

## BILLS

The procedures in the Senate for the consideration of bills and joint resolutions are the same for all practical purposes, and they can be contrasted to those procedures for the consideration of concurrent and simple resolutions. When operating under Rule VII, during the transaction of routine morning business, the Chair calls for the introduction of bills and joint resolutions as a single class. Likewise, under Rule XIV, both bills and joint resolutions are treated as a class. For example, "whenever a bill or joint resolution is offered, its introduction shall, if objected to, be postponed for one day." The rule also requires that bills and joint resolutions be read three times on separate "legislative days" before passage. They are required to be read twice before reference to a committee or before amendments thereto are in order. This is not required in the case of concurrent and simple resolutions.

Bills and joint resolutions, whether House or Senate, except joint resolutions proposing amendments to the Constitution, are submitted to the President for his signature. Concurrent and simple resolutions are not sent to the President for signature.

In modern usage, the contents of bills and joint resolutions often become indistinguishable. It is not uncommon to find that a proposed piece of legislation (in identical language) is introduced in the Senate as a Senate bill and introduced in the House as a joint resolution, or vice versa. While at one time there might have been definite distinctions between the two types of proposed legislation, they have for all practical purposes been lost.

Until 1944, when bills became law they were printed in the *Statutes at Large* as public or private laws, while joint resolutions were printed up as public or private resolutions. That is no longer the case. Since 1944, they are all printed in the *Statutes* as public or private laws.

Under the law, the enacting clause of all Acts of Congress shall be in the following form: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled." The resolving clause of all joint resolutions shall be in the following form: "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled."

Bills and resolutions can only be introduced in the Senate by Senators; and unless otherwise ordered or the rule is waived, all bills and resolutions are referred to the appropriate committee except when referral to committee is obviated under either paragraph 4 or 6 of Rule XIV.

If the committee to which a bill or resolution has been referred reports it, it is placed on the Calendar in the section entitled "General Orders," in the chronological order in which it was reported. Once reported, it stays there for the duration of a Congress or until it is disposed of on a "Call of the Calendar," brought up on motion by a majority vote or by consent of the

Senate, considered by unanimous consent, or otherwise removed from the Calendar by order of the Senate.

When a bill or joint resolution is before the Senate for consideration, it is open to debate and to amendment, and as long as any Senator seeks recognition to debate the measure or to offer an amendment thereto (assuming debate and amendments are not precluded by unanimous consent or cloture), the Senate cannot proceed to the third reading or passage of the measure.

After the passage of a bill or joint resolution, if it is a Senate measure, it is engrossed before it is messaged to the House; if it is a House measure, the Senate amendment or amendments, if any, are engrossed before the measure as so amended is messaged back to the House.

If there are differences between the two Houses on any measure which cannot be resolved by amendments between the Houses, the measure is generally sent to conference to resolve such differences. The report of the conference committee must be approved by both Houses in identical form before the measure is enrolled (printed on parchment) and made available for the signatures of the Presiding Officers of the two Houses. At this point, the enrolled measure is by custom signed first by the Speaker of the House and then by the Presiding Officer of the Senate, before being presented to the President for his signature.

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## U.S. Code on Printing of Bills and Laws

Title 1 of the United States Code (sections 101–107) embodies the following provisions of the laws regarding the style and forms in which acts are to be passed and, of course, bills and resolutions are drawn in the same fashion for printing:

### [Enacting Clause]

The enacting clause of all Acts of Congress shall be in the following form: “Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.” (July 30, 1947, ch. 388, 61 Stat. 634.)

### [Resolving Clause]

The resolving clause of all joint resolutions shall be in the following form: “Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.” (July 30, 1947, ch. 388, 61 Stat. 634.)

### [Enacting or Resolving Words After First Section]

No enacting or resolving words shall be used in any section of an Act or resolution of Congress except in the first. (July 30, 1947, ch. 388, 61 Stat. 634.)

### **[Numbering of Sections, Single Proposition]**

Each section shall be numbered, and shall contain, as nearly as may be, a single proposition of enactment. (July 30, 1947, ch. 388, 61 Stat. 634.)

### **[Title of Appropriation Acts]**

The style and title of all Acts making appropriations for the support of Government shall be as follows: "An Act making appropriations (here insert the object) for the year ending September 30, (here insert the calendar year)." (July 30, 1947, ch. 388, 61 Stat. 634; July 12, 1974, Pub. L. 93-344, Title V, sec. 506(a), 88 Stat. 322.)

### **[Printing Bills and Joint Resolutions]**

Every bill or joint resolution in each House of Congress shall, when such bill or resolution passes either House, be printed, and such printed copy shall be called the engrossed bill or resolution as the case may be. Said engrossed bill or resolution shall be signed by the Clerk of the House or the Secretary of the Senate, and shall be sent to the other House, and in that form shall be dealt with by that House and its officers, and, if passed, returned signed by said Clerk or Secretary. When such bill, or joint resolution shall have passed both Houses, it shall be printed and shall then be called the enrolled bill, or joint resolution, as the case may be, and shall be signed by the presiding officers of both Houses and sent to the President of the United States. During the last six days of a session such engrossing and enrolling of bills and joint resolutions may be done otherwise than as above prescribed, upon the order of Congress by concurrent resolution. (July 30, 1947, ch. 388, 61 Stat. 634.)

### **[Promulgation of Laws]**

Whenever a bill, order, resolution, or vote of the Senate and House of Representatives, having been approved by the President, or not having been returned by him with his objections, becomes a law or takes effect, it shall forthwith be received by the Archivist of the United States from the President; and whenever a bill, order, resolution, or vote is returned by the President with his objections, and, on being reconsidered, is agreed to be passed, and is approved by two-thirds of both Houses of Congress, and thereby becomes a law or takes effect, it shall be received by the Archivist of the United States from the President of the Senate, or Speaker of the House of Representatives in whichever House it shall last have been so approved, and he shall carefully preserve the originals. (Added Oct. 31, 1951, ch. 655, § 2(b), 65 Stat. 710.)

### **[Amendments to Constitution]**

Whenever official notice is received at the National Archives and Records Administration that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Archivist of the United States shall forthwith cause the amendment to be published, with his certificate,

specifying the States by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States. (Added Oct. 31, 1951, ch. 655, § 2(b), 65 Stat. 710.)

### **[Parchment or Paper for Printing Enrolled Bills or Resolutions]**

Enrolled bills and resolutions of either House of Congress shall be printed on parchment or paper of suitable quality as shall be determined by the Joint Committee on Printing. (July 30, 1947, ch. 388 61 Stat. 635.)

## **Rule VII, Paragraphs 1, 3, and 6**

### **[Introduction of Bills]**

1. On each legislative day 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. The Presiding Officer on demand of any Senator shall then call for, 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.

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.

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.

6. Senators having petitions, memorials, bills, or resolutions to present after the morning hour may deliver them in the absence of objection to the Presiding Officer's desk, endorsing upon them their names, and with the approval of the Presiding Officer, they shall be entered on the *Journal* with the names of the Senators presenting them and in the absence of objection shall be considered as having been read twice and referred to the appropriate committees, and a transcript of such entries shall be furnished to the official reporter of debates for publication in the Congressional Record, under the direction of the Secretary of the Senate.

## Rule XIV

### [Bills, Joint Resolutions, Resolutions, and Preambles There to]

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 which readings on demand of any Senator shall be on three different legislative days, 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. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, if not objected to, on the same day for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the Calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the Calendar.

