AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
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LEGISLATIVE SESSIONS

See also "Consideration, Question of," pp. 655–682; "Executive Business and Executive Sessions," pp. 832–842.

The Senate meets in legislative session to transact legislative business. Each new day that the Senate sits is started in legislative session, unless the Senate adjourns or recesses in executive session.

Most of the body of rules, precedents, and practices of the Senate are directed to legislative proceedings, but a motion to go into executive session is in order at almost any time and must be determined without debate.

Debate of Motion for Legislative Session Out of Order:

In executive session, a motion that the Senate proceed to the consideration of legislative business is not debatable.[1]

Executive Business in Legislative Session Out of Order:

Executive business is not in order in legislative session; for example: the introduction of a resolution relating to the nominations of particular persons to a Federal office,[2] the submittal of a resolution dealing with executive business,[3] and a filing of a committee report on a nomination, upon objection [4] are not in order in legislative session.

A motion to print in the *Congressional Record* a yea and nay vote taken in closed executive session on a nomination can only be made in executive session.[5]

It is not in order in legislative session, in connection with a nomination pending before the Senate, for a Senator to read and comment on documents relating thereto

[1] Sept. 16, 1919, 66–1, *Record*, pp. 5511, 5512; June 4, 1946, 79–2, *Record*, p. 6245.
[2] Mar. 13, 1890, 51–1, *Record*, p. 2196; Mar. 17, 1890, 51–1, *Journal*, p. 172, *Record*, p. 2291.
[3] Jan. 21, 1884, 48–1, *Journal*, p. 195, *Record*, p. 519.
[4] June 18, 1935, 74–1, *Record*, p. 9508.
[5] May 21, 1929, 71–1, *Record*, p. 1598.

which came before the committee in executive session,[6] nor is it in order to discuss proceedings that occurred in the Senate in closed executive session.[7]

The discussion of a treaty is not in order in legislative session unless in executive session the injunction of secrecy has been removed.[8]

It is a violation of the rules of the Senate for a Senator in legislative session to refer to or to discuss matters pending before it in its executive capacity from which the injunction of secrecy has not been removed.[9]

It is in order, however, in legislative session to read an article appearing in a newspaper relating to secret executive proceedings,[10] or to read a newspaper article purporting to give information of certain executive proceedings of the Senate.[11] The Senate in 1890 decided that memorials remonstrating against the ratification of an extradition treaty between the United States and Russia could be presented in legislative session.[12]

Legislation, Status of, Not Affected by Executive Session:

See "Displacement of Pending or Unfinished Business," pp. 664–669; "Executive Business and Executive Sessions," pp. 832–842.

Reconsideration of Executive Business in Legislative Session—Out of Order:

See "Executive Business in Legislative Session Out of Order," pp. 907–908.

Return to Legislative Session From Executive Session:

A majority of the Senate, on motion, when in executive session, may return to legislative session prior to the end of the Morning Hour, or any time thereafter, for the purpose of resuming the consideration of the unfinished business.[13]

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[6] Jan. 27, 1925, 68–2, *Journal*, p. 119, *Record*, pp. 2514–15.
[7] May 24, 1928, 70–1, *Journal*, p. 537, *Record*, p. 9796.
[8] Feb. 28, 1903, 57–2, *Record*, p. 2783.
[9] Feb. 6, 1888, 50–1, *Record*, p. 967.
[10] May 21, 1929, 71–1, *Journal*, p. 70; June 9, 1919, 66–1, *Journal*, pp. 59, 60; Jan. 24, 1925, 68–2, *Record*, p. 2403–04, 2443.
[11] July 15, 1914, 63–2, *Record*, p. 12152.
[12] Mar. 17, 1890, 51–1, *Record*, p. 2288.
[13] *See* Jan. 19, 1903, 57–2, *Record*, p. 947.

LENGTH OF DAILY SESSIONS FIXED

See "Daily Sessions," p. 712.