AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

MORNING BUSINESS

Morning business is routine Senate business intended to be transacted under the rules each day during a period known as the Morning Hour. The Morning Hour is the first two hours of a new legislative day, which begins when the Senate first convenes on a new calendar day following an adjournment. Under the rules after the *Journal* is read or its reading is dispensed with, the Senate conducts its morning business. The period for the transaction of routine morning business may take the whole of the Morning Hour, or if no Senator seeks to conduct any such business, it may be closed after a much shorter period.

Rule VII provides for the transaction of morning business at the beginning of each new legislative day. It may be dispensed with only by unanimous consent or by suspension of the rules.

The morning business of the Senate consists of laying before the Senate for reference to committee messages from the President and House of Representatives, reports and communications from heads of Departments, and any other communications addressed to the Senate, including petitions from private citizens and organizations or units of local governments, and memorials from State legislatures. It also includes the following: disposition of such bills and joint resolutions of the House of Representatives which may remain on the Presiding Officer's desk; reports of standing and select committees, the introduction of bills and joint resolutions, and concurrent and other resolutions, as well as any resolutions coming over under the rule.

Morning business is privileged until 1 hour has expired. However, certain other privileged business, such as conference reports, may intervene. After the first hour of the Morning Hour, morning business loses its privileged status and a motion to take up any bill on the Calendar is in order (except on Mondays), and the motion is not debatable, unless the measure to be taken up amends the Standing Rules of the Senate. However, a measure taken up during the Morning Hour remains pending and debatable until the end of the Morning Hour, when the unfinished business is laid down automatically. On Mondays, after the conclusion of routine morning business, the call of the Calendar is in order and no motion to go to another bill on the Calendar is in order. A motion is in order to remain on a measure reached in its place on a call of the Calendar against which an objection has been lodged. *See also* "Morning Hour," pp. 927–934.

No debate is in order during the transaction of routine morning business. However, the Senate must have a period for morning business every day, so that Senators may introduce legislation and so that committees may report out measures. Therefore, it has become common practice for unanimous consent to be granted for there to be a period for the transaction of morning business. This order is usually coupled with a provision that Senators be authorized to speak for a brief amount of time (without placing a limit on the subject of the speech). Therefore, although under the rules morning business is not debatable, in

practice Senators often equate the term with the right to speak on sundry topics for a brief period of time.

Rule VII

[Morning Business and Morning Hour]

1. On each legislative day after the *Journal* is read, the Presiding Officer on demand of any Senator shall lay before the Senate messages from the President, reports and communications from the heads of Departments, and other communications addressed to the Senate, and such bills, joint resolutions, and other messages from the House of Representatives as may remain upon his table from any previous day's session undisposed of. The Presiding Officer on demand of any Senator shall then call for, in the following order:

The presentation of petitions and memorials.

Reports of committees.

The introduction of bills and joint resolutions.

The submission of other resolutions.

All of which shall be received and disposed of in such order, unless unanimous consent shall be otherwise given, with newly offered resolutions being called for before resolutions coming over from a previous legislative day are laid before the Senate.

2. Until the morning business shall have been concluded, and so announced from the Chair, or until one hour after the Senate convenes at the beginning of a new legislative day, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar shall be entertained by the Presiding Officer, unless by unanimous consent: *Provided, however,* That on Mondays which are the beginning of a legislative day the Calendar shall be called under rule VIII, and until two hours after the Senate convenes no motion shall be entertained to proceed to the consideration of any bill, resolution, or other subject upon the Calendar except the motion to continue the consideration of a bill, resolution, or other subject against objection as provided in rule VIII, or until the call of the Calendar has been completed.

3. The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the President or the House of Representatives for appropriate action allowed under the rules and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.

4. Petitions or memorials shall be referred, without debate, to the appropriate committee according to subject matter on the same basis as bills and resolutions, if signed by the petitioner or memorialist. A question of receiving or reference may be raised and determined without debate. But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

5. Only a brief statement of the contents of petitions and memorials shall be printed in the Congressional Record; and no other portion of any petition or memorial shall be printed in the Record unless specifically so ordered by vote of the Senate, as provided for in paragraph 4

of rule XI, in which case the order shall be deemed to apply to the body of the petition or memorial only; and names attached to the petition or memorial shall not be printed unless specially ordered, except that petitions and memorials from the legislatures or conventions, lawfully called, of the respective States, Territories, and insular possessions shall be printed in full in the Record whenever presented.

