, a roll call vote is usually ordered on all treaties, and the Chair, after the yeas and nays are ordered, states:]

**THE PRESIDING OFFICER.** The question is on the adoption of the resolution of ratification (with reservations, declarations, or understandings, if any) of Calendar No. \_\_\_\_, Executive \_\_\_\_ (\_\_\_\_ Congress, \_\_\_\_ Session).

The Clerk will call the roll.

[After the call of the roll, and the Clerk gives the tabulation of the vote to the Presiding Officer, he makes the following statement:]

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_\_; and the nays are \_\_\_\_\_. Two-thirds of the Senators present (a quorum being present), having voted in the affirmative, the resolution of ratification is agreed to.

**OR**

The yeas are \_\_\_\_; and the nays are \_\_\_\_\_. Two-thirds of the Senators present (a quorum being present), not having voted in the affirmative, the resolution of ratification is not agreed to.

[After the Chair announces the results on the resolution of ratification, the following action by unanimous consent usually occurs:]

A SENATOR (usually the Majority Leader, or someone acting for him). Mr. President, I ask unanimous consent that the President be immediately notified of the Senate's consent (disapproval) to the resolution of ratification.

THE PRESIDING OFFICER. Without objection, it is so ordered.

**[Non-Controversial Treaties]**

[If the Senate goes into executive session to consider a noncontroversial treaty, the usual procedure is as follows:]

THE PRESIDING OFFICER. The Clerk will report the treaty by title for the information of the Senate.

[After the Clerk reports the treaty by title, if no one seeks recognition, or after the debate of the treaty has been concluded, and if no one offers an amendment, the Chair takes the initiative and makes the following statement:]

THE PRESIDING OFFICER. The treaty will be considered as having passed through its various parliamentary stages up to and including the presentation of the resolution of ratification, which the Clerk will report.

[After the Clerk reads the resolution, the Chair should properly state:]

THE PRESIDING OFFICER. Reservations to the resolution of ratification are now in order. If there be no reservations or understandings to be offered to the resolution of ratification, the question is on the adoption of the resolution of ratification.

[If the yeas and nays have been ordered, the Chair states:]

THE PRESIDING OFFICER. The yeas and nays have been ordered on this question and the Clerk will call the roll.

[After the roll call vote has been taken and the Clerk gives the tabulation to the Presiding Officer, the Chair states:]

THE PRESIDING OFFICER. On this vote the yeas are \_\_\_\_; the nays are \_\_\_\_\_. Two-thirds of the Senators present (a quorum being present), having voted in the affirmative, the resolution of ratification is agreed to.

## OR

On this vote the yeas are \_\_\_\_; the nays are \_\_\_\_\_. Two-thirds of the Senators present (a quorum being present), not having voted in the affirmative, the resolution of ratification is not agreed to.

[After the Chair announces the results on the resolution of ratification, the following action by unanimous consent usually occurs:]

A SENATOR (usually the Majority Leader or someone acting for him). Mr. President, I ask unanimous consent that the President be immediately notified of the Senate's consent (disapproval) to the resolution of ratification.

THE PRESIDING OFFICER. Without objection, it is so ordered.

**[Form Notifying President on Treaty]**

[Form used to notify the President of the United States of the Senate's "Advise and Consent to the Ratification" of a Treaty]

**Senate of the United States**

IN EXECUTIVE SESSION

*Resolved* (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Convention [concerning the Protection of the World Cultural and Natural Heritage, done at Paris on November 23, 1972, subject to a declaration under Article 16(2) that the United States shall not be bound by the provisions of Article 16(1)] (Ex. F, 93-1).

Attest: \_\_\_\_\_  
Secretary.

**Unfinished Business**

THE PRESIDING OFFICER. Two hours having expired, the Chair lays before the Senate the unfinished business, which the Clerk will report by title.

## OR

THE PRESIDING OFFICER. Two hours having expired since the Senate convened, the Chair lays before the Senate the unfinished business, which the Clerk will report by title.

[The Clerk then reports the unfinished business by Calendar number, if there be one, by number of the bill or resolution, and the title thereof, after which the Presiding Officer states whatever the pending question on that measure is at that time; for example, the bill is open to amendment, or the question is on the adoption of the amendment by \_\_\_\_\_, etc.]

**THE LEGISLATIVE CLERK.** A bill (S. \_\_\_\_ or H.R. \_\_\_\_\_, or any other unfinished business), to assist . . .

**OR**

[Consideration of unfinished business after a recess begins as soon as the Senate convenes.]