5. All bills, amendments, and joint resolutions shall be examined under the supervision of the Secretary of the Senate before they go out of the possession of the Senate, and all bills and joint resolutions which shall have passed both Houses shall be examined under the supervision of the Secretary of the Senate, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and the President of the Senate, the Secretary of the Senate shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States and report the fact and date of such presentation to the Senate.

6. All other resolutions shall lie over one day for consideration, if not referred, unless by unanimous consent the Senate shall otherwise direct. When objection is heard to the immediate consideration of a resolution or motion when it is submitted, it shall be placed on the Calendar under the heading of "Resolutions and Motions over, under the Rule," to be laid before the Senate on the next legislative day when there is no further morning business but before the close of morning business and before the termination of the morning hour.

7. 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.

8. 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, which may be withdrawn by a mover before an amendment of the same, or ordering of the yeas and nays; or it may be laid on the table without prejudice to the bill or resolution, and shall be a final disposition of such preamble.

9. Whenever a private bill, except a bill for a pension, is under consideration, it shall be in order to move the adoption of a resolution to refer the bill to the Chief Commissioner of the Court of Claims for a report in conformity with section 2509 of title 28, United States Code.

10. No private bill or resolution (including so-called omnibus claims or pension bills), and no amendment to any bill or resolution, authorizing or directing (1) the payment of money for property damages, personal injuries, or death, for which a claim may be filed under chapter 171 of title 28, United States Code, or for a pension (other than to carry out a provision of law or treaty stipulation); (2) the construction of a bridge across a navigable stream; or (3) the correction of a military or naval record, shall be received or considered.

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### **Amendments to:**

*See* "Amendments," pp. 24-125; "When Not in Order," pp. 111-119; "Call Up for Senate Consideration," pp. 33-49.

### **Bills on Calendar:**

*See* "Calendar," pp. 253-267; "Placed on Calendar-Objection Heard to Consideration After Second Reading," pp. 243-244.

### **Consideration of:**

*See* "Consideration, Question of," pp. 655-682; "Business Pending Before Committee, p. 661.

### **Consideration of and Passage by Unanimous Consent:**

The Senate has by unanimous consent provided in advance that upon receipt of a House bill in the Senate the following actions be deemed to have occurred: The bill be considered, all after its enacting clause be stricken and the text of a Senate bill as amended be inserted in its place, the bill be read a third time and passed, the Senate insist on its amendment, and the Chair appoint conferees.<sup>1</sup>

On another occasion, unanimous consent was obtained for the Senate to receive a House bill during an adjourn-

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<sup>1</sup> June 26, 1984, 98-2, *Record*, p. 18637.

ment of the Senate and for the bill upon its receipt to be considered and agreed to.<sup>2</sup>

### Consideration of and Vote on Required by Statute:

On one occasion, the Chair on its own initiative put the question on the passage of a measure the vote on passage of which was required by statute to occur by the end of a certain calendar day, immediately after announcing the result of a roll call vote which began before midnight on that day, and which concluded at approximately 12:10 a.m. the following day.<sup>3</sup>

### Constitutionality of a Bill:

See "Constitutionality of Amendments," pp. 52-54, 685.

### Co-Sponsors:

A Senator may introduce a bill or resolution for himself and as many other Senators as may see fit to join him; <sup>4</sup> in one case all 96 Senators joined each other on the same bill.<sup>5</sup> Unanimous consent is required for any Senator to add his name to a bill or resolution which has been introduced or submitted,<sup>6</sup> or to add the names of additional Senators as co-sponsors of a bill when the bill is next printed or reported.<sup>7</sup> The Joint Committee on Printing, as authorized by law, has adopted a resolution providing that the Public Printer shall not reprint any bill or joint resolution or amendment for the purpose of adding the names of additional sponsors,<sup>8</sup> and unanimous consent given by the Senate to reprint a measure for the purpose of adding additional names will not be honored by the Government Printing Office.<sup>9</sup>

There is no rule authorizing a bill introduced by one Senator for himself and a number of other Senators to be designated by a specific name as to authors.<sup>10</sup>

<sup>2</sup> July 11, 1985, 99-1, *Record*, p. 18855.

<sup>3</sup> Sept. 19, 1986, 99-2, *Record*, p. 24937.

<sup>4</sup> See Jan. 23 and 30, 1961, 87-1, *Record*, pp. 1104-05, 1405; Feb. 20, 1961, 82-1, *Record*, p. 2350; Jan. 30, and 31, 1958, 85-2, *Record*, pp. 1323, 1418; Dec. 19, 1947, 80-1, *Record*, p. 11674; see also Feb. 16, 1967, 90-1, *Record*, p. 3730.

<sup>5</sup> Apr. 2, 1937, 75-1, *Journal*, pp. 194-95, *Record*, p. 3061; this was before the membership was increased to 100.

<sup>6</sup> Jan. 13, 1953, 83-1, *Record*, p. 352.

<sup>7</sup> Oct. 11, 1949, 81-1, *Record*, p. 14173; Oct. 19, 1949, 81-1, *Record*, p. 15031.

<sup>8</sup> Mar. 21, 1951, 82-1, *Record*, p. 2723.

<sup>9</sup> Jan. 6, 1955, 84-1, *Record*, p. 241.

<sup>10</sup> Mar. 12, 1952, 82-2, *Record*, p. 2141.

On June 10, 1937, by unanimous consent, the name of a Senator was added as a co-sponsor of a resolution after its passage.<sup>11</sup>

In 1913, a ruling was made that a resolution should be introduced by one Senator only, and not by one Senator for himself and another jointly.<sup>12</sup>

Bills cannot be held at the desk for more than the day introduced for adding additional co-sponsors, except by unanimous consent.<sup>13</sup>

### **Debate of:**

See "Debate," pp. 716-797.

### **Desk Copy of Bill:**

When a bill under consideration by the Senate is ordered reprinted showing the amendments adopted by the Senate, the original official desk copy will continue to be used at the desk in the consideration of further amendments to be proposed thereto.<sup>14</sup>

On one occasion the Senate used as the desk copy of a measure a committee print thereof in the absence of the printed version of the measure;<sup>15</sup> on another occasion by unanimous consent the Senate used as the desk copy of a measure a committee print of a House bill after granting unanimous consent that the provisions of the Senate companion measure for that bill be included as Senate amendments thereto.<sup>16</sup>

### **Division of Questions on Passage:**

See "Division of Pending Question," pp. 807-812.

### **Enacting or Resolving Words After First Section:**

It is not in order for an amendment to contain either a preamble or a resolving clause.<sup>17</sup>

<sup>11</sup> June 10, 1937, 75-1, *Record*, p. 5515.

<sup>12</sup> Oct. 27, 1913, 63-1, *Record*, p. 5798.

<sup>13</sup> See Feb. 16, 1967, 90-1, *Record*, p. 3730.

<sup>14</sup> June 10, 1935, 74-1, *Record*, p. 8940; June 22, 1932, 72-1, *Record*, p. 13643; May 19, 1953, 83-1, *Record*, p. 5084.

<sup>15</sup> Dec. 16, 1982, 97-2, *Record*, p. 31313.

<sup>16</sup> July 23, 1984, 98-2, *Record*, pp. 20499, 20507.

<sup>17</sup> June 18, 1984, 98-2, *Record*, p. 16913.



### Enrollment Not on Parchment Paper:

The Congress on one occasion passed, and the President signed, a joint resolution waiving the requirement contained in sections 106 and 107 of Title I, U.S. Code, that enrolled bills be printed on parchment paper, for the enrollment of a specific measure, and providing that such enrollment be in such form as may be certified by the Committee on House Administration.<sup>18</sup>

### Form of Bills and Resolutions Changed:

*See also* "Constitutional Amendments," pp. 683-686.