6. Senators having petitions, memorials, bills, or resolutions to present after the morning hour may deliver them in the absence of objection to the Presiding Officer's desk, endorsing upon them their names, and with the approval of the Presiding Officer, they shall be entered on the Journal with the names of the Senators presenting them and in the absence of objection shall be considered as having been read twice and referred to the appropriate committees, and a transcript of such entries shall be furnished to the official reporter of debates for publication in the Congressional Record, under the direction of the Secretary of the Senate.

Statement by Chair on Morning Business

"In order that the routine business of the Morning Hour may be accomplished with dispatch and promptness, a certain order has been laid down in the rules for the transaction of such business. The first order of business is the presentation of petitions and memorials; next come reports of committees; then the introduction of bills and joint resolutions, followed by the submission of [concurrent and] other resolutions.

"Ordinarily it does not take very long to go through the morning business. Because of the fact that many Senators come to the Chamber for the purpose of presenting petitions and memorials, submitting reports, or introducing bills and joint resolutions, or other resolutions, the rules provide that there shall be no debate and no speeches on any subject during the consideration of morning business. Of course, after the morning business is concluded, so long as there remains a part of the Morning Hour, debate is permissible. The Chair is sure that all Senators will realize that it is not quite fair to Senators who have come to the Chamber in order to take part in the transaction of morning business to be required to wait until speeches are made, either on a subject which may be before the Senate or on any other subject.

"Therefore the Chair desires to announce that, without any Senator making a point of order to that effect, the Chair expects to enforce the rule against the making of speeches of any kind by any Senator during transaction of

morning business, in order that the routine business of the Senate may be promptly dispatched." [1]

Conference Report May Be Considered:

See "Precedence Over Other Business," pp. 473–474.

Debate During Morning Business, Out of Order:

See also "Morning Business, Debate During," pp. 758–759, "Speeches During Morning Business," pp. 925–926.

Debate is not in order when the Senate is conducting morning business except by unanimous consent.[2]

Definition and Procedure Under the Rule:

"Morning business," as defined by the Chair, is certain routine business prescribed by the rules that may be transacted during the first 2 hours of the meeting of the Senate, but may be closed before then when so announced by the Chair,[3] or after 1 hour a motion to consider any bill on the Calendar is in order, except on Mondays.

The procedure for and nature of morning business is set forth in paragraph 1 of Rule VII, and that order of morning business, which must be transacted each new legislative day after the *Journal* is read,[4] cannot be dispensed with except by unanimous consent,[5] and within that hour during the consideration of morning business, a Senator can make an address only by unanimous consent.[6]

When the Senate conducts morning business for a specified time period, once that time has expired it does not require unanimous consent to resume consideration of the pending business.[7]

When the Senate convenes following a recess, morning business is in order only by unanimous consent or pursuant to an order of the Senate agreed to by unanimous consent.[8]

Until the morning business is concluded, which includes laying before the Senate resolutions going over

---

[1] Jan. 24, 1949, 81–1, *Record*, p. 481.
[2] July 21, 1986, 99–2, *Record*, p. 17098.
[3] *See* Mar. 5, 1912, 62–2, *Record*, p. 2816.
[4] Rule VII. *See* May 8, 1987, 100–1, *Record*, pp. S 6264–66.
[5] Dec. 23, 1914, 63–3, *Record*, p. 622.
[6] *Ibid.*
[7] July 28, 1986, 99–2, *Record*, p. 17852.
[8] Rule VII.

under the rule,[9] or until 1 hour has elapsed, a motion to proceed to the consideration of any bill on the Calendar is not in order; [10] it would require unanimous consent.[11]

One hour after the Senate meets following an adjournment, if morning business has not been concluded, a motion to proceed to the consideration of a bill on the Calendar is in order and not debatable; [12] but if such a motion is agreed to by the Senate, further consideration of morning business under the rule is suspended, except by unanimous consent.[13]

When morning business has been concluded, even prior to the hour of 1 o'clock, under paragraph 2 of Rule VII, a motion to proceed to the consideration of a specific bill or resolution on the Calendar out of its regular order (except on Mondays when the call is under Rule VIII) is in order.[14]

It was held on one occasion that during a call of the Calendar under Rule VIII, a motion to proceed to the consideration of a bill notwithstanding an objection, was not in order prior to the hour of 1 o'clock,[15] but this is no longer the prevailing procedure.