**THE PRESIDING OFFICER.** The Chair lays before the Senate the unfinished business which the Clerk will state by title.

**THE LEGISLATIVE CLERK.** A bill (S. \_\_\_\_ or H.R. \_\_\_\_\_, or any other unfinished business), to assist . . .

**OR**

[Consideration under a previous order.]

**THE PRESIDING OFFICER.** Under the previous order (or the order of yesterday), the Chair lays before the Senate the unfinished business, which the Clerk will report by title.

**THE LEGISLATIVE CLERK.** A bill (S. \_\_\_\_ or H.R. \_\_\_\_\_, or any other unfinished business), to assist . . .

**OR**

[Consideration after an adjournment before two hours have expired.]

**A SENATOR.** Mr. President, I move (or I ask unanimous consent) that the Senate proceed to the consideration of the unfinished business.

**THE PRESIDING OFFICER.** The bill will be stated by title for the information of the Senate, which the Clerk will report.

**THE LEGISLATIVE CLERK.** A bill (S. \_\_\_\_ or H.R. \_\_\_\_\_, or any other unfinished business), to assist . . .

**THE PRESIDING OFFICER.** The question is on the motion of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) (or, is there objection to the request of the Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_)).

## Vetoes

[Under Article I, Section 7, of the Constitution:]

Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approves he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House respectively.

[A vetoed bill, together with the message of the President, withholding his approval, is laid before the Senate but it is not in order to reconsider a vetoed bill until the accompanying message or objections of the President have been entered at large, or spread in full upon the Senate *Journal*.]

[When the message is received, it may be momentarily held at the desk by agreement of the leadership or laid before the Senate by the Presiding Officer, with the consideration thereof put aside until a later hour by unanimous consent. When laid before the Senate by the Chair, note the following procedure:]

THE PRESIDING OFFICER. (The Chair does this without a request being made from the floor.) The Chair lays before the Senate the President's veto message on S. \_\_\_\_\_, \_\_\_\_\_ (or H.R. \_\_\_\_\_), if the \_\_\_\_\_  
(title of bill or joint resolution) House has already acted affirmatively thereon), which the Clerk will read, and it will be spread in full upon the *Journal*.

[The Clerk reads the message.]

[A request might be made that the message not be read but printed in the *Record*, as follows:]

A SENATOR (usually the majority leader). Mr. President, I ask unanimous consent that the veto message be considered as having been read and that it be printed in the *Record*, and spread in full upon the *Journal*.

THE PRESIDING OFFICER. Without objection, it is so ordered.

[When laid before the Senate, the message of the President withholding his approval, and the bill, while eligible for immediate reconsideration, as privileged business, may be referred by the Senate to committee, its reconsideration may be indefinitely postponed or the matter could be ordered to lie on the table or the Senate may agree to its reconsideration at a subsequent time, or the Senate may decide on any of various other actions. Once the message and the bill have been laid before the Senate and any of the above indicated actions have been taken thereon, the mandate of the Constitution will be considered as having been complied with. Should the Senate reach an agreement to reconsider the vetoed bill at a later specified date, when that time arrives, its reconsideration becomes an order of the Senate.]

[If and when the Senate proceeds to reconsider the passage of the bill which was returned by the President without his approval, the Chair automatically puts the following question:]

**THE PRESIDING OFFICER.** The question is: Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

[After the debate, and further recognition is not sought by any Senator, since the yeas and nays are automatic, the Chair restates:]

**THE PRESIDING OFFICER.** The question is: Shall the bill pass the objections of the President of the United States to the contrary notwithstanding? The yeas and nays are required. The Clerk will call the roll.

[The rollcall having been completed and the vote tabulation given to the Presiding Officer, he makes the following statement:]

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_\_; the nays are \_\_\_\_\_. Two-thirds of the Senators voting (a quorum being present), having voted in the affirmative, the bill, on reconsideration, is passed, the objections of the President of the United States to the contrary notwithstanding.

**OR**

On this vote, the yeas are \_\_\_\_; the nays are \_\_\_\_\_. Two-thirds of the Senators voting (a quorum being present), not having voted in the affirmative, the bill, on reconsideration, fails to pass over the President's veto.

---

**Vice President, Vote by**

[Under Article I, section 3, subsection 4, of the Constitution, "The Vice President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided."]

[If the vote is equally divided on any issue, the Vice President may or may not exercise his vote. If he does not care to vote, the matter loses, but he may vote for or against the issue as he wishes, as follows:]

**THE VICE PRESIDENT.** On this vote the yeas are \_\_\_\_\_; the nays are \_\_\_\_\_. The Senate being equally divided, the Vice President votes in the affirmative (or negative), and the \_\_\_\_\_ is passed—  
(whatever the proposition)  
or agreed to (is defeated—or not agreed to).

