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116th Congress, 2nd Session – – – – – – – – – – – – – – Senate Document 116–1

SENATE MANUAL

CONTAINING THE

STANDING RULES, ORDERS, LAWS, AND RESOLUTIONS AFFECTING THE BUSINESS

OF THE

UNITED STATES SENATE

DECLARATION OF INDEPENDENCE
ARTICLES OF CONFEDERATION
ORDINANCE OF 1787
AND THE
CONSTITUTION OF THE UNITED STATES

COMMITTEE ON RULES AND ADMINISTRATION
Chairman, ROY BLUNT

UNITED STATES SENATE
ONE HUNDRED SIXTEENTH CONGRESS

SENATE MANUAL 2020—Senate Document No. 116–1

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STANDING RULES OF THE SENATE

[The 1979 general revision of the rules was accomplished by the adoption of S. Res. 274 on Nov. 14, 1979, a resolution submitted by Mr. Robert C. Byrd for himself and Mr. Baker; the preparation of the proposed revision was pursuant to the adoption of S. Res. 156 on May 10, 1976, a resolution by Mr. Robert C. Byrd; the general revision of the rules set forth in S. Res. 274 was somewhat altered in form by the adoption of S. Res. 389 on Mar. 25, 1980, to consolidate and renumber certain standing rules of the Senate.

[Changes to Senate rules since the last general revision in 1979 are indicated by footnotes in each succeeding edition of the Senate Manual.

[For the origin of various changes in Senate procedure between 1884 and 1979, as set forth in rules changes, adopted resolutions, and Legislative Reorganization Acts, see the table on p. XVI of *Riddick's Senate Procedure,* 1992.]

RULE I 1

APPOINTMENT OF A SENATOR TO THE CHAIR

1. In the absence of the Vice President, the Senate shall 1.1
choose a President pro tempore, who shall hold the office and execute the duties thereof during the pleasure of the Senate and until another is elected or his term of office as a Senator expires.

2. In the absence of the Vice President, and pending the 1.2
election of a President pro tempore, the Acting President pro tempore or the Secretary of the Senate, or in his absence the Assistant Secretary, shall perform the duties of the Chair.

3. The President pro tempore shall have the right to 1.3
name in open Senate or, if absent, in writing, a Senator to perform the duties of the Chair, including the signing of duly enrolled bills and joint resolutions but such substitution shall not extend beyond an adjournment, except by unanimous consent; and the Senator so named shall have the right to name in open session, or, if absent, in writing, a Senator to perform the duties of the Chair, but not to

extend beyond an adjournment, except by unanimous consent.

2 RULE II

PRESENTATION OF CREDENTIALS AND QUESTIONS OF PRIVILEGE

2.1 1. The presentation of the credentials of Senators elect or of Senators designate and other questions of privilege shall always be in order, except during the reading and correction of the Journal, while a question of order or a motion to adjourn is pending, or while the Senate is voting or ascertaining the presence of a quorum; and all questions and motions arising or made upon the presentation of such credentials shall be proceeded with until disposed of.

2.2 2. The Secretary shall keep a record of the certificates of election and certificates of appointment of Senators by entering in a well-bound book kept for that purpose the date of the election or appointment, the name of the person elected or appointed, the date of the certificate, the name of the governor and the secretary of state signing and counter-signing the same, and the State from which such Senator is elected or appointed.

2.3 3. The Secretary of the Senate shall send copies of the following recommended forms to the governor and secretary of state of each State wherein an election is about to take place or an appointment is to be made so that they may use such forms if they see fit.

THE RECOMMENDED FORMS FOR CERTIFICATES OF ELECTION AND CERTIFICATE OF APPOINTMENT ARE AS FOLLOWS: [1]

"CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

"To the President of the Senate of the United States:

"This is to certify that on the — day of —, 20—, A—— B—— was duly chosen by the qualified electors of the State of —— a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 20—.

"Witness: His excellency our governor ——, and our seal hereto affixed at —— this — day of —, in the year of our Lord 20—.

[1] Certificate year designations were changed from 19— to 20— by S. Res. 99, 106–2, Apr. 27, 2000.

"By the governor:

"C—— D——,
"Governor.

"E—— F——,
"Secretary of State."

"CERTIFICATE OF ELECTION FOR UNEXPIRED TERM

"To the President of the Senate of the United States:

"This is to certify that on the — day of ——, 20—, A—— B—— was duly chosen by the qualified electors of the State of —— a Senator for the unexpired term ending at noon on the 3d day of January, 20—, to fill the vacancy in the representation from said State in the Senate of the United States caused by the — of C—— D——.

"Witness: His excellency our governor ——, and our seal hereto affixed at —— this — day of —, in the year of our Lord 20—.

"By the governor:

"E—— F——,
"Governor.

"G—— H——,
"Secretary of State."

"CERTIFICATE OF APPOINTMENT

"To the President of the Senate of the United States:

"This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of ——, I, A—— B——, the governor of said State, do hereby appoint C—— D—— a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the —— of E—— F——, is filled by election as provided by law.

"Witness: His excellency our governor ——, and our seal hereto affixed at —— this — day of —, in the year of our Lord 20—.

"By the governor:

"G—— H——,
"Governor.

"I—— J——,
"Secretary of State."

3

RULE III

OATHS

The oaths or affirmations required by the Constitution and prescribed by law shall be taken and subscribed by each Senator, in open Senate, before entering upon his duties.

OATH REQUIRED BY THE CONSTITUTION AND BY LAW TO BE TAKEN BY SENATORS

"I, A—— B—— do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God." (5 U.S.C. 3331.)

4

RULE IV

COMMENCEMENT OF DAILY SESSIONS

4.1a 1. (a)[2] The Presiding Officer having taken the chair, following the prayer by the Chaplain, and after the Presiding Officer, or a Senator designated by the Presiding Officer, leads the Senate from the dais in reciting the Pledge of Allegiance to the Flag of the United States, 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.

4.1b (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.

4.1c (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

[2] As amended by S. Res. 28, 99–2, Feb. 27, 1986; S. Res. 113, 106–1, June 23, 1999.

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. **4.1d**

2. During a session of the Senate when that body is in continuous session, the Presiding Officer shall temporarily suspend the business of the Senate at noon each day for the purpose of having the customary daily prayer by the Chaplain. **4.2**

RULE V **5**

SUSPENSION AND AMENDMENT OF THE RULES

1. No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof. Any rule may be suspended without notice by the unanimous consent of the Senate, except as otherwise provided by the rules. **5.1**

2. The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules. **5.2**

RULE VI **6**

QUORUM—ABSENT SENATORS MAY BE SENT FOR

1. A quorum shall consist of a majority of the Senators duly chosen and sworn. **6.1**

2. No Senator shall absent himself from the service of the Senate without leave. **6.2**

3. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate. **6.3**

4. Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, or to re- **6.4**

cess pursuant to a previous order entered by unanimous consent, shall be in order.

7 RULE VII

MORNING BUSINESS

7.1 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.

7.2 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.

7.3 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. **7.4**

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. **7.5**

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. **7.6**

RULE VIII **8**

ORDER OF BUSINESS

1. At the conclusion of the morning business at the beginning of a new legislative day, unless upon motion the Senate shall at any time otherwise order, the Senate shall proceed to the consideration of the Calendar of Bills and Resolutions, and shall continue such consideration until 2 hours after the Senate convenes on such day (the end of the morning hour); and bills and resolutions that are not ob- **8.1**

jected to shall be taken up in their order, and each Senator shall be entitled to speak once and for five minutes only upon any question; and an objection may be interposed at any stage of the proceedings, but upon motion the Senate may continue such consideration; and this order shall commence immediately after the call for "other resolutions", or after disposition of resolutions coming "over under the rule", and shall take precedence of the unfinished business and other special orders. But if the Senate shall proceed on motion with the consideration of any matter notwithstanding an objection, the foregoing provisions touching debate shall not apply.

8.2 2. All motions made during the first two hours of a new legislative day to proceed to the consideration of any matter shall be determined without debate, except motions to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate shall be debatable. Motions made after the first two hours of a new legislative day to proceed to the consideration of bills and resolutions are debatable.

9 RULE IX

MESSAGES

9.1 1. Messages from the President of the United States or from the House of Representatives may be received at any stage of proceedings, except while the Senate is voting or ascertaining the presence of a quorum, or while the Journal is being read, or while a question of order or a motion to adjourn is pending.

9.2 2. Messages shall be sent to the House of Representatives by the Secretary, who shall previously certify the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the President of the United States all resolutions and other communications which may be directed to him by the Senate.

10 RULE X

SPECIAL ORDERS

10.1 1. Any subject may, by a vote of two-thirds of the Senators present, be made a special order of business for consideration and when the time so fixed for its consideration

arrives the Presiding Officer shall lay it before the Senate, unless there be unfinished business in which case it takes its place on the Calendar of Special Orders in the order of time at which it was made special, to be considered in that order when there is no unfinished business.

2. All motions to change such order, or to proceed to the consideration of other business, shall be decided without debate. 10.2

RULE XI 11

PAPERS—WITHDRAWAL, PRINTING, READING OF, AND REFERENCE

1. No memorial or other paper presented to the Senate, except original treaties finally acted upon, shall be withdrawn from its files except by order of the Senate. 11.1

2. The Secretary of the Senate shall obtain at the close of each Congress all the noncurrent records of the Senate and of each Senate committee and transfer them to the General Services Administration for preservation, subject to the orders of the Senate. 11.2

3. When the reading of a paper is called for, and objected to, it shall be determined by a vote of the Senate, without debate. 11.3

4. Every motion or resolution to print documents, reports, and other matter transmitted by the executive departments, or to print memorials, petitions, accompanying documents, or any other paper, except bills of the Senate or House of Representatives, resolutions submitted by a Senator, communications from the legislatures or conventions, lawfully called, of the respective States, shall, unless the Senate otherwise order, be referred to the Committee on Rules and Administration. When a motion is made to commit with instructions, it shall be in order to add thereto a motion to print. 11.4

5. Motions or resolutions to print additional numbers shall also be referred to the Committee on Rules and Administration; and when the committee shall report favorably, the report shall be accompanied by an estimate of the probable cost thereof; and when the cost of printing such additional numbers shall exceed the sum established by law, the concurrence of the House of Representatives shall be necessary for an order to print the same. 11.5

6. Every bill and joint resolution introduced or reported from a committee, and all bills and joint resolutions re- 11.6

ceived from the House of Representatives, and all reports of committees, shall be printed, unless, for the dispatch of the business of the Senate, such printing may be dispensed with.

12

RULE XII

VOTING PROCEDURE

12.1 1. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.

12.2 2. When a Senator declines to vote on call of his name, he shall be required to assign his reasons therefor, and having assigned them, the Presiding Officer shall submit the question to the Senate: "Shall the Senator for the reasons assigned by him, be excused from voting?" which shall be decided without debate; and these proceedings shall be had after the rollcall and before the result is announced; and any further proceedings in reference thereto shall be after such announcement.

12.3 3. A Member, notwithstanding any other provisions of this rule, may decline to vote, in committee or on the floor, on any matter when he believes that his voting on such a matter would be a conflict of interest.

12.4 4. No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until after a quorum call ordered for the purpose by the Presiding Officer, it shall be disclosed that a quorum of the Senate is present; and when a unanimous consent is thus given the same shall operate as the order of the Senate, but any unanimous consent may be revoked by another unanimous consent granted in the manner prescribed above upon one day's notice.

RULE XIII 13

RECONSIDERATION

1. When a question has been decided by the Senate, any Senator voting with the prevailing side or who has not voted may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider such a motion entered, or if such a motion is withdrawn by leave of the Senate, or if upon reconsideration the Senate shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion. 13.1

2. When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider. 13.2

RULE XIV 14

BILLS, JOINT RESOLUTIONS, RESOLUTIONS, AND PREAMBLES THERETO

1. Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day. 14.1

2. Every bill and joint resolution shall receive three readings previous to its passage which readings on demand of any Senator shall be on three different legislative days, and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided*, That each reading may be by title only, unless the Senate in any case shall otherwise order. 14.2

3. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and 14.3

may be read twice, if not objected to, on the same day for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

14.4 4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the Calendar in the order in which the same may be reported; 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.

14.5 5. All bills, amendments, and joint resolutions shall be examined under the supervision of the Secretary of the Senate before they go out of the possession of the Senate, and all bills and joint resolutions which shall have passed both Houses shall be examined under the supervision of the Secretary of the Senate, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and the President of the Senate, the Secretary of the Senate shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States and report the fact and date of such presentation to the Senate.

14.6 6. All other resolutions shall lie over one day for consideration, if not referred, unless by unanimous consent the Senate shall otherwise direct. When objection is heard to the immediate consideration of a resolution or motion when it is submitted, it shall be placed on the Calendar under the heading of "Resolutions and Motions over, under the Rule," to be laid before the Senate on the next legislative day when there is no further morning business but before the close of morning business and before the termination of the morning hour.

14.7 7. When a bill or joint resolution shall have been ordered to be read a third time, it shall not be in order to propose amendments, unless by unanimous consent, but it shall be in order at any time before the passage of any bill or resolution to move its commitment; and when the bill or resolution shall again be reported from the committee it shall be placed on the Calendar.

14.8 8. When a bill or resolution is accompanied by a preamble, the question shall first be put on the bill or resolu-

tion and then on the preamble, which may be withdrawn by a mover before an amendment of the same, or ordering of the yeas and nays; or it may be laid on the table without prejudice to the bill or resolution, and shall be a final disposition of such preamble.

9. Whenever a private bill, except a bill for a pension, is under consideration, it shall be in order to move the adoption of a resolution to refer the bill to the Chief Commissioner of the Court of Claims for a report in conformity with section 2509 of Title 28, United States Code. **14.9**

10. No private bill or resolution (including so-called omnibus claims or pension bills), and no amendment to any bill or resolution, authorizing or directing (1) the payment of money for property damages, personal injuries, or death, for which a claim may be filed under chapter 171 of Title 28, United States Code, or for a pension (other than to carry out a provision of law or treaty stipulation); (2) the construction of a bridge across a navigable stream; or (3) the correction of a military or naval record, shall be received or considered. **14.10**

RULE XV **15**

AMENDMENTS AND MOTIONS

1. (a)[3] An amendment and any instruction accompanying a motion to recommit shall be reduced to writing and read and identical copies shall be provided by the Senator offering the amendment or instruction to the desks of the Majority Leader and the Minority Leader before being debated. **15.1a**

(b) A motion shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before being debated. **15.1b**

2. Any motion, amendment, or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave. **15.2**

3. If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert **15.3**

[3] Paragraph 1 was amended by Pub. L. 110–81, Sep. 14, 2007.

a different proposition; nor shall it prevent a motion simply to strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert. But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question, and motions to amend the part to be stricken out shall have precedence.

15.4 4. When an amendment proposed to any pending measure is laid on the table, it shall not carry with it, or prejudice, such measure.

15.5 5. It shall not be in order to consider any proposed committee amendment (other than a technical, clerical, or conforming amendment) which contains any significant matter not within the jurisdiction of the committee proposing such amendment.

16 RULE XVI

APPROPRIATIONS AND AMENDMENTS TO GENERAL APPROPRIATIONS BILLS

16.1 1. On a point of order made by any Senator, no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act or resolution previously passed by the Senate during that session; or unless the same be moved by direction of the Committee on Appropriations or of a committee of the Senate having legislative jurisdiction of the subject matter, or proposed in pursuance of an estimate submitted in accordance with law.

16.2 2. The Committee on Appropriations shall not report an appropriation bill containing amendments to such bill proposing new or general legislation or any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law if such restriction is to take effect or cease to be effective upon the happening of a contingency, and if an appropriation bill is reported to the Senate containing amendments to such bill proposing new or general legislation or any such restriction, a point of order may be made against the bill, and if the point is sustained, the bill shall be recommitted to the Committee on Appropriations.

3. All amendments to general appropriation bills moved by direction of a committee having legislative jurisdiction of the subject matter proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations, and when actually proposed to the bill no amendment proposing to increase the amount stated in such amendment shall be received on a point of order made by any Senator. **16.3**

4. On a point of order made by any Senator, no amendment offered by any other Senator which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; nor shall any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law be received if such restriction is to take effect or cease to be effective upon the happening of a contingency; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any such amendment or restriction to a general appropriation bill may be laid on the table without prejudice to the bill. **16.4**

5. On a point of order made by any Senator, no amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment. **16.5**

6. When a point of order is made against any restriction on the expenditure of funds appropriated in a general appropriation bill on the ground that the restriction violates this rule, the rule shall be construed strictly and, in case of doubt, in favor of the point of order. **16.6**

7. Every report on general appropriation bills filed by the Committee on Appropriations shall identify with particularity each recommended amendment which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session. **16.7**

8. On a point of order made by any Senator, no general appropriation bill or amendment thereto shall be received **16.8**

or considered if it contains a provision reappropriating unexpended balances of appropriations; except that this provision shall not apply to appropriations in continuation of appropriations for public works on which work has commenced.

17 ## RULE XVII

REFERENCE TO COMMITTEES; MOTIONS TO DISCHARGE; REPORTS OF COMMITTEES; AND HEARINGS AVAILABLE

17.1 1. Except as provided in paragraph 3, in any case in which a controversy arises as to the jurisdiction of any committee with respect to any proposed legislation, the question of jurisdiction shall be decided by the presiding officer, without debate, in favor of the committee which has jurisdiction over the subject matter which predominates in such proposed legislation; but such decision shall be subject to an appeal.

17.2 2. A motion simply to refer shall not be open to amendment, except to add instructions.

17.3a 3. (a) Upon motion by both the majority leader or his designee and the minority leader or his designee, proposed legislation may be referred to two or more committees jointly or sequentially. Notice of such motion and the proposed legislation to which it relates shall be printed in the Congressional Record. The motion shall be privileged, but it shall not be in order until the Congressional Record in which the notice is printed has been available to Senators for at least twenty-four hours. No amendment to any such motion shall be in order except amendments to any instructions contained therein. Debate on any such motion, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than two hours, the time to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

17.3b (b) Proposed legislation which is referred to two or more committees jointly may be reported only by such committees jointly and only one report may accompany any proposed legislation so jointly reported.

17.3c (c) A motion to refer any proposed legislation to two or more committees sequentially shall specify the order of referral.

17.3d (d) Any motion under this paragraph may specify the portion or portions of proposed legislation to be considered

by the committees, or any of them, to which such proposed legislation is referred, and such committees or committee shall be limited, in the consideration of such proposed legislation, to the portion or portions so specified.

(e) Any motion under this subparagraph may contain instructions with respect to the time allowed for consideration by the committees, or any of them, to which proposed legislation is referred and the discharge of such committees, or any of them, from further consideration of such proposed legislation. **17.3e**

4. (a) All reports of committees and motions to discharge a committee from the consideration of a subject, and all subjects from which a committee shall be discharged, shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct. **17.4a**

(b) Whenever any committee (except the Committee on Appropriations) has reported any measure, by action taken in conformity with the requirements of paragraph 7 of rule XXVI, no point of order shall lie with respect to that measure on the ground that hearings upon that measure by the committee were not conducted in accordance with the provisions of paragraph 4 of rule XXVI. **17.4b**

5.[4] Any measure or matter reported by any standing committee shall not be considered in the Senate unless the report of that committee upon that measure or matter has been available to Members for at least two calendar days (excluding Sundays and legal holidays) prior to the consideration of that measure or matter. If hearings have been held on any such measure or matter so reported, the committee reporting the measure or matter shall make every reasonable effort to have such hearings printed and available for distribution to the Members of the Senate prior to the consideration of such measure or matter in the Senate. This paragraph— **17.5**

(1) may be waived by joint agreement of the majority leader and the minority leader of the Senate; and

(2) shall not apply to—

(A) any measure for the declaration of war, or the declaration of a national emergency, by the Congress, and

(B) any executive decision, determination, or action which would become, or continue to be, effec-

[4] As amended by S. Res. 28, 99–2, Feb. 27, 1986.

tive unless disapproved or otherwise invalidated by one or both Houses of Congress.

18 RULE XVIII

BUSINESS CONTINUED FROM SESSION TO SESSION

At the second or any subsequent session of a Congress the legislative business of the Senate which remained undetermined at the close of the next preceding session of that Congress shall be resumed and proceeded with in the same manner as if no adjournment of the Senate had taken place.

19 RULE XIX

DEBATE

19.1a 1. (a) When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him. No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer, and no Senator shall speak more than twice upon any one question in debate on the same legislative day without leave of the Senate, which shall be determined without debate.

19.1b (b) At the conclusion of the morning hour at the beginning of a new legislative day or after the unfinished business or any pending business has first been laid before the Senate on any calendar day, and until after the duration of three hours of actual session after such business is laid down except as determined to the contrary by unanimous consent or on motion without debate, all debate shall be germane and confined to the specific question then pending before the Senate.

19.2 2. No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

19.3 3. No Senator in debate shall refer offensively to any State of the Union.

19.4 4. If any Senator, in speaking or otherwise, in the opinion of the Presiding Officer transgress the rules of the Senate the Presiding Officer shall, either on his own motion or at the request of any other Senator, call him to order; and

when a Senator shall be called to order he shall take his seat, and may not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate. Any Senator directed by the Presiding Officer to take his seat, and any Senator requesting the Presiding Officer to require a Senator to take his seat, may appeal from the ruling of the Chair, which appeal shall be open to debate.

5. If a Senator be called to order for words spoken in debate, upon the demand of the Senator or of any other Senator, the exceptionable words shall be taken down in writing, and read at the table for the information of the Senate. **19.5**

6. Whenever confusion arises in the Chamber or the galleries, or demonstrations of approval or disapproval are indulged in by the occupants of the galleries, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. **19.6**

7. No Senator shall introduce to or bring to the attention of the Senate during its sessions any occupant in the galleries of the Senate. No motion to suspend this rule shall be in order, nor may the Presiding Officer entertain any request to suspend it by unanimous consent. **19.7**

8. Former Presidents of the United States shall be entitled to address the Senate upon appropriate notice to the Presiding Officer who shall thereupon make the necessary arrangements. **19.8**

RULE XX **20**

QUESTIONS OF ORDER

1. A question of order may be raised at any stage of the proceedings, except when the Senate is voting or ascertaining the presence of a quorum, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. **20.1**

20.2 2. The Presiding Officer may submit any question of order for the decision of the Senate.

21 RULE XXI

SESSION WITH CLOSED DOORS

21.1 1. On a motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall direct the galleries to be cleared; and during the discussion of such motion the doors shall remain closed.

21.2 2. When the Senate meets in closed session, any applicable provisions of rules XXIX and XXXI, including the confidentiality of information shall apply to any information and to the conduct of any debate transacted.

22 RULE XXII

PRECEDENCE OF MOTIONS

22.1 1. When a question is pending, no motion shall be received but—

To adjourn.

To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

To take a recess.

To proceed to the consideration of executive business.

To lay on the table.

To postpone indefinitely.

To postpone to a day certain.

To commit.

To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

22.2 2.[5] Notwithstanding the provisions of rule II or rule IV or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer, or clerk at the direction of the Presiding Officer, shall at once state the motion to the Senate,

[5] As amended by S. Res. 28, 99–2, Feb. 27, 1986.

and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the clerk call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?" And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn—except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting—then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be proposed after the vote to bring the debate to a close, unless it had been submitted in writing to the Journal Clerk by 1 o'clock p.m. on the day following the filing of the cloture motion if an amendment in the first degree, and unless it had been so submitted at least one hour prior to the beginning of the cloture vote if an amendment in the second degree. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

After no more than thirty hours of consideration of the measure, motion, or other matter on which cloture has been invoked, the Senate shall proceed, without any further debate on any question, to vote on the final disposition thereof to the exclusion of all amendments not then actually pending before the Senate at that time and to the exclusion of all motions, except a motion to table, or to reconsider and one quorum call on demand to establish the presence of a quorum (and motions required to establish a quorum) immediately before the final vote begins. The thirty hours may be increased by the adoption of a motion,

decided without debate, by a three-fifths affirmative vote of the Senators duly chosen and sworn, and any such time thus agreed upon shall be equally divided between and controlled by the Majority and Minority Leaders or their designees. However, only one motion to extend time, specified above, may be made in any one calendar day.

If, for any reason, a measure or matter is reprinted after cloture has been invoked, amendments which were in order prior to the reprinting of the measure or matter will continue to be in order and may be conformed and reprinted at the request of the amendment's sponsor. The conforming changes must be limited to lineation and pagination.

No Senator shall call up more than two amendments until every other Senator shall have had the opportunity to do likewise.

Notwithstanding other provisions of this rule, a Senator may yield all or part of his one hour to the majority or minority floor managers of the measure, motion, or matter or to the Majority or Minority Leader, but each Senator specified shall not have more than two hours so yielded to him and may in turn yield such time to other Senators.

Notwithstanding any other provision of this rule, any Senator who has not used or yielded at least ten minutes, is, if he seeks recognition, guaranteed up to ten minutes, inclusive, to speak only.

After cloture is invoked, the reading of any amendment, including House amendments, shall be dispensed with when the proposed amendment has been identified and has been available in printed form at the desk of the Members for not less than twenty-four hours.

22.3 3.[6] If a cloture motion on a motion to proceed to a measure or matter is presented in accordance with this rule and is signed by 16 Senators, including the Majority Leader, the Minority Leader, 7 additional Senators not affiliated with the majority, and 7 additional Senators not affiliated with the minority, one hour after the Senate meets on the following calendar day, the Presiding Officer, or the clerk at the direction of the Presiding Officer, shall lay the motion before the Senate. If cloture is then invoked on the motion to proceed, the question shall be on the motion to proceed, without further debate.

[6] As amended by S. Res. 16, 113–1, Jan. 24, 2013.

RULE XXIII 23

PRIVILEGE OF THE FLOOR

1.[7] Other than the Vice President and Senators, no person shall be admitted to the floor of the Senate while in session, except as follows: 23.1

The President of the United States and his private secretary.

The President elect and Vice President elect of the United States.

Ex-Presidents and ex-Vice Presidents of the United States.

Judges of the Supreme Court.

Ex-Senators and Senators elect, except as provided in paragraph 2.[8]

The officers and employees of the Senate in the discharge of their official duties.

Ex-Secretaries and ex-Sergeants at Arms of the Senate, except as provided in paragraph 2.[9]

Members of the House of Representatives and Members elect.

Ex-Speakers of the House of Representatives, except as provided in paragraph 2.[10]

The Sergeant at Arms of the House and his chief deputy and the Clerk of the House and his deputy.

Heads of the Executive Departments.

Ambassadors and Ministers of the United States.

Governors of States and Territories.

Members of the Joint Chiefs of Staff.

The General Commanding the Army.

The Senior Admiral of the Navy on the active list.

Members of National Legislatures of foreign countries and Members of the European Parliament.

Judges of the Court of Claims.

The Mayor of the District of Columbia.

The Librarian of Congress and the Assistant Librarian in charge of the Law Library.

The Architect of the Capitol.

The Chaplain of the House of Representatives.

The Secretary of the Smithsonian Institution.

The Parliamentarian Emeritus of the Senate.

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[7] Paragraph numbered by Pub. L. 110–81, Sep. 14, 2007.
[8] As amended by Pub. L. 110–81, Sep. 14, 2007.
[9] As amended by Pub. L. 110–81, Sep. 14, 2007.
[10] As amended by Pub. L. 110–81, Sep. 14, 2007.

Members of the staffs of committees of the Senate and joint committees of the Congress when in the discharge of their official duties and employees in the office of a Senator when in the discharge of their official duties (but in each case subject to such rules or regulations as may be prescribed by the Committee on Rules and Administration). Senate committee staff members and employees in the office of a Senator must be on the payroll of the Senate and members of joint committee staffs must be on the payroll of the Senate or the House of Representatives.

23.2a 2. (a)[11] The floor privilege provided in paragraph 1 shall not apply, when the Senate is in session, to an individual covered by this paragraph who is—

(1) a registered lobbyist or agent of a foreign principal; or

(2) in the employ of or represents any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any Federal legislative proposal.

23.2b (b) The Committee on Rules and Administration may promulgate regulations to allow individuals covered by this paragraph floor privileges for ceremonial functions and events designated by the Majority Leader and the Minority Leader.

23.3 3. A former Member of the Senate may not exercise privileges to use Senate athletic facilities or Member-only parking spaces if such Member is—

23.3a (a) a registered lobbyist or agent of a foreign principal; or

23.3b (b) in the employ of or represents any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any Federal legislative proposal.

24 RULE XXIV

APPOINTMENT OF COMMITTEES

24.1 1. In the appointment of the standing committees, or to fill vacancies thereon, the Senate, unless otherwise ordered, shall by resolution appoint the chairman of each such committee and the other members thereof. On de-

[11] Paragraphs 2 and 3 added by Pub. L. 110–81, Sep. 14, 2007.

mand of any Senator, a separate vote shall be had on the appointment of the chairman of any such committee and on the appointment of the other members thereof. Each such resolution shall be subject to amendment and to division of the question.

2. On demand of one-fifth of the Senators present, a quorum being present, any vote taken pursuant to paragraph 1 shall be by ballot. **24.2**

3. Except as otherwise provided or unless otherwise ordered, all other committees, and the chairmen thereof, shall be appointed in the same manner as standing committees. **24.3**

4. When a chairman of a committee shall resign or cease to serve on a committee, action by the Senate to fill the vacancy in such committee, unless specially otherwise ordered, shall be only to fill up the number of members of the committee, and the election of a new chairman. **24.4**

RULE XXV **25**

STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions: **25.1**

(**a**)(1) **Committee on Agriculture, Nutrition, and Forestry,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating primarily to the following subjects: **25.1a**

1. Agricultural economics and research.
2. Agricultural extension services and experiment stations.
3. Agricultural production, marketing, and stabilization of prices.
4. Agriculture and agricultural commodities.
5. Animal industry and diseases.
6. Crop insurance and soil conservation.
7. Farm credit and farm security.
8. Food from fresh waters.
9. Food stamp programs.
10. Forestry, and forest reserves and wilderness areas other than those created from the public domain.
11. Home economics.

12. Human nutrition.

13. Inspection of livestock, meat, and agricultural products.

14. Pests and pesticides.

15. Plant industry, soils, and agricultural engineering.

16. Rural development, rural electrification, and watersheds.

17. School nutrition programs.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to food, nutrition, and hunger, both in the United States and in foreign countries, and rural affairs, and report thereon from time to time.

25.1b (**b**) **Committee on Appropriations,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Appropriation of the revenue for the support of the Government, except as provided in subparagraph (e).

2. Rescission of appropriations contained in appropriation Acts (referred to in section 105 of Title 1, United States Code).

3. The amount of new spending authority described in section 401(c)(2) (A) and (B) of the Congressional Budget Act of 1974 which is to be effective for a fiscal year.

4. New spending authority described in section 401(c)(2)(C) of the Congressional Budget Act of 1974 provided in bills and resolutions referred to the committee under section 401(b)(2) of that Act (but subject to the provisions of section 401(b)(3) of that Act).

25.1c (**c**)(1) **Committee on Armed Services,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.

2. Common defense.

3. Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force, generally.

4. Maintenance and operation of the Panama Canal, including administration, sanitation, and government of the Canal Zone.

5. Military research and development.

6. National security aspects of nuclear energy.

7. Naval petroleum reserves, except those in Alaska.

8. Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces, including overseas education of civilian and military dependents.

9. Selective service system.

10. Strategic and critical materials necessary for the common defense.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to the common defense policy of the United States, and report thereon from time to time.

(**d**)(1) **Committee on Banking, Housing, and Urban Affairs,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects: 25.1d

1. Banks, banking, and financial institutions.

2. Control of prices of commodities, rents, and services.

3. Deposit insurance.

4. Economic stabilization and defense production.

5. Export and foreign trade promotion.

6. Export controls.

7. Federal monetary policy, including Federal Reserve System.

8. Financial aid to commerce and industry.

9. Issuance and redemption of notes.

10. Money and credit, including currency and coinage.

11. Nursing home construction.

12. Public and private housing (including veterans' housing).

13. Renegotiation of Government contracts.

14. Urban development and urban mass transit.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to international economic policy as it affects United States monetary affairs, credit, and financial institutions; economic growth, urban affairs, and credit, and report thereon from time to time.

25.1e (**e**)(1)[12] **Committee on the Budget,** to which committee shall be referred all concurrent resolutions on the budget (as defined in section 3(a)(4) of the Congressional Budget Act of 1974) and all other matters required to be referred to that committee under Titles III and IV of that Act, and messages, petitions, memorials, and other matters relating thereto.

(2) Such committee shall have the duty—

(A) to report the matters required to be reported by it under titles III and IV of the Congressional Budget Act of 1974;

(B) to make continuing studies of the effect on budget outlays of relevant existing and proposed legislation and to report the results of such studies to the Senate on a recurring basis;

(C) to request and evaluate continuing studies of tax expenditures, to devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and to report the results of such studies to the Senate on a recurring basis; and

(D) to review, on a continuing basis, the conduct by the Congressional Budget Office of its functions and duties.

25.1f (**f**)(1) **Committee on Commerce, Science, and Transportation,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Coast Guard.
2. Coastal zone management.
3. Communications.
4. Highway safety.
5. Inland waterways, except construction.
6. Interstate commerce.
7. Marine and ocean navigation, safety, and transportation, including navigational aspects of deepwater ports.
8. Marine fisheries.
9. Merchant marine and navigation.
10. Nonmilitary aeronautical and space sciences.
11. Oceans, weather, and atmospheric activities.
12. Panama Canal and interoceanic canals generally, except as provided in subparagraph (c).

[12] The jurisdiction for the Committee on the Budget was modified by S. Res. 445, 108–2, Oct. 9, 2004; however, the Standing Rules of the Senate were not amended.

13. Regulation of consumer products and services, including testing related to toxic substances, other than pesticides, and except for credit, financial services, and housing.

14. Regulation of interstate common carriers, including railroads, buses, trucks, vessels, pipelines, and civil aviation.

15. Science, engineering, and technology research and development and policy.

16. Sports.

17. Standards and measurement.

18. Transportation.

19. Transportation and commerce aspects of Outer Continental Shelf lands.

(2) Such committee shall also study and review, on a comprehensive basis, all matters relating to science and technology, oceans policy, transportation, communications, and consumer affairs, and report thereon from time to time.

(**g**)(1) **Committee on Energy and Natural Resources,** **25.1g** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Coal production, distribution, and utilization.

2. Energy policy.

3. Energy regulation and conservation.

4. Energy related aspects of deepwater ports.

5. Energy research and development.

6. Extraction of minerals from oceans and Outer Continental Shelf lands.

7. Hydroelectric power, irrigation, and reclamation.

8. Mining education and research.

9. Mining, mineral lands, mining claims, and mineral conservation.

10. National parks, recreation areas, wilderness areas, wild and scenic rivers, historical sites, military parks and battlefields, and on the public domain, preservation of prehistoric ruins and objects of interest.

11. Naval petroleum reserves in Alaska.

12. Nonmilitary development of nuclear energy.

13. Oil and gas production and distribution.

14. Public lands and forests, including farming and grazing thereon, and mineral extraction therefrom.

15. Solar energy systems.

16. Territorial possessions of the United States, including trusteeships.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to energy and resources development, and report thereon from time to time.

25.1h (**h**)(1) **Committee on Environment and Public Works,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Air pollution.
2. Construction and maintenance of highways.
3. Environmental aspects of Outer Continental Shelf lands.
4. Environmental effects of toxic substances, other than pesticides.
5. Environmental policy.
6. Environmental research and development.
7. Fisheries and wildlife.
8. Flood control and improvements of rivers and harbors, including environmental aspects of deepwater ports.
9. Noise pollution.
10. Nonmilitary environmental regulation and control of nuclear energy.
11. Ocean dumping.
12. Public buildings and improved grounds of the United States generally, including Federal buildings in the District of Columbia.
13. Public works, bridges, and dams.
14. Regional economic development.
15. Solid waste disposal and recycling.
16. Water pollution.
17. Water resources.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to environmental protection and resource utilization and conservation, and report thereon from time to time.

25.1i (**i**) **Committee on Finance,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Bonded debt of the United States, except as provided in the Congressional Budget Act of 1974.
2. Customs, collection districts, and ports of entry and delivery.

3. Deposit of public moneys.

4. General revenue sharing.

5. Health programs under the Social Security Act and health programs financed by a specific tax or trust fund.

6. National social security.

7. Reciprocal trade agreements.

8. Revenue measures generally, except as provided in the Congressional Budget Act of 1974.

9. Revenue measures relating to the insular possessions.

10. Tariffs and import quotas, and matters related thereto.

11. Transportation of dutiable goods.

(**j**)(1) **Committee on Foreign Relations,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects: **25.1j**

1. Acquisition of land and buildings for embassies and legations in foreign countries.

2. Boundaries of the United States.

3. Diplomatic service.

4. Foreign economic, military, technical, and humanitarian assistance.

5. Foreign loans.

6. International activities of the American National Red Cross and the International Committee of the Red Cross.

7. International aspects of nuclear energy, including nuclear transfer policy.

8. International conferences and congresses.

9. International law as it relates to foreign policy.

10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).

11. Intervention abroad and declarations of war.

12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.

13. National security and international aspects of trusteeships of the United States.

14. Oceans and international environmental and scientific affairs as they relate to foreign policy.

15. Protection of United States citizens abroad and expatriation.

16. Relations of the United States with foreign nations generally.

17. Treaties and executive agreements, except reciprocal trade agreements.

18. United Nations and its affiliated organizations.

19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

25.1k (**k**)(1)[13] **Committee on Governmental Affairs,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Archives of the United States.

2. Budget and accounting measures, other than appropriations, except as provided in the Congressional Budget Act of 1974.

3. Census and collection of statistics, including economic and social statistics.

4. Congressional organization, except for any part of the matter that amends the rules or orders of the Senate.

5. Federal Civil Service.

6. Government information.

7. Intergovernmental relations.

8. Municipal affairs of the District of Columbia, except appropriations therefor.

9. Organization and management of United States nuclear export policy.

10. Organization and reorganization of the executive branch of the Government.

[13] Pursuant to S. Res. 445, 108–2, Oct. 9, 2004, "the Committee on Homeland Security and Governmental Affairs shall be treated as the Committee on Governmental Affairs listed under paragraph 2 of rule XXV of the Standing Rules of the Senate for purposes of the Standing Rules of the Senate." The resolution also modified the jurisdiction of the Committee. However, the Standing Rules of the Senate were not amended.

11. Postal Service.

12. Status of officers and employees of the United States, including their classification, compensation, and benefits.

(2) Such committee shall have the duty of—

(A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;

(B) studying the efficiency, economy, and effectiveness of all agencies and departments of the Government;

(C) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government; and

(D) studying the intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

(l)(1)[14] **Committee on Health, Education, Labor, and Pensions,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects: **25.1l**

1. Measures relating to education, labor, health, and public welfare.

2. Aging.

3. Agricultural colleges.

4. Arts and humanities.

5. Biomedical research and development.

6. Child labor.

7. Convict labor and the entry of goods made by convicts into interstate commerce.

8. Domestic activities of the American National Red Cross.

9. Equal employment opportunity.

10. Gallaudet College, Howard University, and Saint Elizabeths Hospital.

11. Individuals with disabilities.[15]

12. Labor standards and labor statistics.

13. Mediation and arbitration of labor disputes.

[14] Name changed by S. Res. 28, 106–1, Jan. 21, 1999; redesignated as subparagraph (l) by S. Res. 299, 106–2, Apr. 27, 2000.

[15] As amended by S. Res. 28, 106–1, Jan. 21, 1999.

14. Occupational safety and health, including the welfare of miners.
15. Private pension plans.
16. Public health.
17. Railway labor and retirement.
18. Regulation of foreign laborers.
19. Student loans.
20. Wages and hours of labor.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to health, education and training, and public welfare, and report thereon from time to time.

25.1m (**m**)[16] **Committee on the Judiciary,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Apportionment of Representatives.
2. Bankruptcy, mutiny, espionage, and counterfeiting.
3. Civil liberties.
4. Constitutional amendments.
5. Federal courts and judges.
6. Government information.
7. Holidays and celebrations.
8. Immigration and naturalization.
9. Interstate compacts generally.
10. Judicial proceedings, civil and criminal, generally.
11. Local courts in the territories and possessions.
12. Measures relating to claims against the United States.
13. National penitentiaries.
14. Patent Office.
15. Patents, copyrights, and trademarks.
16. Protection of trade and commerce against unlawful restraints and monopolies.
17. Revision and codification of the statutes of the United States.
18. State and territorial boundary lines.

25.1n (**n**)(1) **Committee on Rules and Administration,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

[16] Redesignated as subparagraph (m) by S. Res. 299, 106–2, Apr. 27, 2000.

1. Administration of the Senate Office Buildings and the Senate wing of the Capitol, including the assignment of office space.

2. Congressional organization relative to rules and procedures, and Senate rules and regulations, including floor and gallery rules.

3. Corrupt practices.

4. Credentials and qualifications of Members of the Senate, contested elections, and acceptance of incompatible offices.

5. Federal elections generally, including the election of the President, Vice President, and Members of the Congress.

6. Government Printing Office, and the printing and correction of the Congressional Record, as well as those matters provided for under rule XI.

7. Meetings of the Congress and attendance of Members.

8. Payment of money out of the contingent fund of the Senate or creating a charge upon the same (except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee).

9. Presidential succession.

10. Purchase of books and manuscripts and erection of monuments to the memory of individuals.

11. Senate Library and statuary, art, and pictures in the Capitol and Senate Office Buildings.

12. Services to the Senate, including the Senate restaurant.

13. United States Capitol and congressional office buildings, the Library of Congress, the Smithsonian Institution (and the incorporation of similar institutions), and the Botanic Gardens.

(2) Such committee shall also—

(A) make a continuing study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution of the United States;

(B) identify any court proceeding or action which, in the opinion of the Committee, is of vital interest to the Congress as a constitutionally established institution of the Federal Government and call such proceeding or action to the attention of the Senate; and

(C)[17] develop, implement, and update as necessary a strategy planning process and a strategic plan for the functional and technical infrastructure support of the Senate and provide oversight over plans developed by Senate officers and others in accordance with the strategic planning process.

25.1o (**o**)(1)[18] **Committee on Small Business and Entrepreneurship,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the Small Business Administration.

(2) Any proposed legislation reported by such committee which relates to matters other than the functions of the Small Business Administration shall, at the request of the chairman of any standing committee having jurisdiction over the subject matter extraneous to the functions of the Small Business Administration, be considered and reported by such standing committee prior to its consideration by the Senate; and likewise measures reported by other committees directly relating to the Small Business Administration shall, at the request of the chairman of the Committee on Small Business, be referred to the Committee on Small Business and Entrepreneurship for its consideration of any portions of the measure dealing with the Small Business Administration, and be reported by this committee prior to its consideration by the Senate.

(3) Such committee shall also study and survey by means of research and investigation all problems of American small business enterprises, and report thereon from time to time.

25.1p (**p**)[19] **Committee on Veterans' Affairs,** to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Compensation of veterans.

[17] As added by S. Res. 151, 105–1, Nov. 9, 1997.

[18] As added by S. Res. 101, 97–1, Mar. 25, 1981; name changed by S. Res. 123, 107–1, June 29, 2001.

[19] Redesignated as subparagraph (p) by S. Res. 101, 97–1, Mar. 25, 1981.

2. Life insurance issued by the Government on account of service in the Armed Forces.

3. National cemeteries.

4. Pensions of all wars of the United States, general and special.

5. Readjustment of servicemen to civil life.

6. Soldiers' and sailors' civil relief.

7. Veterans' hospitals, medical care and treatment of veterans.

8. Veterans' measures generally.

9. Vocational rehabilitation and education of veterans.

2.[20] Except as otherwise provided by paragraph 4 of this rule, each of the following standing committees shall consist of the number of Senators set forth in the following table on the line on which the name of that committee appears: **25.2**

Committee:	Members
Agriculture, Nutrition, and Forestry	20
Appropriations	28
Armed Services	18
Banking, Housing, and Urban Affairs	22
Commerce, Science, and Transportation	20
Energy and Natural Resources	20
Environment and Public Works	18
Finance	20
Foreign Relations	18
Health, Education, Labor, and Pensions	18
Homeland Security and Governmental Affairs	16
Judiciary	18

3. (a)[21] Except as otherwise provided by paragraph 4 of this rule, each of the following standing committees shall consist of the number of Senators set forth in the following **25.3a**

[20] As amended by S. Res. 13, 97–1, Jan. 5, 1981; S. Res. 365, 97–2, Apr. 20, 1982; S. Res. 380, 97–2, Apr. 27, 1982; S. Res. 6, 98–1, Jan. 3, 1983; S. Res. 20, 98–1, Jan. 27, 1983; S. Res. 53, 98–1, Feb. 3, 1983; S. Res. 338, 98–2, Feb. 9, 1984; S. Res. 74, 99–1, Feb. 21, 1985; S. Res. 14, 100–1, Jan. 6, 1987; S. Res. 211, 100–1, May 12, 1987; S. Res. 43, 101–1, Feb. 2, 1989; S. Res. 43, 102–1, Feb. 5, 1991; S. Res. 135, 102–1, June 4, 1991; S. Res. 4, 103–1, Jan. 7, 1993; S. Res. 130, 103–1, July 1, 1993; S. Res. 132, 103–1, July 15, 1993; S. Res. 14, 104–1, Jan. 5, 1995; S. Res. 92, 104–1, Mar. 24, 1995; S. Res. 9, 105–1, Jan. 9, 1997; HELP/Judiciary reversed by S. Res. 299, 106–2, Apr. 27, 2000; S. Res. 354, 106–2, Sept. 12, 2000.

[21] As amended by S. Res. 13, 97–1, Jan. 5, 1981; S. Res. 101, 97–1, Mar. 25, 1981; S. Res. 6, 98–1, Jan 3, 1983; S. Res. 88, 99–1, Mar. 5, 1985; S. Res. 14, 100–1, Jan. 6, 1987; S. Res. 211, 100–1, May 12, 1987; S. Res. 43, 101–1, Feb. 2, 1989; S. Res. 85, 102–1, Mar. 19, 1991; S. Res. 135, 102–1, June 4, 1991; S. Res. 18, 103–1, Jan. 21, 1993; S. Res. 130, 103–1, July 1, 1993; S. Res. 34, 104–1, Jan. 6, 1995; S. Res. 9, 105–1, Jan. 9, 1997; S. Res. 354, 106–2, Sept. 12, 2000; S. Res. 123, 107–1, June 29, 2001.

table on the line on which the name of that committee appears:

Committee:	Members
Budget	22
Rules and Administration	16
Veterans' Affairs	14
Small Business and Entrepreneurship	18

25.3b (b)[22] Each of the following committees and joint committees shall consist of the number of Senators (or Senate members, in the case of a joint committee) set forth in the following table on the line on which the name of that committee appears:

Committee:[23]	Members
Aging	18
Intelligence	19
Joint Economic Committee	10

25.3c (c)[24] Each of the following committees and joint committees shall consist of the number of Senators (or Senate members, in the case of a joint committee) set forth in the following table on the line on which the name of that committee appears:

Committee:	Members
Ethics	6
Indian Affairs	14
Joint Committee on Taxation	5

25.4a 4. (a) Except as otherwise provided by this paragraph—

(1) each Senator shall serve on two and no more committees listed in paragraph 2; and

(2) each Senator may serve on only one committee listed in paragraph 3 (a) or (b).

25.4b (b)(1) Each Senator may serve on not more than three subcommittees of each committee (other than the Committee on Appropriations) listed in paragraph 2 of which he is a member.

[22] As amended by S. Res. 13, 97–1, Jan. 5, 1981; S. Res. 24, 97–1, Jan. 19, 1981; S. Res. 101, 97–1, Mar. 25, 1981; S. Res. 338, 98–2, Feb. 9, 1984; S. Res. 85, 102–1, Mar. 19, 1991; S. Res. 135, 102–1, June 4, 1991; S. Res. 18, 103–1, Jan. 21, 1993; S. Res. 34, 104–1, Jan. 6, 1995; S. Res. 9, 105–1, Jan. 9, 1997.

[23] Pursuant to S. Res. 445, 108–2, Oct. 9, 2004, the Select Committee on Intelligence shall be treated as a committee listed under paragraph 2 of rule XXV of the Standing Rules of the Senate for purposes of the Standing Rules of the Senate. However, the resolution did not amend the Standing Rules of the Senate.

[24] As amended by S. Res. 448, 96–2, Dec. 11, 1980; S. Res. 88, 99–1, Mar. 5, 1985; S. Res. 14, 100–1, Jan. 6, 1987; S. Res. 100, 101–1, Apr. 11, 1989; S. Res. 44, 102–1, Feb. 5, 1991; S. Res. 18, 103–1, Jan. 21, 1993; S. Res. 34, 104–1, Jan. 6, 1995; S. Res. 92, 104–1, Mar. 24, 1995; S. Res. 9, 105–1, Jan. 9, 1997.

(2) Each Senator may serve on not more than two subcommittees of a committee listed in paragraph 3 (a) or (b) of which he is a member.

(3) Notwithstanding subparagraphs (1) and (2), a Senator serving as chairman or ranking minority member of a standing, select, or special committee of the Senate or joint committee of the Congress may serve ex officio, without vote, as a member of any subcommittee of such committee or joint committee.

(4) No committee of the Senate may establish any subunit of that committee other than a subcommittee, unless the Senate by resolution has given permission therefor. For purposes of this subparagraph, any subunit of a joint committee shall be treated as a subcommittee.

25.4c (c) By agreement entered into by the majority leader and the minority leader, the membership of one or more standing committees may be increased temporarily from time to time by such number or numbers as may be required to accord to the majority party a majority of the membership of all standing committees. When any such temporary increase is necessary to accord to the majority party a majority of the membership of all standing committees, members of the majority party in such number as may be required for that purpose may serve as members of three standing committees listed in paragraph 2. No such temporary increase in the membership of any standing committee under this subparagraph shall be continued in effect after the need therefor has ended. No standing committee may be increased in membership under this subparagraph by more than two members in excess of the number prescribed for that committee by paragraph 2 or 3(a).

25.4d (d) A Senator may serve as a member of any joint committee of the Congress the Senate members of which are required by law to be appointed from a standing committee of the Senate of which he is a member, and service as a member of any such joint committee shall not be taken into account for purposes of subparagraph (a)(2).

25.4e (e)(1) No Senator shall serve at any time as chairman of more than one standing, select, or special committee of the Senate or joint committee of the Congress, except that a Senator may serve as chairman of any joint committee of the Congress having jurisdiction with respect to a subject matter which is directly related to the jurisdiction of a standing committee of which he is chairman.

(2) No Senator shall serve at any time as chairman of more than one subcommittee of each standing, select, or special committee of the Senate or joint committee of the Congress of which he is a member.

(3) A Senator who is serving as the chairman of a committee listed in paragraph 2 may serve at any time as the chairman of only one subcommittee of all committees listed in paragraph 2 of which he is a member and may serve at any time as the chairman of only one subcommittee of each committee listed in paragraph 3 (a) or (b) of which he is a member. A Senator who is serving as the chairman of a committee listed in paragraph 3 (a) or (b) may not serve as the chairman of any subcommittee of that committee, and may serve at any time as the chairman of only one subcommittee of each committee listed in paragraph 2 of which he is a member. Any other Senator may serve as the chairman of only one subcommittee of each committee listed in paragraph 2, 3(a), or 3(b) of which he is a member.

25.4f (f) A Senator serving on the Committee on Rules and Administration may not serve on any joint committee of the Congress unless the Senate members thereof are required by law to be appointed from the Committee on Rules and Administration, or unless such Senator served on the Committee on Rules and Administration and the Joint Committee on Taxation on the last day of the Ninety-eighth Congress.[25]

25.4g (g) A Senator who on the day preceding the effective date of Title I of the Committee System Reorganization Amendments of 1977 was serving as the chairman or ranking minority member of the Committee on the District of Columbia or the Committee on Post Office and Civil Service may serve on the Committee on Governmental Affairs in addition to serving on two other standing committees listed in paragraph 2. At the request of any such Senator, he shall be appointed to serve on such committee but, while serving on such committee and two other standing committees listed in paragraph 2, he may not serve on any committee listed in paragraph 3 (a) or (b) other than the Committee on Rules and Administration. The preceding provisions of this subparagraph shall apply with respect to any Senator only so long as his service as a member of the Committee on Governmental Affairs is continuous after the

[25] As amended by S. Res. 76, 99–1, Feb. 21, 1985.

date on which the appointment of the majority and minority members of the Committee on Governmental Affairs is initially completed.[26]

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RULE XXVI 26

COMMITTEE PROCEDURE

1.[27] Each standing committee, including any subcommittee of any such committee, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to take such testimony and to make such expenditures out of the contingent fund of the Senate as may be authorized by resolutions of the Senate. Each such committee may make investigations into any matter within its jurisdiction, may report such hearings as may be had by it, and may employ stenographic assistance at a cost not exceeding the amount prescribed by the Committee on Rules and Administration.[28] The expenses of the committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman. 26.1

2.[29] Each committee[30] shall adopt rules (not inconsistent with the Rules of the Senate) governing the procedure of such committee. The rules of each committee shall be published in the Congressional Record not later than March 1 of the first year of each Congress, except that if any such committee is established on or after February 1 of a year, the rules of that committee during the year of establishment shall be published in the Congressional Record not later than sixty days after such establishment. Any amendment to the rules of a committee shall not take effect 26.2

[26] As amended by S. Res. 12, 97–1, Jan. 5, 1981; Subparagraph (h), omitted here, pertains to committee service of Senators during the 103rd Congress. Provisions for the 104th Congress were established by S. Res. 13 and 17, Jan. 4, 1995, and S. Res. 27 and 29, Jan. 5, 1995. In subsequent Congresses, committee assignments made notwithstanding Rule XXV.

[27] As amended by S. Res. 281, 96–2, Mar. 11, 1980, effective Feb. 28, 1981.

[28] Pursuant to 2 U.S.C. 4331, the Committee on Rules and Administration issues "Regulations Governing Rates Payable to Commercial Reporting Firms for Reporting Committee Hearings in the Senate."

[29] As amended by S. Res. 250, 101–2, Mar. 1, 1990.

[30] The term "each committee" when used in these rules includes standing, select, and special committees unless otherwise specified.

until the amendment is published in the Congressional Record.

26.3 3. Each standing committee (except the Committee on Appropriations) shall fix regular weekly, biweekly, or monthly meeting days for the transaction of business before the committee and additional meetings may be called by the chairman as he may deem necessary. If at least three members of any such committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour. If the chairman of any such committee is not present at any regular, additional, or special meeting of the committee, the ranking member of the majority party on the committee who is present shall preside at that meeting.

26.4a 4. (a) Each committee (except the Committee on Appropriations and the Committee on the Budget) shall make public announcement of the date, place, and subject matter of any hearing to be conducted by the committee on any measure or matter at least one week before the commencement of that hearing unless the committee determines that there is good cause to begin such hearing at an earlier date.

26.4b (b) Each committee (except the Committee on Appropriations) shall require each witness who is to appear before the committee in any hearing to file with the clerk of the committee, at least one day before the date of the appearance of that witness, a written statement of his proposed testimony unless the committee chairman and the ranking minority member determine that there is good cause for noncompliance. If so requested by any committee, the staff

of the committee shall prepare for the use of the members of the committee before each day of hearing before the committee a digest of the statements which have been so filed by witnesses who are to appear before the committee on that day.

(c) After the conclusion of each day of hearing, if so requested by any committee, the staff shall prepare for the use of the members of the committee a summary of the testimony given before the committee on that day. After approval by the chairman and the ranking minority member of the committee, each such summary may be printed as a part of the committee hearings if such hearings are ordered by the committee to be printed. **26.4c**

(d) Whenever any hearing is conducted by a committee (except the Committee on Appropriations) upon any measure or matter, the minority on the committee shall be entitled, upon request made by a majority of the minority members to the chairman before the completion of such hearing, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon. **26.4d**

5. (a) Notwithstanding any other provision of the rules, when the Senate is in session, no committee of the Senate or any subcommittee thereof may meet, without special leave, after the conclusion of the first two hours after the meeting of the Senate commenced and in no case after two o'clock postmeridian unless consent therefor has been obtained from the majority leader and the minority leader (or in the event of the absence of either of such leaders, from his designee). The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations or the Committee on the Budget. The majority leader or his designee shall announce to the Senate whenever consent has been given under this subparagraph and shall state the time and place of such meeting. The right to make such announcement of consent shall have the same priority as the filing of a cloture motion. **26.5a**

(b) Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require **26.5b**

the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

26.5c (c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

26.5d (d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to

enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

(e)(1)[31] Each committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting or conference whether or not such meeting or any part thereof is closed under this paragraph, unless a majority of its members vote to forgo such a record. **26.5e**

(2)(A)[32] Except with respect to meetings closed in accordance with this rule, each committee and subcommittee shall make publicly available through the Internet a video recording, audio recording, or transcript of any meeting not later than 21 business days after the meeting occurs.

(B) Information required by subclause (A) shall be available until the end of the Congress following the date of the meeting.

(C) The Committee on Rules and Administration may waive this clause upon request based on the inability of a committee or subcommittee to comply with this clause due to technical or logistical reasons.

6. Morning meetings of committees and subcommittees thereof shall be scheduled for one or both of the periods prescribed in this paragraph. The first period shall end at eleven o'clock antemeridian. The second period shall begin at eleven o'clock antemeridian and end at two o'clock postmeridian. **26.6**

7. (a)(1) Except as provided in this paragraph, each committee, and each subcommittee thereof is authorized to fix the number of its members (but not less than one-third of its entire membership) who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee, except that no measure or matter or recommendation shall be reported from any committee unless a majority of the committee were physically present. **26.7a**

(2) Each such committee, or subcommittee, is authorized to fix a lesser number than one-third of its entire member-

[31] Subparagraph (e)(1) numbered by Pub. L. 110–81, Sep. 14, 2007.
[32] Clause (2) added by Pub. L. 110–81, Sep. 14, 2007, effective Dec. 13, 2007.

ship who shall constitute a quorum thereof for the purpose of taking sworn testimony.

(3) The vote of any committee to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of any committee to report a measure or matter may be cast by proxy if rules adopted by such committee forbid the casting of votes for that purpose by proxy; however, proxies may not be voted when the absent committee member has not been informed of the matter on which he is being recorded and has not affirmatively requested that he be so recorded. Action by any committee in reporting any measure or matter in accordance with the requirements of this subparagraph shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter, including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements.

26.7b (b) Each committee (except the Committee on Appropriations) shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded. The results of rollcall votes taken in any meeting of any committee upon any measure, or any amendment thereto, shall be announced in the committee report on that measure unless previously announced by the committee, and such announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment by each member of the committee who was present at that meeting.

26.7c (c) Whenever any committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast by each member of the committee in favor of and in opposition to such measure or matter. Nothing contained in this subparagraph shall abrogate the power of any committee to adopt rules—

(1) providing for proxy voting on all matters other than the reporting of a measure or matter, or

(2) providing in accordance with subparagraph (a) for a lesser number as a quorum for any action other than the reporting of a measure or matter.

8. (a) In order to assist the Senate in— **26.8a**

(1) its analysis, appraisal, and evaluation of the application, administration, and execution of the laws enacted by the Congress, and

(2) its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate, each standing committee (except the Committees on Appropriations and the Budget), shall review and study, on a continuing basis the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the legislative jurisdiction of that committee. Such committees may carry out the required analysis, appraisal, and evaluation themselves, or by contract, or may require a government agency to do so and furnish a report thereon to the Senate. Such committees may rely on such techniques as pilot testing, analysis of costs in comparison with benefits, or provision for evaluation after a defined period of time.

(b) In each odd-numbered year, each such committee **26.8b** shall submit, not later than March 31, to the Senate, a report on the activities of that committee under this paragraph during the Congress ending at noon on January 3 of such year.

9.[33] (a) Except as provided in subparagraph (b), each **26.9a** committee shall report one authorization resolution each year authorizing the committee to make expenditures out of the contingent fund of the Senate to defray its expenses, including the compensation of members of its staff and agency contributions related to such compensation, during the period beginning on March 1 of such year and ending on the last day of February of the following year. Such annual authorization resolution shall be reported not later than January 31 of each year, except that, whenever the designation of members of standing committees of the Senate occurs during the first session of a Congress at a date later than January 20, such resolution may be reported at any time within thirty days after the date on which the designation of such members is completed. After the annual authorization resolution of a committee for a year has been agreed to, such committee may procure authorization to make additional expenditures out of the contingent

[33] As amended by S. Res. 281, 96–2, Mar. 11, 1980, effective Jan. 1, 1981; S. Res. 479, 100–2, Sept. 30, 1988.

fund of the Senate during that year only by reporting a supplemental authorization resolution. Each supplemental authorization resolution reported by a committee shall amend the annual authorization resolution of such committee for that year and shall be accompanied by a report specifying with particularity the purpose for which such authorization is sought and the reason why such authorization could not have been sought at the time of the submission by such committee of its annual authorization resolution for that year.

26.9b (b) In lieu of the procedure provided in subparagraph (a), the Committee on Rules and Administration may—

(1) direct each committee to report an authorization resolution for a two year budget period beginning on March 1 of the first session of a Congress; and

(2) report one authorization resolution containing more than one committee authorization for a one year or two year budget period.

26.10a 10. (a) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the Senate and all members of the committee and the Senate shall have access to such records. Each committee is authorized to have printed and bound such testimony and other data presented at hearings held by the committee.

26.10b (b) It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the Senate any measure approved by his committee and to take or cause to be taken necessary steps to bring the matter to a vote. In any event, the report of any committee upon a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the Senate is not in session) after the day on which there has been filed with the clerk of the committee a written and signed request of a majority of the committee for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing of that request. This subparagraph does not apply to the Committee on Appropriations.

26.10c (c) If at the time of approval of a measure or matter by any committee (except for the Committee on Appropriations), any member of the committee gives notice of inten-

tion to file supplemental, minority, or additional views, that member shall be entitled to not less than three calendar days in which to file such views, in writing, with the clerk of the committee. All such views so filed by one or more members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter. The report of the committee upon that measure or matter shall be printed in a single volume which—

(1) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(2) shall bear upon its cover a recital that supplemental, minority, or additional views are included as part of the report.

This subparagraph does not preclude—

(A) the immediate filing and printing of a committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subparagraph; or

(B) the filing by any such committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that committee upon that measure or matter.

11. (a) The report accompanying each bill or joint resolution of a public character reported by any committee (except the Committee on Appropriations and the Committee on the Budget) shall contain— **26.11a**

(1) an estimate, made by such committee, of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following such fiscal year (or for the authorized duration of any program authorized by such bill or joint resolution, if less than five years), except that, in the case of measures affecting the revenues, such reports shall require only an estimate of the gain or loss in revenues for a one-year period; and

(2) a comparison of the estimate of costs described in subparagraph (1) made by such committee with any estimate of costs made by any Federal agency; or

(3) in lieu of such estimate or comparison, or both, a statement of the reasons why compliance by the committee with the requirements of subparagraph (1) or (2), or both, is impracticable.

26.11b (b) Each such report (except those by the Committee on Appropriations) shall also contain—

(1) an evaluation, made by such committee, of the regulatory impact which would be incurred in carrying out the bill or joint resolution. The evaluation shall include (A) an estimate of the numbers of individuals and businesses who would be regulated and a determination of the groups and classes of such individuals and businesses, (B) a determination of the economic impact of such regulation on the individuals, consumers, and businesses affected, (C) a determination of the impact on the personal privacy of the individuals affected, and (D) a determination of the amount of additional paperwork that will result from the regulations to be promulgated pursuant to the bill or joint resolution, which determination may include, but need not be limited to, estimates of the amount of time and financial costs required of affected parties, showing whether the effects of the bill or joint resolution could be substantial, as well as reasonable estimates of the recordkeeping requirements that may be associated with the bill or joint resolution; or

(2) in lieu of such evaluation, a statement of the reasons why compliance by the committee with the requirements of clause (1) is impracticable.

26.11c (c) It shall not be in order for the Senate to consider any such bill or joint resolution if the report of the committee on such bill or joint resolution does not comply with the provisions of subparagraphs (a) and (b) on the objection of any Senator.

26.12 12. Whenever a committee reports a bill or a joint resolution repealing or amending any statute or part thereof it shall make a report thereon and shall include in such report or in an accompanying document (to be prepared by

NOTE.—Each report accompanying any bill or joint resolution relating to terms and conditions of employment or access to public services or accommodations reported by a committee of the House of Representatives or the Senate shall describe the manner in which the provisions of the bill or joint resolution apply to the legislative branch; or in the case of a provision not applicable to the legislative branch, include a statement of the reasons the provision does not apply. (Pub. L. 104–1, Title I, Sec. 102, Jan. 23, 1995, 2 U.S.C. 1302.)

the staff of such committee) (a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee. This paragraph shall not apply to any such report in which it is stated that, in the opinion of the committee, it is necessary to dispense with the requirements of this subsection to expedite the business of the Senate.

13. (a) Each committee (except the Committee on Appropriations) which has legislative jurisdiction shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, endeavor to insure that— **26.13a**

(1) all continuing programs of the Federal Government and of the government of the District of Columbia, within the jurisdiction of such committee or joint committee, are designed; and

(2) all continuing activities of Federal agencies, within the jurisdiction of such committee or joint committee, are carried on; so that, to the extent consistent with the nature, requirements, and objectives of those programs and activities, appropriations therefor will be made annually.

(b) Each committee (except the Committee on Appropriations) shall with respect to any continuing program within its jurisdiction for which appropriations are not made annually, review such program, from time to time, in order to ascertain whether such program could be modified so that appropriations therefor would be made annually. **26.13b**

RULE XXVII **27**

COMMITTEE STAFF

1.[34] Staff members appointed to assist minority members of committees pursuant to authority of a resolution described in paragraph 9 of rule XXVI or other Senate resolution shall be accorded equitable treatment with respect to **27.1**

[34] As amended by S. Res. 281, 96–2, Mar. 11, 1980, effective Feb. 28, 1981, paragraph 1 of rule XXVII was repealed. Accordingly, subparagraphs (a), (b), (c), and (d) of paragraph 2 were renumbered as paragraphs 1, 2, 3, and 4, respectively.

the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

27.2 2. The minority shall receive fair consideration in the appointment of staff personnel pursuant to authority of a resolution described in paragraph 9 of rule XXVI.

27.3 3. The staffs of committees (including personnel appointed pursuant to authority of a resolution described in paragraph 9 of rule XXVI or other Senate resolution) should reflect the relative number of majority and minority members of committees. A majority of the minority members of any committee may, by resolution, request that at least one-third of all funds of the committee for personnel (other than those funds determined by the chairman and ranking minority member to be allocated for the administrative and clerical functions of the committee as a whole) be allocated to the minority members of such committee for compensation of minority staff as the minority members may decide. The committee shall thereafter adjust its budget to comply with such resolution. Such adjustment shall be equitably made over a four-year period, commencing July 1, 1977, with not less than one-half being made in two years. Upon request by a majority of the minority members of any committee by resolution, proportionate space, equipment, and facilities shall be provided for such minority staff.

27.4 4. No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on Rules and Administration.

28 RULE XXVIII

CONFERENCE COMMITTEES; REPORTS; OPEN MEETINGS

28.1 1.[35] The presentation of reports of committees of conference shall always be in order when available on each Senator's desk except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is voting or ascertaining the presence of a quorum; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

[35] As amended by S. Res. 28, 99–2, Feb. 27, 1986.

2.[36] (a) When a message from the House of Representatives is laid before the Senate, it shall be in order for a single, non-divisible motion to be made that includes— **28.2a**

(1) a motion to disagree to a House amendment or insist upon a Senate amendment;

(2) a motion to request a committee of conference with the House or to agree to a request by the House for a committee of conference; and

(3) a motion to authorize the Presiding Officer to appoint conferees (or a motion to appoint conferees).

(b) If a cloture motion is presented on a motion made pursuant to subparagraph (a), the motion shall be debatable for no more than 2 hours, equally divided in the usual form, after which the Presiding Officer, or the clerk at the direction of the Presiding Officer, shall lay the motion before the Senate. If cloture is then invoked on the motion, the question shall be on the motion, without further debate. **28.2b**

3. (a)[37] Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses. **28.3a**

(b) If matter which was agreed to by both Houses is stricken from the bill a point of order may be made against the report, and if the point of order is sustained, the report is rejected or shall be recommitted to the committee of conference if the House of Representatives has not already acted thereon. **28.3b**

(c) If new matter is inserted in the report, a point of order may be made against the conference report and it shall be disposed of as provided under paragraph 5. **28.3c**

4. (a) In any case in which a disagreement to an amendment in the nature of a substitute has been referred to conferees— **28.4a**

(1) it shall be in order for the conferees to report a substitute on the same subject matter;

(2) the conferees may not include in the report matter not committed to them by either House; and

(3) the conferees may include in their report in any such case matter which is a germane modification of subjects in disagreement.

(b) In any case in which the conferees violate subparagraph (a), a point of order may be made against the con- **28.4b**

[36] Paragraph 2 added by S. Res. 16, 113–1, Jan. 24, 2013.

[37] Paragraphs 3 and 4 amended by Pub. L. 110–81, Sep. 14, 2007, and paragraphs 5 and 6 were added. Paragraphs 3 through 6 renumbered and amended by S. Res. 16, 113–1, Jan. 24, 2013.

ference report and it shall be disposed of as provided under paragraph 5.

28.5a 5. (a) A Senator may raise a point of order that one or more provisions of a conference report violates paragraph 3 or paragraph 4, as the case may be. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order.

28.5b (b) If the Presiding Officer sustains the point of order as to any of the provisions against which the Senator raised the point of order, then those provisions against which the Presiding Officer sustains the point of order shall be stricken. After all other points of order under this paragraph have been disposed of—

(1) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report that has not been stricken;

(2) the question in clause (1) shall be decided under the same debate limitation as the conference report; and

(3) no further amendment shall be in order.

28.6a 6. (a) Any Senator may move to waive any or all points of order under paragraph 3 or 4 with respect to the pending conference report by an affirmative vote of three-fifths of the Members, duly chosen and sworn. All motions to waive under this paragraph shall be debatable collectively for not to exceed 1 hour equally divided between the Majority Leader and the Minority Leader or their designees. A motion to waive all points of order under this paragraph shall not be amendable.

28.6b (b) All appeals from rulings of the Chair under paragraph 5 shall be debatable collectively for not to exceed 1 hour, equally divided between the Majority and the Minority Leader or their designees. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair under paragraph 5.

7.[38] Each report made by a committee of conference to the Senate shall be printed as a report of the Senate. As so printed, such report shall be accompanied by an explanatory statement prepared jointly by the conferees on the part of the House and the conferees on the part of the Senate. Such statement shall be sufficiently detailed and explicit to inform the Senate as to the effect which the amendments or propositions contained in such report will have upon the measure to which those amendments or propositions relate. **28.7**

8. If time for debate in the consideration of any report of a committee of conference upon the floor of the Senate is limited, the time allotted for debate shall be equally divided between the majority party and the minority party. **28.8**

9. Each conference committee between the Senate and the House of Representatives shall be open to the public except when managers of either the Senate or the House of Representatives in open session determine by a rollcall vote of a majority of those managers present, that all or part of the remainder of the meeting on the day of the vote shall be closed to the public. **28.9**

10. (a)(1) It shall not be in order to vote on the adoption of a report of a committee of conference unless such report has been available to Members and to the general public for at least 48 hours before such vote. If a point of order is sustained under this paragraph, then the conference report shall be set aside. **28.10a**

(2) For purposes of this paragraph, a report of a committee of conference is made available to the general public as of the time it is posted on a publicly accessible website controlled by a Member, committee, Library of Congress, or other office of Congress, or the Government Printing Office, as reported to the Presiding Officer by the Secretary of the Senate.

(b)(1) This paragraph may be waived in the Senate with respect to the pending conference report by an affirmative vote of three-fifths of the Members, duly chosen and sworn. A motion to waive this paragraph shall be debatable for not to exceed 1 hour equally divided between the Majority Leader and the Minority Leader or their designees. **28.10b**

(2) An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an

[38] Paragraphs 7 through 9 renumbered by Pub. L. 110–81, Sep. 14, 2007, and paragraph 10 was added. Paragraphs 7 through 10 renumbered by S. Res. 16, 113–1, Jan. 24, 2013.

appeal of the ruling of the Chair on a point of order raised under this paragraph. An appeal of the ruling of the Chair shall be debatable for not to exceed 1 hour equally divided between the Majority and the Minority Leader or their designees.

28.10c (c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate, upon their certification that such waiver is necessary as a result of a significant disruption to Senate facilities or to the availability of the Internet.

29 RULE XXIX

EXECUTIVE SESSIONS

29.1 1. When the President of the United States shall meet the Senate in the Senate Chamber for the consideration of Executive business, he shall have a seat on the right of the Presiding Officer. When the Senate shall be convened by the President of the United States to any other place, the Presiding Officer of the Senate and the Senators shall attend at the place appointed, with the necessary officers of the Senate.

29.2 2. When acting upon confidential or Executive business, unless the same shall be considered in open Executive session, the Senate Chamber shall be cleared of all persons except the Secretary, the Assistant Secretary, the Principal Legislative Clerk, the Parliamentarian, the Executive Clerk, the Minute and Journal Clerk, the Sergeant at Arms, the Secretaries to the Majority and the Minority, and such other officers as the Presiding Officer shall think necessary; and all such officers shall be sworn to secrecy.

29.3 3. All confidential communications made by the President of the United States to the Senate shall be by the Senators and the officers of the Senate kept secret; and all treaties which may be laid before the Senate, and all remarks, votes, and proceedings thereon shall also be kept secret, until the Senate shall, by their resolution, take off the injunction of secrecy.

29.4 4. Whenever the injunction of secrecy shall be removed from any part of the proceedings of the Senate in closed Executive or legislative session, the order of the Senate removing the same shall be entered in the Legislative Journal as well as in the Executive Journal, and shall be published in the Congressional Record under the direction of the Secretary of the Senate.

5.[39] Any Senator, officer or employee of the Senate who shall disclose the secret or confidential business or proceedings of the Senate, including the business and proceedings of the committees, subcommittees and offices of the Senate shall be liable, if a Senator, to suffer expulsion from the body; and if an officer or employee, to dismissal from the service of the Senate, and to punishment for contempt. **29.5**

6. Whenever, by the request of the Senate or any committee thereof, any documents or papers shall be communicated to the Senate by the President or the head of any department relating to any matter pending in the Senate, the proceedings in regard to which are secret or confidential under the rules, said documents and papers shall be considered as confidential, and shall not be disclosed without leave of the Senate. **29.6**

RULE XXX **30**

EXECUTIVE SESSION—PROCEEDINGS ON TREATIES

1. (a) When a treaty shall be laid before the Senate for ratification, it shall be read a first time; and no motion in respect to it shall be in order, except to refer it to a committee, to print it in confidence for the use of the Senate, or to remove the injunction of secrecy. **30.1a**

(b)[40] When a treaty is reported from a committee with or without amendment, it shall, unless the Senate unanimously otherwise directs, lie over one day for consideration; after which it may be read a second time, after which amendments may be proposed. At any stage of such proceedings the Senate may remove the injunction of secrecy from the treaty. **30.1b**

(c) The decisions thus made shall be reduced to the form of a resolution of ratification, with or without amendments, as the case may be, which shall be proposed on a subsequent day, unless, by unanimous consent, the Senate determine otherwise, at which stage no amendment to the treaty shall be received unless by unanimous consent; but the resolution of ratification when pending shall be open to amendment in the form of reservations, declarations, statements, or understandings. **30.1c**

(d) On the final question to advise and consent to the ratification in the form agreed to, the concurrence of two- **30.1d**

[39] As amended by S. Res. 363, 102–2, Oct. 8, 1992.
[40] As amended by S. Res. 28, 99–2, Feb. 27, 1986.

thirds of the Senators present shall be necessary to determine it in the affirmative; but all other motions and questions upon a treaty shall be decided by a majority vote, except a motion to postpone indefinitely, which shall be decided by a vote of two-thirds.

30.2 2. Treaties transmitted by the President to the Senate for ratification shall be resumed at the second or any subsequent session of the same Congress at the stage in which they were left at the final adjournment of the session at which they were transmitted; but all proceedings on treaties shall terminate with the Congress, and they shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon.

31

RULE XXXI

EXECUTIVE SESSION—PROCEEDINGS ON NOMINATIONS

31.1 1. When nominations shall be made by the President of the United States to the Senate, they shall, unless otherwise ordered, be referred to appropriate committees; and the final question on every nomination shall be, "Will the Senate advise and consent to this nomination?" which question shall not be put on the same day on which the nomination is received, nor on the day on which it may be reported by a committee, unless by unanimous consent.

31.2 2. All business in the Senate shall be transacted in open session, unless the Senate as provided in rule XXI by a majority vote shall determine that a particular nomination, treaty, or other matter shall be considered in closed executive session, in which case all subsequent proceedings with respect to said nomination, treaty, or other matter shall be kept secret: Provided, That the injunction of secrecy as to the whole or any part of proceedings in closed executive session may be removed on motion adopted by a majority vote of the Senate in closed executive session: Provided further, That any Senator may make public his vote in closed executive session.

31.3 3. When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual executive session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall

be accompanied by a motion to request the President to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination, and shall be a final disposition of such motion.

4. Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending unless otherwise ordered by the Senate. **31.4**

5. When the Senate shall adjourn or take a recess for more than thirty days, all motions to reconsider a vote upon a nomination which has been confirmed or rejected by the Senate, which shall be pending at the time of taking such adjournment or recess, shall fall; and the Secretary shall return all such nominations to the President as confirmed or rejected by the Senate, as the case may be. **31.5**

6. Nominations neither confirmed nor rejected during the session at which they are made shall not be acted upon at any succeeding session without being again made to the Senate by the President; and if the Senate shall adjourn or take a recess for more than thirty days, all nominations pending and not finally acted upon at the time of taking such adjournment or recess shall be returned by the Secretary to the President, and shall not again be considered unless they shall again be made to the Senate by the President. **31.6**

7. (a) The Official Reporters shall be furnished with a list of nominations to office after the proceedings of the day on which they are received, and a like list of all confirmations and rejections. **31.7a**

(b) All nominations to office shall be prepared for the printer by the Official Reporter, and printed in the Congressional Record, after the proceedings of the day in which they are received, also nominations recalled, and confirmed. **31.7b**

(c) The Secretary shall furnish to the press, and to the public upon request, the names of nominees confirmed or rejected on the day on which a final vote shall be had, except when otherwise ordered by the Senate. **31.7c**

32

RULE XXXII

THE PRESIDENT FURNISHED WITH COPIES OF RECORDS OF EXECUTIVE SESSIONS

The President of the United States shall, from time to time, be furnished with an authenticated transcript of the public executive records of the Senate, but no further extract from the Executive Journal shall be furnished by the Secretary, except by special order of the Senate; and no paper, except original treaties transmitted to the Senate by the President of the United States, and finally acted upon by the Senate, shall be delivered from the office of the Secretary without an order of the Senate for that purpose.

33

RULE XXXIII

SENATE CHAMBER—SENATE WING OF THE CAPITOL

33.1 1. The Senate Chamber shall not be granted for any other purpose than for the use of the Senate; no smoking shall be permitted at any time on the floor of the Senate, or lighted cigars, cigarettes, or pipes be brought into the Chamber.

33.2 2. It shall be the duty of the Committee on Rules and Administration to make all rules and regulations respecting such parts of the Capitol, its passages and galleries, including the restaurant and the Senate Office Buildings, as are or may be set apart for the use of the Senate and its officers, to be enforced under the direction of the Presiding Officer. The Committee shall make such regulations respecting the reporters' galleries of the Senate, together with the adjoining rooms and facilities, as will confine their occupancy and use to bona fide reporters of newspapers and periodicals, and of news or press associations for daily news dissemination through radio, television, wires, and cables, and similar media of transmission. These regulations shall so provide for the use of such space and facilities as fairly to distribute their use to all such media of news dissemination.

34

RULE XXXIV

PUBLIC FINANCIAL DISCLOSURE

34.1 1. For purposes of this rule, the provisions of Title I of the Ethics in Government Act of 1978 shall be deemed to

be a rule of the Senate as it pertains to Members, officers, and employees of the Senate.

2. (a)[41] The Select Committee on Ethics shall transmit a copy of each report filed with it under Title I of the Ethics in Government Act of 1978 (other than a report filed by a Member of Congress) to the head of the employing office of the individual filing the report. **34.2a**

(b) For purposes of this rule, the head of the employing office shall be— **34.2b**

(1) in the case of an employee of a Member, the Member by whom that person is employed;

(2) in the case of an employee of a Committee, the chairman and ranking minority member of such Committee;

(3) in the case of an employee on the leadership staff, the Member of the leadership on whose staff such person serves; and

(4) in the case of any other employee of the legislative branch, the head of the office in which such individual serves.

3.[42] In addition to the requirements of paragraph 1, Members, officers, and employees of the Senate shall include in each report filed under paragraph 1[43] the following additional information: **34.3**

(a) For purposes of section 102(a)(1)(B) of the Ethics in Government Act of 1978 additional categories of income as follows: **34.3a**

(1) greater than $1,000,000 but not more than $5,000,000, or

(2) greater than $5,000,000.

(b) For purposes of section 102(d)(1) of the Ethics in Government Act of 1978 additional categories of value[44] as follows: **34.3b**

(1) greater than $1,000,000 but not more than $5,000,000;

(2) greater than $5,000,000 but not more than $25,000,000;

NOTE.—Financial disclosure requirements contained in the Ethics in Government Act of 1978 as amended are codified at 5 U.S.C. app. § 101—111.

[41] Paragraph 2 added by S. Res. 236, 101–2, Jan. 30, 1990.

[42] Paragraphs 3 and 4 added by S. Res. 158, 104–1, July 28, 1995, effective Jan. 1, 1996, as amended by S. Res. 198, 104–1, Dec. 7, 1995.

[43] Renumbered by S. Res. 198, 104–1, Dec. 7, 1995.

[44] Amended to strike "income" and insert "value" by S. Res. 198; 104–1, Dec. 7, 1995.

(3) greater than $25,000,000 but not more than $50,000,000; and

(4) greater than $50,000,000.

34.3c (c) For purposes of this paragraph and section 102 of the Ethics in Government Act of 1978, additional categories with amounts or values greater than $1,000,000 set forth in section 102(a)(1)(B) and 102(d)(1) shall apply to the income, assets, or liabilities of spouses and dependent children only if the income, assets, or liabilities are held jointly with the reporting individual. All other income, assets, or liabilities of the spouse or dependent children required to be reported under section 102 and this paragraph in an amount of value greater than $1,000,000 shall be categorized only as an amount or value greater than $1,000,000.

34.4 4.[45] In addition to the requirements of paragraph 1, Members, officers, and employees of the Senate shall include in each report filed under paragraph 1[46] an additional statement under section 102(a) of the Ethics in Government Act of 1978 listing the category of the total cash value of any interest of the reporting individual in a qualified blind trust as provided in section 102(d)(1) of the Ethics in Government Act of 1978, unless the trust instrument was executed prior to July 24, 1995 and precludes the beneficiary from receiving information on the total cash value of any interest in the qualified blind trust.

35

RULE XXXV

GIFTS[47]

35.1a 1. (a)(1) No Member, officer, or employee of the Senate shall knowingly accept a gift except as provided in this rule.

(2)(A)[48] A Member, officer, or employee may accept a gift (other than cash or cash equivalent) which the Member, officer, or employee reasonably and in good faith believes to have a value of less than $50, and a cumulative value from one source during a calendar year of less than $100. No gift with a value below $10 shall count toward

[45] Effective with respect to reports filed under Title I of the Ethics in Government Act of 1978 for calendar year 1996 and thereafter.

[46] Renumbered by S. Res. 198, 104–1, Dec. 7, 1995.

[47] Amended by S. Res. 158, 104–1, July 28, 1995, effective Jan. 1, 1996.

[48] Subclause (A) relettered and subclause (B) added by Pub. L. 110–81, Sep. 14, 2007.

the $100 annual limit. No formal recordkeeping is required by this paragraph, but a Member, officer, or employee shall make a good faith effort to comply with this paragraph.

