AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

JOURNAL

Article I, section 5, clause 3, of the Constitution, requires each House of Congress to keep a "Journal of its Proceedings". The Standing Rules of the Senate in recognition of this constitutional mandate assign a high precedence to the reading of its *Journal*. Rule IV, paragraph 1(a) provides in part that, "The Presiding Officer having taken the Chair, following the prayer by the Chaplain, and a quorum being present, the Journal of the preceding day shall be read unless by nondebatable motion the reading shall be waived, the question being, 'Shall the Journal stand approved to date?' "

The word "day" is understood in this context to mean a legislative day, and therefore the reading of the Journal for correction or approval is only required under the rule on a new legislative day. On most days, when the Senate convenes following a recess, the Majority Leader, or someone acting in his behalf, will make a unanimous consent request for the approval of the Journal. This is done because the *Journal* if not read or approved at the beginning of a new session following a recess accumulates to be read for corrections or approval at the beginning of a new legislative day. Those portions of the *Journal* that have been approved by unanimous consent need not be read.

The *Journal of the Senate of the United States of America* consists of a "briefly and accurately stated" report of the Senate's legislative action. The *Journal* does not report Senate debates. Rule IV paragraph 1(c) provides that "Messages of the President in full; titles of bills and joint resolutions, and such parts as shall be affected by proposed amendments; every vote, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall be entered" therein. Simple and concurrent Senate resolutions, when submitted, are printed in full, as well as conference reports.

Paragraph 1(d) of Rule IV provides: "The legislative, the executive, the confidential legislative proceedings, and the proceedings when sitting as a Court of Impeachment, shall each be recorded in a separate book." Therefore, the legislative *Journal* and the *Executive Journal* are printed and bound separately.

Constitution: Article I, Section 5, Clause 3

[Journal of Proceedings Kept by Each House]

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Rule IV, Paragraph 1

[Journal Read Each Legislative Day and Entries Made Therein]

1. (a) The Presiding Officer having taken the chair, following the prayer by the Chaplain, and a quorum being present, the Journal of the preceding day shall be read unless by nondebatable motion the reading shall be waived, the question being, "Shall the Journal stand approved to date?", and any mistake made in the entries corrected. Except as provided in subparagraph (b) the reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of.

(b) Whenever the Senate is proceeding under paragraph 2 of rule XXII, the reading of the Journal shall be dispensed with and shall be considered approved to date.

(c) The proceedings of the Senate shall be briefly and accurately stated on the Journal. Messages of the President in full; titles of bills and resolutions, and such parts as shall be affected by proposed amendments; every vote, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall be entered.

(d) The legislative, the executive, the confidential legislative proceedings, and the proceedings when sitting as a Court of Impeachment, shall each be recorded in a separate book.

Amend:

A motion to amend or correct the *Journal* is privileged and must be proceeded with until disposed of; [1] the motion is debatable,[2] but it is not in order until the reading of the entire *Journal* has been concluded; [3] but before the Senate passed to its next order of business and when a Senator is seeking recognition to offer an amendment, under the precedents he should be recognized before passing to the next order of business.[4]

A quorum call would be in order after the reading of the *Journal* has been concluded, and a Senator would not lose his right to propose an amendment by suggesting the absence of a quorum at that time.[5]

---

[1] Jan. 6, 1932, 72-1. *Journal*, p. 126.

[2] Nov. 28, 1922, 67-3, *Record*, pp. 326, 327; *see also* Nov. 17, 1942, 77-2, *Record*, p. 8921.

[3] Nov. 17, 1942, 77-2, *Record*. p. 8899; May 2, 1951, 82-1, *Record*, p. 4705; Mar. 9, 1964, 88-2, *Record*, pp. 4742-54; *See* Oct. 3, 1963, 88-1, *Record*, pp. 18619-20; Jan. 26, 1966, 89-2 *Record*, pp. 1160-62.

[4] Mar. 4, 1975, 94-1, *Record*, pp. 4994-97.

[5] *See* Oct. 3, 1963, 88-1, *Record*, pp. 18619-20.