The form of legislative proposals, by unanimous consent, or without objection, has been changed after their introduction.

In 1838, the House changed a Senate joint resolution to a bill, and the Senate on the same day agreed to the House amendment.<sup>19</sup> In 1921, a Senate joint resolution, which requested the President to negotiate a treaty, was changed to a Senate resolution.<sup>20</sup> Senate joint resolutions on different occasions have been changed to Senate concurrent resolutions;<sup>21</sup> and in 1884, a joint resolution was changed in form to a Senate bill and passed as such.<sup>22</sup>

As a courtesy to the House of Representatives in 1912, a House joint resolution was changed by amendment in the Senate to a House concurrent resolution, instead of adopting an original Senate concurrent resolution in lieu of the joint resolution and the latter was indefinitely postponed.<sup>23</sup> In 1940, when a joint resolution was reached on the call of the Calendar, a Senate resolution was submitted in lieu thereof and passed, by unanimous consent, and the joint resolution was indefinitely postponed.<sup>24</sup>

During the consideration of a Senate concurrent resolution a motion to change it to a joint resolution is not in order,<sup>25</sup> but in 1888 a motion was agreed to which changed a House concurrent resolution to that of a joint

<sup>18</sup> Dec. 10, 1985, 99-1, *Record*, p. 35552.

<sup>19</sup> July 9, 1838, 25-2, *Journal*, p. 1310.

<sup>20</sup> June 6, 1921, 67-1, *Journal*, p. 130, *Record*, p. 2136.

<sup>21</sup> Oct. 30, 1919, 66-1, *Journal*, p. 264, *Record*, p. 7755; Feb. 15, 1884, 48-1, *Record*, pp. 1142-43.

<sup>22</sup> Mar. 12, 1884, 48-1, *Journal*, p. 417, *Record*, p. 1790.

<sup>23</sup> Apr. 13, 1912, 62-2, *Record*, pp. 4702-04.

<sup>24</sup> Feb. 1, 1940, 76-3, *Journal*, p. 100, *Record*, pp. 904-05.

<sup>25</sup> *See* Mar. 21, 1951, 82-1, *Record*, pp. 2746-47.

resolution,<sup>26</sup> and a similar action was taken in 1896.<sup>27</sup> In 1906, a concurrent resolution which contained a legislative provision was changed by unanimous consent to that of a joint resolution and passed,<sup>28</sup> and under a ruling of the Chair in 1951, such action can be taken by unanimous consent only.<sup>29</sup>

In 1920, the House changed a Senate joint resolution to a concurrent resolution, in which amendments the Senate concurred; subsequently, in order to permit a proper parliamentary record of the proceedings to be made, the House passed a concurrent resolution embracing the same language; the Senate then reconsidered its vote agreeing to the House amendments to the joint resolution, and ordered it returned to the House, pursuant to its request, and agreed to the House concurrent resolution.<sup>30</sup>

Concurrent resolutions have been changed to simple resolutions<sup>31</sup> and in 1892, when this was done on one occasion, it was held on appeal to be in the nature of a new resolution and would have to lie over 1 day on an objection.<sup>32</sup>

On March 25, 1938, by unanimous consent the form of a Senate resolution, under consideration, was changed to that of a joint resolution and passed,<sup>33</sup> and on April 2, 1951, the Chair ruled that during the consideration of a Senate resolution, a motion to change its character to that of a joint resolution is not in order.<sup>34</sup>

Senate simple resolutions by unanimous consent have been changed to concurrent resolutions.<sup>35</sup>

In 1951, by unanimous consent, a concurrent resolution not before the Senate for consideration was modified by its author.<sup>36</sup>

### Held at Desk by Unanimous Consent:

When a bill is ordered held at the desk by unanimous consent it takes unanimous consent to take it from the

<sup>26</sup> July 5, 1888, 50-1, *Journal*, pp. 1062-63, *Record*, pp. 5899, 5927.

<sup>27</sup> May 23, 1896, 54-1, *Journal*, p. 355, *Record*, p. 5828.

<sup>28</sup> Jan. 30, 1906, 59-1, *Journal*, p. 140, *Record*, p. 1758.

<sup>29</sup> Mar. 21, 1951, 82-1, *Record*, pp. 2746-47.

<sup>30</sup> Jan. 13, 14 and 15, 1920, 66-2, *Journal*, pp. 76-79, *Record*, pp. 1509-12, 1521, 1559-60, 1563.

<sup>31</sup> Feb. 8, 1940, 76-3, *Record*, p. 1218; June 16, 1938, 75-3, *Record*, p. 9549.

<sup>32</sup> Aug. 5, 1892, 52-1, *Journal*, pp. 423-24, *Record*, pp. 7070-71.

<sup>33</sup> Mar. 25, 1938, 75-3, *Journal*, p. 245, *Record*, p. 4085.

<sup>34</sup> Apr. 2, 1951, 82-1, *Record*, p. 3065.

<sup>35</sup> Feb. 2, 1903, 57-2, *Record*, p. 1562; Apr. 25, 1904, 58-2, *Journal*, p. 432.

<sup>36</sup> Apr. 13, 1951, 82-1, *Record*, p. 3858.

desk to allow any other proceeding to occur thereon,<sup>37</sup> or to proceed to its consideration.<sup>38</sup>

### **House Language in Bill Not Subject to a Point of Order:**

See "House Language," pp. 171, 174, 610-611.

### **House-Passed Bills—Lay Before Senate:**

Under Rule VII, paragraph 3, the Presiding Officer may, at any time, lay before the Senate any bill or other matter sent to the Senate by the President or the House of Representatives. For disposition of such matters, see "Calendar," pp. 253-267, and "References to Committees," pp. 1150-1169.

A bill that may be received from the House of Representatives while the Senate is in executive session will be held at the desk until the Senate returns to legislative session;<sup>39</sup> it is not in order to lay such a message before the Senate while that body is in executive session.<sup>40</sup>

### **House-Passed Bills, Reference of:**

See "References to Committees," pp. 1150-1169.

### **Interpretation of Bills:**

See also "Interpretation of Amendments," p. 64.

It is not in order for the Chair, on the question of final passage of a bill, to attempt to analyze such bill or describe its provisions.<sup>41</sup>

### **Introduction:**

Under Rule VII, the introduction of bills and joint resolutions is in order on a new legislative day during the transaction of morning business, following the submission of reports of committees and before the submission (or consideration) of other resolutions.<sup>42</sup> After this period

<sup>37</sup> Dec. 21, 1982, 97-2, *Record*, pp. 33107-08.

<sup>38</sup> Sept. 30, 1982, 97-2, *Record*, p. 26414.

<sup>39</sup> See June 15, 1957, 85-1, *Record*, p. 9176.

<sup>40</sup> See June 18, 1957, 85-1, *Record*, pp. 9431-33.

<sup>41</sup> Aug. 31, 1922, 67-2, *Record*, p. 12032.

<sup>42</sup> Rule VII, par. 1.

has expired or during the consideration of unfinished business Senators may introduce bills in the absence of objections by presenting them to the Presiding Officer's desk, which, with the approval of the Presiding Officer, shall be referred and entered on the *Journal*, "with the names of the Senators presenting them" and the Secretary of the Senate shall furnish a transcript of such entries to the official reporter of debates for publication in the *Record*.<sup>43</sup>

Unanimous consent is required for the introduction of public bills and resolutions while the unfinished business is pending or at any time during a legislative day, except during the period prescribed by Rule VII<sup>44</sup> for the morning business; for example, the introduction of public bills and resolutions is not in order except by unanimous consent: during the correction of the *Journal*,<sup>45</sup> during consideration of a resolution opposing the seating of a Senator-elect;<sup>46</sup> during the consideration of a conference report under a unanimous consent agreement for a vote thereon at a specified hour;<sup>47</sup> or during a recess.<sup>48</sup>

It is not in order, under the rule, for a Senator to interrupt a Senator having the floor for the purpose of introducing a bill or making a report,<sup>49</sup> even during the Morning Hour.