(B) A Member, officer, or employee may not knowingly accept a gift from a registered lobbyist, an agent of a foreign principal, or a private entity that retains or employs a registered lobbyist or an agent of a foreign principal, except as provided in subparagraphs (c) and (d).

(b)(1) For the purpose of this rule, the term "gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred. **35.1b**

(2)(A) A gift to a family member of a Member, officer, or employee, or a gift to any other individual based on that individual's relationship with the Member, officer, or employee, shall be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee and the Member, officer, or employee has reason to believe the gift was given because of the official position of the Member, officer, or employee.

(B) If food or refreshment is provided at the same time and place to both a Member, officer, or employee and the spouse or dependent thereof, only the food or refreshment provided to the Member, officer, or employee shall be treated as a gift for purposes of this rule.

(c) The restrictions in subparagraph (a) shall not apply to the following: **35.1c**

(1)(A)[49] Anything for which the Member, officer, or employee pays the market value, or does not use and promptly returns to the donor.

(B) The market value of a ticket to an entertainment or sporting event shall be the face value of the ticket or, in the case of a ticket without a face value, the value of the ticket with the highest face value for the event, except that if a ticket holder can establish in advance of the event to the Select Committee on Ethics that the ticket at issue is equivalent to another ticket with a face value, then the

[49] Subclause (A) renumbered and subclause (B) added by Pub. L. 110–81, Sep. 14, 2007.

market value shall be set at the face value of the equivalent ticket. In establishing equivalency, the ticket holder shall provide written and independently verifiable information related to the primary features of the ticket, including, at a minimum, the seat location, access to parking, availability of food and refreshments, and access to venue areas not open to the public. The Select Committee on Ethics may make a determination of equivalency only if such information is provided in advance of the event.

(C)(i)[50] Fair market value for a flight on an aircraft described in item (ii) shall be the pro rata share of the fair market value of the normal and usual charter fare or rental charge for a comparable plane of comparable size, as determined by dividing such cost by the number of Members, officers, or employees of Congress on the flight.

(ii) A flight on an aircraft described in this item is any flight on an aircraft that is not—

(I) operated or paid for by an air carrier or commercial operator certificated by the Federal Aviation Administration and required to be conducted under air carrier safety rules; or

(II) in the case of travel which is abroad, an air carrier or commercial operator certificated by an appropriate foreign civil aviation authority and the flight is required to be conducted under air carrier safety rules.

(iii) This subclause shall not apply to an aircraft owned or leased by a governmental entity or by a Member of Congress or a Member's immediate family member (including an aircraft owned by an entity that is not a public corporation in which the Member or Member's immediate family member has an ownership interest), provided that the Member does not use the aircraft any more than the Member's or immediate family member's proportionate share of ownership allows.

(2) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.)[51] that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organi-

[50] Subclause (C) added by Pub. L. 110–81, Sep. 14, 2007.
[51] 2 U.S.C. 431 et seq. was recodified as 52 U.S.C. 30101 et seq.

zation described in section 527(e) of the Internal Revenue Code of 1986.

(3) A gift from a relative as described in section 109(16) of Title I of the Ethics Reform Act of 1989 (5 U.S.C. App. 6).[52]

(4)(A) Anything, including personal hospitality,[53] provided by an individual on the basis of a personal friendship unless the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position of the Member, officer, or employee and not because of the personal friendship.

(B) In determining whether a gift is provided on the basis of personal friendship, the Member, officer, or employee shall consider the circumstances under which the gift was offered, such as:

(i) The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between such individuals.

(ii) Whether to the actual knowledge of the Member, officer, or employee the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.

(iii) Whether to the actual knowledge of the Member, officer, or employee the individual who gave the gift also at the same time gave the same or similar gifts to other Members, officers, or employees.

(5) A contribution or other payment to a legal expense fund established for the benefit of a Member, officer, or employee, that is otherwise lawfully made, subject to the disclosure requirements of the Select Committee on Ethics, except as provided in paragraph 3(c).

(6) Any gift from another Member, officer, or employee of the Senate or the House of Representatives.

(7) Food, refreshments, lodging, and other benefits—

(A) resulting from the outside business or employment activities (or other outside activities

[52] As amended by S. Res. 198, 104–1, Dec. 7, 1995.

[53] The phrase "including personal hospitality" inserted by S. Res. 198, 104–1, Dec. 7, 1995.

that are not connected to the duties of the Member, officer, or employee as an officeholder) of the Member, officer or employee, or the spouse of the Member, officer, or employee, if such benefits have not been offered or enhanced because of the official position of the Member, officer, or employee and are customarily provided to others in similar circumstances;

(B) customarily provided by a prospective employer in connection with bona fide employment discussions; or

(C) provided by a political organization described in section 527(e) of the Internal Revenue Code of 1986 in connection with a fundraising or campaign event sponsored by such an organization.

(8) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

(9) Informational materials that are sent to the office of the Member, officer, or employee in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication.

(10) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings.

(11) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, nonmonetary awards presented in recognition of public service (and associated food, refreshments, and entertainment provided in the presentation of such degrees and awards).

(12) Donations of products from the State that the Member represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.

(13) Training (including food and refreshments furnished to all attendees as an integral part of the training) provided to a Member, officer, or employee, if such training is in the interest of the Senate.

(14) Bequests, inheritances, and other transfers at death.

(15) Any item, the receipt of which is authorized by the Foreign Gifts and Decorations Act, the Mutual Educational and Cultural Exchange Act, or any other statute.

(16) Anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract.

(17) A gift of personal hospitality (as defined in section 109(14) of the Ethics in Government Act) of an individual other than a registered lobbyist or agent of a foreign principal.

(18) Free attendance at a widely attended event permitted pursuant to subparagraph (d).

(19) Opportunities and benefits which are—

(A) available to the public or to a class consisting of all Federal employees, whether or not restricted on the basis of geographic consideration;

(B) offered to members of a group or class in which membership is unrelated to congressional employment;

(C) offered to members of an organization, such as an employees' association or congressional credit union, in which membership is related to congressional employment and similar opportunities are available to large segments of the public through organizations of similar size;

(D) offered to any group or class that is not defined in a manner that specifically discriminates among Government employees on the basis of branch of Government or type of responsibility, or on a basis that favors those of higher rank or rate of pay;

(E) in the form of loans from banks and other financial institutions on terms generally available to the public; or

(F) in the form of reduced membership or other fees for participation in organization activities offered to all Government employees by professional organizations if the only restrictions on membership relate to professional qualifications.

(20) A plaque, trophy, or other item that is substantially commemorative in nature and which is intended solely for presentation.

(21) Anything for which, in an unusual case, a waiver is granted by the Select Committee on Ethics.

(22) Food or refreshments of a nominal value offered other than as a part of a meal.

(23) An item of little intrinsic value such as a greeting card, baseball cap, or a T-shirt.

(24)[54] Subject to the restrictions in subparagraph (a)(2)(A), free attendance at a constituent event permitted pursuant to subparagraph (g).

35.1d (d)(1) A Member, officer, or employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event, provided by the sponsor of the event, if—

(A) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

(B) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

(2) A Member, officer, or employee who attends an event described in clause (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the Senate.

(3) A Member, officer, or employee, or the spouse or dependent thereof, may accept a sponsor's unsolicited offer of free attendance at a charity event, except that reimbursement for transportation and lodging may not be accepted in connection with an event that does not meet the standards provided in paragraph 2.

(4) For purposes of this paragraph, the term "free attendance" may include waiver of all or part of a conference or other fee, the provision of local transportation, or the provision of food, refreshments, entertainment, and instructional materials furnished to all attendees as an integral part of the event. The term does not include entertainment collateral to the event, nor does it include food or

[54] Clause (24) was added by Pub. L. 110–81, Sep. 14, 2007.

refreshments taken other than in a group setting with all or substantially all other attendees.

(5)[55] During the dates of the national party convention for the political party to which a Member belongs, a Member may not participate in an event honoring that Member, other than in his or her capacity as the party's presidential or vice presidential nominee or presumptive nominee, if such event is directly paid for by a registered lobbyist or a private entity that retains or employs a registered lobbyist.

(e) No Member, officer, or employee may accept a gift the value of which exceeds $250 on the basis of the personal friendship exception in subparagraph (c)(4) unless the Select Committee on Ethics issues a written determination that such exception applies. No determination under this subparagraph is required for gifts given on the basis of the family relationship exception. **35.1e**

(f) When it is not practicable to return a tangible item because it is perishable, the item may, at the discretion of the recipient, be given to an appropriate charity or destroyed. **35.1f**

(g)(1)[56] A Member, officer, or employee may accept an offer of free attendance in the Member's home State at a conference, symposium, forum, panel discussion, dinner event, site visit, viewing, reception, or similar event, provided by a sponsor of the event, if— **35.1g**

(A) the cost of meals provided the Member, officer, or employee is less than $50;

(B)(i) the event is sponsored by constituents of, or a group that consists primarily of constituents of, the Member (or the Member by whom the officer or employee is employed); and

(ii) the event will be attended primarily by a group of at least 5 constituents of the Member (or the Member by whom the officer or employee is employed) provided that a registered lobbyist shall not attend the event; and

(C)(i) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

[55] Clause (5) was added by Pub. L. 110–81, Sep. 14, 2007.
[56] Subparagraph (g) was added by Pub. L. 110–81, Sep. 14, 2007.

(ii) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

(2) A Member, officer, or employee who attends an event described in clause (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the Senate.

(3) For purposes of this subparagraph, the term 'free attendance' has the same meaning given such term in subparagraph (d).

35.2a 2.[57] (a)(1)[58] A reimbursement (including payment in kind) to a Member, officer, or employee from an individual other than a registered lobbyist or agent of a foreign principal or a private entity that retains or employs 1 or more registered lobbyists or agents of a foreign principal for necessary transportation, lodging and related expenses for travel to a meeting, speaking engagement, factfinding trip or similar event in connection with the duties of the Member, officer, or employee as an officeholder shall be deemed to be a reimbursement to the Senate and not a gift prohibited by this rule, if the Member, officer, or employee complies with the requirements of this paragraph.

(2)(A)[59] Notwithstanding clause (1), a reimbursement (including payment in kind) to a Member, officer, or employee of the Senate from an individual, other than a registered lobbyist or agent of a foreign principal, that is a private entity that retains or employs 1 or more registered lobbyists or agents of a foreign principal shall be deemed to be a reimbursement to the Senate under clause (1) if—

(i) the reimbursement is for necessary transportation, lodging, and related expenses for travel to a meeting, speaking engagement, factfinding trip, or similar event described in clause (1) in connection with the duties of the Member, officer, or employee and the reimbursement is provided only for attendance at or participation for 1 day (exclusive of travel time and an overnight stay) at an event described in clause (1); or

[57] Amendments to paragraph 2 by Pub. L. 110–81, Sep. 14, 2007, take effect 60 days after enactment or the date that the Select Committee on Ethics issues new guidelines pertaining to this paragraph.

[58] Subparagraph (a)(1) was amended by Pub. L. 110–81, Sep. 14, 2007.

[59] Clause (2) was added by Pub. L. 110–81, Sep. 14, 2007.

(ii) the reimbursement is for necessary transportation, lodging, and related expenses for travel to a meeting, speaking engagement, factfinding trip, or similar event described in clause (1) in connection with the duties of the Member, officer, or employee and the reimbursement is from an organization designated under section 501(c)(3) of the Internal Revenue Code of 1986.

(B) When deciding whether to preapprove a trip under this clause, the Select Committee on Ethics shall make a determination consistent with regulations issued pursuant to section 544(b) of the Honest Leadership and Open Government Act of 2007. The committee through regulations to implement subclause (A)(i) may permit a longer stay when determined by the committee to be practically required to participate in the event, but in no event may the stay exceed 2 nights.

(3)[60] For purposes of clauses (1) and (2), events, the activities of which are substantially recreational in nature, shall not be considered to be in connection with duties of a Member, officer, or employee as an officeholder.

35.2b (b)[61] Before an employee may accept reimbursement pursuant to subparagraph (a), the employee shall receive advance written authorization from the Member or officer under whose direct supervision the employee works. Each advance authorization to accept reimbursement shall be signed by the Member or officer under whose direct supervision the employee works and shall include—

(1) the name of the employee;

(2) the name of the person who will make the reimbursement;

(3) the time, place, and purpose of the travel; and

(4) a determination that the travel is in connection with the duties of the employee as an officeholder and would not create the appearance that the employee is using public office for private gain.

35.2c (c)[62] Each Member, officer, or employee that receives reimbursement under this paragraph shall disclose the expenses reimbursed or to be reimbursed, the authorization under subparagraph (b) (for an employee), and a copy of the certification in subparagraph (e)(1) to the Secretary of the Senate not later than 30 days after the travel is com-

[60] Clause (3) was renumbered and amended by Pub. L. 110–81, Sep. 14, 2007.
[61] Subparagraph (b) amended by Pub. L. 110–81, Sep. 14, 2007.
[62] Subparagraph (c) amended by Pub. L. 110–81, Sep. 14, 2007.

pleted. Each disclosure made under this subparagraph of expenses reimbursed or to be reimbursed shall be signed by the Member or officer (in the case of travel by that Member or officer) or by the Member or officer under whose direct supervision the employee works (in the case of travel by an employee) and shall include—

(1) a good faith estimate of total transportation expenses reimbursed or to be reimbursed;

(2) a good faith estimate of total lodging expenses reimbursed or to be reimbursed;

(3) a good faith estimate of total meal expenses reimbursed or to be reimbursed;

(4) a good faith estimate of the total of other expenses reimbursed or to be reimbursed;

(5) a determination that all such expenses are necessary transportation, lodging, and related expenses as defined in this paragraph;

(6)[63] a description of meetings and events attended; and

(7)[64] in the case of a reimbursement to a Member or officer, a determination that the travel was in connection with the duties of the Member or officer as an officeholder and would not create the appearance that the Member or officer is using public office for private gain.

35.2d (d)(1)[65] A Member, officer, or employee of the Senate may not accept a reimbursement (including payment in kind) for transportation, lodging, or related expenses under subparagraph (a) for a trip that was—

(A) planned, organized, or arranged by or at the request of a registered lobbyist or agent of a foreign principal; or

(B)(i) for trips described under subparagraph (a)(2)(A)(i) on which a registered lobbyist accompanies the Member, officer, or employee on any segment of the trip; or

(ii) for all other trips allowed under this paragraph, on which a registered lobbyist accompanies the Member, officer, or employee at any point throughout the trip.

(2) The Select Committee on Ethics shall issue regulations identifying de minimis activities by registered lobby-

[63] Clause (6) added by Pub. L. 110–81, Sep. 14, 2007.
[64] Clause (7) renumbered by Pub. L. 110–81, Sep. 14, 2007.
[65] Subparagraph (d) added by Pub. L. 110–81, Sep. 14, 2007.

ists or foreign agents that would not violate this subparagraph.

(e)[66] A Member, officer, or employee shall, before accepting travel otherwise permissible under this paragraph from any source— **35.2e**

(1) provide to the Select Committee on Ethics a written certification from such source that—

(A) the trip will not be financed in any part by a registered lobbyist or agent of a foreign principal;

(B) the source either—

(i) does not retain or employ registered lobbyists or agents of a foreign principal and is not itself a registered lobbyist or agent of a foreign principal; or

(ii) certifies that the trip meets the requirements of subclause (i) or (ii) of subparagraph (a)(2)(A);

(C) the source will not accept from a registered lobbyist or agent of a foreign principal or a private entity that retains or employs 1 or more registered lobbyists or agents of a foreign principal, funds earmarked directly or indirectly for the purpose of financing the specific trip; and

(D) the trip will not in any part be planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal and the traveler will not be accompanied on the trip consistent with the applicable requirements of subparagraph (d)(1)(B) by a registered lobbyist or agent of a foreign principal, except as permitted by regulations issued under subparagraph (d)(2); and

(2) after the Select Committee on Ethics has promulgated regulations pursuant to section 544(b) of the Honest Leadership and Open Government Act of 2007, obtain the prior approval of the committee for such reimbursement.

(f)[67] For the purposes of this paragraph, the term "necessary transportation, lodging, and related expenses"— **35.2f**

(1) includes reasonable expenses that are necessary for travel for a period not exceeding 3 days exclusive

[66] Subparagraph (e) added by Pub. L. 110–81, Sep. 14, 2007.

[67] Subparagraph (f) renumbered and subparagraph (g) renumbered and amended by Pub. L. 110–81, Sep. 14, 2007.

of travel time within the United States or 7 days exclusive of travel time outside of the United States unless approved in advance by the Select Committee on Ethics;

(2) is limited to reasonable expenditures for transportation, lodging, conference fees and materials, and food and refreshments, including reimbursement for necessary transportation, whether or not such transportation occurs within the periods described in clause (1);

(3) does not include expenditures for recreational activities, nor does it include entertainment other than that provided to all attendees as an integral part of the event, except for activities or entertainment otherwise permissible under this rule; and

(4) may include travel expenses incurred on behalf of either the spouse or a child of the Member, officer, or employee, subject to a determination signed by the Member or officer (or in the case of an employee, the Member or officer under whose direct supervision the employee works) that the attendance of the spouse or child is appropriate to assist in the representation of the Senate.

35.2g (g) The Secretary of the Senate shall make all advance authorizations, certifications, and disclosures filed pursuant to this paragraph available for public inspection as soon as possible after they are received, but in no event prior to the completion of the relevant travel.

35.3 3. A gift prohibited by paragraph 1(a) includes the following:

35.3a (a) Anything provided by a registered lobbyist or an agent of a foreign principal to an entity that is maintained or controlled by a Member, officer, or employee.

35.3b (b) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal on the basis of a designation, recommendation, or other specification of a Member, officer, or employee (not including a mass mailing or other solicitation directed to a broad category of persons or entities), other than a charitable contribution permitted by paragraph 4.

(c) A contribution or other payment by a registered lobbyist or an agent of a foreign principal to a legal expense fund established for the benefit of a Member, officer, or employee. 35.3c

(d) A financial contribution or expenditure made by a registered lobbyist or an agent of a foreign principal relating to a conference, retreat, or similar event, sponsored by or affiliated with an official congressional organization, for or on behalf of Members, officers, or employees. 35.3d

4. (a) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal in lieu of an honorarium to a Member, officer, or employee shall not be considered a gift under this rule if it is reported as provided in subparagraph (b). 35.4a

(b) A Member, officer, or employee who designates or recommends a contribution to a charitable organization in lieu of honoraria described in subparagraph (a) shall report within 30 days after such designation or recommendation to the Secretary of the Senate— 35.4b

(1) the name and address of the registered lobbyist who is making the contribution in lieu of honoraria;

(2) the date and amount of the contribution; and

(3) the name and address of the charitable organization designated or recommended by the Member.

The Secretary of the Senate shall make public information received pursuant to this subparagraph as soon as possible after it is received.

5. For purposes of this rule— 35.5

(a) the term "registered lobbyist" means a lobbyist registered under the Federal Regulation of Lobbying Act or any successor statute; and 35.5a

(b) the term "agent of a foreign principal" means an agent of a foreign principal registered under the Foreign Agents Registration Act. 35.5b

6. All the provisions of this rule shall be interpreted and enforced solely by the Select Committee on Ethics. The Select Committee on Ethics is authorized to issue guidance on any matter contained in this rule. 35.6

36

RULE XXXVI[68]

OUTSIDE EARNED INCOME

For purposes of this rule, the provisions of section 501 of the Ethics in Government Act of 1978 (5 U.S.C. App. § 501) shall be deemed to be a rule of the Senate as it pertains to Members, officers, and employees of the Senate.

37

RULE XXXVII

CONFLICT OF INTEREST

37.1 1. A Member, officer, or employee of the Senate shall not receive any compensation, nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt or accrual of which would occur by virtue of influence improperly exerted from his position as a Member, officer, or employee.

37.2 2. No Member, officer, or employee shall engage in any outside business or professional activity or employment for compensation which is inconsistent or in conflict with the conscientious performance of official duties.

37.3 3. No officer or employee shall engage in any outside business or professional activity or employment for compensation unless he has reported in writing when such activity or employment commences and on May 15 of each year thereafter so long as such activity or employment continues, the nature of such activity or employment to his supervisor. The supervisor shall then, in the discharge of his duties, take such action as he considers necessary for the avoidance of conflict of interest or interference with duties to the Senate.

37.4 4. No Member, officer, or employee shall knowingly use his official position to introduce or aid the progress or passage of legislation, a principal purpose of which is to further only his pecuniary interest, only the pecuniary interest of his immediate family, or only the pecuniary interest of a limited class of persons or enterprises, when he, or his immediate family, or enterprises controlled by them, are members of the affected class.

[68] Previous provisions of Rule XXXVI were repealed by S. Res. 512, 97–2, Dec. 14, 1982, effective Jan. 1, 1983. New Rule XXXVI language established by S. Res. 192, 102–1, Oct. 31, 1991, effective Aug. 14, 1991.

5. (a)[69] No Member, officer, or employee of the Senate compensated at a rate in excess of $25,000 per annum and employed for more than ninety days in a calendar year shall (1) affiliate with a firm, partnership, association, or corporation for the purpose of providing professional services for compensation; (2) permit that individual's name to be used by such a firm, partnership, association or corporation; or (3) practice a profession for compensation to any extent during regular office hours of the Senate office in which employed. For the purposes of this paragraph, "professional services" shall include but not be limited to those which involve a fiduciary relationship. **37.5a**

(b) A Member or an officer or employee whose rate of basic pay is equal to or greater than 120 percent of the annual rate of basic pay in effect for grade GS–15 of the General Schedule shall not— **37.5b**

(1) receive compensation for affiliating with or being employed by a firm, partnership, association, corporation, or other entity which provides professional services involving a fiduciary relationship;

(2) permit that Member's, officer's, or employee's name to be used by any such firm, partnership, association, corporation, or other entity;

(3) receive compensation for practicing a profession which involves a fiduciary relationship; or

(4) receive compensation for teaching, without the prior notification and approval of the Select[70] Committee on Ethics.

6. (a)[71] No Member, officer, or employee of the Senate compensated at a rate in excess of $25,000 per annum and employed for more than ninety days in a calendar year shall serve as an officer or member of the board of any publicly held or publicly regulated corporation, financial institution, or business entity. The preceding sentence shall not apply to service of a Member, officer, or employee as— **37.6a**

(1) an officer or member of the board of an organization which is exempt from taxation under section 501(c) of the Internal Revenue Code of 1954, if such service is performed without compensation;

[69] Paragraph 5 renumbered 5(a) and subparagraph (b) added by S. Res. 192, 102–1, Oct. 31, 1991.

[70] Added by S. Res. 299, 106–2, Apr. 27, 2000.

[71] Paragraph 6 renumbered 6(a) and subparagraph (b) added by S. Res. 192, 102–1, Oct. 31, 1991.

(2) an officer or member of the board of an institution or organization which is principally available to Members, officers, or employees of the Senate, or their families, if such service is performed without compensation; or

(3) a member of the board of a corporation, institution, or other business entity, if (A) the Member, officer, or employee had served continuously as a member of the board thereof for at least two years prior to his election or appointment as a Member, officer, or employee of the Senate, (B) the amount of time required to perform such service is minimal, and (C) the Member, officer, or employee is not a member of, or a member of the staff of any Senate committee which has legislative jurisdiction over any agency of the Government charged with regulating the activities of the corporation, institution, or other business entity.

37.6b (b) A Member or an officer or employee whose rate of basic pay is equal to or greater than 120 percent of the annual rate of basic pay in effect for grade GS–15 of the General Schedule shall not serve for compensation as an officer or member of the board of any association, corporation, or other entity.

37.7 7. An employee on the staff of a committee who is compensated at a rate in excess of $25,000 per annum and employed for more than ninety days in a calendar year shall divest himself of any substantial holdings which may be directly affected by the actions of the committee for which he works, unless the Select Committee, after consultation with the employee's supervisor, grants permission in writing to retain such holdings or the employee makes other arrangements acceptable to the Select Committee and the employee's supervisor to avoid participation in committee actions where there is a conflict of interest, or the appearance thereof.

37.8 8.[72] If a Member, upon leaving office, becomes a registered lobbyist under the Federal Regulation of Lobbying Act of 1946 or any successor statute, or is employed or retained by such a registered lobbyist or an entity that employs or retains a registered lobbyist for the purpose of influencing legislation, he shall not lobby Members, offi-

[72] Paragraphs 8 and 9 amended by Pub. L. 110–81, Sep. 14, 2007.

cers, or employees of the Senate for a period of two years after leaving office.

9. (a) If an employee on the staff of a Member, upon leaving that position, becomes a registered lobbyist under the Federal Regulation of Lobbying Act of 1946 or any successor statute, or is employed or retained by such a registered lobbyist or an entity that employs or retains a registered lobbyist for the purpose of influencing legislation, such employee may not lobby the Member for whom he worked or that Member's staff for a period of one year after leaving that position. **37.9a**

(b) If an employee on the staff of a committee, upon leaving his position, becomes such a registered lobbyist or is employed or retained by such a registered lobbyist or an entity that employs or retains a registered lobbyist for the purpose of influencing legislation, such employee may not lobby the members of the committee for which he worked, or the staff of that committee, for a period of one year after leaving his position. **37.9b**

(c)[73] If an officer of the Senate or an employee on the staff of a Member or on the staff of a committee whose rate of pay is equal to or greater than 75 percent of the rate of pay of a Member and employed at such rate for more than 60 days in a calendar year, upon leaving that position, becomes a registered lobbyist, or is employed or retained by such a registered lobbyist or an entity that employs or retains a registered lobbyist for the purpose of influencing legislation, such employee may not lobby any Member, officer, or employee of the Senate for a period of 1 year after leaving that position. **37.9c**

10. [74] Paragraphs 8 and 9 shall not apply to contacts with the staff of the Secretary of the Senate regarding compliance with the lobbying disclosure requirements of the Lobbying Disclosure Act of 1995. **37.10**

11. (a) If a Member's spouse or immediate family member is a registered lobbyist, or is employed or retained by such a registered lobbyist or an entity that hires or retains a registered lobbyist for the purpose of influencing legislation, the Member shall prohibit all staff employed or supervised by that Member (including staff in personal, com- **37.11a**

[73] Paragraph 9(c) shall apply to individuals who leave the office or employment to which such paragraph applies on or after the date of adjournment of the 1st session of the 110th Congress sine die or Dec. 31, 2007, whichever date is earlier. Sec. 531 of Pub. L. 110–81, Sep. 14, 2007.

[74] Paragraphs 10 and 11 added by Pub. L. 110–81, Sep. 14, 2007.

mittee, and leadership offices) from having any contact with the Member's spouse or immediate family member that constitutes a lobbying contact as defined by section 3 of the Lobbying Disclosure Act of 1995 by such person.

37.11b (b) Members and employees on the staff of a Member (including staff in personal, committee, and leadership offices) shall be prohibited from having any contact that constitutes a lobbying contact as defined by section 3 of the Lobbying Disclosure Act of 1995 by any spouse of a Member who is a registered lobbyist, or is employed or retained by such a registered lobbyist.

37.11c (c) The prohibition in subparagraph (b) shall not apply to the spouse of a Member who was serving as a registered lobbyist at least 1 year prior to the most recent election of that Member to office or at least 1 year prior to his or her marriage to that Member.

37.12a 12. (a)[75] Except as provided by subparagraph (b), any employee of the Senate who is required to file a report pursuant to rule XXXIV shall refrain from participating personally and substantially as an employee of the Senate in any contact with any agency of the executive or judicial branch of Government with respect to non-legislative matters affecting any non-governmental person in which the employee has a significant financial interest.

37.12b (b) Subparagraph (a) shall not apply if an employee first advises his supervising authority of his significant financial interest and obtains from his employing authority a written waiver stating that the participation of the employee is necessary. A copy of each such waiver shall be filed with the Select Committee.

37.13 13.[76] For purposes of this rule—

37.13a (a) "employee of the Senate" includes an employee or individual described in paragraphs 2, 3, and 4(c) of rule XLI;

37.13b (b) an individual who is an employee on the staff of a subcommittee of a committee shall be treated as an employee on the staff of such committee; and

37.13c (c) the term "lobbying" means any oral or written communication to influence the content or disposition of any issue before Congress, including any pending

[75] Paragraphs 10 and 11 were renumbered as 11 and 12 respectively and paragraph 10 was added by S. Res. 236, 101–2, Jan. 30, 1990. Paragraph renumbered by Pub. L. 110–81, Sep. 14, 2007.

[76] Paragraph 13 renumbered pursuant to Pub. L. 110–81, Sep. 14, 2007.

or future bill, resolution, treaty, nomination, hearing, report, or investigation; but does not include—

(1) a communication (i) made in the form of testimony given before a committee or office of the Congress, or (ii) submitted for inclusion in the public record, public docket, or public file of a hearing; or

(2) a communication by an individual, acting solely on his own behalf, for redress of personal grievances, or to express his personal opinion.

14. [77](a) A Member shall not negotiate or have any arrangement concerning prospective private employment until after his or her successor has been elected, unless such Member files a signed statement with the Secretary of the Senate, for public disclosure, regarding such negotiations or arrangements not later than 3 business days after the commencement of such negotiation or arrangement, including the name of the private entity or entities involved in such negotiations or arrangements, and the date such negotiations or arrangements commenced. **37.14a**

(b) A Member shall not negotiate or have any arrangement concerning prospective employment for a job involving lobbying activities as defined by the Lobbying Disclosure Act of 1995 until after his or her successor has been elected. **37.14b**

(c)(1) An employee of the Senate earning in excess of 75 percent of the salary paid to a Senator shall notify the Select Committee on Ethics that he or she is negotiating or has any arrangement concerning prospective private employment. **37.14c**

(2) The notification under this subparagraph shall be made not later than 3 business days after the commencement of such negotiation or arrangement.

(3) An employee to whom this subparagraph applies shall—

(A) recuse himself or herself from—

(i) any contact or communication with the prospective employer on issues of legislative interest to the prospective employer; and

(ii) any legislative matter in which there is a conflict of interest or an appearance of a conflict for that employee under this subparagraph; and

[77] Paragraph 14 added by Pub. L. 110–81, Sep. 14, 2007.

(B) notify the Select Committee on Ethics of such recusal.

37.15 15.[78] For purposes of this rule—

37.15a (a) a Senator or the Vice President is the supervisor of his administrative, clerical, or other assistants;

37.15b (b) a Senator who is the chairman of a committee is the supervisor of the professional, clerical, or other assistants to the committee except that minority staff members shall be under the supervision of the ranking minority Senator on the committee;

37.15c (c) a Senator who is a chairman of a subcommittee which has its own staff and financial authorization is the supervisor of the professional, clerical, or other assistants to the subcommittee except that minority staff members shall be under the supervision of the ranking minority Senator on the subcommittee;

37.15d (d) the President pro tempore is the supervisor of the Secretary of the Senate, Sergeant at Arms and Doorkeeper, the Chaplain, the Legislative Counsel, and the employees of the Office of the Legislative Counsel;

37.15e (e) the Secretary of the Senate is the supervisor of the employees of his office;

37.15f (f) the Sergeant at Arms and Doorkeeper is the supervisor of the employees of his office;

37.15g (g) the Majority and Minority Leaders and the Majority and Minority Whips are the supervisors of the research, clerical, or other assistants assigned to their respective offices;

37.15h (h) the Majority Leader is the supervisor of the Secretary for the Majority and the Secretary for the Majority is the supervisor of the employees of his office; and

37.15i (i) the Minority Leader is the supervisor of the Secretary for the Minority and the Secretary for the Minority is the supervisor of the employees of his office.

38

RULE XXXVIII

PROHIBITION OF UNOFFICIAL OFFICE ACCOUNTS

38.1a 1. (a)[79] No Member may maintain or have maintained for his use an unofficial office account. The term "unofficial

[78] Paragraph 15 renumbered by Pub. L. 110–81, Sep. 14, 2007.

[79] Paragraph 1 was renumbered 1(a) and subparagraph (b) was added by S. Res. 192, 102–1, Oct. 31, 1991. Effective date revised to May 11, 1992, by Pub. L. 102–229, Dec. 12, 1991.

office account" means an account or repository into which funds are received for the purpose, at least in part, of defraying otherwise unreimbursed expenses allowable in connection with the operation of a Member's office. An unofficial office account does not include, and expenses incurred by a Member in connection with his official duties shall be defrayed only from—

(1) personal funds of the Member;

(2) official funds specifically appropriated for that purpose;

(3) funds derived from a political committee (as defined in section 301(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431))[80]; and

(4) funds received as reasonable reimbursements for expenses incurred by a Member in connection with personal services provided by the Member to the organization making the reimbursement.

(b) Notwithstanding subparagraph (a), official expenses may be defrayed only as provided by subsections (d) and (i) of section 311 of the Legislative Appropriations Act, 1991 (Public Law 101–520).[81] **38.1b**

(c)[82] For purposes of reimbursement under this rule, fair market value of a flight on an aircraft shall be determined as provided in paragraph 1(c)(1)(C) of rule XXXV. **38.1c**

2. No contribution (as defined in section 301(e) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431))[83] shall be converted to the personal use of any Member or any former Member. For the purposes of this rule "personal use" does not include reimbursement of expenses incurred by a Member in connection with his official duties. **38.2**

RULE XXXIX **39**

FOREIGN TRAVEL

1. (a) Unless authorized by the Senate (or by the President of the United States after an adjournment sine die), no funds from the United States Government (including foreign currencies made available under section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)) shall be received for the purpose of travel outside the United **39.1a**

[80] 2 U.S.C. 431 was recodified as 52 U.S.C. 30101.

[81] Section 311(d) of the Legislative Branch Appropriations Act, 1991 (Pub. L. 101–520) was amended by Pub. L. 107–68, Nov. 12, 2001.

[82] Subparagraph (c) added by Pub. L. 110–81, Sep. 14, 2007.

[83] 2 U.S.C. 431 was recodified as 52 U.S.C. 30101.

States by any Member of the Senate whose term will expire at the end of a Congress after—

(1) the date of the general election in which his successor is elected; or

(2) in the case of a Member who is not a candidate in such general election, the earlier of the date of such general election or the adjournment sine die of the second regular session of that Congress.

39.1b (b)[84] The travel restrictions provided by subparagraph (a) with respect to a Member of the Senate whose term will expire at the end of a Congress shall apply to travel by—

(1) any employee of the Member;

(2) any elected officer of the Senate whose employment will terminate at the end of a Congress; and

(3) any employee of a committee whose employment will terminate at the end of a Congress.

39.2 2. No Member, officer, or employee engaged in foreign travel may claim payment or accept funds from the United States Government (including foreign currencies made available under section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)) for any expense for which the individual has received reimbursement from any other source; nor may such Member, officer, or employee receive reimbursement for the same expense more than once from the United States Government. No Member, officer, or employee shall use any funds furnished to him to defray ordinary and necessary expenses of foreign travel for any purpose other than the purpose or purposes for which such funds were furnished.

39.3 3. A per diem allowance provided a Member, officer, or employee in connection with foreign travel shall be used solely for lodging, food, and related expenses and it is the responsibility of the Member, officer, or employee receiving such an allowance to return to the United States Government that portion of the allowance received which is not actually used for necessary lodging, food, and related expenses.

[84] Paragraph 1 was renumbered as 1 (a) and subparagraph (b) was added by S. Res. 80, 100–1, Jan. 28, 1987.

RULE XL 40

FRANKING PRIVILEGE AND RADIO AND TELEVISION STUDIOS[85]

1. A Senator or an individual who is a candidate for nomination for election, or election, to the Senate may not use the frank for any mass mailing (as defined in section 3210(a)(6)(E)[86] of Title 39, United States Code) if such mass mailing is mailed at or delivered to any postal facility less than sixty days immediately before the date of any primary or general election (whether regular, special, or runoff) in which the Senator is a candidate for public office or the individual is a candidate for Senator, unless the candidacy of the Senator in such election is uncontested.[87] 40.1

2. A Senator shall use only official funds of the Senate, including his official Senate allowances, to purchase paper, to print, or to prepare any mass mailing material which is to be sent out under the frank. 40.2

3. (a) When a Senator disseminates information under the frank by a mass mailing (as defined in section 3210(a)(6)(E) of Title 39, United States Code), the Senator shall register quarterly[88] with the Secretary of the Senate such mass mailings. Such registration shall be made by filing with the Secretary a copy of the matter mailed and providing, on a form supplied by the Secretary, a description of the group or groups of persons to whom the mass mailing was mailed. 40.3a

(b) The Secretary of the Senate shall promptly make available for public inspection and copying a copy of the mail matter registered, and a description of the group or groups of persons to whom the mass mailing was mailed. 40.3b

4. Nothing in this rule shall apply to any mailing under the frank which is (a) in direct response to inquiries or requests from persons to whom the matter is mailed; (b) addressed to colleagues in Congress or to government officials (whether Federal, State, or local); or (c) consists entirely of news releases to the communications media. 40.4

5. The Senate computer facilities shall not be used (a) to store, maintain, or otherwise process any lists or categories of lists of names and addresses identifying the individuals included in such lists as campaign workers or con- 40.5

[85] 39 U.S.C. 3210 contains statutory provisions are parallel to certain provisions of rule XL relating to the franking privilege.

[86] Citation corrected by S. Res. 187, 101–1, Oct. 2, 1989, pursuant to Pub. L. 97–69, Oct. 26, 1981.

[87] As amended by S. Res. 224, 103–2, June 21, 1994.

[88] Pursuant to Pub. L. 101–520, Nov. 5, 1990.

tributors, as members of a political party, or by any other partisan political designation, (b) to produce computer printouts except as authorized by user guides approved by the Committee on Rules and Administration, or (c) to produce mailing labels for mass mailings, or computer tapes and discs, for use other than in service facilities maintained and operated by the Senate or under contract to the Senate. The Committee on Rules and Administration shall prescribe such regulations not inconsistent with the purposes of this paragraph as it determines necessary to carry out such purposes.

40.6a 6. (a) The radio and television studios provided by the Senate or by the House of Representatives may not be used by a Senator or an individual who is a candidate for nomination for election, or election, to the Senate less than sixty days immediately before the date of any primary or general election (whether regular, special, or runoff) in which that Senator is a candidate for public office or that individual is a candidate for Senator, unless the candidacy of the Senator in such election is uncontested.[89]

40.6b (b) This paragraph shall not apply if the facilities are to be used at the request of, and at the expense of, a licensed broadcast organization or an organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1954.

41 RULE XLI

POLITICAL FUND ACTIVITY; DEFINITIONS

41.1 1. No officer or employee of the Senate may receive, solicit, be a custodian of, or distribute any funds in connection with any campaign for the nomination for election, or the election, of any individual to be a Member of the Senate or to any other Federal office. This prohibition does not apply to three[90] assistants to a Senator, at least one of whom is in Washington, District of Columbia, who have been designated by that Senator to perform any of the functions described in the first sentence of this paragraph and who are compensated at an annual rate in excess of $10,000 if such designation has been made in writing and filed with the Secretary of the Senate and if each such assistant files a financial statement in the form provided under rule XXXIV for each year during which he is des-

[89] As amended by S. Res. 224, 103–2, June 21, 1994.
[90] As amended by S. Res. 258, 100–1, Oct. 1, 1987.

ignated under this rule. The Majority Leader and the Minority Leader may each designate an employee of their respective leadership office staff as one of the 3 designees referred to in the second sentence.[91] [92] The Secretary of the Senate shall make the designation available for public inspection.

2. For purposes of the Senate Code of Official Conduct— **41.2**

(a) an employee of the Senate includes any employee whose salary is disbursed by the Secretary of the Senate; and **41.2a**

(b) the compensation of an officer or employee of the Senate who is a reemployed annuitant shall include amounts received by such officer or employee as an annuity, and such amounts shall be treated as disbursed by the Secretary of the Senate. **41.2b**

3. Before approving the utilization by any committee of the Senate of the services of an officer or employee of the Government in accordance with paragraph 4[93] of rule XXVII or with an authorization provided by Senate resolution, the Committee on Rules and Administration shall require such officer or employee to agree in writing to comply with the Senate Code of Official Conduct in the same manner and to the same extent as an employee of the Senate. Any such officer or employee shall, for purposes of such Code, be treated as an employee of the Senate receiving compensation disbursed by the Secretary of the Senate in an amount equal to the amount of compensation he is receiving as an officer or employee of the Government. **41.3**

4. No Member, officer, or employee of the Senate shall utilize the full-time services of an individual for more than ninety days in a calendar year in the conduct of official duties of any committee or office of the Senate (including a Member's office) unless such individual— **41.4**

(a) is an officer or employee of the Senate, **41.4a**

(b) is an officer or employee of the Government (other than the Senate), or **41.4b**

(c) agrees in writing to comply with the Senate Code of Official Conduct in the same manner and to the same extent as an employee of the Senate. **41.4c**

[91] Pursuant to S. Res. 326, 101–2, Jan. 30, 1990.

[92] Pursuant to Pub. L. 116–94, Title XVII, sec. 1701, the Majority Leader and the Minority Leader may each designate up to 2 employees of their respective leadership office staff as designees; however, the Standing Rules of the Senate were not amended.

[93] Reference corrected by S. Res. 192, 102–1, Oct. 31, 1991.

Any individual to whom subparagraph (c) applies shall, for purposes of such Code, be treated as an employee of the Senate receiving compensation disbursed by the Secretary of the Senate in an amount equal to the amount of compensation which such individual is receiving from any source for performing such services.

41.5 5. In exceptional circumstances for good cause shown, the Select Committee on Ethics may waive the applicability of any provision of the Senate Code of Official Conduct to an employee hired on a per diem basis.

41.6a 6. (a) The supervisor of an individual who performs services for any Member, committee, or office of the Senate for a period in excess of four weeks and who receives compensation therefor from any source other than the United States Government shall report to the Select Committee on Ethics with respect to the utilization of the services of such individual.

41.6b (b) A report under subparagraph (a) shall be made with respect to an individual—

(1) when such individual begins performing services described in such subparagraph;

(2) at the close of each calendar quarter while such individual is performing such services; and

(3) when such individual ceases to perform such services. Each such report shall include the identity of the source of the compensation received by such individual and the amount or rate of compensation paid by such source.

41.6c (c) No report shall be required under subparagraph (a) with respect to an individual who normally performs services for a Member, committee, or office for less than eight hours a week.

41.6d (d) For purposes of this paragraph, the supervisor of an individual shall be determined under paragraph 12 of rule XXXVII.[94]

42 RULE XLII

EMPLOYMENT PRACTICES

42.1 1. No Member, officer, or employee of the Senate shall, with respect to employment by the Senate or any office thereof—

[94] Redesignated by S. Res. 236, 101–2, Jan. 30, 1990, and S. Res. 299, 106–2, Apr. 27, 2000.

(a) fail or refuse to hire an individual; 42.1a

(b) discharge an individual; or 42.1b

(c) otherwise discriminate against an individual with respect to promotion, compensation, or terms, conditions, or privileges of employment 42.1c

on the basis of such individual's race, color, religion, sex, national origin, age, or state of physical handicap.

2.[95] For purposes of this rule, the provisions of section 509(a) of the Americans with Disabilities Act of 1990 shall be deemed to be a rule of the Senate as it pertains to Members, officers, and employees of the Senate. 42.2

RULE XLIII 43

REPRESENTATION BY MEMBERS[96]

1. In responding to petitions for assistance, a Member of the Senate, acting directly or through employees, has the right to assist petitioners before executive and independent government officials and agencies. 43.1

2. At the request of a petitioner, a Member of the Senate, or a Senate employee, may communicate with an executive or independent government official or agency on any matter to— 43.2

(a) request information or a status report; 43.2a

(b) urge prompt consideration; 43.2b

(c) arrange for interviews or appointments; 43.2c

(d) express judgments; 43.2d

(e) call for reconsideration of an administrative response which the Member believes is not reasonably supported by statutes, regulations or considerations of equity or public policy; or 43.2e

(f) perform any other service of a similar nature consistent with the provisions of this rule. 43.2f

3. The decision to provide assistance to petitioners may not be made on the basis of contributions or services, or promises of contributions or services, to the Member's political campaigns or to other organizations in which the Member has a political, personal, or financial interest. 43.3

[95] Added by S. Res. 192, 102–1, Oct. 31, 1991, effective July 26, 1990. Americans with Disabilities Act of 1990 was subsequently amended by Pub. L. 102–166, Nov. 21, 1991.

[96] Rule established by S. Res. 273, 102–2, July 2, 1992.

43.4 4. A Member shall make a reasonable effort to assure that representations made in the Member's name by any Senate employee are accurate and conform to the Member's instructions and to this rule.

43.5 5. Nothing in this rule shall be construed to limit the authority of Members, and Senate employees, to perform legislative, including committee, responsibilities.

43.6 6.[97] No Member, with the intent to influence solely on the basis of partisan political affiliation an employment decision or employment practice of any private entity, shall—

43.6a (a) take or withhold, or offer or threaten to take or withhold, an official act; or

43.6b (b) influence, or offer or threaten to influence the official act of another.

44 RULE XLIV[98]

CONGRESSIONALLY DIRECTED SPENDING AND RELATED ITEMS

44.1a 1. (a) It shall not be in order to vote on a motion to proceed to consider a bill or joint resolution reported by any committee unless the chairman of the committee of jurisdiction or the Majority Leader or his or her designee certifies—

(1) that each congressionally directed spending item, limited tax benefit, and limited tariff benefit, if any, in the bill or joint resolution, or in the committee report accompanying the bill or joint resolution, has been identified through lists, charts, or other similar means including the name of each Senator who submitted a request to the committee for each item so identified; and

(2) that the information in clause (1) has been available on a publicly accessible congressional website in a searchable format at least 48 hours before such vote.

44.1b (b) If a point of order is sustained under this paragraph, the motion to proceed shall be suspended until the sponsor of the motion or his or her designee has requested resumption and compliance with this paragraph has been achieved.

44.2a 2. (a) It shall not be in order to vote on a motion to proceed to consider a Senate bill or joint resolution not reported by committee unless the chairman of the committee of jurisdiction or the Majority Leader or his or her designee certifies—

[97] Paragraph 6 added by Pub. L. 110–81, Sep. 14, 2007.
[98] Rule XLIV added by Pub. L. 110–81, Sep. 14, 2007.

(1) that each congressionally directed spending item, limited tax benefit, and limited tariff benefit, if any, in the bill or joint resolution, has been identified through lists, charts, or other similar means, including the name of each Senator who submitted a request to the sponsor of the bill or joint resolution for each item so identified; and

(2) that the information in clause (1) has been available on a publicly accessible congressional website in a searchable format at least 48 hours before such vote.

(b) If a point of order is sustained under this paragraph, the motion to proceed shall be suspended until the sponsor of the motion or his or her designee has requested resumption and compliance with this paragraph has been achieved. **44.2b**

3. (a) It shall not be in order to vote on the adoption of a report of a committee of conference unless the chairman of the committee of jurisdiction or the Majority Leader or his or her designee certifies— **44.3a**

(1) that each congressionally directed spending item, limited tax benefit, and limited tariff benefit, if any, in the conference report, or in the joint statement of managers accompanying the conference report, has been identified through lists, charts, or other means, including the name of each Senator who submitted a request to the committee of jurisdiction for each item so identified; and

(2) that the information in clause (1) has been available on a publicly accessible congressional website at least 48 hours before such vote.

(b) If a point of order is sustained under this paragraph, then the conference report shall be set aside. **44.3b**

4. (a) If during consideration of a bill or joint resolution, a Senator proposes an amendment containing a congressionally directed spending item, limited tax benefit, or limited tariff benefit which was not included in the bill or joint resolution as placed on the calendar or as reported by any committee, in a committee report on such bill or joint resolution, or a committee report of the Senate on a companion measure, then as soon as practicable, the Senator shall ensure that a list of such items (and the name of any Senator who submitted a request to the Senator for each respective item included in the list) is printed in the Congressional Record. **44.4a**

44.4b (b) If a committee reports a bill or joint resolution that includes congressionally directed spending items, limited tax benefits, or limited tariff benefits in the bill or joint resolution, or in the committee report accompanying the bill or joint resolution, the committee shall as soon as practicable identify on a publicly accessible congressional website each such item through lists, charts, or other similar means, including the name of each Senator who submitted a request to the committee for each item so identified. Availability on the Internet of a committee report that contains the information described in this subparagraph shall satisfy the requirements of this subparagraph.

44.4c (c) To the extent technically feasible, information made available on publicly accessible congressional websites under paragraphs 3 and 4 shall be provided in a searchable format.

44.5 5. For the purpose of this rule—

44.5a (a) the term "congressionally directed spending item" means a provision or report language included primarily at the request of a Senator providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process;

44.5b (b) the term "limited tax benefit" means—

(1) any revenue provision that—

(A) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision;

44.5c (c) the term "limited tariff benefit" means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities; and

44.5d (d) except as used in subparagraph 8(e), the term "item" when not preceded by "congressionally directed spending" means any provision that is a congression-

ally directed spending item, a limited tax benefit, or a limited tariff benefit.

6. (a) A Senator who requests a congressionally directed spending item, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report (or an accompanying joint statement of managers) shall provide a written statement to the chairman and ranking member of the committee of jurisdiction, including— **44.6a**

(1) the name of the Senator;

(2) in the case of a congressionally directed spending item, the name and location of the intended recipient or, if there is no specifically intended recipient, the intended location of the activity;

(3) in the case of a limited tax or tariff benefit, identification of the individual or entities reasonably anticipated to benefit, to the extent known to the Senator;

(4) the purpose of such congressionally directed spending item or limited tax or tariff benefit; and

(5) a certification that neither the Senator nor the Senator's immediate family has a pecuniary interest in the item, consistent with the requirements of paragraph 9.

(b) With respect to each item included in a Senate bill or joint resolution (or accompanying report) reported by committee or considered by the Senate, or included in a conference report (or joint statement of managers accompanying the conference report) considered by the Senate, each committee of jurisdiction shall make available for public inspection on the Internet the certifications under subparagraph (a)(5) as soon as practicable. **44.6b**

7. In the case of a bill, joint resolution, or conference report that contains congressionally directed spending items in any classified portion of a report accompanying the measure, the committee of jurisdiction shall, to the greatest extent practicable, consistent with the need to protect national security (including intelligence sources and methods), include on the list required by paragraph 1, 2, or 3 as the case may be, a general program description in unclassified language, funding level, and the name of the sponsor of that congressionally directed spending item. **44.7**

8. (a) A Senator may raise a point of order against one or more provisions of a conference report if they constitute new directed spending provisions. The Presiding Officer **44.8a**

may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order.

44.8b (b) If the Presiding Officer sustains the point of order as to any of the provisions against which the Senator raised the point of order, then those provisions against which the Presiding Officer sustains the point of order shall be stricken. After all other points of order under this paragraph have been disposed of—

(1) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report that has not been stricken; and

(2) the question in clause (1) shall be decided under the same debate limitation as the conference report and no further amendment shall be in order.

44.8c (c) Any Senator may move to waive any or all points of order under this paragraph with respect to the pending conference report by an affirmative vote of three-fifths of the Members, duly chosen and sworn. All motions to waive under this paragraph shall be debatable collectively for not to exceed 1 hour equally divided between the Majority Leader and the Minority Leader or their designees. A motion to waive all points of order under this paragraph shall not be amendable.

44.8d (d) All appeals from rulings of the Chair under this paragraph shall be debatable collectively for not to exceed 1 hour, equally divided between the Majority and the Minority Leader or their designees. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair under this paragraph.

44.8e (e) The term "new directed spending provision" as used in this paragraph means any item that consists of a specific provision containing a specific level of funding for any specific account, specific program, specific project, or specific activity, when no specific funding was provided for such specific account, specific program, specific project, or specific activity in the measure originally committed to the conferees by either House.

9. No Member, officer, or employee of the Senate shall knowingly use his official position to introduce, request, or otherwise aid the progress or passage of congressionally directed spending items, limited tax benefits, or limited tariff benefits a principal purpose of which is to further only his pecuniary interest, only the pecuniary interest of his immediate family, or only the pecuniary interest of a limited class of persons or enterprises, when he or his immediate family, or enterprises controlled by them, are members of the affected class. **44.9**

10. Any Senator may move to waive application of paragraph 1, 2, or 3 with respect to a measure by an affirmative vote of three-fifths of the Members, duly chosen and sworn. A motion to waive under this paragraph with respect to a measure shall be debatable for not to exceed 1 hour equally divided between the Majority Leader and the Minority Leader or their designees. With respect to points of order raised under paragraphs 1, 2, or 3, only one appeal from a ruling of the Chair shall be in order, and debate on such an appeal from a ruling of the Chair on such point of order shall be limited to one hour. **44.10**

11. Any Senator may move to waive all points of order under this rule with respect to the pending measure or motion by an affirmative vote of three-fifths of the Members, duly chosen and sworn. All motions to waive all points of order with respect to a measure or motion as provided by this paragraph shall be debatable collectively for not to exceed 1 hour equally divided between the Majority Leader and the Minority Leader or their designees. A motion to waive all points of order with respect to a measure or motion as provided by this paragraph shall not be amendable. **44.11**

12. Paragraph 1, 2, or 3 of this rule may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of a significant disruption to Senate facilities or to the availability of the Internet. **44.12**

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NONSTATUTORY STANDING ORDERS NOT EMBRACED IN THE RULES, AND RESOLUTIONS AFFECTING THE BUSINESS OF THE SENATE

PROVISION FOR EMERGENCY AUTHORITY RELATING TO SENATE ADJOURNMENTS AND RECESSES **60**

Resolved, That the presiding officer of the Senate may suspend any proceeding of the Senate, including a rollcall vote or a quorum call, and declare a recess or adjournment of the Senate subject to existing authorities or subject to the call of the Chair, within the limits of article I, section 5, clause 4, of the Constitution, whenever the presiding officer has been notified of an imminent threat.

SEC. 2. When the Senate is out of session, the majority and minority leaders, or their designees, may, acting jointly and within the limits of article I, section 5, clause 4, of the Constitution, modify any order for the time or place of the convening of the Senate when, in their opinion, such action is warranted by intervening circumstances.

[S. Res. 296, 108–2, Feb. 3, 2004.]

AUTHORIZING REGULATIONS RELATING TO THE USE OF OFFICIAL EQUIPMENT **61**

Resolved, That (a) the Committee on Rules and Administration of the Senate may issue regulations to authorize a Senator or officer or employee of the Senate to use official equipment for purposes incidental to the conduct of their official duties.

(b) Any use under subsection (a) shall be subject to such terms and conditions as set forth in the regulations.

[S. Res. 238, 108–1, Oct. 2, 2003.]

VOTES SHALL BE CAST FROM ASSIGNED DESK **62**

Resolved, That it is a standing order of the Senate that during yea and nay votes in the Senate, each Senator shall vote from the assigned desk of the Senator.

[S. Res. 480, 98–2, Oct. 11, 1984.]

63 AUTHORIZING A SENATOR TO BRING A YOUNG SON OR DAUGHTER OF THE SENATOR ONTO THE FLOOR OF THE SENATE DURING VOTES

Resolved, Notwithstanding rule XXIII of the Standing Rules of the Senate, a Senator who has a son or daughter (as defined in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611)) under 1 year of age may bring the son or daughter onto the floor of the Senate during votes.

[S. Res. 463, 115–2, Apr. 18, 2018.]

64 TO PERMIT AN INDIVIDUAL WITH A DISABILITY WITH ACCESS TO THE SENATE FLOOR TO BRING NECESSARY SUPPORTING AIDS AND SERVICES

Resolved, That an individual with a disability who has or is granted the privilege of the Senate floor under rule XXIII of the Standing Rules of the Senate may bring necessary supporting aids and services (including service dogs, wheelchairs, and interpreters) on the Senate floor, unless the Senate Sergeant at Arms determines that the use of such supporting aids and services would place a significant difficulty or expense on the operations of the Senate in accordance with paragraph 2 of rule 4 of the Rules for Regulation of the Senate Wing of the United States Capitol.

[S. Res. 110, 105–1, July 31, 1997.]

65 FLOWERS IN THE SENATE CHAMBER

Resolved, That until further orders the Sergeant at Arms is instructed not to permit flowers to be brought into the Senate Chamber. [S. Jour. 261, 58–3, Feb. 24, 1905.]

Resolved, That notwithstanding the resolution of the Senate of February 24, 1905, upon the death of a sitting Senator, the majority leader and the minority leader may permit a display of flowers to be placed upon the desk of the deceased Senator on the day set aside for eulogies.

[S. Res. 221, 98–1, Sept. 15, 1983.]

66 READING OF WASHINGTON'S FAREWELL ADDRESS

Ordered, That, unless otherwise directed, on the twenty-second day of February in each year, or if that day shall be on Sunday, then on the day following, immediately after the reading of the Journal, Washington's Farewell Address shall be read to the Senate by a Senator to be designated

for the purpose by the Presiding Officer; and that thereafter the Senate will proceed with its ordinary business.

[S. Jour. 103, 56–2, Jan. 24, 1901.]

DESIGNATION OF THE "DANIEL WEBSTER DESK" **67**

Resolved, That during the Ninety-fourth Congress and each Congress thereafter, the desk located within the Senate Chamber and commonly referred to as the "Daniel Webster Desk" shall, at the request of the senior Senator from the State of New Hampshire, be assigned to such Senator for use in carrying out his or her Senatorial duties during that Senator's term of office.

[S. Res. 469, 93–2, Dec. 19, 1974.]

DESIGNATION OF THE JEFFERSON DAVIS DESK **68**

Resolved, That during the One Hundred Fourth Congress and each Congress thereafter, the desk located within the Senate Chamber and used by Senator Jefferson Davis shall, at the request of the senior Senator from the State of Mississippi, be assigned to such Senator, for use in carrying out his or her senatorial duties during that Senator's term of office.

[S. Res. 161, 104–1, Aug. 8, 1995.]

DESIGNATION OF THE HENRY CLAY DESK **69**

Resolved, That during the One Hundred Sixth Congress and each Congress thereafter, the desk located within the Senate Chamber and used by Senator Henry Clay shall, at the request of the senior Senator from the State of Kentucky, be assigned to that Senator for use in carrying out his or her senatorial duties during that Senator's term of office.

[S. Res. 89, 106–1, Apr. 28, 1999.]

TELEVISION AND RADIO BROADCAST OF SENATE CHAMBER PROCEEDINGS **70**

Resolved, That (a) the Senate hereby authorizes and directs that there be both television and radio broadcast coverage (together with videotape and audio recordings) of proceedings in the Senate Chamber.

(b) Such broadcast coverage shall be—

(1) provided in accordance with provisions of this resolution;

(2) provided continuously, except for any time when the Senate is conducting a quorum call, or when a meeting with closed doors is ordered; and

(3) provided subject to the provisions pertaining to the Senate gallery contained in the following Standing Rules of the Senate: rule XIX, paragraphs 6 and 7; rule XXV, paragraph 1(n); and rule XXXIII, paragraph 2.

SEC. 2. The radio and television broadcast of Senate proceedings shall be supervised and operated by the Senate.

SEC. 3. The television broadcast of Senate proceedings shall follow the Presiding Officer and Senators who are speaking, clerks, and the chaplain except during rollcall votes when the television cameras shall show the entire Chamber.

SEC. 4. (a) The broadcast coverage by radio and television of the proceedings of the Senate shall be implemented as provided in this section.

(b) The Architect of the Capitol, in consultation with the Sergeant at Arms and Doorkeeper of the Senate, shall—

(1) construct necessary broadcasting facilities for both radio and television (including a control room and the modification of Senate sound and lighting fixtures);

(2) employ necessary expert consultants; and

(3) acquire and install all necessary equipment and facilities to (A) produce a broadcast-quality "live" audio and color video signal of such proceedings, and (B) provide an archive-quality audio and color video tape recording of such proceedings:

Provided, That the Architect of the Capitol, in carrying out the duties specified in clauses (1) through (3) of this subsection, shall not enter into any contract for the purchase or installation of equipment, for employment of any consultant, or for the provision of training to any person, unless the same shall first have been approved by the Committee on Rules and Administration.

(c)(1)[1] The Sergeant at Arms and Doorkeeper of the Senate shall—

(A) employ such staff as may be necessary, working in conjunction with the Senate Recording and Photographic Studios, to operate and maintain all broadcast audio and color video equipment installed pursuant to this resolution;

[1] As amended, S. Res. 459, 100–2, Sept. 14, 1988.

(B) make audio and video tape recordings, and copies thereof as requested by the Secretary under paragraph (2) of Senate proceedings; and

(C) retain for 30 session-days after the day any Senate proceedings took place, such recordings thereof, and as soon thereafter as possible, transmit to the Secretary of the Senate copies of such recordings.

The Sergeant at Arms and Doorkeeper of the Senate, in carrying out the duties specified in subparagraphs (A) and (B), shall comply with appropriate Senate procurement and other regulations.

(2) The Secretary of the Senate is authorized to obtain from the Sergeant at Arms archival quality video recordings of Senate proceedings and, as soon thereafter as possible, transmit such recordings to the Librarian of Congress and to the Archivist of the United States.

SEC. 5. (a) Radio coverage of Senate proceedings shall—

(1) begin as soon as the necessary equipment has been installed; and

(2) be provided continuously at all times when the Senate is in session (or is meeting in Committee of the Whole), except for any time when a meeting with closed doors is ordered.

SEC. 6.[2] (a) The use of any tape duplication of radio or television coverage of the proceedings of the Senate for political campaign purposes is strictly prohibited.

(b)(1) Except as provided in paragraph (2), any tape duplication of radio or television coverage of the proceedings of the Senate furnished to any person or organization shall be made on the condition, agreed to in writing, that the tape duplication shall not be used for political campaign purposes.

(2) Any public or commercial news organization furnished a tape duplication described in paragraph (1) shall be subject to the provisions of paragraph (1) but shall not be required to enter into a written agreement.

SEC. 7. Any changes in the regulations made by this resolution shall be made only by Senate resolution. However, the Committee on Rules and Administration may adopt such procedures and such regulations, which do not contravene the regulations made by this resolution, as it deems necessary to assure the proper implementation of the purposes of this resolution.

[2] As amended, S. Res. 431, 100–2, June 7, 1988.

SEC. 8. Such funds as may be necessary (but not in excess of $3,500,000) to carry out this resolution shall be expended from the contingent fund of the Senate.

* * * * * * *

SEC. 14. Provided, that if the Senate authorizes the permanent televising of the Senate pursuant to section 15, that radio and television coverage of the Senate shall be made available on a "live" basis and free of charge to (1) any accredited member of the Senate Radio and Television Correspondents Gallery, (2) the coaxial cable system of the Architect of the Capitol, and (3) such other news gathering, educational, or information distributing entity as may be authorized by the Committee on Rules and Administration to receive such broadcasts.

SEC. 15. Television coverage of the Senate shall cease at the close of business July 15, 1986, and television coverage of the Senate and the rules changes contained herein shall continue, if the Senate agrees to the question, which shall be put one hour after the Senate convenes on July 29, 1986, "Shall radio and television coverage continue after this date, and shall the rules changes contained herein continue?".[3] There shall be twelve hours of debate on this question, to be equally divided and controlled in the usual form, at the end of which any Senator may propose as an alternative the question, "Shall the test period continue for thirty days?". On this question there shall be one hour of debate, equally divided and controlled in the usual form. If this question is decided in the affirmative, then thirty days hence, one hour after the Senate convenes, the Senate shall proceed to vote without intervening action on the question, "Shall radio and television coverage continue after this date and shall the rules changes contained herein continue?".

SEC. 16. Provided, that official noting of a Senator's absence from committees while the Senate is on television is prohibited. [S. Res. 28, 99–2, Feb. 27, 1986.]

SEC. 17. The Secretary of the Senate shall, subject to the approval of the Senate Committee on Rules and Administration, contract with the Secretary of Education to provide closed captioning of the Senate floor proceedings. The Senate authorizes the Secretary of Education to have ac-

[3] Pursuant to this provision, the question was considered and decided in the affirmative by a vote of 78–21. *See* Daily Cong. Rec., 99th Cong., 2d sess., July 29, 1986, pp. 9750–9775.

cess to the audio and video broadcast of the Senate floor proceedings for the purpose of captioning. Such funds as may be necessary to carry out the purposes of this section are authorized to be paid from the contingent fund of the Senate. [S. Res. 13, 101–1, June 21, 1989.]

Resolved, That, notwithstanding any other provision of S. Res. 28, agreed to February 27, 1986, television coverage of the Senate shall resume July 21, 1986 under the same basis as provided during the live test period under section 5 of S. Res. 28 unless the Senate votes pursuant to section 15 of S. Res. 28 to end coverage. [S. Res. 444, 99–2, July 15, 1986.]

READING OF CONFERENCE REPORTS 71

SEC. 903. Beginning on the first day of the 107th Congress, the Presiding Officer of the Senate shall apply all of the precedents of the Senate under Rule XXVIII in effect at the conclusion of the 103d Congress. Further that there is now in effect a Standing order of the Senate that the reading of conference reports is no longer required, if the said conference report is available in the Senate.

[Pub. L. 106–554, Div. A, ch. 9, § 903, Dec. 21, 2000.]

PUBLIC DISCLOSURE OF NOTICE OF INTENT TO OBJECT TO A MEASURE OR MATTER 72

Resolved

SEC. 1. Eliminating Secret Senate Holds.

(a) In General.—

(1) Covered Request.—This standing order shall apply to a notice of intent to object to the following covered requests:

(A) A unanimous consent request to proceed to a bill, resolution, joint resolution, concurrent resolution, conference report, or amendment between the Houses.

(B) A unanimous consent request to pass a bill or joint resolution or adopt a resolution, concurrent resolution, conference report, or the disposition of an amendment between the Houses.

(C) A unanimous consent request for the disposition of a nomination.

(2) Recognition of Notice of Intent.—The majority and minority leaders of the Senate or their designees shall recognize a notice of intent to object to a covered

request of a Senator who is a member of their caucus if the Senator—

(A) submits the notice of intent to object in writing to the appropriate leader and grants in the notice of intent to object permission for the leader or designee to object in the Senator's name; and

(B) not later than 2 session days after submitting the notice of intent to object to the appropriate leader, submits a copy of the notice of intent to object to the Congressional Record and to the Legislative Clerk for inclusion in the applicable calendar section described in subsection (b).

(3) Form of Notice.—To be recognized by the appropriate leader a Senator shall submit the following notice of intent to object:

"I, Senator ————————, intend to object to ————————, dated ————————. I will submit a copy of this notice to the Legislative Clerk and the Congressional Record within 2 session days and I give my permission to the objecting Senator to object in my name.". The first blank shall be filled with the name of the Senator, the second blank shall be filled with the name of the covered request, the name of the measure or matter and, if applicable, the calendar number, and the third blank shall be filled with the date that the notice of intent to object is submitted.

(4) Notices on the Senate Floor.—The requirement to submit a notice of intent to object to the Legislative Clerk and the Congressional Record shall not apply in the event a Senator objects on the floor of the Senate and states the following:

"I object to ————————, on behalf of Senator ————————."

(b) Calendar.—

(1) Objection.—Upon receiving the submission under subsection (a)(2)(B), the Legislative Clerk shall add the information from the notice of intent to object to the applicable Calendar section entitled 'Notices of Intent to Object to Proceeding' created by Public Law 110–81. Each section shall include the name of each Senator filing a notice under subsection (a)(2)(B), the measure or matter covered by the calendar to

which the notice of intent to object relates, and the date the notice of intent to object was filed.

(2) Objection on Behalf.—In the case of an objection made under subsection (a)(4), not later than 2 session days after the objection is made on the floor, the Legislative Clerk shall add the information from such objection to the applicable Calendar section entitled "Notices of Intent to Object to Proceeding" created by Public Law 110–81. Each section shall include the name of the Senator on whose behalf the objection was made, the measure or matter objected to, and the date the objection was made on the floor.

(c) Removal.—A Senator may have notice of intent to object relating to that Senator removed from a calendar to which it was added under subsection (b) by submitting to the Legislative Clerk the following notice:

"I, Senator ————————, do not object to ————————, dated ————————." The first blank shall be filled with the name of the Senator, the second blank shall be filled with the name of the covered request, the name of the measure or matter and, if applicable, the calendar number, and the third blank shall be filled with the date of the submission to the Legislative Clerk under this subsection.

(d) Objecting on Behalf of a Member.—Except with respect to objections made under subsection (a)(4), if a Senator who has notified his or her leader of an intent to object to a covered request fails to submit a notice of intent to object under subsection (a)(2)(b) within 2 session days following an objection to a covered request by the leader or his or her designee on that Senator's behalf, the Legislative Clerk shall list the Senator who made the objection to the covered request in the applicable "Notice of Intent to Object to Proceeding" calendar section. [S. Res. 28, 112–1, Jan. 27, 2011.]

PERMITTING THE WAIVING OF THE READING OF AN AMENDMENT 73

Resolved,

SEC. 1. Reading of Amendments.

(a) Standing Order.—This section shall be a standing order of the Senate.

(b) Waiver.—The reading of an amendment may be waived by a non-debatable motion if the amendment—

(1) has been submitted at least 72 hours before the motion; and

(2) is available in printed or electronic form in the Congressional Record.

[S. Res. 29, 112–1, Jan. 27, 2011.]

74 TO PROVIDE FOR EXPEDITED SENATE CONSIDERATION OF CERTAIN NOMINATIONS SUBJECT TO ADVICE AND CONSENT

Resolved,

SEC. 1. Procedure For Consideration.

(a) Privileged Nominations; Information Requested—Upon receipt by the Senate of a nomination described in section 2, the nomination shall—

(1) be placed on the Executive Calendar under the heading 'Privileged Nominations—Information Requested'; and

(2) remain on the Executive Calendar under such heading until the Executive Clerk receives a written certification from the Chairman of the committee of jurisdiction under subsection (b).

(b) Questionnaires—The Chairman of the committee of jurisdiction shall notify the Executive Clerk in writing when the appropriate biographical and financial questionnaires have been received from an individual nominated for a position described in section 2.

(c) Privileged Nominations; Information Received—Upon receipt of the certification under subsection (b), the nomination shall—

(1) be placed on the Executive Calendar under the heading 'Privileged Nomination—Information Received' and remain on the Executive Calendar under such heading for 10 session days; and

(2) after the expiration of the period referred to in paragraph (1), be placed on the 'Nominations' section of the Executive Calendar.

(d) Referral to Committee of Jurisdiction—During the period when a nomination described in subsection (a) is listed under the 'Privileged Nomination—Information Requested' section of the Executive Calendar described in section (a)(1) or the 'Privileged Nomination—Information Received' section of the Executive Calendar described in section (c)(1)—

(1) any Senator may request on his or her own behalf, or on the behalf of any identified Senator that the nomination be referred to the appropriate committee of jurisdiction; and

(2) if a Senator makes a request described in paragraph (1), the nomination shall be referred to the appropriate committee of jurisdiction.

SEC. 2. Nominations Covered.

The following nominations for the positions described (including total number of individuals to be appointed for the position) shall be considered under the provisions of this resolution:

(1) The Chairman and the Members of the Advisory Board for Cuba Broadcasting (9 Members including Chairman).

(2) The Chairman and the Members of the Corporation for National and Community Service (15 Members including Chairman).

(3) The Chairman and the Members of the Federal Retirement Thrift Investment Boards (5 Members including Chairman).

(4) The Members of the Internal Revenue Service Oversight Board (7 Members).

(5) The Members of the Board of the Millennium Challenge Corporation (4 Members).

(6) The Members of the National Council on the Arts (18 Members).

(7) The Members of the National Council for the Humanities (26 Members).

(8) The Members of the Board of Directors of the Overseas Private Investment Corporation (8 Members).

(9) The Members of the Peace Corps National Advisory Council (15 Members).

(10) The Chairman, Vice Chairman, and the Members of the Board of Directors for the United States Institute of Peace (12 Members including Chairman and Vice Chairman).

(11) The Members of the Board of Directors of the Federal Agricultural Mortgage Corporation (5 Members).

(12) The Members of the Board of Directors of the National Consumer Cooperative Bank (3 Members).

(13) The Members of the Board of Directors of the National Institute of Building Sciences (6 Members).

(14) The Members of the Board of Directors of the Securities Investor Protection Corporation (5 Members).

(15) The Members of the Board of Directors of the Metropolitan Washington Airport Authority (3 Members).

(16) The Members of the Saint Lawrence Seaway Development Corporation Advisory Board (5 Members).

(17) The Members of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation (9 Members).

(18) The Members the Board of Trustees of the Federal Hospital Insurance Trust Fund (2 Members).

(19) The Members of the Board of Trustees of the Federal Old Age and Survivors Trust Fund and Disability Insurance Trust Fund (2 Members).

(20) The Members of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund (2 Members).

(21) The Members of the Social Security Advisory Board (3 Members).

(22) The Members of the Board of Directors of the African Development Foundation (7 Members).

(23) The Members of the Board of Directors of the Inter American Foundation (9 Members).

(24) The Commissioners of the United States Advisory Commission on Public Diplomacy (7 Members).

(25) The Members of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation (8 Members).

(26) The Members of the Board of Trustees of the Harry Truman Scholarship Foundation (8 Members).

(27) The Members of the Board of Trustees of the James Madison Memorial Fellowship Foundation (6 Members).

(28) The Members of the Board of Directors of the Legal Services Corporation (11 Members).

(29) The Members of the Foreign Claims Settlement Commission (2 Members).

(30) The Members of the Board of Directors of the State Justice Institute (11 Members).

(31) Chief Financial Officer, from the following:

(A) Department of Agriculture.

(B) Department of Commerce.

(C) Department of Defense.

(D) Department of Education.

(E) Department of Energy.

(F) Department of Environmental Protection Agency.

(G) Department of Health and Human Services.

(H) Department of Homeland Security.

(I) Department of Housing and Urban Development.

(J) Department of the Interior.

(K) Department of Labor.

(L) National Aeronautics and Space Administration.

(M) Department of State.

(N) Department of Transportation.

(O) Department of the Treasury.

(P) Department of Veterans Affairs.

(32) Assistant Secretary for Financial Management of the Air Force.

(33) Assistant Secretary for Financial Management of the Army.

(34) Assistant Secretary for Financial Management of Navy.

(35) Controller, Office of Federal Financial Management, Office of Management and Budget.

(36) Assistant Secretaries or other officials whose primary responsibility is legislative affairs from the following:

(A) Department of Agriculture.

(B) Department of Energy.

(C) Department of Defense.

(D) Department of Housing and Urban Development.

(E) Department of Commerce.

(F) Department of Treasury.

(G) Department of State.

(H) Department of Health and Human Services.

(I) United States Agency for International Development.

(J) Department of Education.

(K) Department of Labor.

(L) Department of Justice.

(M) Department of Veterans Affairs.

(N) Department of Transportation.

(37) Commissioner, Rehabilitative Services Administration, Department of Education.

(38) Commissioner, Administration for Children, Youth, and Families, Department of Health and Human Services.

(39) Commissioner, Administration for Native Americans, Department of Health and Human Services.

(40) Federal Coordinator, Alaska Natural Gas Transportation Projects.

(41) Assistant Secretary for Administration, Department of Commerce.[4]

SEC. 3. Executive Calendar.

The Secretary of the Senate shall create the appropriate sections on the Executive Calendar to reflect and effectuate the requirements of this resolution.

SEC. 4. Committee Justification for New Executive Positions.

The report accompanying each bill or joint resolution of a public character reported by any committee shall contain an evaluation and justification made by such committee for the establishment in the measure being reported of any new position appointed by the President within an existing or new Federal entity.

SEC. 5. Effective Date.

This resolution shall take effect 60 days after the date of adoption of this resolution. [S. Res. 116, 112–1, Jun. 29, 2011.]

75 COMMITTEE ON APPROPRIATIONS AUTHORITY

Resolved, That for the purpose of obtaining and laying factual data and information before the Senate Committee on Appropriations, or any subcommittee thereof, for its consideration in the discharge of its functions, the chairman or acting chairman of said committee is hereby authorized and directed, within the limit of funds made available by resolutions of the Senate, to appoint and employ such experts as he may deem necessary to obtain such data and information, and such experts, upon the written authority of the chairman or acting chairman, shall have the right to examine the books, documents, papers, reports, or other records of any department, agency, or establishment of the

[4] Sec. 324 of Pub. L. 114–1, Jan. 12, 2015, established that the 13 members of the Board of Directors of the National Association of Registered Agents and Brokers, "shall be appointed by the President, by and with the advice and consent of the Senate, in accordance with the procedures established under Senate Resolution 116 of the 112th Congress."

Federal Government in the District of Columbia and elsewhere; be it further

Resolved, That the said committee through its chairman is hereby authorized, within the limit of funds made available by resolutions of the Senate, to appoint additional clerical help and assistants.

[S. Res. 193, 78–1, Oct. 14, 1943; S. Res. 281, 96–2, Mar. 11, 1980.]

CONSULTANTS FOR THE COMMITTEE ON APPROPRIATIONS **76**

Resolved, That within the limit of funds appropriated for expenses of inquiries and investigations for the Committee on Appropriations, the committee may expend such sums as it deems appropriate and necessary for the procurement of the services of individual consultants or organizations. Such services in the case of individuals or organizations may be procured by contract as independent contractors, or in the case of individuals by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of compensation which may be paid to a regular employee of the committee. Such contracts may be made in the same manner and subject to the same conditions with respect to advertising as required of other standing committees of the Senate under section 202(i)(2) of the Legislative Reorganization Act of 1946, as amended.

[S. Res. 140, 94–1, May 14, 1975.]

SELECT COMMITTEE ON ETHICS **77**

Resolved, That (a) there is hereby established a permanent select committee of the Senate to be known as the Select Committee on Ethics (referred to hereinafter as the "Select Committee") consisting of six Members of the Senate, of whom three shall be selected from members of the majority party and three shall be selected from members of the minority party. Members thereof shall be appointed by the Senate in accordance with the provisions of paragraph 1 of rule XXIV of the Standing Rules of the Senate at the beginning of each Congress. The Select Committee shall select a chairman or a vice chairman from among its members. For purposes of paragraph 4[5] of rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the Select Committee shall not be taken into account.

[5] Changed from "paragraph 6" as a result of the adoption of S. Res. 274, 96–1, Nov. 14, 1979.

(b) Vacancies in the membership of the Select Committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(c)(1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints and allegations of misconduct, including the consideration of matters involving sworn complaints, unsworn allegations or information, resultant preliminary inquiries, initial reviews, investigations, hearings, recommendations or reports, and matters relating to S. Res. 400, agreed to May 19, 1976.

(2) Three members shall constitute a quorum for the transaction of the routine business of the Select Committee not covered by the first paragraph of this subparagraph, including requests for opinions and interpretations concerning the Code of Official Conduct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a member of the majority party and one member of the quorum is a member of the minority party. During the transaction of routine business any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a majority of the members of the Select Committee are present.

(3) The Select Committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(d) (Repealed by S. Res. 271, 96–1, Oct. 31, 1979.)

(e)(1) A member of the Select Committee shall be ineligible to participate in any initial review or investigation relating to his own conduct, the conduct of any officer or employee he supervises, or the conduct of any employee of any officer he supervises, or relating to any complaint filed by him, and the determinations and recommendations of the Select Committee with respect thereto. For purposes of this subparagraph, a Member of the Select Committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 11 of rule XXXVII[6] of the Standing Rules of the Senate.

[6] Changed from "paragraph 12 of rule XLV" as a result of the adoption of S. Res. 274, 96–1, Nov. 14, 1979; further changed from "paragraph 11 of rule XLV" as a result of the adoption of S. Res. 389, 96–2, Mar. 25, 1980.

(2) A member of the Select Committee may, at his discretion, disqualify himself from participating in any initial review or investigation pending before the Select Committee and the determinations and recommendations of the Select Committee with respect thereto. Notice of such disqualification shall be given in writing to the President of the Senate.

(3) Whenever any member of the Select Committee is ineligible under paragraph (1) to participate in any initial review or investigation or disqualifies himself under paragraph (2) from participating in any initial review or investigation, another Member of the Senate shall, subject to the provisions of subsection (d), be appointed to serve as a member of the Select Committee solely for purposes of such initial review or investigation and the determinations and recommendations of the Select Committee with respect thereto. Any Member of the Senate appointed for such purposes shall be of the same party as the Member who is ineligible or disqualifies himself.

SEC. 2. (a) It shall be the duty of the Select Committee to—

(1) receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct, and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto;

(2) recommend to the Senate by report or resolution by a majority vote of the full committee disciplinary action (including, but not limited to, in the case of a Member: censure, expulsion, or recommendation to the appropriate party conference regarding such Member's seniority or positions of responsibility; and, in the case of an officer or employee: suspension or dismissal) to be taken with respect to such violations which the Select Committee shall determine, after according to the individuals concerned due notice and opportunity for hearing, to have occurred;

(3) recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Mem-

bers of the Senate, and by officers or employees of the Senate, in the performance of their duties and the discharge of their responsibilities; and

(4) report violations by a majority vote of the full committee of any law to the proper Federal and State authorities.

(b)(1) Each sworn complaint filed with the Select Committee shall be in writing, shall be in such form as the Select Committee may prescribe by regulation, and shall be under oath.

(2) For purposes of this section, "sworn complaint" means a statement of facts within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as Members, officers, or employees of the Senate.

(3) Any person who knowingly and willfully swears falsely to a sworn complaint does so under penalty of perjury, and the Select Committee may refer any such case to the Attorney General for prosecution.

(4) For the purposes of this section, "investigation" is a proceeding undertaken by the Select Committee after a finding, on the basis of an initial review, that there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred.

(c)(1) No investigation of conduct of a Member or officer of the Senate, and no report, resolution, or recommendation relating thereto, may be made unless approved by the affirmative recorded vote of not less than four members of the Select Committee.

(2) No other resolution, report, recommendation, interpretative ruling, or advisory opinion may be made without an affirmative vote of a majority of the members of the Select Committee voting.

(d)(1) When the Select Committee receives a sworn complaint against a Member or officer of the Senate, it shall promptly conduct an initial review of that complaint. The initial review shall be of duration and scope necessary to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred.

(2) If as a result of an initial review under paragraph (1), the Select Committee determines by a recorded vote that there is not such substantial credible evidence, the Select Committee shall report such determination to the complainant and to the party charged, together with an explanation of the basis of such determination.

(3) If as a result of an initial review under paragraph (1), the Select Committee determines that a violation is inadvertent, technical, or otherwise of a de minimis nature, the Select Committee may attempt to correct or prevent such a violation by informal methods.

(4) If as the result of an initial review under paragraph (1), the Select Committee determines that there is such substantial credible evidence but that the violation, if proven, is neither of a de minimis nature nor sufficiently serious to justify any of the penalties expressly referred to in subsection (a)(2), the Select Committee may propose a remedy it deems appropriate. If the matter is thereby resolved, a summary of the Select Committee's conclusions and the remedy proposed shall be filed as a public record with the Secretary of the Senate and a notice of such filing shall be printed in the Congressional Record.

(5) If as the result of an initial review under paragraph (1), the Select Committee determines that there is such substantial credible evidence, the Select Committee shall promptly conduct an investigation if (A) the violation, if proven, would be sufficiently serious, in the judgment of the Select Committee, to warrant imposition of one or more of the penalties expressly referred to in subsection (a)(2), or (B) the violation, if proven, is less serious, but was not resolved pursuant to paragraph (4) above. Upon the conclusion of such investigation, the Select Committee shall report to the Senate, as soon as practicable, the results of such investigation together with its recommendations (if any) pursuant to subsection (a)(2).

(6) Upon the conclusion of any other investigation respecting the conduct of a Member or officer undertaken by the Select Committee, the Select Committee shall report to the Senate, as soon as practicable, the results of such investigation together with its recommendations (if any) pursuant to subsection (a)(2).

(e) When the Select Committee receives a sworn complaint against an employee of the Senate, it shall consider the complaint according to procedures it deems appro-

priate. If the Select Committee determines that the complaint is without substantial merit, it shall notify the complainant and the accused of its determination, together with an explanation of the basis of such determination.

(f) The Select Committee may, in its discretion, employ hearing examiners to hear testimony and make findings of fact and/or recommendations to the Select Committee concerning the disposition of complaints.

(g) Notwithstanding any other provision of this section, no initial review or investigation shall be made of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provision of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may conduct an initial review or investigation of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

(h) The Select Committee shall adopt written rules setting forth procedures to be used in conducting investigations of complaints.