A motion, made immediately after a quorum call at the conclusion of the reading of the *Journal*, to proceed to the consideration of a bill was ruled out of order as depriving a Senator of the opportunity to offer amendments to the *Journal*; an amendment would be in order.[6]

An amendment to the *Journal* to insert the prayer in the *Journal* is in order; [7] but amendments to the *Journal* must come within the confines of Rule IV; that is, they must be related or within accord of the actions taken by the Senate.[8]

While a motion to amend the *Journal* is pending a message from the President of the United States can only be read by unanimous consent, since such a motion would not then be in order.[9]

In 1950, a Senator, whose name had been left off an official roll call asked and obtained unanimous consent that the *Journal* and the *Record* be amended to record his vote.[10]

A similar situation transpired in 1949, and in considering the order to correct the *Journal* the Presiding Officer stated that "it can be entered by unanimous consent or by a motion." [11] In 1941, an error in failing to record a Senator's vote which when corrected would change the result, was corrected by an amendment of the Senate *Journal*.[12]

In 1888, after the passage of a bill, it was amended by unanimous consent, and an order was made under a unanimous consent agreement that the *Journal* show the bill was amended prior to its third reading and passage; [13] on another occasion a motion to amend the *Journal* so as to show the names of Senators answering a quorum call, and its establishment as a precedent was not agreed to.[14]

Approval of the Journal:

See also "Read Each Legislative Day," pp. 899–900.

The Senate amended Rule IV in 1986 to authorize the approval of the *Journal* by a nondebatable motion.[15] In

---

[6] July 26, 1962, 87-2, *Record*, pp. 14857-69; July 27, 1962, 87-2, *Record*, pp. 14892-93.
[7] Jan. 26, 1966, 89-2, *Record*, p. 1161.
[8] Sept. 23, 1976, 94-2, *Record*, pp. 32173-74.
[9] Jan. 21, 1946, 79-2, *Record*, p. 136.
[10] May 10, 1950, 81-2, *Record*, p. 6769.
[11] Sept. 15, 1949, 81-1, *Record*, pp. 12929-32; Sept. 16, 1949, 81-1, *Record*, p. 12961.
[12] Mar. 20, 1941, 77-1, *Record*, pp. 2490-91.
[13] Apr. 4, 1888, 50-1, *Record*, p. 2683.
[14] Aug. 1, 1890, 51-1, *Journal*, p. 448, *Record*, p. 7990.
[15] S. Res. 28, 99-2, adopted Feb. 27, 1986.

February, 1987, the Senate decided that a quorum call that delayed a vote on the motion to approve the *Journal* when a quorum had been established was dilatory and therefore out of order.[16] Later that year, the Senate overturned the Chair to permit a point of order to be made during a roll call vote; the point of order contended that repeated efforts of Senators to decline to vote on questions subsumed by a motion to approve the *Journal* were dilatory. The point of order was sustained.[17]

The *Journal* is read for the correction of any mistakes or that "any mistakes made in the entries [be] corrected";[18] there is no requirement in the Senate rules for the approval of the *Journal* after it has been read[19] for corrections.[20]

After the *Journal* is read, if not amended, no further action thereon is required.[21]

A pending amendment to the *Journal* having been withdrawn and no further amendment having been proposed, the *Journal* was considered as approved.[22]

In 1942, the Chair stated, "There is nothing in the rules of the Senate which provides for approval of the *Journal*. There is a provision that the *Journal* of the preceding day shall be read and corrected. Therefore, it is the opinion of the present occupant of the Chair that, when there are no further motions pending concerning the *Journal*, and an adjournment is taken, the *Journal* of the preceding day would stand."[23]

Prior to 1986, a motion to approve the *Journal*, on objection, was not in order; the proper request at that time, instead of asking for the approval of the *Journal*, was to ask that its reading be dispensed with.[24]

Authority of Journal:

The *Journal* is the official record of Senate proceedings.[25] An entry in the Senate *Journal* as to a specific

