

Your Guide to the  
*United States*  
*Senate*

Floor Procedures

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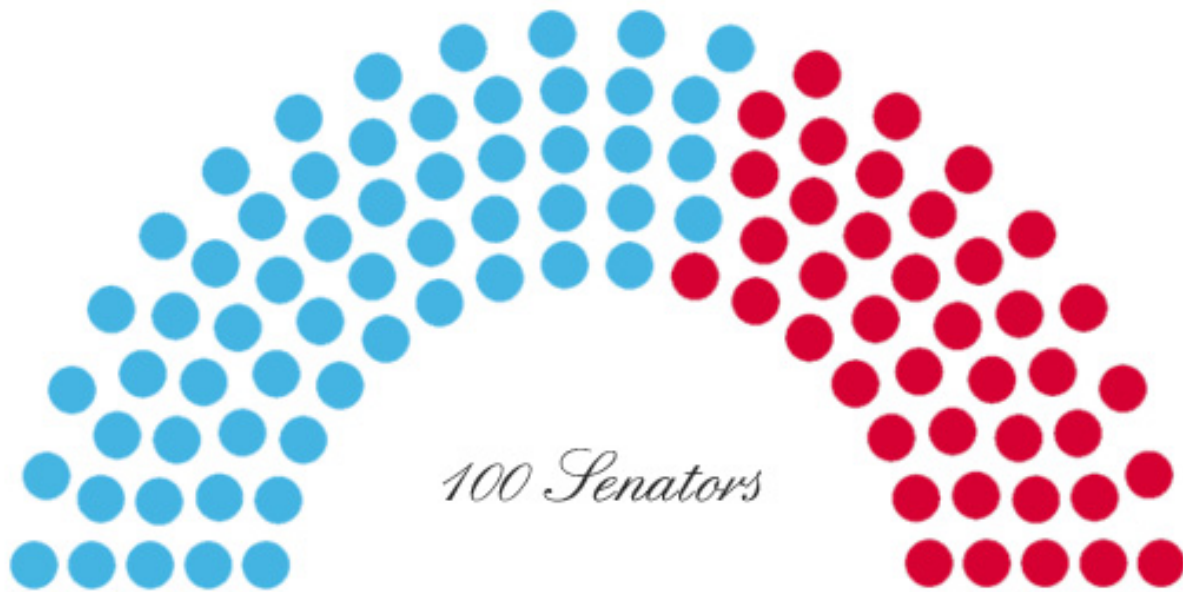
# table of contents

<b>introduction</b> .....	<b>2</b>
<b>committees</b> .....	<b>2</b>
<b>legislative agenda</b> .....	<b>3</b>
<b>majority and minority leaders</b> .....	<b>3</b>
<b>legislative day</b> .....	<b>4</b>
<b>quorum</b> .....	<b>3</b>
<b>amendments</b> .....	<b>4</b>
<b>filibuster</b> .....	<b>6</b>
<b>cloture</b> .....	<b>6</b>
<b>unanimous consent</b> .....	<b>7</b>
<b>recess and adjournment</b> .....	<b>8</b>
<b>credits</b> .....	<b>9</b>

The U.S. Senate is a part of the Congress of the United States that, along with the House of Representatives, makes up the legislative branch of the U.S. government.

There are 100 senators in the Senate, two from each state.

The Senate spends much of its time deciding which bills, legislation, resolutions, or other business should be adopted and which ones should not.



## **committees**

In order to manage the thousands of bills introduced to Congress each legislative session, Senators each serve on **committees**. Committees have many powers and responsibilities, but perhaps the most important is to create legislation and report it to the rest of the Senate for possible consideration.

The current Senate has 16 different **standing** or permanent committees, including the Budget committee, Foreign Relations committee, and the Finance committee. Senate rules dictate the size of each committee and each committee includes Senators from both parties.

A **subcommittee** handles specific areas of the committee's work. There are no limits on how many subcommittees a committee can create.

## legislative agenda

Senate proceedings are governed by standing rules, precedents, and various customary practices. No Senate session day is truly "typical."

The **legislative agenda** is the order in which the Senate decides to consider bills and other business. A matter that is up for discussion in front of the full Senate is said to be on the **floor**. When one or more of the Senate's standing committees reports a bill back to the Senate for floor debate and passage, the bill is placed on the Senate's **Calendar of Business**. Senate business includes legislative business (bills and resolutions) and executive business (nominations and treaties).

Most bills are referred to the committee with appropriate jurisdiction as soon as they are introduced. If the committee reports it, the bill is placed on the legislative or executive calendar, and becomes available for consideration from the rest of the Senate.

If a Senator believes the committee to which a bill would be referred will be unsympathetic or if a committee fails to act on a bill forwarded to it, the Senator sponsoring the bill can bypass the standing committee system altogether. The bill or a second bill with the exact same provisions as the first can be placed directly on the Calendar of Business with the same formal status the bill would have if it was referred by a committee.

## Majority and Minority Leader

The Senate **Majority Leader** and **Minority Leader** are two Senators who are elected as spokespeople for their parties and manage and schedule the business of the Senate.