### Voting, Methods of

#### [Without Objection Procedure]

**THE PRESIDING OFFICER.** Without objection, the motion (or whatever the proposition) is passed (defeated), agreed to (not agreed to), adopted (not adopted), as the case might be.

#### [Voice Vote]

**THE PRESIDING OFFICER.** As many as are in favor of the \_\_\_\_\_ say “aye.”  
(whatever the proposition)

[After the “ayes” have responded collectively, the Chair continues:]

As many as are opposed say “no.”

[After the “noes” have responded collectively, the Chair continues:]

The “ayes” (“noes”) appear to have it. The “ayes” (“noes”) have it. The \_\_\_\_\_ is agreed to (not agreed to).  
(whatever the proposition)

#### [Division Vote]

**A SENATOR.** Mr. President, I ask for a division (vote) on this question.

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) asks for a division. As many as are in favor of the \_\_\_\_\_ will rise and remain standing until they are counted (or raise their hands and keep them up until they are counted).

[After the proponents are counted, the Chair continues:]

As many as are opposed will rise and stand until they are counted (or raise their hands and keep them up until they are counted).

[After the proponents and opponents have been tabulated, the Clerk hands the count to the Presiding Officer who states:]

**THE PRESIDING OFFICER.** The \_\_\_\_\_  
(whatever the proposition)  
is agreed to (not agreed to), adopted (not adopted), passed  
(not passed).

**[Yea and Nays]**

A SENATOR. Mr. President, I ask for the yeas and nays.

**THE PRESIDING OFFICER.** The Senator from \_\_\_\_\_  
(Mr. \_\_\_\_\_) requests the yeas and nays. Is there a sufficient second?

[After the show of hands has been counted and the constitutional requirements have been met for a second, (at least one-fifth of the Senators present, a quorum being present), the Chair states:]

**THE PRESIDING OFFICER.** The request is sufficiently seconded. The yeas and nays are ordered.

[After debate, or when no one seeks recognition, the Chair proceeds:]

**THE PRESIDING OFFICER.** The question is on the adoption (passage) of \_\_\_\_\_. The yeas and nays have  
(whatever the proposition)  
been ordered. The Clerk will call the roll.

[The roll is then called alphabetically. At the conclusion of the call of the roll, an opportunity is given those Senators who did not answer to their names to vote as the Clerk calls their names. After the completion of the call and before the vote is announced, the Clerk is required to read his record of the votes of the Senators for correction, and other Senators coming in may still vote up until the vote is announced. When this is all completed, the Clerk tabulates the votes and hands the results to the Presiding Officer who announces them as follows:]

**THE PRESIDING OFFICER.** On this vote the yeas are \_\_\_\_;  
the nays are \_\_\_\_\_. The bill \_\_\_\_\_  
(or whatever the proposition)  
is passed (or not passed), adopted (not adopted), agreed to  
(not agreed to).

[For statement made by the Chair when the vote is on a question requiring a two-thirds vote, see procedures on "Constitutional Amendments," p. 1491, "Suspension of the Rules," pp. 1552-1554, and "Treaties," pp. 1554-1558.]

### **Yea and Nays, the Ordering of**

A SENATOR. Mr. President, I ask for the yeas and nays.

A SENATOR. The Senator from \_\_\_\_\_ (Mr. \_\_\_\_\_) requests the yeas and nays. Is there a sufficient second?

[After the show of hands has been counted and the constitutional requirements have been met for a second, the Chair states:]

THE PRESIDING OFFICER. There is not a sufficient second to order the yeas and nays.

---

### **Yea and Nay Vote, When a Quorum Fails To Participate**

*See also:* "Adjournment in the Absence of a Quorum Following a Rollcall Vote Without a Quorum," pp. 1445-1447.

THE PRESIDING OFFICER. On this vote the yeas are \_\_\_\_\_; the nays are \_\_\_\_\_. A quorum having failed to vote, the vote is not valid; under the precedents of the Senate, the Chair directs the Clerk to call the roll to ascertain the presence of a quorum.

[After a quorum call, and a majority of the Senators having responded to the call, whether after the first or second call of the roll, the Chair announces:]

THE PRESIDING OFFICER. A quorum is present. The Clerk will call the roll.

[The yea and nay vote is then taken again *de novo*, and if a quorum responds on this roll call vote, the vote will be announced as in all other cases.]

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