---

[16] Feb. 5, 1987, 100-1, *Record*, pp. S 1835-37.
[17] May 13, 1987, 100-1, *Record*, pp. S 6346-50.
[18] Rule III; Mar. 3, 1975, 94-1, *Record*, pp. 4972-74. The cited language is now found in Rule IV, paragraph 1(a).
[19] Nov. 17, 1942, 77-2, *Record*, p. 8900; Mar. 17, 1949, 81-1, *Record*, p. 2711.
[20] Jan. 27, 1966, 89-2, *Record*, p. 1263.
[21] *See* Jan. 26, 1966, 89-2, *Record*, pp. 1160, 1161-62.
[22] Mar. 9, 1964, 88-2, *Record*, pp. 4742-54.
[23] Nov. 17, 1942, 77-2, *Record*, pp. 8920-21.
[24] Mar. 17 and 18, 1949, 81-1, *Record*, pp. 2711, 2744.
[25] July 9, 1985, 99-1, *Record*, pp. 16983, 18168-69.

action by the Senate, when not in harmony with the proceedings as set forth in the *Congressional Record*, determines the official action of the Senate.[26]

Cloture, Reading of Journal Not Required:

Under Rule IV, as now amended, whenever the Senate is proceeding under the cloture rule, "the reading of the *Journal* shall be dispensed with and shall be considered approved to date."

Correction and Reading of Journal of Highest Privilege:

The reading of the *Journal* has precedence over a motion to adjourn,[27] over a question of personal privilege,[28] or over the question of administering the oath to a Senator-elect.[29]

During the correction of the *Journal*, a bill can be introduced only by unanimous consent; [30] likewise, the second reading of a bill is not in order.[31]

While the *Journal* is being read or pending its reading it is not in order to suggest the absence of a quorum, to make a motion to recess or to receive a message from the House of Representatives.[32] The reading of the *Journal* cannot be interrupted by a Senator rising to a question of personal privilege.[33]

While it is not in order to raise the question of a quorum during the reading of the *Journal*, before action is taken on the *Journal* a quorum call may be demanded.[34]

An order for making committee assignments is privileged and would be in order at any time after proceedings with respect to the *Journal* had been concluded.[35]

A unanimous consent order providing that, immediately upon convening on a specified day, the Senate should proceed to the consideration of a certain joint resolution,

---

[26] Apr. 30, 1914, 63-2, *Record*, p. 7493.
[27] Nov. 29, 1922, 67-3, *Journal*, p. 16, *Record*, pp. 388-92.
[28] Mar. 2, 1927, 69-2, *Journal*, p. 260.
[29] Mar. 5, 1901, 57-Special Session, *Record*, p. 4.
[30] *See* Jan. 30, 1946, 79-2, *Record*, p. 557.
[31] Sept. 5, 1959, 86-1, *Record*, pp. 18200-201.
[32] Mar. 1, 1927, 69-2, *Journal*, pp. 252-53, *Record*, pp. 5174-76; Mar. 3, 1911, 61-3, *Record*, p. 4023; Oct. 31, 1918, 65-2, *Journal*, p. 374, *Record*, p. 11520; Nov. 28, 1922, 67-3, *Journal*, p. 14, *Record*, p. 325; Apr. 22, 1910, 61-2, *Record*, p. 5179.
[33] Mar. 2, 1927, 69-2, *Journal*, p. 260, *Record*, p. 5289.
[34] Mar. 3, 1911, 61-3, *Record*, p. 4023.
[35] Nov. 17, 1942, 77-2, *Record*, pp. 8919-20.

has precedence over the reading of the *Journal*, as required by Rule IV.[36]

Debate of:

See "*Journal*, Debate of," p. 754.

Electoral Vote Entered in:

The President of the Senate at a joint meeting to canvass the electoral vote shall announce the state of the vote, which, with the list of the vote, is entered on the *Journal*s of the two Houses.[37]

Interruption of Reading Not in Order:

See "Reading, Interruption Out of Order," p. 900.