Under the recent practices of the Senate, a Senator, in the course of a speech, frequently allows himself to be interrupted by another for the introduction of a bill or other matter, but if he yields over an objection or in the face of a notice that a point of order will be made, or if a point of order is made, the yielding would terminate his right to the floor,<sup>50</sup> unless unanimous consent is given for that purpose.<sup>51</sup>

<sup>43</sup> See Dec. 6, 1927, 70-1, *Record*, p. 109; July 10, 1937, 75-1, *Journal*, p. 407, *Record*, p. 7018; Rule VII, par. 2; Jan. 19, 1938, 75-3, *Record*, p. 752; Aug. 2, 1917, 65-1, *Record*, p. 5693.

<sup>44</sup> Mar. 31, 1939, 76-1, *Record*, p. 3619; see Rule VII; Jan. 19, 1938, 75-3, *Record*, p. 752; June 28, 1945, 79-1, *Record*, p. 6904; Dec. 21, 1945, 79-1, *Record*, p. 12511; July 25, 1914, 63-2, *Record*, pp. 12725-26; Jan. 23, 1896, 54-1, *Record*, p. 904; July 10, 1937, 75-1, *Journal*, p. 407, *Record*, p. 7018.

<sup>45</sup> See Jan. 30, 1946, 79-2, *Record*, p. 557.

<sup>46</sup> See Dec. 6, 1927, 70-1, *Record*, p. 109.

<sup>47</sup> Dec. 23, 1913, 63-2, *Record*, p. 1471.

<sup>48</sup> Jan. 19, 1938, 75-3, *Record*, p. 752; Sept. 10, 1942, 77-2, *Record*, p. 7098; Feb. 5, 1954, 83-2, *Record*, p. 1390; Apr. 30, 1952, 82-2, *Record*, p. 4759.

<sup>49</sup> Aug. 18, 1914, 63-2, *Record*, p. 13902.

<sup>50</sup> See Mar. 21, 1939, 76-1, *Record*, p. 3052; Mar. 28, 1938, 75-3, *Record*, p. 4205; Nov. 18, 1921, 67-1, *Record*, p. 7895; June 10, 1913, 63-1, *Record*, p. 1935.

<sup>51</sup> July 10, 1937, 75-1, *Journal*, p. 407.

Under a unanimous consent order to consider unobjected to bills on the Calendar only and transact no other business, the introduction of a joint resolution is not in order upon objection.<sup>52</sup>

A Senator may object to the introduction of a bill,<sup>53</sup> in which case it may be introduced on the next legislative day as a matter of right.<sup>54</sup>

Under Rule XIV, paragraph 1, whenever objection is made to the introduction of a bill, its introduction must be postponed for 1 legislative day, under the rule,<sup>55</sup> but the bill may be introduced as a matter of right during morning business on the next legislative day.<sup>56</sup>

When a bill is sent to the desk and unanimous consent is requested for its immediate consideration, until that request is granted the bill is not considered to be introduced, is not numbered, has no official status, and the Chair cannot interpret its contents.<sup>57</sup>

It is customary at the beginning of a session of Congress to await the delivery of the President's State of the Union message before the introduction of bills.<sup>58</sup> In recent years this practice has been modified somewhat.

Debate during the introduction of bills is out of order. See "Morning Business," pp. 918-926, and "Debate," pp. 716-797.

It is not in order during the introduction of bills and joint resolutions to read a speech into the *Record* over an objection.<sup>59</sup>

### Introduction by General Order:

The following excerpt from the *Record*, is the form of a general order to introduce bills and submit resolutions and amendments during the remainder of that Congress by presenting them at the desk of the Presiding Officer, obtained on March 7, 1974, by unanimous consent:

<sup>52</sup> Aug. 15, 1914, 63-2, *Record*, pp. 13783-84.

<sup>53</sup> Aug. 3, 1982, 97-2, *Record*, p. 19134; Aug. 12, 1982, 97-2, *Record* p. 20935.

<sup>54</sup> Aug. 12, 1982, 97-2, *Record*, p. 20935.

<sup>55</sup> Rule XIV, paragraph 1; Oct. 15, 1981, 97-1, *Record*, p. 24142; May 11, 1894, 53-2, *Record*, p. 4590; June 5, 1913, 63-1, *Journal*, p. 84, *Record*, p. 1899; Apr. 18 and 25, 1921, 67-1, *Journal*, 44, 52, *Record*, pp. 382, 595; Apr. 2, 1926, 69-1, *Journal*, p. 277, *Record*, pp. 6764-65; July 1, 1946, 79-2, *Record*, p. 8017; see also June 29, 1946, 79-2, *Record*, pp. 7950, 7954-55.

<sup>56</sup> Aug. 16, 1982, 97-2, *Record*, p. 21161.

<sup>57</sup> Mar. 5, 1986, 99-2, *Record*, pp. 3681-82.

<sup>58</sup> Jan. 3, 1941, 77-1, *Record*, p. 5.

<sup>59</sup> Feb. 26, 1924, 68-1, *Record*, p. 3136.

Mr. Robert C. Byrd. Mr. President, I ask unanimous consent that during the remainder of this Congress it be in order for the proper members of the staff to receive bills, resolutions, and amendments at the desk when signed and presented by a Senator at any time during the day of a session of the Senate when no question is raised thereon, and that in accordance with the rules, it be in order to refer them to the appropriate committee or to refer the amendments, or order them printed and to lie on the table, as requested by the said Senator.<sup>60</sup>

### **Lie on Table:**

See "Lie on Table," pp. 910-911.

### **Lie Over One Day:**

On objection, introduction of a bill must be postponed 1 day. See "Introduction," pp. 235-237; see also "Over Under the Rule," pp. 957-967.

### **Lost in Processing and Duplicates Furnished:**

Bills have been lost or mislaid during the period of processing them. The Senate has furnished the House of Representatives, in compliance with its request, copies of engrossed bills that had been lost.<sup>61</sup> The House of Representatives has furnished the Senate, in compliance with its request, copies of certain engrossed House bills that had been lost or mislaid.<sup>62</sup>

Likewise, duplicate enrolled bills pursuant to a request of the President, have been supplied him to take the place of original bills which were lost after they were presented to him.<sup>63</sup>

### **Managers of a Bill:**

In the absence of an official designation, the Senator who occupies the seat of the Majority Leader is assumed to be manager of the measure as the designee of such leader, and the Senator who occupies the seat of the Mi-

<sup>60</sup> Mar. 7, 1974, 93-2, *Record*, p. 5768; See also proceedings for Jan. 15, 1979, for such an order for the 96th Congress.

<sup>61</sup> July 19, 1886, 49-1, *Record*, p. 7147; Jan. 10, 1887, 49-2, *Record*, p. 474; Feb. 7, 1887, 49-2, *Record*, p. 1438; Jan. 31, 1895, 53-3, *Record*, p. 1562.

<sup>62</sup> May 15 and 16, 1894, 53-2, *Record*, pp. 4747, 4796; June 28, 1906, 59-1, *Record*, p. 9472.

