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2nd Session }

SENATE

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STANDING RULES OF THE SENATE OF THE UNITED STATES



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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. 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 while a question of order or a motion to adjourn is pending, or while the Senate is voting or ascertaining the presence of a quorum; and all questions and motions arising or made upon the presentation of such credentials shall be proceeded with until disposed of.

2. The Secretary of the Senate shall send copies of the following recommended forms to the governor and secretary of state of each State wherein an election is about to take place or an appointment is to be made so that they may use such forms if they see fit.

THE RECOMMENDED FORMS FOR CERTIFICATE OF ELECTION AND
CERTIFICATE OF APPOINTMENT ARE AS FOLLOWS:

CERTIFICATE OF ELECTION FOR SIX YEAR TERM

“To the President of the Senate of the United States:

“This is to certify that on the ___ day of ___, 20___, A___ B___ was duly chosen by the qualified electors of the State of ___ a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the ___ day of ___, 20___

“Witness: His excellency our governor ___, and our seal hereto affixed at ___ this ___ day of ___, in the year of our Lord 20___.

By the governor:

C___ D___,
Governor.

E___ F___,
Secretary of State.”

RULE III.
OATHS

The oaths or affirmations required by the Constitution and prescribed by law shall be taken and subscribed by each Senator, in open Senate, before entering upon his duties.

OATH REQUIRED BY THE CONSTITUTION AND BY LAW
TO BE TAKEN BY SENATORS

“I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.” (5 U.S.C. 3331.)

RULE IV.
COMMENCEMENT OF DAILY SESSIONS

1. The Presiding Officer shall take the chair, following the prayer by the Chaplain, and after the Presiding Officer, or a Senator designated by the Presiding Officer, leads the Senate in reciting the Pledge of Allegiance to the Flag of the United States.
2. During a session of the Senate when that body is in continuous session, the Presiding Officer shall temporarily suspend the business of the Senate at noon each day for the purpose of having the customary daily prayer by the Chaplain.

RULE V.
SUSPENSION AND AMENDMENT OF THE RULES

1. The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

RULE VI.
QUORUM - ABSENT SENATORS MAY BE SENT FOR

1. A quorum shall consist of a majority of the Senators duly chosen and sworn.
2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.
3. Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, or to recess pursuant to a previous order entered by unanimous consent, shall be in order.

RULE VII.
MORNING BUSINESS

1. On each legislative day, 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. The Presiding Officer on demand of any Senator shall then call for, in the following order:

Reports of committees.

The introduction of bills and joint resolutions.

The submission of other resolutions.

All of which shall be received and disposed of in such order, unless unanimous consent shall be otherwise given, with newly offered resolutions being called for before resolutions coming over from a previous legislative day are laid before the Senate.

2. Until the morning business shall have been concluded, and so announced from the Chair, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar shall be entertained by the Presiding Officer.

3. The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the President or the House of Representatives for appropriate action allowed under the rules and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.

4. During morning business, it shall be in order for any Senator to speak for not more than three minutes, unless by unanimous consent.

RULE VIII.
MESSAGES

1. Messages from the President of the United States or from the House of Representatives may be received at any stage of proceedings, except while the Senate is voting or ascertaining the presence of a quorum, or while a question of order or a motion to adjourn is pending.

2. Messages shall be sent to the House of Representatives by the Secretary, who shall previously certify the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the President of the United States all resolutions and other communications which may be directed to him by the Senate.

RULE IX.
SPECIAL ORDERS

1. Any subject may, by a vote of two-thirds of the Senators present, be made a special order of business for consideration and when the time so fixed for its consideration arrives the Presiding Officer shall lay it before the Senate, unless there be unfinished business in which case it takes its place on the Calendar of Special Orders in the order of time at which it was made special, to be considered in that order when there is no unfinished business.
2. All motions to change such order, or to proceed to the consideration of other business, shall be decided without debate.