Messages May Not Interrupt Proceedings on:

See "Communications and Messages to the Senate," pp. 430–441.

Petitions, Memorials, and Private Bills:

Petitions, memorials, bills or resolutions after the expiration of the Morning Hour may be delivered without objection to the Presiding Officer's desk by a Senator, and entered in the *Journal* and read twice and referred to the appropriate committee.[38]

President's Messages—Vetoes:

The reading of the President's message is not a spreading of it upon the *Journal* in accordance with the Constitution.[39] After the reading of the President's message the regular order is its spreading upon the *Journal*.[40]

Privileged Business:

See also "Correction and Reading of *Journal* of Highest Privilege," pp. 897–898.

The reading of the *Journal* at the beginning of a new legislative day is highly privileged and must be read if

---

[36] Dec. 20, 1928, 70–2, *Journal*, p. 52, *Record*, p. 908.
[37] 2 U.S.C., sec. 15.
[38] Rule VII, par. 6; July 25, 1914, 63–2, *Record*, pp. 12725–26.
[39] *See* June 7, 1924, 68–1, *Journal*, p. 462, *Record*, pp. 11127–30.
[40] Feb. 25, 1927, 69–2, *Journal*, p. 221, *Record*, p. 4779.

objection is heard to a unanimous consent request that the *Journal* be considered as read,[41] or a motion that the *Journal* be approved to date could be adopted.

Quorum Before Approval:

See also "Amend," pp. 894–895.

A quorum call is in order on a new legislative day before the *Journal* is read.[42]

Read Each Legislative Day:

There is no rule bearing upon the question of amending or approving any other *Journal* than that of the preceding day.[43]

The rule requires the reading of the *Journal* only following an adjournment; [44] it does not have to be read on a new calendar day following a recess from the previous day.[45] Likewise, the legislative *Journal* does not have to be read when the Senate meets in executive session.[46]

The reading of the *Journal* of the preceding legislative day is the first order of business when the Senate convenes following an adjournment, notwithstanding the fact that the *Journal*s of days prior thereto might not have been approved.[47]

Upon objection being made to a unanimous consent request to dispense with the reading of the *Journal* of the previous day's proceedings, following an adjournment, it must be read,[48] or approved on motion under Rule IV.

If the reading is waived, action is concluded on the *Journal* for that day.[49]

On various occasions the *Journal* of two or more calendar days, comprising a whole or part of a legislative day, have been approved en bloc by unanimous consent.[50] In

---

[41] *See* Rule III; Jan. 25, 1966, 89–2, *Record*, p. 1048.

[42] Jan. 25, 1966, 89–2, *Record*, p. 1047.

[43] Jan. 21 and 22, 1891, 51–2, *Journal*, p. 89, *Record*, pp. 1589, 1654; *see also* Nov. 17, 1942, 77–2, *Record*, pp. 8920–21.

[44] June 12, 1935, 74–1, *Record*, p. 9088.

[45] Jan. 7, 1938, 75–3, *Record*, p. 135; Dec. 8, 1942, 77–2, *Record*, p. 9370; July 23, 1946, 79–2, *Record*, p. 9699.

[46] Dec. 19, 1944, 78–2, *Record*, p. 9671.

[47] *See* Dec. 1, 1922, 67–3, *Record*, p. 438.

[48] Mar. 9, 1964, 88–2, *Record*, pp. 4742–54; *see* Oct. 3, 1963, 88–1, *Record*, pp. 18619–20; July 26, 1962, 87–2, *Record*, pp. 14857–69; July 27, 1962, 87–2, *Record*, pp. 14892–93.

[49] Jan. 27, 1966, 89–2, *Record*, p. 1263.

[50] Sept. 16, 1929, 71–1, *Journal*, p. 137, *Record*, p. 3638; Sept. 23, 1929, 71–1, *Journal*, p. 143, *Record*, p. 3854; Sept. 26, 1929, 71–1, *Journal*, p. 146, *Record*, p. 3967; Jan. 29,

Continued

one instance the *Journals* for three legislative days (which were under consideration when the Senate adjourned on each of these days) were approved en bloc by unanimous consent.[51]

Read in Full:

The *Journal*, on demand, must he read in full for corrections.[52]

Reading Dispensed With:

See also "Read Each Legislative Day," pp. 899-900.