(i) The Select Committee from time to time shall transmit to the Senate its recommendation as to any legislative measures which it may consider to be necessary for the effective discharge of its duties.

SEC. 3. (a) The Select Committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; (7) employ and fix the compensation of a staff director, a counsel, an assistant counsel, one or more investigators, one or more hearing examiners, and such technical, clerical, and other assistants and consultants as it deems advisable; and (8) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations

thereof, by contract as independent contractors or, in the case of individuals, by employment at daily rates of compensation not in excess of the per diem equivalent of the highest rate of compensation which may be paid to a regular employee of the Select Committee.

(b)(1) The Select Committee is authorized to retain and compensate counsel not employed by the Senate (or by any department or agency of the executive branch of the Government) whenever the Select Committee determines that the retention of outside counsel is necessary or appropriate for any action regarding any complaint or allegation, which, in the determination of the Select Committee is more appropriately conducted by counsel not employed by the Government of the United States as a regular employee.

(2) Any investigation conducted under section 2 shall be conducted by outside counsel as authorized in paragraph (1), unless the Select Committee determines not to use outside counsel.

(c) With the prior consent of the department or agency concerned, the Select Committee may (1) utilize the services, information, and facilities of any such department or agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the Select Committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the Select Committee determines that such action is necessary and appropriate.

(d) Subpoenas may be issued (1) by the Select Committee or (2) by the chairman and vice chairman, acting jointly. Any such subpoena shall be signed by the chairman or the vice chairman and may be served by any person designated by such chairman or vice chairman. The chairman of the Select Committee or any member thereof may administer oaths to witnesses.

(e)(1) The Select Committee shall prescribe and publish such regulations as it feels are necessary to implement the Senate Code of Official Conduct.

(2) The Select Committee is authorized to issue interpretative rulings explaining and clarifying the application of

any law, the Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction.

(3) The Select Committee shall render an advisory opinion, in writing within a reasonable time, in response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to the Senate, concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(4) The Select Committee may in its discretion render an advisory opinion in writing within a reasonable time in response to a written request by any employee of the Senate concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(5) Notwithstanding any provision of the Senate Code of Official Conduct or any rule or regulation of the Senate, any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of paragraphs (3) and (4) and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction by the Senate.

(6) Any advisory opinion rendered by the Select Committee under paragraphs (3) and (4) may be relied upon by (A) any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered: *Provided, however,* That the request for such advisory opinion included a complete and accurate statement of the specific factual situation; and (B) any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(7) Any advisory opinion issued in response to a request under paragraph (3) or (4) shall be printed in the Congressional Record with appropriate deletions to assure the privacy of the individual concerned. The Select Committee shall to the extent practicable, before rendering an advisory opinion, provide any interested party with an opportunity

to transmit written comments to the Select Committee with respect to the request for such advisory opinion. The advisory opinions issued by the Select Committee shall be compiled, indexed, reproduced, and made available on a periodic basis.

(8) A brief description of a waiver granted under section 102(a)(2)(B) of Title I of Ethics in Government Act of 1978 [7] or paragraph 1 of rule XXXV [8] of the Standing Rules of the Senate shall be made available upon request in the Select Committee office with appropriate deletions to assure the privacy of the individual concerned.

SEC. 4. The expenses of the Select Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Select Committee.

SEC. 5. As used in this resolution, the term "officer or employee of the Senate" means—

(1) an elected officer of the Senate who is not a Member of the Senate;

(2) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

(3) the Legislative Counsel of the Senate or any employee of his office;

(4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate;

(7) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

[S. Res. 338, 88–2, July 24, 1964; S. Res. 368, 93–2, July 25, 1974; S. Res. 4, 95–1, Feb. 4, 1977; S. Res. 110, 95–1, Apr. 1, 1977; S. Res. 230, 95–1, July 25, 1977; S. Res. 312, 95–1, Nov. 1, 1977; S. Res. 271, 96–1, Oct. 31, 1979; S. Res. 78, 97–1, Feb. 24, 1981.]

[7] Changed from "paragraph 2(c), of rule XLII" as a result of the adoption of S. Res. 220, 96–1, Aug. 3, 1979.

[8] Changed from "paragraph 1 of rule XLIII" as a result of the adoption of S. Res. 389, 96–2, Mar. 25, 1980.

78 SELECT COMMITTEE ON ETHICS—ADDITIONAL RESPONSIBILITY

Resolved, That the Senate assigns responsibility for administering the reporting requirements of Title I of the Ethics in Government Act of 1978 to the Select Committee on Ethics.

[S. Res. 223, 96–1, Aug. 2, 1979.]

79 SELECT COMMITTEE ON ETHICS—CHAIRMAN AND VICE-CHAIRMAN LEGISLATIVE ASSISTANTS CLERK-HIRE ALLOWANCE

Resolved, That effective October 31, 1979, service of a Senator as the chairman or ranking minority member of the Select Committee on Ethics shall not be taken into account for purposes of applying section 111(b) of the Legislative Branch Appropriation Act, 1978.

[S. Res. 290, 96–1, Nov. 27, 1979.]

80 AUTHORIZING THE SELECT COMMITTEE ON ETHICS TO PROVIDE TRAINING ASSISTANCE TO ITS PROFESSIONAL STAFF

Resolved, That the Select Committee on Ethics (hereinafter referred to as the "Select Committee") is authorized, with the approval of the Committee on Rules and Administration, to provide assistance for members of its professional staff in obtaining specialized training, whenever the Select Committee determines that such training will aid it in the discharge of its responsibilities.

SEC. 2. (a) Assistance provided under authority of this resolution may be in the form of continuance of pay during periods of training or grants of funds to pay tuition, fees, or such other expenses of training, or both, as may be approved by the Committee on Rules and Administration.

(b) The Select Committee shall obtain from any employee receiving such assistance such agreement with respect to continued employment with the Select Committee as it may deem necessary to assure that it will receive the benefits of such employee's services upon completion of his training.

SEC. 3. The expenses of the Select Committee in providing assistance under authority of this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Select Committee.

[S. Res. 425, 97–2, Aug. 12, 1982.]

Resolved, That it is the purpose of this resolution to establish a new select committee of the Senate, to be known as the Select Committee on Intelligence, to oversee and make continuing studies of the intelligence activities and programs of the United States Government, and to submit to the Senate appropriate proposals for legislation and report to the Senate concerning such intelligence activities and programs. In carrying out this purpose, the Select Committee on Intelligence shall make every effort to assure that the appropriate departments and agencies of the United States provide informed and timely intelligence necessary for the executive and legislative branches to make sound decisions affecting the security and vital interests of the Nation. It is further the purpose of this resolution to provide vigilant legislative oversight over the intelligence activities of the United States to assure that such activities are in conformity with the Constitution and laws of the United States.

SEC. 2. (a)(1) There is hereby established a select committee to be known as the Select Committee on Intelligence (hereinafter in this resolution referred to as the "select committee"). The select committee shall be composed of not to exceed fifteen Members appointed as follows:

(A) two members from the Committee on Appropriations;

(B) two members from the Committee on Armed Services;

(C) two members from the Committee on Foreign Relations;

(D) two members from the Committee on the Judiciary; and

(E) not to exceed seven members to be appointed from the Senate at large.

(2) Members appointed from each committee named in clauses (A) through (D) of paragraph (1) shall be evenly divided between the two major political parties and shall be appointed by the President pro tempore of the Senate upon the recommendations of the majority and minority leaders of the Senate. Of any members appointed under paragraph (1)(E), the majority leader shall appoint the majority members and the minority leader shall appoint the minority members, with the majority having a one vote margin.

(3)(A) The majority leader of the Senate and the minority leader of the Senate shall be ex officio members of the select committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.

(B) The Chairman and Ranking Member of the Committee on Armed Services (if not already a member of the select Committee) shall be ex officio members of the select Committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.

(b) At the beginning of each Congress, the Majority Leader of the Senate shall select a chairman of the select Committee and the Minority Leader shall select a vice chairman for the select Committee. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. Neither the chairman nor the vice chairman of the select committee shall at the same time serve as chairman or ranking minority member of any other committee referred to in paragraph 4(e)(1) of rule XXV of the Standing Rules of the Senate.

(c) The select Committee may be organized into subcommittees. Each subcommittee shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman of the select Committee, respectively.

SEC. 3. (a) There shall be referred to the select committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following:

(1) The Office of the Director of National Intelligence and the Director of National Intelligence.

(2) The Central Intelligence Agency and the Director of the Central Intelligence Agency.

(3) Intelligence activities of all other departments and agencies of the Government, including, but not limited to, the intelligence activities of the Defense Intelligence Agency, the National Security Agency, and other agencies of the Department of Defense; the Department of State; the Department of Justice; and the Department of the Treasury.

(4) The organization or reorganization of any department or agency of the Government to the extent that the organization or reorganization relates to a function or activity involving intelligence activities.

(5) Authorizations for appropriations, both direct and indirect, for the following:

(A) The Office of the Director of National Intelligence and the Director of National Intelligence.

(B) The Central Intelligence Agency and the Director of the Central Intelligence Agency.

(C) The Defense Intelligence Agency.

(D) The National Security Agency.

(E) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(F) The intelligence activities of the Department of State.

(G) The intelligence activities of the Federal Bureau of Investigation.

(H) Any department, agency, or subdivision which is the successor to any agency named in clause (A), (B), (C) or (D); and the activities of any department, agency, or subdivision which is the successor to any department, agency, bureau, or subdivision named in clause (E), (F), or (G) to the extent that the activities of such successor department, agency, or subdivision are activities described in clause (E), (F), or (G).

(b)(1) Any proposed legislation reported by the select Committee except any legislation involving matters specified in clause (1), (2), (5)(A), or (5)(B) of subsection (a), containing any matter otherwise within the jurisdiction of any standing committee shall, at the request of the chairman of such standing committee, be referred to such standing committee for its consideration of such matter and be reported to the Senate by such standing committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such standing committee; and any proposed legislation reported by any committee, other than the select Committee, which contains any matter within the jurisdiction of the select Committee shall, at the request of the chairman of the select Committee, be referred to the select Committee for its consideration of such matter and be reported to the Senate by the select Committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such committee.

(2) In any case in which a committee fails to report any proposed legislation referred to it within the time limit prescribed in this subsection, such Committee shall be automatically discharged from further consideration of such

proposed legislation on the 10th day following the day on which such proposed legislation is referred to such committee unless the Senate provides otherwise, or the Majority Leader or Minority Leader request, prior to that date, an additional 5 days on behalf of the Committee to which the proposed legislation was sequentially referred. At the end of that additional 5 day period, if the Committee fails to report the proposed legislation within that 5 day period, the Committee shall be automatically discharged from further consideration of such proposed legislation unless the Senate provides otherwise.

(3) In computing any 10 or 5 day period under this subsection there shall be excluded from such computation any days on which the Senate is not in session.

(4) The reporting and referral processes outlined in this subsection shall be conducted in strict accordance with the Standing Rules of the Senate. In accordance with such rules, committees to which legislation is referred are not permitted to make changes or alterations to the text of the referred bill and its annexes, but may propose changes or alterations to the same in the form of amendments.

(c) Nothing in this resolution shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review any intelligence activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such committee.

(d) Nothing in this resolution shall be construed as amending, limiting, or otherwise changing the authority of any standing committee of the Senate to obtain full and prompt access to the product of the intelligence activities of any department or agency of the Government relevant to a matter otherwise within the jurisdiction of such committee.

SEC. 4. (a) The select committee, for the purposes of accountability to the Senate, shall make regular and periodic, but not less than quarterly, reports to the Senate on the nature and extent of the intelligence activities of the various departments and agencies of the United States. Such committee shall promptly call to the attention of the Senate or to any other appropriate committee or committees of the Senate any matters requiring the attention of the Senate or such other committee or committees. In making such report, the select committee shall proceed in a manner consistent with section 8(c)(2) to protect national security.

(b) The select committee shall obtain an annual report from the Director of National Intelligence, the Director of the Central Intelligence Agency, the Secretary of Defense, the Secretary of State, and the Director of the Federal Bureau of Investigation. Such reports shall review the intelligence activities of the agency or department concerned and the intelligence activities of foreign countries directed at the United States or its interest. An unclassified version of each report may be made available to the public at the discretion of the select committee. Nothing herein shall be construed as requiring the public disclosure in such reports of the names of individuals engaged in intelligence activities for the United States or the divulging of intelligence methods employed or the sources of information on which such reports are based or the amount of funds authorized to be appropriated for intelligence activities.

(c) On or before March 15 of each year, the select committee shall submit to the Committee on the Budget of the Senate the views and estimates described in section 301(c) of the Congressional Budget Act of 1974 regarding matters within the jurisdiction of the select committee.

SEC. 5. (a) For the purposes of this resolution, the select committee is authorized in its discretion (1) to make investigations into any matter within its jurisdiction, (2) to make expenditures from the contingent fund of the Senate, (3) to employ personnel, (4) to hold hearings, (5) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (6) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (7) to take depositions and other testimony, (8) to procure the service of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, and (9) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The chairman of the select committee or any member thereof may administer oaths to witnesses.

(c) Subpoenas authorized by the select committee may be issued over the signature of the chairman, the vice chairman or any member of the select committee designated by the chairman, and may be served by any person

designated by the chairman or any member signing the subpoenas.

SEC. 6. No employee of the select committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has (1) agreed in writing and under oath to be bound by the rules of the Senate (including the jurisdiction of the Select Committee on Ethics) and of such committee as to the security of such information during and after the period of his employment or contractual agreement with such committee; and (2) received an appropriate security clearance as determined by such committee in consultation with the Director of National Intelligence. The type of security clearance to be required in the case of any such employee or person shall, within the determination of such committee in consultation with the Director of National Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

SEC. 7. The select committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines the national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

SEC. 8. (a) The select committee may, subject to the provisions of this section, disclose publicly any information in the possession of such committee after a determination by such committee that the public interest would be served by such disclosure. Whenever committee action is required to disclose any information under this section, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the select committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the

disclosure of such information or after such vote except in accordance with this section.

(b)(1) In any case in which the select committee votes to disclose publicly any information which has been classified under established security procedures, which has been submitted to it by the Executive branch, and which the Executive branch requests be kept secret, such committee shall—

(A) first, notify the Majority Leader and Minority Leader of the Senate of such vote; and

(B) second, consult with the Majority Leader and Minority Leader before notifying the President of such vote.

(2) The select committee may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the Majority Leader and the Minority Leader and the President, unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the committee that he objects to the disclosure of such information, provides his reasons therefore, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

(3) If the President, personally, in writing, notifies the Majority Leader and Minority Leader of the Senate and the select Committee of his objections to the disclosure of such information as provided in paragraph (2), the Majority Leader and Minority Leader jointly or the select Committee, by majority vote, may refer the question of the disclosure of such information to the Senate for consideration.

(4) Whenever the select committee votes to refer the question of disclosure of any information to the Senate under paragraph (3), the Chairman shall not later than the first day on which the Senate is in session following the day on which the vote occurs, report the matter to the Senate for its consideration.

(5) One hour after the Senate convenes on the fourth day on which the Senate is in session following the day on which any such matter is reported to the Senate, or at such earlier time as the majority leader and the minority leader of the Senate jointly agree upon in accordance with paragraph 5 of rule XVII of the Standing Rules of the Senate, the Senate shall go into closed session and the matter

shall be the pending business. In considering the matter in closed session the Senate may—

(A) approve the public disclosure of all or any portion of the information in question, in which case the committee shall publicly disclose the information ordered to be disclosed,

(B) disapprove the public disclosure of all or any portion of the information in question, in which case the committee shall not publicly disclose the information ordered not to be disclosed, or

(C) refer all or any portion of the matter back to the committee, in which case the committee shall make the final determination with respect to the public disclosure of the information in question.

Upon conclusion of the consideration of such matter in closed session, which may not extend beyond the close of the ninth day on which the Senate is in session following the day on which such matter was reported to the Senate, or the close of the fifth day following the day agreed upon jointly by the majority and minority leaders in accordance with paragraph 5 of rule XVII of the Standing Rules of the Senate (whichever the case may be), the Senate shall immediately vote on the disposition of such matter in open session, without debate, and without divulging the information with respect to which the vote is being taken. The Senate shall vote to dispose of such matter by one or more of the means specified in clauses (A), (B), and (C) of the second sentence of this paragraph. Any vote of the Senate to disclose any information pursuant to this paragraph shall be subject to the right of a Member of the Senate to move for reconsideration of the vote within the time and pursuant to the procedures specified in rule XIII of the Standing Rules of the Senate, and the disclosure of such information shall be made consistent with that right.

(c)(1) No information in the possession of the select committee relating to the lawful intelligence activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to subsection (a) or (b) of this section, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the Senate except in a closed session of the Senate or as provided in paragraph (2).

(2) The select committee may, under such regulations as the committee shall prescribe to protect the confidentiality of such information, make any information described in paragraph (1) available to any other committee or any other Member of the Senate. Whenever the select committee makes such information available, the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the Senate received such information. No Member of the Senate who, and no committee which, receives any information under this subsection, shall disclose such information except in a closed session of the Senate.

(d) It shall be the duty of the Select Committee on Ethics to investigate any unauthorized disclosure of intelligence information by a Member, officer or employee of the Senate in violation of subsection (c) and to report to the Senate concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Select Committee on Ethics shall release to such individual at the conclusion of its investigation a summary of its investigation together with its findings. If, at the conclusion of its investigation, the Select Committee on Ethics determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the Senate, it shall report its findings to the Senate and recommend appropriate action such as censure, removal from committee membership, or expulsion from the Senate, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SEC. 9. The select committee is authorized to permit any personal representative of the President, designated by the President to serve as a liaison to such committee, to attend any closed meeting of such committee.

SEC. 10. Upon expiration of the Select Committee on Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-fourth Congress, all records, files, documents, and other materials in the possession, custody, or control of such committee, under appropriate conditions established by it, shall be transferred to the select committee.

SEC. 11. (a) It is the sense of the Senate that the head of each department and agency of the United States should

keep the select committee fully and currently informed with respect to intelligence activities, including any significant anticipated activities, which are the responsibility of or engaged in by such department or agency: *Provided,* That this does not constitute a condition precedent to the implementation of any such anticipated intelligence activity.

(b) It is the sense of the Senate that the head of any department or agency of the United States involved in any intelligence activities should furnish any information or document in the possession, custody, or control of the department or agency, or person paid by such department or agency, whenever requested by the select committee with respect to any matter within such committee's jurisdiction.

(c) It is the sense of the Senate that each department and agency of the United States should report immediately upon discovery to the select committee any and all intelligence activities which constitute violations of the constitutional rights of any person, violations of law, or violations of Executive orders, Presidential directives, or departmental or agency rules or regulations; each department and agency should further report to such committee what actions have been taken or are expected to be taken by the departments or agencies with respect to such violations.

SEC. 12. Subject to the Standing Rules of the Senate, no funds shall be appropriated for any fiscal year beginning after September 30, 1976, with the exception of a continuing bill or resolution, or amendment thereto, or conference report thereon, to, or for use of, any department or agency of the United States to carry out any of the following activities, unless such funds shall have been previously authorized by a bill or joint resolution passed by the Senate during the same or preceding fiscal year to carry out such activity for such fiscal year:

(1) The activities of the Office of the Director of National Intelligence and the Director of National Intelligence.

(2) The activities of the Central Intelligence Agency and the Director of the Central Intelligence Agency.

(3) The activities of the Defense Intelligence Agency.

(4) The activities of the National Security Agency.

(5) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(6) The intelligence activities of the Department of State.

(7) The intelligence activities of the Federal Bureau of Investigation.

SEC. 13. (a) The select committee shall make a study with respect to the following matters, taking into consideration with respect to each such matter, all relevant aspects of the effectiveness of planning, gathering, use, security, and dissemination of intelligence:

(1) the quality of the analytical capabilities of United States foreign intelligence agencies and means for integrating more closely analytical intelligence and policy formulation;

(2) the extent and nature of the authority of the departments and agencies of the Executive branch to engage in intelligence activities and the desirability of developing charters for each intelligence agency or department;

(3) the organization of intelligence activities in the Executive branch to maximize the effectiveness of the conduct, oversight, and accountability of intelligence activities; to reduce duplication or overlap; and to improve the morale of the personnel of the foreign intelligence agencies;

(4) the conduct of covert and clandestine activities and the procedures by which Congress is informed of such activities;

(5) the desirability of changing any law, Senate rule or procedure, or any Executive order, rule, or regulation to improve the protection of intelligence secrets and provide for disclosure of information for which there is no compelling reason for secrecy;

(6) the desirability of establishing a standing committee of the Senate on intelligence activities;

(7) the desirability of establishing a joint committee of the Senate and the House of Representatives on intelligence activities in lieu of having separate committees in each House of Congress, or of establishing procedures under which separate committees on intelligence activities of the two Houses of Congress would receive joint briefings from the intelligence agencies and coordinate their policies with respect to the safeguarding of sensitive intelligence information;

(8) the authorization of funds for the intelligence activities of the Government and whether disclosure of any of the amounts of such funds is in the public interest; and

(9) the development of a uniform set of definitions for terms to be used in policies or guidelines which may be adopted by the executive or legislative branches to govern, clarify, and strengthen the operation of intelligence activities.

(b) The select committee may, in its discretion, omit from the special study required by this section any matter it determines has been adequately studied by the Select Committee To Study Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, Ninety-fourth Congress.

(c) The select committee shall report the results of the study provided for by this section to the Senate, together with any recommendations for legislative or other actions it deems appropriate, no later than July 1, 1977, and from time to time thereafter as it deems appropriate.

SEC. 14. (a) As used in this resolution, the term "intelligence activities" includes (1) the collection, analysis, production, dissemination, or use of information which relates to any foreign country, or any government, political group, party, military force, movement, or other association in such foreign country, and which relates to the defense, foreign policy, national security, or related policies of the United States, and other activity which is in support of such activities; (2) activities taken to counter similar activities directed against the United States; (3) covert or clandestine activities affecting the relations of the United States with any foreign government, political group, party, military force, movement or other association; (4) the collection, analysis, production, dissemination, or use of information about activities of persons within the United States, its territories and possessions, or nationals of the United States abroad whose political and related activities pose, or may be considered by any department, agency, bureau, office, division, instrumentality, or employee of the United States to pose, a threat to the internal security of the United States, and covert or clandestine activities directed against such persons. Such term does not include tactical foreign military intelligence serving no national policy-making function.

(b) As used in this resolution, the term "department or agency" includes any organization, committee, council, establishment, or office within the Federal Government.

(c) For purposes of this resolution, reference to any department, agency, bureau, or subdivision shall include a reference to any successor department, agency, bureau, or subdivision to the extent that such successor engages in intelligence activities now conducted by the department, agency, bureau, or subdivision referred to in this resolution.

SEC. 15. (a) In addition to other committee staff selected by the select Committee, the select Committee shall hire or appoint one employee for each member of the select Committee to serve as such Member's designated representative on the select Committee. The select Committee shall only hire or appoint an employee chosen by the respective Member of the select Committee for whom the employee will serve as the designated representative on the select Committee.

(b) The select Committee shall be afforded a supplement to its budget, to be determined by the Committee on Rules and Administration, to allow for the hire of each employee who fills the position of designated representative to the select Committee. The designated representative shall have office space and appropriate office equipment in the select Committee spaces. Designated personal representatives shall have the same access to Committee staff, information, records, and databases as select Committee staff, as determined by the Chairman and Vice Chairman.

(c) The designated employee shall meet all the requirements of relevant statutes, Senate rules, and committee security clearance requirements for employment by the select Committee.

(d) Of the funds made available to the select Committee for personnel—

(1) not more than 60 percent shall be under the control of the Chairman; and

(2) not less than 40 percent shall be under the control of the Vice Chairman.

SEC. 16. Nothing in this resolution shall be construed as constituting acquiescence by the Senate in any practice, or in the conduct of any activity, not otherwise authorized by law.

SEC. 17. (a)(1) Except as provided in subsections (b) and (c), the Select Committee shall have jurisdiction to review, hold hearings, and report the nominations of civilian individuals for positions in the intelligence community for which appointments are made by the President, by and with the advice and consent of the Senate.

"(2) Except as provided in subsections (b) and (c), other committees with jurisdiction over the department or agency of the Executive Branch which contain a position referred to in paragraph (1) may hold hearings and interviews with individuals nominated for such position, but only the Select Committee shall report such nomination.

"(3) In this subsection, the term 'intelligence community' means an element of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

"(b)(1) With respect to the confirmation of the Assistant Attorney General for National Security, or any successor position, the nomination of any individual by the President to serve in such position shall be referred to the Committee on the Judiciary and, if and when reported, to the Select Committee for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

"(2) If, upon the expiration of the period described in paragraph (1), the Select Committee has not reported the nomination, such nomination shall be automatically discharged from the Select Committee and placed on the Executive Calendar.

"(c)(1) With respect to the confirmation of appointment to the position of Director of the National Security Agency, Inspector General of the National Security Agency, Director of the National Reconnaissance Office, or Inspector General of the National Reconnaissance Office, orany successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is a member of the Armed Forces on active duty, shall be referred to the Committee on Armed Services and, if and when reported, to the Select Committee for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Select Committee shallhave 5 additional

calendar days after the Senate reconvenes to report the nomination.

"(2) With respect to the confirmation of appointment to the position of Director of the National Security Agency, Inspector General of the National Security Agency, Director of the National Reconnaissance Office, or Inspector General or the National Reconnaissance Office, or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is not a member of the Armed Forces on active duty, shall be referred to the Select Committee and, if and when reported, to the Committee on Armed Services for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Committee on Armed Services shall have an additional 5 calendar days after the Senate reconvenes to report the nomination.

"(3) If, upon the expiration of the period of sequential referral described in paragraphs (1) and (2), the committee to which the nomination was sequentially referred has not reported the nomination, the nomination shall be automatically discharged from that committee and placed on the Executive Calendar.".

[S. Res. 400, 94–2, May 19, 1976, as amended S. Res. 470, 113–2, July 7, 2014; S. Res. 4, Feb. 4, 1977; S. Res. 445, 108–2, Oct. 9, 2004, Pub. L. 109–77, § 506. 120 Stat. 247. 247 (2005), and S. Res. 50, 110–1, Feb. 14, 2007.]

HOMELAND SECURITY AND INTELLIGENCE OVERSIGHT 82

To eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence.

Resolved,

SEC. 100. Purpose.

It is the purpose of titles I through V of this resolution to improve the effectiveness of the Senate Select Committee on Intelligence, especially with regard to its oversight of the Intelligence Community of the United States Government, and to improve the Senate's oversight of homeland security.

TITLE I—HOMELAND SECURITY OVERSIGHT REFORM 82.1

SEC. 101. Homeland Security.

(a) COMMITTEE ON HOMELAND SECURITY AND GOVERNMENT AFFAIRS.—The Committee on Governmental

Affairs is renamed as the Committee on Homeland Security and Governmental Affairs.

(b) JURISDICTION.—There shall be referred to the committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(1) Department of Homeland Security, except matters relating to—

(A) the Coast Guard, the Transportation Security Administration, the Federal Law Enforcement Training Center or the Secret Service; and

(B)(i) the United States Citizenship and Immigration Service; or

(ii) the immigration functions of the United States Customs and Border Protection or the United States Immigration and Custom Enforcement or the Directorate of Border and Transportation Security; and

(C) the following functions performed by any employee of the Department of Homeland Security—

(i) any customs revenue function including any function provided for in section 415 of the Homeland Security Act of 2002 (Public Law 107–296);

(ii) any commercial function or commercial operation of the Bureau of Customs and Border Protection or Bureau of Immigration and Customs Enforcement, including matters relating to trade facilitation and trade regulation; or

(iii) any other function related to clause (i) or (ii) that was exercised by the United States Customs Service on the day before the effective date of the Homeland Security Act of 2002 (Public Law 107–296).

The jurisdiction of the Committee on Homeland Security and Governmental Affairs in this paragraph shall supersede the jurisdiction of any other committee of the Senate provided in the rules of the Senate: *Provided*, That the jurisdiction provided under section 101(b)(1) shall not include the National Flood Insurance Act of 1968, or functions of the Federal Emergency Management Agency related thereto.

(2) Archives of the United States.

(3) Budget and accounting measures, other than appropriations, except as provided in the Congressional Budget Act of 1974.

(4) Census and collection of statistics, including economic and social statistics.

(5) Congressional organization, except for any part of the matter that amends the rules or orders of the Senate.

(6) Federal Civil Service.

(7) Government information.

(8) Intergovernmental relations.

(9) Municipal affairs of the District of Columbia, except appropriations therefor.

(10) Organization and management of United States nuclear export policy.

(11) Organization and reorganization of the executive branch of the Government.

(12) Postal Service.

(13) Status of officers and employees of the United States, including their classification, compensation, and benefits.

(c) ADDITIONAL DUTIES.—The committee shall have the duty of—

(1) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;

(2) studying the efficiency, economy, and effectiveness of all agencies and departments of the Government;

(3) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government; and

(4) studying the intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

(d) JURISDICTION OF BUDGET COMMITTEE.—Notwithstanding paragraph (b)(3) of this section, and except as otherwise provided in the Congressional Budget Act of 1974, the Committee on the Budget shall have exclusive jurisdiction over measures affecting the congressional budget process, which are—

(1) the functions, duties, and powers of the Budget Committee;

(2) the functions, duties, and powers of the Congressional Budget Office;

(3) the process by which Congress annually establishes the appropriate levels of budget authority, outlays, revenues, deficits or surpluses, and public debt—including subdivisions thereof—and including the establishment of mandatory ceilings on spending and appropriations, a floor on revenues, timetables for congressional action on concurrent resolutions, on the reporting of authorization bills, and on the enactment of appropriation bills, and enforcement mechanisms for budgetary limits and timetables;

(4) the limiting of backdoor spending devices;

(5) the timetables for Presidential submission of appropriations and authorization requests;

(6) the definitions of what constitutes impoundment—such as "rescissions" and "deferrals";

(7) the process and determination by which impoundments must be reported to and considered by Congress;

(8) the mechanisms to insure Executive compliance with the provisions of the Impoundment Control Act, title X—such as GAO review and lawsuits; and

(9) the provisions which affect the content or determination of amounts included in or excluded from the congressional budget or the calculation of such amounts, including the definition of terms provided by the Budget Act.

(e) OMB NOMINEES.—The Committee on the Budget and the Committee on Homeland Security and Governmental Affairs shall have joint jurisdiction over the nominations of persons nominated by the President to fill the positions of Director and Deputy Director for Budget within the Office of Management and Budget, and if one committee votes to order reported such a nomination, the other must report within 30 calendar days session, or be automatically discharged.

82.2 TITLE II—INTELLIGENCE OVERSIGHT REFORM

SEC. 201. Intelligence Oversight.

(a) COMMITTEE ON ARMED SERVICES MEMBERSHIP.—Section 2(a)(3) of Senate Resolution 400, agreed to

May 19, 1976 (94th Congress) (referred to in this section as "S. Res. 400") is amended by—

(1) inserting "(A)" after "(3)"; and

(2) inserting at the end the following:

"(B) The Chairman and Ranking Member of the Committee on Armed Services (if not already a member of the select Committee) shall be ex officio members of the select Committee but shall have no vote in the Committee and shall not be counted for purposes of determining a quorum.".

(b) NUMBER OF MEMBERS.—Section 2(a) of S. Res. 400 is amended—

(1) in paragraph (1), by inserting "not to exceed" before "fifteen members";

(2) in paragraph (1)(E), by inserting "not to exceed" before "seven"; and

(3) in paragraph (2), by striking the second sentence and inserting "Of any members appointed under paragraph (1)(E), the majority leader shall appoint the majority members and the minority leader shall appoint the minority members, with the majority having a one vote margin.".

(c) ELIMINATION OF TERM LIMITS.—Section 2 of Senate Resolution 400, 94th Congress, agreed to May 19, 1976, is amended by striking subsection (b) and by redesignating subsection (c) as subsection (b).

(d) APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN.—Section 2(b) of S. Res. 400, as redesignated by subsection (c) of this section, is amended by striking the first sentence and inserting the following: "At the beginning of each Congress, the Majority Leader of the Senate shall select a chairman of the select Committee and the Minority Leader shall select a vice chairman for the select Committee.".

(e) SUBCOMMITTEES.—Section 2 of S. Res. 400, as amended by subsections (a) through (d), is amended by adding at the end the following:

"(c) The select Committee may be organized into subcommittees. Each subcommittee shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman of the select Committee, respectively.".

(f) REPORTS.—Section 4(a) of S. Res. 400 is amended by inserting ", but not less than quarterly," after "periodic".

(g) STAFF.—Section 15 of S. Res. 400 is amended to read as follows:

"SEC. 15. (a) In addition to other committee staff selected by the select Committee, the select Committee shall hire or appoint one employee for each member of the select Committee to serve as such Member's designated representative on the select Committee. The select Committee shall only hire or appoint an employee chosen by the respective Member of the select Committee for whom the employee will serve as the designated representative on the select Committee.

"(b) The select Committee shall be afforded a supplement to its budget, to be determined by the Committee on Rules and Administration, to allow for the hire of each employee who fills the position of designated representative to the select Committee. The designated representative shall have office space and appropriate office equipment in the select Committee spaces. Designated personal representatives shall have the same access to Committee staff, information, records, and databases as select Committee staff, as determinedby the Chairman and Vice Chairman.

"(c) The designated employee shall meet all the requirements of relevant statutes, Senate rules, and committee security clearance requirements for employment by the select Committee.

"(d) Of the funds made available to the select Committee for personnel—

"(1) not more than 60 percent shall be under the control of the Chairman; and

"(2) not less than 40 percent shall be under the control of the Vice Chairman.".

(h) NOMINEES.—S. Res. 400 is amended by adding at the end the following:

"SEC. 17. (a) The select Committee shall have jurisdiction for reviewing, holding hearings, and reporting the nominations of civilian persons nominated by the President to fill all positions within the intelligence community requiring the advice and consent of the Senate.

"(b) Other committees with jurisdiction over the nominees' executive branch department may hold hearings and interviews with such persons, but only the select Committee shall report such nominations.".

(i) JURISDICTION.—Section 3(b) of S. Res. 400 is amended to read as follows:

"(b)(1) Any proposed legislation reported by the select Committee except any legislation involving matters specified in clause (1) or (4)(A) of subsection (a), containing any matter otherwise within the jurisdiction of any standing committee shall, at the request of the chairman of such standing committee, be referred to such standing committee for its consideration of such matter and be reported to the Senate by such standing committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such standing committee; and any proposed legislation reported by any committee, other than the select Committee, which contains any matter within the jurisdiction of the select Committee shall, at the request of the chairman of the select Committee, be referred to the select Committee for its consideration of such matter and be reported to the Senate by the select Committee within 10 days after the day on which such proposed legislation, in its entirety and including annexes, is referred to such committee.

"(2) In any case in which a committee fails to report any proposed legislation referred to it within the time limit prescribed in this subsection, such Committee shall be automatically discharged from further consideration of such proposed legislation on the 10th day following the day on which such proposed legislation is referred to such committee unless the Senate provides otherwise, or the Majority Leader or Minority Leader request, prior to that date, an additional 5 days on behalf of the Committee to which the proposed legislation as sequentially referred. At the end of that additional 5 day period, if the Committee fails to report the proposed legislation within that 5 day period, the Committee shall be automatically discharged from further consideration of such proposed legislation unless the Senate provides otherwise.

"(3) In computing any 10 or 5 day period under this subsection there shall be excluded from such computation any days on which the Senate is not the session.

"(4) The reporting and referral processes outlined in this subsection shall be conducted in strict accord-

ance with the Standing Rules of the Senate. In accordance with such rules, committees to which legislation is referred are not permitted to make changes or alterations to the text of the referred bill and its annexes, but may propose changes or alterations to the same in the form of amendments.".

(j) PUBLIC DISCLOSURE.—Section 8 of S. Res. 400 is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking "shall notify the President of such vote" and inserting "shall—

"(A) first, notify the Majority Leader and Minority Leader of the Senate of such vote; and

"(B) second, consult with the Majority Leader and Minority Leader before notifying the President of such vote.";

(B) in paragraph (2), by striking "transmitted to the President" and inserting "transmitted to the Majority Leader and the Minority Leader and the President"; and

(C) by amending paragraph (3) to read as follows:

"(3) If the President, personally, in writing, notifies the Majority Leader and Minority Leader of the Senate and the select Committee of his objections to the disclosure of such information as provided in paragraph (2), the Majority Leader and Minority Leader jointly or theselect Committee, by majority vote, may refer the question of the disclosure of such information to the Senatefor consideration.".

82.3

TITLE III—COMMITTEE STATUS

SEC. 301. Committee Status.

(a) HOMELAND SECURITY.—The Committee on Homeland Security and Governmental Affairs shall be treated as the Committee on Governmental Affairs listed under paragraph 2 of rule XXV of the Standing Rules of the Senate for purposes of the Standing Rules of the Senate.

(b) INTELLIGENCE.—The Select Committee on Intelligence shall be treated as a committee listed under paragraph 2 of rule XXV of the Standing Rules of the Senate for purposes of the Standing Rules of the Senate.

TITLE IV—INTELLIGENCE RELATED SUBCOMMITTEES 82.4

SEC. 401. Subcommittee Related on Intelligence Oversight.

(a) ESTABLISHMENT.—There is established in the Select Committee on Intelligence a Subcommittee on Oversight which shall be in addition to any other subcommittee established by the select Committee.

(b) RESPONSIBILITY.—The Subcommittee on Oversight shall be responsible for ongoing oversight of intelligence activities.

SEC. 402. Subcommittee Related to Intelligence Appropriations.

(a) ESTABLISHMENT.—There is established in the Committee on Appropriations a Subcommittee on Intelligence. The Committee on Appropriations shall reorganize into 13 subcommittees as soon as possible after the convening of the 109th Congress.

(b) JURISDICTION.—The Subcommittee on Intelligence of the Committee on Appropriations shall have jurisdiction over funding for intelligence matters, as determined by the Senate Committee on Appropriations.

TITLE V—EFFECTIVE DATE 82.5

SEC. 501. Effective Date.

This resolution shall take effect on the convening of the 109th Congress.

[S. Res. 445, 108–2, Oct. 9, 2004.]

REORGANIZATION OF SENATE COMMITTEE SYSTEM [9] 83

Resolved, That this resolution may be cited as the "Committee System Reorganization Amendments of 1977".

TITLE I—SENATE COMMITTEES; JURISDICTIONS AND SIZES 83.1

* * * * * * *

SPECIAL COMMITTEE ON AGING 84

SEC. 104. (a)(1) There is established a Special Committee on Aging (hereafter in this section referred to as the "special committee") which shall consist of nineteen [10] members. The members and chairman of the special committee

[9] Omitted portions amended the Standing Rules of the Senate and various Senate resolutions, were temporary in nature, or have been executed.

[10] See paragraph 3(b) of rule XXV of the Standing Rules.

shall be appointed in the same manner and at the same time as the members and chairman of a standing committee of the Senate. After the date on which the majority and minority members of the special committee are initially appointed on or after the effective date of Title I of the Committee System Reorganization Amendments of 1977, each time a vacancy occurs in the membership of the special committee, the number of members of the special committee shall be reduced by one until the number of members of the special committee consists of nine Senators.

(2)[11] For purposes of paragraph 1 of rule XXV; paragraphs 1, 7(a)(1)–(2), 9, and 10(a) of rule XXVI; and paragraphs 1(a)–(d), and 2 (a) and (d) of rule XXVII of the Standing Rules of the Senate; and for purposes of section 202 (i) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.[12]

(b)(1) It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to problems and opportunities of older people, including, but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and, when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(2) The special committee shall, from time to time (but not less often than once each year), report to the Senate the results of the study conducted pursuant to paragraph (1), together with such recommendation as it considers appropriate.

(c)(1) For the purposes of this section, the special committee is authorized, in its discretion, (A) to make investigations into any matter within its jurisdiction, (B) to make expenditures from the contingent fund of the Senate, (C) to employ personnel, (D) to hold hearings, (E) to sit and act at any time or place during the sessions, recesses,

[11] The references in this paragraph were changed as a result of the adoption of S. Res. 274, 96–1, Nov. 14, 1979; and further changed as a result of the adoption of S. Res. 389, 96–2, Mar. 25, 1980.

[12] As amended, S. Res. 78, 95–1, Feb. 11, 1977; S. Res. 376, 95–2, Mar. 6, 1978.

and adjourned periods of the Senate, (F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (G) to take depositions and other testimony, (H) to procure the services of individual consultations or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(2) The chairman of the special committee or any member thereof may administer oaths to witnesses.

(3) Subpenas authorized by the special committee may be issued over the signature of the chairman, or any member of the special committee designated by the chairman, and may be served by any person designated by the chairman or the member signing the Subpena.

(d) All records and papers of the temporary Special Committee on Aging established by Senate Resolution 33, Eighty-seventh Congress, are transferred to the special committee.

(e) (Executed.)

COMMITTEE ON INDIAN AFFAIRS[13] 85

SEC. 105. (a)(1) There is established a temporary Select Committee on Indian Affairs (hereafter in this section referred to as the "select committee") which shall consist of seven[14] members, four to be appointed by the President of the Senate, upon the recommendation of the majority leader, from among members of the majority party and three to be appointed by the President of the Senate, upon the recommendation of the minority leader, from among the members of the minority party. The select committee shall select a chairman from among its members.

(2) A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the select committee may fix a lesser number as a quorum for the purpose of taking testimony. The select committee shall adopt rules of procedure not inconsistent

[13] Name changed from "Select Committee on Indian Affairs" by provision of S. Res. 71, 103–1, Feb. 24, 1993.

[14] See paragraph 3(c) of rule XXV of the Standing Rules.

with this section and the rules of the Senate governing standing committees of the Senate.

(3) Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the select committee.

(4) For purposes of paragraph 4[15] of rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the select committee shall not be taken into account.

(b)(1) All proposed legislation, messages, petitions, memorials, and other matters relating to Indian affairs shall be referred to the select committee.

(2) It shall be the duty of the select committee to conduct a study of any and all matters pertaining to problems and opportunities of Indians, including but not limited to, Indian land management and trust responsibilities, Indian education, health, special services, and loan programs, and Indian claims against the United States.

(3) The select committee shall from time to time report to the Senate, by bill or otherwise, its recommendations with respect to matters referred to the select committee or otherwise within its jurisdiction.

(c)(1) For the purposes of this section, the select committee is authorized, in its discretion, (A) to make investigations into any matter within its jurisdiction, (B) to make expenditures from the contingent fund of the Senate, (C) to employ personnel, (D) to hold hearings, (E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (G) to take depositions and other testimony, (H) to procure the services of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(2) The chairman of the select committee or any member thereof may administer oaths to witnesses.

[15] Changed from "paragraph 6" as a result of the adoption of S. Res. 274, 96–1, Nov. 14, 1979.

(3) Subpoenas authorized by the select committee may be issued over the signature of the chairman, or any member of the select committee designated by the chairman, and may be served by any person designated by the chairman or the member signing the subpoena.

(d) The select committee shall cease to exist on January 2, 1984,[16] and effective on January 3, 1984, jurisdiction over the matters specified in subsection (b)(1) and the duty specified in subsection (b)(2) are transferred to the Committee on Health, Education, Labor, and Pensions.[17]

* * * * * * *

[Sec. 105 of S. Res. 4, 95–1, Feb. 4, 1977; S. Res. 405, 95–2, Oct. 15, 1978; S. Res. 448, 96–2, Dec. 11, 1980; Cong. Rec., Nov. 18, 1983; S. Res. 127, 98–2, June 6, 1984.]

TITLE II—COMMITTEE ASSIGNMENTS; CHAIRMANSHIPS **85.1**

SEC. 201. * * *

(f) It is the sense of the Senate that, in adopting rules, each committee of the Senate should include a provision to insure that assignment of Senators to subcommittees will occur in an equitable fashion; namely, that no member of a committee will receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignment to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

* * * * * * *

TITLE IV—SCHEDULING OF COMMITTEE MEETINGS **85.2**

SEC. 401. (a) In consultation with the Majority Leader and the Minority Leader, the Committee on Rules and Administration shall establish and maintain a computerized schedule of all meetings of committees of the Senate and subcommittees thereof, and of all meetings of joint committees of the Congress and subcommittees thereof. Such schedule shall be maintained online to terminals in the offices of all Senators, committees of the Senate, and permanent joint committees of the Congress, and shall be up-

[16] The Senate, by unanimous consent, Nov. 18, 1983, provided for the continuation of the select committee with all of its jurisdictional responsibilities until July 1, 1984. S. Res. 127, agreed to June 6, 1984, established the Select Committee on Indian Affairs as a permanent committee of the Senate.

[17] Name changed from Committee on Human Resources to Committee on Labor and Human Resources by S. Res. 30, 96–1, Mar. 7, 1979. Name changed to Committee on Health, Education, Labor, and Pensions by S. Res. 28, 106–1, Jan. 21, 1999.

dated immediately upon receipt of notices of meetings or cancellations thereof under this section.

(b) Each committee of the Senate, and each subcommittee thereof, shall notify the office designated by the Committee on Rules and Administration of each meeting of such committee or subcommittee, including the time period or periods (as prescribed in paragraph 6 of rule XXVI[18] of the Standing Rules of the Senate), the place, and the purpose of such meeting. The Senate members of any joint committee of the Congress or of a subcommittee thereof shall cause notice to be given to the office designated by the Committee on Rules and Administration of each meeting of such joint committee or subcommittee, including the time, place, and purposes of such meeting. Notice under this subsection shall be given immediately upon scheduling a meeting.

(c) Each committee of the Senate, and each subcommittee thereof, shall notify the office designated by the Committee on Rules and Administration immediately upon the cancellation of a meeting of such committee or subcommittee. The Senate members of any joint committee of the Congress or any subcommittee thereof shall cause notice to be given to the office designated by the Committee on Rules and Administration immediately upon the cancellation of a meeting of such joint committee or subcommittee.

(d) For purposes of this section, the term "joint committee of the Congress" includes a committee of conference.

* * * * * * *

85.3 TITLE V—CONTINUING REVIEW OF THE COMMITTEE SYSTEM

SEC. 501. (a) The Committee on Rules and Administration, in consultation with the Majority Leader and the Minority Leader, shall review, on a continuing basis, the committee system of the Senate and the Standing Rules and other rules of the Senate related thereto.

(b) During the second regular session of each Congress, the Committee on Rules and Administration shall submit to the Senate a report of the results of its review under subsection (a) during that Congress. Such report shall include its recommendations (if any) for changes in the committee system of the Senate and the Standing Rules and other rules of the Senate related thereto. The Committee on Rules and Administration may submit, from time to

[18] Changed from "paragraph 9 of rule XXV" as a result of the adoption of S. Res. 274, 96–1, Nov. 14, 1979.

time, such other reports and recommendations with respect to such committee system and rules as it deems appropriate.

(c) The Committee on Rules and Administration, the Majority Leader, and the Minority Leader may request the Secretary for the Majority and the Secretary for the Minority to provide assistance in carrying out their duties and responsibilities under this section.

* * * * * * *

[S. Res. 4, 95–1, Feb. 4, 1977.]

ACCEPTANCE OF GIFTS BY THE COMMITTEE ON RULES AND ADMINISTRATION 86

SEC. 4. The Senate Committee on Rules and Administration, on behalf of the Senate, may accept a gift if the gift does not involve any duty, burden, or condition, or is not made dependent upon some future performance by the United States Senate. The Committee on Rules and Administration is authorized to promulgate regulations to carry out this section.

[S. Res. 158, 104–1, July 28, 1995.]

AUTHORIZING SUIT BY SENATE COMMITTEES 87

Resolved, That hereafter any committee of the Senate is hereby authorized to bring suit on behalf of and in the name of the United States in any court of competent jurisdiction if the committee is of the opinion that the suit is necessary to the adequate performance of the powers vested in it or the duties imposed upon it by the Constitution, resolution of the Senate, or other law. Such suit may be brought and prosecuted to final determination irrespective of whether or not the Senate is in session at the time the suit is brought or thereafter. The committee may be represented in the suit either by such attorneys as it may designate or by such officers of the Department of Justice as the Attorney General may designate upon the request of the committee. No expenditures shall be made in connection with any such suit in excess of the amount of funds available to the said committee. As used in this resolution, the term "committee" means any standing or special committee of the Senate, or any duly authorized subcommittee thereof, or the Senate members of any joint committee.

[S. Jour. 572, 70–1, May 28, 1928.]

SEC. 21. Senate National Security Working Group Extension and Revision.

(a) WORKING GROUP RECONSTITUTION.—

(1) IN GENERAL.—The Senate National Security Working Group (in this section referred to as the "Working Group"), authorized by Senate Resolution 105 of the 101st Congress, 1st session (agreed to on April 13, 1989), as subsequently amended and extended, is hereby reconstituted.

(2) DUTIES.—The Working Group—

(A) shall serve as a forum for bipartisan discussion of current national security issues relating to the jurisdictions of multiple committees of the Senate;

(B) shall conduct regular meetings and maintain records of all meetings and activities;

(C) may authorize members to act as official observers on the United States delegation to any negotiations to which the United Statesis a party regarding—

(i) the reduction, limitation, or control of conventional weapons, weapons of mass destruction, or the means for delivery of any such weapons;

(ii) the reduction, limitation, or control of missile defenses; or

(iii) export controls;

(D) may study any issues related to national security that the majority leader of the Senate and the minority leader of the Senate jointly determine appropriate;

(E) is encouraged to consult with parliamentarians and legislators of foreign nations and to participate in international forums and institutions regarding the matters described in subparagraphs (C) and (D); and

(F) is not authorized to investigate matters relating to espionage or intelligence operations against the United States, counterintelligence operations and activities, or other intelligence matters within the jurisdiction of the Select Committee on Intelligence under Senate Resolution 400 of the 94th Congress, agreed to on May 19, 1976.

(3) COMPOSITION.—

(A) In General.—The Working Group shall be composed of 20 members, as follows:

(i) 7 Cochairmen, who shall head the Working Group, as follows:

(I) 4 Members of the Senate from the majority party in the Senate (in this section referredto as the "Majority Cochairmen"), appointed by the majority leader of the Senate.

(II) 3 Members of the Senate from the minority party in the Senate (in this section referred to as the "Minority Cochairmen"), appointed by the minority leader of the Senate.

(ii) The majority leader of the Senate and the minority leader of the Senate.

(iii) 5 Members of the Senate from the majority party in the Senate, appointed by the majority leader of the Senate.

(iv) 6 Members of the Senate from the minority party in the Senate, appointed by the minority leader of the Senate.

(B) ADMINISTRATIVE COCHAIRMEN.—The majority leader of the Senate shall designate one of the Majority Cochairmen to serve as the Majority Administrative Cochairman, and the minority leader of the Senate shall designate one of the Minority Cochairmen to serve as the Minority Administrative Cochairman.

(C)PUBLICATION.—Appointments and designations under this paragraph shall be printed in the Congressional Record.

(4) VACANCIES.—Any vacancy in the Working Group shall be filled in the same manner in which the original appointment was made.

(b) WORKING GROUP STAFF.—

(1) COMPENSATION AND EXPENSES.—(A) The Working Group is authorized, from funds made available under subsection (c), to employ such staff in the manner and at a rate not to exceed that allowed for employees of a committee of the Senate under paragraph (3) of section 105(e) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61–1(e)), and incur such expenses as may be necessary or appropriate to carry out its duties and functions.

(B) Senate Resolution 243, 100th Congress, agreed to July 1, 1987, is amended in section 2(b) by striking the period at the end and inserting "at a rate not to exceed that allowed for employees of a committee of the Senate under paragraph (3) of section 105(e) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61–1(e)).".

(C) Payments made under this subsection for receptions, meals, and food-related expenses shall be authorized, however, only for those actual expenses incurred by the Working Group in the course of conducting its official duties and functions. Amounts received as reimbursement for such food expenses shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction under title 26, United States Code.

(2) DESIGNATION OF PROFESSIONAL STAFF.—

(A) IN GENERAL.—The Majority Administrative Cochairman shall designate one or more professional staff members for each Majority Cochairman of the Working Group, upon recommendations from each such Majority Co-chairman. The Minority Administrative Co-chairman shall designate one or more professional staff members for each Minority Cochairman of the Working Group, upon recommendations from each such Minority Cochairman.

(B) COMPENSATION OF SENATE EMPLOYEES.—In the case of the compensation of any such professional staff member who is an employee of a Member of the Senate or of a committee of the Senate and who has been designated to perform services for the Working Group, such professional staff member shall continue to be paid by such Member or such Committee, as the case may be, but the account from which such professional staff member is paid shall be reimbursed for the services of such professionalstaff member (includingagency contributions when appropriate) out of funds made available under subsection (c)(2).

(C) DUTIES.—The professional staff members authorized by this paragraph shall serve all members of the Working Group and shall carry out such other functions as their respective Co-chairmen may specify.

(D) EXCLUSIVE PARTICIPATION IN OFFICIAL ACTIVITIES.—Except as provided in paragraph (4), only designated staff of the Working Group may participate in the official activities of the Working Group.

(3) LEADERSHIP STAFF.—

(A) IN GENERAL.—The majority leader of the Senate and the minority leader of the Senate may each designate 2 staff members who shall be responsible to the respective leader.

(B) COMPENSATION.—Funds necessary to compensate leadership staff shall be transferred from the funds made available under subsection (c)(3) to the respective account from which such designated staff member is paid.

(4) FOREIGN TRAVEL.—

(A) IN GENERAL.—All foreign travel of the Working Group shall be authorized solely by the majority leader of the Senate and the minority leader of the Senate, upon the recommendation of the Administrative Cochairmen. Participation by Senate staff members in, and access to, all official activities and functions of the Working Group during foreign travel, and access to all classified briefings and information made available to the Working Group during such travel, shall be limited exclusively to Working Group staff members with appropriate clearances.

(B) AUTHORIZATION REQUIRED.—

(i) COMMITTEE STAFF.—No foreign travel or other funding shall be authorized by any committee of the Senate for the use of staff for activities described under this paragraph without the joint written authorization of the majority leader of the Senate and the minority leader of the Senate to the chairman of such committee.

(ii) MEMBER STAFF.—No foreign travel or other funding shall be authorized for the staff of any Member of the Senate, other than Working Group staff, for activities described under this

paragraph unless the majority leader of the Senate and the minority leader of the Senate jointly so authorize in writing.

(c) PAYMENT OF EXPENSES.—

(1) IN GENERAL.—The expenses of the Working Group shall be paid from the contingent fund of the Senate, out of the account of Miscellaneous Items, upon vouchers approved jointly by the Administrative Cochairmen (except that vouchers shall not be required for the disbursement of salaries of employees who are paid at an annual rate).

(2) AMOUNTS AVAILABLE.—For any fiscal year, not more than $500,000 shall be expended for staff and for expenses (excepting expenses incurred for foreign travel), of which not more than $100,000 shall be available for each Administrative Cochairman and the staff of such Administrative Cochairman, and not more than $60,000 shall be available for each Cochairman who is not an Administrative Cochairman and the staff of such Cochairman.

(3) LEADERSHIP STAFF.—In addition to the amounts referred to in paragraph (2), for any fiscal year, not more than $200,000 shall be expended from the contingent fund of the Senate, out of the account of Miscellaneous Items, for leadership staff as designated in subsection (b)(3) for salaries and expenses (excepting expenses incurred for foreign travel).

(d) SUNSET.—The provisions of this section shall remain in effect until December 31, 2020.

[S. Res. 64, 113–1, Mar. 5, 2013, as amended Further Continuing and Security Assistance Appropriations Act, 2017, Pub. L. 114–254, Dec. 10, 2016; as amended Energy and Water, Legislative Branch and Military Construction and Veterans Affairs Appropriations Act, 2019, Pub. L. No. 115–244, Sept. 21, 2018.]

89 SPECIAL DEPUTIES

Resolved, That the Sergeant at Arms of the Senate is authorized and empowered from time to time to appoint such special deputies as he may think necessary to serve process or perform other duties devolved upon the Sergeant at Arms by law or the rules or orders of the Senate, or which may hereafter be devolved upon him, and in such case they shall be officers of the Senate; and any act done or return made by the deputies so appointed shall have like effect and be of the same validity as if performed or made by the Sergeant at Arms in person.

[S. Jour. 47, 51–1, Dec. 17, 1889.]

Resolved, That, effective January 5, 1977, there is hereby established in the United States Senate the Office of Deputy President Pro Tempore.

SEC. 2. Any Member of the Senate who has held the Office of President of the United States or Vice President of the United States shall be a Deputy President pro tempore.

SEC. 3. [Superseded.]

SEC. 4. The Sergeant at Arms and Doorkeeper is authorized (a) to provide, by lease or purchase, and maintain an automobile for each Deputy President pro tempore, and (b) to employ and fix the compensation of a driver-messenger for each Deputy President pro tempore at not to exceed $18,584 [19] per annum.

SEC. 5. [Superseded.]

SEC. 6. [Superseded.]

SEC. 7. Until otherwise provided by law, the Secretary of the Senate is authorized to pay from the contingent fund of the Senate such amounts as may be necessary, for salaries and expenses, to carry out the provisions of this resolution. Expenses incurred under section 4(a) of this resolution shall be paid upon vouchers approved by the Sergeant at Arms and Doorkeeper. Vouchers shall not be required for the disbursement of salaries of employees paid under authority of this resolution.

[S. Res. 17, 95–1, Jan. 10, 1977.]

Resolved, That (a) In addition to Senators who hold the office of Deputy President pro tempore under authority of S. Res. 17 of the 95th Congress (agreed to January 10, 1977), any other Member of the Senate who is designated as such by the Senate in a Senate resolution shall be the Deputy President pro tempore of the Senate, and shall hold office at the pleasure of the Senate during the 100th Congress.

(b) The Deputy President pro tempore who is designated as such pursuant to the authority contained in this resolution is authorized to appoint and fix the compensation of such employees as he deems appropriate: *Provided*, That the gross compensation paid to such employees shall not exceed $90,000 for any fiscal year.

[19] Superseded by 2 U.S.C. 6597, Pub. L. 97–51, Oct. 1, 1981, § 116, 95 Stat. 963.

(c) The following provisions shall not be applicable to the Deputy President pro tempore who is designated as such pursuant to the authority contained in this resolution:

(1) the provisions of S. Res. 17 of the 95th Congress (agreed to January 10, 1977);

(2) the provisions relating to compensation of a Deputy President pro tempore which appear in chapter VIII of Title I of the Supplemental Appropriations Act, 1977, and which are carried in section 32a of Title 2, United States Code; and

(3) the provisions relating to staff of a Deputy President pro tempore which appear in chapter VIII of Title I of the Supplemental Appropriations Act, 1977, and which are carried in section 611 of Title 2, United States Code.

(d) Salaries under authority of this section shall be paid from any funds available in the Senate appropriation account for Salaries, Officers and Employees.

SEC. 2. (a) The Sergeant at Arms and Doorkeeper is authorized to provide, by lease or purchase, and maintain an automobile for the former President pro tempore.

(b) The Secretary of the Senate is authorized to pay from the contingent fund of the Senate such amounts as may be necessary for expenses to carry out the provisions of this section. Such expenses shall be paid upon vouchers approved by the Sergeant at Arms and Doorkeeper.

[S. Res. 90, 100–1, Jan. 28, 1987.]

91 MANAGING POLITICAL FUND ACTIVITY

SEC. 1701. The Majority Leader and the Minority Leader may each designate up to 2 employees of their respective leadership office staff as designees referred to in the second sentence of paragraph 1 of rule XLI of the Standing Rules of the Senate.

[Further Consolidated Appropriations Act, 2020, Pub. L. 116–94, Dec. 20, 2019.]

92 SENATE PARLIAMENTARIAN EMERITUS

Whereas the Senate has been advised of the retirement of its Parliamentarian, Floyd M. Riddick, at the end of this session: Therefore be it

Resolved, That, effective at the sine die adjournment of this session, as a token of the appreciation of the Senate for his long and faithful service, Floyd M. Riddick is hereby designated as Parliamentarian Emeritus of the United States Senate.

[S. Jour. 1519, 93–2, Dec. 5, 1974.]

Resolved, That Murray Zweben be, and he is hereby, designated as a Parliamentarian Emeritus of the United States Senate. [S. Res. 297, 98–1, Nov. 18, 1983.]

Resolved, That Robert B. Dove be, and he is hereby, designated as a Parliamentarian Emeritus of the United States Senate. [S. Res. 32, 100–1, Jan. 6, 1987.]

Resolved, That Alan Scott Frumin be, and he is hereby designated as a Parliamentarian Emeritus of the United States Senate. [S. Res. 23, 105–1, Jan. 23, 1997.]

SENATE CHIEF COUNSEL FOR EMPLOYMENT EMERITUS **93**

Whereas Jean M. Manning will retire from the United States Senate after having served with distinction as the Senate's first Chief Counsel for Employment from 1993 to 2014;

Whereas Jean M. Manning has dedicated her Senate service to providing legal representation, legal advice and legal training to all senators and their management staff with respect to all matters arising under the Government Employee Rights Act of 1991, and the Congressional Accountability Act of 1995;

Whereas Jean M. Manning has represented Senate offices with distinction before the federal courts;

Whereas Jean M. Manning has upheld the high standards and traditions of the Senate with abiding devotion and has performed her Senate duties in an impartial, professional manner; and

Whereas Jean M. Manning has earned the respect, affection and esteem of the United States Senate: Now, therefore, be it

Resolved, That, upon her retirement on March 19, 2014, as a token of the appreciation of the Senate for her long and faithful service, Jean M. Manning is hereby designated as Chief Counsel for Employment Emeritus of the United States Senate. [S. Res. 391, 113–2, Mar. 13, 2014.]

SENATE HISTORIAN EMERITUS **94**

Whereas Donald A. Ritchie will retire from the United States Senate after serving with distinction, first as Associate Historian from 1976 to 2009, and then as Senate Historian from 2009 to 2015;

Whereas Donald A. Ritchie has dedicated his Senate service to preserving, protecting, and promoting the history of the Senate and its members;

Whereas Donald A. Ritchie has produced or guided production of numerous publications detailing the rich institutional history of the Senate;

Whereas Donald A. Ritchie has been instrumental in preserving, organizing, and making available to scholars the vast archival holdings of the Senate and its members;

Whereas Donald A. Ritchie has assisted in the Senate's commemoration of events of historical significance and in the development of exhibitions and educational programs on the history of the Senate and the Capitol;

Whereas Donald A. Ritchie has guided the Senate's comprehensive Oral History Project to capture and preserve the institutional memory of Senators, Senate officers, and Senate staff;

Whereas Donald A. Ritchie has upheld the high standards and traditions of the Senate, and has performed his duties in a professional and nonpartisan manner; and

Whereas Donald A. Ritchie has earned the respect and esteem of the United States Senate; Now, therefore, be it

Resolved, That, effective June 1, 2015, as a token of the appreciation of the Senate for his long and faithful service, Donald A. Ritchie is hereby designated as Historian Emeritus of the United States Senate. [S. Res. 147, 114–1, Apr. 22, 2015.]

95 SENATE CURATOR EMERITUS

Whereas Diane K. Skvarla will retire from the Senate after 18 years as Senate Curator, and more than 30 years of Senate service;

Whereas she has diligently cared for and greatly enhanced the material history and historic spaces of the Senate as a legacy for future generations;

Whereas she has educated and inspired the Senate community, visitors to the Capitol, and the people of the United States with numerous exhibits, publications, and educational programs;

Whereas her vision and leadership resulted in significant improvements to the restoration and historic interpretation of the Old Senate Chamber and other historic rooms of the Capitol;Whereas she has caused to be pub-

lished significant catalogues of the fine and graphic art collections of the Senate for the benefit of the people of the United States;

Whereas she has upheld the highest standards and traditions of the Senate with unwavering dedication; and

Whereas she has earned the respect, affection, and esteem of the Senate: Now, therefore, be it

Resolved, That, effective January 27, 2014, as a token of the appreciation of the Senate for her long and faithful service, Diane K. Skvarla is hereby designated as Curator Emeritus of the United States Senate.

[S. Res. 338, 113–2, Jan. 27, 2014.]

SENATE SECURITY DIRECTOR EMERITUS **96**

Whereas Michael P. DiSilvestro will retire from the United States Senate after serving for over 30 years as the first Director of the Office of Senate Security, and in the Senate for over 37 years total, including numerous postponements of his retirement when the needs of the Senate prevailed upon him;

Whereas his career has been dedicated to protecting and facilitating the Senate's ability to review, discuss, and act upon the most sensitive national security information in our Government;

Whereas he represented the Senate boldly and effectively to the executive branch of Government as it delivered critical documents and briefings for the consideration and oversight of the Senate;

Whereas his selfless dedication to the Senate's constitutional function has made him a leader in planning and executing continuity programs for the Senate and Congress as a whole;

Whereas, at great peril, he remained on the front line of service to the Senate in times of heinous attacks on Senate offices;

Whereas he has upheld the highest standards and traditions of the Senate as a universally trusted voice of nonpartisan professionalism and expertise; and

Whereas he has earned the respect and esteem of the Senate: Now, therefore, be it

Resolved, That, effective May 23, 2020, as a token of the appreciation of the Senate for his long and faithful service,

Michael P. DiSilvestro is hereby designated as Director Emeritus of Senate Security of the United States Senate.

[S. Res. 582, 116–2, May 19, 2020.]

97 PERSONS NOT FULL-TIME EMPLOYEES OF SENATE [20]

Resolved, That hereafter, standing or select committees employing the services of persons who are not full-time employees of the Senate or any committee thereof shall submit monthly reports to the Senate (or to the Secretary during a recess or adjournment) showing (1) the name and address of any such person; (2) the name and address of the department or organization by whom his salary is paid; and (3) the annual rate of compensation in each case.

[S. Jour. 407, 78–2, Aug. 23, 1944.]

98 SENATE PAGES

Resolved, That it shall be the duty of the Sergeant at Arms to classify the pages of the Senate, so that at the close of the present and each succeeding Congress, one-half the number shall be removed * * *.

[S. Jour. 514, 33–1, July 17, 1854.]

Resolved, That until otherwise hereafter provided for by law, there shall be paid out of the contingent fund of the Senate such amounts as may be necessary to enable the Secretary of the Senate to furnish educational services and related items for Senate Pages in accordance with this resolution.

SEC. 2. The Senate Page program shall be administered by the Sergeant at Arms and Doorkeeper of the Senate and the Secretaries for the majority and minority of the Senate. All policy decisions regarding the operation of the Senate Page program shall be made by the Senate management board, with the concurrence of the majority and minority leaders of the Senate.

SEC. 3. In order to provide educational services and related items for Senate Pages, the Secretary of the Senate is authorized to enter into a contract, agreement, or other arrangement with the Board of Education of the District of Columbia, or to provide such educational services and items in such other manner as he may deem appropriate.

SEC. 4. The educational services under the Senate Page program shall consist of an academic year comprising two

[20] See also paragraphs 4 and 6 of rule XLI of the Standing Rules of the Senate.

terms, and a Page serving in such program shall be in the eleventh grade.

SEC. 5. The resolution shall take effect as of the date of its approval. [S. Res. 184, 98–1, July 29, 1983.]

Resolved, That the Secretary of the Senate is authorized to withhold from the salary of each Senate page who resides in the page residence hall an amount equal to the charge imposed for lodging, meals, and related services, furnished to such page in such hall. The amounts so withheld shall be transferred by the Secretary of the Senate to the Clerk of the House of Representatives for deposit by such Clerk in the revolving fund, within the contingent fund of the House of Representatives, for the page residence hall and page meal plan, as established by H. Res. 64, 98th Congress. [S. Res. 78, 98–1, Mar. 2, 1983.]

CLOSING THE OFFICE OF A SENATOR OR SENATE LEADER WHO DIES OR RESIGNS 99

Resolved, That (a)(1) In the case of the death or resignation of a Senator during his term of office, the employees in the office of such Senator who are on the Senate payroll on the date of such death or resignation shall be continued on such payroll at their respective salaries, unless adjusted by the Secretary of the Senate with the approval of the Senate Committee on Rules and Administration, for a period not to exceed sixty days, or such greater number of days as may, in any particular case, be established by the Senate Committee on Rules and Administration as being required to complete the closing of the office of such Senator. Such employees so continued on the payroll of the Senate shall, while so continued, perform their duties under the direction of the Secretary of the Senate, and such Secretary shall remove from such payroll any such employees who are not attending to the duties for which their services are continued.

(2) If an employee of a Senator continued on the Senate payroll pursuant to paragraph (1) resigns or is terminated during the period required to complete the closing of the office of such Senator, the Secretary of the Senate may replace such employee by appointing another individual. Any individual appointed as a replacement under the authority of the preceding sentence shall be subject to the same terms of employment, except for salary, as the employee such individual replaces.

(b) In the case of the death or resignation of a Senator while holding the office of President pro tempore, Deputy President pro tempore, President pro tempore emeritus, Majority Leader, Minority Leader, Majority Whip, Minority Whip, Secretary of the Conference of the Majority, Secretary of the Conference of the Minority, of the Senate, the Chairman of the Conference of the Majority, the Chairman of the Conference of the Minority, the Chairman of the Majority Policy Committee, or the Chairman of the Minority Policy Committee, the employees of such office who are on the payroll of the Senate on the date of such death or resignation shall be continued on the Senate payroll in like manner and under the same conditions as are employees in the office of such Senator under subsection (a) of this section.

(c) No employee of the Senate who is continued on the payroll of the Senate under the preceding provisions of this section on account of the death or resignation of a Senator shall be continued on such payroll after the date of the expiration of the term of office of such Senator as a Senator, or, such later date as may, in any particular case, be established by the Senate Committee on Rules and Administration as being required to complete the closing of the office of such Senator.

(d) Payment of salaries of employees who are continued on the Senate payroll under authority of this section, and payment of agency contributions with respect to such salaries, shall be made from the account for Miscellaneous Items within the contingent fund of the Senate.

(e) During any period for which the employees of the office of a Senator, who has died or resigned, are continued on the Senate payroll under the first section of this resolution, official office expenses which are necessary in closing such Senator's office (or offices in case of a Senator who dies or resigns while holding an office referred to in subsection (b) of this section) shall be made from the account for Miscellaneous Items within the contingent fund of the Senate upon vouchers approved by the Secretary of the Senate; except that the aggregate of such expenses shall not exceed an amount equal to one-tenth of such Senator's official office expense account for the year in which he died or resigned.

(f) Duties to be performed by the Secretary of the Senate under this section and under section 2 of this resolution

shall be performed under the direction of the Senate Committee on Rules and Administration.

SEC. 2. In the case of the death of any Senator, the Secretary of the Senate may, with respect to any item of expense for which payment had been authorized to be made from such Senator's official office expense account, certify for such deceased Senator for any sum already obligated but not certified to at the time of such Senator's death for payment to the person or persons designated as entitled to such payment by such Secretary.

SEC. 3. (a) The Sergeant at Arms and Doorkeeper of the Senate shall make such arrangements as may be necessary, in accordance with such regulations as the Senate Committee on Rules and Administration may prescribe, for:

(1) the funeral of a deceased Senator; and

(2) any committee appointed to attend the funeral of a deceased Senator.

(b) Expenses incurred in carrying out the provisions of subsection (a) of this section shall be paid from the account for Miscellaneous Items within the contingent fund of the Senate, on vouchers approved by the Sergeant at Arms and Doorkeeper of the Senate.

SEC. 4. The following Senate resolutions are repealed: S. Res. 5, 82d Congress (agreed to April 11, 1951), and S. Res. 354, 95th Congress (agreed to January 20, 1978).

SEC. 5. (a) Except as provided in subsection (b) of this section, the provisions of this resolution shall take effect upon the date it is agreed to by the Senate.

(b) The first section of this resolution shall take effect on the date that there is hereafter enacted a provision of law which (1) makes inapplicable to any employee of the Senate the provisions of the third paragraph under the heading "Clerical assistance to Senators" of the first section of the Legislative Appropriation Act for the fiscal year ending June 30, 1928 (2 U.S.C. 92a), and (2) repeals (A) the last paragraph under the heading "Clerical assistance to Senators" of the first section of the Legislative Branch Appropriation Act, 1944 (2 U.S.C. 92e), (B) the last paragraph under the heading "Clerical assistance to Senators" of the first section of the Legislative Branch Appropriation Act, 1945 (2 U.S.C. 92e), (C) the next-to-last paragraph under the heading "Clerical assistance to Senators" of the first section of the Legislative Branch Appropriation Act, 1946

(2 U.S.C. 92e), and (D) the next-to-last paragraph under the heading "Clerical assistance to Senators" of the first section of the Legislative Branch Appropriation Act, 1947 (2 U.S.C. 92e).

(c) After the date this resolution is agreed to, the Chairman of the Senate Committee on Rules and Administration shall make no further certifications under authority of section 506(g) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(g)).

[S. Res. 458, 98–2, Oct. 4, 1984; S. Res. 173, 100–1, Mar. 24, 1987, S. Res. 478, 108–2, Nov. 19, 2004; S. Res. 238, 110–1, June 18, 2007.]

100 PAY OF COMMITTEE STAFF DISPLACED BY CHANGE OF CHAIRMAN OR RANKING MINORITY MEMBER [21]

SEC. 6. (a) For purposes of this section:

(1) The term "committee" means a standing, select or special committee, or commission of the Senate, or a joint committee of the Congress whose funds are disbursed by the Secretary of the Senate.

(2) The terms "Chairman" and "Ranking Minority Member" mean the Chairman, Vice Chairman, Cochairman and Ranking Minority Member of a committee.

(3) The term "eligible staff member" means an individual—

(A) who was an employee—

(i) of a committee or subcommittee thereof or a Senate leadership office described in subsection (b) of the first section of this resolution, or

(ii) in an office of a Senator on the expiration of the term of office of such Senator as a Senator, but only if the Senator is not serving as a Senator for the next term of office and was a candidate in the general election for such next term,

(B) whose employment described in subparagraph (A) was at least 183 days (whether or not service was continuous) before the date of termination of employment described in paragraph (4), and

(C) whose pay is disbursed by the Secretary of the Senate.

[21] S. Res. 9 established these provisions by amendment to S. Res. 458 (§ 95 above).

The term "eligible staff member" shall not include an employee to whom the first section of this resolution applies.

(4) The term "displaced staff member" means an eligible staff member—

(A) whose service as an employee of the Senate is terminated solely and directly as a result of—

(i) in the case of employment described in paragraph (3)(A)(i), a change in the individual occupying the position of Chairman or Ranking Minority Member of a committee or in the individual occupying the Senate leadership office, and

(ii) in the case of employment described in paragraph (3)(A)(ii), the expiration of the term of office of the Senator, and

(B) who is certified, not later than 60 days after the date of the change or expiration of term of office, whichever is applicable, as a displaced staff member by the Chairman or Ranking Minority Member of the committee, the Senator occupying the Senate leadership office, or the Senator whose term is expiring, whichever is applicable, to the Secretary of the Senate.

(b) The Secretary of the Senate shall notify the Committee on Rules and Administration of the name of each displaced staff member.

(c)(1) Under regulations prescribed by the Committee on Rules and Administration each displaced staff member shall, upon application to the Secretary of the Senate and approval by the Committee on Rules and Administration, continue to be paid at their respective salaries for a period not to exceed 60 days following the staff member's date of termination or until the staff member becomes otherwise gainfully employed, whichever is earlier.

(2) A statement in writing by any such employee that he was not gainfully employed during such period or the portion thereof for which payment is claimed shall be accepted as prima facie evidence that he was not so employed.

(d) Funds necessary to carry out the provisions of this section shall be available as set forth in section 1(d).

[S. Res. 9, 103–1, Jan. 7, 1993; S. Res. 478, 108–2, Nov. 19, 2004.]

101 PAY OF CLERICAL AND OTHER ASSISTANTS AS AFFECTED BY TERMINATION OF SERVICE OF APPOINTED SENATORS

Resolved, That in any case in which (1) a Senator is appointed to fill any portion of an unexpired term, (2) an election is thereafter held to fill the remainder of such unexpired term, and (3) the Senator so appointed is not a candidate or if a candidate is not elected at such election, his clerical and other assistants on the payroll of the Senate on the date of termination of his service shall be continued on such roll at their respective salaries until the expiration of thirty days following such date or until they become otherwise gainfully employed, whichever is earlier, such sums to be paid from the contingent fund of the Senate. A statement in writing by any such employee that he was not gainfully employed during such period or the portion thereof for which payment is claimed shall be accepted as prima facie evidence that he was not so employed. The provisions of this resolution shall not apply to an employee of any such Senator if on or before the date of termination of his service he notifies the Disbursing Office of the Senate in writing that he does not wish the provisions of this resolution to apply to such employee. [S. Jour. 421, 86–2, June 28, 1960.]

102 LEAVE WITHOUT PAY STATUS FOR CERTAIN SENATE EMPLOYEES PERFORMING SERVICE IN THE UNIFORMED SERVICES

SEC. 1. Leave without pay status for certain Senate employees performing service in the uniformed services.

(a) Definitions.—In this section—

(1) the terms "employee" and "Federal executive agency" have the meanings given those terms under section 4303 (3) and (5) of title 38, United States Code, respectively; and

(2) the term "employee of the Senate" means any employee whose pay is disbursed by the Secretary of the Senate, except that the term does not include a member of the Capitol Police or a civilian employee of the Capitol Police.

(b) Leave without pay status—An employee of the Senate who is deemed to be on furlough or leave of absence under section 4316(b)(1)(A) of title 38, United States Code, by reason of service in the uniformed services—

(1) may be placed in a leave without pay status while so on furlough or leave of absence; and

(2) while placed in that status, shall be treated—

(A) subject to subparagraph (B), as an employee of a Federal executive agency in a leave without pay status for purposes of chapters 83, 84, 87, and 89 of title 5, United States Code; and

(B) as a Congressional employee for purposes of those chapters.

(c) Effective Date.—This section shall take effect on October 1, 2001, and apply to fiscal year 2002 and each fiscal year thereafter. [S. Res. 193, 107–1, Dec. 19, 2001.]

LOYALTY CHECKS ON SENATE EMPLOYEES [22] **103**

Resolved, That hereafter when any person is appointed as an employee of any committee of the Senate, of any Senator, or of any office of the Senate the committee, Senator, or officer having authority to make such appointment shall transmit the name of such person to the Federal Bureau of Investigation, together with a request that such committee, Senator, or officer be informed as to any derogatory and rebutting information in the possession of such agency concerning the loyalty and reliability for security purposes of such person, and in any case in which such derogatory information is revealed such committee, Senator, or officer shall make or cause to be made such further investigation as shall have been considered necessary to determine the loyalty and reliability for security purposes of such person.

Every such committee, Senator, and officer shall promptly transmit to the Federal Bureau of Investigation a list of the names of the incumbent employees of such committee, Senator, or officer together with a request that such committee, Senator, or officer be informed of any derogatory and rebutting information contained in the files of such agency concerning the loyalty and reliability for security purposes of such employee. [S. Jour. 144, 83–1, Mar. 6, 1953.]

EQUAL EMPLOYMENT OPPORTUNITIES [23] **104**

Whereas the Senate supports the principle that each individual is entitled to the equal protection of the laws

[22] This resolution has not been generally implemented since the Federal Bureau of Investigation took the position that it was not authorized to divulge the information referred to in the resolution. However, the Bureau and the Department of Defense cooperate with Senate committees and offices which request security checks of specific employees when it is considered necessary by a committee chairman or officer of the Senate.

[23] See also rule XLII of the Standing Rules of the Senate.

guaranteed by the Fourteenth Article of Amendment to the Constitution of the United States; and

Whereas the Senate as an employer is not compelled by law to provide to its employees the protections against discrimination established in the Equal Pay Act of 1963 or Title VII of the Civil Rights Act of 1964: Now, therefore, be it

Resolved, That (a) no Member, officer, or employee of the Senate shall, with respect to employment by the Senate or any office thereof—

(1) fail or refuse to hire an individual,

(2) discharge an individual, or

(3) otherwise discriminate against an individual with respect to promotion, compensation, or terms, conditions, or privileges of employment,

on the basis of such individual's race, color, religion, sex, national origin or state of handicap.

(b) Each Member, officer, and employee of the Senate shall encourage the hiring of women and members of minority groups at all levels of employment on the staffs of Members, officers, and committees of the Senate.

[S. Res. 534, 94–2, Sept. 8, 1976.]

105 MANDATING ANTI-HARASSMENT TRAINING FOR SENATORS AND OFFICERS, EMPLOYEES, AND INTERNS OF, AND DETAILEES TO THE SENATE

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Senate Anti-Harassment Training Resolution of 2017".

SEC. 2. Definitions.

In this resolution—

(1) the term "covered office" means an office, including a joint commission or joint committee, employing Senate employees;

(2) the term "covered position" means a position as—

(A) a Senate employee that is not a position as a Senate manager;

(B) an intern or fellow in a covered office—

(i) without regard to whether the intern or fellow receives compensation; and

(ii) if the intern or fellow does receive compensation, without regard to the source of compensation; or

(C) a detailee in a covered office, without regard to whether the service is on a reimbursable basis;

(3) the term "head of a covered office" means—

(A) the Senator, officer, or Senate manager having final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of the Senate employees employed by a covered office; or

(B) in the case of a covered office that is a joint committee or joint commission, the Senator from the majority party of the Senate who—

(i) is a member of, or has authority over, the committee or commission; and

(ii)(I) serves in the highest leadership role in the committee or commission; or

(II) if there is no such leadership role for a Senator on the committee or commission, is the most senior Senator on the committee or commission;

(4) the term "officer" means an elected or appointed officer of the Senate;

(5) the term "Senate employee" means an employee whose pay is disbursed by the Secretary of the Senate, without regard to the term of the appointment; and

(6) the term "Senate manager" means a Senate employee empowered to effect a significant change in the employment status of another Senate employee, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities, or a decision causing a change in benefits.

SEC. 3. Anti-Harassment Training.

(a) SENATORS, OFFICERS, AND SENATE MANAGERS.—Each head of a covered office and Senate manager shall complete training that addresses the various forms of workplace harassment, including sexual harassment, and related intimidation and reprisal that are prohibited under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) and their role

in recognizing and responding to harassment and harassment complaints.

(b) OTHER SENATE STAFF.—Any individual serving in a covered position shall complete training that addresses the various forms of workplace harassment, including sexual harassment, and related intimidation and reprisal that are prohibited under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.).

(c) ENSURING ACCESS.—The head of a covered office shall ensure that each individual serving in a covered position or as a Senate manager in the covered office has access to the training required under this section.

SEC. 4. Timing.

(a) INITIAL TRAINING.—

(1) IN GENERAL.—The training required under section 3 shall be completed—

(A) for an individual elected, appointed, or assigned to a position as a Senator, officer, orSenate manager or to a covered position after the date of adoption of this resolution who was not serving in the same covered office as a Senator, officer, or Senate manager or in a covered position immediately before being so elected, appointed, or assigned, not later than 60 days after the date on which the individual assumes the position; and

(B) except as provided in paragraph (2), for an individual serving in a position as a Senator, officer, or Senate manager or in a covered position on the date of adoption of this resolution, not later than 60 days after such date of adoption.

(2) INDIVIDUALS RECEIVING RECENT TRAINING.—An individual serving as a Senator, officer, or Senate manager or in a covered position on the date of adoption of this resolution who completed training that addresses the various forms of workplace harassment, including sexual harassment, and related intimidation and reprisal that are prohibited under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) during the period beginning on the first day of the 115th Congress and ending on such date of adoption shall be deemed to have completed training under paragraph (1)(B).

(b) PERIODIC TRAINING.—An individual serving in a position as a Senator, officer, or Senate manager or in a covered position shall complete the training required under section 3 at least once during each Congress beginning after the Congress during which the individual completes the initial training in accordance with subsection 9 (a).

SEC. 5. Certification.

(a) IN GENERAL.—Not later than the last day of each Congress, each covered office shall submit to the Secretary of the Senate a certification indicating whether each Senator, officer, and Senate manager serving in a position in the covered office and each individual serving in a covered position in the covered office has completed the training requirements under this resolution during that Congress.

(b) PUBLICATION.—Not later than 30 days after the first day of each Congress, the Secretary of the Senate shall publish each certification submitted to the Secretary of the Senate under subsection (a) with respect to the previous Congress on the public website of the Secretary of the Senate.