The current Senate Majority and Minority Leaders are Democrat Harry Reid of Nevada and Republican Mitch McConnell of Kentucky, respectively.

Also called **floor leaders**, the Majority and Minority Leaders have certain procedural privileges and are recognized first if either leader and another Senator are seeking recognition at the same time. In addition, by custom, only the Majority Leader (or a Senator acting on his behalf) proposes what bills and resolutions the Senate should consider and in what order.



*Harry Reid (D)  
Current Senate Majority Leader*

## legislative day

According to standing rules, the Senate meets each session day at noon, but that time is often changed from day to day to suit changing circumstances.

When the Senate convenes on a new legislative day, the first two hours of the session are called the **Morning Hour**. This is a period for conducting routine business at a predictable time each day. The Morning Hour begins with the transaction of **morning business**, a time set aside within the Morning Hour for business items such as introducing bills and submitting committee reports.

A legislative day begins with an opening prayer and the Pledge of Allegiance, followed by a brief period of "leader time" set aside for the Majority and Minority Leader or their designees. Typically, the leaders use this time to alert Senators to changes in the floor schedule, comment on issues of the day, or address other important matters.

At the end of the Morning Hour, the Senate resumes consideration of **unfinished business** — whatever bill or issue was pending when the Senate last adjourned.

## quorum

The U.S. Constitution requires a majority of Senators, called a **quorum**, to be present in order for the Senate to conduct business. If a Senator suggests that there may not be enough Senators for a quorum and a majority of Senators do not respond to their names after a quorum call, the Senate can only adjourn, recess, or attempt to secure the attendance of additional Senators.

However, the purpose of a **quorum call** is usually to suspend floor activity temporarily to accommodate individual Senators, discuss procedural or policy problems, or arrange subsequent proceedings. Senator can also request a **hold** which delays floor consideration of legislation or other business.

When a bill is called for floor consideration, opening statements are usually made by the two **floor managers** — the committee chairman and the ranking minority member of the committee or the subcommittee that reported the bill — and often by other Senators as well. Senators can **motion** to accept it or not.

## amendments

Senators can also motion for an **amendment** — a proposal to change the text of a pending bill. It is through the amending process that Senators can influence the content of a bill before the final vote occurs.

The first amendments that are considered are those recommended by the committee that reported the bill. Each committee amendment is open to debate and can be further amended. After committee amendments are discussed, amendments may be offered to any part of the measure in any order.

The Senate can decide the fate of each amendment either by voting on it directly or by voting to **table** it. The motion to table cannot be debated. However, if the Senate agrees to table the amendment, the effect is the same as killing it. If the Senate defeats the motion to table, debate on the amendment may resume.

Senators may propose an amendment to an amendment while the first amendment is still pending. This is called a **second-degree amendment**. The Senate votes on each of these amendments before it votes on the original or **first-degree amendment**. Senators can also offer an amendment to another bill that can serve as a useful legislative vehicle. It is not unusual for one or more amendments with little to no relevancy to occupy far more of the Senate's attention than the subject of the bill itself.

Senators are free to propose whatever amendments they want on any subject to whatever bill the Senate happens to be considering, even if the amendment is not relevant to the subject or purpose of the bill being debated. This allows individual Senators to raise issues and have the Senate vote on them, even if they have not been studied and evaluated by a standing committee.



*The Senate Judiciary Committee*

Senators can propose six or more first- and second-degree amendments to the original text of the bill before any vote is required. Complicated amendment situations don't happen very often, but they sometimes do when political stakes are high.

If no Senator holds the floor, any Senator who wants recognition has a right to be recognized, and then, usually, to speak for as long as he or she wishes (but only twice a day on the same question). Once recognized by the **Presiding Officer**, a majority-party Senator who presides over the Senate and is charged with maintaining order and decorum, a Senator can move to call up any measure or offer any amendment or motion that is in order.

The amending process continues until Senators have no other amendments they want to offer or until the entire bill is changed by amendments. The Senate then orders the bill **engrossed** or finalized and read a third time — a formal stage that precludes further amendments — and then conducts a final vote.

## **filibuster**

Each Senator is limited to two speeches per question per day, but the rules do not limit the number of Senators who may make those two speeches, nor do they limit the length of the speeches. In fact, there are few Senate rules that limit the right to debate, and no rules that allow a simple majority of the Senate to end a debate when it is ready to vote for a bill, amendment, or other issue. In general, no debatable question can be put to a vote as long as there are still Senators who want to speak.

Senators who oppose a pending bill or other agenda item can speak against it as long as they want or delay action by offering several different amendments and motions. This tactic is called a **filibuster** and is used to stall action on a measure in the hope of convincing the Senate to alter it or withdraw it from consideration.

Filibusters can last for days or as long as the Senator can or wants to speak.

## **cloture**

The only Senate procedure that can overcome a filibuster is **cloture**. If the Senate invokes cloture on a bill, amendment, or other matter, consideration of the issue is limited to 30 additional hours, including time used up by votes and quorum calls, during which each Senator may speak for no more than one hour.