<sup>63</sup> May 15, 1935, 74-1, *Record*, p. 7598; May 15, 1935, 74-1, *Journal*, p. 346, *Record*, p. 7598; May 27, 1938, 75-3, *Record*, p. 7601; Dec. 19, 1947, S.J. Res. 167 was presented to the President but lost and a duplicate was furnished.

minority Leader is assumed to be the minority manager as the designee of that leader.<sup>64</sup>

### **Morning Business:**

Introduction of bills is a portion of morning business. *See also* "Morning Business," pp. 918-926.

### **Numbering of Bills:**

By unanimous consent in 1973, a bill was held at the desk for printing until a particular number was reached.<sup>65</sup>

### **Original Bills Reported by Committee:**

*See* "Original Bills Reported by," p. 408.

### **Original Papers Lost:**

The original papers having been lost, after the passage of a bill by both Houses and a request for a conference having been granted, the Senate adopted a concurrent resolution to authorize the preparation of official duplicates.<sup>66</sup>

### **Passage of Bill—Question Not Divisible:**

*See* "Division of Pending Question," pp. 807-812.

### **Passage of Bill Vacated:**

*See* "Concurrent Resolutions," pp. 442-448.

### **Passage—Question on:**

When a House bill has been amended by the Senate, the question, after the third reading of the bill, is on the passage of the bill as amended.<sup>67</sup>

### **Placed on Calendar:**

*See* "Placed on Calendar—Objection Heard to Consideration After Second Reading," pp. 243-244.

<sup>64</sup> Oct. 4, 1988, 100-2, *Record*, p. S 14433; Nov. 13, 1985, 99-1, *Record*, p. 31671.

<sup>65</sup> May 17, 1973, 93-1, *Record*, p. 16145.

<sup>66</sup> Mar. 13 and 14, 1972, 92-2, *Record*, pp. 8195-96.

<sup>67</sup> *See* May 29, 1956, 84-2, *Record*, pp. 9248-50.

**Postponement of:**

See "Postpone, Motion To," pp. 997-1003.

**Preambles:**

See "Preambles," pp. 1005-1007.

**President's Signature:**

See "President of the United States," pp. 1008-1018.

**Private Bills:**

See "Private Bills," pp. 1033-1034.

**Reading of Bill:**

See also "Introduction," pp. 235-237; "Reading," pp. 43-45, 1079; "Reading on Motion . . .," pp. 974-975; "Reading of Resolution," p. 1208.

**Bills Read Three Times Before Passage:**

Every bill and joint resolution shall receive three readings previous to its passage, which readings on demand of any Senator shall be on three different legislative days, except by unanimous consent, "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."<sup>68</sup>

Upon the timely demand of any Senator the three readings of a bill must occur on separate legislative days.<sup>69</sup>

Rule XIV, paragraphs 2 and 3, provides that each of the three readings may be by title only unless the Senate in any case shall order otherwise. This order can be either by motion or by unanimous consent. If it is by motion and debate is permitted during the period of morning business, then the motion itself may be debated within the confines of that permitted debate.<sup>70</sup>

<sup>68</sup> Rule XIV, par. 2; Mar. 4, 1929, 70-2, *Journal*, p. 273; July 2, 1946, 79-2, *Record*, pp. 8093, 8096-97; July 3, 1946, 79-2, *Journal*, p. 395, *Record*, p. 8202; May 9 and 13, 1913, 63-1, *Record*, pp. 1393, 1408, 1409, 1495; Apr. 29, 1971, 92-1, *Record*, pp. 12779-81; Apr. 30, 1971, 92-1, *Record*, pp. 12792-93; Oct. 17, 1977, 95-1, *Record*, p. 33832.

<sup>69</sup> Dec. 20, 1982, 97-2, *Record*, pp. 32663-64.

<sup>70</sup> See Nov. 29, 1982, 97-2, *Record*, p. 27664.



A Senator may move that one of the three required readings of a bill be a reading in full.<sup>71</sup>

The Chair has stated in response to an inquiry that a pro forma session does not count as a legislative day for the purpose of advancing legislation under Rule XIV.<sup>72</sup>

**First and Second Reading Before Reference:**

*See also* "Bills and Resolutions, Reference to Committees," pp. 1154-1158.

A bill that has been introduced may be read for the first time as a matter of right.<sup>73</sup>

If a bill is introduced and read a first time, objection to a second reading will put that matter over one legislative day.<sup>74</sup>

Bills and joint resolutions when introduced are read twice before their reference to the appropriate committees,<sup>75</sup> and a motion to place a bill on the Calendar or to refer it to a committee is not in order until it had its second reading.<sup>76</sup>

A bill which has received its first reading on a previous legislative day will, when read the second time on the next legislative day, be referred to committee if no objection to further proceeding thereon is heard.<sup>77</sup> If an objection to further proceeding thereon is heard at that point, the bill or joint resolution will be placed on the calendar.<sup>78</sup>

A bill must be read twice on separate legislative days before it can be referred, except by unanimous consent.<sup>79</sup>

Under an agreement for the transaction of morning business, a bill introduced may be read the first time by title under the rule, and a second time by unanimous consent.<sup>80</sup>

If objection is heard to the introduction of a public bill or joint resolution, that measure may be read the first time on the next legislative day,<sup>81</sup> and the second read-

<sup>71</sup> Dec. 10, 1982, 97-2, *Record*, p. 29910.

<sup>72</sup> *See* Feb. 26, 1987, 100-1, *Record*, p. S 2647.

<sup>73</sup> May 1, 1987, 100-1, *Record*, p. S 5794.

<sup>74</sup> Oct. 15, 1981, 97-1, *Record*, p. 24142.

<sup>75</sup> Rule XIV, par. 3.

<sup>76</sup> *See* June 4, 1900, 56-1, *Record*, p. 6523.

<sup>77</sup> Mar. 10, 1986, 99-2, *Record*, p. 4153.

<sup>78</sup> Mar. 11, 1987, 100-1, *Record* pp. S 2965-66.

<sup>79</sup> Rule XIV, pars. 2 and 3; Aug. 12, 1982, 97-2, *Record*, p. 21161; Aug. 6, 1971, 92-1, *Record*, pp. 30213-16; Sept. 8, 1971, 92-1, *Record*, p. 30889; Dec. 12, 1969, 91-1, *Record*, pp. 38717-18; May 22, 1978, 95-2, *Record*, pp. 14765-66.

<sup>80</sup> *See* Aug. 9, 1960, 86-2, *Record*, pp. 16009-19.

<sup>81</sup> June 5, 1913, 63-1, *Journal*, p. 84, *Record*, p. 1899.

ing, when objected to at the time of the first reading, must be postponed for 1 day,<sup>82</sup> since a bill or resolution may not be read a second time on the same day of its first reading upon objection being made.<sup>83</sup>

If an objection is made to the second reading at time of introduction, it should be laid before the Senate for a second reading on the next day when the order of introduction of bills and joint resolutions is reached.<sup>84</sup>

The second reading of a bill having been objected to on the day of its introduction, a motion made on a subsequent day, after the close of the morning business, that it be read a second time was held to be in order.<sup>85</sup>

In one case in 1885, when the second reading at length was asked for and objected to, the Presiding Officer put the question to the Senate for decision.<sup>86</sup>

The requirement of the second paragraph of Rule XIV, relating to reading of bills, will be satisfied by the reading of the bills the first and second times by title only, as determined by decision of the Chair on June 6 and 10, 1913, and as Rule XIV was amended on June 14, 1914.<sup>87</sup> If objection is made to the second reading of a House bill on the day of its first reading, it will go over a legislative day, when it will be read a second time.<sup>88</sup>

A bill accompanying a report of a special joint committee may be read the first time by title, but, upon objection, its second reading must be postponed for 1 day; following its second reading, a motion to refer such bill to a standing committee is in order.<sup>89</sup>

A committee, under the rule, is authorized to report an original bill or joint resolution, which, after its second reading, shall be placed upon the Calendar in the order in which it was reported,<sup>90</sup> in lieu of a bill previously re-

<sup>82</sup> *Ibid.*

<sup>83</sup> Mar. 4, 1929, 70-2, *Journal*, p. 273; Apr. 18 and 25, 1921, 67-1, *Journal*, pp. 44, 52, *Record*, pp. 382, 595; July 2, 1946, 79-2, *Record*, pp. 8093, 8096-97; July 3, 1946, 79-2, *Journal*, p. 395, *Record*, p. 8202; May 9 and 13, 1913, 63-1, *Record*, pp. 1393, 1408-09, 1495.