SEC. 6. Regulations or Guidance.

The Committee on Rules and Administration of the Senate is authorized to issue such regulations or guidance as it may determine necessary to carry out this resolution.

[S. Res. 330, 115–1, Nov. 9, 2017.]

SENATE YOUTH PROGRAM 106

Whereas the continued vitality of our Republic depends, in part, on the intelligent understanding of our political processes and the functioning of our National Government by the citizens of the United States; and

Whereas the durability of a constitutional democracy is dependent upon alert, talented, vigorous competition for political leadership; and

Whereas individual Senators have cooperated with various private and university undergraduate and graduate fellowship and internship programs relating to the work of Congress; and

Whereas, in the high schools of the United States, there exists among students who have been elected to student-body offices in their sophomore, junior, or senior year a potential reservoir of young citizens who are

experiencing their first responsibilities of service to a constituency and who should be encouraged to deepen their interest in and understanding of their country's political processes: Now, therefore, be it

Resolved, That the Senate hereby expresses its willingness to cooperate in a nationwide competitive high school Senate youth program which would give several representative high school students from each State a short indoctrination into the operation of the United States Senate and the Federal Government generally, if such a program can be satisfactorily arranged and completely supported by private funds with no expense to the Federal Government.

SEC. 2. The Senate Committee on Rules and Administration shall investigate the possibility of establishing such a program and, if the committee determines such a program is possible and advisable, it shall make the necessary arrangements to establish the program.

SEC. 3. For the purpose of this resolution, the term "State" includes the Department of Defense education system for dependents in overseas areas.

[S. Res. 324, 87–2, May 17, 1962; S. Res. 146, 97–1, July 30, 1981.]

Whereas by S. Res. 324 of the Eighty-seventh Congress, agreed to May 17, 1962, the Senate expressed its willingness to cooperate in a nationwide competitive Senate youth program supported by private funds, which would give representative high school students from each State a short indoctrination into the operation of the United States Senate and the Federal Government generally, and authorized the Senate Committee on Rules and Administration, if it should find such a program possible and advisable, to make the necessary arrangements therefor; and

Whereas the Committee on Rules and Administration, after appropriate investigation, having determined such a program to be not only possible but highly desirable, authorized its establishment and with the support of the leaders and other Members of the Senate and the cooperation of certain private institutions made the necessary arrangements therefor; and

Whereas, pursuant to such arrangements, and with the cooperation of and participation by the offices of every Member of the Senate and the Vice President, one hundred and two student leaders representing all States

of the Union and the District of Columbia were privileged to spend the period from January 28, 1963, through February 2, 1963, in the Nation's Capitol, thereby broadening their knowledge and understanding of Congress and the legislative process and stimulating their appreciation of the importance of a freely elected legislature in the perpetuation of our democratic system of government; and

Whereas by S. Res. 147 of the Eighty-eighth Congress, agreed to May 27, 1963, another group of student leaders from throughout the United States spent approximately one week in the Nation's Capitol, during January 1964; and

Whereas it is the consensus of all who participated that the above two programs were unqualifiedly successful, and in all respects worthy and deserving of continuance; and

Whereas the private foundation which financed the initial programs has graciously offered to support a similar program during the year ahead: Now, therefore, be it

Resolved, That, until otherwise directed by the Senate the Senate youth program authorized by S. Res. 324 of the Eighty-seventh Congress, agreed to May 17, 1962, and extended by S. Res. 147, agreed to May 27, 1963, may be continued at the discretion of and under such conditions as may be determined by the Committee on Rules and Administration. [S. Jour. 196, 88–2, Apr. 16, 1964.]

SENIOR CITIZEN INTERNSHIP PROGRAM 107

Resolved, That (a) each Senator is authorized to employ for not more than fourteen consecutive days each year during the month of May a senior citizen intern or interns to serve in his office in Washington, District of Columbia.

(b) To be eligible to serve as a senior citizen intern an individual shall certify to the Secretary of the Senate that he has attained the age of sixty years, is a bona fide resident of the State of his employing Senator, and is a citizen of the United States.

(c)(1) Except as provided in paragraph (2), for purposes of payment of compensation and travel expenses, senior citizen interns employed pursuant to this resolution shall be subject to the same limitations and restrictions applicable to Senators and Senate employees.

(2) An outside vendor may provide for the travel and per diem expenses only of senior citizen interns in the Senior Citizen Intern Program subject to approval by the Committee on Rules and Administration. Documentation provided by such vendor may be accepted as official travel expense documentation for the purpose of reimbursing interns in the program for travel expenses.

SEC. 2. Compensation and payment under this resolution shall be paid from and charged against the clerk-hire and travel allowances of the Senator employing such senior citizen intern.

SEC. 3. The Committee on Rules and Administration is authorized to prescribe such rules and regulations as it determines necessary to carry out this resolution.

[S. Res. 219, 95–2, May 5, 1978; S. Res. 96, 102–1, Apr. 24, 1991.]

108 TRANSPORTATION COSTS AND TRAVEL EXPENSES INCURRED BY MEMBERS AND EMPLOYEES OF THE SENATE WHEN ENGAGED IN AUTHORIZED FOREIGN TRAVEL

Resolved, That until otherwise provided by law or resolution of the Senate, the contingent fund of the Senate is made available, as provided in this resolution, to defray the costs of transportation and the ordinary and necessary travel expenses of Members and employees of the Senate when engaged in authorized foreign travel. The Secretary of the Senate is authorized to advance funds, under authority of this resolution, in the same manner provided for committees of the Senate under the authority of Public Law 118, Eighty-first Congress, approved June 22, 1949.

SEC. 2. (a) Transportation costs and ordinary and necessary travel expenses incurred by a Member or employee engaged in authorized foreign travel shall be paid upon certification of such Member or employee, and upon vouchers approved by the Senator who authorized such foreign travel.

(b) Transportation costs and ordinary and necessary travel expenses which are incurred for a group of Members or employees engaged in authorized foreign travel shall be paid upon certification of the Member who is chairman of such group (or, if no chairman has been designated, upon certification of the ranking Member of such group) or, if the group does not include a Member, upon certification of the senior employee in such group, and upon vouchers approved by the Senator who authorized such foreign travel.

(c) The reports of the Secretary of the Senate setting forth amounts paid from the contingent fund under authority of this resolution shall, at the request of the chairman of the Select Committee on Intelligence, omit any matter which would identify the foreign countries in which Members and employees of the Select Committee traveled on behalf of the Select Committee.

SEC. 3. Payment of transportation costs and ordinary and necessary travel expenses may not be paid under this resolution to the extent that appropriated funds or foreign currencies under section 502(b) of the Mutual Security Act of 1954 are utilized to defray such costs and expenses. Such funds and currencies shall be used to the maximum extent possible.

SEC. 4. For purposes of this resolution—

(1) The term "foreign travel" means travel outside the United States and includes travel within the United States which is the beginning or end of travel outside the United States.

(2) The term "authorized foreign travel" means foreign travel on official business on behalf of the Senate or a committee of the Senate which is authorized—

(A) in the case of foreign travel on behalf of the Senate, by the President pro tempore, Majority Leader, or Minority Leader of the Senate; and

(B) in the case of foreign travel on behalf of a committee of the Senate, by the chairman of that committee.

(3) The term "committee of the Senate" includes all standing, select, and special committees of the Senate and all joint committees of the Congress whose funds are disbursed by the Secretary of the Senate.

(4) The term "employee of the Senate" includes an individual (other than a Member) whose salary is disbursed by the Secretary of the Senate or who is treated as an employee of the Senate for purposes of the Senate Code of Official Conduct.

(5) The term "ordinary and necessary travel expenses" includes, in the case of a group of Members engaged in authorized foreign travel, such special expenses as the chairman (or, if there is no chairman, the ranking Member) deems appropriate, including, to the extent not otherwise provided, reimbursements to any agency of the Government for (A) expenses incurred on behalf of the group, (B) compensation (in-

cluding overtime) of employees of such agency officially detailed to the group, and (C) expenses incurred in connection with providing appropriate hospitality.

[S. Res. 179, 95–1, May 25, 1977.]

109 DOCUMENTATION REQUIRED FOR REIMBURSEMENTS OUT OF SENATORS' OFFICIAL OFFICE EXPENSE ACCOUNTS

Resolved, That (a) no payments or reimbursements for expenses shall be made from the contingent fund of the Senate, unless the vouchers presented for such expenses are accompanied by supporting documentation.

(b) The Committee on Rules and Administration is authorized to promulgate regulations to carry out the purpose of this resolution and to except specific vouchers from the requirements of subsection (a) of this resolution.

(c) This resolution shall apply with respect to vouchers submitted for payment or reimbursement on and after October 1, 1987, or upon the adoption of this resolution if such adoption occurs at a later date.

(d) Senate Resolution 170, 96th Congress (agreed to August 2, 1979), is repealed as of October 1, 1987, or upon adoption of this resolution if such adoption occurs at a later date. Any regulations adopted by the Committee on Rules and Administration to implement Senate Resolution 170 shall remain in effect, after the repeal of Senate Resolution 170, until modified or repealed by such committee, and shall be held and considered to be regulations adopted to implement this resolution. [S. Res. 258, 100–1, Oct. 1, 1987.]

110 RESTRICTIONS ON CERTAIN EXPENSES PAYABLE OR REIMBURSABLE FROM A SENATOR'S OFFICIAL OFFICE EXPENSE ACCOUNT

Resolved, That except for section 3, this resolution applies only to payments and reimbursements from the contingent fund of the Senate under paragraphs (5) and (9) of section 506(a) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(a)). For purposes of such paragraphs, the terms "official office expenses" and "other official expenses" mean ordinary and necessary business expenses incurred by a Senator and his staff in the discharge of their official duties.

SEC. 2. Reimbursements and payments from the contingent fund of the Senate under paragraphs (5) and (9) of

section 506(a) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(a)) shall not be made for:

(1) commuting expenses, including parking fees incurred in commuting;

(2) expenses incurred for the purchase of holiday greeting cards, flowers, trophies, awards, and certificates;

(3) donations or gifts of any type, except gifts of flags which have been flown over the United States Capitol, copies of the book "We, the People", copies of the calendar "We The People" published by the United States Capitol Historical Society, and copies of the pocket version of the Constitution of the United States published by the Government Publishing Office.

(4) dues or assessments;

(5) expenses incurred for the purchases of radio or television time, or for space in newspaper or other print media (except classified advertising for personnel to be employed in a Senator's office);

(6) expenses incurred by an individual who is not an employee (except as specifically authorized by subsections (e) and (h) of such section 506);

(7) travel expenses incurred by an employee which are not reimbursable under subsection (e) of such section 506;

(8) relocation expenses incurred by an employee in connection with the commencement or termination of employment or a change of duty station; and

(9) compensation paid to an individual for personal services performed in a normal employer-employee relationship.

SEC. 3. Payment of or reimbursement for the following expenses is specifically prohibited by law and reimbursements and payments from the contingent fund of the Senate shall not be made therefor:

(1) expenses incurred for entertainment or meals (2 U.S.C. 58(a));

(2) payment of additional salary or compensation to an employee (2 U.S.C. 68); and

(3) expenses incurred for maintenance or care of private vehicles (Legislative Branch Appropriation Acts).

SEC. 4. This resolution shall apply with respect to expenses incurred on or after the date on which this resolution is agreed to.

[S. Res. 294, 96–2, Apr. 29, 1980, as amended S. Res. 712, 115–2, Nov. 29, 2018; S. Res. 176, 104–1, Sept. 28, 1995.]

111 DEBT COLLECTION

Resolved, That, for purposes of subchapters I and II of chapter 37 of Title 31, United States Code (relating to claims of or against the United States Government), the United States Senate shall be considered to be a legislative agency (as defined in section 3701(a)(4) of such title), and the Secretary of the Senate shall be deemed to be the head of such legislative agency.

SEC. 2. Regulations prescribed by the Secretary pursuant to section 3716 of Title 31, United States Code, shall not become effective until they are approved by the Senate Committee on Rules and Administration.

[S. Res. 147, 101–1, June 20, 1989.]

112 TORT CLAIMS PROCEDURES

Resolved, That the Sergeant at Arms of the Senate, in accordance with regulations prescribed by the Attorney General and such regulations as the Committee on Rules and Administration may prescribe, may consider and ascertain and, with the approval of the Committee on Rules and Administration, determine, compromise, adjust, and settle, in accordance with the provisions of chapter 171 of Title 28, United States Code, any claim for money damages against the United States for injury of loss of property or personal injury or death caused by the negligent or wrongful act or omission of any Member, officer, or employee of the Senate while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred. The Committee on Rules and Administration may, from time to time, delegate any or all of its authority under this resolution to the chairman. Any compromise, adjustment, or settlement of any such claim not exceeding $2,500 shall be paid from the contingent fund of the Senate on a voucher approved by the chairman of the Committee on Rules and Administration.

SEC. 2. The Committee on Rules and Administration is authorized to issue such regulations as it may determine necessary to carry out the provisions of this resolution.

[S. Res. 492, 97–2, Dec. 10, 1982.]

REIMBURSEMENT OF WITNESS EXPENSES[24] **113**

Resolved, That witnesses appearing before the Senate or any of its committees may be authorized reimbursement for per diem expenses incurred for each day while traveling to and from the place of examination and for each day in attendance. Such reimbursement shall be made on an actual expense basis which shall not exceed the daily rate prescribed by the Committee on Rules and Administration, unless such limitation is specifically waived by such committee. A witness may also be authorized reimbursement of the actual and necessary transportation expenses incurred by the witness in traveling to and from the place of examination.

SEC. 2. (a) The provisions of this resolution shall be effective with respect to all witness expenses incurred on or after October 1, 1987.

(b) Senate Resolution 538, agreed to December 8, 1980, is repealed effective on October 1, 1987.

[S. Res. 259, 100–1, Aug. 5, 1987.]

AUTHORIZING THE SENATE TO PARTICIPATE IN GOVERNMENT TRANSIT PROGRAMS **114**

Resolved, That (a) the Senate shall participate in State and local government transit programs to encourage employees of the Senate to use public transportation pursuant to section 629 of the Treasury, Postal Service and General Government Appropriations Act, 1991.

(b) The Committee on Rules and Administration is authorized to issue regulations pertaining to Senate participation in State and local government transit programs through,

[24] The Legislative Branch Appropriation Act, 1961 (July 12, 1960, Pub. L. 86–628, 74 Stat. 449), contained the following restriction on advances of witness fees:

"No part of any appropriation disbursed by the Secretary of the Senate shall be available hereafter for the payment to any person, at the time of the service upon him of a subpoena requiring his attendance at any inquiry or hearing conducted by any committee of the Congress or of the Senate or any subcommittee of any such committee, of any witness fee or any sum of money as an advance payment of any travel or subsistence expense which may be incurred by such person in responding to that subpoena."

and at the discretion of, its Members, committees, officers, and officials.

[S. Res. 318, 102–2, June 23, 1992.]

115 RELATIVE TO CONTRIBUTIONS FOR COSTS OF CIVIL, CRIMINAL, OR OTHER LEGAL INVESTIGATIONS OF MEMBERS, OFFICERS, OR EMPLOYEES OF THE SENATE

Resolved, That nothing in the provisions of the Standing Rules of the Senate shall be construed to limit contributions to defray investigative, civil, criminal, or other legal expenses of Members, officers, or employees of the Senate relating to their service in the United States Senate, subject to limitations, regulations, procedures, and reporting requirements which shall be promulgated by the Select Committee on Ethics. Nothing in the provisions of the Standing Rules of the Senate shall be construed to limit contributions to defray the legal expenses of the spouses or dependents of Members, officers, or employees of the Senate. [S. Res. 508, 96–2, Sept. 4, 1980.]

116 CLARIFYING RULES REGARDING ACCEPTANCE OF PRO BONO LEGAL SERVICES BY SENATORS

Resolved, That (a) notwithstanding the provisions of the Standing Rules of the Senate or Senate Resolution 508, adopted by the Senate on September 4, 1980, or Senate Resolution 321, adopted by the Senate on October 3, 1996, pro bono legal services provided to a Member of the Senate with respect to any civil action challenging the constitutionality of a Federal statute that expressly authorizes a Member either to file an action or to intervene in an action—

(1) shall not be deemed a gift to the Member;

(2) shall not be deemed to be a contribution to the office account of the Member;

(3) shall not require the establishment of a legal expense trust fund; and

(4) shall be governed by the Select Committee on Ethics Regulations Regarding Disclosure of Pro Bono Legal Services, adopted February 13, 1997, or any revision thereto.

(b) This resolution shall supersede Senate Resolution 321, adopted by the Senate on October 3, 1996.

[S. Res. 227, 107–2, Mar. 20, 2002.]

STANDARDS OF CONDUCT FOR MEMBERS OF THE SENATE AND OFFICERS AND EMPLOYEES OF THE SENATE **117**

Resolved, It is declared to be the policy of the Senate that—

(a) The ideal concept of public office, expressed by the words, "A public office is a public trust", signifies that the officer has been entrusted with public power by the people; that the officer holds this power in trust to be used only for their benefit and never for the benefit of himself or of a few; and that the officer must never conduct his own affairs so as to infringe on the public interest. All official conduct of Members of the Senate should be guided by this paramount concept of public office.

(b) These rules, as the written expression of certain standards of conduct, complement the body of unwritten but generally accepted standards that continue to apply to the Senate.

* * * * * *

[S. Jour. 247, 90–2, Mar. 22, 1968.]

SEAL OF THE SENATE **118**

Resolved, That the Secretary shall have the custody of the seal, and shall use the same for the authentication of process transcripts, copies, and certificates whenever directed by the Senate; and may use the same to authenticate copies of such papers and documents in his office as he may lawfully give copies of. [S. Jour. 194, 49–1, Jan. 20, 1886.]

OFFICIAL SENATE FLAG **119**

Resolved, That the Secretary of the Senate is authorized and directed to design an official Senate flag utilizing the seal of the Senate as the principal symbol on such flag. Expenses incident to the designing and procurement of such flag shall be paid from the contingent fund of the Senate upon vouchers signed by the Secretary of the Senate.

SEC. 2. The Senate flag shall be available for purchase and use by Senators, or former Senators, only subject to the following conditions—

(1) purchase of the flag shall be limited to—

(A) two flags for each Senator, or former Senator, subject to replacement for loss, destruction, or wear and tear;

(B) two flags for each Senate committee, as determined by the chairman and ranking member, subject to replacement for loss, destruction, or wear and tear; and

(C) two flags for each officer of the Senate, subject to replacement for loss, destruction, or wear and tear; and

(2) the flag shall not be utilized or displayed for commercial purposes.

Senators who leave the Senate may retain their flags subject to the preceding restrictions.

[S. Res. 369, 98–2, Sept. 7, 1984; S. Res. 135, 101–1, June 2, 1989.]

120 SEAL OF THE PRESIDENT PRO TEMPORE

Resolved, That the President pro tempore of the Senate is authorized to adopt and use an official seal of his office.

SEC. 2. Expenses incident to the designing and procurement of such seal shall be paid from the contingent fund of the Senate upon vouchers signed by the President pro tempore of the Senate.

SEC. 3. A description and illustration of the seal adopted pursuant to this resolution shall be transmitted to the General Services Administration for publication in the Federal Register. [S. Jour. 686, 83–2, Aug. 14, 1954.]

121 MARBLE BUSTS OF VICE PRESIDENTS

Resolved, That marble busts of those who have been Vice Presidents of the United States shall be placed in the Senate wing of the Capitol from time to time, that the Architect of the Capitol is authorized, subject to the advice and approval of the Senate committee on Rules and Administration, to carry into the execution the object of this resolution, and the expenses incurred in doing so shall be paid out of the contingent fund of the Senate.

[S. Jour. 40, 55–2, Jan. 6, 1898; S. Jour. 173, 80–1, Mar. 28, 1947.]

122 AWARD OF SERVICE PINS OR EMBLEMS

Resolved, That the Committee on Rules and Administration is hereby authorized to provide for the awarding of service pins or emblems to Members, officers, and employees of the Senate, and to promulgate regulations governing the awarding of such pins or emblems. Such pins or emblems shall be of a type appropriate to be attached to the lapel of the wearer, shall be of such appropriate material

and design, and shall contain such characters, symbols, or other matter, as the committee shall select.

SEC. 2. The Secretary of the Senate, under direction of the committee and in accordance with regulations promulgated by the committee, shall procure such pins or emblems and award them to Members, officers, and employees of the Senate who are entitled thereto.

SEC. 3. The expenses incurred in procuring such pins or emblems shall be paid from the contingent fund of the Senate on vouchers signed by the chairman of the committee.

[S. Jour. 45, 89–1, Sept. 10, 1965.]

DESIGNATING THE OLD SENATE OFFICE BUILDING AND THE NEW SENATE OFFICE BUILDING AS THE "RICHARD BREVARD RUSSELL SENATE OFFICE BUILDING" AND THE "EVERETT MCKINLEY DIRKSEN SENATE OFFICE BUILDING", RESPECTIVELY **123**

Resolved, That insofar as concerns the Senate—

(1) the Senate Office building referred to as the Old Senate Office Building and constructed under authority of the Act of April 28, 1904 (33 Stat. 452, 481), is designated, and shall be known as, the "Richard Brevard Russell Senate Office Building"; and

(2) the additional office building for the Senate referred to as the New Senate Office Building and constructed under the provisions of the Second Deficiency Appropriation Act of 1948 (62 Stat. 1928), is designated, and shall be known as, the "Everett McKinley Dirksen Senate Office Building".

SEC. 2. Any rule, regulation, document, or record of the Senate, in which reference is made to either building referred to in the first section of this resolution, shall be held and considered to be a reference to such building by the name designated for such building by the first section of this resolution.

SEC. 3. The Committee on Rules and Administration shall place appropriate markers or inscriptions at suitable locations within the buildings referred to in the first section of this resolution to commemorate and designate such buildings as provided in this resolution. Expenses incurred under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

[S. Jour. 1197, 92–2, Oct. 11, 1972; S. Res. 295, 96–1, Dec. 3, 1979.]

124 DESIGNATING THE EXTENSION TO THE DIRKSEN SENATE OFFICE BUILDING AS THE "PHILIP A. HART SENATE OFFICE BUILDING"

Resolved, That insofar as concerns the Senate, the extension of the Senate Office Building presently under construction pursuant to the Supplemental Appropriations Act, 1973 (86 Stat. 1510), is designated and shall be known as the "Philip A. Hart Senate Office Building", when completed.

SEC. 2. Any rule, regulation, document, or record of the Senate, in which reference is made to the building referred to in the first section of this resolution, shall be held and considered to be a reference to such building by the name designated for such building by the first section of this resolution.

SEC. 3. The Committee on Rules and Administration shall place appropriate markers or inscriptions at suitable locations within the building referred to in the first section of this resolution to commemorate and designate such building as provided in this resolution. Expenses incurred under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

[S. Res. 525, 94–2, Aug. 30, 1976; S. Res. 295, 96–1, Dec. 3, 1979.]

125 DESIGNATING ROOM S–126 OF THE UNITED STATES CAPITOL AS THE "SENATOR DANIEL K. INOUYE ROOM" IN RECOGNITION OF HIS SERVICE TO THE SENATE AND THE PEOPLE OF THE UNITED STATES

Whereas Senator Daniel K. Inouye served the people of Hawaii for more than 58 years as a member of the Territorial House of Representatives, the Territorial Senate, the United States House of Representatives, and the United States Senate;

Whereas Senator Daniel K. Inouye became the first Japanese American to serve in both the United States House of Representatives and the United States Senate;

Whereas Senator Daniel K. Inouye represented Hawaii in Congress from before the time that Hawaii became a State in 1959 until 2012;

Whereas, during his tenure in the Senate, Senator Daniel K. Inouye served as the President pro tempore, the Chairman of the Committee on Appropriations, the Chairman of the Subcommittee on Defense of the Com-

mittee on, the first Chairman of the Select Committee on Intelligence, the Chairman of the Committee on Indian Affairs, the Chairman of the Democratic Steering Committee, the Chairman of the Committee on Commerce, Science, and Transportation, the Chairman of the Committee on Rules and Administration, the Chairman of the Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, and the Secretary of the Democratic Conference;

Whereas Senator Daniel K. Inouye enlisted in the Army after the attacks on Pearl Harbor in 1941 and fought heroically in the Italian theater even after being wounded; and

Whereas Senator Daniel K. Inouye received a Distinguished Service Cross, a Bronze Star, a Purple Heart with cluster, and 12 other medals and citations before receiving the Medal of Honor from President William J. Clinton in June 2000: Now, therefore, be it

Resolved, That the Senate designates room S–126 of the United States Capitol as the "Senator Daniel K. Inouye Room", in recognition of his service to the Senate and the people of the United States.

[S. Res. 76, 113–1, Mar. 13, 2013.]

PROHIBITION ON THE REMOVAL OF ART AND HISTORIC OBJECTS FROM THE SENATE WING OF THE CAPITOL AND SENATE OFFICE BUILDINGS FOR PERSONAL USE **126**

Resolved, That (a) a Member of the Senate or any other person may not remove a work of art, historical object, or an exhibit from the Senate wing of the Capitol or any Senate office building for personal use.

(b) For purposes of this resolution, the term "work of art, historical object, or an exhibit" means an item, including furniture, identified on the list (and any supplement to the list) required by section 4 of Senate Resolution 382, 90th Congress, as enacted into law by section 901(a) of Public Law 100–696 (2 U.S.C. 2104).

(c) For purposes of this resolution, the Senate Commission on Art shall update the list required by section 4 of Senate Resolution 382, 90th Congress (2 U.S.C. 2104) every 6 months after the date of adoption of this resolution and shall provide a copy of the updated list to the Committee on Rules and Administration.

[S. Res. 178, 108–1, June 27, 2003.]

127 COMMISSION ON ART AND ANTIQUITIES OF THE UNITED STATES SENATE [25]

[Pub. L. 100–696, Nov. 18, 1988.]

128 INTERPARLIAMENTARY ACTIVITIES AND RECEPTION OF CERTAIN FOREIGN OFFICIALS

Resolved, That the Committee on Foreign Relations is authorized from March 1, 1981, until otherwise provided by law, to expend not to exceed $25,000 each fiscal year to assist the Senate properly to discharge and coordinate its activities and responsibilities in connection with participation in various interparliamentary institutions and to facilitate the interchange and reception in the United States of members of foreign legislative bodies and prominent officials of foreign governments and intergovernmental organizations.

SEC. 2. The Secretary of the Senate is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred in connection with activities authorized by this resolution and approved in advance by the chairman of the Committee on Foreign Relations upon vouchers certified by the Senator incurring such expenses and approved by the chairman.

[S. Res. 247, 87–2, Feb. 7, 1962; S. Res. 91, 94–1, Mar. 18, 1975; S. Res. 281, 96–2, Mar. 11, 1980.]

129 AUTHORIZING THE DISPLAY OF THE SENATE LEADERSHIP PORTRAIT COLLECTION IN THE SENATE LOBBY

Resolved, That (a) portraits in the Senate Leadership Portrait Collection may be displayed in the Senate Lobby at the direction of the Senate Commission on Art in accordance with guidelines prescribed pursuant to subsection (d).

(b) The Senate Leadership Portrait Collection shall consist of portraits selected by the Senate Commission on Art of Majority or Minority Leaders and Presidents pro tempore of the Senate.

(c) Any portrait for the Senate Leadership Portrait Collection that is acquired on or after the date of adoption of this resolution shall be of an appropriate size for display in the Senate Lobby, as determined by the Senate Commission on Art.

(d) The Senate Commission on Art shall prescribe such guidelines as it deems necessary, subject to the approval

[25] Became Senate Commission on Art, and enacted into permanent law by Pub. L. 100–696, Nov. 18, 1988. See 2 U.S.C. §§ 2101–2108.

of the Committee on Rules and Administration, to carry out this resolution.

[S. Res. 148, 109–1, May 18, 2005.]

ESTABLISHING A PROCEDURE FOR AFFIXING AND REMOVING PERMANENT ARTWORK AND SEMI-PERMANENT ARTWORK IN THE SENATE WING OF THE CAPITOL AND IN THE SENATE OFFICE BUILDINGS **130**

Resolved, No permanent artwork or semi-permanent artwork may be affixed to or removed from the walls, floors, or ceilings of the public spaces and committee rooms of the Senate wing of the Capitol and the Senate office buildings unless—

(1) the Senate Commission on Art—

(A) has recommended the affixation or removal; and

(B) in the case of an affixation of permanent artwork or semi-permanent artwork—

(i) has recommended an appropriate location for the affixation; and

(ii) has determined that—

(I) not less than 25 years have passed since the death of any subject in a portrait included in the permanent artwork or semi-permanent artwork; and

(II) not less than 25 years have passed since the commemorative event that is to be portrayed in the permanent artwork or semi-permanent artwork; and

(2) the Senate has passed a Senate resolution approving the recommendation of the Senate Commission on Art.

SEC. 2. Sense of the Senate.

It is the sense of the Senate that prior to making a recommendation to affix any permanent artwork or semi-permanent artwork to the walls, floors, or ceilings of the public spaces and committee rooms of the Senate wing of the Capitol and the Senate office buildings, the Senate Commission on Art should consider, at a minimum, the following:

(1) The significance of the original, intended, or existing permanent artwork or semi-permanent artwork in the installation space proposed for the additional permanent artwork or semi-permanent artwork.

(2) The existing conditions of the surface of the proposed installation space.

(3) The last time fixed art was added to the proposed installation space.

(4) The amount of area available for the installation of permanent artwork or semi-permanent artwork in the proposed installation space.

(5) The opinion of the Curatorial Advisory Board on such affixation.

SEC. 3. Creation of artwork.

If a request to affix permanent artwork or semi-permanent artwork to the walls, floors, or ceilings of the public spaces and committee rooms of the Senate wing of the Capitol and the Senate office buildings meets the requirements of section 1, the Senate Commission on Art shall select the artist and shall supervise and direct the creation of the artwork and the application of the artwork to the selected surface.

SEC. 4. Definitions.

In this resolution—

(1) PERMANENT ARTWORK.—The term "permanent artwork" means artwork that when applied directly to a wall, ceiling, or floor has become part of the fabric of the building, based on a consideration of relevant factors including—

(A) the original intent when the artwork was applied;

(B) the method of application;

(C) the adaptation or essentialness of the artwork to the building; and

(D) whether the removal of the artwork would cause damage to either the artwork or the surface that contains it.

(2) SEMI-PERMANENT ARTWORK.—The term "semi-permanent artwork" means artwork that when applied directly to the surface of a wall, ceiling, or floor can be removed without damaging the artwork or the surface to which the artwork is applied.

[S. Res. 629, 109–2, Dec. 7, 2006.]

131 PUBLIC ACCESS TO SENATE RECORDS AT THE NATIONAL ARCHIVES

Resolved, That any records of the Senate or any committee of the Senate which are transferred to the General Services Administration under rule XI of the Standing Rules of the Senate and section 2114 of Title 44, United

States Code, and which have been made public prior to their transfer may be made available for public use.

SEC. 2. (a) Subject to such rules or regulations as the Secretary of the Senate may prescribe, any other records of the Senate or any committee of the Senate which are so transferred may be made available for public use—

(1) in the case of investigative files relating to individuals and containing personal data, personnel records, and records of executive nominations, when such files and records have been in existence for fifty years; and

(2) in the case of all other such records, when such records have been in existence for twenty years.

(b) Notwithstanding the provisions of subsection (a), any committee of the Senate may, by action of the full committee, prescribe a different time when any of its records may be made available for public use, under specific conditions to be fixed by such committee, by giving notice thereof to the Secretary of the Senate and the Administrator of General Services.

SEC. 3. (a) This resolution shall not be construed to authorize the public disclosure of any record pursuant to section 2 if such disclosure is prohibited by law or Executive order of the President.

(b) Notwithstanding the provisions of section 2, the Secretary of the Senate may prohibit or restrict the public disclosure of any record so transferred, other than any record of a Senate committee, if he determines that public disclosure of such record would not be in the public interest and so notifies the Administrator of General Services.

SEC. 4. The Secretary of the Senate shall transmit a copy of this resolution to the Administrator of General Services.

[S. Res. 474, 96–2, Dec. 1, 1980.]

PRINTING IN THE CONGRESSIONAL RECORD 132

Resolved, That hereafter no written or printed matter shall be received for printing in the body of the Congressional Record as a part of the remarks of any Senator unless such matter (1) shall have been read orally by such Senator on the floor of the Senate, or (2) shall have been offered and received for printing in such manner as to indicate clearly that the contents thereof were not read orally by such Senator on the floor of the Senate. All such matter shall be printed in the Record in accordance with the rules prescribed by the Joint Committee on Printing. No request

shall be entertained by the Presiding Officer to suspend by unanimous consent the requirements of this resolution.

[S. Jour. 510, 80–1, July 23, 1947.]

133 PRINTING OF THE EXECUTIVE JOURNAL

Resolved, That, beginning with the first session, Ninetieth Congress, the Secretary of the Senate is authorized to have printed not more than one hundred and fifty copies of the Executive Journal for a session of the Congress.

[S. Jour. 167, 90–1, Feb. 17, 1967.]

134 PRINTING OF MEMORIAL TRIBUTES TO DECEASED FORMER MEMBERS OF THE SENATE

Resolved, That when the Senate orders the printing as a Senate document of the legislative proceedings in the United States Congress relating to the death of a former United States Senator, such document shall be prepared, printed, bound, and distributed, except to the extent otherwise provided by the Joint Committee on Printing under chapter 1 of Title 44, United States Code, in the same manner and under the same conditions as memorial addresses on behalf of Members of Congress dying in office are printed under sections 723 and 724 of such Title.

[S. Jour. 293, 93–1, Apr. 6, 1973.]

135 OFFICE OF SENATE SECURITY

Resolved, That (a) there is established, within the Office of the Secretary of the Senate (hereinafter referred to as the "Secretary"), the Office of Senate Security (hereinafter referred to as the "Office"), which shall be headed by a Director of Senate Security (hereinafter referred to as the "Director"). The Office shall be under the policy direction of the Majority and Minority Leaders of the Senate, and shall be under the administrative direction and supervision of the Secretary.

(b)(1) The Director shall be appointed by the Secretary after consultation with the Majority and Minority Leaders. The Secretary shall fix the compensation of the Director. Any appointment under this subsection shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

(2) The Director, with the approval of the Secretary, and after consultation with the Chairman and Ranking Member of the Committee on Rules and Administration of the Senate, may establish such policies and procedures as may be necessary to carry out the provisions of this resolution.

Commencing one year from the effective date of this resolution, the Director shall submit an annual report to the Majority and Minority Leaders and the Chairman and Ranking Member of the Committee on Rules and Administration on the status of security matters and the handling of classified information in the Senate, and the progress of the Office in achieving the mandates of this resolution.

SEC. 2. (a) The Secretary shall appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this resolution. The Director, with the approval of the Secretary, shall prescribe the duties and responsibilities of such personnel. If a Director is not appointed, the Office shall be headed by an Acting Director. The Secretary shall appoint and fix the compensation of the Acting Director.

(b) The Majority and Minority Leaders of the Senate may each designate a Majority staff assistant and a Minority staff assistant to serve as their liaisons to the Office. Upon such designation, the Secretary shall appoint and fix the compensation of the Majority and Minority liaison assistants.

SEC. 3. (a) The Office is authorized, and shall have the responsibility, to develop, establish, and carry out policies and procedures with respect to such matters as:

(1) the receipt, control, transmission, storage, destruction or other handling of classified information addressed to the United States Senate, the President of the Senate, or Members and employees of the Senate;

(2) the processing of security clearance requests and renewals for officers and employees of the Senate;

(3) establishing and maintaining a current and centralized record of security clearances held by officers and employees of the Senate, and developing recommendations for reducing the number of clearances held by such employees;

(4) consulting and presenting briefings on security matters and the handling of classified information for the benefit of Members and employees of the Senate;

(5) maintaining an active liaison on behalf of the Senate, or any committee thereof, with all departments and agencies of the United States on security matters; and

(6) conducting periodic review of the practices and procedures employed by all offices of the Senate for the handling of classified information.

(b) Within 180 days after the Director takes office, he shall develop, after consultation with the Secretary, a Senate Security Manual, to be printed and distributed to all Senate offices. The Senate Security Manual will prescribe the policies and procedures of the Office, and set forth regulations for all other Senate offices for the handling of classified information. [Executed.]

(c) Within 90 days after taking office, the Director shall conduct a survey to determine the number of officers and employees of the Senate that have security clearances and report the findings of the survey to the Majority and Minority Leaders and Secretary of the Senate together with recommendations regarding the feasibility of reducing the number of employees with such clearances.

(d) The Office shall have authority—

(1) to provide appropriate facilities in the United States Capitol for hearings of committees of the Senate at which restricted data or other classified information is to be presented or discussed;

(2) to establish and operate a central repository in the United States Capitol for the safeguarding of classified information for which the Office is responsible; which shall include the classified records, transcripts, and materials of all closed sessions of the Senate; and

(3) to administer and maintain oaths of secrecy under paragraph (2) of rule XXIX of the Standing Rules of the Senate and to establish such procedures as may be necessary to implement the provisions of such paragraph.

SEC. 4. Funds appropriated for the fiscal year 1987 which would be available to carry out the purposes of the Interim Office of Senate Security but for the termination of such Office shall be available for the Office of Senate Security.

SEC. 5. (a) All records, documents, data, materials, rooms, and facilities in the custody of the Interim Office of Senate Security at the time of its termination on July 10, 1987, are transferred to the Office established by subsection (a) of the first section of this resolution.

(b) This resolution shall take effect on July 11, 1987.

[S. Res. 243, 100–1, July 1, 1987.]

UNITED STATES SENATE CHAMBER AND GALLERIES REGULATIONS

[Adopted by the Committee on Rules and Administration on October 7, 2020, pursuant to rule XXXIII of the Standing Rules of the Senate]

1.0 SCOPE—These regulations are applicable only to the Senate Chamber and Galleries. **150.1**

2.0 DEFINITIONS—For purposes of these regulations, the following terms have the meaning specified. **150.2**

2.1 *Cloakroom* means the two spaces, one assigned to the majority party and one assigned to the minority party, adjacent to the Senate Chamber.

2.2 *Galleries* means the ten seating galleries located in the Senate Chamber.

2.3 *Marble Room* means the Senators meeting room adjacent to the Senate Lobby.

2.4 *Senate Chamber* means the space that encompasses the Senate Floor and Galleries.

2.5 *Senate Floor* means the floor of the Senate Chamber.

2.6 *Senate Lobby* means the hallway space adjoining the Senate Chamber to the Marble Room.

2.7 *Sergeant at Arms* means the Sergeant at Arms of the Senate.

3.0 SERGEANT AT ARMS CHAMBER AND GALLERIES DUTIES—The Sergeant at Arms of the Senate, under the direction of the Presiding Officer, shall be the Executive Officer of the body for the enforcement of all rules made by the Committee on Rules and Administration for the regulation of the Senate Chamber and Galleries. **150.3**

3.1 The Senate Floor shall be at all times under the Sergeant at Arms' immediate supervision, and the Sergeant at Arms shall see that the various subordinate officers of the Office of the Sergeant at Arms perform the duties to which they are especially assigned.

3.2 The Sergeant at Arms shall see that the messengers assigned to the doors upon the Senate Floor are at their posts and that the Senate Floor, Cloakrooms, and Senate Lobby are cleared at least five minutes before the opening of daily sessions of all persons not entitled to remain there.

3.3 In the absence of the Sergeant at Arms the duties of the office, so far as they pertain to the enforcement of the rules, shall devolve upon the Deputy Sergeant at Arms.

150.4 4.0 MESSENGERS ACTING AS ASSISTANT DOORKEEPERS—The messengers acting as Assistant Doorkeepers shall be assigned to their duties by the Sergeant at Arms.

150.5 5.0 ASSIGNMENT OF MAJORITY AND MINORITY SECRETARIES—The secretary for the majority and the secretary for the minority shall be assigned, during the daily sessions of the Senate, to duty upon the Senate Floor.

150.6 6.0 USE OF THE SENATE CHAMBER—When the Senate is not sitting in session or otherwise using the Chamber for some function of the Senate, no Senator shall seat any person or persons in chairs of Senators other than the chair assigned, no other persons shall seat anyone in a chair of a Senator; and lectures, talks, or speeches shall not be given at such times to groups on the Senate Floor by Senators or others except for the purpose of explaining the Chamber.

150.7 7.0 USE OF THE MARBLE ROOM—No persons shall be admitted to the Marble Room except Senators.

150.8 8.0 USE OF THE CLOAKROOMS—No persons shall be admitted to the Cloakrooms except those entitled to the privileges of the Senate Floor under the Rule XXIII of the Standing Rules of the Senate.

150.9 9.0 USE OF THE SENATE LOBBY—No persons shall be admitted to the Senate Lobby except those entitled to the privileges of the Senate Floor under the Rule XXIII of the Standing Rules of the Senate.

150.10 10.0 USE OF DISPLAY MATERIALS IN THE SENATE CHAMBER—Graphic displays in the Senate Chamber are limited to charts, photographs, or renderings:

10.1 Size—No larger than 36 inches by 48 inches.

10.2 Where—On an easel stand next to the Senator's desk or at the rear of the Chamber.

10.3 When—Only at the time the Senator is engaged in debate.

10.4 Number—No more than two may be displayed at a time.

11.0 SOLICITATION AND COMMERCIAL ACTIVITIES PROHIBITED—No persons shall carry out any of the following activities in the Senate Chamber and Galleries: offer or expose any article for sale; display a sign, placard, or other form of advertisement; or solicit fares, alms, subscriptions, or contributions. **150.11**

12.0 LEGISLATIVE BUZZERS AND SIGNAL LIGHTS—The system of legislative buzzers and signal lights, which correspond with rings if available, shall be as follows: **150.12**

12.1 *Pre-session signals:*

12.1.1 One long ring at hour of convening.

12.1.2 One red light to remain lighted at all times while Senate is in actual session.

12.2 *Session signals:*

12.2.1 One ring-Yeas and nays.

12.2.2 Two rings-quorum call.

12.2.3 Three rings-Call of absentees.

12.2.4 Four rings-Adjournment or recess. (End of daily session.)

12.2.5 Five rings-Seven and a half minutes remaining on yea and nay vote.

12.2.6 Morning business concluded-Six rings. Lights cut off immediately.

12.2.7 Recess during daily session-Six rings. Lights stay on during period of recess.

13.0 TAKING OF PICTURES PROHIBITED; USE OF MECHANICAL EQUIPMENT IN CHAMBER— **150.13**

13.1 The taking of pictures of any kind is prohibited in the Senate Chamber, the Marble Room, the Senate Lobby, and the Senate Cloakrooms; however,

13.2 The Sergeant at Arms shall be authorized to admit into the spaces defined in 13.1 such mechanical equipment and/or devices which, in the judgment of the Sergeant at Arms, are necessary and proper in the conduct of official Senate business and which by their presence shall not in any way distract, interrupt, or inconvenience the business or Members of the Senate.

150.14 14.0 GALLERIES—The Sergeant at Arms shall keep the aisles of the galleries clear, and shall not allow admittance into the galleries of more than their seating capacity. The Sergeant at Arms shall not permit any person to enter a gallery with or carrying any firearms or dangerous weapons except for law enforcement and other personnel performing duties under the direction of the Senate, or any package, bundle, suitcase, briefcase, or camera; the Sergeant at Arms shall not permit any person in any gallery to smoke, applaud, or commit any other type of demonstration either by sound or sign; except in the press, radio, television, and correspondents' galleries the Sergeant at Arms shall not permit any person to read (except the Senate seating diagram) or to write or take notes (except credentialed employees of the Senate when taking notes in the course of their employment); the Sergeant at Arms shall not permit any person to take any picture or photograph or to sketch or draw; the Sergeant at Arms shall not permit any person to place any object whatsoever-including hats, coats, or other personal apparel-or portion of a person on any railing, or any person to wear a hat, except that where a person's religious beliefs require that person wear a head-cover in such public places as the Senate Gallery, then such head-cover shall be permitted; and the Sergeant at Arms shall not allow any person to lean forward over the railings or to place hands thereon.

14.1 The galleries of the Senate shall be set apart and occupied as follows:

14.1.1 Gallery 1—the gallery above the northeastern corner of the Senate Chamber, commonly referred to as the Staff Gallery, is reserved for the use of credentialed employees of the Senate.

14.1.2 Gallery 2—the gallery above the eastern entrance to the Senate Chamber, commonly referred to as the Family Gallery, is reserved for the exclusive use of the families of Senators, former Presidents of the United States, and incumbent Secretary and Sergeant at Arms of the Senate.

14.1.2.1 The first two rows of the gallery are reserved for the spouses and other members of the immediate families of Senators.

14.1.2.2 The remainder of the gallery is reserved for the families of Senators and guests visiting their families who shall be designated by some member of the Senator's family, and for the families of

former Presidents of the United States, as well as families of incumbent Secretary and Sergeant at Arms of the Senate.

14.1.3 Gallery 3—the gallery over the southeastern corner of the Senate Chamber, commonly referred to as a Public Gallery, is reserved for the use of persons holding a card issued by a Senator.

14.1.3.1 The period to which such card of admission shall be limited rests entirely in the discretion of the Senator issuing it, except that such cards shall expire at the end of each session and cards of a different color shall be furnished by the Sergeant at Arms for the following session.

14.1.3.2 The Sergeant at Arms shall in the Sergeant at Arms' discretion limit occupancy of the public galleries to such periods as may be required to accommodate with reasonable expediency all card bearers who are seeking admission.

14.1.4 Gallery 4—the gallery between Gallery 3 and Gallery 5 on the south side of the Senate Chamber, commonly referred to as the Representatives' Gallery, is reserved for the use of Members of Congress of the House of Representatives and their guests.

14.1.5 Gallery 5—the gallery over the southern main entrance to the Senate Chamber, commonly referred to as the Presidential and Diplomatic Gallery, is reserved for the use of the Diplomatic Corps, and no person shall be admitted to it excepting the Secretary of State, foreign ministers, their families and Senators.

14.1.5.1 The first row on the eastern side of this gallery shall be set apart for the use of the President of the United States.

14.1.5.2 The second row on the eastern side of this gallery shall be set apart for the use of the Vice President of the United States.

14.1.5.3 The third row on the eastern side of this gallery shall be set apart for the use of the President pro tempore of the Senate.

14.1.6 Gallery 6—the gallery between Gallery 5 and Gallery 7 on the south side of the Senate Chamber, commonly referred to as a Public Gallery, is reserved for the use of large guided tours and other special parties.

14.1.7 Gallery 7—the gallery over the southwest corner of the Senate Chamber, commonly referred to as the Accessible Gallery, is reserved for the use of any guest, especially those who wish to avoid stairs, and those who would like to view closed captioning television, or use an assisted listening device.

14.1.8 Gallery 8—the gallery over the west entrance to the Senate Chamber, commonly referred to as a Public Gallery, is reserved for the use of persons holding a card issued by a Senator.

14.1.8.1 The period to which such card of admission shall be limited rests entirely in the discretion of the Senator issuing it, except that such cards shall expire at the end of each session and cards of a different color shall be furnished by the Sergeant at Arms for the following session.

14.1.8.2 The Sergeant at Arms shall in the Sergeant at Arms' discretion limit occupancy of the public galleries to such periods as may be required to accommodate with reasonable expediency all card bearers who are seeking admission.

14.1.9 Gallery 9—the gallery over the northwest corner of the Senate Chamber, commonly referred to as a Public Gallery, is reserved for the use of persons holding a card issued by a Senator.

14.1.9.1 The period to which such card of admission shall be limited rests entirely in the discretion of the Senator issuing it, except that such cards shall expire at the end of each session and cards of a different color shall be furnished by the Sergeant at Arms for the following session.

14.1.9.2 The Sergeant at Arms shall in the Sergeant at Arms' discretion limit occupancy of the public galleries to such periods as may be required to accommodate with reasonable expediency all card bearers who are seeking admission.

14.1.10 Gallery 10—the gallery above the Senate Floor dais on the north side of the Senate Chamber including the front row of Gallery 1 and the front row of Gallery 9, commonly referred to as the Media Gallery, is reserved for the exclusive use of the Press Gallery, Radio and Television Correspondents Gallery, Periodical Press Gallery, and Press Photographers' Gallery.

15.0 USE OF THE MEDIA GALLERY—Gallery 10, the Media Gallery shall be further set apart and occupied as follows: 150.15

15.1 Press Gallery—The gallery in the rear of the Vice President's chair shall be set apart for reporters of daily newspapers.

15.1.1 The administration of the Press Gallery shall be vested in a Standing Committee of Correspondents elected by accredited members of the gallery. The committee shall consist of five persons elected to serve for terms of two years: Provided, however, that at the election in January 1951, the three candidates receiving the highest number of votes shall serve for two years and the remaining two for one year. Thereafter, three members shall be elected in odd-numbered years and two in even-numbered years. Elections shall be held in January. The committee shall elect its own chair and secretary. Vacancies on the committee shall be filled by special election to be called by the Standing Committee.

15.1.2 Persons desiring admission to the Press Gallery in the Senate wing shall make application in accordance with Rule XXXIII of the Standing Rules of the Senate, which rule shall be interpreted and administered by the Standing Committee of Correspondents, subject to the review and approval by the Senate Committee on Rules and Administration.

15.1.3 The Standing Committee of Correspondents shall limit membership in the Press Gallery to bona fide correspondents of repute in their profession, under such rules as the Standing Committee of Correspondents shall prescribe: Provided, however, that the Standing Committee of Correspondents shall admit to the Press Gallery no person who does not establish to the satisfaction of the Standing Committee all of the following:

15.1.3.1 That the person's principal income is obtained from news correspondence intended for publication in newspapers entitled to second-class mailing privileges.

15.1.3.2 That the person is not engaged in paid publicity or promotion work or in prosecuting any claim before Congress or before any department

of the Government, and will not become so engaged while a member of the Press Gallery.

15.1.3.3 That the person is not engaged in any lobbying activity and will not become so engaged while a member of the Press Gallery.

15.1.4 Members of the families of correspondents are not entitled to the privileges of the Press Gallery.

15.1.5 The Standing Committee of Correspondents shall propose no change or changes in these rules except upon petition in writing signed by not less than 100 accredited members of the Press Gallery.

15.2 Radio and Television Correspondents Gallery—The front row of Gallery 1 shall be set apart for the use of the radio-television correspondents.

15.2.1 Persons desiring admission to the Radio and Television Correspondents Gallery of the Senate shall make application to the Committee on Rules and Administration of the Senate, as required by Rule XXIII of the Standing Rules of the Senate; and shall also state, in writing, the names of all radio stations, television stations, systems, or newsgathering organizations by which they are employed; and what other occupation or employment they may have, if any; and shall further declare that they are not engaged in the prosecution of claims or promotion of legislation pending before Congress, the departments, or the independent agencies, and that they will not become so employed without resigning from the gallery. They shall further declare that they are not employed in any legislative or executive department or independent agency of the Government, or by any foreign government or representative thereof; that they are not engaged in any lobbying activities; that they do not and will not, directly or indirectly, furnish special information to any organization, individual, or group of individuals, for the influencing of prices on any commodity or stock exchange; that they will not do so during the time they retain membership in the gallery. Holders of visitors' cards who may be allowed temporary admission to the gallery must conform to all the restrictions of this paragraph.

15.2.2 It shall be prerequisite to membership that the radio station, television station, system, or newsgathering agencies which the applicants represent shall certify, in writing, to the Radio and Tele-

vision Correspondents Gallery that the applicants conform to the foregoing regulations.

15.2.3 The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the Executive Committee of the Radio and Television Correspondents Gallery, which shall see that the occupation of the gallery is confined to bona fide news gatherers and/ or reporters of reputable standing in their business who represent radio stations, television stations, systems, or newsgathering agencies engaged primarily in serving radio stations, television stations, or systems. It shall be the duty of the Executive Committee of the Radio and Television Correspondents Gallery to report, at its discretion, violation of privileges of the gallery to the Senate Committee on Rules and Administration, and, pending action thereon, the offending individual may be suspended.

15.2.4 Persons engaged in other occupations, whose chief attention is not given to-or more than one-half of their earned income is not derived from-the gathering or reporting of news for radio stations, television stations, systems, or newsgathering agencies primarily serving radio stations, television stations, or systems, shall not be entitled to admission to the Radio and Television Correspondents Gallery. The Radio and Television Correspondents list in the Congressional Directory shall be a list only of persons whose chief attention is given to the gathering and reporting of news for radio stations, television stations, and systems engaged in the daily dissemination of news, and of representatives of newsgathering agencies engaged in the daily service of news to such radio stations, television stations, or systems.

15.2.5 Members of the families of correspondents are not entitled to the privileges of the gallery.

15.2.6 The Radio and Television Correspondents Gallery shall be under the control of the Executive Committee of the Radio and Television Correspondents Gallery, subject to the approval and supervision of the Senate Committee on Rules and Administration.

15.3 Periodical Press Gallery - The front row of Gallery 9 shall be set aside for the use of the periodical press.

15.3.1 Persons eligible for admission to the Periodical Press Gallery of the Senate must be bona fide resident correspondents of reputable standing, giving their chief attention to the gathering and reporting of news. They shall state in writing the names of their employers and their additional sources of earned income; and they shall declare that, while a member of the Gallery, they will not act as an agent in the prosecution of claims, and will not become engaged or assist, directly or indirectly, in any lobbying, promotion, advertising, or publicity activity intended to influence legislation or any other action of the Congress, nor any matter before any independent agency, or any department or other instrumentality of the Executive Branch; and that they will not act as an agent for, or be employed by the federal, or any state, local or foreign government or representatives thereof; and that they will not, directly or indirectly, furnish special or "insider" information intended to influence prices or for the purpose of trading on any commodity or stock exchange; and that they will not become employed, directly or indirectly, by any stock exchange, board of trade or other organization or member thereof, or brokerage house or broker engaged in the buying and selling of any security or commodity. Applications shall be submitted to the Executive Committee of the Periodical Correspondents' Association and shall be authenticated in a manner satisfactory to the Executive Committee.

15.3.2 Applicants must be employed by periodicals that regularly publish a substantial volume of news material of either general, economic, industrial, technical, cultural or trade character. The periodical must require such Washington coverage on a continuing basis and must be owned and operated independently of any government, industry, institution, association, or lobbying organization. Applicants must also be employed by a periodical that is published for profit and is supported chiefly by advertising or by subscription, or by a periodical meeting the conditions in this paragraph but published by a non-profit organization that, first, operates independently of any government, industry, or institution and, second, does not engage, directly or indirectly, in any lobbying or

other activity intended to influence any matter before Congress or before any independent agency or any department or other instrumentality of the Executive Branch. House organs are not eligible.

15.3.3 Members of the families of correspondents are not entitled to the privileges of the gallery.

15.3.4 The Executive Committee may issue temporary credentials permitting the privileges of the Gallery to individuals who meet the rules of eligibility but who may be on short-term assignment or temporarily resident in Washington.

15.3.5 Under the authority of Rule XXIII of the Standing Rules of the Senate, the Periodical Press Gallery of the Senate shall be under the control of the Executive Committee, subject to the approval and supervision of the Senate Committee on Rules and Administration. It shall be the duty of the Executive Committee, at its discretion, to report violations of the privileges of the Gallery to the Senate Committee on Rules and Administration, and pending action thereon, the offending correspondent may be suspended. The Committee shall be elected at the start of each Congress by members of the Periodical Correspondents' Association, and shall consist of seven members with no more than one member from any one publishing organization. The Committee shall elect its own officers, and a majority of the Committee may fill vacancies on the Committee. The list in the Congressional Directory shall be a list only of members of the Periodical Correspondents' Association.

15.4 Press Photographer's Gallery—

15.4.1 Administration of the Press Photographers' Gallery is vested in a Standing Committee of Press Photographers consisting of six persons elected by accredited members of the gallery. The Committee shall be composed of one member each from Associated Press Photos, Reuters News Pictures or AFP Photos, magazine media, local newspapers, agency or freelance member, and one at-large member. The at-large member may be, but need not be, selected from a media otherwise represented on the Committee, however no organization may have more than one representative on the Committee.

15.4.2 The term of office of a member of the Committee elected as the Associated Press Photos

member, the local newspaper member, and the Reuters News Pictures or AFP Photos member shall expire on the day of the election held in the first odd-numbered year following the year in which the person was elected, and the term of office of a member of the Committee elected as the magazine media member, the agency or freelance member and the at-large member shall expire on the day of the election held in the first even-numbered year following the year in which the person was elected. A member elected to fill a vacancy occurring prior to the expiration of a term shall serve only for the unexpired portion of such term.

15.4.2.1 Election for the Reuters News Picture or AFP photos seat was held in 1999.

15.4.2.2 Election for the agency or freelance seat was held in 2000.

15.4.3 Elections shall be held as early as practicable in each year and in no case later than March 31. A vacancy in the membership of the Committee occurring prior to the expiration of a term shall be filled by special election called for that purpose by the Committee.

15.4.4 The Standing Committee of the Press Photographers' Gallery shall propose no change or changes in these rules except upon petition in writing signed by not less than 25 accredited members of the gallery.

15.4.5 Persons desiring admission to the Press Photographers' Gallery of the Senate shall make application in accordance Rule XXIII of the Standing Rules of the Senate, which rule shall be interpreted and administered by the Standing Committee of Press Photographers subject to the review and approval of the Senate Committee on Rules and Administration.

15.4.6 The Standing Committee of Press Photographers shall limit membership in the photographers' gallery to bona fide news photographers of repute in their profession and to heads of Photographic Bureaus under such rules as the Standing Committee of Press Photographers shall prescribe.

15.4.7 Provided, however, That the Standing Committee of Press Photographers shall admit to the gallery no person who does not establish to the satisfaction of the Committee all of the following:

15.4.7.1 That any member is not engaged in paid publicity or promotion work or in prosecuting any claim before Congress or before any department of the Government, and will not become so engaged while a member of the gallery.

15.4.7.2 That the person is not engaged in any lobbying activity and will not become so engaged while a member of the gallery.

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RULES OF PROCEDURE AND PRACTICE IN THE SENATE WHEN SITTING ON IMPEACHMENT TRIALS

[Revised pursuant to S. Res. 479, 99–2, Aug. 16, 1986]

I. Whensoever the Senate shall receive notice from the **170** House of Representatives that managers are appointed on their part to conduct an impeachment against any person and are directed to carry articles of impeachment to the Senate, the Secretary of the Senate shall immediately inform the House of Representatives that the Senate is ready to receive the managers for the purpose of exhibiting such articles of impeachment, agreeably to such notice.

II. When the managers of an impeachment shall be intro- **171** duced at the bar of the Senate and shall signify that they are ready to exhibit articles of impeachment against any person, the Presiding Officer of the Senate shall direct the Sergeant at Arms to make proclamation, who shall, after making proclamation, repeat the following words, viz: "All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of the United States articles of impeachment against ——— ———"; after which the articles shall be exhibited, and then the Presiding Officer of the Senate shall inform the managers that the Senate will take proper order on the subject of the impeachment, of which due notice shall be given to the House of Representatives.

III. Upon such articles being presented to the Senate, **172** the Senate shall, at 1 o'clock afternoon of the day (Sunday excepted) following such presentation, or sooner if ordered by the Senate, proceed to the consideration of such articles and shall continue in session from day to day (Sundays excepted) after the trial shall commence (unless otherwise ordered by the Senate) until final judgment shall be rendered, and so much longer as may, in its judgment, be needful. Before proceeding to the consideration of the articles of impeachment, the Presiding Officer shall administer

the oath hereinafter provided to the members of the Senate then present and to the other members of the Senate as they shall appear, whose duty it shall be to take the same.

173 IV. When the President of the United States or the Vice President of the United States, upon whom the powers and duties of the Office of President shall have devolved, shall be impeached, the Chief Justice of the United States shall preside; and in a case requiring the said Chief Justice to preside notice shall be given to him by the Presiding Officer of the Senate of the time and place fixed for the consideration of the articles of impeachment, as aforesaid, with a request to attend; and the said Chief Justice shall be administered the oath by the Presiding Officer of the Senate and shall presideover the Senate during the consideration of said articles and upon the trial of the person impeached therein.

174 V. The Presiding Officer shall have power to make and issue, by himself or by the Secretary of the Senate, all orders, mandates, writs, and precepts authorized by these rules or by the Senate, and to make and enforce such other regulations and orders in the premises as the Senate may authorize or provide.

175 VI. The Senate shall have power to compel the attendance of witnesses, to enforce obedience to its orders, mandates, writs, precepts, and judgments, to preserve order, and to punish in a summary way contempts of, and disobedience to, its authority, orders, mandates, writs, precepts, or judgments, and to make all lawful orders, rules, and regulations which it may deem essential or conducive to the ends of justice. And the Sergeant at Arms, under the direction of the Senate, may employ such aid and assistance as may be necessary to enforce, execute, and carry into effect the lawful orders, mandates, writs, and precepts of the Senate.

176 VII. The Presiding Officer of the Senate shall direct all necessary preparations in the Senate Chamber, and the Presiding Officer on the trial shall direct all the forms of proceedings while the Senate is sitting for the purpose of trying an impeachment, and all forms during the trial not otherwise specially provided for. And the Presiding Officer on the trial may rule on all questions of evidence including, but not limited to, questions of relevancy, materiality, and redundancy of evidence and incidental questions, which ruling shall stand as the judgment of the Senate, unless some Member of the Senate shall ask that a formal vote

be taken thereon, in which case it shall be submitted to the Senate for decision without debate; or he may at his option, in the first instance, submit any such question to a vote of the Members of the Senate. Upon all such questions the vote shall be taken in accordance with the Standing Rules of the Senate.

VIII. Upon the presentation of articles of impeachment **177** and the organization of the Senate as hereinbefore provided, a writ of summons shall issue to the person impeached, reciting said articles, and notifying him to appear before the Senate upon a day and at a place to be fixed by the Senate and named in such writ, and file his answer to said articles of impeachment, and to stand to and abide the orders and judgments of the Senate thereon; which writ shall be served by such officer or person as shall be named in the precept thereof, such number of days prior to the day fixed for such appearance as shall be named in such precept, either by the delivery of an attested copy thereof to the person impeached, or if that can not conveniently be done, by leaving such copy at the last known place of abode of such person, or at his usual place of business in some conspicuous place therein; or if such service shall be, in the judgment of the Senate, impracticable, notice to the person impeached to appear shall be given in such other manner, by publication or otherwise, as shall be deemed just; and if the writ aforesaid shall fail of service in the manner aforesaid, the proceedings shall not thereby abate, but further service may be made in such manner as the Senate shall direct. If the person impeached, after service, shall fail to appear, either in person or by attorney, on the day so fixed therefor as aforesaid, or, appearing, shall fail to file his answer to such articles of impeachment, the trial shall proceed, nevertheless, as upon a plea of not guilty. If a plea of guilty shall be entered, judgment may be entered thereon without further proceedings.

IX. At 12:30 o'clock afternoon of the day appointed for **178** the return of the summons against the person impeached, the legislative and executive business of the Senate shall be suspended, and the Secretary of the Senate shall administer an oath to the returning officer in the form following, viz: "I, ——— ———, do solemnly swear that the return made by me upon the process issued on the —— day of ———, by the Senate of the United States, against ——— ———, is truly made, and that I have performed such serv-

ice as therein described: So help me God." Which oath shall be entered at large on the records.

179 X. The person impeached shall then be called to appear and answer the articles of impeachment against him. If he appears, or any person for him, the appearance shall be recorded, stating particularly if by himself, or by agent or attorney, naming the person appearing and the capacity in which he appears. If he does not appear, either personally or by agent or attorney, the same shall be recorded.

180 XI. That in the trial of any impeachment the Presiding Officer of the Senate, if the Senate so orders, shall appoint a committee of Senators to receive evidence and take testimony at such times and places as the committee may determine, and for such purpose the committee so appointed and the chairman thereof, to be elected by the committee, shall (unless otherwise ordered by the Senate) exercise all the powers and functions conferred upon the Senate and the Presiding Officer of the Senate, respectively, under the rules of procedure and practice in the Senate when sitting on impeachment trials.

Unless otherwise ordered by the Senate, the rules of procedure and practice in the Senate when sitting on impeachment trials shall govern the procedure and practice of the committee so appointed. The committee so appointed shall report to the Senate in writing a certified copy of the transcript of the proceedings and testimony had and given before such committee, and such report shall be received by the Senate and the evidence so received and the testimony so taken shall be considered to all intents and purposes, subject to the right of the Senate to determine competency, relevancy, and materiality, as having been received and taken before the Senate, but nothing herein shall prevent the Senate from sending for any witness and hearing his testimony in open Senate, or by order of the Senate having the entire trial in open Senate.

181 XII. At 12:30 o'clock afternoon, or at such other hour as the Senate may order, of the day appointed for the trial of an impeachment, the legislative and executive business of the Senate shall be suspended, and the Secretary shall give notice to the House of Representatives that the Senate is ready to proceed upon the impeachment of ——— ———, in the Senate Chamber.

182 XIII. The hour of the day at which the Senate shall sit upon the trial of an impeachment shall be (unless otherwise ordered) 12 o'clock m.; and when the hour shall arrive,

the Presiding Officer upon such trial shall cause proclamation to be made, and the business of the trial shall proceed. The adjournment of the Senate sitting in said trial shall not operate as an adjournment of the Senate; but on such adjournment the Senate shall resume the consideration of its legislative and executive business.

XIV. The Secretary of the Senate shall record the pro- **183** ceedings in cases of impeachment as in the case of legislative proceedings, and the same shall be reported in the same manner as the legislative proceedings of the Senate.

XV. Counsel for the parties shall be admitted to appear **184** and be heard upon an impeachment.

XVI. All motions, objections, requests, or applications **185** whether relating to the procedure of the Senate or relating immediately to the trial (including questions with respect to admission of evidence or other questions arising during the trial) made by the parties or their counsel shall be addressed to the Presiding Officer only, and if he, or any Senator, shall require it, they shall be committed to writing, and read at the Secretary's table.

XVII. Witnesses shall be examined by one person on be- **186** half of the party producing them, and then cross-examined by one person on the other side.

XVIII. If a Senator is called as a witness, he shall be **187** sworn, and give his testimony standing in his place.

XIX. If a Senator wishes a question to be put to a wit- **188** ness, or to a manager, or to counsel of the person impeached, or to offer a motion or order (except a motion to adjourn), it shall be reduced to writing, and put by the Presiding Officer. The parties or their counsel may interpose objections to witnesses answering questions propounded at the request of any Senator and the merits of any such objection may be argued by the parties or their counsel. Ruling on any such objection shall be made as provided in Rule VII. It shall not be in order for any Senator to engage in colloquy.

XX. At all times while the Senate is sitting upon the **189** trial of an impeachment the doors of the Senate shall be kept open, unless the Senate shall direct the doors to be closed while deliberating upon its decisions. A motion to close the doors may be acted upon without objection, or, if objection is heard, the motion shall be voted on without debate by the yeas and nays, which shall be entered on the record.

190 XXI. All preliminary or interlocutory questions, and all motions, shall be argued for not exceeding one hour (unless the Senate otherwise orders) on each side.

191 XXII. The case, on each side, shall be opened by one person. The final argument on the merits may be made by two persons on each side (unless otherwise ordered by the Senate upon application for that purpose), and the argument shall be opened and closed on the part of the House of Representatives.

192 XXIII. An article of impeachment shall not be divisible for the purpose of voting thereon at any time during the trial. Once voting has commenced on an article of impeachment, voting shall be continued until voting has been completed on all articles of impeachment unless the Senate adjourns for a period not to exceed one day or adjourns sine die. On the final question whether the impeachment is sustained, the yeas and nays shall be taken on each article of impeachment separately; and if the impeachment shall not, upon any of the articles presented, be sustained by the votes of two-thirds of the Members present, a judgment of acquittal shall be entered; but if the person impeached shall be convicted upon any such article by the votes of two-thirds of the Members present, the Senate shall proceed to the consideration of such other matters as may be determined to be appropriate prior to pronouncing judgment. Upon pronouncing judgment, a certified copy of such judgment shall be deposited in the office of the Secretary of State. A motion to reconsider the vote by which any article of impeachment is sustained or rejected shall not be in order.

192.1 *Form of putting the question on each article of impeachment.*

The Presiding Officer shall first state the question; thereafter each Senator, as his name is called, shall rise in his place and answer: guilty or not guilty.

193 XXIV. All the orders and decisions may be acted upon without objection, or, if objection is heard, the orders and decisions shall be voted on without debate by yeas and nays, which shall be entered on the record, subject, however, to the operation of Rule VII, except when the doors shall be closed for deliberation, and in that case no member shall speak more than once on one question, and for not more than ten minutes on an interlocutory question, and

for not more than fifteen minutes on the final question, unless by consent of the Senate, to be had without debate; but a motion to adjourn may be decided without the yeas and nays, unless they be demanded by one-fifth of the members present. The fifteen minutes herein allowed shall be for the whole deliberation on the final question, and not on the final question on each article of impeachment.

XXV. Witnesses shall be sworn in the following form, viz: "You, ——— ———, do swear (or affirm, as the case may be) that the evidence you shall give in the case now pending between the United States and ——— ———, shall be the truth, the whole truth, and nothing but the truth: So help you God." Which oath shall be administered by the Secretary, or any other duly authorized person. **194**

Form of a subpoena be issued on the application of the managers of the impeachment, or of the party impeached, or of his counsel. **194.1**

To ——— ———, greeting:

You and each of you are hereby commanded to appear before the Senate of the United States, on the —— day of ———, at the Senate Chamber in the city of Washington, then and there to testify your knowledge in the cause which is before the Senate in which the House of Representatives have impeached ——— ———.

Fail not.

Witness ——— ———, and Presiding Officer of the Senate, at the city of Washington, this —— day of ———, in the year of our Lord ————, and of the Independence of the United States the ———.

——— ———,
Presiding Officer of the Senate.

Form of direction for the service of said subpoena **194.2**

The Senate of the United States to ——— ———, greeting:

You are hereby commanded to serve and return the within subpoena according to law.

Dated at Washington, this —— day of ———, in the year of our Lord ——, and of the Independence of the United States the ———.

——— ———,
Secretary of the Senate.

194.3 *Form of oath to be administered to the Members of the Senate and the Presiding Officer sitting in the trial of impeachments*

"I solemnly swear (or affirm, as the case may be) that in all things appertaining to the trial of the impeachment of ——— ———, now pending, I will do impartial justice according to the Constitution and laws: So help me God."

194.4 *Form of summons to be issued and served upon the person impeached*

THE UNITED STATES OF AMERICA, *ss:*
The Senate of the United States to ——— ———, greeting:

Whereas the House of Representatives of the United States of America did, on the —— day of ———, exhibit to the Senate articles of impeachment against you, the said ——— ———, in the words following:

[Here insert the articles]

And demand that you, the said ——— ———, should be put to answer the accusations as set forth in said articles, and that such proceedings, examinations, trials, and judgments might be thereupon had as are agreeable to law and justice.

You, the said ——— ———, are therefore hereby summoned to be and appear before the Senate of the United States of America, at their Chamber in the city of Washington, on the —— day of ———, at —— o'clock ——, then and there to answer to the said articles of impeachment, and then and there to abide by, obey, and perform such orders, directions, and judgments as the Senate of the United States shall make in the premises according to the Constitution and laws of the United States.

Hereof you are not to fail.

Witness ——— ———, and Presiding Officer of the said Senate, at the city of Washington, this —— day of ———, in the year of our Lord ———, and of the Independence of the United States the ———.

———,
Presiding Officer of the Senate.

Form of precept to be indorsed on said writ of summons 194.5

THE UNITED STATES OF AMERICA, *ss:*
The Senate of the United States to ——— ———, greeting:

You are hereby commanded to deliver to and leave with ——— ———, if conveniently to be found, or if not, to leave at his usual place of abode, or at his usual place of business in some conspicuous place, a true and attested copy of the within writ of summons, together with a like copy of this precept; and in whichsoever way you perform the service, let it be done at least ——— days before the appearance day mentioned in the said writ of summons.

Fail not, and make return of this writ of summons and precept, with your proceedings thereon indorsed, on or before the appearance day mentioned in the said writ of summons.

Witness ——— ———, and Presiding Officer of the Senate, at the city of Washington, this —— day of ———, in the year of our Lord ———, and of the Independence of the United States the ———.

———,
Presiding Officer of the Senate.

All process shall be served by the Sergeant at Arms of the Senate, unless otherwise ordered by the Senate.

XXVI. If the Senate shall at any time fail to sit for the consideration of articles of impeachment on the day or hour fixed therefor, the Senate may, by an order to be adopted without debate, fix a day and hour for resuming such consideration. 195

[200]

CLEAVES' MANUAL OF THE LAW AND PRACTICE IN REGARD TO CONFERENCES AND CONFERENCE REPORTS [1]

[NOTE.—The figures in parentheses at the end of rules refer to sections of Hinds' Parliamentary Precedents (H.R. Doc. 576, 55–2), where decisions and proceedings may be found. The notes and references inserted are additional to those in the work, and not found therein.]

CONFERENCES

1. Parliamentary law relating to conferences as stated in Jefferson's Manual, Section XLVI:

It is on the occasion of amendments between the Houses that conferences are usually asked; but they may be asked in all cases of difference of opinion between the two Houses on matters depending between them. The request of a conference, however, must always be by the House which is possessed of the papers. (3 Hats., 31; 1 Grey, 425.)

Conferences may either be simple or free. At a conference simply, [2] written reasons are prepared by the House asking it, and they are read and delivered without debate, to the managers of the other House at the conference, but are not then to be answered. (4 Grey, 144.) The other House then, if satisfied, vote the reasons satisfactory, or say nothing; if not satisfied, they resolve them not satisfactory and ask a conference on the subject of the last conference, where they read and deliver, in like manner, written answers to those reasons. (3 Grey, 183.) They are meant chiefly to record the justification of each House to the nation

[1] Collated and prepared by Thomas P. Cleaves, Clerk to the Committee on Appropriations, United States Senate, and reported to the Senate by Mr. Allison, First Session, Fifty-seventh Congress, under the following resolution of June 6, 1900:

"*Resolved,* That the Committee on Appropriations cause to be prepared for the use of the Senate a manual of the law and practice in regard to conferences and conference reports."

This manual is included for historical purposes and has not been updated to reflect current law and practice in regard to conferences. For current practice, see the "Conferences and Conference Reports" section of Riddick and Frumin, RIDDICK'S SENATE PROCEDURE: PRECEDENTS AND PRACTICES.

[2] So in original.

at large and to posterity, and in proof that the miscarriage of a necessary measure is not imputable to them. (3 Grey, 225.) At free conferences the managers discuss, *vivi voce* and freely, and interchange propositions for such modifications as may be made in a parliamentary way, and may bring the sense of the two Houses together. And each party reports in writing to their respective Houses the substance of what is said on both sides, and it is entered in their journals. (9 Grey, 220; 3 Hats., 280.) This report can not be amended or altered, as that of a committee may be. (Journal Senate, May 24, 1796.)

A conference may be asked before the House asking if it has come to a resolution of disagreement, insisting or adhering. (3 Hats., 269, 341.) In which case the papers are not left with the other conferees, but are brought back to be the foundation of the vote to be given. And this is the most reasonable and respectful proceeding; for, as was urged by the Lords on a particular occasion, "it is held vain, and below the wisdom of Parliament, to reason or argue against fixed resolutions and upon terms of impossibility to persuade." (3 Hats., 226.) So the Commons say, "an adherence is never delivered at a free conference, which implies debate." (10 Grey, 137.) And on another occasion the Lords made it an objection that the Commons had asked a free conference after they had made resolutions of adhering. It was then affirmed, however, on the part of the Commons, that nothing was more parliamentary than to proceed with free conferences after adhering (3 Hats., 369), and we do in fact see instances of conference, or of free conference, asked after the resolution of disagreeing (3 Hats., 251, 253, 260, 286, 291, 316, 349); of insisting (ib., 280, 296, 299, 319, 322, 355); of adhering (269, 270, 283, 300), and even of a second or final adherence. (3 Hats., 270.) And in all cases of conference asked after a vote of disagreement, etc., the conferees of the House asking it are to leave the papers with the conferees of the other; and in one case where they refused to receive them they were left on the table in the conference chamber. (Ib., 271, 317, 323, 354; 10 Grey, 146.)

After a free conference the usage is to proceed with free conferences, and not to return again to a conference. (3 Hats., 270; 9 Grey, 229.)

After a conference denied a free conference may be asked (1 Grey, 45.)

When a conference is asked the subject of it must be expressed or the conference not agreed to. (Ord. H. Com., 89; 1 Grey, 425; 7 Grey, 31.) They are sometimes asked to inquire concerning an offense or default of a member of the other House. (6 Grey, 181; 1 Chand., 204.) Or the failure of the other House to present to the King a bill passed by both Houses. (8 Grey, 302.) Or on information received and relating to the safety of the nation. (10 Grey, 171.) Or when the methods of Parliament are thought by the one House to have been departed from by the other a conference is asked to come to a right understanding thereon. (10 Grey, 148.) So when an unparliamentary message has been sent, instead of answering it, they ask a conference. (3 Grey, 155.) Formerly an address or articles of impeachment, or a bill with amendments, or a vote of the House, or concurrence in a vote, or a message from the King, were sometimes communicated by way of conference. But this is not the modern practice. (1366.)

[Senate Manual, 1902, p. 137; House Manual, 56th Cong., 2d sess., p. 207.]

CHARACTER OF CONFERENCES

2. Conferences may either be simple or free.

[Jefferson's Manual, Sec. XLVI.]

NOTE.—This rule and the definition and description of the two kinds of conferences are found in the foregoing section. Vice President Hamlin, in ruling upon a question of order in the Senate in the Thirty-eighth Congress, stated the rule and the distinction between free and simple conferences as follows:

"Conferences are of two characters, free and simple. A free conference is that which leaves the committee of conference entirely free to pass upon any subject where the two branches have disagreed in their vote, not, however, including any action upon any subject where there has been a concurrent vote of both branches. A simple conference—perhaps it should more properly be termed a strict or a specific conference, though the parliamentary term is simple—is that which confines the committee of conference to the specific instructions of the body appointing it." (38th Cong., 1st sess., Congressional Globe, pt. I, p. 900.)

Speaker Reed, in his Manual of General Parliamentary Law, chapter XV, section 242, states that "A free conference is one where the conferees meet and present not only the reasons of each House, but such arguments and reasons and persuasions as seem suitable to each member of the committee. Instead of being confined to reasons adopted by either House, each member may present his own. A conference may therefore be a free conference though each House may have instructed its members and limited them to the terms of the agreement. This method of conference is the only one known to our parliamentary law; at least, it is the only one now in practice. When two legislative bodies in this country have a conference, it is a free conference * * *"

REQUEST FOR CONFERENCE

3. The request for a conference must always be made by the House in possession of the papers. (1366.)

[Jefferson's Manual, Sec. XLVI.]

4. The motion to ask for a conference comes properly after the motion to disagree, insist, or adhere. (1367.)

5. A conference may be asked before there has been a disagreement. (1366.)

[48th Cong., 1st sess., S. Jour., pp. 628, 642–643; Jefferson's Manual, Sec. XLVI.]

6. After one House has adhered the other may recede or ask a conference, which may be granted by the other House. (1358–1361.)

[23d Cong., 1st sess., S. Jour., p. 112; S. Jour., vol. 2, pp. 70, 71; S. Jour., vol. 5, pp. 657, 661; Jefferson's Manual, Sec. XLVI.]

7. The House may agree to a conference without reconsidering its vote to adhere. (1362.)

8. Instances have occurred where one House has adhered at once and has even refused a conference. (1363.)

NOTE.—In section XLV, Jefferson's Manual, it is stated that "Either House is free to pass over the term of insisting, and to adhere in the first instance, but it is not respectful to the other. In the ordinary parliamentary course there are two free conferences, at least, before an adherence."

9. Where one House has voted at once to adhere, the other may insist and ask a conference; but the motion to recede has precedence. (1364.)

10. One House may disagree to the amendment of the other, leaving it for the latter House to ask for the conference as soon as the vote of disagreement is passed. (1368.)

11. The amending House may insist at once upon its amendments, and ask for a conference. (1370–1371.)

[48th Cong., 1st sess., S. Jour., pp. 628, 642, 643; Congressional Record, pp. 3974–4098.]

12. The request of the other House for a conference may be referred to a committee.

[19th Cong., 1st sess., S. Jour., p. 302; 49th Cong., 1st sess., H. Jour., pp. 2292, 2293; Congressional Record, p. 7332.]

13. Where a conference committee is unable to agree, or where a report is disagreed to, another conference is usually asked for and agreed to. (1384–1388.)

14. Before the stage of disagreement has been reached, the request of the other House for a conference gives the bill no privilege over the other business of the House. (1374, 1375.)

15. The conference on a disagreement as to Senate amendments to a House bill having failed, the Senate reconsidered its action in amending and passing the bill, passed it with a new amendment, and asked a new conference.

[55th Cong., 3d sess., Congressional Record, pp. 317, 439, 628, 631, 2303, 2360, 2362, 2770.]

16. The motion to insist and ask a conference has precedence of the motion to instruct conferees. (1376–1379.)

CONFEREES

APPOINTMENT OF CONFEREES

17. Statement of principles governing the selection of conferees on the part of the House (1383), namely:

NOTE.—These principles and provisions are also applicable to the Senate and in harmony with its practice.

The House members of conference committees, called the managers on the part of the House, are appointed by the Speaker.

NOTE.—The Senate members of conference committees, called the managers on the part of the Senate, are appointed by the Presiding Officer, by unanimous consent, under the custom of the Senate. Rule XXIV provides that chairman and other members of committees of the Senate shall be appointed by resolution unless otherwise ordered.

They are usually three in number, but on important measures the number is sometimes increased. In the selection of the managers the two large political parties are usually represented, and, also, care is taken that there shall be a representation of the two opinions which almost always exist on subjects of importance. Of course the majority party and the prevailing opinion have the majority of the managers. * * *

It is also almost the invariable practice to select managers from the members of the committee which considered the bill. * * * But sometimes in order to give representation to a strong or prevailing sentiment in the House the Speaker goes outside the ranks of the committee. * * *

The managers of the two Houses while in conference vote separately, the majority determining the attitude to be taken toward the propositions of the other House. When the report is made the signatures of a majority of each board of managers are sufficient. The minority managers frequently refrain from signing the report, and it is not unprecedented for a minority manager to indorse his protest on the report.

18. When conferees have disagreed or a conference report has been rejected, the usual practice is to reappoint the managers, although it seems to have been otherwise in former years. (1383.)

19. Conferees having been appointed, it is too late to reconsider the vote whereby the House has disagreed to a Senate amendment. (1205.)

DISCHARGE OF CONFEREES

20. While a conference asked by the House was in progress on the House's disagreement to Senate amendments, by a special order the House discharged its conferees, receded from its disagreement, and agreed to the amendments. (1373.)

NOTE.—Similar action was taken by the Senate under like circumstances in the Forty-second Congress (42d Cong., 2d sess., S. Jour., p. 1028).

INSTRUCTIONS TO CONFEREES

21. It is in order to instruct conferees, and the resolution of instruction should be offered after the House has voted to insist and ask a conference and before the conferees have been appointed. (1376–1379.)

[38th Cong., 2d sess., S. Jour., p. 268; 39th Cong., 1st sess., S. Jour., p. 782, 784; 40th Cong., 2d sess., S. Jour., p. 119.]

22. It is not the practice to instruct conferees before they have met and disagreed. (1380.)

23. It is not in order to give such instructions to conferees as would require changes in the text to which both Houses have agreed. (1380.)

24. The House having asked for a free conference, it is not in order to instruct the conferees. (1381.)

25. The motion to instruct conferees is amendable. (1390.) [40th Cong., 2d sess., S. Jour., p. 119.]

26. A conference report may be received although it may be in violation of instructions given to the conferees. (1382.)

CONFERENCE COMMITTEES AND REPORTS

AUTHORITY OF CONFERENCE COMMITTEES

27. A conference committee is practically two distinct committees, each of which acts by a majority. (1401.)

28. Conference reports must be signed by a majority of the managers on the part of each House. They are made

in duplicate for the managers to present to their respective Houses, the signatures of the managers of each House appearing first on the report that is to be presented to the House they represent.

NOTE.—See form of conference report appended.