The following precedents were established before the Senate amended Rule IV in 1986 to permit the *Journal* to be approved on motion: Under Rule IV the reading of the *Journal* on a new legislative day can only be dispensed with by unanimous consent and a motion to that effect or a motion to suspend the reading of the *Journal* is not in order; [53] upon objection being made to a unanimous consent request to dispense with the reading of the *Journal*, it must be read in full,[54] unless further reading thereof is later dispensed with by unanimous consent.[55]

Likewise, a motion to dispense with its further reading is not in order.[56]

It is not necessary to read the *Journal* from day to day when the Senate recesses.[57]

Reading Interruption Out of Order:

The reading of the *Journal* may not be interrupted.[58]

1931, 71-3, *Journal*, p. 141, *Record*, p. 3425; Jan. 13, 1931, 71-3, *Journal*, p. 90, *Record*, p. 2040; June 19, 1929, 71-1, *Journal*, p. 126, *Record*, p. 3159; June 10, 1929, 71-1, *Journal*, p. 104, *Record*, P. 2586; May 17, 1928, 70-1, *Journal*, p. 473, *Record*, p. 8691; May 11, 1928, 70-1, *Journal*, p. 435, *Record*, p. 8370.

[51] Dec. 4, 1922, 67-3, *Journal*, p. 18.

[52] Sept. 5, 1959, 86-1, *Record*, pp. 18200-201.

[53] May 2, 1951, 82-1, *Record*, p. 4705; Jan. 18, 1946, 79-1, *Record*, p. 114; Mar. 1, 1917, 64-2, *Record*, p. 4565; Mar. 13, 1953, 83-1, *Record*, p. 1917; Mar. 1, 1927, 69-2, *Journal*, pp. 252-53, *Record*, pp. 5174-76; Mar. 2, 1921, 66-3, *Record*, p. 4244; June 10, 1913, 63-1, *Record*, p. 1928; Apr. 22, 1910, 61-2, *Record*, p. 5179; Mar. 1, 1887, 49-2, *Record*, p. 2459; Feb. 28, 1887, 49-2, *Record*, p. 2363; Mar. 7, 1961, 87-1, *Record*, p. 3296; Aug. 21, 1961, 87-1, *Record*, p. 16426.

[54] May 2, 1951, 82-1, *Record*, p. 4705; Mar. 11, 1953, 83-1, *Record*, pp. 1838-39; Mar. 8, 1960, 86-2, *Record*, p. 4860.

[55] *See* Aug. 21, 1961, 87-1, *Record*, p. 16426; Mar. 4, 1975, 94-1, *Record*, pp. 4994-97.

[56] June 10, 1913, 63-1, *Record*, p. 1928.

[57] *See* Feb. 29, 1960, 86-2, *Record*, pp. 3708-10.

[58] May 28, 1976, 94-2, *Record*, pp. 15904-05.

Reading of, Out of Order in Absence of Quorum:

The reading of the *Journal* is not in order, under the rules, where the absence of a quorum has been disclosed by a roll call of the Senate, and a request for unanimous consent to dispense with its reading is not in order.[59]

Reading of, Speed and Loudness:

There is no rule indicating how fast or how loudly the Clerk should read.[60]

Recess, Following, Reading Not Required;

See also "Read Each Legislative Day," pp. 899–900.

When the Senate convenes on a new Calendar day following a recess, the *Journal* may be considered as having been read by unanimous consent, but there is no requirement that the *Journal* be read at the beginning of such a new day.

If objection to such a request that the *Journal* be considered as having been read is heard, there is no necessity that the *Journal* be approved on that day.[61]

Waiving the Reading of:

When consent is granted to waive the reading of the *Journal* for a day that concludes the action on the *Journal* for that day, *see* "Read Each Legislative Day," pp. 899–900.