RULE X.
VOTING PROCEDURE

1. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.
2. A Member, notwithstanding any other provisions of this rule, may decline to vote, in committee or on the floor, on any matter when he believes that his voting on such a matter would be a conflict of interest.

RULE XI.
RECONSIDERATION

1. When a question has been decided by the Senate, any Senator voting with the prevailing side or who has not voted may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider such a motion entered, or if such a motion is withdrawn by leave of the Senate, or if upon reconsideration the Senate shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.
2. When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

RULE XII.
JOINT RESOLUTIONS, RESOLUTIONS, AND PREAMBLES THERETO

1. Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.
2. Every bill and joint resolution shall receive three readings previous to its passage, and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: Provided, That each reading may be by title only, unless the Senate in any case shall otherwise order.
3. When a bill or joint resolution shall have been ordered to be read a third time, it shall not be in order to propose amendments, unless by unanimous consent, but it shall be in order at any time before the passage of any bill or resolution to move its commitment; and when the bill or resolution shall again be reported from the committee it shall be placed on the Calendar.
4. When a bill or resolution is accompanied by a preamble, the question shall first be put on the bill or resolution and then on the preamble.

RULE XIII.
AMENDMENTS AND MOTIONS

1. (a) An amendment and any instruction accompanying a motion to recommit shall be reduced to writing and read before being debated.
(b) A motion shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before being debated.
2. Any motion, amendment, or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.
3. 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; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition; nor shall it prevent a motion simply to strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert. But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question, and motions to amend the part to be stricken out shall have precedence.
4. It shall not be in order to consider any proposed committee amendment (other than a technical, clerical, or conforming amendment) which contains any significant matter not within the jurisdiction of the committee proposing such amendment.

RULE XIV.
REFERENCE TO COMMITTEES; MOTIONS TO DISCHARGE; REPORTS OF
COMMITTEES; AND HEARINGS AVAILABLE

1. Except as provided in paragraph 3, in any case in which a controversy arises as to the jurisdiction of any committee with respect to any proposed legislation, the question of jurisdiction shall be decided by the presiding officer, without debate, in favor of the committee which has jurisdiction over the subject matter which predominates in such proposed legislation; but such decision shall be subject to an appeal.
2. A motion simply to refer shall not be open to amendment, except to add instructions.
3. (a) Upon motion by both the majority leader or his designee and the minority leader or his designee, proposed legislation may be referred to two or more committees jointly or sequentially. No amendment to any such motion shall be in order except amendments to any instructions contained therein. Debate on any such motion, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than five minutes, the time to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.
(b) Proposed legislation which is referred to two or more committees jointly may be reported only by such committees jointly.

(c) A motion to refer any proposed legislation to two or more committees sequentially shall specify the order of referral.
(d) Any motion under this paragraph may specify the portion or portions of proposed legislation to be considered by the committees, or any of them, to which such proposed legislation is referred, and such committees or committee shall be limited, in the consideration of such proposed legislation, to the portion or portions so specified.
(e) Any motion under this subparagraph may contain instructions with respect to the time allowed for consideration by the committees, or any of them, to which proposed legislation is referred and the discharge of such committees, or any of them, from further consideration of such proposed legislation.

RULE XV.
DEBATE

1. When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him. No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer. No Senator shall speak more than twice upon any one question in debate on the same legislative day without leave of the Senate, which shall be determined without debate.
2. No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

3. No Senator in debate shall refer offensively to any State of the Union.
4. If any Senator, in speaking or otherwise, in the opinion of the Presiding Officer transgress the rules of the Senate the Presiding Officer shall, either on his own motion or at the request of any other Senator, call him to order; and when a Senator shall be called to order he shall take his seat, and may not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate. Any Senator directed by the Presiding Officer to take his seat, and any Senator requesting the Presiding Officer to require a Senator to take his seat, may appeal from the ruling of the Chair, which appeal shall be open to debate.
5. If a Senator be called to order for words spoken in debate, upon the demand of the Senator or of any other Senator, the exceptionable words shall be taken down in writing, and read at the table for the information of the Senate.
6. Former Presidents of the United States shall be entitled to address the Senate upon appropriate notice to the Presiding Officer who shall thereupon make the necessary arrangements.