29. Conferees may not include in their report matters not committed to them by either House. (1414–1417.)

[50th Cong., 1st sess., S. Jour., pp. 1064, 1065; 54th Cong., 2d sess., S. Jour., pp. 90, 91, 96.]

In the House, in case such matter is included, the conference report may be ruled out on a point of order. (See Rule 50, below.)

In the Senate, in case such matter is included, the custom is to submit the question of order to the Senate.

NOTE.—In the Fifty-fifth Congress, first session, Vice-President Hobart, in overruling a point of order made on this ground against a conference report during its reading in the Senate, stated that the report having been adopted by one House and being now submitted for discussion and decision in the form of concurrence or disagreement, it is not in the province of the Chair during the progress of its presentation to decide that matter has been inserted which is new or not relevant, but that such questions should go before the Senate when it comes to vote on the adoption or rejection of the report. (55th Cong., 1st sess., S. Jour., pp. 171, 172; Congressional Record, pp. 2780–2787.) See also Congressional Record, p. 2827, 56th Cong., 2d sess., when the Presiding Officer (Mr. Lodge in the Chair) referred with approval to the foregoing decision of Vice-President Hobart, and stated that when a point of order is made on a conference report on the ground that new matter has been inserted, the Chair should submit the question to the Senate instead of deciding it himself, as has been the custom in the House. No formal ruling was made in this case, however, as the conference report, after debate, was, by unanimous consent, rejected. (56th Cong., 2d sess., Congressional Record, pp. 2826–2883.)

30. Conferees may not strike out in conference anything in a bill agreed to and passed by both Houses. (1321.)

[Jefferson's Manual, Sec. XLV.]

31. Conferees may include in their report matters which are germane modifications of subjects in disagreement between the Houses and committed to the conference. (1418–1419.)

32. A disagreement to an amendment in the nature of a substitute having been referred to conferees, it was held to be in order for them to report a new bill on the same subject. (1420.)

33. A conference committee may report agreement as to some of the matters of difference, but inability to agree as to others. (1392.) [29th Cong., 1st sess., S. Jour., pp. 523–524.]

34. In drafting a conference report care should be taken in stating the action of the conferees on amendments to observe the parliamentary rule that neither House can recede from or insist on its own amendment with an amendment; and in case pages and lines of the bill or amendments are referred to in the report, the engrossed bill and amendments only should be used.

PRESENTATION AND PRIVILEGE OF CONFERENCE REPORTS

35. A conference report is made first to the House agreeing to the conference.

NOTE.—This rule seems to follow from the principle laid down by Jefferson (Manual, Sec. XLVI), that "in all cases of conference asked after a vote of disagreement, etc., the conferees of the House asking it are to leave the papers with the conferees of the other," thus putting the agreeing House in possession of the papers, and has been the usual practice in Congress.

36. Conference reports are in order in the Senate under Rule XXVIII, as follows:

The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or motion to adjourn is pending, or while the Senate is dividing; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

NOTE.—It has been held in the Senate that the presentation of a conference report includes its reading, unless by unanimous consent the reading is dispensed with (54th Cong., 1st sess., S. Jour., p. 334; Congressional Record, p. 5511).

37. Conference reports are in order in the House under Rule XXVIII, as follows:

The presentation of reports of committees of conference shall always be in order except when the journal is being read, while the roll is being called, or the House is dividing on any proposition. And there shall accompany any such report a detailed statement sufficiently explicit to inform the House what effect such amendments or propositions shall have upon the measures to which they relate.

NOTE.—Paragraph 4 of rule XXVIII of the Standing Rules of the Senate requires a conference report to be accompanied by an explanatory statement prepared jointly by the conferees on the part of the House and the Senate.

38. A conference report may not be received by the House if no statement accompanies it. (1404–1405.)

39. Whether or not the detailed statement accompanying a conference report is sufficient to comply with the rule (XXVIII) is a question for the House, and not for the Speaker, to determine. (1402–1403.)

40. A conference report may be presented after a motion to adjourn has been made or when a Member is occupying the floor for debate, but the report need not be disposed of before the motion to adjourn is put. (1393–1395.)

41. A conference report is in order pending a demand for the previous question. [55th Cong., 3d sess., Congressional Record, p. 867.]

NOTE.—In the Senate the previous question is not in use.

42. A conference report has been given precedence over a question of privilege. (1397.)

43. A conference report may be presented during the time set apart for a special order for the consideration of another measure. (1400.)

44. A conference report may be presented after a vote by tellers and pending the question on ordering the yeas and nays. (1399.)

45. A conference report has precedence of the question on the reference of a bill, even though the yeas and nays have been ordered. (1398.)

46. The consideration of a conference report may be interrupted by the arrival of the hour previously fixed for a recess. (1396.)

47. The question on the adoption of a final conference report has precedence of a motion to recede and concur in amendments of the other House.

[55th Cong., 3d sess., Congressional Record, p. 2927.]

REJECTION OF CONFERENCE REPORTS, EFFECTS OF, ETC.

48. A bill and amendments having been once sent to conference, do not, upon the rejection of the conference report, return to their former state so that the amendments may be sent to the Committee of the Whole. (1389.)

49. The rejection of a conference report leaves the matter in the position it occupied before the conference was asked. (1390.)

50. When a conference report is ruled out on a point of order in the House it is equivalent to a negative vote on the report, and the Senate is informed by message that the House has "disagreed" to the report. (1417.)

AMENDMENT OF CONFERENCE REPORTS

51. It is not in order to amend a conference report, and it must be accepted or rejected as an entirety. (1366.)

[Jefferson's Manual, Sec. XLVI; 4th Cong., 1st sess., S. Jour., p. 270.]

NOTE.—Various instances are found where conference reports agreed to by both Houses were amended and corrected by concurrent resolution or order. (43d Cong., 2d sess., S. Jour., pp. 372, 373, H. Jour., p. 610; Congressional Record, p. 1990; 44th Cong., 1st sess., S. Jour., pp. 581, 708, H. Jour., pp. 1087, 1252; 48th Cong., 1st sess., S. Jour., p. 859.)

REFERENCE AND RECOMMITMENT OF CONFERENCE REPORTS

52. A conference report may not be referred to a standing committee. (1413.)

53. A conference report may not be referred to the Committee of the Whole, although in the earlier history of the House this was sometimes done. (1410, 1411.)

54. It is not in order in the House to recommit a conference report to the committee of conference. (1412.)

NOTE.—This rule is founded upon the decision of Speaker Carlisle (49th Cong., 2d sess., Congressional Record, p. 880), which has been affirmed by subsequent Speakers, but prior to that time many instances had occurred of recommitting conference reports to the committee of conference.

55. It is in order in the Senate to recommit a conference report to the committee of conference, but not with instructions, according to the later decisions.

[42d Cong., 3d sess., S. Jour., pp. 313, 554–557; 43d Cong., 1st sess., S. Jour., p. 865; 44th Cong., 1st sess., S. Jour., p. 211; 49th Cong., 2d sess., S. Jour., p. 151; 55th Cong., 3d sess., Congressional Record, pp. 2823, 2842–3.]

NOTE.—Inasmuch as concurrent action is necessary for the recommittal of a conference report, the foregoing rule of the House has necessitated a change in the practice, and no effort has been made by the Senate in late years to recommit a conference report. The purpose of a recommittal can be attained, however, by a rejection of the report, when another conference would be ordered, and in accordance with usage the same conferees would be appointed.

TABLING OF CONFERENCE REPORTS

56. The House has formally discarded the old practice of allowing conference reports to be laid on the table. (1407–1409.)

NOTE.—The effect of the motion to lay on the table in the House defeats the proposition. It is never taken up again. Hence a conference report can not be laid on the table; otherwise a conference report might be put beyond the reach of either House. (Reed's Parliamentary Rules, Chap. VIII, sec. 115.)

57. The Senate practice allows conference reports to be laid on the table.

[43d Cong., 2d sess., S. Jour., p. 433; Congressional Record, pp. 2205–2206.]

NOTE.—The effect of the motion to lay on the table in the Senate, unlike that in the House, is simply to suspend the consideration of a question during the pleasure of the Senate, which can be again taken up on motion.

58. A motion to reconsider the vote on agreeing to a conference report may be laid on the table in the Senate without carrying the report.

[44th Cong., 1st sess., S. Jour., p. 234; Congressional Record, pp. 1253, 1254; Senate Manual (1901), Rule XIII, clause 1, p. 13.]

WITHDRAWAL OF CONFERENCE REPORTS

59. A conference report may be withdrawn in the Senate on leave, and in the House by unanimous consent.

NOTE.—In the 32d Congress, a conference report having been agreed to in the Senate, the vote was reconsidered, the bill returned from the House on request of the Senate, and the committee of conference had leave to withdraw its report. (32d Cong., 2d sess., S. Jour., p. 420.)

FORM OF CONFERENCE REPORT

——— Congress, ——— Session. H.R. [or S., as may be] No. ———

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate [or House, as may be] to the Bill [or Resolution, as may be] (H.R. [or S., as may be] ———), [title here] having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate [or House, as may be] recede from its amendments numbered * * *.

That the House [or Senate, as may be] recede from its disagreements to the amendments of the Senate [or House, as may be] numbered * * * and agree to the same.

Amendment numbered ———:

That the House [or Senate, as may be] recede from its disagreement to the amendment of the Senate [or House, as may be] numbered ———, and agree to the same with an amendment, as follows: * * *; and the Senate [or House, as may be] agree to the same.

Amendment numbered ———:

That the Senate [or House, as may be] recede from its disagreement to the amendment of the House [or Senate, as may be] to the amendment of the Senate [or House, as may be] numbered ———, and agree to the same.

Amendment numbered ———:

That the Senate [or House, as may be] recede from its disagreement to the amendment of the House [or Senate, as may be] to the amendment of the Senate [or House, as may be] numbered ———, and agree to the same, with an amendment, as follows: * * *; and the House [or Senate, as may be] agree to the same.

Amendments numbered ———:

On the amendments of the Senate [or House, as may be] numbered ———, the committee of conference have been unable to agree.

(Signatures here)	(Signatures here)
———— ————,	———— ————,
———— ————,	———— ————,
———— ————,	———— ————,
Managers on the part of the ———.	*Managers on the part of the* ———.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE [3]

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment/amendments of the House/Senate to the bill/joint resolution ( ) submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

* * * * * * *

(Signatures here)	(Signatures here)
———— ————,	———— ————,
———— ————,	———— ————,
———— ————,	———— ————,
Managers on the part of the ———.	*Managers on the part of the* ———.

[3] This statement form replaces that formerly carried in Cleaves' Manual. Rule XXVIII of the Standing Rules of the Senate provides that "an explanatory statement prepared jointly by the conferees on the part of the House and the conferees on the part of the Senate" shall accompany each conference report. See also House Rule XXII, clause 7(e).

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SELECT LEGISLATIVE PROCEDURES ENACTED IN LAW APPLYING TO THE UNITED STATES SENATE

[Data collected through 116th Congress, 1st Session]

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UNITED STATES SENATE PROCEDURES ENACTED IN LAW

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[Data collected through 116th Congress, 1st Session]

TITLE 2—THE CONGRESS

Chapter 2—ORGANIZATION OF THE CONGRESS

§ 30b. Notice of objecting to proceeding 275

(a) In general

The Majority and Minority Leaders of the Senate or their designees shall recognize a notice of intent of a Senator who is a member of their caucus to object to proceeding to a measure or matter only if the Senator—

(1) following the objection to a unanimous consent to proceeding to, and, or passage of, a measure or matter on their behalf, submits the notice of intent in writing to the appropriate leader or their designee; and

(2) not later than 6 session days after the submission under paragraph (1), submits for inclusion in the Congressional Record and in the applicable calendar section described in subsection (b) the following notice:

"I, Senator_____, intend to object to proceedings to_____, dated_____for the following reasons_____."

(b) Calendar

(1) In general

The Secretary of the Senate shall establish for both the Senate Calendar of Business and the Senate Executive Calendar a separate section entitled "Notice of Intent to Object to Proceeding".

(2) Content

The section required by paragraph (1) shall include—

(A) the name of each Senator filing a notice under subsection (a)(2);

[1] Since some provisions of the most recently enacted statutes may receive slightly different editorial treatment in the codification process, and since a few stylistic changes have been made in this Manual to achieve more convenient adaptation to Senate needs, some pro forma deviations from the exact format of the United States Code may be noted.

(B) the measure or matter covered by the calendar that the Senator objects to; and

(C) the date the objection was filed.

(3) Notice

A Senator who has notified their respective leader and who has withdrawn their objection within the 6 session day period is not required to submit a notification under subsection (a)(2).

(c) Removal

A Senator may have an item with respect to the Senator removed from a calendar to which it was added under subsection (b) by submitting for inclusion in the Congressional Record the following notice:

"I, Senator_____, do not object to proceed to_____, dated_____." (Pub. L. 110–81, Title V, § 512, Sept. 14, 2007, 121 Stat. 759.)

Chapter 9D—OFFICE OF THE SENATE LEGAL COUNSEL

276 § 288d. Enforcement of Senate subpena or order

(a) Institution of civil actions

When directed to do so pursuant to section 288b(b) of this title, the Counsel shall bring a civil action under any statute conferring jurisdiction on any court of the United States (including section 1365 of title 28), to enforce, to secure a declaratory judgment concerning the validity of, or to prevent a threatened failure or refusal to comply with, any subpena or order issued by the Senate or a committee or a subcommittee of the Senate authorized to issue a subpena or order.

(b) Actions in name of committees and subcommittees

Any directive to the Counsel to bring a civil action pursuant to subsection (a) in the name of a committee or subcommittee of the Senate shall, for such committee or subcommittee, constitute authorization to bring such action within the meaning of any statute conferring jurisdiction on any court of the United States.

(c) Consideration of resolutions authorizing actions

It shall not be in order in the Senate to consider a resolution to direct the Counsel to bring a civil action pursuant to subsection (a) in the name of a committee or subcommittee unless—

(1) such resolution is reported by a majority of the members voting, a majority being present, of such committee or committee of which such subcommittee is a subcommittee, and

(2) the report filed by such committee or committee of which such subcommittee is a subcommittee contains a statement of—

(A) the procedure followed in issuing such subpena;

(B) the extent to which the party subpenaed has complied with such subpena;

(C) any objections or privileges raised by the subpenaed party; and

(D) the comparative effectiveness of bringing a civil action under this section, certification of a criminal action for contempt of Congress, and initiating a contempt proceeding before the Senate.

(d) Rules of Senate

The provisions of subsection (c) are enacted—

(1) as an exercise of the rulemaking power of the Senate, and, as such, they shall be considered as part of the rules of the Senate, and such rules shall supersede any other rule of the Senate only to the extent that rule is inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate to change such rules (so far as relating to the procedure in the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate. (Pub. L. 95–521, Title VII, § 705, Oct. 26, 1978, 92 Stat. 1878; Pub. L. 99–336, § 6(a)(2), June 19, 1986, 100 Stat. 639.)

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§ 288j. Consideration of resolutions to direct counsel **277**

(a) Procedure; rules

(1) A resolution introduced pursuant to section 288b of this title shall not be referred to a committee, except as otherwise required under section 288d(c) of this title. Upon introduction, or upon being reported if required under section 288d(c) of this title, whichever is later, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. A motion to proceed to the consideration of a resolution shall be highly privileged and not debatable. An amendment to such motion shall not be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to.

(2) With respect to a resolution pursuant to section 288b(a) of this title, the following rules apply:

(A) If the motion to proceed to the consideration of the resolution is agreed to, debate thereon shall be limited to not more than ten hours, which shall be divided equally between, and controlled by, those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to the resolution shall be in order. No motion to recommit the resolution shall be in order, and it shall not be in order to reconsider the vote by which the resolution is agreed to.

(B) Motions to postpone, made with respect to the consideration of the resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(C) All appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to the resolution shall be decided without debate.

(b) "Committee" defined

For purposes of this chapter, other than section 288b of this title, the term "committee" includes standing, select, and special committees of the Senate established by law or resolution.

(c) Rules of the Senate

The provisions of this section are enacted—

(1) as an exercise of the rulemaking power of the Senate, and, as such, they shall be considered as part of the rules of the Senate,

and such rules shall supersede any other rule of the Senate only to the extent that rule is inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate to change such rules at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate. (Pub. L. 95–521, Title VII, § 711, Oct. 26, 1978, 92 Stat. 1882.)

Chapter 11—CITIZENS' COMMISSION ON PUBLIC SERVICE AND COMPENSATION

278 § 358. Recommendations of President with respect to pay

(1) After considering the report and recommendations of the Commission submitted under section 357 of this title, the President shall transmit to Congress his recommendations with respect to the exact rates of pay, for offices and positions within the purview of subparagraphs (A), (B), (C), and (D) of section 356 of this title, which the President considers to be fair and reasonable in light of the Commission's report and recommendations, the prevailing market value of the services rendered in the offices and positions involved, the overall economic condition of the country, and the fiscal condition of the Federal Government.

(2) The President shall transmit his recommendations under this section to Congress on the first Monday after January 3 of the first calendar year beginning after the date on which the Commission submits its report and recommendations to the President under section 357 of this title. (Pub. L. 90–206, § 225(h), Dec. 16, 1967, 81 Stat. 644; Pub. L. 99–190, § 135(d), Dec. 19, 1985, 99 Stat. 1322; Pub. L. 101–194, Title VII, § 701(f), Nov. 30, 1989, 103 Stat. 1765.)

279 § 359. Effective date of recommendations of President

(1) None of the President's recommendations under section 358 of this title shall take effect unless approved under paragraph (2).

(2)(A) The recommendations of the President under section 358 of this title shall be considered approved under this paragraph if there is enacted into law a bill or joint resolution approving such recommendations in their entirety. This bill or joint resolution shall be passed by recorded vote to reflect the vote of each Member of Congress thereon.

(B)(i) The provisions of this subparagraph are enacted by the Congress—

(I) as an exercise of the rulemaking power of the Senate and the House of Representatives and as such shall be considered as part of the rules of each House, and shall supersede other rules only to the extent that they are inconsistent therewith; and

(II) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedures of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(ii) During the 60-calendar-day period beginning on the date that the President transmits his recommendations to the Congress under section 358 of this title, it shall be in order as a matter of highest privilege in each House of Congress to consider a bill or joint resolution, if offered by the majority leader of such House (or a designee), approving such recommendations in their entirety.

(3) Except as provided in paragraph (4), any recommended pay adjustment approved under paragraph (2) shall take effect as of the date

proposed by the President under section 358 of this title with respect to such adjustment.

(4)(A) Notwithstanding the approval of the President's pay recommendations in accordance with paragraph (2), none of those recommendations shall take effect unless, between the date on which the bill or resolution approving those recommendations is signed by the President (or otherwise becomes law) and the earliest date as of which the President proposes (under section 358 of this title) that any of those recommendations take effect, an election of Representatives shall have intervened.

(B) For purposes of this paragraph, the term "election of Representatives" means an election held on the Tuesday following the first Monday of November in any even-numbered calendar year. (Pub. L. 90–206, § 225(i), Dec. 16, 1967, 81 Stat. 644; Pub. L. 95–19, § 401(a), Apr. 12, 1977, 91 Stat. 45; Pub. L. 99–190, § 135(e), Dec. 19, 1985, 99 Stat. 1322; Pub. L. 101–194, Title VII, § 701(g), Nov. 30, 1989, 103 Stat. 1765.)

§ 622. Definitions **280**

For purposes of this Act—

(1) The terms "budget outlays" and "outlays" mean, with respect to any fiscal year, expenditures and net lending of funds under budget authority during such year.

(2) Budget authority and new budget authority.—

(A) In general.—The term "budget authority" means the authority provided by Federal law to incur financial obligations, as follows:

(i) provisions of law that make funds available for obligation and expenditure (other than borrowing authority), including the authority to obligate and expend the proceeds of offsetting receipts and collections;

(ii) borrowing authority, which means authority granted to a Federal entity to borrow and obligate and expend the borrowed funds, including through the issuance of promissory notes or other monetary credits;

(iii) contract authority, which means the making of funds available for obligation but not for expenditure; and

(iv) offsetting receipts and collections as negative budget authority, and the reduction thereof as positive budget authority.

(B) Limitations on budget authority.—With respect to the Federal Hospital Insurance Trust Fund, the Supplementary Medical Insurance Trust Fund, the Unemployment Trust Fund, and the railroad retirement account, any amount that is precluded from obligation in a fiscal year by a provision of law (such as a limitation or a benefit formula) shall not be budget authority in that year.

(C) New budget authority.—The term "new budget authority" means, with respect to a fiscal year—

(i) budget authority that first becomes available for obligation in that year, including budget authority that becomes available in that year as a result of a reappropriation; or

(ii) a change in any account in the availability of unobligated balances of budget authority carried over from a prior

year, resulting from a provision of law first effective in that year; and includes a change in the estimated level of new budget authority provided in indefinite amounts by existing law.

(3) The term "tax expenditures" means those revenue losses attributable to provisions of the Federal tax laws which allow a special exclusion, exemption, or deduction from gross income or which provide a special credit, a preferential rate of tax, or a deferral of tax liability; and the term "tax expenditures budget" means an enumeration of such tax expenditures.

(4) The term "concurrent resolution on the budget" means—

(A) a concurrent resolution setting forth the congressional budget for the United States Government for a fiscal year as provided in section 632 of this title; and

(B) any other concurrent resolution revising the congressional budget for the United States Government for a fiscal year as described in section 635 of this title.

(5) The term "appropriation act" means an Act referred to in section 105 of title 1.

(6) The term "deficit" means, with respect to a fiscal year, the amount by which outlays exceeds receipts during that year.

(7) The term "surplus" means, with respect to a fiscal year, the amount by which receipts exceeds outlays during that year.

(8) The term "government-sponsored enterprise" means a corporate entity created by a law of the United States that—

(A)(i) has a Federal charter authorized by law;

(ii) is privately owned, as evidenced by capital stock owned by private entities or individuals;

(iii) is under the direction of a board of directors, a majority of which is elected by private owners;

(iv) is a financial institution with power to—

(I) make loans or loan guarantees for limited purposes such as to provide credit for specific borrowers or one sector; and

(II) raise funds by borrowing (which does not carry the full faith and credit of the Federal Government) or to guarantee the debt of others in unlimited amounts; and

(B)(i) does not exercise powers that are reserved to the Government as sovereign (such as the power to tax or to regulate interstate commerce);

(ii) does not have the power to commit the Government financially (but it may be a recipient of a loan guarantee commitment made by the Government); and

(iii) has employees whose salaries and expenses are paid by the enterprise and are not Federal employees subject to title 5.

(9) The term "entitlement authority" means—

(A) the authority to make payments (including loans and grants), the budget authority for which is not provided for in advance by appropriation Acts, to any person or government if, under the provisions of the law containing that authority, the United States is obligated to make such payments to persons

or governments who meet the requirements established by that law; and

(B) the food stamp program.

(10) The term "credit authority" means authority to incur direct loan obligations or to incur primary loan guarantee commitments.

(11) The terms "emergency" and "unanticipated" have the meanings given to such terms in section 900(c) of this title. (Pub. L. 93–344, § 3, July 12, 1974, 88 Stat. 299; Aug. 1, 1946, ch. 724, Title I, § 302(c), as added Pub. L. 95–110, § 1, Sept. 20, 1977, 91 Stat. 884, renumbered Title I, Pub. L. 102–486, Title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944; Pub. L. 99–177, Title II, §§ 201(a), 232(b), Dec. 12, 1985, 99 Stat. 1039, 1062; Pub. L. 99–514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 100–119, Title I, § 106(a), Sept. 29, 1987, 101 Stat. 780; Pub. L. 100–203, Title VIII, § 8003(c), Dec. 22, 1987, 101 Stat. 1330–282; Pub. L. 101–508, Title XIII, §§ 13112(a)(2), 13201(b)(1), 13211(a), Nov. 5, 1990, 104 Stat. 1388–607, 1388–614, 1388–620; Pub. L. 105–33, Title X, § 10101, Aug. 5, 1997, 111 Stat. 678; Pub. L. 112–25, Title I, § 105(b), Aug. 2, 2011, 125 Stat. 247.)

Chapter 17A—CONGRESSIONAL BUDGET AND FISCAL OPERATIONS

§ 631. Timetable 281

The timetable with respect to the congressional budget process for any fiscal year is as follows:

On or before:	Action to be completed:
First Monday in February	President submits his budget.
February 15	Congressional Budget Office submits report to Budget Committees.
Not later than 6 weeks after President submits budget.	Committees submit views and estimates to Budget Committees.
April 1	Senate Budget Committee reports concurrent resolution on the budget.
April 15	Congress completes action on concurrent resolution on the budget.
May 15	Annual appropriation bills may be considered in the House.
June 10	House Appropriations Committee reports last annual appropriation bill.
June 15	Congress completes action on reconciliation legislation.
June 30	House completes action on annual appropriation bills.
October 1	Fiscal year begins.

(Pub. L. 93–344, Title III, § 300, July 12, 1974, 88 Stat. 306; Pub. L. 99–177, Title II, § 201(b), Dec. 12, 1985, 99 Stat. 1040; Pub. L. 101–508, Title XIII, 13112(a)(4), Nov. 5, 1990, 104 Stat. 1388–608; Pub. L. 105–33, Title X, § 10104(a), Aug. 5, 1997, 111 Stat. 679.)

§ 632. Annual adoption of concurrent resolution on the budget 282

(a) Content of concurrent resolution on the budget

On or before April 15 of each year, the Congress shall complete action on a concurrent resolution on the budget for the fiscal year beginning on October 1 of such year. The concurrent resolution shall set forth appropriate levels for the fiscal year beginning on October 1 of such year and for at least each of the 4 ensuing fiscal years for the following—

(1) totals of new budget authority and outlays;

(2) total Federal revenues and the amount, if any, by which the aggregate level of Federal revenues should be increased or decreased by bills and resolutions to be reported by the appropriate committees;

(3) the surplus or deficit in the budget;

(4) new budget authority and outlays for each major functional category, based on allocations of the total levels set forth pursuant to paragraph (1);

(5) the public debt;

(6) For[2] purposes of Senate enforcement under this subchapter, outlays of the old-age, survivors, and disability insurance program established under title II of the Social Security Act [42 U.S.C. 401 et seq.] for the fiscal year of the resolution and for each of the 4 succeeding fiscal years; and

(7) For[3] purposes of Senate enforcement under this subchapter, revenues of the old-age, survivors, and disability insurance program established under title II of the Social Security Act (and the related provisions of the Internal Revenue Code of 1986 [26 U.S.C. 1 et seq.]) for the fiscal year of the resolution and for each of the 4 succeeding fiscal years.

The concurrent resolution shall not include the outlays and revenue totals of the old-age, survivors, and disability insurance program established under title II of the Social Security Act or the related provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals required by this subsection or in any other surplus or deficit totals required by this subchapter.

(b) Additional matters in concurrent resolution

The concurrent resolution on the budget may—

(1) set forth, if required by subsection (f), the calendar year in which, in the opinion of the Congress, the goals for reducing unemployment set forth in section 4(b) of the Employment Act of 1946 [15 U.S.C. 1022a(b)] should be achieved;

(2) include reconciliation directives described in section 641 of this title;

(3) require a procedure under which all or certain bills or resolutions providing new budget authority or new entitlement authority for such fiscal year shall not be enrolled until the Congress has completed action on any reconciliation bill or reconciliation resolution or both required by such concurrent resolution to be reported in accordance with section 641(b) of this title;

(4) set forth such other matters, and require such other procedures, relating to the budget, as may be appropriate to carry out the purposes of this Act;

(5) include a heading entitled "Debt Increase as Measure of Deficit" in which the concurrent resolution shall set forth the amounts by which the debt subject to limit (in section 3101 of title 31) has increased or would increase in each of the relevant fiscal years;

[2] So in original. Probably should be for.
[3] So in original. Probably should be for.

(6) include a heading entitled "Display of Federal Retirement Trust Fund Balances" in which the concurrent resolution shall set forth the balances of the Federal retirement trust funds;

(7) set forth procedures in the Senate whereby committee allocations, aggregates, and other levels can be revised for legislation if that legislation would not increase the deficit, or would not increase the deficit when taken with other legislation enacted after the adoption of the resolution, for the first fiscal year or the total period of fiscal years covered by the resolution;

(8) set forth procedures to effectuate pay-as-you-go in the House of Representatives; and

(9) set forth direct loan obligation and primary loan guarantee commitment levels.

(c) Consideration of procedures or matters which have effect of changing any rule of House

If the Committee on the Budget of the House of Representatives reports any concurrent resolution on the budget which includes any procedure or matter which has the effect of changing any rule of the House of Representatives, such concurrent resolution shall then be referred to the Committee on Rules with instructions to report it within five calendar days (not counting any day on which the House is not in session). The Committee on Rules shall have jurisdiction to report any concurrent resolution referred to it under this paragraph with an amendment or amendments changing or striking out any such procedure or matter.

(d) Views and estimates of other committees

Within 6 weeks after the President submits a budget under section 1105(a) of title 31, or at such time as may be requested by the Committee on the Budget, each committee of the House of Representatives having legislative jurisdiction shall submit to the Committee on the Budget of the House and each committee of the Senate having legislative jurisdiction shall submit to the Committee on the Budget of the Senate its views and estimates (as determined by the committee making such submission) with respect to all matters set forth in subsections (a) and (b) which relate to matters within the jurisdiction or functions of such committee. The Joint Economic Committee shall submit to the Committees on the Budget of both Houses its recommendations as to the fiscal policy appropriate to the goals of the Employment Act of 1946 [15 U.S.C. 1021 et seq.]. Any other committee of the House of Representatives or the Senate may submit to the Committee on the Budget of its House, and any joint committee of the Congress may submit to the Committees on the Budget of both Houses, its views and estimates with respect to all matters set forth in subsections (a) and (b) which relate to matters within its jurisdiction or functions. Any Committee 1 of the House of Representatives or the Senate that anticipates that the committee will consider any proposed legislation establishing, amending, or reauthorizing any Federal program likely to have a significant budgetary impact on any State, local, or tribal government, or likely to have a significant financial impact on the private sector, including any legislative proposal submitted by the executive branch likely to have such a budgetary or financial impact, shall include its views and estimates on that proposal to the Committee on the Budget of the applicable House.

(e) Hearings and report

(1) In general

In developing the concurrent resolution on the budget referred to in subsection (a) for each fiscal year, the Committee on the Budget of each House shall hold hearings and shall receive testimony from Members of Congress and such appropriate representatives of Federal departments and agencies, the general public, and national organizations as the committee deems desirable. Each of the recommendations as to short-term and medium-term goals set forth in the report submitted by the members of the Joint Economic Committee under subsection (d) may be considered by the Committee on the Budget of each House as part of its consideration of such concurrent resolution, and its report may reflect its views thereon, including its views on how the estimates of revenues and levels of budget authority and outlays set forth in such concurrent resolution are designed to achieve any goals it is recommending.

(2) Required contents of report

The report accompanying the resolution shall include—

(A) a comparison of the levels of total new budget authority, total outlays, total revenues, and the surplus or deficit for each fiscal year set forth in the resolution with those requested in the budget submitted by the President;

(B) with respect to each major functional category, an estimate of total new budget authority and total outlays, with the estimates divided between discretionary and mandatory amounts;

(C) the economic assumptions that underlie each of the matters set forth in the resolution and any alternative economic assumptions and objectives the committee considered;

(D) information, data, and comparisons indicating the manner in which, and the basis on which, the committee determined each of the matters set forth in the resolution;

(E) the estimated levels of tax expenditures (the tax expenditures budget) by major items and functional categories for the President's budget and in the resolution; and

(F) allocations described in section 633(a) of this title.

(3) Additional contents of report

The report accompanying the resolution may include—

(A) a statement of any significant changes in the proposed levels of Federal assistance to State and local governments;

(B) an allocation of the level of Federal revenues recommended in the resolution among the major sources of such revenues;

(C) information, data, and comparisons on the share of total Federal budget outlays and of gross domestic product devoted to investment in the budget submitted by the President and in the resolution;

(D) the assumed levels of budget authority and outlays for public buildings, with a division between amounts for construction and repair and for rental payments; and

(E) other matters, relating to the budget and to fiscal policy, that the committee deems appropriate.

(f) Achievement of goals for reducing unemployment

(1) If, pursuant to section 4(c) of the Employment Act of 1946 [15 U.S.C. 1022a(c)], the President recommends in the Economic Report that the goals for reducing unemployment set forth in section 4(b) of such Act [15 U.S.C. 1022a(b)] be achieved in a year after the close of the five-year period prescribed by such subsection, the concurrent resolution on the budget for the fiscal year beginning after the date on which such Economic Report is received by the Congress may set forth the year in which, in the opinion of the Congress, such goals can be achieved.

(2) After the Congress has expressed its opinion pursuant to paragraph (1) as to the year in which the goals for reducing unemployment set forth in section 4(b) of the Employment Act of 1946 [15 U.S.C. 1022a(b)] can be achieved, if, pursuant to section 4(e) of such Act [15 U.S.C. 1022a(e)], the President recommends in the Economic Report that such goals be achieved in a year which is different from the year in which the Congress has expressed its opinion that such goals should be achieved, either in its action pursuant to paragraph (1) or in its most recent action pursuant to this paragraph, the concurrent resolution on the budget for the fiscal year beginning after the date on which such Economic Report is received by the Congress may set forth the year in which, in the opinion of the Congress, such goals can be achieved.

(3) It shall be in order to amend the provision of such resolution setting forth such year only if the amendment thereto also proposes to alter the estimates, amounts, and levels (as described in subsection (a)) set forth in such resolution in germane fashion in order to be consistent with the economic goals (as described in sections 3(a)(2) and 4(b) of the Employment Act of 1946 [15 U.S.C. 1022(a)(2), 1022a(b)]) which such amendment proposes can be achieved by the year specified in such amendment.

(g) Economic assumptions

(1) It shall not be in order in the Senate to consider any concurrent resolution on the budget for a fiscal year, or any amendment thereto, or any conference report thereon, that sets forth amounts and levels that are determined on the basis of more than one set of economic and technical assumptions.

(2) The joint explanatory statement accompanying a conference report on a concurrent resolution on the budget shall set forth the common economic assumptions upon which such joint statement and conference report are based, or upon which any amendment contained in the joint explanatory statement to be proposed by the conferees in the case of technical disagreement, is based.

(3) Subject to periodic reestimation based on changed economic conditions or technical estimates, determinations under titles III and IV of the Congressional Budget Act of 1974 [2 U.S.C. 631 et seq., 651 et seq.] shall be based upon such common economic and technical assumptions.

(h) Budget Committee's consultation with committees

The Committee on the Budget of the House of Representatives shall consult with the committees of its House having legislative jurisdiction during the preparation, consideration, and enforcement of the concurrent

resolution on the budget with respect to all matters which relate to the jurisdiction or functions of such committees.

(i) Social security point of order

It shall not be in order in the Senate to consider any concurrent resolution on the budget (or amendment, motion, or conference report on the resolution) that would decrease the excess of social security revenues over social security outlays in any of the fiscal years covered by the concurrent resolution. No change in chapter 1 of the Internal Revenue Code of 1986 [26 U.S.C. 1 et seq.] shall be treated as affecting the amount of social security revenues unless such provision changes the income tax treatment of social security benefits. (Pub. L. 93–344, Title III, § 301, July 12, 1974, 88 Stat. 306; Pub. L. 95–523, Title III, §§ 303(a), 304, Oct. 27, 1978, 92 Stat. 1905, 1906; Pub. L. 99–177, Title II, § 201(b), Dec. 12, 1985, 99 Stat. 1040; Pub. L. 100–119, Title I, § 106(d), Title II, § 208(a), Sept. 29, 1987, 101 Stat. 781, 786; Pub. L. 100–418, Title V, § 5302, Aug. 23, 1988, 102 Stat. 1462; Pub. L. 101–508, Title XIII, § 13112(a)(5), 13203, 13204, 13301(b), 13303(a), (b), Nov. 5, 1990, 104 Stat. 1388–608, 1388–615, 1388–616, 1388–623, 1388–625; Pub. L. 104–4, Title I, § 102(2), Mar. 22, 1995, 109 Stat. 62; Pub. L. 105–33, Title X, § 10105(a)–(f)(1), Aug. 5, 1997, 111 Stat. 679, 680; Pub. L. 113–67, div. A, title I, § 122(1), (2), Dec. 26, 2013, 127 Stat. 1175.)

283 § 633. Committee allocations

(a) Committee spending allocations

(1) Allocation among committees

The joint explanatory statement accompanying a conference report on a concurrent resolution on the budget shall include an allocation, consistent with the resolution recommended in the conference report, of the levels for the first fiscal year of the resolution, for at least each of the ensuing 4 fiscal years, and a total for that period of fiscal years (except in the case of the Committee on Appropriations only for the fiscal year of that resolution) of—

(A) total new budget authority; and

(B) total outlays;

among each committee of the House of Representatives or the Senate that has jurisdiction over legislation providing or creating such amounts.

(2) No double counting

In the House of Representatives, any item allocated to one committee may not be allocated to another committee.

(3) Further division of amounts

(A) In the Senate

In the Senate, the amount allocated to the Committee on Appropriations shall be further divided among the categories specified in section 900(c)(4) of this title and shall not exceed the limits for each category set forth in section 901(c) of this title.

(B) In the House

In the House of Representatives, the amounts allocated to each committee for each fiscal year, other than the Committee on Appropriations, shall be further divided between amounts provided or required by law on the date of filing of that conference report and amounts not so provided or required. The

amounts allocated to the Committee on Appropriations shall be further divided—

(i) between discretionary and mandatory amounts or programs, as appropriate; and

(ii) consistent with the categories specified in section 900(c)(4) of this title.

(4) Amounts not allocated

In the House of Representatives or the Senate, if a committee receives no allocation of new budget authority or outlays, that committee shall be deemed to have received an allocation equal to zero for new budget authority or outlays.

(5) Adjusting allocation of discretionary spending in the House of Representatives

(A) If a concurrent resolution on the budget is not adopted by April 15, the chairman of the Committee on the Budget of the House of Representatives shall submit to the House, as soon as practicable, an allocation under paragraph (1) to the Committee on Appropriations consistent with the discretionary spending levels in the most recently agreed to concurrent resolution on the budget for the appropriate fiscal year covered by that resolution.

(B) As soon as practicable after an allocation under paragraph (1) is submitted under this section, the Committee on Appropriations shall make suballocations and report those suballocations to the House of Representatives.

(b) Suballocations by Appropriations Committees

As soon as practicable after a concurrent resolution on the budget is agreed to, the Committee on Appropriations of each House (after consulting with the Committee on Appropriations of the other House) shall suballocate each amount allocated to it for the budget year under subsection (a) among its subcommittees. Each Committee on Appropriations shall promptly report to its House suballocations made or revised under this subsection. The Committee on Appropriations of the House of Representatives shall further divide among its subcommittees the divisions made under subsection (a)(3)(B) and promptly report those divisions to the House.

(c) Point of order

After the Committee on Appropriations has received an allocation pursuant to subsection (a) for a fiscal year, it shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report within the jurisdiction of that committee providing new budget authority for that fiscal year, until that committee makes the suballocations required by subsection (b).

(d) Subsequent concurrent resolutions

In the case of a concurrent resolution on the budget referred to in section 635 of this title, the allocations under subsection (a) and the subdivisions under subsection (b) shall be required only to the extent necessary to take into account revisions made in the most recently agreed to concurrent resolution on the budget.

(e) Alteration of allocations

At any time after a committee reports the allocations required to be made under subsection (b), such committee may report to its House an alteration of such allocations. Any alteration of such allocations must be consistent with any actions already taken by its House on legislation within the committee's jurisdiction.

(f) Legislation subject to point of order

(1) In the House of Representatives

After the Congress has completed action on a concurrent resolution on the budget for a fiscal year, it shall not be in order in the House of Representatives to consider any bill, joint resolution, or amendment providing new budget authority for any fiscal year, or any conference report on any such bill or joint resolution, if—

(A) the enactment of such bill or resolution as reported;

(B) the adoption and enactment of such amendment; or

(C) the enactment of such bill or resolution in the form recommended in such conference report,

would cause the applicable allocation of new budget authority made under subsection (a) or (b) for the first fiscal year or the total of fiscal years to be exceeded.

(2) In the Senate

After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause—

(A) in the case of any committee except the Committee on Appropriations, the applicable allocation of new budget authority or outlays under subsection (a) for the first fiscal year or the total of fiscal years to be exceeded; or

(B) in the case of the Committee on Appropriations, the applicable suballocation of new budget authority or outlays under subsection (b) to be exceeded.

(g) Pay-as-you-go exception in the House

(1) In general

(A) Subsection (f)(1) and, after April 15, section 634(a) of this title shall not apply to any bill or joint resolution, as reported, amendment thereto, or conference report thereon if, for each fiscal year covered by the most recently agreed to concurrent resolution on the budget—

(i) the enactment of that bill or resolution as reported;

(ii) the adoption and enactment of that amendment; or

(iii) the enactment of that bill or resolution in the form recommended in that conference report,

would not increase the deficit, and, if the sum of any revenue increases provided in legislation already enacted during the current session (when added to revenue increases, if any, in excess of any outlay increase provided by the legislation proposed for consideration) is at least as great as the sum of the amount, if any, by which the aggregate level of Federal revenues should be increased as set forth in that concurrent resolution and the amount, if any, by which revenues are to be increased pursuant to pay-as-you-go procedures under section 632(b)(8) of this title, if included in that concurrent resolution.

(B) Section 642(a) of this title, as that section applies to revenues, shall not apply to any bill, joint resolution, amendment thereto, or conference report thereon if, for each fiscal year covered by the most recently agreed to concurrent resolution on the budget—

(i) the enactment of that bill or resolution as reported;

(ii) the adoption and enactment of that amendment; or

(iii) the enactment of that bill or resolution in the form recommended in that conference report,

would not increase the deficit, and, if the sum of any outlay reductions provided in legislation already enacted during the current session (when added to outlay reductions, if any, in excess of any revenue reduction provided by the legislation proposed for consideration) is at least as great as the sum of the amount, if any, by which the aggregate level of Federal outlays should be reduced as required by that concurrent resolution and the amount, if any, by which outlays are to be reduced pursuant to pay-as-you-go procedures under section 632(b)(8) of this title, if included in that concurrent resolution.

(2) Revised allocations

(A) As soon as practicable after Congress agrees to a bill or joint resolution that would have been subject to a point of order under subsection (f)(1) but for the exception provided in paragraph (1)(A) or would have been subject to a point of order under section 642(a) of this title but for the exception provided in paragraph (1)(B), the chairman of the Committee on the Budget of the House of Representatives shall file with the House appropriately revised allocations under subsection (a) and revised functional levels and budget aggregates to reflect that bill.

(B) Such revised allocations, functional levels, and budget aggregates shall be considered for the purposes of this Act as allocations, functional levels, and budget aggregates contained in the most recently agreed to concurrent resolution on the budget. (Pub. L. 93–344, Title III, § 302, July 12, 1974, 88 Stat. 308; Pub. L. 99–177, Title II, § 201(b), Dec. 12, 1985, 99 Stat. 1044; Pub. L. 101–508, Title XIII, §§ 13112(a)(6), (7), 13201(b)(2), (3), 13207(a)(1)(A), (B), (2), 13303(c), Nov. 5, 1990, 104 Stat. 1388–608, 1388–614, 1388–617, 1388–618, 1388–625; Pub. L. 105–33, Title X, § 10106, Aug. 5, 1997, 111 Stat. 680; Pub. L. 113–67, div. A, title I, § 122(3), Dec. 26, 2013, 127 Stat. 1175.)

§ 634. Concurrent resolution on the budget must be adopted before budget-related legislation is considered 284

(a) In general

Until the concurrent resolution on the budget for a fiscal year has been agreed to, it shall not be in order in the House of Representatives, with respect to the first fiscal year covered by that resolution, or the Senate, with respect to any fiscal year covered by that resolution, to consider any bill or joint resolution, amendment or motion thereto, or conference report thereon that—

(1) first provides new budget authority for that fiscal year;

(2) first provides an increase or decrease in revenues during that fiscal year;

(3) provides an increase or decrease in the public debt limit to become effective during that fiscal year;

(4) in the Senate only, first provides new entitlement authority for that fiscal year; or

(5) in the Senate only, first provides for an increase or decrease in outlays for that fiscal year.

(b) Exceptions in House

In the House of Representatives, subsection (a) does not apply—

(1)(A) to any bill or joint resolution, as reported, providing advance discretionary new budget authority that first becomes available for the first or second fiscal year after the budget year; or

(B) to any bill or joint resolution, as reported, first increasing or decreasing revenues in a fiscal year following the fiscal year to which the concurrent resolution applies;

(2) after May 15, to any general appropriation bill or amendment thereto; or

(3) to any bill or joint resolution unless it is reported by a committee.

(c) Application to appropriation measures in Senate

(1) In general

Until the concurrent resolution on the budget for a fiscal year has been agreed to and an allocation has been made to the Committee on Appropriations of the Senate under section 633(a) of this title for that year, it shall not be in order in the Senate to consider any appropriation bill or joint resolution, amendment or motion thereto, or conference report thereon for that year or any subsequent year.

(2) Exception

Paragraph (1) does not apply to appropriations legislation making advance appropriations for the first or second fiscal year after the year the allocation referred to in that paragraph is made. (Pub. L. 93–344, Title III, § 303, July 12, 1974, 88 Stat. 309; Pub. L. 99–177, Title II, § 201(b), Dec. 12, 1985, 99 Stat. 1046; Pub. L. 101–508, Title XIII, §§ 13205, 13207(a)(1)(C), Nov. 5, 1990, 104 Stat. 1388–616, 1388–617; Pub. L. 105–33, Title X, § 10107(a), Aug. 5, 1997, 111 Stat. 683.)

285 § 635. Permissible revisions of concurrent resolutions on the budget

At any time after the concurrent resolution on the budget for a fiscal year has been agreed to pursuant to section 632 of this title, and before the end of such fiscal year, the two Houses may adopt a concurrent resolution on the budget which revises or reaffirms the concurrent resolution on the budget for such fiscal year most recently agreed to. (Pub. L. 93–344, Title III, § 304, July 12, 1974, 88 Stat. 310; Pub. L. 99–177, Title II, § 201(b), Dec. 12, 1985, 99 Stat. 1047; Pub. L. 100–119, Title II, § 208(b), Sept. 29, 1987, 101 Stat. 786; Pub. L. 101–508, Title XIII, § 13112(a)(8), Nov. 5, 1990, 104 Stat. 1388–608; Pub. L. 105–33, Title X, § 10108, Aug. 5, 1997, 111 Stat. 684.)

§ 636. Provisions relating to consideration of concurrent resolutions on the budget 286

(a) Procedure in House after report of Committee; debate

(1) When a concurrent resolution on the budget has been reported by the Committee on the Budget of the House of Representatives and has been referred to the appropriate calendar of the House, it shall be in order on any day thereafter, subject to clause 4 of rule XIII of the Rules of the House of Representatives, to move to proceed to the consideration of the concurrent resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) General debate on any concurrent resolution on the budget in the House of Representatives shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority parties, plus such additional hours of debate as are consumed pursuant to paragraph (3). A motion further to limit debate is not debatable. A motion to recommit the concurrent resolution is not in order, and it is not in order to move to reconsider the vote by which the concurrent resolution is agreed to or disagreed to.

(3) Following the presentation of opening statements on the concurrent resolution on the budget for a fiscal year by the chairman and ranking minority member of the Committee on the Budget of the House, there shall be a period of up to four hours for debate on economic goals and policies.

(4) Only if a concurrent resolution on the budget reported by the Committee on the Budget of the House sets forth the economic goals (as described in sections 1022(a)(2) and 1022a(b) of title 15) which the estimates, amounts, and levels (as described in section 632(a) of this title) set forth in such resolution are designed to achieve, shall it be in order to offer to such resolution an amendment relating to such goals, and such amendment shall be in order only if it also proposes to alter such estimates, amounts, and levels in germane fashion in order to be consistent with the goals proposed in such amendment.

(5) Consideration of any concurrent resolution on the budget by the House of Representatives shall be in the Committee of the Whole, and the resolution shall be considered for amendment under the five-minute rule in accordance with the applicable provisions of rule XVIII of the Rules of the House of Representatives. After the Committee rises and reports the resolution back to the House, the previous question shall be considered as ordered on the resolution and any amendments thereto to final passage without intervening motion; except that it shall be in order at any time prior to final passage (notwithstanding any other rule or provision of law) to adopt an amendment (or a series of amendments) changing any figure or figures in the resolution as so reported to the extent necessary to achieve mathematical consistency.

(6) Debate in the House of Representatives on the conference report on any concurrent resolution on the budget shall be limited to not more than 5 hours, which shall be divided equally between the majority and minority parties. A motion further to limit debate is not debatable. A motion to recommit the conference report is not in order, and it is not in order to move to reconsider the vote by which the conference report is agreed to or disagreed to.

(7) Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to any concurrent resolution on the budget shall be decided without debate.

(b) Procedure in Senate after report of Committee; debate; amendments

(1) Debate in the Senate on any concurrent resolution on the budget, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 50 hours, except that with respect to any concurrent resolution referred to in section 635 of this title all such debate shall be limited to not more than 15 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(2) Debate in the Senate on any amendment to a concurrent resolution on the budget shall be limited to 2 hours, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution, and debate on any amendment to an amendment, debatable motion, or appeal shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution, except that in the event the manager of the concurrent resolution is in favor of any such amendment, motion, or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. No amendment that is not germane to the provisions of such concurrent resolution shall be received. Such leaders, or either of them, may, from the time under their control on the passage of the concurrent resolution, allot additional time to any Senator during the consideration of any amendment, debatable motion, or appeal.

(3) Following the presentation of opening statements on the concurrent resolution on the budget for a fiscal year by the chairman and ranking minority member of the Committee on the Budget of the Senate, there shall be a period of up to four hours for debate on economic goals and policies.

(4) Subject to the other limitations of this Act, only if a concurrent resolution on the budget reported by the Committee on the Budget of the Senate sets forth the economic goals (as described in sections 1022(a)(2) and 1022a(b) of title 15) which the estimates, amounts, and levels (as described in section 632(a) of this title) set forth in such resolution are designed to achieve, shall it be in order to offer to such resolution an amendment relating to such goals, and such amendment shall be in order only if it also proposes to alter such estimates, amounts, and levels in germane fashion in order to be consistent with the goals proposed in such amendment.

(5) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days, not to exceed 3, not counting any day on which the Senate is not in session) is not in order. Debate on any such motion to recommit shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution.

(6) Notwithstanding any other rule, an amendment or series of amendments to a concurrent resolution on the budget proposed in the Senate shall always be in order if such amendment or series of amendments proposes to change any figure or figures then contained in such concur-

rent resolution so as to make such concurrent resolution mathematically consistent or so as to maintain such consistency.

(c) Action on conference reports in Senate

(1) A motion to proceed to the consideration of the conference report on any concurrent resolution on the budget (or a reconciliation bill or resolution) may be made even though a previous motion to the same effect has been disagreed to.

(2) During the consideration in the Senate of the conference report (or a message between Houses) on any concurrent resolution on the budget, and all amendments in disagreement, and all amendments thereto, and debatable motions and appeals in connection therewith, debate shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and minority leader or their designees. Debate on any debatable motion or appeal related to the conference report (or a message between Houses) shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report (or a message between Houses).

(3) Should the conference report be defeated, debate on any request for a new conference and the appointment of conferees shall be limited to 1 hour, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to one-half hour, to be equally divided between, and controlled by, the mover and the manager of the conference report. Debate on any amendment to any such instructions shall be limited to 20 minutes, to be equally divided between and controlled by the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or his designee.

(4) In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment that is not germane to the provisions of such amendments shall be received.

(d) Concurrent resolution must be consistent in Senate

It shall not be in order in the Senate to vote on the question of agreeing to—

(1) a concurrent resolution on the budget unless the figures then contained in such resolution are mathematically consistent; or

(2) a conference report on a concurrent resolution on the budget unless the figures contained in such resolution, as recommended in such conference report, are mathematically consistent. (Pub. L. 93–344, Title III, § 305, July 12, 1974, 88 Stat. 310; Pub. L. 95–523, Title III, § 303(b), (c), Oct. 27, 1978, 92 Stat. 1905, 1906; Pub. L. 99–177, Title II, § 201(b), Dec. 12, 1985, 99 Stat. 1047; Pub. L. 100–119, Title II, § 209, Sept. 29, 1987, 101 Stat. 787; Pub. L. 100–203 Title VIII, § 8003(d), Dec. 22, 1987, 101 Stat. 1330–282; Pub. L. 101–508, Title XIII, § 13209, 13210(1), Nov. 5, 1990, 104 Stat. 1388–619, 1388–620; Pub. L. 105–33, Title X, § 10109(a), Aug. 5, 1997, 111 Stat. 684; Pub. L. 113–67, div. A, title I, 122(4)–(6), Dec. 26, 2013, 127 Stat. 1175.)

287 § 637. Legislation dealing with Congressional budget must be handled by Budget Committees

(a) In the Senate

In the Senate, no bill, resolution, amendment, motion, or conference report, dealing with any matter which is within the jurisdiction of the Committee on the Budget shall be considered unless it is a bill or resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or resolution.

(b) In the House of Representatives

In the House of Representatives, no bill or joint resolution, or amendment thereto, or conference report thereon, dealing with any matter which is within the jurisdiction of the Committee on the Budget shall be considered unless it is a bill or joint resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or joint resolution. (Pub. L. 93–344, Title III, § 306, July 12, 1974, 88 Stat. 313; Pub. L. 99–177, Title II, § 201(b), Dec. 12, 1985, 99 Stat. 1050; Pub. L. 101–508, Title XIII, § 13207(a)(1)(D), Nov. 5, 1990, 104 Stat. 1388–617; Pub. L. 113–67, div. A, title I, § 122(7), Dec. 26, 2013, 127 Stat. 1175.)

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288 § 639. Reports, summaries, and projections of Congressional budget actions

(a) Legislation providing new budget authority or providing increase or decrease in revenues or tax expenditures

(1) Whenever a committee of either House reports to its House a bill or joint resolution, or committee amendment thereto, providing new budget authority (other than continuing appropriations) or providing an increase or decrease in revenues or tax expenditures for a fiscal year (or fiscal years), the report accompanying that bill or joint resolution shall contain a statement, or the committee shall make available such a statement in the case of an approved committee amendment which is not reported to its House, prepared after consultation with the Director of the Congressional Budget Office—

(A) comparing the levels in such measure to the appropriate allocations in the reports submitted under section 633(b) of this title for the most recently agreed to concurrent resolution on the budget for such fiscal year (or fiscal years);

(B) containing a projection by the Congressional Budget Office of how such measure will affect the levels of such budget authority, budget outlays, revenues, or tax expenditures under existing law for such fiscal year (or fiscal years) and each of the four ensuing fiscal years, if timely submitted before such report is filed; and

(C) containing an estimate by the Congressional Budget Office of the level of new budget authority for assistance to State and local governments provided by such measure, if timely submitted before such report is filed.

(2) Whenever a conference report is filed in either House and such conference report or any amendment reported in disagreement or any

amendment contained in the joint statement of managers to be proposed by the conferees in the case of technical disagreement on such bill or joint resolution provides new budget authority (other than continuing appropriations) or provides an increase or decrease in revenues for a fiscal year (or fiscal years), the statement of managers accompanying such conference report shall contain the information described in paragraph (1), if available on a timely basis. If such information is not available when the conference report is filed, the committee shall make such information available to Members as soon as practicable prior to the consideration of such conference report.

(3) CBO PAYGO estimates.—

(A) The Chairs of the Committees on the Budget of the House and Senate, as applicable, shall request from the Director of the Congressional Budget Office an estimate of the budgetary effects of PAYGO legislation.

(B) Estimates shall be prepared using baseline estimates supplied by the Congressional Budget Office, consistent with section 907 of this title.

(C) The Director shall not count timing shifts, as that term is defined at section 932(8) of this title, in estimates of the budgetary effects of PAYGO Legislation.

(b) Up-to-date tabulations of Congressional budget action

(1) The Director of the Congressional Budget Office shall issue to the committees of the House of Representatives and the Senate reports on at least a monthly basis detailing and tabulating the progress of congressional action on bills and joint resolutions providing new budget authority or providing an increase or decrease in revenues or tax expenditures for each fiscal year covered by a concurrent resolution on the budget. Such reports shall include but are not limited to an up-to-date tabulation comparing the appropriate aggregate and functional levels (including outlays) included in the most recently adopted concurrent resolution on the budget with the levels provided in bills and joint resolutions reported by committees or adopted by either House or by the Congress, and with the levels provided by law for the fiscal year preceding the first fiscal year covered by the appropriate concurrent resolution.

(2) The Committee on the Budget of each House shall make available to Members of its House summary budget scorekeeping reports. Such reports—

(A) shall be made available on at least a monthly basis, but in any case frequently enough to provide Members of each House an accurate representation of the current status of congressional consideration of the budget;

(B) shall include, but are not limited to, summaries of tabulations provided under subsection (b)(1); and

(C) shall be based on information provided under subsection (b)(1) without substantive revision.

The chairman of the Committee on the Budget of the House of Representatives shall submit such reports to the Speaker.

(c) Five-year projection of Congressional budget action

As soon as practicable after the beginning of each fiscal year, the Director of the Congressional Budget Office shall issue a report projecting for the period of 5 fiscal years beginning with such fiscal year—

(1) total new budget authority and total budget outlays for each fiscal year in such period;

(2) revenues to be received and the major sources thereof, and the surplus or deficit, if any, for each fiscal year in such period;

(3) tax expenditures for each fiscal year in such period; and

(4) entitlement authority for each fiscal year in such period.

(d) Scorekeeping guidelines

Estimates under this section shall be provided in accordance with the scorekeeping guidelines determined under section 902(d)(5) of this title. (Pub. L. 93–344, Title III, § 308, July 12, 1974, 88 Stat. 313; Pub. L. 99–177, Title II, § 201(b), Dec. 12, 1985, 99 Stat. 1051; Pub. L. 101–508, Title XIII, § 13206, Nov. 5, 1990, 104 Stat. 1388–617; Pub. L. 105–33, Title X, § 10110, Aug. 5, 1997, 111 Stat. 685; Pub. L. 111–139, Title I, § 4(b), Feb. 12, 2010, 124 Stat. 11; Pub. L. 113–67, div. A, Title I, § 122(8), Dec. 26, 2013, 127 Stat. 1175.)

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289 § 641. Reconciliation

(a) Inclusion of reconciliation directives in concurrent resolutions on the budget

A concurrent resolution on the budget for any fiscal year, to the extent necessary to effectuate the provisions and requirements of such resolution, shall—

(1) specify the total amount by which—

(A) new budget authority for such fiscal year;

(B) budget authority initially provided for prior fiscal years;

(C) new entitlement authority which is to become effective during such fiscal year; and

(D) credit authority for such fiscal year, contained in laws, bills, and resolutions within the jurisdiction of a committee, is to be changed and direct that committee to determine and recommend changes to accomplish a change of such total amount;

(2) specify the total amount by which revenues are to be changed and direct that the committees having jurisdiction to determine and recommend changes in the revenue laws, bills, and resolutions to accomplish a change of such total amount;

(3) specify the amounts by which the statutory limit on the public debt is to be changed and direct the committee having jurisdiction to recommend such change; or

(4) specify and direct any combination of the matters described in paragraphs (1), (2), and (3) (including a direction to achieve deficit reduction).

(b) Legislative procedure

If a concurrent resolution containing directives to one or more committees to determine and recommend changes in laws, bills, or resolutions is agreed to in accordance with subsection (a), and—

(1) only one committee of the House or the Senate is directed to determine and recommend changes, that committee shall promptly make such determination and recommendations and report to its House reconciliation legislation containing such recommendations; or

(2) more than one committee of the House or the Senate is directed to determine and recommend changes, each such committee so directed shall promptly make such determination and recommendations and submit such recommendations to the Committee on the Budget of its House, which, upon receiving all such recommendations, shall report to its House reconciliation legislation carrying out all such recommendations without any substantive revision.

For purposes of this subsection, a reconciliation resolution is a concurrent resolution directing the Clerk of the House of Representatives or the Secretary of the Senate, as the case may be, to make specified changes in bills and resolutions which have not been enrolled.

(c) Compliance with reconciliation directions

(1) Any committee of the House of Representatives or the Senate that is directed, pursuant to a concurrent resolution on the budget, to determine and recommend changes of the type described in paragraphs (1) and (2) of subsection (a) with respect to laws within its jurisdiction, shall be deemed to have complied with such directions—

(A) if—

(i) the amount of the changes of the type described in paragraph (1) of such subsection recommended by such committee do not exceed or fall below the amount of the changes such committee was directed by such concurrent resolution to recommend under that paragraph by more than—

(I) in the Senate, 20 percent of the total of the amounts of the changes such committee was directed to make under paragraphs (1) and (2) of such subsection; or

(II) in the House of Representatives, 20 percent of the sum of the absolute value of the changes the committee was directed to make under paragraph (1) and the absolute value of the changes the committee was directed to make under paragraph (2); and

(ii) the amount of the changes of the type described in paragraph (2) of such subsection recommended by such committee do not exceed or fall below the amount of the changes such committee was directed by such concurrent resolution to recommend under that paragraph by more than—

(I) in the Senate, 20 percent of the total of the amounts of the changes such committee was directed to make under paragraphs (1) and (2) of such subsection; or

(II) in the House of Representatives, 20 percent of the sum of the absolute value of the changes the committee was directed to make under paragraph (1) and the absolute value of the changes the committee was directed to make under paragraph (2); and

(B) if the total amount of the changes recommended by such committee is not less than the total of the amounts of the changes such committee was directed to make under paragraphs (1) and (2) of such subsection.

(2)(A) Upon the reporting to the Committee on the Budget of the Senate of a recommendation that shall be deemed to have complied with such directions solely by virtue of this subsection, the chairman of that committee may file with the Senate appropriately revised allocations under section 633(a) of this title and revised functional levels and aggregates to carry out this subsection.

(B) Upon the submission to the Senate of a conference report recommending a reconciliation bill or resolution in which a committee shall be deemed to have complied with such directions solely by virtue of this subsection, the chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under section 633(a) of this title and revised functional levels and aggregates to carry out this subsection.

(C) Allocations, functional levels, and aggregates revised pursuant to this paragraph shall be considered to be allocations, functional levels, and aggregates contained in the concurrent resolution on the budget pursuant to section 632 of this title.

(D) Upon the filing of revised allocations pursuant to this paragraph, the reporting committee shall report revised allocations pursuant to section 633(b) of this title to carry out this subsection.

(d) Limitation on amendments to reconciliation bills and resolutions

(1) It shall not be in order in the House of Representatives to consider any amendment to a reconciliation bill or reconciliation resolution if such amendment would have the effect of increasing any specific budget outlays above the level of such outlays provided in the bill or resolution (for the fiscal years covered by the reconciliation instructions set forth in the most recently agreed to concurrent resolution on the budget), or would have the effect of reducing any specific Federal revenues below the level of such revenues provided in the bill or resolution (for such fiscal years), unless such amendment makes at least an equivalent reduction in other specific budget outlays, an equivalent increase in other specific Federal revenues, or an equivalent combination thereof (for such fiscal years), except that a motion to strike a provision providing new budget authority or new entitlement authority may be in order.

(2) It shall not be in order in the Senate to consider any amendment to a reconciliation bill or reconciliation resolution if such amendment would have the effect of decreasing any specific budget outlay reductions below the level of such outlay reductions provided (for the fiscal years covered) in the reconciliation instructions which relate to such bill or resolution set forth in a resolution providing for reconciliation, or would have the effect of reducing Federal revenue increases below the level of such revenue increases provided (for such fiscal years) in such instructions relating to such bill or resolution, unless such amendment makes a reduction in other specific budget outlays, an increase in other specific Federal revenues, or a combination thereof (for such fiscal years) at least equivalent to any increase in outlays or decrease in revenues provided by such amendment, except that a motion to strike a provision shall always be in order.

(3) Paragraphs (1) and (2) shall not apply if a declaration of war by the Congress is in effect.

(4) For purposes of this section, the levels of budget outlays and Federal revenues for a fiscal year shall be determined on the basis

of estimates made by the Committee on the Budget of the House of Representatives or of the Senate, as the case may be.

(5) The Committee on Rules of the House of Representatives may make in order amendments to achieve changes specified by reconciliation directives contained in a concurrent resolution on the budget if a committee or committees of the House fail to submit recommended changes to its Committee on the Budget pursuant to its instruction.

(e) Procedure in Senate

(1) Except as provided in paragraph (2), the provisions of section 636 of this title for the consideration in the Senate of concurrent resolutions on the budget and conference reports thereon shall also apply to the consideration in the Senate of reconciliation bills reported under subsection (b) and conference reports thereon.

(2) Debate in the Senate on any reconciliation bill reported under subsection (b), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours.

(f) Completion of reconciliation process

It shall not be in order in the House of Representatives to consider any resolution providing for an adjournment period of more than three calendar days during the month of July until the House of Representatives has completed action on the reconciliation legislation for the fiscal year beginning on October 1 of the calendar year to which the adjournment resolution pertains, if reconciliation legislation is required to be reported by the concurrent resolution on the budget for such fiscal year.

(g) Limitation on changes to Social Security Act

Notwithstanding any other provision of law, it shall not be in order in the Senate or the House of Representatives to consider any reconciliation bill or reconciliation resolution reported pursuant to a concurrent resolution on the budget agreed to under section 632 or 635 of this title, or a joint resolution pursuant to section 907d of this title, or any amendment thereto or conference report thereon, that contains recommendations with respect to the old-age, survivors, and disability insurance program established under title II of the Social Security Act [42 U.S.C. 401 et seq.]. (Pub. L. 93–344, Title III, § 310, July 12, 1974, 88 Stat. 315; Pub. L. 99–177, Title II, § 201(b), Dec. 12, 1985, 99 Stat. 1053; Pub. L. 101–508, Title XIII, §§ 13112(a)(9), 13207(c), (d), 13210(2), Nov. 5, 1990, 104 Stat. 1388–608, 1388–618 to 1388–620; Pub. L. 105–33, Title X, § 10111, Aug. 5, 1997, 111 Stat. 685; Pub. L. 113–67, div. A, Title I, § 122(9), Dec. 26, 2013, 127 Stat. 1175.)

§ 642. Budget-related legislation must be within appropriate levels **290**

(a) Enforcement of budget aggregates

(1) In House of Representatives

Except as provided by subsection (c), after the Congress has completed action on a concurrent resolution on the budget for a fiscal year, it shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment, motion, or conference report providing new budget authority or reducing revenues, if—

(A) the enactment of that bill or resolution as reported;

(B) the adoption and enactment of that amendment; or

(C) the enactment of that bill or resolution in the form recommended in that conference report;

would cause the level of total new budget authority or total outlays set forth in the applicable concurrent resolution on the budget for the first fiscal year to be exceeded, or would cause revenues to be less than the level of total revenues set forth in that concurrent resolution for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided under section 633(a) of this title, except when a declaration of war by the Congress is in effect.

(2) In Senate

After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that—

(A) would cause the level of total new budget authority or total outlays set forth for the first fiscal year in the applicable resolution to be exceeded; or

(B) would cause revenues to be less than the level of total revenues set forth for that first fiscal year or for the total of that first fiscal year and the ensuing fiscal years in the applicable resolution for which allocations are provided under section 633(a) of this title.

(3) Enforcement of social security levels in Senate

After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a decrease in social security surpluses or an increase in social security deficits relative to the levels set forth in the applicable resolution for the first fiscal year or for the total of that fiscal year and the ensuing fiscal years for which allocations are provided under section 633(a) of this title.

(b) Social security levels

(1) In general

For purposes of subsection (a)(3), social security surpluses equal the excess of social security revenues over social security outlays in a fiscal year or years with such an excess and social security deficits equal the excess of social security outlays over social security revenues in a fiscal year or years with such an excess.

(2) Tax treatment

For purposes of subsection (a)(3), no provision of any legislation involving a change in chapter 1 of the Internal Revenue Code of 1986 [26 U.S.C. 1 et seq.] shall be treated as affecting the amount of social security revenues or outlays unless that provision changes the income tax treatment of social security benefits.

(c) Exception in House of Representatives

Subsection (a)(1) shall not apply in the House of Representatives to any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on any such bill or resolution, if—

(1) the enactment of that bill or resolution as reported;

(2) the adoption and enactment of that amendment; or

(3) the enactment of that bill or resolution in the form recommended in that conference report;

would not cause the appropriate allocation of new budget authority made pursuant to section 633(a) of this title for that fiscal year to be exceeded. (Pub. L. 93–344, Title III, § 311, July 12, 1974, 88 Stat. 316; Pub. L. 99–177, Title II, § 201(b), Dec. 12, 1985, 99 Stat. 1055; Pub. L. 100–119, Title I, § 106(e)(1), Sept. 29, 1987, 101 Stat. 781; Pub. L. 101–508, Title XIII, §§ 13112(a)(10), 13207(a)(1)(E), 13303(d), Nov. 5, 1990, 104 Stat. 1388–608, 1388–617, 1388–626; Pub. L. 105–33, Title X, § 10112(a), Aug. 5, 1997, 111 Stat. 686.)

§ 643. Determinations and points of order **291**

(a) Budget Committee determinations

For purposes of this subchapter and subchapter II, the levels of new budget authority, outlays, direct spending, new entitlement authority, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the House of Representatives or the Senate, as applicable.

(b) Discretionary spending point of order in Senate

(1) In general

Except as otherwise provided in this subsection, it shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that would exceed any of the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 [2 U.S.C. 901(c)].

(2) Exceptions

This subsection shall not apply if a declaration of war by the Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 [2 U.S.C. 907a] has been enacted.

(c) Maximum deficit amount point of order in Senate

It shall not be in order in the Senate to consider any concurrent resolution on the budget for a fiscal year, or to consider any amendment to that concurrent resolution, or to consider a conference report on that concurrent resolution, if—

(1) the level of total outlays for the first fiscal year set forth in that concurrent resolution or conference report exceeds; or

(2) the adoption of that amendment would result in a level of total outlays for that fiscal year that exceeds;

the recommended level of Federal revenues for that fiscal year, by an amount that is greater than the maximum deficit amount, if any, specified in the Balanced Budget and Emergency Deficit Control Act of 1985 for that fiscal year.

(d) Timing of points of order in Senate

A point of order under this Act may not be raised against a bill, resolution, amendment, motion, or conference report while an amendment or motion, the adoption of which would remedy the violation of this Act, is pending before the Senate.

(e) Points of order in Senate against amendments between Houses

Each provision of this Act that establishes a point of order against an amendment also establishes a point of order in the Senate against an amendment between the Houses. If a point of order under this Act is raised in the Senate against an amendment between the Houses and the point of order is sustained, the effect shall be the same as if the Senate had disagreed to the amendment.

(f) Effect of point of order in Senate

In the Senate, if a point of order under this Act against a bill or resolution is sustained, the Presiding Officer shall then recommit the bill or resolution to the committee of appropriate jurisdiction for further consideration. (Pub. L. 93–344, Title III, § 312, as added Pub. L. 101–508, Title XIII, § 13207(b)(1), Nov. 5, 1990, 104 Stat. 1388–618, and amended Pub. L. 105–33, Title X, § 10113(a), Aug. 5, 1997, 111 Stat. 687.)

292 § 644. Extraneous matter in reconciliation legislation

(a) In general

When the Senate is considering a reconciliation bill or a reconciliation resolution pursuant to section 641 of this title (whether that bill or resolution originated in the Senate or the House) or section 907d of this title, upon a point of order being made by any Senator against material extraneous to the instructions to a committee which is contained in any title or provision of the bill or resolution or offered as an amendment to the bill or resolution, and the point of order is sustained by the Chair, any part of said title or provision that contains material extraneous to the instructions to said Committee as defined in subsection (b) shall be deemed stricken from the bill and may not be offered as an amendment from the floor.

(b) Extraneous provisions

(1)(A) Except as provided in paragraph (2), a provision of a reconciliation bill or reconciliation resolution considered pursuant to section 641 of this title shall be considered extraneous if such provision does not produce a change in outlays or revenues, including changes in outlays and revenues brought about by changes in the terms and conditions under which outlays are made or revenues are required to be collected (but a provision in which outlay decreases or revenue increases exactly offset outlay increases or revenue decreases shall not be considered extraneous by virtue of this subparagraph); (B) any provision producing an increase in outlays or decrease in revenues shall be considered extraneous if the net effect of provisions reported by the committee reporting the title containing the provision is that the committee fails to achieve its reconciliation instructions; (C) a provision that is not in the jurisdiction of the committee with jurisdiction over said title or provision shall be considered extraneous; (D) a provision shall be considered extraneous if it produces changes in outlays or revenues which are merely incidental to the non-budgetary components of the provision; (E) a provision shall be considered to be extraneous if it increases, or would increase, net outlays, or if it decreases, or would decrease, revenues during a fiscal year after the fiscal years covered by such reconciliation bill or reconciliation resolution, and such increases or decreases are greater than outlay

reductions or revenue increases resulting from other provisions in such title in such year; and (F) a provision shall be considered extraneous if it violates section 641(g) of this title.

(2) A Senate-originated provision shall not be considered extraneous under paragraph (1)(A) if the Chairman and Ranking Minority Member of the Committee on the Budget and the Chairman and Ranking Minority Member of the Committee which reported the provision certify that: (A) the provision mitigates direct effects clearly attributable to a provision changing outlays or revenues and both provisions together produce a net reduction in the deficit; (B) the provision will result in a substantial reduction in outlays or a substantial increase in revenues during fiscal years after the fiscal years covered by the reconciliation bill or reconciliation resolution; (C) a reduction of outlays or an increase in revenues is likely to occur as a result of the provision, in the event of new regulations authorized by the provision or likely to be proposed, court rulings on pending litigation, or relationships between economic indices and stipulated statutory triggers pertaining to the provision, other than the regulations, court rulings or relationships currently projected by the Congressional Budget Office for scorekeeping purposes; or (D) such provision will be likely to produce a significant reduction in outlays or increase in revenues but, due to insufficient data, such reduction or increase cannot be reliably estimated.

(3) A provision reported by a committee shall not be considered extraneous under paragraph (1)(C) if (A) the provision is an integral part of a provision or title, which if introduced as a bill or resolution would be referred to such committee, and the provision sets forth the procedure to carry out or implement the substantive provisions that were reported and which fall within the jurisdiction of such committee; or (B) the provision states an exception to, or a special application of, the general provision or title of which it is a part and such general provision or title if introduced as a bill or resolution would be referred to such committee.

(c) Extraneous materials

Upon the reporting or discharge of a reconciliation bill or resolution pursuant to section 641 of this title in the Senate, and again upon the submission of a conference report on such a reconciliation bill or resolution, the Committee on the Budget of the Senate shall submit for the record a list of material considered to be extraneous under subsections (b)(1)(A), (b)(1)(B), and (b)(1)(E) of this section to the instructions of a committee as provided in this section. The inclusion or exclusion of a provision shall not constitute a determination of extraneousness by the Presiding Officer of the Senate.

(d) Conference reports

When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a reconciliation bill or reconciliation resolution pursuant to section 641 of this title, upon—

(1) a point of order being made by any Senator against extraneous material meeting the definition of subsections (b)(1)(A), (b)(1)(B), (b)(1)(D), (b)(1)(E), or (b)(1)(F), and

(2) such point of order being sustained,

such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall proceed, without intervening

action or motion, to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable for two hours. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(e) General point of order

Notwithstanding any other law or rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only those provisions (including provisions of an amendment, motion, or conference report) against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled. (Pub. L. 93–344, Title III, § 313, as added and amended Pub. L. 101–508, Title XIII, § 13214(a)–(b)(4), Nov. 5, 1990, 104 Stat. 1388–621, 1388–622; Pub. L. 105–33, Title X, § 10113(b)(1), Aug. 5, 1997, 111 Stat. 688.)

293 § 645. Adjustments

(a) Adjustments

After the reporting of a bill or joint resolution or the offering of an amendment thereto or the submission of a conference report thereon, the chairman of the Committee on the Budget of the House of Representatives or the Senate may make appropriate budgetary adjustments of new budget authority and the outlays flowing therefrom in the same amount as required by section 901(b) of this title.

(b) Application of adjustments

The adjustments made pursuant to subsection (a) for legislation shall—

(1) apply while that legislation is under consideration;

(2) take effect upon the enactment of that legislation; and

(3) be published in the Congressional Record as soon as practicable.

(c) Reporting revised suballocations

Following any adjustment made under subsection (a), the Committees on Appropriations of the Senate and the House of Representatives may report appropriately revised suballocations under section 633(b) of this title to carry out this section.

(d) Emergencies in the House of Representatives

(1) In the House of Representatives, if a reported bill or joint resolution, or amendment thereto or conference report thereon, contains a provision providing new budget authority and outlays or reducing revenue, and a designation of such provision as an emergency requirement pursuant to 901(b)(2)(A) of this title, the chair of the Committee on the Budget of the House of Representatives shall not count the budgetary effects of such provision for purposes of this subchapter and subchapter II and the Rules of the House of Representatives.

(2)(A) In the House of Representatives, a proposal to strike a designation under paragraph (1) shall be excluded from an evaluation of budgetary effects for purposes of this subchapter and subchapter II and the Rules of the House of Representatives.

(B) An amendment offered under subparagraph (A) that also proposes to reduce each amount appropriated or otherwise made available by the pending measure that is not required to be appropriated or otherwise made available shall be in order at any point in the reading of the pending measure.

(e) Senate point of order against an emergency designation

(1) In general

When the Senate is considering a bill, resolution, amendment, motion, amendment between the Houses, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) Supermajority waiver and appeals

(A) Waiver

Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) Appeals

Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) Definition of an emergency designation

For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item pursuant to section 901(b)(2)(A)(i) of this title.

(4) Form of the point of order

A point of order under paragraph (1) may be raised by a Senator as provided in section 644(e) of this title.

(5) Conference reports

When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) Enforcement of discretionary spending caps

It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause the discretionary spending limits as set forth in section 901 of this title to be exceeded.

(g) Adjustment for reemployment services and eligibility assessments

(1) In general

(A) Adjustments

If the Committee on Appropriations of either House reports an appropriation measure for any of fiscal years 2022 through 2027 that provides budget authority for grants under section 506 of title 42, or if a conference committee submits a conference report thereon, the chairman of the Committee on the Budget of the House of Representatives or the Senate shall make the adjustments referred to in subparagraph (B) to reflect the additional new budget authority provided for such grants in that measure or conference report and the outlays resulting therefrom, consistent with subparagraph (D).

(B) Types of adjustments

The adjustments referred to in this subparagraph consist of adjustments to—

(i) the discretionary spending limits for that fiscal year as set forth in the most recently adopted concurrent resolution on the budget;

(ii) the allocations to the Committees on Appropriations of the Senate and the House of Representatives for that fiscal year under section 633(a) of this title; and

(iii) the appropriate budget aggregates for that fiscal year in the most recently adopted concurrent resolution on the budget.

(C) Enforcement

The adjusted discretionary spending limits, allocations, and aggregates under this paragraph shall be considered the appropriate limits, allocations, and aggregates for purposes of congressional enforcement of this Act and concurrent budget resolutions under this Act.

(D) Limitation

No adjustment may be made under this subsection in excess of—

(i) for fiscal year 2022, $133,000,000;

(ii) for fiscal year 2023, $258,000,000;

(iii) for fiscal year 2024, $433,000,000;

(iv) for fiscal year 2025, $533,000,000;

(v) for fiscal year 2026, $608,000,000; and

(vi) for fiscal year 2027, $633,000,000.

(E) Definition

As used in this subsection, the term "additional new budget authority" means the amount provided for a fiscal year, in excess of $117,000,000, in an appropriation measure or conference report (as the case may be) and specified to pay for grants to States under section 506 of title 42.

(2) Report on 633(b) level

Following any adjustment made under paragraph (1), the Committees on Appropriations of the Senate and the House of Representatives may report appropriately revised suballocations pursuant to section 633(b) of this title to carry out this subsection. (Pub. L. 93–344, Title III, § 314, as added Pub. L. 105–33, Title X, § 10114(a), Aug. 5, 1997, 111 Stat. 688; amended Pub. L. 105–89, Title II, § 201(b)(2), Nov. 19, 1997, 111 Stat. 2125; Pub. L. 112–25, Title I, § 105(a), Aug. 2, 2011, 125 Stat. 246; Pub. L. 112–78, Title V, § 511, Dec. 23, 2011, 125 Stat. 1291; Pub. L. 113–67, div. A, Title I, § 122(10), Dec. 26, 2013, 127 Stat. 1176; Pub. L. 115–123, div. C, Title II, § 30206(d), Feb. 9, 2018, 132 Stat. 131.)

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§ 651. Budget-related legislation not subject to appropriations **294**

(a) Controls on certain budget-related legislation not subject to appropriations

It shall not be in order in either the House of Representatives or the Senate to consider any bill or joint resolution (in the House of Representatives only, as reported), amendment, motion, or conference report that provides—

(1) new authority to enter into contracts under which the United States is obligated to make outlays;

(2) new authority to incur indebtedness (other than indebtedness incurred under chapter 31 of title 31) for the repayment of which the United States is liable; or

(3) new credit authority;

unless that bill, joint resolution, amendment, motion, or conference report also provides that the new authority is to be effective for any

fiscal year only to the extent or in the amounts provided in advance in appropriation Acts.

(b) Legislation providing new entitlement authority

(1) Point of order.—It shall not be in order in either the House of Representatives or the Senate to consider any bill or joint resolution (in the House of Representatives only, as reported), amendment, motion, or conference report that provides new entitlement authority that is to become effective during the current fiscal year.

(2) If any committee of the House of Representatives or the Senate reports any bill or resolution which provides new entitlement authority which is to become effective during a fiscal year and the amount of new budget authority which will be required for such fiscal year if such bill or resolution is enacted as so reported exceeds the appropriate allocation of new budget authority reported under section 633(a) of this title in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year, such bill or resolution shall then be referred to the Committee on Appropriations of the Senate or may then be referred to the Committee on Appropriations of the House, as the case may be, with instructions to report it, with the committee's recommendations, within 15 calendar days (not counting any day on which that House is not in session) beginning with the day following the day on which it is so referred. If the Committee on Appropriations of either House fails to report a bill or resolution referred to it under this paragraph within such 15-day period, the committee shall automatically be discharged from further consideration of such bill or resolution and such bill or resolution shall be placed on the appropriate calendar.

(3) The Committee on Appropriations of each House shall have jurisdiction to report any bill or resolution referred to it under paragraph (2) with an amendment which limits the total amount of new spending authority provided in such bill or resolution.

(c) Exceptions

(1) Subsections (a) and (b) shall not apply to new authority described in those subsections if outlays from that new authority will flow—

(A) from a trust fund established by the Social Security Act (as in effect on July 12, 1974) [42 U.S.C. 301 et seq.]; or

(B) from any other trust fund, 90 percent or more of the receipts of which consist or will consist of amounts (transferred from the general fund of the Treasury) equivalent to amounts of taxes (related to the purposes for which such outlays are or will be made) received in the Treasury under specified provisions of the Internal Revenue Code of 1986 [26 U.S.C. 1 et seq.].

(2) Subsections (a) and (b) shall not apply to new authority described in those subsections to the extent that—

(A) the outlays resulting therefrom are made by an organization which is (i) a mixed-ownership Government corporation (as defined in section 9101(2) of title 31), or (ii) a wholly owned Government corporation (as defined in section 9101(3) of title 31) which is specifically exempted by law from compliance with any or all of the provisions of chapter 91 of title 31, as of December 12, 1985; or

(B) the outlays resulting therefrom consist exclusively of the proceeds of gifts or bequests made to the United States for a specific purpose.

(3) In the House of Representatives, subsections (a) and (b) shall not apply to new authority described in those subsections to the extent that a provision in a bill or joint resolution, or an amendment thereto or a conference report thereon, establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations. (Pub. L. 93–344, Title IV, § 401, July 12, 1974, 88 Stat. 317; Pub. L. 99–177, Title II, § 211, Dec. 12, 1985, 99 Stat. 1056; Pub. L. 99–514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 101–508, Title XIII, § 13207(a)(1)(F), (G), Nov. 5, 1990, 104 Stat. 1388–617, 1388–618; Pub. L. 105–33, Title X, § 10116(a)(1)–(5), Aug. 5, 1997, 111 Stat. 690, 691; Pub. L. 113–67, div. A, Title I, § 122(12), (13), Dec. 26, 2013, 127 Stat. 1176.)