LAID BEFORE SENATE HOUSE-PASSED BILLS AND MESSAGES

See "Amendments Between Houses," pp. 126–143; "Communications and Messages to the Senate," pp. 430–441.

---

[59] *See* Feb. 18, 1885, 48–2, *Record*, p. 1828.

[60] *See* July 26, 1962, 87–2, *Record*, pp. 14857–69; July 27, 1962, 87–2, *Record*, pp. 14892–93.

[61] Jan. 29, 1966, 89–2, *Record*, p. 1481.

LANGUAGE, DISORDERLY

See "Disorderly Language, Use of, in Debate, and Restrictions on," pp. 738-742.

LAY ASIDE TEMPORARILY

See also "Displacement of Pending or Unfinished Business," pp. 664-669.

Motion for: Out of Order—Unanimous Consent Required:

A motion to lay aside temporarily the unfinished business,[1] to lay aside a pending matter informally or for the time being,[2] or to lay aside temporarily the unfinished business and proceed to consider another bill,[3] to lay aside temporarily one bill and take up another,[4] to lay aside temporarily one bill and take up an appropriation bill,[5] to lay aside temporarily a treaty and take up a nomination,[6] to lay aside temporarily a conference report and to proceed to the consideration of a bill,[7] or to lay aside temporarily a motion to take up a measure and consider another measure,[8] is not in order. Unanimous consent is required to take such action,[9] which request is in order at any time.[10]

A motion to consider a specific bill or measure while another proposition is pending is in order, but if such a motion is agreed to, the pending measure would be dis-

---

[1] Dec. 11, 1919, 66-2, *Record*, pp. 396-97; Jan. 26, 1921, 66-3, *Record*, p. 2054; July 5, 1921, 67-1, *Journal*, p. 181, *Record*, p. 3347; Sept. 29, 1917, 65-1, *Record*, p. 7515; July 5, 1916, 64-1, *Record*, p. 10424; Mar. 2, 1914, 63-2, *Record*, p. 4139; Mar. 3, 1903, 57-2, *Record*, p. 2964; Feb. 7, 1895, 53-3, *Record*, p. 1887; Feb. 20, 1895, 53-3, *Record*, p. 2429; *see also* Nov. 27, 1950, 81-2, *Record*, pp. 15778-79; Apr. 19, 1950, 81-2, *Record*, pp. 5379-81; June 12, 1952, 82-2, *Record*, pp. 7115-16; Jan. 25 and 26, 1921, 66-3, *Record*, pp. 2005, 2054.

[2] Aug. 5, 1886, 49-1, *Record*, p. 8012.

[3] *Ibid.*; Mar. 11, 1940, 76-3, *Record*, pp. 2630-31; Dec. 11, 1919, 66-2, *Record*, pp. 396-97; July 5, 1921, 67-1, *Journal*, p. 181, *Record*, p. 3347; Sept. 22, 1921, 67-1, *Record*, p. 5732; Jan. 26, 1921, 66-3, *Record*, p. 2054; Sept. 29, 1917, 65-1, *Record*, p. 7515; July 5, 1916, 64-1, *Record*, p. 10424; Mar. 2, 1914, 63-2, *Record*, p. 4139.

[4] Mar. 11, 1940, 76-3, *Journal*, p. 162, *Record*, pp. 2630-31.

[5] Feb. 7, 1895, 53-3, *Record*, p. 1887.

[6] *See* Mar. 19 and 23, 1945, 79-1, *Record*, pp. 2107, 2652.

[7] Feb. 12, 1931, 71-3, *Record*, p. 4681.

[8] July 24, 1947, 80-1, *Record*, p. 9982.

[9] Dec. 11, 1919, 66-2, *Record*, pp. 396-97; Jan. 26, 1921, 63-3, *Record*, p. 2054; Sept. 22, 1921, 67-1, *Record*, p. 5732; *see also* July 6, 1939, 76-1, *Record*, p. 8665.

[10] *See* Dec. 10, 1941, 77-1, *Record*, p. 9605.