RULE XVI.
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 XVII.
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 XXIII and XXV, including the confidentiality of information shall apply to any information and to the conduct of any debate transacted.

XVIII.
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. Notwithstanding the provisions of rule II or rule IV or any other rule of the Senate, at any time a motion signed by four Senators, to bring to a close the debate upon any measure, motion, other matter pending before the Senate, or the unfinished business, 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, he shall lay the motion before the Senate and direct that the clerk to 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. Except by unanimous consent, no amendment shall be proposed after the vote to bring debate to a close. 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 30 minutes 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 30 minutes 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.

RULE XIX.
PRIVILEGE OF THE FLOOR

1. 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.
- The officers and employees of the Senate in the discharge of their official duties.
- Members of the House of Representatives and Members elect.
- 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.
- Members of the Joint Chiefs of Staff.

RULE XX.
STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

(a) Committee on Finance, Science, Transportation, Energy, and Natural Resources

- 1. Agriculture, generally.
- 2. Food stamp programs.
- 3. Home economics.
- 4. Human nutrition.
- 5. School nutrition programs.
- 6. Banks, banking, and financial institutions.
- 7. Control of prices of commodities, rents, and services.
- 8. Deposit insurance.
- 9. Economic stabilization and defense production.
- 10. Federal monetary policy, including Federal Reserve System.
- 11. Financial aid to commerce and industry.
- 12. Money and credit, including currency and coinage.
- 13. Public and private housing (including veterans' housing).
- 14. Renegotiation of Government contracts.
- 15. Urban development and urban mass transit.
- 16. Communications.
- 17. Highway safety.
- 18. Inland waterways, except construction.
- 19. Interstate commerce.
- 20. Nonmilitary aeronautical and space sciences.

21. Oceans, weather, and atmospheric activities.
22. Panama Canal, and interoceanic canals generally.
23. Regulation of interstate common carries, including railroads, busses, trucks, vessels, pipelines, and civil aviation.
24. Science, engineering, and technology research and development and policy.
25. Sports.
26. Standards and measurement.
27. Transportation.
28. Coal production, distribution, and utilization.
29. Energy policy.
30. National parks
31. Naval petroleum reserves in Alaska
32. Nonmilitary development of nuclear energy.
33. Oil and gas production and distribution.
34. Air pollution.
35. Environmental policy.
36. Public works, bridges, and dams.
37. Water pollution.
38. Customs, collection districts, and ports of entry and delivery.
39. Deposit of public moneys
40. General revenue sharing.
41. National social security.
42. Reciprocal trade agreements.
43. Revenue measures generally.

(b) Committee on Appropriations

1. Appropriation of the revenue for the support of the Government.
2. All concurrent resolutions on the budget (as defined in section 3(a)(4) of the Congressional Budget Act of 1974.

(c) Committee on Foreign Relations and the Armed Services

1. Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.
2. Common defense.
3. Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force, generally.
4. Maintenance and operation of the Panama Canal, including administration, sanitation, and government of the Canal Zone.
5. Military research and development.
6. National security aspects of nuclear energy.
7. Naval petroleum reserves, except those in Alaska.
8. Pay, promotion, retirement, and other benefits and privileges of members of The Armed Forces, including overseas education of civilian and military dependents.
9. Selective service system.
10. Strategic and critical materials necessary for the common defense.
11. Coast Guard.
12. Acquisition of land and buildings for embassies and legations in foreign countries.