<sup>84</sup> June 30 and July 1, 1884, 48-1, *Record*, pp. 5773, 5822, 5825-26; Aug. 19, 1960, 86-2, *Record*, pp. 16739, 16741-42; Sept. 5, 1959, 86-1, *Record*, pp. 18200-201; Aug. 22 and 23, 1958, 85-2, *Record*, pp. 19088-89, 19164, 19347; Aug. 5, 1971, *Record*, pp. 30046-48; Apr. 29, 1971, 92-1, *Record*, pp. 12779-81; Apr. 30, 1971, 92-1, *Record*, pp. 12792-93; Oct. 17, 1977, 95-1, *Record*, p. 33832.

<sup>85</sup> Aug. 14 and 16, 1911, 62-1, *Journal*, p. 172, *Record*, pp. 3877-78, 3997-99.

<sup>86</sup> Feb. 28, 1885, 48-2, *Record*, p. 2281.

<sup>87</sup> June 6 and 10, 1913, 63-1, *Record*, pp. 1903, 1932-33.

<sup>88</sup> June 19, 1957, 85-1, *Record*, pp. 9618-26; June 18, 1957, 85-1, *Record*, p. 9506; Aug. 1, 1955, 84-1, *Record*, pp. 12545, 12571; May 3, 1948, 80-2, *Record*, pp. 5170-76; Aug. 5, 1971, 92-1, *Record*, pp. 30046-48.

<sup>89</sup> Apr. 26 and 29, 1926, 69-1, *Record*, pp. 8203-04, 8411-12.

<sup>90</sup> Dec. 7, 1920, 66-3, *Journal*, p. 7, *Record*, pp. 18, 24.

ferred to it.<sup>91</sup> Such a bill or joint resolution when reported shall be read once only upon objection being made to a second reading, which then goes over for 1 day.<sup>92</sup>

The first and second readings of an original bill reported under an order of the Senate, during a recess of the Senate, were subsequently regarded as having been had.<sup>93</sup>

A motion that the second reading of a bill be by title only and that such bill be printed in full in the *Record* is in order and not debatable, but under the rule, it would be subject to division on demand.<sup>94</sup>

#### House Bills Read Before Reference:

A bill received from the House may be read for the first time while the Senate is considering another bill, but no bill may be read more than once on the same legislative day without unanimous consent.<sup>95</sup>

A bill received from the House may be read for the first time while the Senate is considering a matter under closure.<sup>96</sup>

#### Placed on Calendar—Objection Heard to Consideration After Second Reading:

*See also* “Bills and Resolutions, Reference to Committees,” pp. 1154–1158; “Calendar of Business,” pp. 256–258.

After a bill or joint resolution has been read a second time, if objection is heard to its further consideration at that time, under Rule XIV, paragraph 4, the bill will be placed on the Calendar by order of the Chair.<sup>97</sup>

Under Rule XIV, paragraph 4, a joint resolution which has had its first reading on one legislative day, and then received its second reading on the next legislative day, was placed on the calendar upon objection to further consideration thereon.<sup>98</sup>

<sup>91</sup> Apr. 22, 1914, 63–2, *Journal*, p. 244, *Record*, pp. 7069–70.

<sup>92</sup> Dec. 7, 1920, 66–3, *Journal*, p. 7, *Record*, pp. 18, 24.

<sup>93</sup> Feb. 5, 1954, 83–2, *Record*, p. 1390; Apr. 30, 1952, 82–2, *Record*, p. 4759.

<sup>94</sup> *See* June 20, 1957, 85–1, *Record*, p. 9778; *see also* Rule XV, paragraph 3.

<sup>95</sup> Aug. 2, 1983, 98–1, *Record*, pp. 22143–44.

<sup>96</sup> Aug. 3, 1983, 98–1, *Record*, p. 22450.

<sup>97</sup> Aug. 5, 1971, 92–1, *Record*, pp. 30046–48; Aug. 6, 1971, 92–1, *Record*, pp. 30213–16; Sept. 8, 1971, 92–1, *Record*, p. 30889; Apr. 29 and 30, 1971, 92–1, *Record*, pp. 12779–81, 12792–93; Aug. 10, 1972, 92–2, *Record*, pp. 27855, 27892–93; Sept. 12, 1973, 93–1, *Record*, pp. 29500, 29504; Oct. 9 and 10, 1973, 93–1, *Record*, pp. 33235, 33489; Nov. 19, 1973, 93–1, *Record*, p. 37725; Jan. 27, 1975, 94–1, *Record*, pp. 1304–07; *see also* Mar. 6, 1978, 95–2, *Record*, p. 5615; May 22, 1978, 95–2, *Record*, pp. 14765–66; Apr. 9, 1979, 96–1, *Record*, pp. 7630–31; Sept. 29, 1977, 95–1, *Record*, pp. 31660–61.

<sup>98</sup> Nov. 29, 1982, 97–2, *Record*, pp. 27664–65.

A bill which had its first reading on a given legislative day was read a second time on the next legislative day during the standing order of the Majority Leader, and when objection was heard to further proceedings thereon was placed on the calendar under Rule XIV.<sup>99</sup>

A bill which has had its first reading and has remained at the desk pending its second reading on the next legislative day will be read the second time on that next legislative day during<sup>100</sup> or at the end<sup>101</sup> of the Morning Business, and upon objection to further consideration thereon will be placed on the calendar.<sup>102</sup>

When a bill is laid before the Senate which came over from the House, it will be read a first time, and if an objection to its second reading is heard, the second reading will go over until the next legislative day. After the second reading, if objection is heard to its further consideration at that time, the bill will be ordered placed on the Calendar. This technique is used to get a House-passed bill on the Senate Calendar without reference to a committee.<sup>103</sup>

#### **Placed on Calendar Versus Referred to Committee:**

The precedents in the previous subsection reflect the current practice of the Senate. However, earlier precedents have provided that bills and joint resolutions could not be placed on the Calendar after second reading, but had to be referred to committee.

In 1919, the Vice President ruled that a joint resolution which had been read for the second time must be referred to a committee, despite the contention of a Senator that Rule XIV, paragraph 4 required that it be placed on the Calendar. The Senator had argued that his objection to the referral of the bill to committee constituted the kind of objection to "further proceeding thereon" which would result in the measure being placed on the Calendar.<sup>104</sup> At times, however a Senate bill upon introduction or House bill which had been messaged to the Senate, would be placed on the Calendar instead of being referred, upon

<sup>99</sup> Aug. 17, 1982, 97-2, *Record*, pp. 21657-58.