A motion prior to the conclusion of morning business to make a bill a special order is not in order; [16] it requires unanimous consent.[17]

If morning business has not been concluded by the end of the first hour, a motion to proceed to the consideration of a matter after that hour is in order,[18] despite the fact that morning business has not been completed.[19]

---

[9] Feb. 29, 1924, 68-1, *Record*, p. 3298.

[10] Feb. 25, 1897, 54-2, *Record*, p. 2226; Feb. 28, 1913, 62-3, *Record*, p. 4258; Jan. 3, 1917, 64-2, *Record*, p. 791; July 10, 1947, 80-1, *Record*, p. 8568; May 26, 1942, 77-2, *Record*, p. 4538; Apr. 28, 1928, 70-1, *Record*, pp. 7371, 7373; July 8, 1921, 67-1, *Record*, p. 3451; *see also* Nov. 16, 1937, 75-2, *Record*, p. 28; Aug. 29, 1961, 87-1, *Record*, p. 17323.

[11] Feb. 15, 1859, 35-2, *Journal*, pp. 318-19.

[12] Oct. 3, 1963, 88-1, *Record*, pp. 18622-23, 18642-43.

[13] *Ibid.*

[14] June 27, 1914, 63-2, *Record*, p. 11223; June 29, 1914, 63-2, *Record*, pp. 11286-88; Feb. 28, 1907, 59-2, *Record*, p. 4223; Jan. 30, 1935, 74-1, *Record*, p. 1215; May 2, 1914, 63-2, *Record*, p. 7607; June 2, 1913, 63-1, *Record*, p. 1844; Aug. 18, 1911, 62-1, *Journal*, p. 185, *Record*, p. 4118; Mar 2, 1901, 56-2, *Record*, p. 3419; Feb. 20, 1884, 48-1, *Record*, p. 1251; *see also* Jan. 22, 1884, 48-1, *Record*, p. 558.

[15] Mar. 21, 1914, 63-2, *Record*, p. 5214.

[16] Sept. 5, 1914, 63-2, *Record*, p. 14762.

[17] Dec. 9, 1884, 48-2, *Record*, p. 102.

[18] June 28, 1932, 72-1, *Journal*, p. 649, *Record*, p. 14132.

[19] Feb. 12, 1927, 69-2, *Journal*, p. 170, *Record*, p. 3572; June 28, 1932, 72-1, *Journal*, p. 649; Feb. 28, 1913, 62-3, *Record*, p. 4258; Apr. 28, 1928, 70-1, *Record*, pp. 7371, 7373; Apr. 24, 1918, 65-2, *Record*, pp. 5546-47; *see also* Apr. 17, 1951, 82-1, *Record*, pp. 3959-60; Apr. 28, 1914, 63-2, *Record*, p. 7357.

The rule being in the alternative, such a motion is in order after the close of morning business, although the expiration of one hour has not arrived.[20]

A motion to proceed to the consideration of a resolution,[21] or a motion to print a matter as a document upon objection [22] is not in order during the presentation of petitions and memorials.

Unanimous consent under strict construction is required for the introduction of a Senate resolution or the presentation of a committee report [23] after the conclusion of morning business.[24]

When the Morning Hour is consumed by the consideration of an order designating the membership of the standing committees of the Senate, morning business may be presented thereafter only by unanimous consent.[25]

Under a unanimous consent agreement restricting the business of the Senate to consideration of certain specified matters, and excluding other business not unanimously recognized as urgent, it was held that following an adjournment, morning business could be transacted by unanimous consent only.[26]

Executive Business Takes Precedence Over:

See "Executive Business and Executive Sessions," pp. 832-842.

Insertions in Record During Morning Business:

See "Reservation of Objections to a Request To Print in *Record*," pp. 653-654; "When Requests To Print in Record in Order," p. 654.

Introduction of Bills and Joint Resolutions, a Portion of the Morning Business:

See also "Introduction," pp. 235-238.