Cloture requires the support of three-fifths of the Senate or a minimum of



60 votes (if there are no vacancies), except on proposals to change rules, which require two-thirds of Senators to give their approval. Also, cloture cannot be voted on until two days after it is proposed. Cloture does not stop debate immediately; it only ensures that debate cannot continue indefinitely.

## Unanimous consent

Filibusters are not daily events. The time available for Senate floor action each year is limited and there is a lot of legislation to consider. Every day devoted to one bill is a day denied for consideration of other legislation, and there are not enough days to act on every proposed bill.

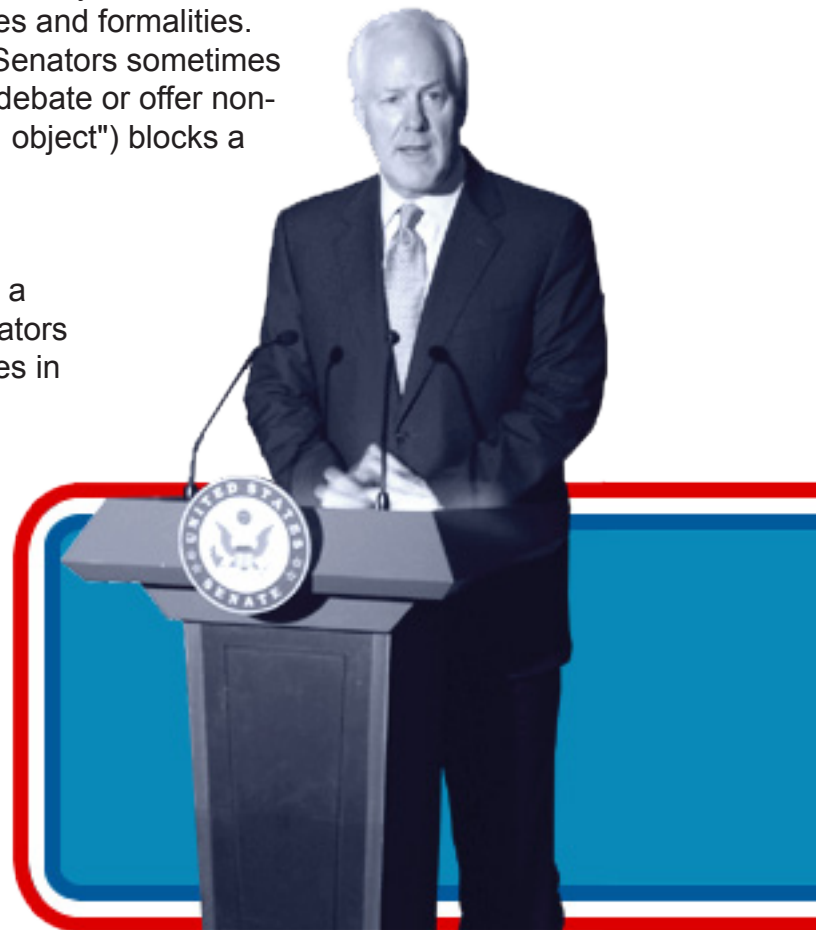
To facilitate action on the floor and work more quickly and efficiently, much of the Senate's business happens by **unanimous consent** — the explicit or implicit concurrence of every Senator present.

The Senate relies on unanimous consent agreements every day for many purposes — great and small, important and routine. Party leaders often request unanimous consent to bypass standing rules and formalities. Unless someone objects the request is approved. Senators sometimes agree by unanimous consent to limit their right to debate or offer non-relevant amendments to a bill. A single objection ("I object") blocks a unanimous consent request.

The Senate has fewer members than the House of Representatives, which has 435 seats. This makes a process like unanimous consent a little easier. Senators are more likely to insist on strict enforcement of rules in contentious situations.

Unanimous consent agreements that limit the time for debate on a measure are often called **time agreements**, which limit time for debate or set a time for a final vote.

The Senate begins consideration of most measures without creating a time agreement. For some measures, few amendments and little debate are expected, making a time agreement unnecessary. However, before consideration of a controversial amendment, for example, leaders may propose to limit the time for debate on it.



*Senator John Cornyn (R-Texas)*

tThe Senate votes on a pending issue when no Senator wishes to debate further, when the Senate has set a time for a vote by unanimous consent, when there is a motion to table, or when no further debate is permitted under the rules or a time agreement.

After a final vote, the Senate usually moves on to the next item on the agenda.

### **recess and adjournment**

The Senate typically recesses or adjourns by unanimous consent at the end of its session day after a period of “wrap-up” discussion by party leaders about the agenda for the next day.

The Senate often **recesses** at the end of the day, instead of **adjourning**. A recess keeps the Senate in the same legislative day. The same legislative agenda is picked back up when Senators return from recess, even if the recess extends into another calendar day. An adjournment ends a legislative day. A single legislative day can last several days, until the Senate adjourns again.

Because the Senate often recesses at the end of the day rather than adjourns, there is no “Morning Hour” on the following day of session. Instead, there is usually an informal period for addressing routine morning business.

# credits

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