<sup>100</sup> Sept. 14, 1982, 97-2, *Record*, p. 23364; Nov. 20, 1980, 96-2, *Record*, p. 30345.

<sup>101</sup> May 25, 1982, 97-2, *Record*, pp. 11583-84.

<sup>102</sup> May 25, 1982, 97-2, *Record*, pp. 11583-84; Sept. 14, 1982, 97-2, *Record*, p. 23364; Nov. 20, 1980, 96-2, *Record*, p. 30345.

<sup>103</sup> Dec. 12, 1969, 91-1, *Record*, pp. 38717-18; Aug. 16, 1978, 95-2, *Record*, p. 26393.

<sup>104</sup> May 23, 1919, *Record*, pp. 128-129.

objection to further proceedings thereon after second reading, under rule XIV, paragraph 4.<sup>105</sup>

In 1948, the Senate took the same position as the Vice President had in 1919 when it declined to sustain a point of order submitted to it by the President *pro tempore* which claimed that a House bill which had been read the second time should be placed on the Calendar, if objection were made to further proceedings thereon.<sup>106</sup>

The Senate reversed these earlier precedents in 1957, when it overruled a point of order submitted to it by the Vice President. The point of order argued that Rule XXV by using the language "shall be referred to committee" with respect to every committee, required referral of measures to committee, notwithstanding the language of Rule XIV providing for the placement of measures on the Calendar.<sup>107</sup>

The issue was again joined in 1964 when the Chair overruled a point of order that claimed that Rule XXV mandated the referral of a House bill that had been read twice, after a Senator objected to further proceedings thereon and asked that the bill be placed on the Calendar. An appeal from that ruling was taken, and laid on the table.<sup>108</sup>

In 1972, in response to parliamentary inquiries whether a bill that had been read twice could be referred to committee, the Chair stated that if objection were heard "there is no way in which that can be done at this time."<sup>109</sup>

### Third Reading:

In the consideration of a bill or joint resolution, when the stage is reached that no amendment is pending and no one is seeking recognition, the measure is ordered engrossed (or the Senate amendments to a House measure) and read a third time.<sup>110</sup> The Presiding Officer is required to order the third reading of a bill if no amendments are pending and no Senator is seeking recognition.<sup>111</sup> The bill can be advanced to third reading in the

<sup>105</sup> Mar. 2, 1931, 71-3, *Journal*, p. 309; Jan. 16, 1932, 72-1, *Journal*, p. 154.

<sup>106</sup> May 3 and 4, 1948, 80-2, *Record*, pp. 5170-72, 5176, 5219-29.

<sup>107</sup> June 20, 1957, 85-1, *Journal*, pp. 332-333, *Record*, pp. 9777-9827, 9814.

<sup>108</sup> Feb. 26, 1964, 88-2, *Record*, pp. 3593-97, 3719.

<sup>109</sup> See Aug. 18, 1972, 97-2, *Record*, pp. 29309-20; see also Sept. 6, 1972, 92-2, *Record*, pp. 29445-46.

<sup>110</sup> See Aug. 20, 1960, 86-2, *Record*, p. 16910.

<sup>111</sup> Apr. 23, 1987, 100-1, *Record*, p. S 5369.

absence of any question being raised, or upon demand, it can be determined by a roll call vote, it being a definite action on the bill on the part of the Senate.<sup>112</sup>

It is appropriate to request the yeas and nays on a third reading of a measure.<sup>113</sup>

After a bill or joint resolution has been read a third time,<sup>114</sup> or has been engrossed and read a third time,<sup>115</sup> or a substitute amendment for a bill has been adopted and the bill read a third time,<sup>116</sup> an amendment is not in order except by unanimous consent,<sup>117</sup> unless its previous action is reconsidered;<sup>118</sup> likewise, should a vote rejecting a joint resolution be reconsidered, an amendment thereto is not in order unless the votes ordering the engrossment and third reading of the bill have been reconsidered.<sup>119</sup>

By unanimous consent, an amendment may be added to a bill after it has passed, as was done on one occasion in 1888, when an order was adopted changing the *Journal* to show that the bill was amended prior to its third reading and passage.<sup>120</sup>

In the case of the third reading, further amendments will be in order if a Senator was trying to get recognition at the time the third reading was had.<sup>121</sup>

Amendments are not in order after third readings of a measure, but debate remains in order after a third reading just as it was before a third reading;<sup>122</sup> therefore, a Senator may still be recognized after the third reading of a measure has been requested.<sup>123</sup>

<sup>112</sup> Sept. 13, 1977, 95-1, *Record*, pp. 29080-81.

<sup>113</sup> Sept. 19, 1986, 99-2, *Record*, p. 24917.

<sup>114</sup> Sept. 6, 1888, 50-1, *Record*, p. 8335; Apr. 2, 1952, 82-2, *Record*, p. 3370; June 14, 1954, 83-2, *Record*, p. 8153; July 23, 1953, 83-1, *Record*, p. 9616; July 5, 1952, 82-2, *Record*, p. 9491; Jan. 14, 1921, 66-3, *Record*, p. 1415; Feb. 10, 1919, 65-3, *Record*, pp. 3052, 3060; Apr. 2, 1952, 82-2, *Record*, p. 3370.

<sup>115</sup> Jan. 10, 1907, 59-2, *Record*, p. 894.

<sup>116</sup> Aug. 4, 1972, 92-2, *Record*, pp. 26891-92.

<sup>117</sup> Feb. 1, 1945, 79-1, *Record*, p. 691; Apr. 10, 1945, 79-1, *Record*, p. 3248; July 27, 1955, 84-1, *Record*, pp. 11667-68; June 28, 1955, 84-1, *Record*, pp. 9337-38; June 10, 1948, 80-2, *Record*, p. 7680; Dec. 18, 1945, 79-1, *Record*, p. 12254; Feb. 10, 1919, 65-3, *Record*, pp. 3052, 3060; see also Mar. 8, 1941, 77-1, *Record*, p. 2096; Apr. 8, 1943, 78-1, *Record*, pp. 3122-23; Feb. 7, 1944, 78-1, *Record*, p. 1291; Apr. 2, 1936, 74-2, *Record*, pp. 4799-4804; Oct. 12, 1978, 95-2, *Record*, p. 36244.

<sup>118</sup> Mar. 12, 1940, 76-3, *Record*, p. 2695; see also Apr. 8, 1943, 78-1, *Record*, pp. 3122-23; Feb. 7, 1944, 78-1, *Record*, p. 1291.

<sup>119</sup> May 22, 1934, 73-2, *Record*, p. 9241.

<sup>120</sup> Apr. 4, 1888, 50-1, *Record*, p. 2683.

<sup>121</sup> June 14, 1943, 78-1, *Record*, p. 5824.

<sup>122</sup> Dec. 18, 1982, 97-2, *Record*, p. 32331.

<sup>123</sup> Dec. 18, 1982, 97-2, *Record*, p. 32324.