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Part B.—Federal Mandates

§ 658. Definitions 295

For purposes of this part:

(1) Agency

The term "agency" has the same meaning as defined in section 551(1) of title 5, but does not include independent regulatory agencies.

(2) Amount

The term "amount", with respect to an authorization of appropriations for Federal financial assistance, means the amount of budget authority for any Federal grant assistance program or any Federal program providing loan guarantees or direct loans.

(3) Direct costs

The term "direct costs"—

(A)(i) in the case of a Federal intergovernmental mandate, means the aggregate estimated amounts that all State, local, and tribal governments would be required to spend or would be prohibited from raising in revenues in order to comply with the Federal intergovernmental mandate; or

(ii) in the case of a provision referred to in paragraph (5)(A)(ii), means the amount of Federal financial assistance eliminated or reduced;

(B) in the case of a Federal private sector mandate, means the aggregate estimated amounts that the private sector will be required to spend in order to comply with the Federal private sector mandate;

(C) shall be determined on the assumption that—

(i) State, local, and tribal governments, and the private sector will take all reasonable steps necessary to mitigate the costs resulting from the Federal mandate, and will comply with applicable standards of practice and conduct established by recognized professional or trade associations; and

(ii) reasonable steps to mitigate the costs shall not include increases in State, local, or tribal taxes or fees; and

(D) shall not include—

(i) estimated amounts that the State, local, and tribal governments (in the case of a Federal intergovernmental mandate) or the private sector (in the case of a Federal private sector mandate) would spend—

(I) to comply with or carry out all applicable Federal, State, local, and tribal laws and regulations in effect at the time of the adoption of the Federal mandate for the same activity as is affected by that Federal mandate; or

(II) to comply with or carry out State, local, and tribal governmental programs, or private-sector business or other activities in effect at the time of the adoption of the Federal mandate for the same activity as is affected by that mandate; or

(ii) expenditures to the extent that such expenditures will be offset by any direct savings to the State, local, and tribal governments, or by the private sector, as a result of—

(I) compliance with the Federal mandate; or

(II) other changes in Federal law or regulation that are enacted or adopted in the same bill or joint resolution or proposed or final Federal regulation and that govern the same activity as is affected by the Federal mandate.

(4) Direct savings

The term "direct savings", when used with respect to the result of compliance with the Federal mandate—

(A) in the case of a Federal intergovernmental mandate, means the aggregate estimated reduction in costs to any State, local, or tribal government as a result of compliance with the Federal intergovernmental mandate; and

(B) in the case of a Federal private sector mandate, means the aggregate estimated reduction in costs to the private sector as a result of compliance with the Federal private sector mandate.

(5) Federal intergovernmental mandate

The term "Federal intergovernmental mandate" means—

(A) any provision in legislation, statute, or regulation that—

(i) would impose an enforceable duty upon State, local, or tribal governments, except—

(I) a condition of Federal assistance; or

(II) a duty arising from participation in a voluntary Federal program, except as provided in subparagraph (B); or

(ii) would reduce or eliminate the amount of authorization of appropriations for—

(I) Federal financial assistance that would be provided to State, local, or tribal governments for the purpose of complying with any such previously imposed duty unless such duty is reduced or eliminated by a corresponding amount; or

(II) the control of borders by the Federal Government; or reimbursement to State, local, or tribal govern-

ments for the net cost associated with illegal, deportable, and excludable aliens, including court-mandated expenses related to emergency health care, education or criminal justice; when such a reduction or elimination would result in increased net costs to State, local, or tribal governments in providing education or emergency health care to, or incarceration of, illegal aliens; except that this subclause shall not be in effect with respect to a State, local, or tribal government, to the extent that such government has not fully cooperated in the efforts of the Federal Government to locate, apprehend, and deport illegal aliens;

(B) any provision in legislation, statute, or regulation that relates to a then-existing Federal program under which $500,000,000 or more is provided annually to State, local, and tribal governments under entitlement authority, if the provision—

(i)(I) would increase the stringency of conditions of assistance to State, local, or tribal governments under the program; or

(II) would place caps upon, or otherwise decrease, the Federal Government's responsibility to provide funding to State, local, or tribal governments under the program; and

(ii) the State, local, or tribal governments that participate in the Federal program lack authority under that program to amend their financial or programmatic responsibilities to continue providing required services that are affected by the legislation, statute, or regulation.

(6) Federal mandate

The term "Federal mandate" means a Federal intergovernmental mandate or a Federal private sector mandate, as defined in paragraphs (5) and (7).

(7) Federal private sector mandate

The term "Federal private sector mandate" means any provision in legislation, statute, or regulation that—

(A) would impose an enforceable duty upon the private sector except—

(i) a condition of Federal assistance; or

(ii) a duty arising from participation in a voluntary Federal program; or

(B) would reduce or eliminate the amount of authorization of appropriations for Federal financial assistance that will be provided to the private sector for the purposes of ensuring compliance with such duty.

(8) Local government

The term "local government" has the same meaning as defined in section 6501(6) of title 31.

(9) Private sector

The term "private sector" means all persons or entities in the United States, including individuals, partnerships, associa-

tions, corporations, and educational and nonprofit institutions, but shall not include State, local, or tribal governments.

(10) Regulation; rule

The term "regulation" or "rule" (except with respect to a rule of either House of the Congress) has the meaning of "rule" as defined in section 601(2) of title 5.

(11) Small government

The term "small government" means any small governmental jurisdictions defined in section 601(5) of title 5 and any tribal government.

(12) State

The term "State" has the same meaning as defined in section 6501(9) of title 31.

(13) Tribal government

The term "tribal government" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688; 43 U.S.C. 1601 et seq.) which is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians. (Pub. L. 93–344, Title IV, § 421, as added Pub. L. 104–4, Title I, § 101(a)(2), Mar. 22, 1995, 109 Stat. 50; amended Pub. L. 113–67, div. A, Title I, § 122(14), Dec. 26, 2013, 127 Stat. 1176.)

296 § 658a. Exclusions

This part shall not apply to any provision in a bill, joint resolution, amendment, motion, or conference report before Congress that—

(1) enforces constitutional rights of individuals;

(2) establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability;

(3) requires compliance with accounting and auditing procedures with respect to grants or other money or property provided by the Federal Government;

(4) provides for emergency assistance or relief at the request of any State, local, or tribal government or any official of a State, local, or tribal government;

(5) is necessary for the national security or the ratification or implementation of international treaty obligations;

(6) the President designates as emergency legislation and that the Congress so designates in statute; or

(7) relates to the old-age, survivors, and disability insurance program under title II of the Social Security Act [42 U.S.C. 401 et seq.] (including taxes imposed by sections 3101(a) and 3111(a) of title 26 (relating to old-age, survivors, and disability insurance)). (Pub. L. 93–344, Title IV, § 422, as added Pub. L. 104–4, Title I, § 101(a)(2), Mar. 22, 1995, 109 Stat. 53.)

(a) In general

When a committee of authorization of the Senate or the House of Representatives reports a bill or joint resolution of public character that includes any Federal mandate, the report of the committee accompanying the bill or joint resolution shall contain the information required by subsections (c) and (d).

(b) Submission of bills to Director

When a committee of authorization of the Senate or the House of Representatives orders reported a bill or joint resolution of a public character, the committee shall promptly provide the bill or joint resolution to the Director of the Congressional Budget Office and shall identify to the Director any Federal mandates contained in the bill or resolution.

(c) Reports on Federal mandates

Each report described under subsection (a) shall contain—

(1) an identification and description of any Federal mandates in the bill or joint resolution, including the direct costs to State, local, and tribal governments, and to the private sector, required to comply with the Federal mandates;

(2) a qualitative, and if practicable, a quantitative assessment of costs and benefits anticipated from the Federal mandates (including the effects on health and safety and the protection of the natural environment); and

(3) a statement of the degree to which a Federal mandate affects both the public and private sectors and the extent to which Federal payment of public sector costs or the modification or termination of the Federal mandate as provided under section 658d(a)(2) of this title would affect the competitive balance between State, local, or tribal governments and the private sector including a description of the actions, if any, taken by the committee to avoid any adverse impact on the private sector or the competitive balance between the public sector and the private sector.

(d) Intergovernmental mandates

If any of the Federal mandates in the bill or joint resolution are Federal intergovernmental mandates, the report required under subsection (a) shall also contain—

(1)(A) a statement of the amount, if any, of increase or decrease in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution and usable for activities of State, local, or tribal governments subject to the Federal intergovernmental mandates;

(B) a statement of whether the committee intends that the Federal intergovernmental mandates be partly or entirely unfunded, and if so, the reasons for that intention; and

(C) if funded in whole or in part, a statement of whether and how the committee has created a mechanism to allocate the funding in a manner that is reasonably consistent with the expected direct costs among and between the respective levels of State, local, and tribal government;

(2) any existing sources of Federal assistance in addition to those identified in paragraph (1) that may assist State, local, and tribal governments in meeting the direct costs of the Federal intergovernmental mandates; and

(3) if the bill or joint resolution would make the reduction specified in section 658(5)(B)(i)(II) of this title, a statement of how the committee specifically intends the States to implement the reduction and to what extent the legislation provides additional flexibility, if any, to offset the reduction.

(e) Preemption clarification and information

When a committee of authorization of the Senate or the House of Representatives reports a bill or joint resolution of public character, the committee report accompanying the bill or joint resolution shall contain, if relevant to the bill or joint resolution, an explicit statement on the extent to which the bill or joint resolution is intended to preempt any State, local, or tribal law, and, if so, an explanation of the effect of such preemption.

(f) Publication of statement from Director

(1) In general

Upon receiving a statement from the Director under section 658c of this title, a committee of the Senate or the House of Representatives shall publish the statement in the committee report accompanying the bill or joint resolution to which the statement relates if the statement is available at the time the report is printed.

(2) Other publication of statement of Director

If the statement is not published in the report, or if the bill or joint resolution to which the statement relates is expected to be considered by the Senate or the House of Representatives before the report is published, the committee shall cause the statement, or a summary thereof, to be published in the Congressional Record in advance of floor consideration of the bill or joint resolution. (Pub. L. 93–344, Title IV, § 423, as added Pub. L. 104–4, Title I, § 101(a)(2), Mar. 22, 1995, 109 Stat. 53; amended Pub. L. 106–141, § 2(a), Dec. 7, 1999, 113 Stat. 1699.)

298 § 658c. Duties of Director; statements on bills and joint resolutions other than appropriations bills and joint resolutions

(a) Federal intergovernmental mandates in reported bills and resolutions

For each bill or joint resolution of a public character reported by any committee of authorization of the Senate or the House of Representatives, the Director of the Congressional Budget Office shall prepare and submit to the committee a statement as follows:

(1) Contents

If the Director estimates that the direct cost of all Federal intergovernmental mandates in the bill or joint resolution will equal or exceed $50,000,000 (adjusted annually for inflation) in the fiscal year in which any Federal intergovernmental mandate in the bill or joint resolution (or in any necessary implementing regulation) would first be effective or in any of the 4 fiscal years following such fiscal year, the Director shall so

state, specify the estimate, and briefly explain the basis of the estimate.

(2) Estimates

Estimates required under paragraph (1) shall include estimates (and brief explanations of the basis of the estimates) of—

(A) the total amount of direct cost of complying with the Federal intergovernmental mandates in the bill or joint resolution;

(B) if the bill or resolution contains an authorization of appropriations under section 658d(a)(2)(B) of this title, the amount of new budget authority for each fiscal year for a period not to exceed 10 years beyond the effective date necessary for the direct cost of the intergovernmental mandate; and

(C) the amount, if any, of increase in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution and usable by State, local, or tribal governments for activities subject to the Federal intergovernmental mandates.

(3) Additional flexibility information

The Director shall include in the statement submitted under this subsection, in the case of legislation that makes changes as described in section 658(5)(B)(i)(II) of this title—

(A) if no additional flexibility is provided in the legislation, a description of whether and how the States can offset the reduction under existing law; or

(B) if additional flexibility is provided in the legislation, whether the resulting savings would offset the reductions in that program assuming the States fully implement that additional flexibility.

(4) Estimate not feasible

If the Director determines that it is not feasible to make a reasonable estimate that would be required under paragraphs (1) and (2), the Director shall not make the estimate, but shall report in the statement that the reasonable estimate cannot be made and shall include the reasons for that determination in the statement. If such determination is made by the Director, a point of order under this part shall lie only under section 658d(a)(1) of this title and as if the requirement of section 658d(a)(1) of this title had not been met.

(b) Federal private sector mandates in reported bills and joint resolutions

For each bill or joint resolution of a public character reported by any committee of authorization of the Senate or the House of Representatives, the Director of the Congressional Budget Office shall prepare and submit to the committee a statement as follows:

(1) Contents

If the Director estimates that the direct cost of all Federal private sector mandates in the bill or joint resolution will equal or exceed $100,000,000 (adjusted annually for inflation) in the

fiscal year in which any Federal private sector mandate in the bill or joint resolution (or in any necessary implementing regulation) would first be effective or in any of the 4 fiscal years following such fiscal year, the Director shall so state, specify the estimate, and briefly explain the basis of the estimate.

(2) Estimates

Estimates required under paragraph (1) shall include estimates (and a brief explanation of the basis of the estimates) of—

(A) the total amount of direct costs of complying with the Federal private sector mandates in the bill or joint resolution; and

(B) the amount, if any, of increase in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution usable by the private sector for the activities subject to the Federal private sector mandates.

(3) Estimate not feasible

If the Director determines that it is not feasible to make a reasonable estimate that would be required under paragraphs (1) and (2), the Director shall not make the estimate, but shall report in the statement that the reasonable estimate cannot be made and shall include the reasons for that determination in the statement.

(c) Legislation falling below direct costs thresholds

If the Director estimates that the direct costs of a Federal mandate will not equal or exceed the thresholds specified in subsections (a) and (b), the Director shall so state and shall briefly explain the basis of the estimate.

(d) Amended bills and joint resolutions; conference reports

If a bill or joint resolution is passed in an amended form (including if passed by one House as an amendment in the nature of a substitute for the text of a bill or joint resolution from the other House) or is reported by a committee of conference in amended form, and the amended form contains a Federal mandate not previously considered by either House or which contains an increase in the direct cost of a previously considered Federal mandate, then the committee of conference shall ensure, to the greatest extent practicable, that the Director shall prepare a statement as provided in this subsection or a supplemental statement for the bill or joint resolution in that amended form. (Pub. L. 93–344, Title IV, § 424, as added Pub. L. 104–4, Title I, § 101(a)(2), Mar. 22, 1995, 109 Stat. 55; amended Pub. L. 106–141, § 2(b) Dec. 7, 1999, 113 Stat. 1699.)

299 § 658d. Legislation subject to point of order

(a) In general [4]

It shall not be in order in the Senate or the House of Representatives to consider—

[4] Section 3203 of S. Con. Res. 11 (114th Congress) established that this point of order is subject to waiver and appeal by supermajority vote. The resolution

(1) any bill or joint resolution that is reported by a committee unless the committee has published a statement of the Director on the direct costs of Federal mandates in accordance with section 658b(f) of this title before such consideration, except this paragraph shall not apply to any supplemental statement prepared by the Director under section 658c(d) of this title; and

(2) any bill, joint resolution, amendment, motion, or conference report that would increase the direct costs of Federal intergovernmental mandates by an amount that causes the thresholds specified in section 658c(a)(1) of this title to be exceeded, unless—

(A) the bill, joint resolution, amendment, motion, or conference report provides new budget authority or new entitlement authority in the House of Representatives or direct spending authority in the Senate for each fiscal year for such mandates included in the bill, joint resolution, amendment, motion, or conference report in an amount equal to or exceeding the direct costs of such mandate; or

(B) the bill, joint resolution, amendment, motion, or conference report includes an authorization for appropriations in an amount equal to or exceeding the direct costs of such mandate, and—

(i) identifies a specific dollar amount of the direct costs of such mandate for each year up to 10 years during which such mandate shall be in effect under the bill, joint resolution, amendment, motion or conference report, and such estimate is consistent with the estimate determined under subsection (e) for each fiscal year;

(ii) identifies any appropriation bill that is expected to provide for Federal funding of the direct cost referred to under clause (i); and

(iii)(I) provides that for any fiscal year the responsible Federal agency shall determine whether there are insufficient appropriations for that fiscal year to provide for the direct costs under clause (i) of such mandate, and shall (no later than 30 days after the beginning of the fiscal year) notify the appropriate authorizing committees of Congress of the determination and submit either—

(aa) a statement that the agency has determined, based on a re-estimate of the direct costs of such mandate, after consultation with State, local, and tribal governments, that the amount appropriated is sufficient to pay for the direct costs of such mandate; or

(bb) legislative recommendations for either implementing a less costly mandate or making such mandate ineffective for the fiscal year;

(II) provides for expedited procedures for the consideration of the statement or legislative recommendations referred to in subclause (I) by Congress no later than 30 days after the statement or recommendations are submitted to Congress; and

states: "Paragraphs (1) and (2) of section 425(a) of the Congressional Budget Act of 1974 (2 U.S.C. 658d(a)) shall be subject to the waiver and appeal requirements of subsections (c)(2) and (d)(3),respectively, of section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note)."

(III) provides that such mandate shall—

(aa) in the case of a statement referred to in subclause (I)(aa), cease to be effective 60 days after the statement is submitted unless Congress has approved the agency's determination by joint resolution during the 60-day period;

(bb) cease to be effective 60 days after the date the legislative recommendations of the responsible Federal agency are submitted to Congress under subclause (I)(bb) unless Congress provides otherwise by law; or

(cc) in the case that such mandate that has not yet taken effect, continue not to be effective unless Congress provides otherwise by law.

(b) Rule of construction

The provisions of subsection (a)(2)(B)(iii) shall not be construed to prohibit or otherwise restrict a State, local, or tribal government from voluntarily electing to remain subject to the original Federal intergovernmental mandate, complying with the programmatic or financial responsibilities of the original Federal intergovernmental mandate and providing the funding necessary consistent with the costs of Federal agency assistance, monitoring, and enforcement.

(c) Committee on Appropriations

(1) Application

The provisions of subsection (a)—

(A) shall not apply to any bill or resolution reported by the Committee on Appropriations of the Senate or the House of Representatives; except

(B) shall apply to—

(i) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives;

(ii) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any amendment offered to a bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives;

(iii) any legislative provision increasing direct costs of a Federal intergovernmental mandate in a conference report accompanying a bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives; and

(iv) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any amendments in disagreement between the two Houses to any bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives.

(2) Certain provisions stricken in Senate

Upon a point of order being made by any Senator against any provision listed in paragraph (1)(B), and the point of order being sustained by the Chair, such specific provision shall be deemed stricken from the bill, resolution, amendment, amendment in dis-

agreement, or conference report and may not be offered as an amendment from the floor.

(d) Determinations of applicability to pending legislation

For purposes of this section, in the Senate, the presiding officer of the Senate shall consult with the Committee on Governmental Affairs, to the extent practicable, on questions concerning the applicability of this part to a pending bill, joint resolution, amendment, motion, or conference report.

(e) Determinations of Federal mandate levels

For purposes of this section, in the Senate, the levels of Federal mandates for a fiscal year shall be determined based on the estimates made by the Committee on the Budget. (Pub. L. 93–344, Title IV, § 425, as added Pub. L. 104–4, Title I, § 101(a)(2), Mar. 22, 1995, 109 Stat. 56.)

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§ 658f. Requests to Congressional Budget Office from Senators 300

At the written request of a Senator, the Director shall, to the extent practicable, prepare an estimate of the direct costs of a Federal intergovernmental mandate contained in an amendment of such Senator. (Pub. L. 93–344, Title IV, § 427, as added Pub. L. 104–4, Title I, § 101(a)(2), Mar. 22, 1995, 109 Stat. 59.)

§ 658g. Clarification of application 301

(a) In general

This part applies to any bill, joint resolution, amendment, motion, or conference report that reauthorizes appropriations, or that amends existing authorizations of appropriations, to carry out any statute, or that otherwise amends any statute, only if enactment of the bill, joint resolution, amendment, motion, or conference report—

(1) would result in a net reduction in or elimination of authorization of appropriations for Federal financial assistance that would be provided to State, local, or tribal governments for use for the purpose of complying with any Federal intergovernmental mandate, or to the private sector for use to comply with any Federal private sector mandate, and would not eliminate or reduce duties established by the Federal mandate by a corresponding amount; or

(2) would result in a net increase in the aggregate amount of direct costs of Federal intergovernmental mandates or Federal private sector mandates other than as described in paragraph (1).

(b) Direct costs

(1) In general

For purposes of this part, the direct cost of the Federal mandates in a bill, joint resolution, amendment, motion, or conference report that reauthorizes appropriations, or that amends existing authorizations of appropriations, to carry out a statute, or that otherwise amends any statute, means the net increase, resulting from enactment of the bill, joint resolution, amendment, motion, or conference report, in the amount described under paragraph (2)(A) over the amount described under paragraph (2)(B).

(2) Amounts

The amounts referred to under paragraph (1) are—

(A) the aggregate amount of direct costs of Federal mandates that would result under the statute if the bill, joint resolution, amendment, motion, or conference report is enacted; and

(B) the aggregate amount of direct costs of Federal mandates that would result under the statute if the bill, joint resolution, amendment, motion, or conference report were not enacted.

(3) Extension of authorization of appropriations

For purposes of this section, in the case of legislation to extend authorization of appropriations, the authorization level that would be provided by the extension shall be compared to the authorization level for the last year in which authorization of appropriations is already provided. (Pub. L. 93–344, Title IV, § 428, as added Pub. L. 104–4, Title I, § 101(a)(2), Mar. 22, 1995, 109 Stat. 59.)

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Chapter 17B—IMPOUNDMENT CONTROL

Subchapter I.—General Provisions

302 § 681. Disclaimer.

Nothing contained in this Act, or in any amendments made by this Act, shall be construed as—

(1) asserting or conceding the constitutional powers or limitations of either the Congress or the President;

(2) ratifying or approving any impoundment heretofore or hereafter executed or approved by the President or any other Federal officer or employee, except insofar as pursuant to statutory authorization then in effect;

(3) affecting in any way the claims or defenses of any party to litigation concerning any impoundment; or

(4) superseding any provision of law which requires the obligation of budget authority or the making of outlays thereunder. (Pub. L. 93–344, Title X, § 1001, July 12, 1974, 88 Stat. 332.)

Subchapter II.—Congressional Consideration of Proposed Recissions, Reservations, and Deferrals of Budget Authority

303 § 682. Definitions

For purposes of sections 682 to 688 of this title—

(1) "deferral of budget authority" includes—

(A) withholding or delaying the obligation or expenditure of budget authority (whether by establishing reserves or otherwise) provided for projects or activities; or

(B) any other type of Executive action or inaction which effectively precludes the obligation or expenditure of budget authority, including authority to obligate by contract in advance of appropriations as specifically authorized by law;

(2) "Comptroller General" means the Comptroller General of the United States;

(3) "rescission bill" means a bill or joint resolution which only rescinds, in whole or in part, budget authority proposed to be rescinded in a special message transmitted by the President under

section 683 of this title, and upon which the Congress completes action before the end of the first period of 45 calendar days of continuous session of the Congress after the date on which the President's message is received by the Congress;

(4) "impoundment resolution" means a resolution of the House of Representatives or the Senate which only expresses its disapproval of a proposed deferral of budget authority set forth in a special message transmitted by the President under section 684 of this title; and

(5) continuity of a session of the Congress shall be considered as broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain shall be excluded in the computation of the 45-day period referred to in paragraph (3) of this section and in section 683 of this title, and the 25-day periods referred to in sections 687 and 688(b)(1) of this title. If a special message is transmitted under section 683 of this title during any Congress and the last session of such Congress adjourns sine die before the expiration of 45 calendar days of continuous session (or a special message is so transmitted after the last session of the Congress adjourns sine die), the message shall be deemed to have been retransmitted on the first day of the succeeding Congress and the 45-day period referred to in paragraph (3) of this section and in section 683 of this title (with respect to such message) shall commence on the day after such first day. (Pub. L. 93–344, Title X, § 1011, July 12, 1974, 88 Stat. 333.)

§ 683. Rescission of budget authority **304**

(a) Transmittal of special message

Whenever the President determines that all or part of any budget authority will not be required to carry out the full objectives or scope of programs for which it is provided or that such budget authority should be rescinded for fiscal policy or other reasons (including the termination of authorized projects or activities for which budget authority has been provided), or whenever all or part of budget authority provided for only one fiscal year is to be reserved from obligation for such fiscal year, the President shall transmit to both Houses of Congress a special message specifying—

(1) the amount of budget authority which he proposes to be rescinded or which is to be so reserved;

(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

(3) the reasons why the budget authority should be rescinded or is to be so reserved;

(4) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the proposed rescission or of the reservation; and

(5) all facts, circumstances, and considerations relating to or bearing upon the proposed rescission or the reservation and the decision to effect the proposed rescission or the reservation, and to the maximum extent practicable, the estimated effect of the proposed rescis-

sion or the reservation upon the objects, purposes, and programs for which the budget authority is provided.

(b) Requirement to make available for obligation

Any amount of budget authority proposed to be rescinded or that is to be reserved as set forth in such special message shall be made available for obligation unless, within the prescribed 45-day period, the Congress has completed action on a rescission bill rescinding all or part of the amount proposed to be rescinded or that is to be reserved. Funds made available for obligation under this procedure may not be proposed for rescission again. (Pub. L. 93–344, Title X, § 1012, July 12, 1974, 88 Stat. 333; Pub. L. 100–119, Title II, § 207, Sept. 29, 1987, 101 Stat. 786.)

305 § 684. Proposed deferrals of budget authority

(a) Transmittal of special message

Whenever the President, the Director of the Office of Management and Budget, the head of any department or agency of the United States, or any officer or employee of the United States proposes to defer any budget authority provided for a specific purpose or project, the President shall transmit to the House of Representatives and the Senate a special message specifying—

(1) the amount of the budget authority proposed to be deferred;

(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific projects or governmental functions involved;

(3) the period of time during which the budget authority is proposed to be deferred;

(4) the reasons for the proposed deferral, including any legal authority invoked to justify the proposed deferral;

(5) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the proposed deferral; and

(6) all facts, circumstances, and considerations relating to or bearing upon the proposed deferral and the decision to effect the proposed deferral, including an analysis of such facts, circumstances, and considerations in terms of their application to any legal authority, including specific elements of legal authority, invoked to justify such proposed deferral, and to the maximum extent practicable, the estimated effect of the proposed deferral upon the objects, purposes, and programs for which the budget authority is provided.

A special message may include one or more proposed deferrals of budget authority. A deferral may not be proposed for any period of time extending beyond the end of the fiscal year in which the special message proposing the deferral is transmitted to the House and the Senate.

(b) Consistency with legislative policy

Deferrals shall be permissible only—

(1) to provide for contingencies;

(2) to achieve savings made possible by or through changes in requirements or greater efficiency of operations; or

(3) as specifically provided by law.

No officer or employee of the United States may defer any budget authority for any other purpose.

(c) Exception

The provisions of this section do not apply to any budget authority proposed to be rescinded or that is to be reserved as set forth in a special message required to be transmitted under section 683 of this title. (Pub. L. 93–344, Title X, § 1013, July 12, 1974, 88 Stat. 334; Pub. L. 100–119, Title II, § 206(a), Sept. 29, 1987, 101 Stat. 785.)

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§ 688. Procedure in House of Representatives and Senate **306**

(a) Referral

Any rescission bill introduced with respect to a special message or impoundment resolution introduced with respect to a proposed deferral of budget authority shall be referred to the appropriate committee of the House of Representatives or the Senate, as the case may be.

(b) Discharge of committee

(1) If the committee to which a rescission bill or impoundment resolution has been referred has not reported it at the end of 25 calendar days of continuous session of the Congress after its introduction, it is in order to move either to discharge the committee from further consideration of the bill or resolution or to discharge the committee from further consideration of any other rescission bill with respect to the same special message or impoundment resolution with respect to the same proposed deferral, as the case may be, which has been referred to the committee.

(2) A motion to discharge may be made only by an individual favoring the bill or resolution, may be made only if supported by one-fifth of the Members of the House involved (a quorum being present), and is highly privileged in the House and privileged in the Senate (except that it may not be made after the committee has reported a bill or resolution with respect to the same special message or the same proposed deferral, as the case may be); and debate thereon shall be limited to not more than 1 hour, the time to be divided in the House equally between those favoring and those opposing the bill or resolution, and to be divided in the Senate equally between, and controlled by, the majority leader and the minority leader or their designees. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(c) Floor consideration in House

(1) When the committee of the House of Representatives has reported, or has been discharged from further consideration of, a rescission bill or impoundment resolution, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the bill or resolution. The motion shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate on a rescission bill or impoundment resolution shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the bill or resolution. A motion further

to limit debate shall not be debatable. In the case of an impoundment resolution, no amendment to, or motion to recommit, the resolution shall be in order. It shall not be in order to move to reconsider the vote by which a rescission bill or impoundment resolution is agreed to or disagreed to.

(3) Motions to postpone, made with respect to the consideration of a rescission bill or impoundment resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(4) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to any rescission bill or impoundment resolution shall be decided without debate.

(5) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of any rescission bill or impoundment resolution and amendments thereto (or any conference report thereon) shall be governed by the Rules of the House of Representatives applicable to other bills and resolutions, amendments, and conference reports in similar circumstances.

(d) Floor consideration in Senate

(1) Debate in the Senate on any rescission bill or impoundment resolution, and all amendments thereto (in the case of a rescission bill) and debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(2) Debate in the Senate on any amendment to a rescission bill shall be limited to 2 hours, to be equally divided between, and controlled by, the mover and the manager of the bill. Debate on any amendment to an amendment, to such a bill, and debate on any debatable motion or appeal in connection with such a bill or an impoundment resolution shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill or resolution, except that in the event the manager of the bill or resolution is in favor of any such amendment, motion, or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. No amendment that is not germane to the provisions of a rescission bill shall be received. Such leaders, or either of them, may, from the time under their control on the passage of a rescission bill or impoundment resolution, allot additional time to any Senator during the consideration of any amendment, debatable motion, or appeal.

(3) A motion to further limit debate is not debatable. In the case of a rescission bill, a motion to recommit (except a motion to recommit with instructions to report back within a specified number of days, not to exceed 3, not counting any day on which the Senate is not in session) is not in order. Debate on any such motion to recommit shall be limited to one hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution. In the case of an impoundment resolution, no amendment or motion to recommit is in order.

(4) The conference report on any rescission bill shall be in order in the Senate at any time after the third day (excluding Saturdays, Sundays, and legal holidays) following the day on which such a conference report is reported and is available to Members of the Senate.

A motion to proceed to the consideration of the conference report may be made even though a previous motion to the same effect has been disagreed to.

(5) During the consideration in the Senate of the conference report on any rescission bill, debate shall be limited to 2 hours to be equally divided between, and controlled by, the majority leader and minority leader or their designees. Debate on any debatable motion or appeal related to the conference report shall be limited to 30 minutes, to be equally divided between, and controlled by, the mover and the manager of the conference report.

(6) Should the conference report be defeated, debate on any request for a new conference and the appointment of conferees shall be limited to one hour, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to 30 minutes, to be equally divided between, and controlled by, the mover and the manager of the conference report. Debate on any amendment to any such instructions shall be limited to 20 minutes, to be equally divided between, and controlled by, the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or his designee.

(7) In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment that is not germane to the provisions of such amendments shall be received. (Pub. L. 93–344, Title X, § 1017, July 12, 1974, 88 Stat. 337.)

NOTE

Supermajority Waiver and Appeal

(b) Any provision of Title III or IV may be waived or suspended in the Senate by a majority vote of the Members voting, a quorum being present, or by the unanimous consent of the Senate.

(c) WAIVERS.—

(1) PERMANENT.—Sections 305(b)(2), 305(c)(4), 306, 310(d)(2), 313, 904(c), and 904(d) of this Act may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) TEMPORARY.—Sections 301(i), 302(c), 302(f), 310(g), 311(a), 312(b), and 312(c) of this Act and sections 258(a)(4)(C), 258A(b)(3)(C)(I)[5], 258B(f)(1), 258B(h)(1), 258(h)(3)[6], 258C(a)(5), and 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—

[5] So in law. Probably should read "258A(b)(3)(C)(i)".
[6] So in law. Probably should read "258B(h)(3)".

(1) PROCEDURE.—Appeals in the Senate from the decisions of the Chair relating to any provision of Title III or IV or section 1017 shall, except as otherwise provided therein, be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, concurrent resolution, reconciliation bill, or rescission bill, as the case may be.

(2) PERMANENT.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under sections 305(b)(2), 305(c)(4), 306, 310(d)(2), 313, 904(c), and 904(d) of this Act.

(3) TEMPORARY.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under sections 301(i), 302(c), 302(f), 310(g), 311(a), 312(b), and 312(c) of this Act and sections 258(a)(4)(C), 258A(b)(3)(C)(I) , 258B(f)(1), 258B(h)(1), 258(h)(3) , 258C(a)(5), and 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) EXPIRATION OF CERTAIN SUPERMAJORITY VOTING REQUIREMENTS.—Subsections (c)(2) and (d)(3) shall expire on September 30, 2002.
(2 U.S.C. 621 note.)[7]

Referral of matters dealing with rescissions and deferrals.

On January 30, 1975, the Senate agreed to the following resolution, which provides for the referral of matters dealing with rescissions and deferrals:

Resolved (1) That messages received pursuant to Title X of the Congressional Budget and Impoundment Control Act [2 U.S.C. 681–2 U.S.C. 688] be referred concurrently to the Appropriations Committee, to the Budget Committee, and to any other appropriate authorizing committee.

(2) That bills, resolutions, and joint resolutions introduced with respect to rescissions and deferrals shall be referred to the Appropriations Committee, the Budget Committee, and pending implementation of section 410 of the Congressional Budget Impoundment Control Act [should be section 401, 2 U.S.C. 651] and subject to section 401(d) [2 U.S.C. 651(d)], to any other committee exercising jurisdiction over contract and borrowing authority programs as defined by section 401(c)(2) (A) and (B) [2 U.S.C. 651(c)(2) (A) and (B)]. The Budget Committee and such other Committees shall report their views, if any, to the Appropriations Committee within 20 days following referral of such bills, resolutions, or joint resolutions. The Budget Committee's consideration shall extend only to macroeconomic implications, impact on priorities and aggregate spending levels, and the legality of the President's use of the deferral and rescissions mechanism under Title X. The Appropriations and authorizing committees shall exercise their normal responsibilities over programs and priorities.

(3) If any Committee to which a bill or resolution has been referred recommends its passage, the Appropriations Committee shall report that

[7] Section 3201 of S. Con. Res. 11 (114th Congress) extended this expiration date. The resolution states:

"Notwithstanding any provision of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) shall remain in effect for purposes of Senate enforcement through September 30, 2025."

bill or resolution together with its views and reports of the Budget and any appropriate authorizing committees to the Senate within:

(A) the time remaining under the Act in the case of rescissions, or

(B) within 20 days in the case of deferrals.

(4) The 20 day period referred to herein means 20 calendar days; and for the purposes of computing the 20 days, recesses or adjournments of the Senate for more than 3 days to a day certain shall not be counted; and for recesses and adjournments of more than 30 calendar days, continuous duration or the sine die adjournment of a session, the 20 day period shall begin anew on the day following the reconvening of the Senate. (S. Res. 45, 94–1, Jan. 30, 1975, 121 Cong. Rec. 1917, amended by unanimous consent, Apr. 11, 1986, Cong. Rec., p. 4157, daily ed.).

Joint referral of legislation affecting the budget process.

On August 4, 1977, the Senate agreed to an order providing that legislation affecting the congressional budget process be referred jointly to the Committee on the Budget and the Committee on Governmental Affairs and that, if one committee reports a jointly referred measure, the other must act on the measure within 30 calendar days of continuous possession or be automatically discharged from further consideration of the measure:

Legislative proposals affecting the congressional budget process to which this order applies are:

First. The functions, duties, and powers of the Budget Committee—as described in Title I of the . . . [Congressional Budget and Impoundment Control Act of 1974];

Second. The functions, duties, and powers of the Congressional Budget Office—as described in Titles II and IV of the Act [2 U.S.C. 601–603; 2 U.S.C. 651–653];

Third. The process by which Congress annually establishes the appropriate levels of budget authority, outlays, revenues, deficits or surpluses, and public debt—including subdivisions thereof. That process includes the establishment of: mandatory ceilings on spending and appropriations; a floor on revenues; timetables for congressional action on concurrent resolutions, on the reporting of authorization bills, and on the enactment of appropriation bills; and enforcement mechanisms for the limits and timetables, all as described in Title III and IV of the act [2 U.S.C. 631–641; 2 U.S.C. 651–653].

Fourth. The limiting of backdoor spending devices—as described in Title IV of the act [2 U.S.C. 651–653];

Fifth. The timetables for Presidential submission of appropriations and authorization requests—as described in Title VI of the act [repealed, with portions being codified in sections 1105, 1109, and 1110 of Title 31, United States Code];

Sixth. The definitions of what constitutes impoundment—such as "rescissions" and "deferrals," as provided in the Impoundment Control Act, Title X [2 U.S.C. 681–688];

Seventh. The process and determination by which impoundments must be reported to and considered by Congress—as provided in the Impoundment Control Act, Title X [2 U.S.C. 681–688];

Eighth. The mechanisms to insure Executive compliance with the provisions of the Impoundment Control Act, Title X [2 U.S.C. 681–688]—such as GAO review and lawsuits; and

Ninth. The provisions which affect the content or determination of amounts included in or excluded from the congressional budget or the calculation of such amounts, including the definition of terms provided by the Budget Act—as set forth in Title I thereof [2 U.S.C. 622]. (By unanimous consent, Aug. 4, 1977; Cong. Rec., p. S13553, daily ed.)

CONSTITUTIONALITY OF LINE ITEM VETO

The United States Supreme Court, in Clinton v. City of New York, 524 U.S. 811, 118 S.Ct. 2091, 141 L.Ed. 2d 393 (1998), found that the Line Item Veto Act of 1996, Pub. L. 104–130, April 9, 1996, 110 Stat. 1200, which is classified generally to Subchapter III of Chapter 17B (section 691 et seq.) of Title 2 was unconstitutional as a violation of the Presentment Clause of the United States Constitution (USCA Const. Art. I § 7, cl. 2).

Chapter 20—EMERGENCY POWERS TO ELIMINATE BUDGET DEFICITS

307 § 907a. Suspension in event of war or low growth

(a) Procedures in event of low-growth report

(1) Trigger

Whenever CBO issues a low-growth report under section 254(i) [2 U.S.C. 904(i)], the Majority Leader of the House of Representatives may, and the Majority Leader of the Senate shall, introduce a joint resolution (in the form set forth in paragraph (2)) declaring that the conditions specified in section 254(i) are met and suspending the relevant provisions of this title, titles III and VI of the Congressional Budget Act of 1974 [2 U.S.C. 631 et seq.], and section 1103 of title 31.

(2) Form of joint resolution

(A) The matter after the resolving clause in any joint resolution introduced pursuant to paragraph (1) shall be as follows: "That the Congress declares that the conditions specified in section 254(j) of the Balanced Budget and Emergency Deficit Control Act of 1985 are met, and the implementation of the Congressional Budget and Impoundment Control Act of 1974, chapter 11 of title 31, United States Code, and part C of the Balanced Budget and Emergency Deficit Control Act of 1985 are modified as described in section 258(b) of the Balanced Budget and Emergency Deficit Control Act of 1985."

(B) The title of the joint resolution shall be "Joint resolution suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985."; and the joint resolution shall not contain any preamble.

(3) Committee action

Each joint resolution introduced pursuant to paragraph (1) shall be referred to the appropriate committees of the House of Representatives or the Committee on the Budget of the Senate, as the case may be; and such Committee shall report the joint resolution to its House without amendment on or before the fifth day on which such House is in session after the date on which the joint resolution is introduced. If the Committee fails to report the joint resolution within the five-day period referred to in the preceding sentence, it shall be automatically

discharged from further consideration of the joint resolution, and the joint resolution shall be placed on the appropriate calendar.

(4) Consideration of joint resolution

(A) A vote on final passage of a joint resolution reported to the Senate or discharged pursuant to paragraph (3) shall be taken on or before the close of the fifth calendar day of session after the date on which the joint resolution is reported or after the Committee has been discharged from further consideration of the joint resolution. If prior to the passage by one House of a joint resolution of that House, that House receives the same joint resolution from the other House, then—

(i) the procedure in that House shall be the same as if no such joint resolution had been received from the other House, but

(ii) the vote on final passage shall be on the joint resolution of the other House. When the joint resolution is agreed to, the Clerk of the House of Representatives (in the case of a House joint resolution agreed to in the House of Representatives) or the Secretary of the Senate (in the case of a Senate joint resolution agreed to in the Senate) shall cause the joint resolution to be engrossed, certified, and transmitted to the other House of the Congress as soon as practicable.

(B)(i) In the Senate, a joint resolution under this paragraph shall be privileged. It shall not be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(ii) Debate in the Senate on a joint resolution under this paragraph, and all debatable motions and appeals in connection therewith, shall be limited to not more than five hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(iii) Debate in the Senate on any debatable motion or appeal in connection with a joint resolution under this paragraph shall be limited to not more than one hour, to be equally divided between, and controlled by, the mover and the manager of the joint resolution, except that in the event the manager of the joint resolution is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee.

(iv) A motion in the Senate to further limit debate on a joint resolution under this paragraph is not debatable. A motion to table or to recommit a joint resolution under this paragraph is not in order.

(C) No amendment to a joint resolution considered under this paragraph shall be in order in the Senate.

(b) Suspension of sequestration procedures

Upon the enactment of a declaration of war or a joint resolution described in subsection (a)—

(1) the subsequent issuance of any sequestration report or any sequestration order is precluded;

(2) sections 302(f), 310(d), 311(a), and title VI of the Congressional Budget Act of 1974 [2 U.S.C. 633(f), 641(d), 642(a)] are suspended; and

(3) section 1103 of title 31 is suspended.

(c) Restoration of sequestration procedures

(1) In the event of a suspension of sequestration procedures due to a declaration of war, then, effective with the first fiscal year that begins in the session after the state of war is concluded by Senate ratification of the necessary treaties, the provisions of subsection (b) triggered by that declaration of war are no longer effective.

(2) In the event of a suspension of sequestration procedures due to the enactment of a joint resolution described in subsection (a), then, effective with regard to the first fiscal year beginning at least 12 months after the enactment of that resolution, the provisions of subsection (b) triggered by that resolution are no longer effective. (Pub. L. 99–177, Title II, § 258, as added Pub. L. 101–508, Title XIII, § 13101(f), Nov. 5, 1990, 104 Stat. 1388–593; amended Pub. L. 113–67, div. A, Title I, § 121(10), Dec. 26, 2013, 127 Stat. 1175.)

308 § 907b. Modification of Presidential order

(a) Introduction of joint resolution

At any time after the Director of OMB issues a final sequestration report under section 904 of this title for a fiscal year, but before the close of the twentieth calendar day of the session of Congress beginning after the date of issuance of such report, the majority leader of either House of Congress may introduce a joint resolution which contains provisions directing the President to modify the most recent order issued under section 904 of this title or provide an alternative to reduce the deficit for such fiscal year. After the introduction of the first such joint resolution in either House of Congress in any calendar year, then no other joint resolution introduced in such House in such calendar year shall be subject to the procedures set forth in this section.

(b) Procedures for consideration of joint resolutions

(1) Referral to committee

A joint resolution introduced in the Senate under subsection (a) shall not be referred to a committee of the Senate and shall be placed on the calendar pending disposition of such joint resolution in accordance with this subsection.

(2) Consideration in Senate

On or after the third calendar day (excluding Saturdays, Sundays, and legal holidays) beginning after a joint resolution is introduced under subsection (a), notwithstanding any rule or precedent of the Senate, including Rule XXII of the Standing Rules of the Senate, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of the joint resolution. The motion is not in order after the eighth calendar day (excluding Saturdays, Sundays, and legal holidays) beginning after a joint resolution (to which the motion applies) is introduced. The joint resolution is privileged in the Senate. A motion to reconsider the vote by which the motion is agreed

to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the Senate shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the joint resolution shall remain the unfinished business of the Senate until disposed of.

(3) Debate in Senate

(A) In the Senate, debate on a joint resolution introduced under subsection (a), amendments thereto, and all debatable motions and appeals in connection therewith shall be limited to not more than 10 hours, which shall be divided equally between the majority leader and the minority leader (or their designees).

(B) A motion to postpone, or a motion to proceed to the consideration of other business is not in order. A motion to reconsider the vote by which the joint resolution is agreed to or disagreed to is not in order, and a motion to recommit the joint resolution is not in order.

(C)(i) No amendment that is not germane to the provisions of the joint resolution or to the order issued under section 904 of this title shall be in order in the Senate. In the Senate, an amendment, any amendment to an amendment, or any debatable motion or appeal is debatable for not to exceed 30 minutes to be equally divided between, and controlled by, the mover and the majority leader (or their designees), except that in the event that the majority leader favors the amendment, motion, or appeal, the minority leader (or the minority leader's designee) shall control the time in opposition to the amendment, motion, or appeal.

(ii) In the Senate, an amendment that is otherwise in order shall be in order notwithstanding the fact that it amends the joint resolution in more than one place or amends language previously amended. It shall not be in order in the Senate to vote on the question of agreeing to such a joint resolution or any amendment thereto unless the figures then contained in such joint resolution or amendment are mathematically consistent.

(4) Vote on final passage

Immediately following the conclusion of the debate on a joint resolution introduced under subsection (a), a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, and the disposition of any pending amendments under paragraph (3), the vote on final passage of the joint resolution shall occur.

(5) Appeals

Appeals from the decisions of the Chair shall be decided without debate.

(6) Conference reports

In the Senate, points of order under titles III, IV, and VI 1 of the Congressional Budget Act of 1974 [2 U.S.C. 631 et seq., 651 et seq.] are applicable to a conference report on the joint resolution or any amendments in disagreement thereto.

(7) Resolution from other House

If, before the passage by the Senate of a joint resolution of the Senate introduced under subsection (a), the Senate re-

ceives from the House of Representatives a joint resolution introduced under subsection (a), then the following procedures shall apply:

(A) The joint resolution of the House of Representatives shall not be referred to a committee and shall be placed on the calendar.

(B) With respect to a joint resolution introduced under subsection (a) in the Senate—

(i) the procedure in the Senate shall be the same as if no joint resolution had been received from the House; but

(ii)(I) the vote on final passage shall be on the joint resolution of the House if it is identical to the joint resolution then pending for passage in the Senate; or

(II) if the joint resolution from the House is not identical to the joint resolution then pending for passage in the Senate and the Senate then passes the Senate joint resolution, the Senate shall be considered to have passed the House joint resolution as amended by the text of the Senate joint resolution.

(C) Upon disposition of the joint resolution received from the House, it shall no longer be in order to consider the resolution originated in the Senate.

(8) Senate action on House resolution

If the Senate receives from the House of Representatives a joint resolution introduced under subsection (a) after the Senate has disposed of a Senate originated resolution which is identical to the House passed joint resolution, the action of the Senate with regard to the disposition of the Senate originated joint resolution shall be deemed to be the action of the Senate with regard to the House originated joint resolution. If it is not identical to the House passed joint resolution, then the Senate shall be considered to have passed the joint resolution of the House as amended by the text of the Senate joint resolution. (Pub. L. 99–177, Title II, § 258A, as added Pub. L. 101–508, Title XIII, § 13101(f), Nov. 5, 1990, 104 Stat. 1388–595.)

309 § 907c. Flexibility among defense programs, projects, and activities

(a) Reductions beyond amount specified in Presidential order

Subject to subsections (b), (c), and (d), new budget authority and unobligated balances for any programs, projects, or activities within major functional category 050 (other than a military personnel account) may be further reduced beyond the amount specified in an order issued by the President under section 904 of this title for such fiscal year. To the extent such additional reductions are made and result in additional outlay reductions, the President may provide for lesser reductions in new budget authority and unobligated balances for other programs, projects, or activities within major functional category 050 for such fiscal year, but only to the extent that the resulting outlay increases do not exceed the additional outlay reductions, and no such program, project, or activity may be increased above the level actually made available by law in appropriation Acts (before

taking sequestration into account). In making calculations under this subsection, the President shall use account outlay rates that are identical to those used in the report by the Director of OMB under section 904 of this title.

(b) Base closures prohibited

No actions taken by the President under subsection (a) for a fiscal year may result in a domestic base closure or realignment that would otherwise be subject to section 2687 of title 10.

(c) Report and joint resolution required

The President may not exercise the authority provided by this paragraph for a fiscal year unless—

(1) the President submits a single report to Congress specifying, for each account, the detailed changes proposed to be made for such fiscal year pursuant to this section;

(2) that report is submitted within 5 calendar days of the start of the next session of Congress; and

(3) a joint resolution affirming or modifying the changes proposed by the President pursuant to this paragraph becomes law.

(d) Introduction of joint resolution

Within 5 calendar days of session after the President submits a report to Congress under subsection (c)(1) for a fiscal year, the majority leader of each House of Congress shall (by request) introduce a joint resolution which contains provisions affirming the changes proposed by the President pursuant to this paragraph.

(e) Form and title of joint resolution

(1) The matter after the resolving clause in any joint resolution introduced pursuant to subsection (d) shall be as follows: "That the report of the President as submitted on [Insert Date] under section 258B is hereby approved."

(2) The title of the joint resolution shall be "Joint resolution approving the report of the President submitted under section 258B of the Balanced Budget and Emergency Deficit Control Act of 1985."

(3) Such joint resolution shall not contain any preamble.

(f) Calendaring and consideration of joint resolution in Senate

(1) A joint resolution introduced in the Senate under subsection (d) shall be referred to the Committee on Appropriations, and if not reported within 5 calendar days (excluding Saturdays, Sundays, and legal holidays) from the date of introduction shall be considered as having been discharged therefrom and shall be placed on the appropriate calendar pending disposition of such joint resolution in accordance with this subsection. In the Senate, no amendment proposed in the Committee on Appropriations shall be in order other than an amendment (in the nature of a substitute) that is germane or relevant to the provisions of the joint resolution or to the order issued under section 904 of this title. For purposes of this paragraph, an amendment shall be considered to be relevant if it relates to function 050 (national defense).

(2) On or after the third calendar day (excluding Saturdays, Sundays, and legal holidays) beginning after a joint resolution is placed on the

Senate calendar, notwithstanding any rule or precedent of the Senate, including Rule XXII of the Standing Rules of the Senate, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of the joint resolution. The motion is not in order after the eighth calendar day (excluding Saturdays, Sundays, and legal holidays) beginning after such joint resolution is placed on the appropriate calendar. The motion is not debatable. The joint resolution is privileged in the Senate. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the Senate shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the joint resolution shall remain the unfinished business of the Senate until disposed of.

(g) Debate of joint resolution; motions

(1) In the Senate, debate on a joint resolution introduced under subsection (d), amendments thereto, and all debatable motions and appeals in connection therewith shall be limited to not more than 10 hours, which shall be divided equally between the majority leader and the minority leader (or their designees).

(2) A motion to postpone, or a motion to proceed to the consideration of other business is not in order. A motion to reconsider the vote by which the joint resolution is agreed to or disagreed to is not in order. In the Senate, a motion to recommit the joint resolution is not in order.

(h) Amendment of joint resolution

(1) No amendment that is not germane or relevant to the provisions of the joint resolution or to the order issued under section 904 of this title shall be in order in the Senate. For purposes of this paragraph, an amendment shall be considered to be relevant if it relates to function 050 (national defense). In the Senate, an amendment, any amendment to an amendment, or any debatable motion or appeal is debatable for not to exceed 30 minutes to be equally divided between, and controlled by, the mover and the majority leader (or their designees), except that in the event that the majority leader favors the amendment, motion, or appeal, the minority leader (or the minority leader's designee) shall control the time in opposition to the amendment, motion, or appeal.

(2) In the Senate, an amendment that is otherwise in order shall be in order notwithstanding the fact that it amends the joint resolution in more than one place or amends language previously amended, so long as the amendment makes or maintains mathematical consistency. It shall not be in order in the Senate to vote on the question of agreeing to such a joint resolution or any amendment thereto unless the figures then contained in such joint resolution or amendment are mathematically consistent.

(3) It shall not be in order in the Senate to consider any amendment to any joint resolution introduced under subsection (d) or any conference report thereon if such amendment or conference report would have the effect of decreasing any specific budget outlay reductions below the level of such outlay reductions provided in such joint resolution unless such amendment or conference report makes a reduction in other specific budget outlays at least equivalent to any increase in outlays provided by such amendment or conference report.

(4) For purposes of the application of paragraph (3), the level of outlays and specific budget outlay reductions provided in an amendment shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

(i) Vote on final passage of joint resolution

Immediately following the conclusion of the debate on a joint resolution introduced under subsection (d), a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, and the disposition of any pending amendments under subsection (h), the vote on final passage of the joint resolution shall occur.

(j) Appeal from decision of Chair

Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (d) shall be decided without debate.

(k) Conference reports

In the Senate, points of order under titles III and IV of the Congressional Budget Act of 1974 [2 U.S.C. 631 et seq., 651 et seq.] (including points of order under sections 302(c), 303(a), 306, and 401(b)(1) [2 U.S.C. 633(c), 634(a), 637, 651(b)(1)]) are applicable to a conference report on the joint resolution or any amendments in disagreement thereto.

(l) Resolution from other House

If, before the passage by the Senate of a joint resolution of the Senate introduced under subsection (d), the Senate receives from the House of Representatives a joint resolution introduced under subsection (d), then the following procedures shall apply:

(1) The joint resolution of the House of Representatives shall not be referred to a committee.

(2) With respect to a joint resolution introduced under subsection (d) in the Senate—

(A) the procedure in the Senate shall be the same as if no joint resolution had been received from the House; but

(B)(i) the vote on final passage shall be on the joint resolution of the House if it is identical to the joint resolution then pending for passage in the Senate; or

(ii) if the joint resolution from the House is not identical to the joint resolution then pending for passage in the Senate and the Senate then passes the Senate joint resolution, the Senate shall be considered to have passed the House joint resolution as amended by the text of the Senate joint resolution.

(3) Upon disposition of the joint resolution received from the House, it shall no longer be in order to consider the joint resolution originated in the Senate.

(m) Senate action on House resolution

If the Senate receives from the House of Representatives a joint resolution introduced under subsection (d) after the Senate

has disposed of a Senate originated joint resolution which is identical to the House passed joint resolution, the action of the Senate with regard to the disposition of the Senate originated joint resolution shall be deemed to be the action of the Senate with regard to the House originated joint resolution. If it is not identical to the House passed joint resolution, then the Senate shall be considered to have passed the joint resolution of the House as amended by the text of the Senate joint resolution. (Pub. L. 99–177, Title II, § 258B, as added Pub. L. 101–508, Title XIII, § 13101(g), Nov. 5, 1990, 104 Stat. 1388–597.)

310 § 907d. Special reconciliation process

(a) Reporting of resolutions and reconciliation bills and resolutions, in Senate

(1) Committee alternatives to Presidential order

After the submission of an OMB sequestration update report under section 904 of this title that envisions a sequestration under section 902 or 903 of this title, each standing committee of the Senate may, not later than October 10, submit to the Committee on the Budget of the Senate information of the type described in section 632(d) of this title with respect to alternatives to the order envisioned by such report insofar as such order affects laws within the jurisdiction of the committee.

(2) Initial Budget Committee action

After the submission of such a report, the Committee on the Budget of the Senate may, not later than October 15, report to the Senate a resolution. The resolution may affirm the impact of the order envisioned by such report, in whole or in part. To the extent that any part is not affirmed, the resolution shall state which parts are not affirmed and shall contain instructions to committees of the Senate of the type referred to in section 641(a) of this title, sufficient to achieve at least the total level of deficit reduction contained in those sections which are not affirmed.

(3) Response of committees

Committees instructed pursuant to paragraph (2), or affected thereby, shall submit their responses to the Budget Committee no later than 10 days after the resolution referred to in paragraph (2) is agreed to, except that if only one such Committee is so instructed such Committee shall, by the same date, report to the Senate a reconciliation bill or reconciliation resolution containing its recommendations in response to such instructions. A committee shall be considered to have complied with all instructions to it pursuant to a resolution adopted under paragraph (2) if it has made recommendations with respect to matters within its jurisdiction which would result in a reduction in the deficit at least equal to the total reduction directed by such instructions.

(4) Budget Committee action

Upon receipt of the recommendations received in response to a resolution referred to in paragraph (2), the Budget Committee shall report to the Senate a reconciliation bill or reconcili-

ation resolution, or both, carrying out all such recommendations without any substantive revisions. In the event that a committee instructed in a resolution referred to in paragraph (2) fails to submit any recommendation (or, when only one committee is instructed, fails to report a reconciliation bill or resolution) in response to such instructions, the Budget Committee shall include in the reconciliation bill or reconciliation resolution reported pursuant to this subparagraph legislative language within the jurisdiction of the noncomplying committee to achieve the amount of deficit reduction directed in such instructions.

(5) Point of order

It shall not be in order in the Senate to consider any reconciliation bill or reconciliation resolution reported under paragraph (4) with respect to a fiscal year, any amendment thereto, or any conference report thereon if—

(A) the enactment of such bill or resolution as reported;

(B) the adoption and enactment of such amendment; or

(C) the enactment of such bill or resolution in the form recommended in such conference report,

would cause the amount of the deficit for such fiscal year to exceed the maximum deficit amount for such fiscal year, unless the low-growth report submitted under section 904 of this title projects negative real economic growth for such fiscal year, or for each of any two consecutive quarters during such fiscal year.

(6) Treatment of certain amendments

In the Senate, an amendment which adds to a resolution reported under paragraph (2) an instruction of the type referred to in such paragraph shall be in order during the consideration of such resolution if such amendment would be in order but for the fact that it would be held to be non-germane on the basis that the instruction constitutes new matter.

(7) "Day" defined

For purposes of paragraphs (1), (2), and (3), the term "day" shall mean any calendar day on which the Senate is in session.

(b) Procedures

(1) In general

Except as provided in paragraph (2), in the Senate the provisions of sections 636 and 641 of this title for the consideration of concurrent resolutions on the budget and conference reports thereon shall also apply to the consideration of resolutions, and reconciliation bills and reconciliation resolutions reported under this paragraph and conference reports thereon.

(2) Limit on debate

Debate in the Senate on any resolution reported pursuant to subsection (a)(2), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to 10 hours.

(3) Limitation on amendments

Section 641(d)(2) of this title shall apply to reconciliation bills and reconciliation resolutions reported under this subsection.

(4) Bills and resolutions received from the House

Any bill or resolution received in the Senate from the House, which is a companion to a reconciliation bill or reconciliation resolution of the Senate for the purposes of this subsection, shall be considered in the Senate pursuant to the provisions of this subsection.

(5) "Resolution" defined

For purposes of this subsection, the term "resolution" means a simple, joint, or concurrent resolution. (Pub. L. 99–177, Title II, § 258C, as added Pub. L. 101–508, Title XIII, § 13101(g), Nov. 5, 1990, 104 Stat. 1388–600.)

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Chapter 20A—STATUTORY PAY-AS-YOU-GO

311 § 931. Purpose

The purpose of this chapter is to reestablish a statutory procedure to enforce a rule of budget neutrality on new revenue and direct spending legislation. (Pub. L. 111–139, Title I, § 2, Feb. 12, 2010, 124 Stat. 8.)

312 § 932. Definitions and applications

As used in this chapter—

(1) The term "BBEDCA" means the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) The definitions set forth in section 622 of this title and in section 250 of BBEDCA [2 U.S.C. 900] shall apply to this chapter, except to the extent that they are specifically modified as follows:

(A) The term "outyear" means a fiscal year one or more years after the budget year.

(B) In section 250(c)(8)(C) [2 U.S.C. 900(c)(8)(C)], the reference to the food stamp program shall be deemed to be a reference to the Supplemental Nutrition Assistance Program.

(3) The term "AMT" means the Alternative Minimum Tax for individuals under sections 55–59 of title 26, the term "EGTRRA" means the Economic Growth and Tax Relief Reconciliation Act of 2001 (Public Law 107–16), and the term "JGTRRA" means the Jobs and Growth Tax Relief and 1 Reconciliation Act of 2003 (Public Law 108–27).

(4)(A) The term "budgetary effects" means the amount by which PAYGO legislation changes outlays flowing from direct spending or revenues relative to the baseline and shall be determined on the basis of estimates prepared under section 933 of this title. Budgetary effects that increase outlays flowing from direct spending or decrease revenues are termed "costs" and budgetary effects that increase revenues or decrease outlays flowing from direct spending are termed "savings". Budgetary effects shall not include any costs associated with debt service.

(B) For purposes of these definitions, off-budget effects shall not be counted as budgetary effects.

(C) Solely for purposes of recording entries on a PAYGO scorecard, provisions in appropriation Acts are also considered to be budgetary effects for purposes of this chapter if such provisions make outyear modifications to substantive law, except that provisions for which

the outlay effects net to zero over a period consisting of the current year, the budget year, and the 4 subsequent years shall not be considered budgetary effects. For purposes of this paragraph, the term, "modifications to substantive law" refers to changes to or restrictions on entitlement law or other mandatory spending contained in appropriations Acts, notwithstanding section 250(c)(8) of BBEDCA [2 U.S.C. 900(c)(8)]. Provisions in appropriations Acts that are neither outyear modifications to substantive law nor changes in revenues have no budgetary effects for purposes of this chapter.

(5) The term "debit" refers to the net total amount, when positive, by which costs recorded on the PAYGO scorecards for a fiscal year exceed savings recorded on those scorecards for that year.

(6) The term "entitlement law" refers to a section of law which provides entitlement authority.

(7) The term "PAYGO legislation" or a "PAYGO Act" refers to a bill or joint resolution that affects direct spending or revenue relative to the baseline. The budgetary effects of changes in revenues and outyear modifications to substantive law included in appropriation Acts as defined in paragraph (4) shall be treated as if they were contained in PAYGO legislation or a PAYGO Act.

(8) The term "timing shift" refers to a delay of the date on which outlays flowing from direct spending would otherwise occur from the ninth outyear to the tenth outyear or an acceleration of the date on which revenues would otherwise occur from the tenth outyear to the ninth outyear. (Pub. L. 111–139, Title I, § 3, Feb. 12, 2010, 124 Stat. 8.)

§ 933. PAYGO estimates and PAYGO scorecards **313**

(a) PAYGO estimates

(1) Required designation in PAYGO Acts

(A) House of Representatives

To establish the budgetary effects of a PAYGO Act consistent with the determination made by the Chairman of the House Budget Committee, a PAYGO Act originated in or amended by the House of Representatives may include the following statement: "The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled 'Budgetary Effects of PAYGO Legislation' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.".

(B) Senate

To establish the budgetary effects of a PAYGO Act consistent with the determination made by the Chairman of the Senate Budget Committee, a PAYGO Act originated in or amended by the Senate shall include the following statement: "The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled 'Budgetary Effects of PAYGO Legislation' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.".

(C) Conference reports and amendments between the Houses

To establish the budgetary effects of the conference report on a PAYGO Act, or an amendment to an amendment between Houses on a PAYGO Act, which if estimated shall be estimated jointly by the Chairmen of the House and Senate Budget Committees, the conference report or amendment between the Houses shall include the following statement: "The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled 'Budgetary Effects of PAYGO Legislation' for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.".

(2) Determination of budgetary effects of PAYGO Acts

(A) Original legislation

(i) Statement and estimate

Prior to a vote on passage of a PAYGO Act originated or amended by one House, the Chairman of the Budget Committee of that House may submit for printing in the Congressional Record a statement titled "Budgetary Effects of PAYGO Legislation" which shall include an estimate of the budgetary effects of that Act, if available prior to passage of the Act by that House and shall submit, if applicable, an identification of any current policy adjustments made pursuant to section 936 of this title. The timely submission of such a statement, in conjunction with the appropriate designation made pursuant to paragraph (1)(A) or (1)(B), as applicable, shall establish the budgetary effects of the PAYGO Act for the purposes of this Act.

(ii) Effect

The latest statement submitted by the Chairman of the Budget Committee of that House prior to passage shall supersede any prior statements submitted in the Congressional Record and shall be valid only if the PAYGO Act is not further amended by either House.

(iii) Failure to submit estimate

If—

(I) the estimate required by clause (i) has not been submitted prior to passage by that House;

(II) such estimate has been submitted but is no longer valid due to a subsequent amendment to the PAYGO Act; or

(III) the designation required pursuant to this subsection has not been made;

the budgetary effects of the PAYGO Act shall be determined under subsection (d)(3), provided that this clause shall not apply if a valid designation is subsequently included in that PAYGO Act pursuant to paragraph (1)(C) and a statement is submitted pursuant to subparagraph (B).

(B) Conference reports and amendments between Houses

(i) In general

Prior to the adoption of a report of a committee of conference on a PAYGO Act in either House, or disposition of an amendment to an amendment between Houses on a PAYGO Act, the Chairmen of the Budget Committees of the House and Senate may jointly submit for printing in the Congressional Record a statement titled "Budgetary Effects of PAYGO Legislation" which shall include an estimate of the budgetary effects of that Act if available prior to passage of the Act by the House acting first on the legislation and shall submit, if applicable, an identification of any current policy adjustments made pursuant to section 936 of this title. The timely submission of such a statement, in conjunction with the appropriate designation made pursuant to paragraph (1)(C), shall establish the budgetary effects of the PAYGO Act for the purposes of this Act.

(ii) Failure to submit estimate

If such estimate has not been submitted prior to the adoption of a report of a committee of conference by either House, or if the designation required pursuant to this subsection has not been made, the budgetary effects of the PAYGO Act shall be determined under subsection (d)(3).

(3) Procedure in the Senate

In the Senate, upon submission of a statement titled "Budgetary Effects of PAYGO Legislation" by the Chairman of the Senate Budget Committee for printing in the Congressional Record, the Legislative Clerk shall read the statement.

(4) Jurisdiction of the Budget Committees

For the purposes of enforcing section 637 of this title, a designation made pursuant to paragraph (1)(A), (1)(B), or (1)(C), that includes only the language specifically prescribed therein, shall not be considered a matter within the jurisdiction of either the Senate or House Committees on the Budget.

(b) Omitted

(c) Current policy adjustments for certain legislation

(1) In general

For any provision of legislation that meets the criteria in subsection (c), (d), (e) or (f) of section 936 of this title, the Chairs of the Committees on the Budget of the House and Senate, as applicable, shall request that CBO adjust the estimate of budgetary effects of that legislation pursuant to paragraph (2) for the purposes of this chapter. A single piece of legislation may contain provisions that meet criteria in more than one of the subsections referred to in the preceding sentence. CBO shall adjust estimates for legislation designated under subsection (a) and estimated under subsection (b). OMB shall adjust estimates for legislation estimated under subsection (d)(3).

(2) Adjustments

(A) Estimates

CBO or OMB, as applicable, shall exclude from the estimate of budgetary effects any budgetary effects of a provision that meets the criteria in subsection (c), (d), (e) or (f) of section 936 of this title, to the extent that those budgetary effects, when combined with all other excluded budgetary effects of any other previously designated provisions of en-

acted legislation under the same subsection of section 936 of this title, do not exceed the maximum applicable current policy adjustment defined under the applicable subsection of section 936 of this title for the applicable 10-year period.

(B) Baseline

Any estimate made pursuant to subparagraph (A) shall be prepared using baseline estimates supplied by the Congressional Budget Office, consistent with section 907 of this title. CBO estimates of legislation adjusted for current policy shall include a separate presentation of costs excluded from the calculation of budgetary effects for the legislation, as well as an updated total of all excluded costs of provisions within subsection (c), (d), or (e) of section 936 of this title, as applicable, and in the case of paragraph (1) of section 936(f) of this title, within any of the subparagraphs (A) through (L) of such paragraph, as applicable.

(3) Limitation on availability of excess savings

(A) Prohibition on use of excess saving for ineligible policies

To the extent the adjustment for current policy of any provision estimated under this subsection exceeds the estimated budgetary effects of that provision, these excess savings shall not be available to offset the costs of any provisions not otherwise eligible for a current policy adjustment under section 936 of this title, and shall not be counted on the PAYGO scorecards established pursuant to subsections (d)(4) and (d)(5).

(B) Prohibition on use of excess savings across budget areas

For provisions eligible for a current policy adjustment under subsections (c) through (f) of section 936 of this title, to the extent the adjustment for current policy of any provision exceeds the estimated budgetary effects of that same provision, the excess savings shall be available only to offset the costs of other provisions that qualify for a current policy adjustment in that same subsection. Each paragraph in section 936(f)(1) of this title shall be considered a separate subsection for purposes of this section.

(4) Further guidance on estimating budgetary effects

Estimates of budgetary effects under this subsection shall be consistent with the guidance provided at section 936(h) of this title.

(5) Inclusion of statement

For PAYGO legislation adjusted pursuant to section 936 of this title, the Chairman of the House or Senate Budget Committee, as applicable, shall include in any statement titled "Budgetary Effects of PAYGO Legislation", submitted for that legislation pursuant to this section, an explanation of the current policy designation and adjustments.

(d) OMB PAYGO scorecards

(1) In general

OMB shall maintain and make publicly available a continuously updated document containing two PAYGO scorecards displaying the budgetary effects of PAYGO legislation as determined under section 639 of this title, applying the look-back requirement in subsection (e) and the averaging requirement in subsection (f), and a separate addendum displaying the estimates of the costs of provisions designated in statute as emergency requirements.

(2) Estimates in legislation

Except as provided in paragraph (3), in making the calculations for the PAYGO scorecards, OMB shall use the budgetary effects included by reference in the applicable legislation pursuant to subsection (a).

(3) OMB PAYGO estimates

If a PAYGO Act does not contain a valid reference to its budgetary effects consistent with subsection (a), OMB shall estimate the budgetary effects of that legislation upon its enactment. The OMB estimate shall be based on the approaches to scorekeeping set forth in section 639 of this title, as amended by this title,3 and subsection (g)(4), and shall use the same economic and technical assumptions as used in the most recent budget submitted by the President under section 1105(a) of title 31.

(4) 5-year scorecard

The first scorecard shall display the budgetary effects of PAYGO legislation in each year over the 5-year period beginning in the budget year.

(5) 10-year scorecard

The second scorecard shall display the budgetary effects of PAYGO legislation in each year over the 10-year period beginning in the budget year.

(6) Community Living Assistance Services and Supports Act

Neither scorecard maintained by OMB pursuant to this subsection shall include net savings from any provisions of legislation titled "Community Living Assistance Services and Supports Act", which establishes a Federal insurance program for long-term care, if such legislation is enacted into law, or amended, subsequent to February 12, 2010.

(e) Look-back to capture current-year effects

For purposes of this section, OMB shall treat the budgetary effects of PAYGO legislation enacted during a session of Congress that occur during the current year as though they occurred in the budget year.

(f) Averaging used to measure compliance over 5-year and 10-year periods

OMB shall cumulate the budgetary effects of a PAYGO Act over the budget year (which includes any look-back effects under subsection (e)) and—

(1) for purposes of the 5-year scorecard referred to in subsection (d)(4), the four subsequent outyears, divide that cumulative total by five, and enter the quotient in the budget-year column and in each subsequent column of the 5-year PAYGO scorecard; and

(2) for purposes of the 10-year scorecard referred to in subsection (d)(5), the nine subsequent outyears, divide that cumulative total by ten, and enter the quotient in the budget-year column and in each subsequent column of the 10-year PAYGO scorecard.

(g) Emergency legislation

(1) Designation in statute

If a provision of direct spending or revenue legislation in a PAYGO Act is enacted as an emergency requirement that the Congress so designates in statute pursuant to this section, the amounts of new

budget authority, outlays, and revenue in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purposes of this Act.

(2) Designation in the House of Representatives

If a PAYGO Act includes a provision expressly designated as an emergency for the purposes of this chapter, the Chair shall put the question of consideration with respect thereto.

(3) Point of order in the Senate

(A) In general

When the Senate is considering a PAYGO Act, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(B) Supermajority waiver and appeals

(i) Waiver

Subparagraph (A) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(ii) Appeals

Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(C) Definition of an emergency designation

For purposes of subparagraph (A), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(D) Form of the point of order

A point of order under subparagraph (A) may be raised by a Senator as provided in section 644(e) of this title.

(E) Conference reports

When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a PAYGO Act, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from

such conference report by operation of this subsection), no further amendment shall be in order.

(4) Effect of designation on scoring

If a provision is designated as an emergency requirement under this Act, CBO or OMB, as applicable, shall not include the budgetary effects of such a provision in its estimate of the budgetary effects of that PAYGO legislation. (Pub. L. 111–139, Title I, § 4, Feb. 12, 2010, 124 Stat. 9.)

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§ 938. Determinations and points of order **314**

Nothing in this chapter shall be construed as limiting the authority of the chairmen of the Committees on the Budget of the House and Senate under section 643 of this title. CBO may consult with the Chairmen of the House and Senate Budget Committees to resolve any ambiguities in this chapter. (Pub. L. 111–139, Title I, § 12, Feb. 12, 2010, 124 Stat. 29.)

§ 939. Limitation on changes to the Social Security Act **315**

(a) Limitation on changes to the Social Security Act

Notwithstanding any other provision of law, it shall not be in order in the Senate or the House of Representatives to consider any bill or resolution pursuant to any expedited procedure to consider the recommendations of a Task Force for Responsible Fiscal Action or other commission that contains recommendations with respect to the old-age, survivors, and disability insurance program established under title II of the Social Security Act [42 U.S.C. 401 et seq.], or the taxes received under subchapter A of chapter 9; the taxes imposed by subchapter E of chapter 1; and the taxes collected under section 86 of part II of subchapter B of chapter 1 of the Internal Revenue Code.

(b) Waiver

This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) Appeals

An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section. (Pub. L. 111–139, Title I, § 13, Feb. 12, 2010, 124 Stat. 29.)

Chapter 24—CONGRESSIONAL ACCOUNTABILITY

§ 1383. Procedural rules **316**

(a) In general

The Executive Director shall, subject to the approval of the Board, adopt rules governing the procedures of the Office, including the procedures of hearing officers, which shall be submitted for publication in the Congressional Record. The rules may be amended in the same manner.

(b) Procedure

The Executive Director shall adopt rules referred to in subsection (a) in accordance with the principles and procedures set forth in section

553 of title 5. The Executive Director shall publish a general notice of proposed rulemaking under section 553(b) of title 5, but, instead of publication of a general notice of proposed rulemaking in the Federal Register, the Executive Director shall transmit such notice to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal. Before adopting rules, the Executive Director shall provide a comment period of at least 30 days after publication of a general notice of proposed rulemaking. Upon adopting rules, the Executive Director shall transmit notice of such action together with a copy of such rules to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal. Rules shall be considered issued by the Executive Director as of the date on which they are published in the Congressional Record. (Pub. L. 104–1, Title III, § 303, Jan. 23, 1995, 109 Stat. 28.)

317 § 1384. Substantive regulations

(a) Regulations

(1) In general

The procedures applicable to the regulations of the Board issued for the implementation of this chapter, which shall include regulations the Board is required to issue under subchapter II (including regulations on the appropriate application of exemptions under the laws made applicable in subchapter II) are as prescribed in this section.

(2) Rulemaking procedure

Such regulations of the Board—

(A) shall be adopted, approved, and issued in accordance with subsection (b); and

(B) shall consist of 3 separate bodies of regulations, which shall apply, respectively, to—

(i) the Senate and employees of the Senate;

(ii) the House of Representatives and employees of the House of Representatives; and

(iii) all other covered employees and employing offices.

(b) Adoption by Board

The Board shall adopt the regulations referred to in subsection (a)(1) in accordance with the principles and procedures set forth in section 553 of title 5 and as provided in the following provisions of this subsection:

(1) Proposal

The Board shall publish a general notice of proposed rulemaking under section 553(b) of title 5, but, instead of publication of a general notice of proposed rulemaking in the Federal Register, the Board shall transmit such notice to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal. Such notice shall set forth the recommendations of the Deputy Director for the Senate in regard to regulations under subsection (a)(2)(B)(i), the recommendations of the

Deputy Director for the House of Representatives in regard to regulations under subsection (a)(2)(B)(ii), and the recommendations of the Executive Director for regulations under subsection (a)(2)(B)(iii).

(2) Comment

Before adopting regulations, the Board shall provide a comment period of at least 30 days after publication of a general notice of proposed rulemaking.

(3) Adoption

After considering comments, the Board shall adopt regulations and shall transmit notice of such action together with a copy of such regulations to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal.

(4) Recommendation as to method of approval

The Board shall include a recommendation in the general notice of proposed rulemaking and in the regulations as to whether the regulations should be approved by resolution of the Senate, by resolution of the House of Representatives, by concurrent resolution, or by joint resolution.

(c) Approval of regulations

(1) In general

Regulations referred to in paragraph (2)(B)(i) of subsection (a) may be approved by the Senate by resolution or by the Congress by concurrent resolution or by joint resolution. Regulations referred to in paragraph (2)(B)(ii) of subsection (a) may be approved by the House of Representatives by resolution or by the Congress by concurrent resolution or by joint resolution. Regulations referred to in paragraph (2)(B)(iii) may be approved by Congress by concurrent resolution or by joint resolution.

(2) Referral

Upon receipt of a notice of adoption of regulations under subsection (b)(3), the presiding officers of the House of Representatives and the Senate shall refer such notice, together with a copy of such regulations, to the appropriate committee or committees of the House of Representatives and of the Senate. The purpose of the referral shall be to consider whether such regulations should be approved, and, if so, whether such approval should be by resolution of the House of Representatives or of the Senate, by concurrent resolution or by joint resolution.

(3) Joint referral and discharge in the Senate

The presiding officer of the Senate may refer the notice of issuance of regulations, or any resolution of approval of regulations, to one committee or jointly to more than one committee. If a committee of the Senate acts to report a jointly referred measure, any other committee of the Senate must act within 30 calendar days of continuous session, or be automatically discharged.

(4) One-House resolution or concurrent resolution

In the case of a resolution of the House of Representatives or the Senate or a concurrent resolution referred to in paragraph (1), the matter after the resolving clause shall be the following: "The following regulations issued by the Office of Congressional Work-

place Rights on _____ are hereby approved:" (the blank space being appropriately filled in, and the text of the regulations being set forth).

(5) Joint resolution

In the case of a joint resolution referred to in paragraph (1), the matter after the resolving clause shall be the following: "The following regulations issued by the Office of Congressional Workplace Rights on _____ are hereby approved and shall have the force and effect of law:" (the blank space being appropriately filled in, and the text of the regulations being set forth).

(d) Issuance and effective date

(1) Publication

After approval of regulations under subsection (c), the Board shall submit the regulations to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal.

(2) Date of issuance

The date of issuance of regulations shall be the date on which they are published in the Congressional Record under paragraph (1).

(3) Effective date

Regulations shall become effective not less than 60 days after the regulations are issued, except that the Board may provide for an earlier effective date for good cause found (within the meaning of section 553(d)(3) of title 5) and published with the regulation.

(e) Amendment of regulations

Regulations may be amended in the same manner as is described in this section for the adoption, approval, and issuance of regulations, except that the Board may, in its discretion, dispense with publication of a general notice of proposed rulemaking of minor, technical, or urgent amendments that satisfy the criteria for dispensing with publication of such notice pursuant to section 553(b)(B) of title 5. (Pub. L. 104–1, Title III, § 304, Jan. 23, 1995, 109 Stat. 29; Pub. L. 115–397, Title III, § 308(b)(12), (13), Dec. 21, 2018, 132 Stat. 5326.)

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TITLE 3—THE PRESIDENT

Chapter 1—PRESIDENTIAL ELECTIONS AND VACANCIES

§ 5. Determination of controversy as to appointment of electors 318

If any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods or procedures, and such determination shall have been made at least six days before the time fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least six days prior to said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, and as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned. (June 25, 1948, ch. 644, 62 Stat. 673.)

§ 6. Credentials of electors; transmission to Archivist of the United States and to Congress; public inspection 319

It shall be the duty of the executive of each State, as soon as practicable after the conclusion of the appointment of the electors in such State by the final ascertainment, under and in pursuance of the laws of such State providing for such ascertainment, to communicate by registered mail under the seal of the State to the Archivist of the United States a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvass or other ascertainment under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast; and it shall also thereupon be the duty of the executive of each State to deliver to the electors of such State, on or before the day on which they are required by section 7 of this title to meet, six duplicate-originals of the same certificate under the seal of the State; and if there shall have been any final determination in a State in the manner provided for by law of a controversy or contest concerning the appointment of all or any of the electors of such State, it shall be the duty of the executive of such State, as soon as practicable after such determination, to communicate under the seal of the State to the Archivist of the United States a certificate of such determination in form and manner as the same shall have been made; and the certificate or certificates so received by the Archivist of the United States shall be preserved by him for one year and shall be a part of the public records of his office and shall be open to public inspection; and the Archivist of the United States at the first meeting of Congress thereafter shall transmit to the two Houses of Congress copies in full of each and every such certificate so received at the National Archives and Records Administration. (June 25, 1948, ch. 644, 62 Stat. 673; Oct. 31, 1951, ch. 655, § 6, 65 Stat. 711; Pub. L. 98–497, Title I, § 107(e)(1), (2)(A), Oct. 19, 1984, 98 Stat. 2291.)

320 § 15. Counting electoral votes in Congress

Congress shall be in session on the sixth day of January succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon on that day, and the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted according to the rules in this subchapter provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses. Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section 5 of this title to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section 5 of this title, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its law; and in such case of more than one return or paper purporting

to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State, under the seal thereof, shall be counted. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of. (June 25, 1948, ch. 644, § 1, 62 Stat. 675.)

§ 16. Same; seats for officers and Members of two Houses in joint meeting **321**

At such joint meeting of the two Houses seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators, in the body of the Hall upon the right of the presiding officer; for the Representatives, in the body of the Hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this subchapter, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted, at the hour of 10 o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House. (June 25, 1948, ch. 644, § 1, 62 Stat. 676.)

§ 17. Same; limit of debate in each House **322**

When the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question five minutes, and not more than once; but after such debate shall have lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate. (June 25, 1948, ch. 644, § 1, 62 Stat. 676.)

§ 18. Same; parliamentary procedure at joint meeting **323**

While the two Houses shall be in meeting as provided in this chapter, the President of the Senate shall have power to preserve order; and no debate shall be allowed and no question shall be put by the presiding officer except to either House on a motion to withdraw. (June 25, 1948, ch. 644, § 1, 62 Stat. 676; Sept. 3, 1954, ch. 1263, § 3, 68 Stat. 1227.)

TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

Chapter 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

324 § 801. Congressional review

(a)(1)(A) Before a rule can take effect, the Federal agency promulgating such rule shall submit to each House of the Congress and to the Comptroller General a report containing—

(i) a copy of the rule;

(ii) a concise general statement relating to the rule, including whether it is a major rule; and

(iii) the proposed effective date of the rule.

(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

(i) a complete copy of the cost-benefit analysis of the rule, if any;

(ii) the agency's actions relevant to sections 603, 604, 605, 607, and 609;

(iii) the agency's actions relevant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction in each House of the Congress by the end of 15 calendar days after the submission or publication date as provided in section 802(b)(2). The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B).

(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

(3) A major rule relating to a report submitted under paragraph (1) shall take effect on the latest of—

(A) the later of the date occurring 60 days after the date on which—

(i) the Congress receives the report submitted under paragraph (1); or

(ii) the rule is published in the Federal Register, if so published;

(B) if the Congress passes a joint resolution of disapproval described in section 802 relating to the rule, and the President signs a veto of such resolution, the earlier date—

(i) on which either House of Congress votes and fails to override the veto of the President; or

(ii) occurring 30 session days after the date on which the Congress received the veto and objections of the President; or

(C) the date the rule would have otherwise taken effect, if not for this section (unless a joint resolution of disapproval under section 802 is enacted).