13. Boundaries of the United States.
 14. Diplomatic service.
 15. Foreign economic, military, technical, and humanitarian assistance.
 16. Foreign loans.
 17. International activities of the American National Red Cross and the International Committee of the Red Cross.
 18. International conferences and congresses.
 19. International aspects of nuclear energy, including nuclear transfer policy.
 20. Intervention abroad and declarations of war.
 21. National security and international aspects of trusteeships of the United States.
 22. Relations of the United States with foreign nations generally.
 23. Treaties and executive agreements, except reciprocal trade agreements.
 24. United Nations and its affiliated organizations.
 25. Compensation of veterans.
 26. National cemeteries.
 27. Pensions of all wars of the United States.
 28. Readjustment of servicemen to civil life.
 29. Veterans' hospitals, medical care and treatment of veterans.
 30. Veterans' measures generally.
 31. Vocational rehabilitation and education of veterans.
- (d) Committee on Governmental Affairs and the Judiciary
1. Census and collection of statistics, including economic and social statistics.
 2. Federal Civil Service.
 3. Government Information.
 4. Intergovernmental relations.
 5. Organization and management of United States nuclear export policy.
 6. Organization and reorganization of the executive branch of the Government.
 7. Postal Service.
 8. Status of officers and employees of the United States, including their classification, compensation, and benefits.
 9. Measures relating to education, labor, health, and public welfare.
 10. Child labor.
 11. Convict labor and the entry of goods made by convicts into interstate commerce.
 12. Domestic activities of the American National Red Cross.
 13. Equal employment opportunity.
 14. Individuals with disabilities.
 15. Labor standards and labor statistics.
 16. Occupational safety and health, including the welfare of miners.
 17. Public health.
 18. Student loans.
 19. Wages and hours of labor.
 20. Apportionment of Representatives.
 21. Bankruptcy, mutiny, espionage, and counterfeiting.
 22. Civil liberties.
 23. Constitutional amendments.

24. Federal courts and judges.
25. Government information
26. Immigration and naturalization
27. Interstate compacts generally.
28. Judicial proceedings, civil and criminal, generally.
29. National penitentiaries.
30. Patents, copyrights, and trademarks
31. Congressional organization relative to rules and procedures, and Senate rules and regulations, including floor and gallery rules.
32. Federal elections generally, including the election of the President, Vice President, and Members of Congress.
33. Presidential succession.

2. No Senator may serve on more than two (2) standing committees of the Senate

3. No Senator shall serve at any time as chairman of more than one standing, select, or special committee of the Senate

RULE XXI. COMMITTEE PROCEDURE

1. Each standing committee is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to take such testimony as may be authorized by the Senate. Each such committee may make investigations into any matter within its jurisdiction, may report such hearings as may be had by it.

2. Whenever any hearing is conducted by a committee upon any measure or matter, the minority on the committee shall be entitled, upon request made by a majority of the minority members to the chairman before the completion of such hearing, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

3.(a) Notwithstanding any other provision of the rules, when the Senate is in session, no committee of the Senate may meet, without special leave, after the conclusion of the first two hours after the meeting of the Senate commenced and in no case after two o'clock postmeridian unless consent therefor has been obtained from the majority leader and the minority leader (or in the event of the absence of either of such leaders, from his designee). The majority leader or his designee shall announce to the Senate whenever consent has been given under this subparagraph and shall state the time and place of such meeting. The right to make such announcement of consent shall have the same priority as the filing of a cloture motion.

(b) Each meeting of a committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee thereof on the same subject may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would

require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings

- (1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;
- (2) will relate solely to matters of committee staff personnel or internal staff management or procedure;
- (3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;
- (4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;
- (5) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

4. (a) Except as provided in this paragraph, each committee is authorized to fix the number of its members (but not less than one-third of its entire membership) who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee, except that no measure or matter or recommendation shall be reported from any committee unless a majority of the committee were physically present.

(b) Each committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded. The results of rollcall votes taken in any meeting of any committee upon any measure, or any amendment thereto, shall be announced in the committee report on that measure unless previously announced by the committee, and such announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment by each member of the committee who was present at that meeting.

