

# CRS Report for Congress

Received through the CRS Web

## Senate Rule XIV Procedures for Placing Measures Directly on the Senate Calendar

Paul S. Rundquist  
Specialist in American National Government  
Government and Finance Division

Bills and joint resolutions usually are considered in committee before being taken up for action on the Senate floor. However, at the initiative of any Senator, a bill or joint resolution that is introduced in the Senate or received from the House may be placed directly on the Senate Calendar of Business without being referred to or reported from a standing committee of the Senate. This report is part of a series on chamber processes. See this CRS website [<http://www.crs.gov/products/guides/guidehome.shtml>] for more information on legislative process.

The procedure for placing bills and joint resolutions on the calendar derives from three paragraphs of the Senate's Rule XIV. Paragraph 2 of Rule XIV states that every bill and joint resolution, whether introduced in the Senate or originating in the House, shall receive three readings before being passed. Each reading shall occur on a different legislative day. (A legislative day begins when the Senate convenes after an adjournment and ends when it next adjourns. Legislative days may span several or many calendar days.)

Paragraph 3 indicates (1) that no bill or joint resolution shall be referred to a committee until after its second reading, (2) that referral to committee after the second reading is not mandatory, and (3) that unanimous consent is required for a bill or joint resolution to be read twice and considered on the same day.

Finally, paragraph 4 states that a bill or joint resolution shall be placed directly on the Senate's calendar after its second reading "if objection be made to further proceeding thereon," which would be referral to committee.

Together, these provisions permit any Senator, as a matter of right, to arrange for a bill or joint resolution originating in either chamber to be placed directly on the calendar by objecting to "further proceeding thereon" after the measure's second reading.

This procedure involves two stages. First, when the measure is introduced in the Senate or received from the House, a Senator asks unanimous consent that the measure be read twice and (1) that it be placed on the calendar or (2) that the Senate proceed to its immediate consideration. In either case, an objection to the request is expected. Before the objection is made, however, the clerk states the title of the measure, which constitutes

the first reading. (If a Senator objects before the first reading, introduction of the measure must be postponed for one legislative day, but objection before first reading is rare.)

After the first reading, a Senator who opposes immediate action on the measure then objects to the second reading occurring on the same legislative day. Once this objection is made, the measure is held at the desk until it can be read for the second time on the next legislative day. The measure is not yet sent to committee since it has been read only once.

Second, at the end of morning business on the next legislative day, which may begin days or even weeks later, the presiding officer directs that the measure be read for the second time. After the second reading, which also is by title, the Senator who wishes to place the measure directly on the calendar objects to further consideration or objects to “further proceeding thereon.” This objection prevents the measure from being referred to committee; instead, it is placed directly on the legislative calendar.

A Senator who introduces a bill and wants it referred routinely to committee simply hands it in at the desk while the Senate is in session. The measure then is deemed to have been read twice and it is referred. To invoke Rule XIV, on the other hand, the Senator must be recognized by the presiding officer and then state that he or she is introducing a measure. The Senator then asks unanimous consent for the Senate to consider the measure immediately or for it to be placed directly on the calendar.

Similarly, most bills and joint resolutions that the Senate receives from the House are considered as having been read twice and are automatically referred to committee. Senators who wish to have a House-passed measure placed on the calendar instead usually notify their party leaders (as well as the Senate’s bill clerk and parliamentarian) that they intend to object to routine referral and wish to invoke the Rule XIV procedure.

Senators do not use this procedure very often, in large part because of the respect that they have for their committee system and for the contributions that committees make in screening and evaluating the measures that are referred to them. Sometimes, committees have already reported a bill, but owing to changed circumstances, committee leaders may wish to significantly revise the measure they have recommended. In these cases, committee leaders themselves may introduce a new bill that makes these revisions and, through the Rule XIV process, have it placed directly on the calendar.

A measure placed directly on the calendar under Rule XIV is not guaranteed floor consideration. It must be called up for consideration, either by unanimous consent or by a motion that usually is debatable, like any measure that is placed on the calendar after being reported from committee. In the 107<sup>th</sup> Congress, only 41 Senate bills and joint resolutions were placed directly on the Senate Calendar; of these, 10 were ultimately passed by the Senate and 7 became public law.

These procedures apply only to bills and joint resolutions. Paragraph 6 of Rule XIV sets forth a different procedure — known as having a resolution “go over, under the rule” — governing Senate resolutions and House and Senate concurrent resolutions.