

STANDING RULES OF THE SENATE

REVISED TO JANUARY 24, 2013



November 4, 2013.—Ordered to be printed

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S. RES. 285

Authorizing the Committee on Rules and Administration to prepare a revised edition of the Standing Rules of the Senate as a Senate document.

IN THE SENATE OF THE UNITED STATES

Mr. Schumer submitted the following resolution; which was referred to the Committee on Rules and Administration

November 4, 2013

RESOLUTION

Authorizing the Committee on Rules and Administration to prepare a revised edition of the Standing Rules of the Senate as a Senate document.

Resolved,

SECTION 1. PRINTING THE STANDING RULES OF THE SENATE.

(a) AUTHORIZATIONS.—The Committee on Rules and Administration shall prepare a revised edition of the Standing Rules of the Senate and such standing rules shall be printed as a Senate document.

(b) ADDITIONAL COPIES.—In addition to the usual number, 1,750 additional copies shall be printed for use by the Committee on Rules and Administration.

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STANDING RULES OF THE SENATE

[The 1979 general revision of the rules was accomplished by the adoption of S. Res. 274 on Nov. 14, 1979, a resolution submitted by Mr. Robert C. Byrd for himself and Mr. Baker; the preparation of the proposed revision was pursuant to the adoption of S. Res. 156 on May 10, 1976, a resolution by Mr. Robert C. Byrd; the general revision of the rules set forth in S. Res. 274 was somewhat altered in form by the adoption of S. Res. 389 on Mar. 25, 1980, to consolidate and renumber certain standing rules of the Senate.

[Changes to Senate rules since the last general revision in 1979 are indicated by footnotes in each succeeding edition of the Senate Manual.

[For the origin of various changes in Senate procedure between 1884 and 1979, as set forth in rules changes, adopted resolutions, and Legislative Reorganization Acts, see the table on p. XVI of *Riddick's Senate Procedure*, 1992.]

RULE I

APPOINTMENT OF A SENATOR TO THE CHAIR

1. In the absence of the Vice President, the Senate shall choose a President pro tempore, who shall hold the office and execute the duties thereof during the pleasure of the Senate and until another is elected or his term of office as a Senator expires.

2. In the absence of the Vice President, and pending the election of a President pro tempore, the Acting President pro tempore or the Secretary of the Senate, or in his absence the Assistant Secretary, shall perform the duties of the Chair.

3. The President pro tempore shall have the right to name in open Senate or, if absent, in writing, a Senator to perform the duties of the Chair, including the signing of duly enrolled bills and joint resolutions but such substitution shall not extend beyond an adjournment, except by unanimous consent; and the Senator so named shall have the right to name in open session, or, if absent, in writing, a Senator to perform the duties of the Chair, but not to extend beyond an adjournment, except by unanimous consent.

RULE II

PRESENTATION OF CREDENTIALS AND QUESTIONS OF PRIVILEGE

1. The presentation of the credentials of Senators elect or of Senators designate and other questions of privilege shall always be in order, except during the reading and correction of the Journal, while a question of order or a motion to adjourn is pending, or

RULE XX

QUESTIONS OF ORDER

1. A question of order may be raised at any stage of the proceedings, except when the Senate is voting or ascertaining the presence of a quorum, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer.

2. The Presiding Officer may submit any question of order for the decision of the Senate.

RULE XXI

SESSION WITH CLOSED DOORS

1. On a motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall direct the galleries to be cleared; and during the discussion of such motion the doors shall remain closed.

2. When the Senate meets in closed session, any applicable provisions of rules XXIX and XXXI, including the confidentiality of information shall apply to any information and to the conduct of any debate transacted.