(4) Except for a major rule, a rule shall take effect as otherwise provided by law after submission to Congress under paragraph (1).

(5) Notwithstanding paragraph (3), the effective date of a rule shall not be delayed by operation of this chapter beyond the date on which either House of Congress votes to reject a joint resolution of disapproval under section 802.

(b)(1) A rule shall not take effect (or continue), if the Congress enacts a joint resolution of disapproval, described under section 802, of the rule.

(2) A rule that does not take effect (or does not continue) under paragraph (1) may not be reissued in substantially the same form, and a new rule that is substantially the same as such a rule may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the joint resolution disapproving the original rule.

(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a rule that would not take effect by reason of subsection (a)(3) may take effect, if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

(2) Paragraph (1) applies to a determination made by the President by Executive order that the rule should take effect because such rule is—

(A) necessary because of an imminent threat to health or safety or other emergency;

(B) necessary for the enforcement of criminal laws;

(C) necessary for national security; or

(D) issued pursuant to any statute implementing an international trade agreement.

(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802 or the effect of a joint resolution of disapproval under this section.

(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

(A) in the case of the Senate, 60 session days, or

(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress adjourns a session of Congress through the date on which the same or succeeding Congress first convenes its next session, section 802 shall apply to such rule in the succeeding session of Congress.

(2)(A) In applying section 802 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

(i) such rule were published in the Federal Register (as a rule that shall take effect) on—

(I) in the case of the Senate, the 15th session day, or

(II) in the case of the House of Representatives, the 15th legislative day, after the succeeding session of Congress first convenes; and

(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

(e)(1) For purposes of this subsection, section 802 shall also apply to any major rule promulgated between March 1, 1996, and the date of the enactment of this chapter.

(2) In applying section 802 for purposes of Congressional review, a rule described under paragraph (1) shall be treated as though—

(A) such rule were published in the Federal Register on the date of enactment of this chapter; and

(B) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

(3) The effectiveness of a rule described under paragraph (1) shall be as otherwise provided by law, unless the rule is made of no force or effect under section 802.

(f) Any rule that takes effect and later is made of no force or effect by enactment of a joint resolution under section 802 shall be treated as though such rule had never taken effect.

(g) If the Congress does not enact a joint resolution of disapproval under section 802 respecting a rule, no court or agency may infer any intent of the Congress from any action or inaction of the Congress with regard to such rule, related statute, or joint resolution of disapproval. (Pub. L. 104–121, Title II, § 251, Mar. 29, 1996, 110 Stat. 868.)

325 § 802. Congressional disapproval procedure

(a) For purposes of this section, the term "joint resolution" means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: "That Congress disapproves the rule submitted by the _____ relating to _____, and such rule shall have no force or effect." (The blank spaces being appropriately filled in).

(b)(1) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

(2) For purposes of this section, the term "submission or publication date" means the later of the date on which—

(A) the Congress receives the report submitted under section 801(a)(1); or

(B) the rule is published in the Federal Register, if so published.

(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 20 calendar days after the submission or publication date defined under subsection (b)(2), such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a rule—

(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

(1) The joint resolution of the other House shall not be referred to a committee.

(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(B) the vote on final passage shall be on the joint resolution of the other House.

(g) This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House. (Pub. L. 104–121, Title II, § 251, Mar. 29, 1996, 110 Stat. 871.)

326 § 803. Special rule on statutory, regulatory, and judicial deadlines

(a) In the case of any deadline for, relating to, or involving any rule which does not take effect (or the effectiveness of which is terminated) because of enactment of a joint resolution under section 802, that deadline is extended until the date 1 year after the date of enactment of the joint resolution. Nothing in this subsection shall be construed to affect a deadline merely by reason of the postponement of a rule's effective date under section 801(a).

(b) The term "deadline" means any date certain for fulfilling any obligation or exercising any authority established by or under any Federal statute or regulation, or by or under any court order implementing any Federal statute or regulation. (Pub. L. 104–121, Title II, § 251, Mar. 29, 1996, 110 Stat. 873.)

327 § 804. Definitions

For purposes of this chapter—

(1) The term "Federal agency" means any agency as that term is defined in section 551(1).

(2) The term "major rule" means any rule that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

(A) an annual effect on the economy of $100,000,000 or more;

(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

The term does not include any rule promulgated under the Telecommunications Act of 1996 and the amendments made by that Act.

(3) The term "rule" has the meaning given such term in section 551, except that such term does not include—

(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefor, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

(B) any rule relating to agency management or personnel; or

(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties. (Pub. L. 104–121, Title II, § 251, Mar. 29, 1996, 110 Stat. 873.)

§ 805. Judicial review. **328**

No determination, finding, action, or omission under this chapter shall be subject to judicial review. (Added Pub. L. 104–121, Title II, § 251, Mar. 29, 1996, 110 Stat. 873.)

Chapter 9—EXECUTIVE REORGANIZATION

§ 903. Reorganization plans **329**

(a) Whenever the President, after investigation, finds that changes in the organization of agencies are necessary to carry out any policy set forth in section 901(a) of this title, he shall prepare a reorganization plan specifying the reorganizations he finds are necessary. Any plan may provide for—

(1) the transfer of the whole or a part of an agency, or of the whole or a part of the functions thereof, to the jurisdiction and control of another agency;

(2) the abolition of all or a part of the functions of an agency, except that no enforcement function or statutory program shall be abolished by the plan;

(3) the consolidation or coordination of the whole or a part of an agency, or of the whole or a part of the functions thereof, with the whole or a part of another agency or the functions thereof;

(4) the consolidation or coordination of part of an agency or the functions thereof with another part of the same agency or the functions thereof;

(5) the authorization of an officer to delegate any of his functions; or

(6) the abolition of the whole or a part of an agency which agency or part does not have, or on the taking effect of the reorganization plan will not have, any functions.

The President shall transmit the plan (bearing an identification number) to the Congress together with a declaration that, with respect to each reorganization included in the plan, he has found that the reorganization is necessary to carry out any policy set forth in section 901(a) of this title.

(b) The President shall have a reorganization plan delivered to both Houses on the same day and to each House while it is in session, except that no more than three plans may be pending before the Congress at one time. In his message transmitting a reorganization plan, the President shall specify with respect to each abolition of a function included in the plan the statutory authority for the exercise of the function. The message shall also estimate any reduction or increase

in expenditures (itemized so far as practicable), and describe any improvements in management, delivery of Federal services, execution of the laws, and increases in efficiency of Government operations, which it is expected will be realized as a result of the reorganizations included in the plan. In addition, the President's message shall include an implementation section which shall (1) describe in detail (A) the actions necessary or planned to complete the reorganization, (B) the anticipated nature and substance of any orders, directives, and other administrative and operational actions which are expected to be required for completing or implementing the reorganization, and (C) any preliminary actions which have been taken in the implementation process, and (2) contain a projected timetable for completion of the implementation process. The President shall also submit such further background or other information as the Congress may require for its consideration of the plan.

(c) Any time during the period of 60 calendar days of continuous session of Congress after the date on which the plan is transmitted to it, but before any resolution described in section 909 has been ordered reported in either House, the President may make amendments or modifications to the plan, consistent with sections 903–905 of this title, which modifications or revisions shall thereafter be treated as a part of the reorganization plan originally transmitted and shall not affect in any way the time limits otherwise provided for in this chapter. The President may withdraw the plan any time prior to the conclusion of 90 calendar days of continuous session of Congress following the date on which the plan is submitted to Congress. (Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 394; Pub. L. 90–83, § 1(99), Sept. 11, 1967, 81 Stat. 220; Pub. L. 92–179, § 2, Dec. 10, 1971, 85 Stat. 574; Pub. L. 95–17, § 2, Apr. 6, 1977, 91 Stat. 30; Pub. L. 98–614, §§ 3(b)(1), (2), 4, Nov. 8, 1984, 98 Stat. 3192 , 3193.)

* * * * * * *

330 § 906. Effective date and publication of reorganization plans

(a) Except as provided under subsection (c) of this section, a reorganization plan shall be effective upon approval by the President of a resolution (as defined in section 909) with respect to such plan, if such resolution is passed by the House of Representatives and the Senate, within the first period of 90 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress. Failure of either House to act upon such resolution by the end of such period shall be the same as disapproval of the resolution.

(b) For the purpose of this chapter—

(1) continuity of session is broken only by an adjournment of Congress sine die; and

(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session.

(c) Under provisions contained in a reorganization plan, any provision thereof may be effective at a time later than the date on which the plan otherwise is effective.

(d) A reorganization plan which is effective shall be printed (1) in the Statutes at Large in the same volume as the public laws and (2) in the Federal Register. (Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 396;

Pub. L. 95–17, § 2, Apr. 6, 1977, 91 Stat. 32; Pub. L. 98–614, § 3(a), Nov. 8, 1984, 98 Stat. 3192.)

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§ 908. Rules of Senate and House of Representatives on reorganization plans 331

Sections 909 through 912 of this title are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions with respect to any reorganization plans transmitted to Congress (in accordance with section 903(b) of this chapter 1) on or before December 31, 1984; and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House. (Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 397; Pub. L. 95–17, § 2, Apr. 6, 1977, 91 Stat. 33; Pub. L. 98–614, § 2(b), Nov. 8, 1984, 98 Stat. 3192.)

§ 909. Terms of resolution 332

For the purpose of sections 908 through 912 of this title, "resolution" means only a joint resolution of the Congress, the matter after the resolving clause of which is as follows: "That the Congress approves the reorganization plan numbered _____ transmitted to the Congress by the President on _____, 19____.", and includes such modifications and revisions as are submitted by the President under section 903(c) of this chapter. The blank spaces therein are to be filled appropriately. The term does not include a resolution which specifies more than one reorganization plan. (Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 397; Pub. L. 95–17, § 2, Apr. 6, 1977, 91 Stat. 33; Pub. L. 98–614, § 3(c), Nov. 8, 1984, 98 Stat. 3192.)

§ 910. Introduction and reference of resolution 333

(a) No later than the first day of session following the day on which a reorganization plan is transmitted to the House of Representatives and the Senate under section 903, a resolution, as defined in section 909, shall be introduced (by request) in the House by the chairman of the Government Operations Committee of the House, or by a Member or Members of the House designated by such chairman; and shall be introduced (by request) in the Senate by the chairman of the Governmental Affairs Committee of the Senate, or by a Member or Members of the Senate designated by such chairman.

(b) A resolution with respect to a reorganization plan shall be referred to the Committee on Governmental Affairs of the Senate and the Committee on Government Operations of the House (and all resolutions with respect to the same plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be. The committee shall make its recommendations to the House of Representatives or the Senate, respectively, within 75 calendar days of continuous session of Congress following the date

of such resolution's introduction. (Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 397; Pub. L. 95–17, § 2, Apr. 6, 1977, 91 Stat. 33; Pub. L. 98–614, § 3(b)(3), Nov. 8, 1984, 98 Stat. 3192.)

334 § 911. Discharge of committee considering resolution

If the committee to which is referred a resolution introduced pursuant to subsection (a) of section 910 (or, in the absence of such a resolution, the first resolution introduced with respect to the same reorganization plan) has not reported such resolution or identical resolution at the end of 75 calendar days of continuous session of Congress after its introduction, such committee shall be deemed to be discharged from further consideration of such resolution and such resolution shall be placed on the appropriate calendar of the House involved. (Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 397; Pub. L. 92–179, § 5, Dec. 10, 1971, 85 Stat. 576; Pub. L. 95–17, § 2, Apr. 6, 1977, 91 Stat. 34; Pub. L. 98–614, § 3(b)(4), Nov. 8, 1984, 98 Stat. 3192.)

335 § 912. Procedure after report or discharge of committee; debate; vote on final passage

(a) When the committee has reported, or has been deemed to be discharged (under section 911) from further consideration of, a resolution with respect to a reorganization plan, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. The motion shall not be subject to amendment, or to a motion to postpone, or a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(b) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than ten hours, which shall be divided equally between individuals favoring and individuals opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is passed or rejected shall not be in order.

(c) Immediately following the conclusion of the debate on the resolution with respect to a reorganization plan, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(d) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

(e) If, prior to the passage by one House of a resolution of that House, that House receives a resolution with respect to the same reorganization plan from the other House, then—

(1) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(2) the vote on final passage shall be on the resolution of the other House. (Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 398; Pub. L. 95–17, § 2, Apr. 6, 1977, 91 Stat. 34; Pub. L. 98–614, § 3(d)(e(1), (2), Nov. 8, 1984, 98 Stat. 3193.)

TITLE 8—ALIENS AND NATIONALITY

Chapter 12—IMMIGRATION AND NATIONALITY

336 § 1254a. Temporary protected status

* * * * * * *

(h) Limitation on consideration in Senate of legislation adjusting status

(1) In general

Except as provided in paragraph (2), it shall not be in order in the Senate to consider any bill, resolution, or amendment that—

(A) provides for adjustment to lawful temporary or permanent resident alien status for any alien receiving temporary protected status under this section, or

(B) has the effect of amending this subsection or limiting the application of this subsection.

(2) Supermajority required

Paragraph (1) may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate duly chosen and sworn shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(3) Rules

Paragraphs (1) and (2) are enacted—

(A) as an exercise of the rulemaking power of the Senate and as such they are deemed a part of the rules of the Senate, but applicable only with respect to the matters described in paragraph (1) and supersede other rules of the Senate only to the extent that such paragraphs are inconsistent therewith; and

(B) with full recognition of the constitutional right of the Senate to change such rules at any time, in the same manner as in the case of any other rule of the Senate. (Pub. L. 101–649, Title III, § 302(a), Nov. 29, 1990, 104 Stat. 5035.)

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TITLE 10—ARMED FORCES

Chapter 159—REAL PROPERTY; RELATED PERSONAL PROPERTY; AND LEASE OF NON-EXCESS PROPERTY

§ 2687 note. Defense Base Closure and Realignment Commission 337

* * * * * * *

SEC. 2904. Closure and Realignment of Military Installations

"(a) In General.—Subject to subsection (b), the Secretary shall—

"(1) close all military installations recommended for closure by the Commission in each report transmitted to the Congress by the President pursuant to section 2903(e);

"(2) realign all military installations recommended for realignment by such Commission in each such report;

"(3) carry out the privatization in place of a military installation recommended for closure or realignment by the Commission in the 2005 report only if privatization in place is a method of closure or realignment of the military installation specified in the recommendations of the Commission in such report and is determined by the Commission to be the most cost-effective method of implementation of the recommendation;

"(4) initiate all such closures and realignments no later than two years after the date on which the President transmits a report to the Congress pursuant to section 2903(e) containing the recommendations for such closures or realignments; and

"(5) complete all such closures and realignments no later than the end of the six-year period beginning on the date on which the President transmits the report pursuant to section 2903(e) containing the recommendations for such closures or realignments.

"(b) Congressional Disapproval.—(1) The Secretary may not carry out any closure or realignment recommended by the Commission in a report transmitted from the President pursuant to section 2903(e) if a joint resolution is enacted, in accordance with the provisions of section 2908, disapproving such recommendations of the Commission before the earlier of—

"(A) the end of the 45-day period beginning on the date on which the President transmits such report; or

"(B) the adjournment of Congress sine die for the session during which such report is transmitted.

"(2) For purposes of paragraph (1) of this subsection and subsections (a) and (c) of section 2908, the days on which either House of Congress is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of a period. (Pub. L. 101–510, div. B, Title XXIX, part A, § 2904, Nov. 5, 1990, 104 Stat. 1812, 1813.)

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SEC. 2908. Congressional Consideration of Commission Report

"(a) Terms of the Resolution.—For purposes of section 2904(b), the term 'joint resolution' means only a joint resolution which is introduced within the 10-day period beginning on the date on which the President transmits the report to the Congress under section 2903(e), and—

"(1) which does not have a preamble;

"(2) the matter after the resolving clause of which is as follows: 'That Congress disapproves the recommendations of the Defense Base Closure and Realignment Commission as submitted by the President on_____', the blank space being filled in with the appropriate date; and

"(3) the title of which is as follows: 'Joint resolution disapproving the recommendations of the Defense Base Closure and Realignment Commission.'.

"(b) Referral.—A resolution described in subsection (a) that is introduced in the House of Representatives shall be referred to the Committee on Armed Services of the House of Representatives. A resolution described in subsection (a) introduced in the Senate shall be referred to the Committee on Armed Services of the Senate.

"(c) Discharge.—If the committee to which a resolution described in subsection (a) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the President transmits the report to the Congress under section 2903(e), such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

"(d) Consideration.—(1) On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (c)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A Member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member's intention to make the motion, except that, in the case of the House of Representatives, the motion may be made without such prior announcement if the motion is made by direction of the committee to which the resolution was referred. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

"(2) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is

not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

"(3) Immediately following the conclusion of the debate on a resolution described in subsection (a) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

"(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in subsection (a) shall be decided without debate.

"(e) Consideration by Other House.—(1) If, before the passage by one House of a resolution of that House described in subsection (a), that House receives from the other House a resolution described in subsection (a), then the following procedures shall apply:

"(A) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B)(ii).

"(B) With respect to a resolution described in subsection (a) of the House receiving the resolution—

"(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

"(ii) the vote on final passage shall be on the resolution of the other House.

"(2) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

"(f) Rules of the Senate and House.—This section is enacted by Congress—

"(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

"(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House. (Pub. L. 101–510, div. B, Title XXIX, part A, § 2908, Nov. 5, 1990, 104 Stat. 1816, 1818.)

338 § 719f. Congressional review

(a) Effectiveness of decision designating transportation system for approval upon enactment of joint resolution

Any decision under section 719e(a) of this title or subsection (b) designating for approval a transportation system for the delivery of Alaska natural gas shall take effect upon enactment of a joint resolution within the first period of 60 calendar days of continuous session of Congress beginning on the date after the date of receipt by the Senate and House of Representatives of a decision transmitted pursuant to section 719e(b) of this title or subsection (b) of this section.

(b) New decision: statement of reasons for proposal; transmittal to Congress

If the Congress does not enact such a joint resolution within such 60-day period, the President, not later than the end of the 30th day following the expiration of the 60-day period, may propose a new decision and shall provide a detailed statement concerning the reasons for such proposal. The new decision shall be submitted in accordance with section 719e(a) of this title and transmitted to the House of Representatives and the Senate on the same day while both are in session and shall take effect pursuant to subsection (a) of this section. In the event that a resolution respecting the President's decision was defeated by vote of either House, no new decision may be transmitted pursuant to this subsection unless such decision differs in a material respect from the previous decision.

(c) Sessions of Congress

For purposes of this section—

(1) continuity of session of Congress is broken only by an adjournment sine die; and

(2) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of the 60-day calendar period.

(d) Rules under rulemaking powers of Congress; change of rules; "resolution" defined; referral to Congressional committees; debate limitation; motion for consideration of resolution; debate on resolution; nondebatable motions and appeals from procedural decisions

(1) This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of each House of Congress, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described by paragraph (2) of this subsection; and it supersedes

other rules only to the extent that it is inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as those rules relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(2) For purposes of this chapter, the term "resolution" means (A) a joint resolution, the resolving clause of which is as follows: "That the House of Representatives and Senate approve the Presidential decision on an Alaska natural gas transportation system submitted to the Congress on_____, 19 , and find that any environmental impact statements prepared relative to such system and submitted with the President's decision are in compliance with the Natural Environmental Policy Act of 1969."; the blank space therein shall be filled with the date on which the President submits his decision to the House of Representatives and the Senate; or (B) a joint resolution described in subsection (g).

(3) A resolution once introduced with respect to a Presidential decision on an Alaska natural gas transportation system shall be referred to one or more committees (and all resolutions with respect to the same Presidential decision on an Alaska natural gas transportation system shall be referred to the same committee or committees) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

(4)(A) If any committee to which a resolution with respect to a Presidential decision on an Alaska natural gas transportation system has been referred has not reported it at the end of 30 calendar days after its referral, it shall be in order to move either to discharge such committee from further consideration of such resolution or to discharge such committee from consideration of any other resolution with respect to such Presidential decision on an Alaska natural gas transportation system which has been referred to such committee.

(B) A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same Presidential decision on an Alaska natural gas transportation system), and debate thereon shall be limited to not more than 1 hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(C) If the motion to discharge is agreed to or disagreed to, the motion may not be made with respect to any other resolution with respect to the same Presidential decision on an Alaska natural gas transportation system.

(5)(A) When any committee has reported, or has been discharged from further consideration of, a resolution, but in no case earlier than 30 days after the date of receipt of the President's decision to the Congress, it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall

not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(B) Debate on the resolution described in paragraph (2)(A) of this subsection shall be limited to not more than 10 hours and on any resolution described in subsection (g) to one hour. This time shall be divided equally between those favoring and those opposing such resolution. A motion further to limit debate shall not be debatable. An amendment to, or motion to recommit the resolution shall not be in order, and it shall not be in order to move to reconsider the vote by which such resolution was agreed to or disagreed to or, thereafter within such 60-day period, to consider any other resolution respecting the same Presidential decision.

(6)(A) Motions to postpone, made with respect to the discharge from committee, or the consideration of a resolution and motions to proceed to the consideration of other business, shall be decided without debate.

(B) Appeals from the decision of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedures relating to a resolution shall be decided without debate.

(e) Presidential finding respecting and supplementation or modification of environmental impact statement; submittal to Congressional committees

The President shall find that any required environmental impact statement relative to the Alaska natural gas transportation system designated for approval by the President has been prepared and that such statement is in compliance with the National Environmental Policy Act of 1969 [42 U.S.C. 4321 et seq.]. Such finding shall be set forth in the report of the President submitted under section 719e of this title. The President may supplement or modify the environmental impact statements prepared by the Commission or other Federal officers or agencies. Any such environmental impact statement shall be submitted contemporaneously with the transmittal to the Senate and House of Representatives of the President's decision pursuant to section 719e(b) of this title or subsection (b) of this section.

(f) Report of Commission: submittal to Congress; Council on Environmental Quality: hearings, report, submittal to Congress; Congressional committee hearings

Within 20 days of the transmittal of the President's decision to the Congress under section 719e(b) of this title or under subsection (b) of this section, (1) the Commission shall submit to the Congress a report commenting on the decision and including any information with regard to that decision which the Commission considers appropriate, and (2) the Council on Environmental Quality shall provide an opportunity to any interested person to present oral and written data, views, and arguments on any environmental impact statement submitted by the President relative to any system designated by him for approval which is different from any system reported on by the Commission under section 719c(c) of this title, and shall submit to the Congress a report summarizing any such views received. The committees in each House of Congress to which a resolution has been referred under subsection (d)(3) shall conduct hearings on the Council's report and include in any report of the committee respecting such resolution the findings of the committee

on the legal and factual sufficiency of any environmental impact statement submitted by the President relative to any system designated by him for approval.

(g) Waiver; submittal to Congress

(1) At any time after a decision designating a transportation system is submitted to the Congress pursuant to this section, if the President finds that any provision of law applicable to actions to be taken under subsection (a) or (c) of section 719g of this title require waiver in order to permit expeditious construction and initial operation of the approved transportation system, the President may submit such proposed waiver to both Houses of Congress.

(2) Such provision shall be waived with respect to actions to be taken under subsection (a) or (c) of section 719g of this title upon enactment of a joint resolution pursuant to the procedures specified in subsections (c) and (d) of this section (other than subsection (d)(2) thereof) within the first period of 60 calendar days of continuous session of Congress beginning on the date after the date of receipt by the Senate and House of Representatives of such proposal.

(3) The resolving clause of the joint resolution referred to in this subsection is as follows: "That the House of Representatives and Senate approve the waiver of the provision of law ( ) as proposed by the President, submitted to the Congress on _____, 19____." The first blank space therein being filled with the citation to the provision of law and the second blank space therein being filled with the date on which the President submits his decision to the House of Representatives and the Senate.

(4) In the case of action with respect to a joint resolution described in this subsection, the phrase "a waiver of a provision of law" shall be substituted in subsection (d) for the phrase "the Alaska natural gas transportation system.". (Pub. L. 94–586, § 8, Oct. 22, 1976, 90 Stat. 2909.)

339 § 1823. Congressional oversight of international fishery agreements

(a) In general

No governing international fishery agreement, bycatch reduction agreement, or Pacific Insular Area fishery agreement shall become effective with respect to the United States before the close of the first 120 days (excluding any days in a period for which the Congress is adjourned sine die) after the date on which the President transmits to the House of Representatives and to the Senate a document setting forth the text of such governing international fishery agreement, bycatch reduction agreement, or Pacific Insular Area fishery agreement. A copy of the document shall be delivered to each House of Congress on the same day and shall be delivered to the Clerk of the House of Representatives, if the House is not in session, and to the Secretary of the Senate, if the Senate is not in session.

(b) Referral to committees

Any document described in subsection (a) shall be immediately referred in the House of Representatives to the Committee on Merchant Marine and Fisheries, and in the Senate to the Committees on Commerce, Science, and Transportation and on Foreign Relations.

(c) Congressional procedures

(1) Rules of the House of Representatives and Senate

The provisions of this section are enacted by the Congress—

(A) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of fishery agreement resolutions described in paragraph (2), and they supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, and in the same manner and to the same extent as in the case of any other rule of that House.

(2) "Fishery agreement resolution" defined

For purposes of this subsection, the term "fishery agreement resolution" refers to a joint resolution of either House of Congress—

(A) the effect of which is to prohibit the entering into force and effect of any governing international fishery agreement, bycatch reduction agreement, or Pacific Insular Area fishery agreement the text of which is transmitted to the Congress pursuant to subsection (a); and

(B) which is reported from the Committee on Merchant Marine and Fisheries of the House of Representatives or the Committee on Commerce, Science, and Transportation or the Committee on Foreign Relations of the Senate, not later than 45 days after the date on which the document described in subsection (a) relating to that agreement is transmitted to the Congress.

(3) Placement on calendar

Any fishery agreement resolution upon being reported shall immediately be placed on the appropriate calendar.

(4) Floor consideration in the House

(A) A motion in the House of Representatives to proceed to the consideration of any fishery agreement resolution shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(B) Debate in the House of Representatives on any fishery agreement resolution shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit any fishery agreement resolution or to move to reconsider the vote by which any fishery agreement resolution is agreed to or disagreed to.

(C) Motions to postpone, made in the House of Representatives with respect to the consideration of any fishery agreement resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(D) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to any fishery agreement resolution shall be decided without debate.

(E) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of any fishery agreement resolution shall be governed by the Rules of the House of Representatives applicable to other bills and resolutions in similar circumstances.

(5) Floor consideration in the Senate

(A) A motion in the Senate to proceed to the consideration of any fishery agreement resolution shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(B) Debate in the Senate on any fishery agreement resolution and on all debatable motions and appeals in connection therewith shall be limited to not more than 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(C) Debate in the Senate on any debatable motion or appeal in connection with any fishery agreement resolution shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover of the motion or appeal and the manager of the resolution, except that if the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto

shall be controlled by the minority leader or his designee. The majority leader and the minority leader, or either of them, may allot additional time to any Senator during the consideration of any debatable motion or appeal, from time under their control with respect to the applicable fishery agreement resolution.

(D) A motion in the Senate to further limit debate is not debatable. A motion to recommit any fishery agreement resolution is not in order. (Pub. L. 94–265, Title II, § 203, Apr. 13, 1976, 90 Stat. 340; Pub. L. 103–437, § 6(x), Nov. 2, 1994, 108 Stat. 4587; Pub. L. 104–297, Title I, § 105(c), Oct. 11, 1996, 110 Stat. 3564.)

Chapter 51—ALASKA NATIONAL INTEREST LANDS CONSERVATION

340 § 3166. Agency, Presidential, and Congressional actions

(a) Agency action in cases other than those involving section 3165 or wilderness areas

(1) In the case of any application for the approval of any transportation or utility system to which section 3165 of this title does not apply or that does not occupy, use, or traverse any area within the National Wilderness Preservation System, if, in compliance with section 3164 of this title—

(A) each Federal agency concerned decides to approve each authorization within its jurisdiction with respect to that system, then the system shall be deemed to be approved and each such agency shall promptly issue, in accordance with applicable law, such rights-of-way, permits, licenses, leases, certificates, or other authorizations as are necessary with respect to the establishment of the system; or

(B) one or more Federal agencies decide to disapprove any authorization within its jurisdiction with respect, to that system, then the system shall be deemed to be disapproved and the applicant for the system may appeal the disapproval to the President.

(2) If an applicant appeals under paragraph (1)(B), the President, within four months after receiving the appeal, shall decide whether to approve or deny the application. The President shall approve the application if he finds, after consideration of the factors set forth in section 3164(g)(2) of this title, that such approval would be in the public interest and that (1) such system would be compatible with the purposes for which the unit was established; and (2) there is no economically feasible and prudent alternative route for the system. In making a decision, the President shall consider any environmental impact statement prepared pursuant to section 3164(e) of this title, comments of the public and Federal agencies received during the preparation of such statement, and the findings and recommendations, if any, of each Federal agency that rendered a decision with respect to the application. The President's decision to approve or deny the application shall be published in the Federal Register, together with a statement of the reasons for his determination.

(3) If the President approves an application under paragraph (2), each Federal agency concerned shall promptly issue, in accordance with applicable law, such rights-of-way, permits, licenses, leases, certificates, or

other authorizations as are necessary with respect to the establishment of the system

(4) If the President denies an application under paragraph (2), the applicant shall be deemed to have exhausted his administrative remedies and may file suit in any appropriate Federal court to challenge such decision.

(b) Agency action in cases involving section 3165 or wilderness areas

(1) In the case of any application for the approval of a transportation or utility system to which section 3165 of this title applies or that proposes to occupy, use, or traverse any area within the National Wilderness Preservation System, each Federal agency concerned shall promptly submit to the President notification whether the agency tentatively approved or disapproved each authorization within its jurisdiction that applies with respect to the system. Such notification shall be accompanied by a statement of the reasons and findings supporting the agency position.

(2) Within four months after receiving all notification referred to in paragraph (1) and after considering such notifications, any environmental impact statement prepared pursuant to section 3164(e) of this title, and the comments of the public and Federal agencies received during the preparation of such statement, the President shall decide whether or not the application for the system concerned should be approved. If the President denies an application the applicant shall be deemed to have exhausted his administrative remedies, and may file suit in any appropriate Federal court to challenge such decision. If the President approves the application, he shall submit to Congress his recommendation for approval of the transportation or utility system covered, whereupon the Congress shall consider the application as provided in subsection (c). The President shall include with his recommendation to Congress—

(A) the application which is the subject of his recommendation;

(B) a report setting forth in detail the relevant factual background and the reasons for his findings and recommendation;

(C) the joint environmental impact statement;[8]

(D) a statement of the conditions and stipulations which would govern the use of the system if approved by the Congress.

(c) Congressional approval

(1) No application for any transportation or utility system with respect to which the President makes a recommendation for approval under subsection (b) shall be approved unless the Senate and House of Representatives approve a resolution described in paragraph (4) within the first period of one hundred and twenty calendar days of continuous session of the Congress beginning on the date after the date of receipt by the Senate and House of Representatives of such recommendation.

(2) For purposes of this subsection—

(A) continuity of session of the Congress is broken only by an adjournment sine die; and

(B) the days on which either House is not in session because of an adjournment of more than three days to a day certain are

[8] So in original. Probably should be followed by "and."

excluded in the computation of the one-hundred-and-twenty-day calendar period.

(3) This subsection is enacted by the Congress—

(A) as an exercise of the rulemaking power of each House of the Congress respectively, but applicable only with respect to the procedure to be followed in the House in the case of resolutions described by paragraph (6) of this subsection; and it supersedes other rules only to the extent that it is inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as those relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(4) For the purposes of this subsection, the term "resolution" means a joint resolution, the resolving clause of which is as follows: "That the House of Representatives and Senate approve the application for _____ under title XI of the Alaska National Interest Lands Conservation Act submitted by the President to the Congress on _____, 19____."; the first blank space therein to be filled in with the appropriate transportation or utility system and the second blank therein to be filled with the date on which the President submits the application to the House of Representatives and the Senate.

(5) Except as otherwise provided in this subsection, the provisions of section 719f(d) of title 15 shall apply to the consideration of the resolution.

(6) After an application for a transportation or utility system has been approved under subsection (a), the appropriate Federal agencies shall issue appropriate authorizations in accordance with applicable law. In any case in which an application for a transportation or utility system has been approved pursuant to subsection (b), the appropriate Federal agencies shall issue appropriate authorizations in accordance with title V of the Federal Lands Policy Management Act [43 U.S.C. 1761 et seq.] or other applicable law. After issuance pursuant to this subsection, the appropriate land managing agency shall administer the right-of-way in accordance with relevant management authorities of the land managing agency and title V of the Federal Lands Policy Management Act. (Pub. L. 96–487, Title XI, § 1106, Dec. 2, 1980, 94 Stat. 2461.)

* * * * * * *

341 § 3232. Recommendations of President to Congress

(a) Recommendation

At any time after December 2, 1980, the President may transmit a recommendation to the Congress that mineral exploration, development, or extraction not permitted under this Act or other applicable law shall be permitted in a specified area of the lands referred to in section 3231 of this title. Notice of such transmittal shall be published in the Federal Register. No recommendation of the President under this section may be transmitted to the Congress before ninety days after publication in the Federal Register of notice of his intention to submit such recommendation.

(b) Findings

A recommendation may be transmitted to the Congress under subsection (a) if the President finds that, based on the information available to him—

(1) there is an urgent national need for the mineral activity; and

(2) such national need outweighs the other public values of the public lands involved and the potential adverse environmental impacts which are likely to result from the activity.

(c) Report

Together with his recommendation, the President shall submit to the Congress—

(1) a report setting forth in detail the relevant factual background and the reasons for his findings and recommendation;

(2) a statement of the conditions and stipulations which would govern the activity if approved by the Congress; and

(3) in any case in which an environmental impact statement is required under the National Environmental Policy Act of 1969 [42 U.S.C. 4321 et seq.], a statement which complies with the requirements of section 102(2)(C) of such Act [42 U.S.C. 4332(2)(C)]. In the case of any recommendation for which an environmental impact statement is not required under section 102(2)(C) of the National environmental Policy Act of 1969 [42 U.S.C. 4332(2)(C)], the President may, if he deems it desirable, include such a statement in his transmittal to the Congress.

(d) Approval

Any recommendation under this section shall take effect only upon enactment of a joint resolution approving such recommendation within the first period of one hundred and twenty calendar days of continuous session of Congress beginning on the date after the date of receipt by the Senate and House of Representatives of such recommendation. Any recommendation of the President submitted to Congress under subsection (a) shall be considered received by both Houses for purposes of this section on the first day on which both are in session occurring after such recommendation is submitted.

(e) One-hundred-and-twenty-day computation

For purposes of this section—

(1) continuity of session of Congress is broken only by an adjournment sine die; and

(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the one-hundred-and-twenty-day calendar period. (Pub. L. 96–487, Title XV, § 1502, Dec. 2, 1980, 94 Stat. 2549.)

§ 3233. Expedited Congressional review **342**

(a) Rulemaking

This subsection is enacted by Congress—

(1) as an exercise of the rulemaking power of each House of Congress, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of resolutions

described by subsection (b) of this section and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as those relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(b) Resolution

For purposes of this section, the term "resolution" means a joint resolution, the resolving clause of which is as follows: "That the House of Representatives and Senate approve the recommendation of the President for _____ in _____ submitted to the Congress on _____, 19____.", the first blank space therein to be filled in with appropriate activity, the second blank space therein to be filled in with the name or description of the area of land affected by the activity, and the third blank space therein to be filled with the date on which the President submits his recommendation to the House of Representatives and the Senate. Such resolution may also include material relating to the application and effect of the National Environmental Policy Act of 1969 [42 U.S.C. 4321 et seq.] to the recommendation.

(c) Referral

A resolution once introduced with respect to such Presidential recommendation shall be referred to one or more committees (and all resolutions with respect to the same Presidential recommendation shall be referred to the same committee or committees) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

(d) Other procedures

Except as otherwise provided in this section the provisions of section 719f(d) of title 15 shall apply to the consideration of the resolution. (Pub. L. 96–487, Title XV, § 1503, Dec. 2, 1980, 94 Stat. 2550.)

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

Chapter 119—WIRE AND ELECTRONIC COMMUNICATIONS INTERCEPTION AND INTERCEPTION OF ORAL COMMUNICATIONS

§ 2523. Executive agreements on access to data by foreign governments 343

* * * * * * *

(b) Executive Agreement Requirements.—For purposes of this chapter, chapter 121, and chapter 206, an executive agreement governing access by a foreign government to data subject to this chapter, chapter 121, or chapter 206 shall be considered to satisfy the requirements of this section if the Attorney General, with the concurrence of the Secretary of State, determines, and submits a written certification of such determination to Congress, including a written certification and explanation of each consideration in paragraphs (1), (2), (3), and (4),

* * * * * * *

(d) Effective Date of Certification.—

(1) Notice.—Not later than 7 days after the date on which the Attorney General certifies an executive agreement under subsection (b), the Attorney General shall provide notice of the determination under subsection (b) and a copy of the executive agreement to Congress, including—

(A) the Committee on the Judiciary and the Committee on Foreign Relations of the Senate; and

(B) the Committee on the Judiciary and the Committee on Foreign Affairs of the House of Representatives.

(2) Entry into force.—An executive agreement that is determined and certified by the Attorney General to satisfy the requirements of this section shall enter into force not earlier than the date that is 180 days after the date on which notice is provided under paragraph (1), unless Congress enacts a joint resolution of disapproval in accordance with paragraph (4).

(3) Requests for information.—Upon request by the Chairman or Ranking Member of a congressional committee described in paragraph (1), the head of an agency shall promptly furnish a summary of factors considered in determining that the foreign government satisfies the requirements of this section.

(4) Congressional review.—

(A) Joint resolution defined.—In this paragraph, the term "joint resolution" means only a joint resolution—

(i) introduced during the 180-day period described in paragraph (2);

(ii) which does not have a preamble;

(iii) the title of which is as follows: "Joint resolution disapproving the executive agreement signed by the United

States and_____.", the blank space being appropriately filled in; and

(iv) the matter after the resolving clause of which is as follows: "That Congress disapproves the executive agreement governing access by_____ to certain electronic data as submitted by the Attorney General on_____", the blank spaces being appropriately filled in.

(B) Joint resolution enacted.—Notwithstanding any other provision of this section, if not later than 180 days after the date on which notice is provided to Congress under paragraph (1), there is enacted into law a joint resolution disapproving of an executive agreement under this section, the executive agreement shall not enter into force.

(C) Introduction.—During the 180-day period described in subparagraph (B), a joint resolution of disapproval may be introduced—

(i) in the House of Representatives, by the majority leader or the minority leader; and

(ii) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(5) Floor consideration in House of Representatives.—If a committee of the House of Representatives to which a joint resolution of disapproval has been referred has not reported the joint resolution within 120 days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(6) Consideration in the Senate.—

(A) Committee referral.—A joint resolution of disapproval introduced in the Senate shall be referred jointly—

(i) to the Committee on the Judiciary; and

(ii) to the Committee on Foreign Relations.

(B) Reporting and discharge.—If a committee to which a joint resolution of disapproval was referred has not reported the joint resolution within 120 days after the date of referral of the joint resolution, that committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

(C) Proceeding to consideration.—It is in order at any time after both the Committee on the Judiciary and the Committee on Foreign Relations report a joint resolution of disapproval to the Senate or have been discharged from consideration of such a joint resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not debatable or subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) Consideration in the Senate.—In the Senate, consideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring

and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(E) Consideration of veto messages.—Debate in the Senate of any veto message with respect to a joint resolution of disapproval, including all debatable motions and appeals in connection with the joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(7) Rules relating to Senate and House of Representatives.—

(A) Treatment of Senate joint resolution in house.—In the House of Representatives, the following procedures shall apply to a joint resolution of disapproval received from the Senate (unless the House has already passed a joint resolution relating to the same proposed action):

(i) The joint resolution shall be referred to the appropriate committees.

(ii) If a committee to which a joint resolution has been referred has not reported the joint resolution within 7 days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(iii) Beginning on the third legislative day after each committee to which a joint resolution has been referred reports the joint resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(B) Treatment of house joint resolution in Senate.—

(i) If, before the passage by the Senate of a joint resolution of disapproval, the Senate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

(I) That joint resolution shall not be referred to a committee.

(II) With respect to that joint resolution—

(aa) the procedure in the Senate shall be the same as if no joint resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the joint resolution from the House of Representatives.

(ii) If, following passage of a joint resolution of disapproval in the Senate, the Senate receives an identical joint resolution from the House of Representatives, that joint resolution shall be placed on the appropriate Senate calendar.

(iii) If a joint resolution of disapproval is received from the House, and no companion joint resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the House joint resolution.

(C) Application to revenue measures.—The provisions of this paragraph shall not apply in the House of Representatives to a joint resolution of disapproval that is a revenue measure.

(8) Rules of House of Representatives and Senate.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(e) Renewal of Determination.—

(1) In general.—The Attorney General, with the concurrence of the Secretary of State, shall review and may renew a determination under subsection (b) every 5 years.

(2) Report.—Upon renewing a determination under subsection (b), the Attorney General shall file a report with the Committee on the Judiciary and the Committee on Foreign Relations of the Senate and the Committee on the Judiciary and the Committee on Foreign Affairs of the House of Representatives describing—

(A) the reasons for the renewal;

(B) any substantive changes to the agreement or to the relevant laws or procedures of the foreign government since the original determination or, in the case of a second or subsequent renewal, since the last renewal; and

(C) how the agreement has been implemented and what problems or controversies, if any, have arisen as a result of the agreement or its implementation.

(3) Nonrenewal.—If a determination is not renewed under paragraph (1), the agreement shall no longer be considered to satisfy the requirements of this section.

(f) Revisions to Agreement.—A revision to an agreement under this section shall be treated as a new agreement for purposes of this section and shall be subject to the certification requirement under subsection (b), and to the procedures under subsection (d), except that for purposes of a revision to an agreement—

(1) the applicable time period under paragraphs (2), (4)(A)(i), (4)(B), and (4)(C) of subsection (d) shall be 90 days after the date notice is provided under subsection (d)(1); and

(2) the applicable time period under paragraphs (5) and (6)(B) of subsection (d) shall be 60 days after the date notice is provided under subsection (d)(1).

(g) Publication.—Any determination or certification under subsection (b) regarding an executive agreement under this section, including any termination or renewal of such an agreement, shall be published in the Federal Register as soon as is reasonably practicable.

(h) Minimization Procedures.—A United States authority that receives the content of a communication described in subsection (b)(4)(H) from a foreign government in accordance with an executive agreement under this section shall use procedures that, to the maximum extent possible, meet the definition of minimization procedures in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801) to appropriately protect nonpublicly available information concerning United States persons. (Added Pub. L. 115–141, div. V, § 105(a), Mar. 23, 2018, 132 Stat. 1217, 1224.)

TITLE 19—CUSTOMS DUTIES

Chapter 4—TARIFF ACT OF 1930

344 § 1332 note. American manufacturing competitiveness

* * * * * * *

"SEC. 5. PUBLICATION OF LIMITED TARIFF BENEFITS IN THE HOUSE OF REPRESENTATIVES AND THE SENATE.

"(a) House of Representatives.—

"(1) In general.—The chair of the Committee on Ways and Means of the House of Representatives shall include a list of limited tariff benefits contained in a miscellaneous tariff bill in the report to accompany such a bill or, in a case where a miscellaneous tariff bill is not reported by the committee, shall cause such a list to be printed in the appropriate section of the Congressional Record.

"(2) Limited tariff benefit defined.—For purposes of this subsection and consistent with clause 9 of rule XXI of the Rules of the House of Representatives, as in effect during the One Hundred Fourteenth Congress, the term 'limited tariff benefit' means a provision modifying the Harmonized Tariff Schedule of the United States [see Publication of Harmonized Tariff Schedule note set out under section 1202 of this title] in a manner that benefits 10 or fewer entities.

"(b) Senate.—

"(1) In general.—The chairman of the Committee on Finance of the Senate, the Majority Leader of the Senate, or the designee of the Majority Leader of the Senate, shall provide for the publication in the Congressional Record of a certification that—

"(A) each limited tariff benefit contained in a miscellaneous tariff bill considered in the Senate has been identified through lists, charts, or other similar means; and

"(B) the information identified in subparagraph (A) has been available on a publicly accessible congressional website in a searchable format at least 48 hours before the vote on the motion to proceed to the miscellaneous tariff bill or the vote on the adoption of a report of a committee of conference in connection with the miscellaneous tariff bill, as the case may be.

"(2) Satisfaction of Senate rules.—Publication of a certification in the Congressional Record under paragraph (1) satisfies the certification requirements of paragraphs 1(a), 2(a), and 3(a) of rule XLIV of the Standing Rules of the Senate.

"(3) Limited tariff benefit defined.—For purposes of this subsection and consistent with rule XLIV of the Standing Rules of the Senate, as in effect during the One Hundred Fourteenth Congress, the term 'limited tariff benefit' means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

"(c) Enactment as Exercise of Rulemaking Power of House of Representatives and Senate.—This section is enacted by Congress—

"(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such are deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

"(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House. (Pub. L. 114–159, § 5, May. 20, 2016, 130 Stat. 402.)

Chapter 7—TRADE EXPANSION PROGRAM

§ 1862. Safeguarding national security **345**

* * * * * * *

(c) Adjustment of imports; determination by President; report to Congress; additional actions; publication in Federal Register

(1)(A) Within 90 days after receiving a report submitted under subsection (b)(3)(A) in which the Secretary finds that an article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the President shall—

(i) determine whether the President concurs with the finding of the Secretary, and

(ii) if the President concurs, determine the nature and duration of the action that, in the judgment of the President, must be taken to adjust the imports of the article and its derivatives so that such imports will not threaten to impair the national security.

(B) If the President determines under subparagraph (A) to take action to adjust imports of an article and its derivatives, the President shall implement that action by no later than the date that is 15 days after the day on which the President determines to take action under subparagraph (A).

(2) By no later than the date that is 30 days after the date on which the President makes any determinations under paragraph (1), the President shall submit to the Congress a written statement of the reasons why the President has decided to take action, or refused to take action, under paragraph (1). Such statement shall be included in the report published under subsection (e).

(3)(A) If—

(i) the action taken by the President under paragraph (1) is the negotiation of an agreement which limits or restricts the importation into, or the exportation to, the United States of the article that threatens to impair national security, and

(ii) either—

(I) no such agreement is entered into before the date that is 180 days after the date on which the President makes the determination under paragraph (1)(A) to take such action, or

(II) such an agreement that has been entered into is not being carried out or is ineffective in eliminating the threat to the national security posed by imports of such article,the President shall take such other actions as the President deems nec-

essary to adjust the imports of such article so that such imports will not threaten to impair the national security. The President shall publish in the Federal Register notice of any additional actions being taken under this section by reason of this subparagraph.

(B) If—

(i) clauses (i) and (ii) of subparagraph (A) apply, and

(ii) the President determines not to take any additional actions under this subsection, the President shall publish in the Federal Register such determination and the reasons on which such determination is based.

* * * * * * *

(f) Congressional disapproval of Presidential adjustment of imports of petroleum or petroleum products; disapproval resolution

(1) An action taken by the President under subsection (c) to adjust imports of petroleum or petroleum products shall cease to have force and effect upon the enactment of a disapproval resolution, provided for in paragraph (2), relating to that action.

(2)(A) This paragraph is enacted by the Congress—

(i) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedures to be followed in that House in the case of disapproval resolutions and such procedures supersede other rules only to the extent that they are inconsistent therewith; and

(ii) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

(B) For purposes of this subsection, the term "disapproval resolution" means only a joint resolution of either House of Congress the matter after the resolving clause of which is as follows: "That the Congress disapproves the action taken under section 232 of the Trade Expansion Act of 1962 with respect to petroleum imports under _____ dated_____.", the first blank space being filled with the number of the proclamation, Executive order, or other Executive act issued under the authority of subsection (c) of this section for purposes of adjusting imports of petroleum or petroleum products and the second blank being filled with the appropriate date.

(C)(i) All disapproval resolutions introduced in the House of Representatives shall be referred to the Committee on Ways and Means and all disapproval resolutions introduced in the Senate shall be referred to the Committee on Finance.

(ii) No amendment to a disapproval resolution shall be in order in either the House of Representatives or the Senate, and no motion to suspend the application of this clause shall be in order in either House nor shall it be in order in either House for the Presiding Officer to entertain a request to suspend the application of this clause by unanimous consent. (Pub. L. 87–794, Title II, § 232, Oct. 11, 1962, 76 Stat. 877; Pub. L. 93–618, Title I, § 127(d), Jan. 3, 1975, 88 Stat. 1993; Pub.

L. 96–223, Title IV, § 402, Apr. 2, 1980, 94 Stat. 301; Pub. L. 100–418, Title I, § 1501(a), (b)(1), Aug. 23, 1988, 102 Stat. 1257, 1259.)

Chapter 12—TRADE ACT OF 1974

§ 2191. Bills implementing trade agreements on nontariff barriers and resolutions approving commercial agreements with Communist countries 346

(a) Rules of House of Representatives and Senate

This section and sections 2192 and 2193 of this title are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of implementing bills described in subsection (b)(1), implementing revenue bills described in subsection (b)(2), approval resolutions described in subsection (b)(3), and resolutions described in sections 2192(a) and 2193(a) of this title; and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(b) Definitions

For purposes of this section—

(1) The term "implementing bill" means only a bill of either House of Congress which is introduced as provided in subsection (c) with respect to one or more trade agreements, or with respect to an extension described in section 3572(c)(3) of this title, submitted to the House of Representatives and the Senate under section 2112 of this title, section 3572 of this title, or section 4205(a)(1) of this title and which contains—

(A) a provision approving such trade agreement or agreements or such extension,

(B) a provision approving the statement of administrative action (if any) proposed to implement such trade agreement or agreements, and

(C) if changes in existing laws or new statutory authority is required to implement such trade agreement or agreements or such extension, provisions, necessary or appropriate to implement such trade agreement or agreements or such extension, either repealing or amending existing laws or providing new statutory authority.

(2) The term "implementing revenue bill or resolution" means an implementing bill, or approval resolution, which contains one or more revenue measures by reason of which it must originate in the House of Representatives.

(3) The term "approval resolution" means only a joint resolution of the two Houses of the Congress, the matter after the resolving clause of which is as follows: "That the Congress approves the extension of nondiscriminatory treatment with respect to the products of _____ transmitted by the President to the Congress on

_____.", the first blank space being filled with the name of the country involved and the second blank space being filled with the appropriate date.

(c) Introduction and referral

(1) On the day on which a trade agreement or extension is submitted to the House of Representatives and the Senate under section 2112 of this title, section 3572 of this title, or section 4205(a)(1) of this title, the implementing bill submitted by the President with respect to such trade agreement or extension shall be introduced (by request) in the House by the majority leader of the House, for himself and the minority leader of the House, or by Members of the House designated by the majority leader and minority leader of the House; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such a trade agreement or extension is submitted, the implementing bill shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which that House is in session. Such bills shall be referred by the Presiding Officers of the respective Houses to the appropriate committee, or, in the case of a bill containing provisions within the jurisdiction of two or more committees, jointly to such committees for consideration of those provisions within their respective jurisdictions.

(2) On the day on which a bilateral commercial agreement, entered into under subchapter IV of this chapter after January 3, 1975, is transmitted to the House of Representatives and the Senate, an approval resolution with respect to such agreement shall be introduced (by request) in the House by the majority leader of the House, for himself and the minority leader of the House, or by Members of the House designated by the majority leader and minority leader of the House; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such an agreement is transmitted, the approval resolution with respect to such agreement shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which that House is in session. The approval resolution introduced in the House shall be referred to the Committee on Ways and Means and the approval resolution introduced in the Senate shall be referred to the Committee on Finance.

(d) Amendments prohibited

No amendment to an implementing bill or approval resolution shall be in order in either the House of Representatives or the Senate; and no motion to suspend the application of this subsection shall be in order in either House, nor shall it be in order in either House for the Presiding Officer to entertain a request to suspend the application of this subsection by unanimous consent.

(e) Period for committee and floor consideration

(1) Except as provided in paragraph (2), if the committee or committees of either House to which an implementing bill or approval resolution has been referred have not reported it at the close of the 45th day after its introduction, such committee or committees shall be automatically discharged from further consideration of the bill or resolution and it shall be placed on the appropriate calendar. A vote on final passage of the bill or resolution shall be taken in each House on or before the close of the 15th day after the bill or resolution is reported by the committee or committees of that House to which it was referred, or after such committee or committees have been discharged from further consideration of the bill or resolution. If prior to the passage by one House of an implementing bill or approval resolution of that House, that House receives the same implementing bill or approval resolution from the other House, then—

(A) the procedure in that House shall be the same as if no implementing bill or approval resolution had been received from the other House, but

(B) the vote on final passage shall be on the implementing bill or approval resolution of the other House.

(2) The provisions of paragraph (1) shall not apply in the Senate to an implementing revenue bill or resolution. An implementing revenue bill or resolution received from the House shall be referred to the appropriate committee or committees of the Senate. If such committee or committees have not reported such bill or resolution at the close of the 15th day after its receipt by the Senate (or, if later, before the close of the 45th day after the corresponding implementing revenue bill or resolution was introduced in the Senate), such committee or committees shall be automatically discharged from further consideration of such bill or resolution and it shall be placed on the calendar. A vote on final passage of such bill or resolution shall be taken in the Senate on or before the close of the 15th day after such bill or resolution is reported by the committee or committees of the Senate to which it was referred, or after such committee or committees have been discharged from further consideration of such bill or resolution.

(3) For purposes of paragraphs (1) and (2), in computing a number of days in either House, there shall be excluded any day on which that House is not in session.

(f) Floor consideration in the House

(1) A motion in the House of Representatives to proceed to the consideration of an implementing bill or approval resolution shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate in the House of Representatives on an implementing bill or approval resolution shall be limited to not more than 20 hours, which shall be divided equally between those favoring and those opposing the bill or resolution. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit an implementing bill or approval resolution or to move to reconsider the vote by which an implementing bill or approval resolution is agreed to or disagreed to.

(3) Motions to postpone, made in the House of Representatives with respect to the consideration of an implementing bill or approval resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(4) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to an implementing bill or approval resolution shall be decided without debate.

(5) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of an implementing bill or approval resolution shall be governed by the Rules of the House of Representatives applicable to other bills and resolutions in similar circumstances.

(g) Floor consideration in the Senate

(1) A motion in the Senate to proceed to the consideration of an implementing bill or approval resolution shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate in the Senate on an implementing bill or approval resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) Debate in the Senate on any debatable motion or appeal in connection with an implementing bill or approval resolution shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill or resolution, except that in the event the manager of the bill or resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of an implementing bill or approval resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(4) A motion in the Senate to further limit debate is not debatable. A motion to recommit an implementing bill or approval resolution is not in order. (Pub. L. 93–618, Title I, § 151, Jan. 3, 1975, 88 Stat. 2001; Pub. L. 100–418, Title I, § 1107(b)(1), Aug. 23, 1988, 102 Stat. 1135; Pub. L. 101–382, Title I, § 132(b)(2), Aug. 20, 1990, 104 Stat. 645; Pub. L. 103–465, Title II, § 282(c)(4), Dec. 8, 1994, 108 Stat. 4929; Pub. L. 107–210, div. B, Title XXI, § 2110(a)(1), Aug. 6, 2002, 116 Stat. 1019; Pub. L. 114–26, Title I, § 110(a)(6), June 29, 2015, 129 Stat. 358.)

347 § 2192. Resolutions disapproving certain actions

(a) Contents of resolutions

(1) For purposes of this section, the term "resolution" means only—

(A) a joint resolution of the two Houses of the Congress, the matter after the resolving clause of which is as follows: "That the Congress does not approve the action taken by, or the determination of, the President under section 203 of the Trade Act of 1974 transmitted to the Congress on _____", the blank space being filled with the appropriate date; and

(B) a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress does not approve _____ transmitted to the Congress on _____.", with the first blank space being filled in accordance with paragraph (2), and the second blank space being filled with the appropriate date.

(2) The first blank space referred to in paragraph (1)(B) shall be filled, in the case of a resolution referred to in section 2437(c)(2) of this title, with the phrase "the report of the President submitted under section ____ of the Trade Act of 1974 with respect to _____" (with the first blank space being filled with "402(b)" or "409(b)", as appropriate, and the second blank space being filled with the name of the country involved).

(b) Reference to committees

All resolutions introduced in the House of Representatives shall be referred to the Committee on Ways and Means and all resolutions introduced in the Senate shall be referred to the Committee on Finance.

(c) Discharge of committees

(1) If the committee of either House to which a resolution has been referred has not reported it at the end of 30 days after its introduction, not counting any day which is excluded under section 2194(b) of this title, it is in order to move either to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of any other resolution introduced with respect to the same matter, except that a motion to discharge—

(A) may only be made on the second legislative day after the calendar day on which the Member making the motion announces to the House his intention to do so; and

(B) is not in order after the Committee has reported a resolution with respect to the same matter.

(2) A motion to discharge under paragraph (1) may be made only by an individual favoring the resolution, and is highly privileged in the House and privileged in the Senate; and debate thereon shall be limited to not more than 1 hour, the time to be divided in the House equally between those favoring and those opposing the resolution, and to be divided in the Senate equally between, and controlled by, the majority leader and the minority leader or their designees. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(d) Floor consideration in the House

(1) A motion in the House of Representatives to proceed to the consideration of a resolution shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate in the House of Representatives on a resolution shall be limited to not more than 20 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order. It shall not be in order

to move to reconsider the vote by which a resolution is agreed to or disagreed to.

(3) Motions to postpone, made in the House of Representatives with respect to the consideration of a resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(4) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a resolution shall be decided without debate.

(5) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of a resolution in the House of Representatives shall be governed by the Rules of the House of Representatives applicable to other resolutions in similar circumstances.

(e) Floor consideration in the Senate

(1) A motion in the Senate to proceed to the consideration of a resolution shall be privileged. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate in the Senate on a resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) Debate in the Senate on any debatable motion or appeal in connection with a resolution shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(4) A motion in the Senate to further limit debate on a resolution, debatable motion, or appeal is not debatable. No amendment to, or motion to recommit, a resolution is in order in the Senate.

(f) Procedures in the Senate

(1) Except as otherwise provided in this section, the following procedures shall apply in the Senate to a resolution to which this section applies:

(A)(i) Except as provided in clause (ii), a resolution that has passed the House of Representatives shall, when received in the Senate, be referred to the Committee on Finance for consideration in accordance with this section.

(ii) If a resolution to which this section applies was introduced in the Senate before receipt of a resolution that has passed the House of Representatives, the resolution from the House of Representatives shall, when received in the Senate, be placed on the calendar. If this clause applies, the procedures in the Senate with respect to a resolution introduced in the Senate that contains the identical matter as the resolution that passed the House of Representatives shall be the same as if no resolution had been received from the House of Representatives, except that the vote on passage in the Senate shall be on the resolution that passed the House of Representatives.

(B) If the Senate passes a resolution before receiving from the House of Representatives a joint resolution that contains the identical matter, the joint resolution shall be held at the desk pending receipt of the joint resolution from the House of Representatives. Upon receipt of the joint resolution from the House of Representatives, such joint resolution shall be deemed to be read twice, considered, read the third time, and passed.

(2) If the texts of joint resolutions described in this section or section 2193(a) of this title, whichever is applicable, concerning any matter are not identical—

(A) the Senate shall vote passage on the resolution introduced in the Senate, and

(B) the text of the joint resolution passed by the Senate shall, immediately upon its passage (or, if later, upon receipt of the joint resolution passed by the House), be substituted for the text of the joint resolution passed by the House of Representatives, and such resolution, as amended, shall be returned with a request for a conference between the two Houses.

(3) Consideration in the Senate of any veto message with respect to a joint resolution described in subsection (a)(2)(B) or section 2193(a) of this title, including consideration of all debatable motions and appeals in connection therewith, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees. (Pub. L. 93–618, Title I, § 152, Jan. 3, 1975, 88 Stat. 2004; Pub. L. 96–39, Title IX, § 902(a)(1), Title XI, § 1106(c)(5), July 26, 1979, 93 Stat. 299, 312; Pub. L. 98–573, Title II, § 248(b), Oct. 30, 1984, 98 Stat. 2998; Pub. L. 101–382, Title I, § 132(c)(2)–(5), Aug. 20, 1990, 104 Stat. 646, 647; Pub. L. 103–465, Title II, § 261(d)(1)(A)(ii), Dec. 8, 1994, 108 Stat. 4909; Pub. L. 104–295, § 20(b)(10), Oct. 11, 1996, 110 Stat. 3527.)

§ 2193. Resolutions relating to extension of waiver authority under section 402 of the Trade Act of 1974 348

(a) Contents of resolution

For purposes of this section, the term "resolution" means only a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on_____ with respect to_____.", with the first blank space being filled with the appropriate date, and the second blank space being filled with the names of those countries, if any, with respect to which such extension of authority is not approved, and with the clause beginning with "with respect to" being omitted if the extension of the authority is not approved with respect to any country.

(b) Application of rules of section 2192 of this title; exceptions

(1) Except as provided in this section, the provisions of section 2192 of this title shall apply to resolutions described in subsection (a).

(2) In applying section 2192(c)(1) of this title, all calendar days shall be counted.

(3) That part of section 2192(d)(2) of this title which provides that no amendment is in order shall not apply to any amendment to a resolution which is limited to striking out or inserting the names of

one or more countries or to striking out or inserting a with-respect-to clause. Debate in the House of Representatives on any amendment to a resolution shall be limited to not more than 1 hour which shall be equally divided between those favoring and those opposing the amendment. A motion in the House to further limit debate on an amendment to a resolution is not debatable.

(4) That part of section 2192(e)(4) of this title which provides that no amendment is in order shall not apply to any amendment to a resolution which is limited to striking out or inserting the names of one or more countries or to striking out or inserting a with-respect-to clause. The time limit on a debate on a resolution in the Senate under section 2192(e)(2) of this title shall include all amendments to a resolution. Debate in the Senate on any amendment to a resolution shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such amendment, the time in opposition thereto shall be controlled by the minority leader or his designee. The majority leader and minority leader may, from time under their control on the passage of a resolution, allot additional time to any Senator during the consideration of any amendment. A motion in the Senate to further limit debate on an amendment to a resolution is not debatable.

(c) Consideration of second resolution not in order

It shall not be in order in either the House of Representatives or the Senate to consider a resolution with respect to a recommendation of the President under section 2432(d) of this title (other than a resolution described in subsection (a) received from the other House), if that House has adopted a resolution with respect to the same recommendation.

(d) Procedures relating to conference reports in the Senate

(1) Consideration in the Senate of the conference report on any joint resolution described in subsection (a), including consideration of all amendments in disagreement (and all amendments thereto), and consideration of all debatable motions and appeals in connection therewith, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees. Debate on any debatable motion or appeal related to the conference report shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report.

(2) In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment to any amendment in disagreement shall be received unless it is a germane amendment. (Pub. L. 93–618, Title I, § 153, Jan. 3, 1975, 88 Stat. 2006; Pub. L. 101–382, Title I, § 132(a)(3)–(6), Aug. 20, 1990, 104 Stat. 644, 645.)

349 § 2194. Special rules relating to Congressional procedures

(a) Delivery of documents to both Houses

Whenever, pursuant to section 2112(e), 2253(b), 2432(d), or 2437(a) or (b), a document is required to be transmitted to the Congress, copies of such document shall be delivered to both Houses of Congress on

the same day and shall be delivered to the Clerk of the House of Representatives if the House is not in session and to the Secretary of the Senate if the Senate is not in session.

(b) Computation of 90-day period

For purposes of sections 2253(c) and 2437(c)(2) of this title, the 90-day period referred to in such sections shall be computed by excluding—

(1) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die, and

(2) any Saturday and Sunday, not excluded under paragraph (1), when either House is not in session. (Pub. L. 93–618, Title I, § 154, Jan. 3, 1975, 88 Stat. 2008; Pub. L. 96–39, Title IX, § 902(a)(2), July 26, 1979, 93 Stat. 300; Pub. L. 101–382, Title I, § 132(c)(6), Aug. 20, 1990, 104 Stat. 647; Pub. L. 103–465, Title II, § 261(d)(1)(A)(iii), Dec. 8, 1994, 108 Stat. 4909; Pub. L. 106–36, Title I, § 1001(a)(5), June 25, 1999, 113 Stat. 130.)

§ 2253. Action by President after determination of import injury 350

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(b) Reports to Congress

(1) On the day the President takes action under subsection (a)(1), the President shall transmit to Congress a document describing the action and the reasons for taking the action. If the action taken by the President differs from the action required to be recommended by the Commission under section 2252(e)(1) of this title, the President shall state in detail the reasons for the difference.

(2) On the day on which the President decides that there is no appropriate and feasible action to take under subsection (a)(1) with respect to a domestic industry, the President shall transmit to Congress a document that sets forth in detail the reasons for the decision.

(3) On the day on which the President takes any action under subsection (a)(1) that is not reported under paragraph (1), the President shall transmit to Congress a document setting forth the action being taken and the reasons therefor.

(c) Implementation of action recommended by Commission

If the President reports under subsection (b)(1) or (2) that—

(1) the action taken under subsection (a)(1) differs from the action recommended by the Commission under section 2252(e)(1) of this title; or

(2) no action will be taken under subsection (a)(1) with respect to the domestic industry;the action recommended by the Commission shall take effect (as provided in subsection (d)(2)) upon the enactment of a joint resolution described in section 2192(a)(1)(A) of this title within the 90-day period beginning on the date on which the document referred to in subsection (b)(1) or (2) is transmitted to the Congress. (Pub. L. 93–618, Title II, § 203, Jan. 3, 1975, 88 Stat. 2015; Pub. L. 96–39, Title XI, § 1106(d), July 26, 1979, 93 Stat. 312; Pub. L. 98–573, Title II, § 248(a), Oct. 30, 1984, 98 Stat. 2998; Pub. L. 100–418, Title I, §§ 1214(j)(2), 1401(a), Aug. 23, 1988, 102 Stat. 1158, 1234; Pub. L. 100–647, Title IX, § 9001(a)(2), Nov.

10, 1988, 102 Stat. 3806; Pub. L. 103–465, Title III, §§ 301(d)(3), 302(a)–(b)(4)(A), 303(7)(10), Dec. 8, 1994, 108 Stat. 4933–4937.)

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351 § 2432. Freedom of emigration in East-West trade

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(c) Waiver authority of President

(1) During the 18-month period beginning on January 3, 1975, the President is authorized to waive by Executive order the application of subsections (a) and (b) with respect to any country, if he reports to the Congress that—

(A) he has determined that such waiver will substantially promote the objectives of this section; and

(B) he has received assurances that the emigration practices of that country will henceforth lead substantially to the achievement of the objectives of this section.

(2) During any period subsequent to the 18-month period referred to in paragraph (1), the President is authorized to waive by Executive order the application of subsections (a) and (b) with respect to any country, if the waiver authority granted by this subsection continues to apply to such country pursuant to subsection (d), and if he reports to the Congress that—

(A) he has determined that such waiver will substantially promote the objectives of this section; and

(B) he has received assurances that the emigration practices of that country will henceforth lead substantially to the achievement of the objectives of this section.

(3) A waiver with respect to any country shall terminate on the day after the waiver authority granted by this subsection ceases to be effective with respect to such country pursuant to subsection (d). The President may, at any time, terminate by Executive order any waiver granted under this subsection.

(d) Extension of waiver authority

(1) If the President determines that the further extension of the waiver authority granted under subsection (c) will substantially promote the objectives of this section, he may recommend further extensions of such authority for successive 12-month periods. Any such recommendations shall—

(A) be made not later than 30 days before the expiration of such authority;

(B) be made in a document transmitted to the House of Representatives and the Senate setting forth his reasons for recommending the extension of such authority; and

(C) include, for each country with respect to which a waiver granted under subsection (c) is in effect, a determination that continuation of the waiver applicable to that country will substantially promote the objectives of this section, and a statement setting forth his reasons for such determination.

If the President recommends the further extension of such authority, such authority shall continue in effect until the end of the 12-month period following the end of the previous 12-month extension with respect to any country (except for any country with respect to which such author-

ity has not been extended under this subsection), unless a joint resolution described in section 2193(a) of this title is enacted into law pursuant to the provisions of paragraph (2).

(2)(A) The requirements of this paragraph are met if the joint resolution is enacted under the procedures set forth in section 2193 of this title, and—

(i) the Congress adopts and transmits the joint resolution to the President before the end of the 60-day period beginning on the date the waiver authority would expire but for an extension under paragraph (1), and

(ii) if the President vetoes the joint resolution, each House of Congress votes to override such veto on or before the later of the last day of the 60-day period referred to in clause (i) or the last day of the 15-day period (excluding any day described in section 2194(b) of this title) beginning on the date the Congress receives the veto message from the President.

(B) If a joint resolution is enacted into law under the provisions of this paragraph, the waiver authority applicable to any country with respect to which the joint resolution disapproves of the extension of such authority shall cease to be effective as of the day after the 60-day period beginning on the date of the enactment of the joint resolution.

(C) A joint resolution to which this subsection and section 2193 of this title apply may be introduced at any time on or after the date the President transmits to the Congress the document described in paragraph (1)(B).

(e) Countries not covered

This section shall not apply to any country the products of which are eligible for the rates set forth in rate column numbered 1 of the Tariff Schedules of the United States on January 3, 1975. (Pub. L. 93–618, Title IV, § 402, Jan. 3, 1975, 88 Stat. 2056; Pub. L. 96–39, Title XI, § 1106(f)(1), July 26, 1979, 93 Stat. 312; Pub. L. 101–382, Title I, § 132(a)(1), (2), Aug. 20, 1990, 104 Stat. 643, 644; Pub. L. 105–206, Title V, § 5003(b)(2)(A), July 22, 1998, 112 Stat. 789.)

§ 2437. Procedure for Congressional approval or disapproval of extension of nondiscriminatory treatment and Presidential reports 352

(a) Transmission of nondiscriminatory treatment documents to Congress

Whenever the President issues a proclamation under section 2434 of this title extending nondiscriminatory treatment to the products of any foreign country, he shall promptly transmit to the House of Representatives and to the Senate a document setting forth the proclamation and the agreement the proclamation proposes to implement, together with his reasons therefor.

(b) Transmission of freedom of emigration documents to Congress

The President shall transmit to the House of Representatives and the Senate a document containing the initial report submitted by him under section 2432(b) or 2439(b) of this title with respect to a nonmarket economy country. On or before December 31 of each year, the President shall transmit to the House of Representatives and the Senate, a docu-

ment containing the report required by section 2432(b) or 2439(b) of this title as the case may be, to be submitted on or before such December 31.

(c) Effective date of proclamations and agreements; disapproval of reports

(1) In the case of a document referred to in subsection (a), the proclamation set forth in the document may become effective and the agreement set forth in the document may enter into force and effect only if a joint resolution described in section 2191(b)(3) of this title that approves of the extension of nondiscriminatory treatment to the products of the country concerned is enacted into law.

(2) In the case of a document referred to in subsection (b) which contains a report submitted by the President under section 2432(b) or 2439(b) of this title with respect to a nonmarket economy country, if, before the close of the 90-day period beginning on the day on which such document is delivered to the House of Representatives and to the Senate, a joint resolution described in section 2192(a)(1)(B) of this title is enacted into law that disapproves of the report submitted by the President with respect to such country, then, beginning with the day after the end of the 60-day period beginning with the date of the enactment of such resolution of disapproval, (A) nondiscriminatory treatment shall not be in force with respect to the products of such country, and the products of such country shall be dutiable at the rates set forth in rate column numbered 2 of the Harmonized Tariff Schedule of the United States, (B) such country may not participate in any program of the Government of the United States which extends credit or credit guarantees or investment guarantees, and (C) no commercial agreement may thereafter be concluded with such country under this subchapter. If the President vetoes the joint resolution, the joint resolution shall be treated as enacted into law before the end of the 90-day period under this paragraph if both Houses of Congress vote to override such veto on or before the later of the last day of such 90-day period or the last day of the 15-day period (excluding any day described in section 2194(b) of this title) beginning on the date the Congress receives the veto message from the President. (Pub. L. 93–618, Title IV, § 407, Jan. 3, 1975, 88 Stat. 2063; Pub. L. 100–418, Title I, § 1214(j)(4), Aug. 23, 1988, 102 Stat. 1158 ; Pub. L. 101–382, Title I, § 132(b)(3), (c)(1), Aug. 20, 1990, 104 Stat. 646.)

353 § 2492. Tariff treatment of products of uncooperative major drug producing or drug-transit countries

(a) Required action by President

Subject to subsection (b), for every major drug producing country and every major drug-transit country, the President shall, on or after March 1, 1987, and March 1 of each succeeding year, to the extent considered necessary by the President to achieve the purposes of this subchapter—

(1) deny to any or all of the products of that country tariff treatment under the Generalized System of Preferences, the Caribbean Basin Economic Recovery Act [19 U.S.C. 2701 et seq.], or any other law providing preferential tariff treatment;

(2) apply to any or all of the dutiable products of that country an additional duty at a rate not to exceed 50 percent ad valorem or the specific rate equivalent;

(3) apply to one or more duty-free products of that country a duty at a rate not to exceed 50 percent ad valorem;

(4) take the steps described in subsection (d)(1) or (d)(2), or both, to curtail air transportation between the United States and that country;

(5) withdraw the personnel and resources of the United States from participation in any arrangement with that country for the pre-clearance of customs by visitors between the United States and that country; or

(6) take any combination of the actions described in paragraphs (1) through (5).

(b) Certifications; Congressional action

(1)(A) Subject to paragraph (3), subsection (a) shall not apply with respect to a country if the President determines and certifies to the Congress, at the time of the submission of the report required by section 2291h of title 22, that— * * *

* * * * * * *

(3) Subsection (a) shall apply to a country without regard to paragraph (1) of this subsection if the Congress enacts, within 45 days of continuous session after receipt of a certification under paragraph (1), a joint resolution disapproving the determination of the President contained in that certification.

(4) If the President takes action under subsection (a), that action shall remain in effect until—

(A) the President makes the certification under paragraph (1), a period of 45 days of continuous session of Congress elapses, and during that period the Congress does not enact a joint resolution of disapproval; or

(B) the President submits at any other time a certification of the matters described in paragraph (1) with respect to that country, a period of 45 days of continuous session of Congress elapses, and during that period the Congress does not enact a joint resolution of disapproving the determination contained in that certification.

(5) For the purpose of expediting the consideration and enactment of joint resolutions under paragraphs (3) and (4)—

(A) a motion to proceed to the consideration of any such joint resolution after it has been reported by the Committee on Ways and Means shall be treated as highly privileged in the House of Representatives; and

(B) a motion to proceed to the consideration of any such joint resolution after it has been reported by the Committee on Finance shall be treated as privileged in the Senate. (Pub. L. 93–618, Title VIII, § 802, as added Pub. L. 99–570, Title IX, § 9001, Oct. 27, 1986, 100 Stat. 3207–164; amended Pub. L. 100–204, Title VIII, § 806(a), Dec. 22, 1987, 101 Stat. 1398; Pub. L. 100–690, Title IV, § 4408, Nov. 18, 1988, 102 Stat. 4281; Pub. L. 101–231, § 17(h)(1)–(4), Dec. 13, 1989, 103 Stat.

1965; Pub. L. 106–36, Title I, § 1001(a)(8), June 25, 1999, 113 Stat. 131.)

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354 § 2495. Definitions

For purposes of this subchapter—

(1) continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the period indicated. (Pub. L. 93–618, Title VIII, § 805, as added Pub. L. 99–570, Title IX, § 9001, Oct. 27, 1986, 100 Stat. 3207–166; amended Pub. L. 101–231, § 17(h)(5), Dec. 13, 1989, 103 Stat. 1965; Pub. L. 106–36, Title I, § 1001(a)(10), June 25, 1999, 113 Stat. 131.)

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Chapter 17—NEGOTIATION AND IMPLEMENTATION OF TRADE AGREEMENTS

355 § 2903. Implementation of trade agreements

(a) In general

(1) Any agreement entered into under section 2902(b) or (c) of this title shall enter into force with respect to the United States if (and only if)—

(A) the President, at least 90 calendar days before the day on which he enters into the trade agreement, notifies the House of Representatives and the Senate of his intention to enter into the agreement, and promptly thereafter publishes notice of such intention in the Federal Register;

(B) after entering into the agreement, the President submits a document to the House of Representatives and to the Senate containing a copy of the final legal text of the agreement, together with—

(i) a draft of an implementing bill,

(ii) a statement of any administrative action proposed to implement the trade agreement, and

(iii) the supporting information described in paragraph (2); and

(C) the implementing bill is enacted into law.

* * * * * * *

(b) Application of Congressional "fast track" procedures to implementing bills

(1) Except as provided in subsection (c)—

(A) the provisions of section 2191 of this title (hereinafter in this section referred to as "fast track procedures") apply to implementing bills submitted with respect to trade agreements entered into under section 2902(b) or (c) of this title before June 1, 1991; and

(B) such fast track procedures shall be extended to implementing bills submitted with respect to trade agreements entered into under section 2902(b) or (c) of this title after May 31, 1991, and before June 1, 1993, if (and only if)—

(i) the President requests such extension under paragraph (2); and

(ii) neither House of the Congress adopts an extension disapproval resolution under paragraph (5) before June 1, 1991.

(2) If the President is of the opinion that the fast track procedures should be extended to implementing bills described in paragraph (1)(B), the President must submit to the Congress, no later than March 1, 1991, a written report that contains a request for such extension, together with—

(A) a description of all trade agreements that have been negotiated under section 2902(b) or (c) of this title and the anticipated schedule for submitting such agreements to the Congress for approval;

(B) a description of the progress that has been made in multilateral and bilateral negotiations to achieve the purposes, policies, and objectives of this title, and a statement that such progress justifies the continuation of negotiations; and

(C) a statement of the reasons why the extension is needed to complete the negotiations.

(3) The President shall promptly inform the Advisory Committee for Trade Policy and Negotiations established under section 2155 of this title of his decision to submit a report to Congress under paragraph (2). The Advisory Committee shall submit to the Congress as soon as practicable, but no later than March 1, 1991, a written report that contains—

(A) its views regarding the progress that has been made in multilateral and bilateral negotiations to achieve the purposes, policies, and objectives of this title; and

(B) a statement of its views, and the reasons therefor, regarding whether the extension requested under paragraph (2) should be approved or disapproved.

(4) The reports submitted to the Congress under paragraphs (2) and (3), or any portion of the reports, may be classified to the extent the President determines appropriate.

(5)(A) For purposes of this subsection, the term "extension disapproval resolution" means a resolution of either House of the Congress, the sole matter after the resolving clause of which is as follows: "That the _____ disapproves the request of the President for the extension, under section 1103(b)(1)(B)(i) of the Omnibus Trade and Competitiveness Act of 1988, of the provisions of section 151 of the Trade Act of 1974 to any implementing bill submitted with respect to any trade agreement entered into under section 1102(b) or (c) of such Act after May 31, 1991, because sufficient tangible progress has not been made in trade negotiations.", with the blank space being filled with the name of the resolving House of the Congress.

(B) Extension disapproval resolutions—

(i) may be introduced in either House of the Congress by any member of such House; and

(ii) shall be jointly referred, in the House of Representatives, to the Committee on Ways and Means and the Committee on Rules.

(C) The provisions of section 2192(d) and (e) of this title (relating to the floor consideration of certain resolutions in the House and Senate) apply to extension disapproval resolutions.

(D) It is not in order for—

(i) the Senate to consider any extension disapproval resolution not reported by the Committee on Finance;

(ii) the House of Representatives to consider any extension disapproval resolution not reported by the Committee on Ways and Means and the Committee on Rules; or

(iii) either House of the Congress to consider an extension disapproval resolution that is reported to such House after May 15, 1991.

(c) Limitations on use of "fast track" procedures

(1)(A) The fast track procedures shall not apply to any implementing bill submitted with respect to a trade agreement entered into under section 2902(b) or (c) of this title if both Houses of the Congress separately agree to procedural disapproval resolutions within any 60-day period.

(B) Procedural disapproval resolutions—

(i) in the House of Representatives—

(I) shall be introduced by the chairman or ranking minority member of the Committee on Ways and Means or the chairman or ranking minority member of the Committee on Rules,

(II) shall be jointly referred to the Committee on Ways and Means and the Committee on Rules, and

(III) may not be amended by either Committee; and

(ii) in the Senate shall be original resolutions of the Committee on Finance.

(C) The provisions of section 2192(d) and (e) of this title (relating to the floor consideration of certain resolutions in the House and Senate) apply to procedural disapproval resolutions.

(D) It is not in order for the House of Representatives to consider any procedural disapproval resolution not reported by the Committee on Ways and Means and the Committee on Rules.

(E) For purposes of this subsection, the term "procedural disapproval resolution" means a resolution of either House of the Congress, the sole matter after the resolving clause of which is as follows: "That the President has failed or refused to consult with Congress on trade negotiations and trade agreements in accordance with the provisions of the Omnibus Trade and Competitiveness Act of 1988, and, therefore, the provisions of section 151 of the Trade Act of 1974 shall not apply to any implementing bill submitted with respect to any trade agreement entered into under section 1102(b) or (c) of such Act of 1988, if, during the 60-day period beginning on the date on which this resolution is agreed to by the _____, the _____ agrees to a procedural disapproval resolution (within the meaning of section 1103(c)(1)(E) of such Act of 1988).", with the first blank space being filled with the name of the resolving House of the Congress and the second blank space being filled with the name of the other House of the Congress.

(2) The fast track procedures shall not apply to any implementing bill that contains a provision approving of any trade agreement which is entered into under section 2902(c) of this title with any foreign country if either—

(A) the requirements of section 2902(c)(3) of this title are not met with respect to the negotiation of such agreement; or

(B) the Committee on Finance of the Senate or the Committee on Ways and Means of the House of Representatives disapproves

of the negotiation of such agreement before the close of the 60-day period which begins on the date notice is provided under section 2902(c)(3)(C)(i) of this title with respect to the negotiation of such agreement.

(d) Rules of House of Representatives and Senate

Subsections (b) and (c) are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such is deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

(e) Computation of certain periods of time

Each period of time described in subsection (c)(1)(A) and (E) and (2) of this section shall be computed without regard to—

(1) the days on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die; and

(2) any Saturday and Sunday, not excluded under paragraph (1), when either House of the Congress is not in session. (Pub. L. 100–418, Title I, § 1103, Aug. 23, 1988, 102 Stat. 1128.)

Chapter 22—URUGUAY ROUND TRADE AGREEMENTS

§ 3535. Review of participation in WTO **356**

(a) Report on operation of WTO

The first annual report submitted to the Congress under section 3534 of this title—

(1) after the end of the 5-year period beginning on the date on which the WTO Agreement enters into force with respect to the United States, and

(2) after the end of every 5-year period thereafter,

shall include an analysis of the effects of the WTO Agreement on the interests of the United States, the costs and benefits to the United States of its participation in the WTO, and the value of the continued participation of the United States in the WTO.

(b) Congressional disapproval of U.S. participation in WTO

(1) General rule

The approval of the Congress, provided under section 3511(a) of this title, of the WTO Agreement shall cease to be effective if, and only if, a joint resolution described in subsection (c) is enacted into law pursuant to the provisions of paragraph (2).

(2) Procedural provisions

(A) The requirements of this paragraph are met if the joint resolution is enacted under subsection (c), and—

(i) the Congress adopts and transmits the joint resolution to the President before the end of the 90-day period (excluding any day described in section 2194(b) of this title), beginning

on the date on which the Congress receives a report referred to in subsection (a), and

(ii) if the President vetoes the joint resolution, each House of Congress votes to override that veto on or before the later of the last day of the 90-day period referred to in clause (i) or the last day of the 15-day period (excluding any day described in section 2194(b) of this title) beginning on the date on which the Congress receives the veto message from the President.

(B) A joint resolution to which this section applies may be introduced at any time on or after the date on which the President transmits to the Congress a report described in subsection (a), and before the end of the 90-day period referred to in subparagraph (A).

(c) Joint resolutions

(1) Joint resolutions

For purposes of this section, the term "joint resolution" means only a joint resolution of the 2 Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress withdraws its approval, provided under section 101(a) of the Uruguay Round Agreements Act, of the WTO Agreement as defined in section 2(9) of that Act."

