



CRS Report for Congress

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

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When a Senator introduces a bill or joint resolution, the measure is often referred to committee, pursuant to provisions of Senate Rules XIV, XVII, and XXV. When the House informs the Senate that it has passed a bill or joint resolution that was introduced in the House, the measure is also often similarly referred to a Senate committee. (Senate rules contain procedures for processing concurrent and simple resolutions, which are not covered in this report. See especially Rule XIV, para. 6.)

Senate Rule XIV, para. 2 requires that bills and resolutions have three readings before passage, and that they be read twice before being referred to committee. (The “third reading” occurs before a vote on final passage.) Although a Senator may demand that the readings occur on three different *legislative days* under paragraph 2, bills and joint resolutions may be read twice on the same day “for reference” (referral) if there is no objection (Rule XIV, para. 3). Most bills and resolutions are read twice (understood in practice to occur by unanimous consent) and referred to committee on the same day that they are introduced by a Senator or received from the House.

The Senate may, however, use provisions of Senate Rule XIV to bypass potential referral of a bill or joint resolution to a Senate committee, and have the measure placed directly on the Senate Calendar of Business. The calendar’s General Orders section lists measures eligible for Senate floor consideration.

Broadly, the two purposes of preventing the referral of a bill or joint resolution to a committee and placing it directly on the calendar are: (1) to facilitate the full Senate’s opportunity to consider the measure; or (2) to bypass a committee’s potential inaction or, to the sponsor, potential hostile action. While placing a bill or joint resolution directly on the calendar does not guarantee that the full Senate will ever consider it, the measure is available for floor consideration and certain procedural steps, such as committee reporting, and procedural requirements, such as the two-day availability of a committee report, may be obviated.

Procedure to Place a Measure Directly on the Calendar

Senate Rule XIV, para. 4, states: "... 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." Therefore, through objection, a bill or joint resolution after two readings is prevented from being referred to committee and is placed directly on the calendar. It is usually the majority leader, or his designee, acting on his own or at the request of any other Senator, who objects to "further proceeding" — committee referral — on the measure.

For example, this procedure was used to place directly on the calendar S. 287. On January 12, 2007, while the Senate was debating another measure, the presiding officer recognized the majority leader for this colloquy:

Mr. REID. I understand S. 287, introduced earlier today by Senator Kennedy and others, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

(A bill (S. 287) to prohibit the use of funds for an escalation of United States military forces in Iraq above the numbers existing as of January 9, 2007.)

Mr. REID. I now ask for its second reading but object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will receive its second reading on the next legislative day.

In the next edition of the calendar on January 16, this action was recorded in the section Bills and Joint Resolutions Read the First Time. The measure was held at the desk.

Since objection had been heard to the second reading, the presiding officer recognized Senator Ken Salazar, the majority leader's designee, the next legislative day, January 16, during the Senate's conduct of morning business:

Mr. SALAZAR. Mr. President, I understand S. 287 is at the desk and due for a second reading.

The PRESIDING OFFICER. The Senator is correct. The clerk will state the bill by title.

(The legislative clerk read as follows: A bill (S. 287) to prohibit the use of funds for an escalation of United States military forces in Iraq above the numbers existing as of January 9, 2007.)

Mr. SALAZAR. Mr. President, I object to any further proceeding with respect to the bill [in order to place it on the calendar under the provisions of rule XIV].

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

S. 287 had received its second reading, but there was objection to further proceeding on it. The presiding officer, under Rule XIV, ordered that the bill be placed on the Senate Calendar. In the calendar beginning January 17, S. 287 appeared in the section General Orders, with other measures available for floor consideration.

Bills and joint resolutions are also sometimes placed on the calendar by unanimous consent. (For more information, see CRS Report RS22299, *Routes to the Senate Floor: Rule XIV and Unanimous Consent*, by Michael L. Koempel.)