RULE XXII.
CONFERENCE COMMITTEES; REPORTS; OPEN MEETINGS

1. (a) When a message from the House of Representatives is laid before the Senate, it shall be in order for a single, non-divisible motion to be made that includes—

- (1) a motion to disagree to the House amendment or insist upon a Senate amendment;
- (2) a motion to request a committee of conference with the House or to agree to a request by the House for a committee of conference; and

(3) a motion to authorize the Presiding Officer to appoint conferees (or a motion to appoint conferees).

(b) If a cloture motion is presented on a motion paid pursuant to subparagraph (a), the motion shall be debatable for no more than 10 minutes, equally divided in the usual form, after which 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, the question shall be on the motion, without further debate.

2. (a) Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses.

(b) If matter which was agreed to by both Houses is stricken from the bill a point of order may be made against the report, and if the point of order is sustained, the report is rejected or shall be recommitted to the committee of conference if the House of Representatives has not already acted thereon.

(c) If new matter is inserted in the report, a point of order may be made against the conference report and it shall be disposed of as provided under paragraph 4.

3. (a) In any case in which a disagreement to an amendment in the nature of a substitute has been referred to conferees—

(1) it shall be in order for the conferees to report a substitute on the same subject matter;

(2) the conferees may not include in the report matter not committed to them by either House; and

(3) the conferees may include in their report in any such case matter which is a germane modification of subjects in disagreement.

(b) In any case in which the conferees violate subparagraph (a), a point of order may be made against the conference report and it shall be disposed of as provided under paragraph 4.

4. (a) A Senator may raise a point of order that one or more provisions of a conference report violates paragraph 2 or paragraph 3, as the case may be. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order.

(b) If the Presiding Officer sustains the point of order as to any of the provisions against which the Senator raised the point of order, then those provisions against which the Presiding Officer sustains the point of order shall be stricken. After all other points of order under this paragraph have been disposed of—

(1) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report that has not been stricken;

(2) the question in clause (1) shall be decided under the same debate limitation as the conference report; and

(3) no further amendment shall be in order.

5. (a) Any Senator may move to waive any or all points of order under paragraph 2 or 3 with respect to the pending conference report by an affirmative vote of three-fifths of the

Members, duly chosen and sworn. All motions to waive under this paragraph shall be debatable collectively for not to exceed 10 minutes equally divided between the Majority Leader and the Minority Leader or their designees. A motion to waive all points of order under this paragraph shall not be amendable.

(b) All appeals from rulings of the Chair under paragraph 4 shall be debatable collectively for not to exceed 10 minutes, equally divided between the Majority and the Minority Leader or their designees. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair under paragraph 4.

6. If time for debate in the consideration of any report of a committee of conference upon the floor of the Senate is limited, the time allotted for debate shall be equally divided between the majority party and the minority party.

7. Each conference committee between the Senate and the House of Representatives shall be open to the public except when managers of either the Senate or the House of Representatives in open session determine by a rollcall vote of a majority of those managers present, that all or part of the remainder of the meeting on the day of the vote shall be closed to the public.

RULE XXIII. EXECUTIVE SESSIONS

1. When the President of the United States shall meet the Senate in the Senate Chamber for the consideration of Executive business, he shall have a seat on the right of the Presiding Officer. When the Senate shall be convened by the President of the United States to any other place, the Presiding Officer of the Senate and the Senators shall attend at the place appointed, with the necessary officers of the Senate.

2. When acting upon confidential or Executive business, unless the same shall be considered in open Executive session, the Senate Chamber shall be cleared of all persons except such officers as the Presiding Officer shall think necessary; and all such officers shall be sworn to secrecy.

3. All confidential communications made by the President of the United States to the Senate shall be by the Senators and the officers of the Senate kept secret; and all treaties which may be laid before the Senate, and all remarks, votes, and proceedings thereon shall also be kept secret, until the Senate shall, by their resolution, take off the injunction of secrecy.