It is not in order to submit a resolution when the Chair calls for the introduction of bills and joint resolutions.[27]

---

[20] July 8, 1921, 67-1, *Record*, p. 3451.
[21] June 21, 1921, 67-1, *Record*, p. 2795.
[22] July 8, 1918, 65-2, *Record*, pp. 8840-41.
[23] Mar. 3, 1915, 63-3, *Record*, p. 5244.
[24] Jan. 23, 1896, 54-1, *Record*, p. 904.
[25] Dec. 13, 1927, 70-1, *Record*, p. 531.
[26] Oct. 4, 1921, 67-1, *Record*, pp. 5966-67.
[27] Feb. 10, 1964, 88-2, *Record*, p. 2645.

Leaders, Majority and Minority To Speak Each Day:

See "Speeches During Morning Business," pp. 925–926.

New Congress—When Routine Morning Business Begins:

See "New Congress," and "New Session," pp. 494–495.

Over Under the Rule:

The procedure of "Over Under the Rule" is a portion of the morning business. *See* "Over Under the Rule," pp. 957–967.

Personal Privilege:

For precedence of business during the "Morning Hour," *see* "Personal Privilege, Debate of," pp. 764–765.

Petitions and Memorials:

Receiving petitions and memorials and their reference make up a part of the "Morning Business." *See* "Communications and Messages to the Senate," pp. 430–441.

Petitions and memorials may have endorsed thereon a brief statement of their contents, but they shall be presented and referred without debate.[28]

Quorum:

The absence of a quorum may be suggested during the Morning Hour;[29] during the consideration of morning business under a unanimous consent limitation of time for each Senator to speak, a Senator may suggest the absence of a quorum when no one has the floor;[30] and after a quorum is obtained, he may speak for the time permitted under the agreement in the event he obtains recognition.[31]

---

[28] Feb. 10, 1964, 88–2, *Record*, p. 2645.
[29] Mar. 31, 1964, 88–2, *Record*, p. 6637.
[30] Aug. 29, 1959, 86–1, *Record*, pp. 17344–45.
[31] *Ibid.*

Regular Order:

When the Senate is considering a bill by unanimous consent during a period for the transaction of routine morning business and the time for morning business expires, a call for the regular order will return the bill to the Calendar, end the morning business and return the Senate to the consideration of whatever measure or matter was pending prior to the beginning of the period for morning business. [32]

Reports:

Reports are presented under the appropriate order of morning business. For details, *see* "Reports," pp. 1176–1201.

Resolutions:

A Senator has a right during the transaction of morning business when the introduction of other resolutions is called for by the Chair to submit a resolution under the rule and an objection will not lie. If he asks for the immediate consideration of the resolution, a Senator could object and the resolution would go over under the rule.[33]

It takes unanimous consent to submit a resolution from the floor for referral unless the Senate is conducting morning business.[34]

Speeches During Morning Business:

See also "Morning Business, Debate During," pp. 758–759.

Debate is not in order under the rules during the transaction of routine morning business but it has become common in recent years for unanimous consent to be obtained for the Senate to conduct morning business and at the same time to permit Senators to speak for a specified length of time on any subject or subjects of their choice. A single objection to such a request would force the Senate to proceed under Rule VII, and no debate or speeches would be in order.

Likewise, at the beginning of the last few Congresses an agreement has been adopted to authorize for the duration

---

[32] June 25 and 26, 1981, 97-1, *Record*, pp. 14045–48.
[33] Sept. 29, 1976, 94-2 *Record*, pp. 33328–29.
[34] *See* July 27, 1982, 97-2, *Record*, p. 17975.

of that Congress that the majority and minority leaders be recognized to speak for a limited time immediately following the disposition of the *Journal*.

For example, on January 3, 1985, the Majority Leader (Mr. Dole of Kansas) obtained consent "that the Majority and Minority Leaders may daily, as during past Congresses, have up to 10 minutes each on each calendar day following the prayer and the disposition of the reading of, or the approval of, the *Journal*." [35]

Unanimous Consent for Considering a Bill During Morning Business:

When the Senate is considering a bill by unanimous consent during a period for the transaction of routine morning business and the time for morning business expires, a call for the regular order will return the bill to the calendar, end the morning business and return the Senate to the consideration of whatever measure or matter was pending prior to the beginning of the period for morning business.[36]

Vetoes:

Consideration of vetoes has been held to take precedence over morning business. For details, *see* "Vetoes," pp. 1381–1389.

---

[35] Jan. 3, 1985, 99-1, *Record*, p. 12.
[36] June 25 and 26, 1981, 97-1, *Record*, pp. 14045–48.