RULE XXII

PRECEDENCE OF MOTIONS

1. When a question is pending, no motion shall be received but—
 - To adjourn.
 - To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
 - To take a recess.
 - To proceed to the consideration of executive business.
 - To lay on the table.
 - To postpone indefinitely.
 - To postpone to a day certain.
 - To commit.
 - To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

2.⁵ Notwithstanding the provisions of rule II or rule IV or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, other matter pending before the Senate, or the unfinished business,

⁵As amended by S. Res. 28, 99-2, Feb. 27, 1986.

is presented to the Senate, the Presiding Officer, or clerk at the direction of the Presiding Officer, shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the clerk call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

“Is it the sense of the Senate that the debate shall be brought to a close?” And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn—except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting—then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be proposed after the vote to bring the debate to a close, unless it had been submitted in writing to the Journal Clerk by 1 o'clock p.m. on the day following the filing of the cloture motion if an amendment in the first degree, and unless it had been so submitted at least one hour prior to the beginning of the cloture vote if an amendment in the second degree. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

After no more than thirty hours of consideration of the measure, motion, or other matter on which cloture has been invoked, the Senate shall proceed, without any further debate on any question, to vote on the final disposition thereof to the exclusion of all amendments not then actually pending before the Senate at that time and to the exclusion of all motions, except a motion to table, or to reconsider and one quorum call on demand to establish the presence of a quorum (and motions required to establish a quorum) immediately before the final vote begins. The thirty hours may be increased by the adoption of a motion, decided without debate, by a three-fifths affirmative vote of the Senators duly chosen and sworn, and any such time thus agreed upon shall be equally divided between and controlled by the Majority and Minority Leaders or their designees. However, only one motion to extend time, specified above, may be made in any one calendar day.

If, for any reason, a measure or matter is reprinted after cloture has been invoked, amendments which were in order prior to the reprinting of the measure or matter will continue to be in order and may be conformed and reprinted at the request of the amendment's sponsor. The conforming changes must be limited to lineation and pagination.

No Senator shall call up more than two amendments until every other Senator shall have had the opportunity to do likewise.

Notwithstanding other provisions of this rule, a Senator may yield all or part of his one hour to the majority or minority floor managers of the measure, motion, or matter or to the Majority or Minority Leader, but each Senator specified shall not have more than two hours so yielded to him and may in turn yield such time to other Senators.

Notwithstanding any other provision of this rule, any Senator who has not used or yielded at least ten minutes, is, if he seeks recognition, guaranteed up to ten minutes, inclusive, to speak only.

After cloture is invoked, the reading of any amendment, including House amendments, shall be dispensed with when the proposed amendment has been identified and has been available in printed form at the desk of the Members for not less than twenty-four hours.

3.⁶ If a cloture motion on a motion to proceed to a measure or matter is presented in accordance with this rule and is signed by 16 Senators, including the Majority Leader, the Minority Leader, 7 additional Senators not affiliated with the majority, and 7 additional Senators not affiliated with the minority, one hour after the Senate meets on the following calendar day, the Presiding Officer, or the clerk at the direction of the Presiding Officer, shall lay the motion before the Senate. If cloture is then invoked on the motion to proceed, the question shall be on the motion to proceed, without further debate.

RULE XXIII

PRIVILEGE OF THE FLOOR

1.⁷ Other than the Vice President and Senators, no person shall be admitted to the floor of the Senate while in session, except as follows:

The President of the United States and his private secretary.
The President elect and Vice President elect of the United States.

Ex-Presidents and ex-Vice Presidents of the United States.

Judges of the Supreme Court.

Ex-Senators and Senators elect, except as provided in paragraph 2.⁸

The officers and employees of the Senate in the discharge of their official duties.

Ex-Secretaries and ex-Sergeants at Arms of the Senate, except as provided in paragraph 2.⁹

Members of the House of Representatives and Members elect.

Ex-Speakers of the House of Representatives, except as provided in paragraph 2.¹⁰

The Sergeant at Arms of the House and his chief deputy and the Clerk of the House and his deputy.

Heads of the Executive Departments.

⁶ As amended by S. Res. 16, 113-1, Jan. 24, 2013.

⁷ Paragraph numbered pursuant to Pub. L. 110-81, Sep. 14, 2007.

⁸ As amended pursuant to Pub. L. 110-81, Sep. 14, 2007.

⁹ As amended pursuant to Pub. L. 110-81, Sep. 14, 2007.

¹⁰ As amended pursuant to Pub. L. 110-81, Sep. 14, 2007.