After the third reading of a bill, a motion to reconsider the vote agreeing to an amendment is not in order until the vote ordering the engrossment and third reading has first been reconsidered.<sup>124</sup>

The Senate on one occasion having refused to order the third reading of a bill reconsidered that vote subsequently, and then recommitted the bill.<sup>125</sup>

A demand for the reading of an engrossed bill prior to the usual reading of the bill by title on its third reading would defer action on its passage until the bill had been engrossed and the copy received from the printer.<sup>126</sup>

After a bill or joint resolution has been read the third time, and the question stated to be on its passage, a demand that it have its third reading on another day is not in order.<sup>127</sup> Likewise, the reading of the text of a bill is not in order after the amendments have been engrossed and the bill has been read the third time.<sup>128</sup>

#### **Third Reading and Engrossment:**

In 1938, on one occasion, the Senate refused to order the engrossment and third reading of a bill.<sup>129</sup>

After a bill has been read the third time, a demand for the reading of the engrossed bill is not in order.<sup>130</sup>

In 1960, a motion was made to reconsider the vote by which a bill was read the third time, and that motion was laid on the table.<sup>131</sup>

#### **Title Only, Read on Motion To Consider:**

A Senator who makes a motion to proceed to the consideration of a bill is entitled to have the title, but not the body of the bill, read.<sup>132</sup>

#### **Various Practices Under the Rule:**

While a bill is being read for information, debate is not in order.<sup>133</sup>

<sup>124</sup> Mar. 19, 1934, 73-2, *Record*, p. 4818.

<sup>125</sup> May 4 and 5, 1910, 61-2, *Journal*, pp. 338, 342, *Record*, pp. 5768, 5820.

<sup>126</sup> May 27, 1940, 76-3, *Record*, p. 6903; May 10, 1939, 76-1, *Record*, p. 5404; Sept. 10, 1959, 86-1, *Record*, p. 18914.

<sup>127</sup> June 7, 1924, 68-1, *Record*, p. 11137.

<sup>128</sup> Feb. 28, 1925, 68-2, *Record*, p. 5007.

<sup>129</sup> Apr. 14, 1938, 75-3, *Journal*, p. 309, *Record*, p. 5409.

<sup>130</sup> See May 27, 1940, 76-3, *Record*, p. 6903.

<sup>131</sup> Apr. 7, 1960, 86-2, *Record*, p. 7563.

<sup>132</sup> Aug. 10, 1962, 87-2, *Record*, p. 16124.

<sup>133</sup> July 5, 1921, 67-1, *Journal*, p. 181, *Record*, pp. 3347-48; see also Mar. 2, 1911, 61-3, *Record*, p. 3877.

The reading of a bill for the information of the Senate is not in order on a motion to proceed to its consideration.<sup>134</sup>

A motion to proceed to the consideration of a bill having been agreed to, debate is in order prior to the reading of the bill.<sup>135</sup>

An appropriation bill, previously read twice and referred under the rule, when subsequently taken up for consideration may be read at length upon demand, under the custom of the Senate; a demand, however, that it be again read for the consideration of amendments is not in order, but the amendments are subject to consideration without a further reading.<sup>136</sup> Under such circumstances, it is only necessary to read the amendments.<sup>137</sup> When the formal reading of a bill has been demanded, the original text of the bill, and not a committee substitute reported therefor, should be read.<sup>138</sup>

A rollcall vote on a motion to proceed to the consideration of a bill, after a response has been made, cannot be interrupted by a demand for the reading of the bill; after such bill has been taken up, it would be in order to demand its reading.<sup>139</sup>

### **Reading of Bill Introduced During Recess Under Order Waived:**

See "First and Second Reading Before Reference," pp. 241-242.

### **Recommit:**

See "Recommit," pp. 1106-1123.

### **Recommit on Point of Order:**

See "Point of Order—Resolution Recommitted," p. 1119.

### **Reconsider:**

See "Reconsideration," pp. 1124-1149.

<sup>134</sup> July 5, 1921, 67-1, *Journal*, p. 181, *Record*, pp. 3347-48.

<sup>135</sup> Feb. 20, 1895, 53-3, *Record*, p. 2430.

<sup>136</sup> Mar. 3, 1919, 65-3, *Record*, p. 4897.

<sup>137</sup> See Dec. 9, 1914, 63-3, *Record*, p. 47.

<sup>138</sup> See May 19, 1926, 69-1, *Record*, p. 9681.

<sup>139</sup> Jan. 27, 1915, 63-3, *Journal*, p. 75, *Record*, p. 2405.



**Reference:**

See "References to Committees," pp. 1150–1169.

**Reports:**

See "Reports," pp. 1176–1201.

**Resolutions, Introduction of:**

See "Submittal of Resolutions," pp. 1210–1211.

**Resolutions, Reading of:**

See also "Reading of Resolution," p. 1208.

Concurrent and simple resolutions are not required to be read twice before reference and a third time before passage, as is the case for bills and joint resolutions as provided for under Rule XIV; however, if a resolution is submitted and immediate consideration thereof is requested, an objection under Rule XIV, paragraph 6, requires the resolution to go over a day.<sup>140</sup>

Concurrent resolutions do not require the approval of the President, nor do they require three readings.<sup>141</sup>

**Third Reading:**

See "Third Reading," pp. 245–247.

**Titles of Bills and Resolutions:**

See also "Titles of Bills and Resolutions," p. 1293.

The Senate has invoked cloture on two titles of a bill en bloc pursuant to the provisions of a unanimous consent agreement.<sup>142</sup>

**Typographical Errors:**

Typographical errors in a printed Senate bill, as compared with the bill introduced, can be corrected without motion being made therefor.<sup>143</sup>

<sup>140</sup> See Rule XIV on bills, joint resolutions and resolutions, requiring reading thereof; see also Dec. 8, 1826, 19–2, *Journal*, p. 28.

<sup>141</sup> Dec. 8, 1826, 19–2, *Journal*, p. 28.

<sup>142</sup> Aug. 13, 1986, 99–2, *Record*, p. 21295.

<sup>143</sup> June 26, 1913, 63–1, *Record*, p. 2179.

**Withdrawn:**

*See "Postpone, Motion To," pp. 997-1003.*

## BILLS APPROVED BY BOTH HOUSES NOT OPEN TO AMENDMENT

See "Amendments Between Houses," pp. 126-143.

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## BRIEF SESSIONS OF THE SENATE

See also "Periods of Adjournment," pp. 15-16; "Pro Forma Sessions," p. 1037.

On various occasions the Senate pursuant to a previous order has met for very brief periods and recessed over until a subsequent date, not in excess of 3 days. For example, on August 31, 1949, the Senate was in session for only 40 seconds,<sup>1</sup> and on October 20, 1977, it was for only 30 seconds.<sup>2</sup> On February 27, 1989, the Senate was in session for only six-tenths of a second.<sup>3</sup>

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## BUDGET

See "Congressional Budget," pp. 502-642.

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## BUDGET ESTIMATES

See "Appropriations," pp. 150-213.

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<sup>1</sup> Aug. 31, 1949, 81-1, *Record*, p. 12586. For other examples of brief sessions see the following citations: Sept. 3, 1949, 81-1, *Record*, p. 12600; May 26, 1950, 81-2, *Record*, p. 7769; May 29, 1950, 81-2, *Record*, p. 7821; Dec. 22, 1950, 81-2, *Record*, p. 16980; Dec. 26, 1950, 81-2, *Record*, p. 17020; Dec. 29, 1950, 81-2, *Record*, p. 17022; Mar. 22, 1951, 82-1, *Record*, p. 2835; Mar. 26, 1951, 82-1, *Record*, p. 2898; Aug. 31, 1951, 82-1, *Record*, p. 10956; Sept. 4, 1951, 82-1, *Record*, p. 10956; Apr. 14, 1952, 82-2, *Record*, pp. 3998-99; Apr. 1 and 4, 1955, 84-1, *Record*, p. 4293; July 2 and 5, 1957, 85-1, *Record*, p. 10913.

<sup>2</sup> Oct. 20, 1977, 95-1, *Record*, p. 34659.

<sup>3</sup> Feb. 27, 1989, 101-1, *Record*, p. S 1755.