4. Any Senator, officer, or employee of the Senate who shall disclose the secret or confidential business or proceedings of the Senate, including the business and proceedings of the committees, subcommittees, and offices of the Senate, shall be liable, if a Senator, to suffer expulsion from the body; and if an officer or employee, to dismissal from the service of the Senate, and to punishment for contempt.

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

RULE XXIV.

EXECUTIVE SESSION - PROCEEDINGS ON TREATIES

1. (a) When a treaty shall be laid before the Senate for ratification, it shall be read a first time; and no motion in respect to it shall be in order, except to refer it to a committee, to print it in confidence for the use of the Senate, or to remove the injunction of secrecy.
- (b) 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.
- (c) The decisions thus made shall be reduced to the form of a resolution of ratification, with or without amendments, as the case may be, which shall be proposed on a subsequent day, unless, by unanimous consent, the Senate determine otherwise, at which stage no amendment to the treaty shall be received unless by unanimous consent; but the resolution of ratification when pending shall be open to amendment in the form of reservations, declarations, statements, or understandings.
- (d) On the final question to advise and consent to the ratification in the form agreed to, the concurrence of two-thirds of the Senators present shall be necessary to determine it in the affirmative; but all other motions and questions upon a treaty shall be decided by a majority vote, except a motion to postpone indefinitely, which shall be decided by a vote of two-thirds.

RULE XXV.

EXECUTIVE SESSION - PROCEEDINGS ON NOMINATIONS

1. When nominations shall be made by the President of the United States to the Senate, they shall, unless otherwise ordered, be referred to appropriate committees; and the final question on every nomination shall be, "Will the Senate advise and consent to this nomination?" which question shall not be put on the same day on which the nomination is received, nor on the day on which it may be reported by a committee, unless by unanimous consent.
2. All business in the Senate shall be transacted in open session, unless the Senate as provided in rule XVII by a majority vote shall determine that a particular nomination, treaty, or other matter shall be considered in closed executive session, in which case all subsequent proceedings with respect to said nomination, treaty, or other matter shall be kept secret: Provided, That the injunction of secrecy as to the whole or any part of proceedings in closed executive session may be removed on motion adopted by a majority vote of the Senate in closed executive session: Provided further, That any Senator may make public his vote in closed executive session.

3. When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual executive session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination, and shall be a final disposition of such motion.

4. When the Senate shall adjourn or take a recess for more than thirty days, all motions to reconsider a vote upon a nomination which has been confirmed or rejected by the Senate, which shall be pending at the time of taking such adjournment or recess, shall fall; and the Secretary shall return all such nominations to the President as confirmed or rejected by the Senate, as the case may be.

5. Nominations neither confirmed nor rejected during the session at which they are made shall not be acted upon at any succeeding session without being again made to the Senate by the President; and if the Senate shall adjourn or take a recess for more than thirty days, all nominations pending and not finally acted upon at the time of taking such adjournment or recess shall be returned by the Secretary to the President, and shall not again be considered unless they shall again be made to the Senate by the President.

RULE XXVI.
SENATE CHAMBER

1. The Senate Chamber shall not be granted for any other purpose than for the use of the Senate; no smoking shall be permitted at any time on the floor of the Senate, or lighted cigars, cigarettes, or pipes be brought into the Chamber.

RULE XXVII.
CONFLICT OF INTEREST

1. A Member, officer, or employee of the Senate shall not receive any compensation, nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt or accrual of which would occur by virtue of influence improperly exerted from his position as a Member, Officer, or employee.

2. No Member, officer, or employee shall knowingly use his official position to introduce or aid the progress or passage of legislation, a principal purpose of which is to further only his pecuniary interest, only the pecuniary interest of his immediate family, or only the pecuniary interest of a limited class of persons or enterprises, when he, or his immediate family, or enterprises controlled by them, are members of the affected class.