(2) Procedures

(A) Joint resolutions may be introduced in either House of the Congress by any member of such House.

(B) Subject to the provisions of this subsection, the provisions of subsections (b), (d), (e), and (f) of section 2192 of this title apply to joint resolutions to the same extent as such provisions apply to resolutions under such section.

(C) If the committee of either House to which a joint resolution has been referred has not reported it by the close of the 45th day after its introduction (excluding any day described in section 2194(b) of this title), such committee shall be automatically discharged from further consideration of the joint resolution and it shall be placed on the appropriate calendar.

(D) It is not in order for—

(i) the Senate to consider any joint resolution unless it has been reported by the Committee on Finance or the committee has been discharged under subparagraph (C); or

(ii) the House of Representatives to consider any joint resolution unless it has been reported by the Committee on Ways and Means or the committee has been discharged under subparagraph (C).

(E) A motion in the House of Representatives to proceed to the consideration of a joint resolution may only be made on the second legislative day after the calendar day on which the Member making the motion announces to the House his or her intention to do so.

(3) Consideration of second resolution not in order

It shall not be in order in either the House of Representatives or the Senate to consider a joint resolution (other than a joint resolution received from the other House), if that House has previously adopted a joint resolution under this section.

(d) Rules of House of Representatives and Senate

This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such is deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House. (Pub. L. 103–465, Dec. 8, 1994, Title I, § 125, 108 Stat. 4833.)

Chapter 27—BIPARTISAN CONGRESSIONAL TRADE PRIORITIES AND ACCOUNTABILITY

§ 4202. Trade agreements authority **357**

(a) Agreements regarding tariff barriers

(1) In general

Whenever the President determines that one or more existing duties or other import restrictions of any foreign country or the United States are unduly burdening and restricting the foreign trade of the United States and that the purposes, policies, priorities, and objectives of this chapter will be promoted thereby, the President—

(A) may enter into trade agreements with foreign countries before—

(i) July 1, 2018; or

(ii) July 1, 2021, if trade authorities procedures are extended under subsection (c); and

(B) may, subject to paragraphs (2) and (3), proclaim—

(i) such modification or continuance of any existing duty,

(ii) such continuance of existing duty free or excise treatment, or

(iii) such additional duties,

as the President determines to be required or appropriate to carry out any such trade agreement.

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this chapter.

(2) Notification

The President shall notify Congress of the President's intention to enter into an agreement under this subsection.

* * * * * * *

(b) Agreements regarding tariff and nontariff barriers

(1) In general

(A) Whenever the President determines that—

(i) 1 or more existing duties or any other import restriction of any foreign country or the United States or any other barrier to, or other distortion of, international trade unduly burdens or restricts the foreign trade of the United States or adversely affects the United States economy, or

(ii) the imposition of any such barrier or distortion is likely to result in such a burden, restriction, or effect, and that the purposes, policies, priorities, and objectives of this chapter will be promoted thereby, the President may enter into a trade agreement described in subparagraph (B) during the period described in subparagraph (C).

(B) The President may enter into a trade agreement under subparagraph (A) with foreign countries providing for—

(i) the reduction or elimination of a duty, restriction, barrier, or other distortion described in subparagraph (A); or

(ii) the prohibition of, or limitation on the imposition of, such barrier or other distortion.

(C) The President may enter into a trade agreement under this paragraph before—

(i) July 1, 2018; or

(ii) July 1, 2021, if trade authorities procedures are extended under subsection (c).

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this chapter.

(2) Conditions

A trade agreement may be entered into under this subsection only if such agreement makes progress in meeting the applicable objectives described in subsections (a) and (b) of section 4201 of this title and the President satisfies the conditions set forth in sections 4203 and 4204 of this title.

(3) Bills qualifying for trade authorities procedures

(A) The provisions of section 2191 of this title (in this chapter referred to as "trade authorities procedures") apply to a bill of either House of Congress which contains provisions described in subparagraph (B) to the same extent as such section 2191 applies to implementing bills under that section. A bill to which this paragraph applies shall hereafter in this chapter be referred to as an "implementing bill".

(B) The provisions referred to in subparagraph (A) are—

(i) a provision approving a trade agreement entered into under this subsection and approving the statement of administrative action, if any, proposed to implement such trade agreement; and

(ii) if changes in existing laws or new statutory authority are required to implement such trade agreement or agreements, only such provisions as are strictly necessary or appropriate to implement such trade agreement or agreements, either repealing or amending existing laws or providing new statutory authority.

(c) Extension disapproval process for congressional trade authorities procedures

(1) In general

Except as provided in section 4205(b) of this title—

(A) the trade authorities procedures apply to implementing bills submitted with respect to trade agreements entered into under subsection (b) before July 1, 2018; and

(B) the trade authorities procedures shall be extended to implementing bills submitted with respect to trade agreements entered into under subsection (b) after June 30, 2018, and before July 1, 2021, if (and only if)—

(i) the President requests such extension under paragraph (2); and

(ii) neither House of Congress adopts an extension disapproval resolution under paragraph (5) before July 1, 2018.

(2) Report to Congress by the President

If the President is of the opinion that the trade authorities procedures should be extended to implementing bills described in paragraph (1)(B), the President shall submit to Congress, not later than April 1, 2018, a written report that contains a request for such extension, together with—

(A) a description of all trade agreements that have been negotiated under subsection (b) and the anticipated schedule for submitting such agreements to Congress for approval;

(B) a description of the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this chapter, and a statement that such progress justifies the continuation of negotiations; and

(C) a statement of the reasons why the extension is needed to complete the negotiations.

* * * * * * *

(5) Extension disapproval resolutions

(A) For purposes of paragraph (1), the term "extension disapproval resolution" means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: "That the_____ disapproves the request of the President for the extension, under section 103(c)(1)(B)(i) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, of the trade authorities procedures under that Act to any implementing bill submitted with respect to any trade agreement entered into under section 103(b) of that Act after June 30, 2018.", with the blank space being filled with the name of the resolving House of Congress.

(B) Extension disapproval resolutions—

(i) may be introduced in either House of Congress by any member of such House; and

(ii) shall be referred, in the House of Representatives, to the Committee on Ways and Means and, in addition, to the Committee on Rules.

(C) The provisions of subsections (d) and (e) of section 2192 of this title (relating to the floor consideration of certain resolutions in the House and Senate) apply to extension disapproval resolutions.

(D) It is not in order for—

(i) the House of Representatives to consider any extension disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules;

(ii) the Senate to consider any extension disapproval resolution not reported by the Committee on Finance; or

(iii) either House of Congress to consider an extension disapproval resolution after June 30, 2018. (Pub. L. 114–26, Title I, § 103, June 29, 2015, 129 Stat. 333.)

* * * * * * *

358 § 4204. Notice, consultations, and reports

(a) Notice, consultations, and reports before negotiation

(1) Notice

The President, with respect to any agreement that is subject to the provisions of section 4202(b) of this title, shall—

(A) provide, at least 90 calendar days before initiating negotiations with a country, written notice to Congress of the President's intention to enter into the negotiations with that country and set forth in the notice the date on which the President intends to initiate those negotiations, the specific United States objectives for the negotiations with that country, and whether the President intends to seek an agreement, or changes to an existing agreement;

(B) before and after submission of the notice, consult regarding the negotiations with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, such other committees of the House and Senate as the President deems appropriate, and the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 4203(c) of this title;

(C) upon the request of a majority of the members of either the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations convened under section 4203(c) of this title, meet with the requesting congressional advisory group before initiating the negotiations or at any other time concerning the negotiations; and

(D) after consulting with the Committee on Ways and Means and the Committee on Finance, and at least 30 calendar days before initiating negotiations with a country, publish on a publicly available Internet website of the Office of the United States Trade Representative, and regularly update thereafter, a detailed and comprehensive summary of the specific objectives with respect to the negotiations, and a description of how the agreement, if successfully concluded, will further those objectives and benefit the United States.

* * * * * * *

(b) Consultation with Congress before entry into agreement

(1) Consultation

Before entering into any trade agreement under section 4202(b) of this title, the President shall consult with—

(A) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;

(B) each other committee of the House and the Senate, and each joint committee of Congress, which has jurisdiction over legislation involving subject matters which would be affected by the trade agreement; and

(C) the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 4203(c) of this title.

(2) Scope

The consultation described in paragraph (1) shall include consultation with respect to—

(A) the nature of the agreement;

(B) how and to what extent the agreement will achieve the applicable purposes, policies, priorities, and objectives of this chapter; and

(C) the implementation of the agreement under section 4205 of this title, including the general effect of the agreement on existing laws.

(3) Report regarding United States trade remedy laws

(A) Changes in certain trade laws

The President, not less than 180 calendar days before the day on which the President enters into a trade agreement under section 4202(b) of this title, shall report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate—

(i) the range of proposals advanced in the negotiations with respect to that agreement, that may be in the final agreement, and that could require amendments to title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) or to chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.); and

(ii) how these proposals relate to the objectives described in section 4201(b)(17) of this title.

(B) Resolutions

(i) At any time after the transmission of the report under subparagraph (A), if a resolution is introduced with respect to that report in either House of Congress, the procedures set forth in clauses (iii) through (vii) shall apply to that resolution if—

(I) no other resolution with respect to that report has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to those procedures; and

(II) no procedural disapproval resolution under section 4205(b) of this title introduced with respect to a trade agreement entered into pursuant to the negotiations to which the report under subparagraph (A) relates has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be.

(ii) For purposes of this subparagraph, the term "resolution" means only a resolution of either House of Congress, the matter after the resolving clause of which is as follows: "That the_____ finds that the proposed changes to United States trade remedy laws contained in the report of the President transmitted to Congress on_____ under section 105(b)(3) of the Bipartisan Congressional

Trade Priorities and Accountability Act of 2015 with respect to_____, are inconsistent with the negotiating objectives described in section 102(b)(17) of that Act.", with the first blank space being filled with the name of the resolving House of Congress, the second blank space being filled with the appropriate date of the report, and the third blank space being filled with the name of the country or countries involved.

(iii) Resolutions in the House of Representatives—

(I) may be introduced by any Member of the House;

(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and

(III) may not be amended by either Committee.

(iv) Resolutions in the Senate—

(I) may be introduced by any Member of the Senate;

(II) shall be referred to the Committee on Finance; and

(III) may not be amended.

(v) It is not in order for the House of Representatives to consider any resolution that is not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.

(vi) It is not in order for the Senate to consider any resolution that is not reported by the Committee on Finance.

(vii) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to floor consideration of certain resolutions in the House and Senate) shall apply to resolutions. (Pub. L. 114–26, Title I, § 105, June 29, 2015, 129 Stat. 342; Pub. L. 114–125, Title IX, § 914(f)(1), Feb. 24, 2016, 130 Stat. 275.)

* * * * * * *

359 § 4205. Implementation of trade agreements

(a) In general

(1) Notification and submission

Any agreement entered into under section 4202(b) of this title shall enter into force with respect to the United States if (and only if)—

(A) the President, at least 90 calendar days before the day on which the President enters into the trade agreement, notifies the House of Representatives and the Senate of the President's intention to enter into the agreement, and promptly thereafter publishes notice of such intention in the Federal Register;

(B) the President, at least 60 days before the day on which the President enters into the agreement, publishes the text of the agreement on a publicly available Internet website of the Office of the United States Trade Representative;

(C) within 60 days after entering into the agreement, the President submits to Congress a description of those changes to existing laws that the President considers would be required in order to bring the United States into compliance with the agreement;

(D) the President, at least 30 days before submitting to Congress the materials under subparagraph (E), submits to Congress—

(i) a draft statement of any administrative action proposed to implement the agreement; and

(ii) a copy of the final legal text of the agreement;

(E) after entering into the agreement, the President submits to Congress, on a day on which both Houses of Congress are in session, a copy of the final legal text of the agreement, together with—

(i) a draft of an implementing bill described in section 4202(b)(3) of this title;

(ii) a statement of any administrative action proposed to implement the trade agreement; and

(iii) the supporting information described in paragraph (2)(A);

(F) the implementing bill is enacted into law; and

(G) the President, not later than 30 days before the date on which the agreement enters into force with respect to a party to the agreement, submits written notice to Congress that the President has determined that the party has taken measures necessary to comply with those provisions of the agreement that are to take effect on the date on which the agreement enters into force.

* * * * * * *

(4) Disclosure of commitments

Any agreement or other understanding with a foreign government or governments (whether oral or in writing) that—

(A) relates to a trade agreement with respect to which Congress enacts an implementing bill under trade authorities procedures; and

(B) is not disclosed to Congress before an implementing bill with respect to that agreement is introduced in either House of Congress, shall not be considered to be part of the agreement approved by Congress and shall have no force and effect under United States law or in any dispute settlement body.

(b) Limitations on trade authorities procedures

(1) For lack of notice or consultations

(A) In general

The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 4202(b) of this title if during the 60-day period beginning on the date that one House of Congress agrees to a procedural disapproval resolution for lack of notice or consultations with respect to such trade agreement or agreements, the other House separately agrees to a procedural disapproval resolution with respect to such trade agreement or agreements.

(B) Procedural disapproval resolution

(i) For purposes of this paragraph, the term "procedural disapproval resolution" means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: "That the President has failed or re-

fused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to_____ and, therefore, the trade authorities procedures under that Act shall not apply to any implementing bill submitted with respect to such trade agreement or agreements.", with the blank space being filled with a description of the trade agreement or agreements with respect to which the President is considered to have failed or refused to notify or consult.

(ii) For purposes of clause (i) and paragraphs (3)(C) and (4)(C), the President has "failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015" on negotiations with respect to a trade agreement or trade agreements if—

(I) the President has failed or refused to consult (as the case may be) in accordance with sections 4203 and 4204 of this title and this section with respect to the negotiations, agreement, or agreements;

(II) guidelines under section 4203 of this title have not been developed or met with respect to the negotiations, agreement, or agreements;

(III) the President has not met with the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations pursuant to a request made under section 4203(c)(4) of this title with respect to the negotiations, agreement, or agreements; or

(IV) the agreement or agreements fail to make progress in achieving the purposes, policies, priorities, and objectives of this chapter.

(2) Procedures for considering resolutions

(A) Procedural disapproval resolutions—

(i) in the House of Representatives—

(I) may be introduced by any Member of the House;

(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and

(III) may not be amended by either Committee; and

(ii) in the Senate—

(I) may be introduced by any Member of the Senate;

(II) shall be referred to the Committee on Finance; and

(III) may not be amended.

(B) The provisions of subsections (d) and (e) of section 2192 of this title (relating to the floor consideration of certain resolutions in the House and Senate) apply to a procedural disapproval resolution introduced with respect to a trade agreement if no other procedural disapproval resolution with respect to that trade agreement has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, and if no resolution described in clause (ii) of section 4204(b)(3)(B) of this title with respect to that trade agreement has been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to the procedures set forth in clauses (iii) through (vii) of such section.

(C) It is not in order for the House of Representatives to consider any procedural disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.

(D) It is not in order for the Senate to consider any procedural disapproval resolution not reported by the Committee on Finance.

(3) Consideration in Senate of consultation and compliance resolution to remove trade authorities procedures

(A) Reporting of resolution

If, when the Committee on Finance of the Senate meets on whether to report an implementing bill with respect to a trade agreement or agreements entered into under section 4202(b) of this title, the committee fails to favorably report the bill, the committee shall report a resolution described in subparagraph (C).

(B) Applicability of trade authorities procedures

The trade authorities procedures shall not apply in the Senate to any implementing bill submitted with respect to a trade agreement or agreements described in subparagraph (A) if the Committee on Finance reports a resolution described in subparagraph (C) and such resolution is agreed to by the Senate.

(C) Resolution described

A resolution described in this subparagraph is a resolution of the Senate originating from the Committee on Finance the sole matter after the resolving clause of which is as follows: "That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to_____ and, therefore, the trade authorities procedures under that Act shall not apply in the Senate to any implementing bill submitted with respect to such trade agreement or agreements.", with the blank space being filled with a description of the trade agreement or agreements described in subparagraph (A).

(D) Procedures

If the Senate does not agree to a motion to invoke cloture on the motion to proceed to a resolution described in subparagraph (C), the resolution shall be committed to the Committee on Finance.

(4) Consideration in the House of Representatives of a consultation and compliance resolution

(A) Qualifications for reporting resolution

If—

(i) the Committee on Ways and Means of the House of Representatives reports an implementing bill with respect to a trade agreement or agreements entered into under section 4202(b) of this title with other than a favorable recommendation; and

(ii) a Member of the House of Representatives has introduced a consultation and compliance resolution on the legislative day following the filing of a report to accompany the implementing bill with other than a favorable recommendation, then the Committee on Ways and Means shall consider a consultation and compliance resolution pursuant to subparagraph (B).

(B) Committee consideration of a qualifying resolution

(i) Not later than the fourth legislative day after the date of introduction of the resolution, the Committee on Ways and Means shall meet to consider a resolution meeting the qualifications set forth in subparagraph (A).

(ii) After consideration of one such resolution by the Committee on Ways and Means, this subparagraph shall not apply to any other such resolution.

(iii) If the Committee on Ways and Means has not reported the resolution by the sixth legislative day after the date of its introduction, that committee shall be discharged from further consideration of the resolution.

(C) Consultation and compliance resolution described

A consultation and compliance resolution—

(i) is a resolution of the House of Representatives, the sole matter after the resolving clause of which is as follows: "That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to_____ and, therefore, the trade authorities procedures under that Act shall not apply in the House of Representatives to any implementing bill submitted with respect to such trade agreement or agreements.", with the blank space being filled with a description of the trade agreement or agreements described in subparagraph (A); and

(ii) shall be referred to the Committee on Ways and Means.

(D) Applicability of trade authorities procedures

The trade authorities procedures shall not apply in the House of Representatives to any implementing bill submitted with respect to a trade agreement or agreements which are the object of a consultation and compliance resolution if such resolution is adopted by the House.

(5) For failure to meet other requirements

Not later than December 15, 2015, the Secretary of Commerce, in consultation with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the United States Trade Representative, shall transmit to Congress a report setting forth the strategy of the executive branch to address concerns of Congress regarding whether dispute settlement panels and the Appellate Body of the World Trade Organization have added to obligations, or diminished rights, of the United States, as described in section 4201(b)(16)(C) of this title. Trade authorities procedures shall not apply to any implementing bill with respect to an agreement negotiated under the auspices of the World Trade Organization unless the Secretary of Commerce has issued such report by the deadline specified in this paragraph.

(6) Limitations on procedures with respect to agreements with countries not in compliance with Trafficking Victims Protection Act of 2000

(A) In general

The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 4202(b) of this title with a country listed as a tier 3 country in the most recent annual report on trafficking in persons.

(B) Exception

(i) Invoking exception

If the President submits to the appropriate congressional committees a letter stating that a country to which subparagraph (A) applies has taken concrete actions to implement the principal recommendations with respect to that country in the most recent annual report on trafficking in persons, the prohibition under subparagraph (A) shall not apply with respect to a trade agreement or trade agreements with that country.

(ii) Content of letter; public availability

A letter submitted under clause (i) with respect to a country shall—

(I) include a description of the concrete actions that the country has taken to implement the principal recommendations described in clause (i);

(II) be accompanied by supporting documentation providing credible evidence of each such concrete action, including copies of relevant laws or regulations adopted or modified, and any enforcement actions taken, by that country, where appropriate; and

(III) be made available to the public.

(C) Special rule for changes in certain determinations

If a country is listed as a tier 3 country in an annual report on trafficking in persons submitted in calendar year 2014 or any calendar year thereafter and, in the annual report on trafficking in persons submitted in the next calendar year, is listed on the tier 2 watch list, the President shall submit a detailed description of the credible evidence supporting the change in listing of the country, accompanied by copies of documents providing such evidence, where appropriate, to the appropriate congressional committees—

(i) in the case of a change in listing reflected in the annual report on trafficking in persons submitted in calendar year 2015, not later than 90 days after February 24, 2016; and

(ii) in the case of a change in listing reflected in an annual report on trafficking in persons submitted in calendar year 2016 or any calendar year thereafter, not later than 90 days after the submission of that report.

* * * * * * *

(c) Rules of House of Representatives and Senate

Subsection (b) of this section, section 4202(c) of this title, and section 4204(b)(3) of this title are enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such are deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House. (Pub. L. 114–26, Title I, § 106, June 29, 2015, 129 Stat. 350; Pub. L. 114–125, Title IX, § 914(e), (f)(2), Feb. 24, 2016, 130 Stat. 274, 276.)

TITLE 22—FOREIGN RELATIONS AND INTERCOURSE

Chapter 7—INTERNATIONAL BUREAUS, CONGRESS, ETC.

§ 287e–2. Reimbursement for goods and services provided by the United States to the United Nations 360

(a) Requirement to obtain reimbursement

(1) In general

Except as provided in paragraph (2), the President shall seek and obtain in a timely fashion a commitment from the United Nations to provide reimbursement to the United States from the United Nations whenever the United States Government furnishes assistance pursuant to the provisions of law described in subsection (c)—

(A) to the United Nations when the assistance is designed to facilitate or assist in carrying out an assessed peacekeeping operation;

(B) for any United Nations peacekeeping operation that is authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping or regular budget assessment of the United Nations members; or

(C) to any country participating in any operation authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping assessments of United Nations members when the assistance is designed to facilitate or assist the participation of that country in the operation.

(2) Exceptions

(A) In general

The requirement in paragraph (1) shall not apply to—

(i) goods and services provided to the United States Armed Forces;

(ii) assistance having a value of less than $3,000,000 per fiscal year per operation;

(iii) assistance furnished before November 29, 1999;

(iv) salaries and expenses of civilian police and other civilian and military monitors where United Nations policy is to require payment by contributing members for similar assistance to United Nations peacekeeping operations; or

(v) any assistance commitment made before November 29, 1999.

(B) Deployments of United States military forces

The requirements of subsection (d)(1)(B) shall not apply to the deployment of United States military forces when the President determines that such deployment is important to the security interests of the United States. The cost of such deployment

shall be included in the data provided under section 2348d of this title.

* * * * * * *

(c) Covered assistance

Subsection (a) applies to assistance provided under the following provisions of law:

(1) Sections 287d and 287d–1 of this title.

(2) Sections 2261, 2318(a)(1), 2321j, 2348a(c), and 2357 of this title.

(3) Any other provisions of law pursuant to which assistance is provided by the United States to carry out the mandate of an assessed United Nations peacekeeping operation.

(d) Waiver

(1) Authority

(A) In general

The President may authorize the furnishing of assistance covered by this section without regard to subsection (a) if the President determines, and so notifies in writing the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives, that to do so is important to the security interests of the United States.

(B) Congressional notification

When exercising the authorities of subparagraph (A), the President shall notify the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives in accordance with the procedures applicable to reprogramming notifications under section 2394–1 of this title.

(2) Congressional review

Notwithstanding a notice under paragraph (1) with respect to assistance covered by this section, subsection (a) shall apply to the furnishing of the assistance if, not later than 15 calendar days after receipt of a notification under that paragraph, the Congress enacts a joint resolution disapproving the determination of the President contained in the notification.

(3) Senate procedures

Any joint resolution described in paragraph (2) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[9] (Dec. 20, 1945, ch. 583, § 10, as added Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, Title VII, § 723], Nov. 29, 1999, 113 Stat. 1536, 1501A–463.)

* * * * * * *

[9] Relevant portions of § 601(b) of Title VI, Pub. L. 94–329, International Security Assistance and Arms Export Control Act of 1976 (ISAAECA), are reproduced in Sec. 431 of the Senate Manual.

Chapter 32—FOREIGN ASSISTANCE

§ 2291 note. United States Senate Caucus on International Narcotics Control 361

(a) Establishment.—There is established the United States Senate Caucus on International Narcotics Control (hereafter in this section referred to as the 'Caucus').

(b) Duties.—The Caucus is authorized and directed—

(1) to monitor and promote international compliance with narcotics control treaties, including eradication and other relevant issues; and

(2) to monitor and encourage United States Government and private programs seeking to expand international cooperation against drug abuse and narcotics trafficking.

(c) Membership.—(1) The Caucus shall be composed of 12 members as follows:

(A) 7 Members of the Senate appointed by the President of the Senate, 4 of whom (including the member designated as Chairman) shall be selected from the majority party of the Senate, after consultation with the majority leader, and 3 of whom (including the member designated as Cochairman) shall be selected from the minority party of the Senate, after consultation with the minority leader.

(B) 5 members of the public to be appointed by the President after consultation with the members of the appropriate congressional committees.

(2) There shall be a Chairman and a Cochairman of the Caucus.

(d) Powers.—In carrying out this section, the Caucus may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpoenas may be issued over the signature of the Chairman of the Caucus or any member designated by him, and may be served by any person designated by the Chairman or such member. The Chairman of the Caucus, or any member designated by him, may administer oaths to any witness.

(e) Report by President to Caucus.—In order to assist the Caucus in carrying out its duties, the President shall submit to the Caucus a copy of the report required by section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2991(e)) [22 U.S.C. 2291(e)].

(f) Report to Senate.—The Caucus is authorized and directed to report to the Senate with respect to the matters covered by this section on a periodic basis and to provide information to Members of the Senate as requested. For each fiscal year for which an appropriation is made the Caucus shall submit to the Congress a report on its expenditures under such appropriation.

* * * * * * *

(2) For purposes of section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)), the Caucus shall be deemed to be a standing committee of the Senate and shall be entitled to the use of funds in accordance with such section.

(h) Staff.—The Caucus may appoint and fix the pay of such staff personnel as it deems desirable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive

service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

* * * * * * *

(Pub. L. 99–93, Title VIII, § 814, Aug. 16, 1985, 99 Stat. 455, as amended by Pub. L. 99–151, Title III, § 306, Nov. 13, 1985, 99 Stat. 808; Pub. L. 100–202, § 101(i) [Title I, § 5], Dec. 22, 1987, 101 Stat. 1329–290, 1329–294; Pub. L. 102–392, Title III, § 323, Oct. 6, 1992, 106 Stat. 1726; Pub. L. 105–119, Title VI, § 625, Nov. 26, 1997, 111 Stat. 2522; Pub. L. 106–57, Title I, § 7, Sept. 29, 1999, 113 Stat. 412; Pub. L. 107–228, div. A, Title VI, § 684, Sept. 30, 2002, 116 Stat. 1411.)

362 § 2291j. Annual certification procedures

(a) Withholding of bilateral assistance and opposition to multilateral development assistance

(1) Bilateral assistance

Fifty percent of the United States assistance allocated each fiscal year in the report required by section 2413 of this title for each major illicit drug producing country, major drug-transit country, or country identified pursuant to clause (i) or (ii) of section 2291h(a)(8)(A) of this title shall be withheld from obligation and expenditure, except as provided in subsection (b). This paragraph shall not apply with respect to a country if the President determines that its application to that country would be contrary to the national interest of the United States, except that any such determination shall not take effect until at least 15 days after the President submits written notification of that determination to the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 2394–1 of this title.

(2) Multilateral assistance

The Secretary of the Treasury shall instruct the United States Executive Director of each multilateral development bank to vote, on and after March 1 of each year, against any loan or other utilization of the funds of their respective institution to or for any major illicit drug producing country or major drug-transit country (as determined under subsection (h)) or country identified pursuant to clause (i) or (ii) of section 2291h(a)(8)(A) of this title, except as provided in subsection (b). For purposes of this paragraph, the term "multilateral development bank" means the International Bank for Reconstruction and Development, the International Development Association, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, and the European Bank for Reconstruction and Development.

(b) Certification procedures

(1) What must be certified

Subject to subsection (d), the assistance withheld from a country pursuant to subsection (a)(1) may be obligated and expended, and the requirement of subsection (a)(2) to vote against multilateral development bank assistance to a country shall not apply, if the President determines and certifies to the Congress, at the time of the submission of the report required by section 2291h(a) of this title, that—

(A) during the previous year the country has cooperated fully with the United States, or has taken adequate steps on its own, to achieve full compliance with the goals and objectives established by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances; or

(B) for a country that would not otherwise qualify for certification under subparagraph (A), the vital national interests of the United States require that the assistance withheld pursuant to subsection (a)(1) be provided and that the United States not vote against multilateral development bank assistance for that country pursuant to subsection (a)(2).

(2) Considerations regarding cooperation

In making the determination described in paragraph (1)(A), the President shall consider the extent to which the country has—

(A) met the goals and objectives of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, including action on such issues as illicit cultivation, production, distribution, sale, transport and financing, and money laundering, asset seizure, extradition, mutual legal assistance, law enforcement and transit cooperation, precursor chemical control, and demand reduction;

(B) accomplished the goals described in an applicable bilateral narcotics agreement with the United States or a multilateral agreement; and

(C) taken legal and law enforcement measures to prevent and punish public corruption, especially by senior government officials, that facilitates the production, processing, or shipment of narcotic and psychotropic drugs and other controlled substances, or that discourages the investigation or prosecution of such acts.

(3) Information to be included in national interest certification

If the President makes a certification with respect to a country pursuant to paragraph (1)(B), the President shall include in such certification—

(A) a full and complete description of the vital national interests placed at risk if United States bilateral assistance to that country is terminated pursuant to this section and multilateral development bank assistance is not provided to such country; and

(B) a statement weighing the risk described in subparagraph (A) against the risks posed to the vital national interests of the United States by the failure of such country to cooperate fully with the United States in combating narcotics or to take adequate steps to combat narcotics on its own.

(c) Licit opium producing countries

The President may make a certification under subsection (b)(1)(A) with respect to a major illicit drug producing country, or major drug-transit country, that is a producer of licit opium only if the President determines that such country maintains licit production and stockpiles at levels no higher than those consistent with licit market demand, and has taken adequate steps to prevent significant diversion of its licit cultivation and production into the illicit markets and to prevent illicit cultivation and production.

(d) Congressional review

Subsection (e) shall apply if, within 30 calendar days after receipt of a certification submitted under subsection (b) at the time of submission of the report required by section 2291h(a) of this title, the Congress enacts a joint resolution disapproving the determination of the President contained in such certification.

(e) Denial of assistance for countries decertified

If the President does not make a certification under subsection (b) with respect to a country or the Congress enacts a joint resolution disapproving such certification, then until such time as the conditions specified in subsection (f) are satisfied—

(1) funds may not be obligated for United States assistance for that country, and funds previously obligated for United States assistance for that country may not be expended for the purpose of providing assistance for that country; and

(2) the requirement to vote against multilateral development bank assistance pursuant to subsection (a)(2) shall apply with respect to that country, without regard to the date specified in that subsection.

(f) Recertification

Subsection (e) shall apply to a country described in that subsection until—

(1) the President, at the time of submission of the report required by section 2291h(a) of this title, makes a certification under subsection (b)(1)(A) or (b)(1)(B) with respect to that country, and the Congress does not enact a joint resolution under subsection (d) disapproving the determination of the President contained in that certification; or

(2) the President, at any other time, makes the certification described in subsection (b)(1)(B) with respect to that country, except that this paragraph applies only if either—

(A) the President also certifies that—

(i) that country has undergone a fundamental change in government, or

(ii) there has been a fundamental change in the conditions that were the reason—

(I) why the President had not made a certification with respect to that country under subsection (b)(1)(A), or

(II) if he had made such a certification and the Congress enacted a joint resolution disapproving the determination contained in the certification, why the Congress enacted that joint resolution; or

(B) the Congress enacts a joint resolution approving the determination contained in the certification under subsection (b)(1)(B).

Any certification under subparagraph (A) of paragraph (2) shall discuss the justification for the certification.

(g) Senate procedures

Any joint resolution under this section shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[10]

(h) Determining major drug-transit and major illicit drug producing countries

Not later than November 1 of each year, the President shall notify the appropriate committees of the Congress of which countries have been determined to be major drug-transit countries, and which countries have been determined to be major illicit drug producing countries, for purposes of this chapter. (Pub. L. 87–195, Pt. I, § 490, as added Pub. L. 102–583, § 5(a), Nov. 2, 1992, 106 Stat. 4924; amended Pub. L. 103–447, Title I, § 101(g)(1), Nov. 2, 1994, 108 Stat. 4692; Pub. L. 104–66, Title I, § 1112(d), Dec. 21, 1995, 109 Stat. 724; Pub. L. 109–177, Title VII, § 722(b), Mar. 9, 2006, 120 Stat. 268.)

§ 2304. Human rights and security assistance **363**

* * * * * * *

(c) Congressional request for information; information required; 30-day period; failure to supply information; termination or restriction of assistance

(1) Upon the request of the Senate or the House of Representatives by resolution of either such House, or upon the request of the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives, the Secretary of State shall, within thirty days after receipt of such request, transmit to both such committees a statement, prepared with the assistance of the Assistant Secretary of State for Democracy, Human Rights, and Labor, with respect to the country designated in such request, setting forth—

(A) all the available information about observance of and respect for human rights and fundamental freedom in that country, and a detailed description of practices by the recipient government with respect thereto;

(B) the steps the United States has taken to—

(i) promote respect for and observance of human rights in that country and discourage any practices which are inimical to internationally recognized human rights, and

(ii) publicly or privately call attention to, and disassociate the United States and any security assistance provided for such country from, such practices;

(C) whether, in the opinion of the Secretary of State, notwithstanding any such practices—

(i) extraordinary circumstances exist which necessitate a continuation of security assistance for such country, and, if so, a description of such circumstances and the extent to which such assistance should be continued (subject to such conditions as Congress may impose under this section), and

(ii) on all the facts it is in the national interest of the United States to provide such assistance; and

[10] *Id.*

(D) such other information as such committee or such House may request.

(2)(A) A resolution of request under paragraph (1) of this subsection shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[11]

(B) The term "certification", as used in section 601 of such Act, means, for the purposes of this subsection, a resolution of request of the Senate under paragraph (1) of this subsection.

(3) In the event a statement with respect to a country is requested pursuant to paragraph (1) of this subsection but is not transmitted in accordance therewith within thirty days after receipt of such request, no security assistance shall be delivered to such country except as may thereafter be specifically authorized by law from such country unless and until such statement is transmitted.

(4)(A) In the event a statement with respect to a country is transmitted under paragraph (1) of this subsection, the Congress may at any time thereafter adopt a joint resolution terminating, restricting, or continuing security assistance for such country. In the event such a joint resolution is adopted, such assistance shall be so terminated, so restricted, or so continued, as the case may be.

(B) Any such resolution shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[12]

(C) The term "certification", as used in section 601 of such Act, means, for the purposes of this paragraph, a statement transmitted under paragraph (1) of this subsection. (Pub. L. 87–195, Pt. II, § 502B, as added Pub. L. 93–559, § 46, Dec. 30, 1974, 88 Stat. 1815; amended Pub. L. 94–329, Title III, § 301(a), June 30, 1976, 90 Stat. 748; Pub. L. 95–105, Title I, § 109(a)(3), Aug. 17, 1977, 91 Stat. 846; Pub. L. 95–384, §§ 6(a)–(d)(1), (e), 10(b)(1), 12(b), Sept. 26, 1978, 92 Stat. 731, 732, 735, 737; Pub. L. 96–53, Title V, § 511, Aug. 14, 1979, 93 Stat. 380; Pub. L. 96–92, § 4, Oct. 29, 1979, 93 Stat. 702; Pub. L. 96–533, Title VII, §§ 701(b), 704, Dec. 16, 1980, 94 Stat. 3156, 3157; Pub. L. 98–151, § 101(b)(2), Nov. 14, 1983, 97 Stat. 972; Pub. L. 99–64, Title I, § 124, July 12, 1985, 99 Stat. 156; Pub. L. 99–83, Title XII, § 1201, Aug. 8, 1985, 99 Stat. 276; Pub. L. 100–204, Title I, § 127(2), Dec. 22, 1987, 101 Stat. 1343; Pub. L. 103–236, Title I, § 162(e)(2), Apr. 30, 1994, 108 Stat. 405; Pub. L. 103–437, § 9(a)(6), Nov. 2, 1994, 108 Stat. 4588 ; Pub. L. 104–319, Title II, § 201(b), Oct. 19, 1996, 110 Stat. 3866; Pub. L. 105–292, Title I, § 102(d)(2), Title IV, § 421(b), Oct. 27, 1998, 112 Stat. 2795, 2810; Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, Title II, § 252, Title VIII, § 806(b)], Nov. 29, 1999, 113 Stat. 1536, 1501A–432, 1501A–471; Pub. L. 106–386, div. A, § 104(b), Oct. 28, 2000, 114 Stat. 1472; Pub. L. 107–228, div. A, Title VI, §§ 665(b), 683(b), Sept. 30, 2002, 116 Stat. 1407, 1411; Pub. L. 108–332, § 6(a)(2), Oct. 16, 2004, 118 Stat. 1285; Pub. L. 111–166, § 2(2), May 17, 2010, 124 Stat. 1187; Pub. L. 113–4, Title XII, § 1207(b)(2), Mar. 7, 2013, 127 Stat.

[11] *Id.*
[12] *Id.*

141; Pub. L. 113–276, Title II, §§ 206, 208(b)(2), Dec. 18, 2014, 128 Stat. 2992, 2993.)

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§ 2314. Furnishing of defense articles or related training or other defense service on grant basis **364**

* * * * * * *

(g) Discrimination on basis of race, religion, national origin, or sex prohibited

(1) It is the policy of the United States that no assistance under this part should be furnished to any foreign country, the laws, regulations, official policies, or governmental practices of which prevent any United States person (as defined in section 7701(a)(30) of title 26) from participating in the furnishing of defense articles or defense services under this part on the basis of race, religion, national origin, or sex.

(2)(A) No agency performing functions under this part shall, in employing or assigning personnel to participate in the performance of any such function, whether in the United States or abroad, take into account the exclusionary policies or practices of any foreign government where such policies or practices are based upon race, religion, national origin, or sex.

(B) Each contract entered into by any such agency for the performance of any function under this part shall contain a provision to the effect that no person, partnership, corporation, or other entity performing functions pursuant to such contract, shall, in employing or assigning personnel to participate in the performance of any such function, whether in the United States or abroad, take into account the exclusionary policies or practices of any foreign government where such policies or practices are based upon race, religion, national origin, or sex.

(3) The President shall promptly transmit reports to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate concerning any transaction in which any United States person (as defined in section 7701(a)(30) of title 26) is prevented by a foreign government on the basis of race, religion, national origin, or sex, from participating in the furnishing of assistance under this part, or education and training under part V of this subchapter, to any foreign country. Such reports shall include (A) a description of the facts and circumstances of any such discrimination, (B) the response thereto on the part of the United States or any agency or employee thereof, and (C) the result of such response, if any.

(4)(A) Upon the request of the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives, the President shall, within 60 days after receipt of such request, transmit to both such committees a statement, prepared with the assistance of the Assistant Secretary of State for Democracy, Human Rights, and Labor, with respect to the country designated in such request, setting forth—

(i) all the available information about the exclusionary policies or practices of the government of such country when such policies or practices are based upon race, religion, national origin, or sex and prevent any such person from participating in a transaction

involving the furnishing of any assistance under this part or any education and training under part V of this subchapter;

(ii) the response of the United States thereto and the results of such response;

(iii) whether, in the opinion of the President, notwithstanding any such policies or practices—

(I) extraordinary circumstances exist which necessitate a continuation of such assistance or education and training transaction, and, if so, a description of such circumstances and the extent to which such assistance or education and training transaction should be continued (subject to such conditions as Congress may impose under this section), and

(II) on all the facts it is in the national interest of the United States to continue such assistance or education and training transaction; and

(iv) such other information as such committee may request.

(B) In the event a statement with respect to an assistance or training transaction is requested pursuant to subparagraph (A) of this paragraph but is not transmitted in accordance therewith within 60 days after receipt of such request, such assistance or training transaction shall be suspended unless and until such statement is transmitted.

(C)(i) In the event a statement with respect to an assistance or training transaction is transmitted under subparagraph (A) of this paragraph, the Congress may at any time thereafter adopt a joint resolution terminating or restricting such assistance or training transaction.

(ii) Any such resolution shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[13]

(iii) The term "certification", as used in section 601 of such Act, means, for the purposes of this paragraph, a statement transmitted under subparagraph (A) of this paragraph. (Pub. L. 87–195, Pt. II, § 505, formerly § 506, Sept. 4, 1961, 75 Stat. 436; Pub. L. 87–565, Pt. II, § 201(a), Aug. 1, 1962, 76 Stat. 259; Pub. L. 89–583, Pt. II, § 201(b), Sept. 19, 1966, 80 Stat. 803; renumbered § 505, Pub. L. 90–137, Pt. II, § 201(e), Nov. 14, 1967, 81 Stat. 456 and amended Pub. L. 92–226, Pt. II, § 201(b), (c), Feb. 7, 1972, 86 Stat. 25; Pub. L. 93–189, § 12(b)(3), Dec. 17, 1973, 87 Stat. 721; Pub. L. 94–329, Title II, §§ 203(b), 204(b)(2), Title III, §§ 302(a), 304(a), June 30, 1976, 90 Stat. 735 , 736, 751, 754; Pub. L. 95–105, Title I, § 109(a)(4), Aug. 17, 1977, 91 Stat. 846; Pub. L. 99–83, Title I, § 123(b), Aug. 8, 1985, 99 Stat. 205; Pub. L. 99–514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 101–513, Title III, Nov. 5, 1990, 104 Stat. 1998; Pub. L. 103–236, Title I, § 162(e)(2), Apr. 30, 1994, 108 Stat. 405; Pub. L. 103–437, § 9(a)(6), Nov. 2, 1994, 108 Stat. 4588.)

Chapter 39—ARMS EXPORT CONTROL

365 § 2753. Eligibility for defense services or defense articles

(a) Prerequisites for consent by President; report to Congress

No defense article or defense service shall be sold or leased by the United States Government under this chapter to any country or inter-

[13] *Id.*

national organization, and no agreement shall be entered into for a cooperative project (as defined in section 2767 of this title), unless—

* * * * * * *

(2) the country or international organization shall have agreed not to transfer title to, or possession of, any defense article or related training or other defense service so furnished to it, or produced in a cooperative project (as defined in section 2767 of this title), to anyone not an officer, employee, or agent of that country or international organization (or the North Atlantic Treaty Organization or the specified member countries (other than the United States) in the case of a cooperative project) and not to use or permit the use of such article or related training or other defense service for purposes other than those for which furnished unless the consent of the President has first been obtained;

* * * * * * *

(c) Termination of credits, guaranties or sales; report of violation by President; national security exception; conditions for reinstatement

(1)(A) No credits (including participations in credits) may be issued and no guaranties may be extended for any foreign country under this chapter as hereinafter provided, if such country uses defense articles or defense services furnished under this chapter, or any predecessor Act, in substantial violation (either in terms of quantities or in terms of the gravity of the consequences regardless of the quantities involved) of any agreement entered into pursuant to any such Act (i) by using such articles or services for a purpose not authorized under section 2754 of this title or, if such agreement provides that such articles or services may only be used for purposes more limited than those authorized under section 2754 of this title for a purpose not authorized under such agreement; (ii) by transferring such articles or services to, or permitting any use of such articles or services by, anyone not an officer, employee, or agent of the recipient country without the consent of the President; or (iii) by failing to maintain the security of such articles or services.

(B) No cash sales or deliveries pursuant to previous sales may be made with respect to any foreign country under this chapter as hereinafter provided, if such country uses defense articles or defense services furnished under this chapter, or any predecessor Act, in substantial violation (either in terms of quantity or in terms of the gravity of the consequences regardless of the quantities involved) of any agreement entered into pursuant to any such Act by using such articles or services for a purpose not authorized under section 2754 of this title or, if such agreement provides that such articles or services may only be used for purposes more limited than those authorized under section 2754 of this title, for a purpose not authorized under such agreement.

(2) The President shall report to the Congress promptly upon the receipt of information that a violation described in paragraph (1) of this subsection may have occurred.

(3)(A) A country shall be deemed to be ineligible under subparagraph (A) of paragraph (1) of this subsection, or both subparagraphs (A) and (B) of such paragraph in the case of a violation described in both such paragraphs, if the President so determines and so reports in writing to the Congress, or if the Congress so determines by joint resolution.

(B) Notwithstanding a determination by the President of ineligibility under subparagraph (B) of paragraph (1) of this subsection, cash sales and deliveries pursuant to previous sales may be made if the President certifies in writing to the Congress that a termination thereof would have significant adverse impact on United States security, unless the Congress adopts or has adopted a joint resolution pursuant to subparagraph (A) of this paragraph with respect to such ineligibility.

(4) A country shall remain ineligible in accordance with paragraph (1) of this subsection until such time as—

(A) the President determines that the violation has ceased; and

(B) the country concerned has given assurances satisfactory to the President that such violation will not recur.

(d) Submission of written certification to Congress; contents; classified material; effective date of consent; report to Congress; transfers not subject to procedures

(1) Subject to paragraph (5), the President may not give his consent under paragraph (2) of subsection (a) or under the third sentence of such subsection, or under section 2314(a)(1) or 2314(a)(4) of this title, to a transfer of any major defense equipment valued (in terms of its original acquisition cost) at $14,000,000 or more, or any defense article or related training or other defense service valued (in terms of its original acquisition cost) at $50,000,000 or more, unless the President submits to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a written certification with respect to such proposed transfer containing—

(A) the name of the country or international organization proposing to make such transfer,

(B) a description of the article or service proposed to be transferred, including its acquisition cost,

(C) the name of the proposed recipient of such article or service,

(D) the reasons for such proposed transfer, and

(E) the date on which such transfer is proposed to be made.

Any certification submitted to Congress pursuant to this paragraph shall be unclassified, except that information regarding the dollar value and number of articles or services proposed to be transferred may be classified if public disclosure thereof would be clearly detrimental to the security of the United States.

(2)(A) Except as provided in subparagraph (B), unless the President states in the certification submitted pursuant to paragraph (1) of this subsection that an emergency exists which requires that consent to the proposed transfer become effective immediately in the national security interests of the United States, such consent shall not become effective until 30 calendar days after the date of such submission and such consent shall become effective then only if the Congress does not enact, within such 30-day period, a joint resolution prohibiting the proposed transfer.

(B) In the case of a proposed transfer to the North Atlantic Treaty Organization, or any member country of such Organization, Japan, Australia, the Republic of Korea, Israel, or New Zealand, unless the President states in the certification submitted pursuant to paragraph (1) of this subsection that an emergency exists which requires that consent to the proposed transfer become effective immediately in the national

security interests of the United States, such consent shall not become effective until fifteen calendar days after the date of such submission and such consent shall become effective then only if the Congress does not enact, within such fifteen-day period, a joint resolution prohibiting the proposed transfer.

(C) If the President states in his certification under subparagraph (A) or (B) that an emergency exists which requires that consent to the proposed transfer become effective immediately in the national security interests of the United States, thus waiving the requirements of that subparagraph, the President shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate immediate consent to the transfer and a discussion of the national security interests involved.

(D)(i) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[14]

(ii) For the purpose of expediting the consideration and enactment of joint resolutions under this paragraph, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

(3)(A) Subject to paragraph (5), the President may not give his consent to the transfer of any major defense equipment valued (in terms of its original acquisition cost) at $14,000,000 or more, or of any defense article or defense service valued (in terms of its original acquisition cost) at $50,000,000 or more, the export of which has been licensed or approved under section 2778 of this title or has been exempted from the licensing requirements of this chapter pursuant to a treaty referred to in section 2778(j)(1)(C)(i) of this title where such treaty does not authorize the transfer without prior United States Government approval, unless before giving such consent the President submits to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Chairman of the Committee on Foreign Relations of the Senate a certification containing the information specified in subparagraphs (A) through (E) of paragraph (1). Such certification shall be submitted—

(i) at least 15 calendar days before such consent is given in the case of a transfer to a country which is a member of the North Atlantic Treaty Organization or Australia, Japan, the Republic of Korea, Israel, or New Zealand; and

(ii) at least 30 calendar days before such consent is given in the case of a transfer to any other country,

unless the President states in his certification that an emergency exists which requires that consent to the proposed transfer become effective immediately in the national security interests of the United States. If the President states in his certification that such an emergency exists (thus waiving the requirements of clause (i) or (ii), as the case may be, and of subparagraph (B)) the President shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate that consent to

[14] *Id.*

the proposed transfer become effective immediately and a discussion of the national security interests involved.

(B) Consent to a transfer subject to subparagraph (A) shall become effective after the end of the 15-day or 30-day period specified in subparagraph (A)(i) or (ii), as the case may be, only if the Congress does not enact, within that period, a joint resolution prohibiting the proposed transfer.

(C)(i) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[15]

(ii) For the purpose of expediting the consideration and enactment of joint resolutions under this paragraph, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

(4) This subsection shall not apply—

(A) to transfers of maintenance, repair, or overhaul defense services, or of the repair parts or other defense articles used in furnishing such services, if the transfer will not result in any increase, relative to the original specifications, in the military capability of the defense articles and services to be maintained, repaired, or overhauled;

(B) to temporary transfers of defense articles for the sole purpose of receiving maintenance, repair, or overhaul; or

(C) to arrangements among members of the North Atlantic Treaty Organization or between the North Atlantic Treaty Organization and any of its member countries—

(i) for cooperative cross servicing, or

(ii) for lead-nation procurement if the certification transmitted to the Congress pursuant to section 2776(b) of this title with regard to such lead-nation procurement identified the transferees on whose behalf the lead-nation procurement was proposed. (Pub. L. 90–629, ch. 1, § 3, Oct. 22, 1968, 82 Stat. 1322; Pub. L. 91–672, § 1, Jan. 12, 1971, 84 Stat. 2053; Pub. L. 93–189, § 25(2), Dec. 17, 1973, 87 Stat. 729; Pub. L. 93–559, § 45(a)(1), Dec. 30, 1974, 88 Stat. 1813; Pub. L. 94–329, Title II, §§ 203(a), 204(a), (b)(1), Title III, § 304(b), June 30, 1976, 90 Stat. 735, 736, 754, 755; Pub. L. 95–92, §§ 15–18, Aug. 4, 1977, 91 Stat. 622; Pub. L. 96–92, § 11, Oct. 29, 1979, 93 Stat. 705; Pub. L. 96–533, Title I, § 101, Dec. 16, 1980, 94 Stat. 3131; Pub. L. 97–113, Title I, §§ 101(a), 102(a), 109(b)(2), Dec. 29, 1981, 95 Stat. 1519, 1520, 1526; Pub. L. 99–83, Title I, § 115(b)(2), Title V, § 503(b), Aug. 8, 1985, 99 Stat. 201, 221; Pub. L. 99–145, Title XI, § 1102(a)(3), (5), Nov. 8, 1985, 99 Stat. 710; Pub. L. 99–247, § 1(a), Feb. 12, 1986, 100 Stat. 9; Pub. L. 99–661, div. A, Title XIII, § 1342(e), Nov. 14, 1986, 100 Stat. 3991; Pub. L. 100–461, Title V, § 577, Oct. 1, 1988, 102 Stat. 2268–45; Pub. L. 101–222, § 2(b), Dec. 12, 1989, 103 Stat. 1896; Pub. L. 103–236, Title VIII, § 822(a)(1), Apr. 30, 1994, 108 Stat. 511; Pub. L. 104–164, Title I, §§ 141(a), (b), 142, July 21, 1996, 110 Stat. 1430, 1431, 1433; Pub. L. 106–

[15] *Id.*

113, div. B, § 1000(a)(7) [div. B, Title XII, § 1225], Nov. 29, 1999, 113 Stat. 1536 , 1501A–499; Pub. L. 107–228, div. B, Title XIV, § 1405(a)(1), Sept. 30, 2002, 116 Stat. 1456; Pub. L. 110–429, Title II, § 203(b)(1), (2), Oct. 15, 2008, 122 Stat. 4845 ; Pub. L. 111–266, Title I, §§ 102(a), 104(a), Title III, § 301, Oct. 8, 2010, 124 Stat. 2797, 2799, 2804; Pub. L. 113–276, Title II, § 208(a)(1), Dec. 18, 2014, 128 Stat. 2992.)

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§ 2755. Discrimination prohibited if based on race, religion, national origin, or sex 366

(a) Congressional declaration of policy

It is the policy of the United States that no sales should be made, and no credits (including participations in credits) or guaranties extended to or for any foreign country, the laws, regulations, official policies, or governmental practices of which prevent any United States person (as defined in section 7701(a)(30) of title 26) from participating in the furnishing of defense articles or defense services under this chapter on the basis of race, religion, national origin, or sex.

(b) Employment of personnel; required contractual provision

(1) No agency performing functions under this chapter shall, in employing or assigning personnel to participate in the performance of any such function, whether in the United States or abroad, take into account the exclusionary policies or practices of any foreign government where such policies or practices are based upon race, religion, national origin, or sex.

(2) Each contract entered into by any such agency for the performance of any function under this chapter shall contain a provision to the effect that no person, partnership, corporation, or other entity performing functions pursuant to such contract, shall, in employing or assigning personnel to participate in the performance of any such function, whether in the United States or abroad, take into account the exclusionary policies or practices of any foreign government where such policies or practices are based upon race, religion, national origin, or sex.

(c) Report by President; contents

The President shall promptly transmit reports to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the chairman of the Committee on Foreign Relations of the Senate concerning any instance in which any United States person (as defined in section 7701(a)(30) of title 26) is prevented by a foreign government on the basis of race, religion, national origin, or sex, from participating in the performance of any sale or licensed transaction under this chapter or any import or export under a treaty referred to in section 2778(j)(1)(C)(i) of this title. Such reports shall include (1) a description of the facts and circumstances of any such discrimination, (2) the response thereto on the part of the United States or any agency or employee thereof, and (3) the result of such response, if any.

(d) Congressional request for information from President; information required; 60 day period; failure to supply information; termination or restriction of sale

(1) Upon the request of the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives, the President shall, within 60 days after receipt of such request, transmit to both such committees a statement, prepared with the assistance of the Secretary of State, with respect to the country designated in such request, setting forth—

(A) all the available information about the exclusionary policies or practices of the government of such country when such policies or practices are based upon race, religion, national origin or sex and prevent any such person from participating in the performance of any sale or licensed transaction under this chapter;

(B) the response of the United States thereto and the results of such response;

(C) whether, in the opinion of the President, notwithstanding any such policies or practices—

(i) extraordinary circumstances exist which necessitate a continuation of such sale or licensed transaction, and, if so, a description of such circumstances and the extent to which such sale or licensed transaction should be continued (subject to such conditions as Congress may impose under this section), and

(ii) on all the facts it is in the national interest of the United States to continue such sale or licensed transaction; and

(D) such other information as such committee may request.

(2) In the event a statement with respect to a sale or licensed transaction is requested pursuant to paragraph (1) of this subsection but is not transmitted in accordance therewith within 60 days after receipt of such request, such sale or licensed transaction shall be suspended unless and until such statement is transmitted.

(3)(A) In the event a statement with respect to a sale or licensed transaction is transmitted under paragraph (1) of this subsection, the Congress may at any time thereafter adopt a joint resolution terminating or restricting such sale or licensed transaction.

(B) Any such resolution shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

(C) The term "certification", as used in section 601 of such Act, means, for the purposes of this paragraph, a statement transmitted under paragraph (1) of this subsection. (Pub. L. 90–629, ch. 1, § 5, as added Pub. L. 94–329, Title III, § 302(b), June 30, 1976, 90 Stat. 752; amended Pub. L. 95–105, Title I, § 109(a)(5), Aug. 17, 1977, 91 Stat. 846; Pub. L. 99–514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 103–236, Title I, § 162(f), Apr. 30, 1994, 108 Stat. 405; Pub. L. 103–437, § 9(a)(7), Nov. 2, 1994, 108 Stat. 4588; Pub. L. 111–266, Title I, § 104(b), Oct. 8, 2010, 124 Stat. 2799; Pub. L. 113–276, Title II, § 208(a)(1), Dec. 18, 2014, 128 Stat. 2992.)

367 § 2776. Reports and certifications to Congress on military exports

* * * * * * *

(1) Subject to paragraph (6), in the case of any letter of offer to sell any defense articles or services under this chapter for $50,000,000

or more, any design and construction services for $200,000,000 or more, or any major defense equipment for $14,000,000 or more, before such letter of offer is issued, the President shall submit to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and to the chairman of the Committee on Foreign Relations of the Senate a numbered certification with respect to such offer to sell containing the information specified in clauses * * * subsection (a) * * *

A certification transmitted pursuant to this subsection shall be unclassified, except that the information specified in clause (ii) and the details of the description specified in clause (iii) of subsection (a) may be classified if the public disclosure thereof would be clearly detrimental to the security of the United States, in which case the information shall be accompanied by a description of the damage to the national security that could be expected to result from public disclosure of the information. The letter of offer shall not be issued, with respect to a proposed sale to the North Atlantic Treaty Organization, any member country of such Organization, Japan, Australia, the Republic of Korea, Israel, or New Zealand, if the Congress, within fifteen calendar days after receiving such certification, or with respect to a proposed sale to any other country or organization, if the Congress within thirty calendar days after receiving such certification, enacts a joint resolution prohibiting the proposed sale, unless the President states in his certification that an emergency exists which requires such sale in the national security interests of the United States. If the President states in his certification that an emergency exists which requires the proposed sale in the national security interest of the United States, thus waiving the congressional review requirements of this subsection, he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate the immediate issuance of the letter of offer and a discussion of the national security interests involved.

(2) Any such joint resolution shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976, except that for purposes of consideration of any joint resolution with respect to the North Atlantic Treaty Organization, any member country of such Organization, Japan, Australia, the Republic of Korea, Israel, or New Zealand, it shall be in order in the Senate to move to discharge a committee to which such joint resolution was referred if such committee has not reported such joint resolution at the end of five calendar days after its introduction.[16]

(3) For the purpose of expediting the consideration and enactment of joint resolutions under this subsection, a motion to proceed to the consideration of any such joint resolution after it has been reported

[16] *Id.*

by the appropriate committee shall be treated as highly privileged in the House of Representatives.

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(c) Application for export license; submission of numbered Presidential certification and statement to Congress; contents; emergency circumstances; joint resolution; exception; notification of upgrades

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(2) Unless the President states in his certification that an emergency exists which requires the proposed export in the national security interests of the United States, a license for export described in paragraph (1)—

(A) in the case of a license for an export to the North Atlantic Treaty Organization, any member country of that Organization or Australia, Japan, the Republic of Korea, Israel, or New Zealand, shall not be issued until at least 15 calendar days after the Congress receives such certification, and shall not be issued then if the Congress, within that 15-day period, enacts a joint resolution prohibiting the proposed export;

(B) in the case of a license for an export of a commercial communications satellite for launch from, and by nationals of, the Russian Federation, Ukraine, or Kazakhstan, shall not be issued until at least 15 calendar days after the Congress receives such certification, and shall not be issued then if the Congress, within that 15-day period, enacts a joint resolution prohibiting the proposed export; and

(C) in the case of any other license, shall not be issued until at least 30 calendar days after the Congress receives such certification, and shall not be issued then if the Congress, within that 30-day period, enacts a joint resolution prohibiting the proposed export.

If the President states in his certification that an emergency exists which requires the proposed export in the national security interests of the United States, thus waiving the requirements of subparagraphs (A) and (B) of this paragraph, he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate the immediate issuance of the export license and a discussion of the national security interests involved.

(3)(A) Any joint resolution under this subsection shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[17]

(B) For the purpose of expediting the consideration and enactment of joint resolutions under this subsection, a motion to proceed to the consideration of any such joint resolution after it has been reported

[17] *Id.*

by the appropriate committee shall be treated as highly privileged in the House of Representatives.

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(d) Commercial technical assistance or manufacturing licensing agreements with non-North Atlantic Treaty Organization member countries; submission of Presidential certification; contents

(1) In the case of an approval under section 2778 of this title of a United States commercial technical assistance or manufacturing licensing agreement which involves the manufacture abroad of any item of significant combat equipment on the United States Munitions List, before such approval is given, the President shall submit a certification with respect to such proposed commercial agreement in a manner similar to the certification required under subsection (c)(1) containing comparable information, except that the last sentence of such subsection shall not apply to certifications submitted pursuant to this subsection.

(2) A certification under this subsection shall be submitted—

(A) at least 15 days before approval is given in the case of an agreement for or in a country which is a member of the North Atlantic Treaty Organization or Australia, Japan, the Republic of Korea, Israel, or New Zealand; and

(B) at least 30 days before approval is given in the case of an agreement for or in any other country;

unless the President states in his certification that an emergency exists which requires the immediate approval of the agreement in the national security interests of the United States.

(3) If the President states in his certification that an emergency exists which requires the immediate approval of the agreement in the national security interests of the United States, thus waiving the requirements of paragraph (4), he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate the immediate approval of the agreement and a discussion of the national security interests involved.

(4) Approval for an agreement subject to paragraph (1) may not be given under section 2778 of this title if the Congress, within the 15-day or 30-day period specified in paragraph (2)(A) or (B), as the case may be, enacts a joint resolution prohibiting such approval.

(5)(A) Any joint resolution under paragraph (4) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[18]

(B) For the purpose of expediting the consideration and enactment of joint resolutions under paragraph (4), a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives. (Pub. L. 90–629, ch. 3, § 36, Oct. 22, 1968, 82 Stat. 1326; Pub. L. 93–189, § 25(10), Dec. 17, 1973, 87 Stat. 731; Pub. L. 93–559, § 45(a)(5), Dec. 30, 1974, 88 Stat. 1814; Pub. L. 94–329, Title II, § 211(a), Title VI, § 604(a), June 30, 1976, 90 Stat. 740, 766; Pub. L. 95–384, § 21, Sept. 26, 1978, 92 Stat. 741; Pub. L.

[18] *Id.*

96–92, §§ 16(b), 19(a), (c), 20(b), Oct. 29, 1979, 93 Stat. 708–710; Pub. L. 96–533, Title I, §§ 105(c), (d), 107(b), 109(f), Dec. 16, 1980, 94 Stat. 3134, 3136, 3138; Pub. L. 97–113, Title I, §§ 101(c)–(e), 102(b), 109(d)(2), Dec. 29, 1981, 95 Stat. 1520 , 1526; Pub. L. 99–83, Title I, §§ 117, 118, Title XII, § 1209(c), Aug. 8, 1985, 99 Stat. 202, 203, 279; Pub. L. 99–247, § 1(b), (c), Feb. 12, 1986, 100 Stat. 9; Pub. L. 101–222, §§ 3(b), 7, Dec. 12, 1989, 103 Stat. 1896, 1899; Pub. L. 103–236, Title VII, §§ 732, 735(a), (b), Apr. 30, 1994, 108 Stat. 503, 505, 506; Pub. L. 103–437, § 9(a)(7), Nov. 2, 1994, 108 Stat. 4588; Pub. L. 104–164, Title I, §§ 141(c), (d), 155, July 21, 1996, 110 Stat. 1431, 1432, 1440; Pub. L. 104–201, div. A, Title X, § 1045(a), Sept. 23, 1996, 110 Stat. 2644; Pub. L. 105–277, div. G, subdiv. A, Title XII, § 1225(a)(1), Oct. 21, 1998, 112 Stat. 2681–773; Pub. L. 106–113, div. B, § 1000(a)(7) [div. B, Title XII, §§ 1224, 1245, Title XIII, §§ 1301, 1302(b)], Nov. 29, 1999, 113 Stat. 1536, 1501A–498, 1501A–502, 1501A–510, 1501A–511; Pub. L. 106–280, Title I, § 102(c)(1), Oct. 6, 2000, 114 Stat. 849; Pub. L. 107–228, div. B, Title XII, §§ 1205(a), 1262(c), Title XIV, § 1405(a)(2), Sept. 30, 2002, 116 Stat. 1427, 1434, 1457; Pub. L. 110–429, Title II, §§ 201(d), 203(b)(1), Oct. 15, 2008, 122 Stat. 4843, 4845; Pub. L. 111–266, Title I, § 104(d), Title III, § 301(1), Oct. 8, 2010, 124 Stat. 2799, 2804; Pub. L. 113–276, Title II, §§ 201, 208(a)(1), Dec. 18, 2014, 128 Stat. 2990, 2992; Pub. L. 113–296, § 11(b), Dec. 19, 2014, 128 Stat. 4078.)

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368 § 2780. Transactions with countries supporting acts of international terrorism

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(d) Countries covered by prohibition

The prohibitions contained in this section apply with respect to a country if the Secretary of State determines that the government of that country has repeatedly provided support for acts of international terrorism. For purposes of this subsection, such acts shall include all activities that the Secretary determines willfully aid or abet the international proliferation of nuclear explosive devices to individuals or groups, willfully aid or abet an individual or groups in acquiring unsafeguarded special nuclear material, or willfully aid or abet the efforts of an individual or group to use, develop, produce, stockpile, or otherwise acquire chemical, biological, or radiological weapons.

* * * * * * *

(f) Rescission

(1) A determination made by the Secretary of State under subsection (d) may not be rescinded unless the President submits to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the chairman of the Committee on Foreign Relations of the Senate—

(A) before the proposed rescission would take effect, a report certifying that—

(i) there has been a fundamental change in the leadership and policies of the government of the country concerned;

(ii) that government is not supporting acts of international terrorism; and

(iii) that government has provided assurances that it will not support acts of international terrorism in the future; or

(B) at least 45 days before the proposed rescission would take effect, a report justifying the rescission and certifying that—

(i) the government concerned has not provided any support for international terrorism during the preceding 6-month period; and

(ii) the government concerned has provided assurances that it will not support acts of international terrorism in the future.

(2)(A) No rescission under paragraph (1)(B) of a determination under subsection (d) may be made if the Congress, within 45 days after receipt of a report under paragraph (1)(B), enacts a joint resolution the matter after the resolving clause of which is as follows: "That the proposed rescission of the determination under section 40(d) of the Arms Export Control Act pursuant to the report submitted to the Congress on_____ is hereby prohibited.", the blank to be completed with the appropriate date.

(B) A joint resolution described in subparagraph (A) and introduced within the appropriate 45-day period shall be considered in the Senate and the House of Representatives in accordance with paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act (as contained in Public Law 98–473), except that references in such paragraphs to the Committees on Appropriations of the House of Representatives and the Senate shall be deemed to be references to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, respectively. (Pub. L. 90–629, ch. 3, § 40, as added Pub. L. 99–399, Title V, § 509(a), Aug. 27, 1986, 100 Stat. 874; amended Pub. L. 101–222, § 2(a), Dec. 12, 1989, 103 Stat. 1892; Pub. L. 102–138, Title III, § 321, Oct. 28, 1991, 105 Stat. 710; Pub. L. 103–236, Title VIII, § 822(a)(2), Apr. 30, 1994, 108 Stat. 511; Pub. L. 106–113, div. B, § 1000(a)(7) [div. B, Title XIII, § 1303], Nov. 29, 1999, 113 Stat. 1536, 1501A–511; Pub. L. 107–228, div. B, Title XII, § 1204, Sept. 30, 2002, 116 Stat. 1427; Pub. L. 111–195, Title I, § 107(a)(3), July 1, 2010, 124 Stat. 1337; Pub. L. 113–276, Title II, § 208(a)(1), Dec. 18, 2014, 128 Stat. 2992.)

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§ 2796a. Reports to Congress **369**

(a) Written certification to Speaker of the House and chairmen of Congressional committees

Before entering into or renewing any agreement with a foreign country or international organization to lease any defense article under this subchapter, or to loan any defense article under chapter 2 of part II of the Foreign Assistance Act of 1961 [22 U.S.C. 2311 et seq.], for a period of one year or longer, the President shall transmit to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and to the chairman of the Committee on Foreign Relations of the Senate and the chairman of the Committee on Armed Services of the Senate, a written certification which specifies—

(1) the country or international organization to which the defense article is to be leased or loaned;

(2) the type, quantity, and value (in terms of replacement cost) of the defense article to be leased or loaned;

(3) the terms and duration of the lease or loan; and

(4) a justification for the lease or loan, including an explanation of why the defense article is being leased or loaned rather than sold under this chapter.

(b) Waiver; determination of emergency

The President may waive the requirements of this section (and in the case of an agreement described in section 2796b of this title, may waive the provisions of that section) if he states in his certification, that an emergency exists which requires that the lease or loan be entered into immediately in the national security interests of the United States. If the President states in his certification that such an emergency exists, he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate that the lease be entered into immediately and a discussion of the national security interests involved.

(c) Transmission of certification

The certification required by subsection (a) shall be transmitted—

(1) not less than 15 calendar days before the agreement is entered into or renewed in the case of an agreement with the North Atlantic Treaty Organization, any member country of that Organization or Australia, Japan, the Republic of Korea, Israel, or New Zealand; and

(2) not less than 30 calendar days before the agreement is entered into or renewed in the case of an agreement with any other organization or country. (Pub. L. 90–629, ch. 6, § 62, as added Pub. L. 97–113, Title I, § 109(a), Dec. 29, 1981, 95 Stat. 1525; amended Pub. L. 104–164, Title I, § 141(e)(1), July 21, 1996, 110 Stat. 1432; Pub. L. 110–429, Title II, § 203(b)(1), Oct. 15, 2008, 122 Stat. 4845; Pub. L. 111–266, Title III, § 301(1), Oct. 8, 2010, 124 Stat. 2804; Pub. L. 113–276, Title II, § 208(a)(4), Dec. 18, 2014, 128 Stat. 2993.)

370 § 2796b. Legislative review procedures

(a) Applicability

(1) Subject to paragraph (2), in the case of any agreement involving the lease under this subchapter, or the loan under chapter 2 of part II of the Foreign Assistance Act of 1961 [22 U.S.C. 2311 et seq.], to any foreign country or international organization for a period of one year or longer of any defense articles which are either (i) major defense equipment valued (in terms of its replacement cost less any depreciation in its value) at $14,000,000 or more, or (ii) defense articles valued (in terms of their replacement cost less any depreciation in their value) at $50,000,000 or more, the agreement may not be entered into or renewed if the Congress, within the 15-day or 30-day period specified in section 2796a(c)(1) or (2) of this title, as the case may be, enacts a joint resolution prohibiting the proposed lease or loan.

(2) In the case of an agreement described in paragraph (1) that is entered into with a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, the Republic of Korea, Israel, or New Zealand, the limitations in paragraph (1) shall apply only if the agreement involves a lease or loan of—

(A) major defense equipment valued (in terms of its replacement cost less any depreciation in its value) at $25,000,000 or more; or

(B) defense articles valued (in terms of their replacement cost less any depreciation in their value) at $100,000,000 or more.

(b) Consideration of resolution

Any joint resolution under subsection (a) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[19]

(c) Highly privileged nature of resolution

For the purpose of expediting the consideration and enactment of joint resolutions under subsection (a), a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives. (Pub. L. 90–629, ch. 6, § 63, as added Pub. L. 97–113, Title I, § 109(a), Dec. 29, 1981, 95 Stat. 1525; amended Pub. L. 99–247, § 1(d), Feb. 12, 1986, 100 Stat. 9; Pub. L. 104–164, Title I, § 141(e)(2), July 21, 1996, 110 Stat. 1433; Pub. L. 107–228, div. B, Title XIV, § 1405(a)(3), Sept. 30, 2002, 116 Stat. 1457; Pub. L. 110–429, Title II, § 203(b)(1), Oct. 15, 2008, 122 Stat. 4845; Pub. L. 111–266, Title III, § 301(1), Oct. 8, 2010, 124 Stat. 2804.)

§ 2799aa. Nuclear enrichment transfers **371**

(a) Prohibitions; safeguards and management

Except as provided in subsection (b) of this section, no funds made available to carry out the Foreign Assistance Act of 1961 [22 U.S.C. 2151 et seq.] or this chapter may be used for the purpose of providing economic assistance (including assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 [22 U.S.C. 2346 et seq.]), providing military assistance or grant military education and training, providing assistance under chapter 6 of part II of that Act [22 U.S.C. 2348 et seq.], or extending military credits or making guarantees, to any country which the President determines delivers nuclear enrichment equipment, materials, or technology to any other country on or after August 4, 1977, or receives such equipment, materials, or technology from any other country on or after August 4, 1977, unless before such delivery—

(1) the supplying country and receiving country have reached agreement to place all such equipment, materials, or technology, upon delivery, under multilateral auspices and management when available; and

(2) the recipient country has entered into an agreement with the International Atomic Energy Agency to place all such equipment, materials, technology, and all nuclear fuel and facilities in such country under the safeguards system of such Agency.

(b) Certification by President of necessity of continued assistance; disapproval by Congress

(1) Notwithstanding subsection (a) of this section, the President may furnish assistance which would otherwise be prohibited under such subsection if he determines and certifies in writing to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House

[19] *Id.*

of Representatives, and the Committee on Foreign Relations of the Senate that—

(A) the termination of such assistance would have a serious adverse effect on vital United States interests; and

(B) he has received reliable assurances that the country in question will not acquire or develop nuclear weapons or assist other nations in doing so.

Such certification shall set forth the reasons supporting such determination in each particular case.

(2)(A) A certification under paragraph (1) of this subsection shall take effect on the date on which the certification is received by the Congress. However, if, within thirty calendar days after receiving this certification, the Congress enacts a joint resolution stating in substance that the Congress disapproves the furnishing of assistance pursuant to the certification, then upon the enactment of that resolution the certification shall cease to be effective and all deliveries of assistance furnished under the authority of that certification shall be suspended immediately.

(B) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[20]

372 § 2799aa–1. Nuclear reprocessing transfers, illegal exports for nuclear explosive devices, transfers of nuclear explosive devices, and nuclear detonations

(a) Prohibitions on assistance to countries involved in transfer of nuclear reprocessing equipment, materials, or technology; exceptions; procedures applicable

(1) Except as provided in paragraph (2) of this subsection, no funds made available to carry out the Foreign Assistance Act of 1961 [22 U.S.C. 2151 et seq.] or this chapter may be used for the purpose of providing economic assistance (including assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 [22 U.S.C. 2346 et seq.]), providing military assistance or grant military education and training, providing assistance under chapter 6 of part II of that Act [22 U.S.C. 2348 et seq.], or extending military credits or making guarantees, to any country which the President determines—

(A) delivers nuclear reprocessing equipment, materials, or technology to any other country on or after August 4, 1977, or receives such equipment, materials, or technology from any other country on or after August 4, 1977 (except for the transfer of reprocessing technology associated with the investigation, under international evaluation programs in which the United States participates, of technologies which are alternatives to pure plutonium reprocessing), or

(B) is a non-nuclear-weapon state which, on or after August 8, 1985, exports illegally (or attempts to export illegally) from the United States any material, equipment, or technology which would contribute significantly to the ability of such country to manufacture a nuclear explosive device, if the President determines that the material, equipment, or technology was to be used by such country in the manufacture of a nuclear explosive device.

[20] *Id.*

For purposes of clause (B), an export (or attempted export) by a person who is an agent of, or is otherwise acting on behalf of or in the interests of, a country shall be considered to be an export (or attempted export) by that country.

(2) Notwithstanding paragraph (1) of this subsection, the President in any fiscal year may furnish assistance which would otherwise be prohibited under that paragraph if he determines and certifies in writing during that fiscal year to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate that the termination of such assistance would be seriously prejudicial to the achievement of United States nonproliferation objectives or otherwise jeopardize the common defense and security. The President shall transmit with such certification a statement setting forth the specific reasons therefor.

(3)(A) A certification under paragraph (2) of this subsection shall take effect on the date on which the certification is received by the Congress. However, if, within 30 calendar days after receiving this certification, the Congress enacts a joint resolution stating in substance that the Congress disapproves the furnishing of assistance pursuant to the certification, then upon the enactment of that resolution the certification shall cease to be effective and all deliveries of assistance furnished under the authority of that certification shall be suspended immediately.

(B) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[21]

* * * * * * *

(4)(A) Notwithstanding paragraph (1) of this subsection, the President may, for a period of not more than 30 days of continuous session, delay the imposition of sanctions which would otherwise be required under paragraph (1)(A) or (1)(B) of this subsection if the President first transmits to the Speaker of the House of Representatives, and to the chairman of the Committee on Foreign Relations of the Senate, a certification that he has determined that an immediate imposition of sanctions on that country would be detrimental to the national security of the United States. Not more than one such certification may be transmitted for a country with respect to the same detonation, transfer, or receipt of a nuclear explosive device.

(B) If the President transmits a certification to the Congress under subparagraph (A), a joint resolution which would permit the President to exercise the waiver authority of paragraph (5) of this subsection shall, if introduced in either House within thirty days of continuous session after the Congress receives this certification, be considered in the Senate in accordance with subparagraph (C) of this paragraph.

(C) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[22]

(D) For purposes of this paragraph, the term "joint resolution" means a joint resolution the matter after the resolving clause of which is as

[21] *Id.*
[22] *Id.*

follows: "That the Congress having received on_____ a certification by the President under section 102(b)(4) of the Arms Export Control Act with respect to_____, the Congress hereby authorizes the President to exercise the waiver authority contained in section 102(b)(5) of that Act.", with the date of receipt of the certification inserted in the first blank and the name of the country inserted in the second blank.

(5) Notwithstanding paragraph (1) of this subsection, if the Congress enacts a joint resolution under paragraph (4) of this subsection, the President may waive any sanction which would otherwise be required under paragraph (1)(A) or (1)(B) if he determines and certifies in writing to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate that the imposition of such sanction would be seriously prejudicial to the achievement of United States nonproliferation objectives or otherwise jeopardize the common defense and security. The President shall transmit with such certification a statement setting forth the specific reasons therefor.

(6)(A) In the event the President is required to impose sanctions against a country under paragraph (1)(C) or (1)(D), the President shall forthwith so inform such country and shall impose the required sanctions beginning 30 days after submitting to the Congress the report required by paragraph (1) unless, and to the extent that, there is enacted during the 30-day period a law prohibiting the imposition of such sanctions.

(B) Notwithstanding any other provision of law, the sanctions which are required to be imposed against a country under paragraph (1)(C) or (1)(D) shall not apply if the President determines and certifies in writing to the Committee on Foreign Relations and the Committee on Governmental Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives that the application of such sanctions against such country would have a serious adverse effect on vital United States interests. The President shall transmit with such certification a statement setting forth the specific reasons therefor.

(7) For purposes of this subsection, continuity of session is broken only by an adjournment of Congress sine die and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session. (Pub. L. 90–629, ch. 10, § 102, as added Pub. L. 103–236, Title VIII, § 826(a), Apr. 30, 1994, 108 Stat. 516; amended Pub. L. 105–194, § 2(a)–(c), July 14, 1998, 112 Stat. 627; Pub. L. 113–276, Title II, § 208(a)(1), Dec. 18, 2014, 128 Stat. 2992.)

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Chapter 47—NUCLEAR NON-PROLIFERATION

373 § 3224a. Studies and agreements by Secretary of Energy on multinational or international basis concerning spent fuel storage facilities and transportation systems; congressional consent; authorization of appropriations; limitations on use of funds; exceptions; special nuclear material for India

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That, notwithstanding any other provision of law, that none of the funds appropriated pursuant to this Act or any other funds made available to the Secretary of Energy under any other authorization or appro-

priation Act shall be used, directly or indirectly, for the repurchase, transportation, or storage of any such foreign spent nuclear fuel for storage or other disposition, interim or permanent, in the United States, unless the use of the funds for that specific purpose has been (1) previously and expressly authorized by Congress in legislation hereafter enacted, (2) previously and expressly authorized by a concurrent resolution, or (3) the President submits a plan for such use, with the report information specified herein, thirty days during which the Congress is in continuous session, as defined in the Impoundment Control Act of 1974 [2 U.S.C. 681 et seq.], prior to such use and neither House of Congress approves a resolution of disapproval of the plan prior to the expiration of the aforementioned thirty-day period. If such a resolution of disapproval has been introduced, but has not been reported by the Committee on or before the twentieth day after transmission of the Presidential message, a privileged motion shall be in order in the respective body to discharge the Committee from further consideration of the resolution and to provide for its immediate consideration, using the procedures specified for consideration of an impoundment resolution in section 1017 of the Impoundment Control Act of 1974 (31 U.S.C. 1407) [2 U.S.C. 688]. (Pub. L. 95–238, Title I, § 107, Feb. 25, 1978, 92 Stat. 55; Pub. L. 103–437, § 9(c), Nov. 2, 1994, 108 Stat. 4588.)

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Chapter 66—UNITED STATES-HONG KONG POLICY

§ 5701 note. Hong Kong Autonomy Act **374**

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SEC. 6. Sanctions with Respect to Foreign Persons that Contravene the Obligations of China Under the Joint Declaration or the Basic Law.

(a) Imposition of Sanctions.—

(1) In General.—On and after the date on which a foreign person is included in the report under section 5(a) or an update to that report under section 5(e), the President may impose sanctions described in subsection (b) with respect to that foreign person.

(2) Mandatory Sanctions.—Not later than one year after the date on which a foreign person is included in the report under section 5(a) or an update to that report under section5(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

* * * * * * *

SEC. 7. Sanctions with Respect to Foreign Financial Institutions that Conduct Significant Transactions with Foreign Persons that Contravene the Obligations of China Under the Joint Declaration or the Basic Law.

(a) Imposition of Sanctions.

(1) Initial Sanctions.—Not later than one year after the date on which a foreign financial institution is included in the report under section 5(b) or an update to that report under section 5(e), the President shall impose not fewer than 5 of the sanctions described in subsection (b) with respect to that foreign financial institution.

(2) Expanded Sanctions.—Not later than two years after the date on which a foreign financial institution is included in the report under section 5(b) or an update to that report under section 5(e), the President shall impose each of the sanctions described in subsection (b).

* * * * * * *

SEC. 8. Waiver, Termination, Exceptions, and Congressional Review Process.

(a) National Security Waiver.—Unless a disapproval resolution is enacted under subsection (e), the President may waive the application of sanctions under section 6 or 7 with respect to a foreign person or foreign financial institution if the President—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees and leadership a report on the determination and the reasons for the determination.

(b) Termination of Sanctions and Removal from Report.—

Unless a disapproval resolution is enacted under subsection (e), the President may terminate the application of sanctions under section 6 or 7 with respect to a foreign person or foreign financial institution and remove the foreign person from the report required under section 5(a) or the foreign financial institution from the report required under section 5(b), as the case may be, if the Secretary of State, in consultation with the Secretary of the Treasury, determines that the actions taken by the foreign person or foreign financial institution that led to the imposition of sanctions—

(1) do not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(2) are not likely to be repeated in the future; and

(3) have been reversed or otherwise mitigated through positive countermeasures taken by that foreign person or foreign financial institution.

(c) Termination of Act.—

(1) Report.—

(A) In General.—Not later than July 1, 2046, the President, in consultation with the Secretary of State, the Secretary of the Treasury, and the heads of such other Federal agencies as the President considers appropriate, shall submit to Congress a report evaluating the implementation of this Act and sanctions imposed pursuant to this Act.

(B) Elements.—The President shall include in the report submitted under subparagraph (A) an assessment of whether this Act and the sanctions imposed pursuant to this Act should be terminated.

(2) Termination.—This Act and the sanctions imposed pursuant to this Act shall remain in effect unless a termination resolution is enacted under subsection (e) after July 1, 2047.

(d) Exception Relating to Importation of Goods.—

(1) In General.—The authorities and requirements to impose sanctions under sections 6 and 7 shall not include the authority or requirement to impose sanctions on the importation of goods.

(2) Good Defined.—In this subsection, the term "good" means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(e) Congressional Review.—

(1) Resolutions.—

(A) Disapproval resolution.—In this section, the term 'disapproval resolution' means only a joint resolution of either House of Congress—

(i) the title of which is as follows: 'A joint resolution disapproving the waiver or termination of sanctions with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong or a foreign financial institution that conducts a significant transaction with that person.'; and

(ii) the sole matter after the resolving clause of which is the following: 'Congress disapproves of the action under section 8 of the Hong Kong Autonomy Act relating to the application of sanctions imposed with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong, or a foreign financial institution that conducts a significant transaction with that person, on ———— relating to ————.', with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(B) Termination resolution.—In this section, the term 'termination resolution' means only a joint resolution of either House of Congress—

(i) the title of which is as follows: 'A joint resolution terminating sanctions with respect to foreign persons that contravene the obligations of China with respect to Hong Kong and foreign financial institutions that conduct significant transactions with those persons.'; and

(ii) the sole matter after the resolving clause of which is the following: 'The Hong Kong Autonomy Act and any sanctions imposed pursuant to that Act shall terminate on ————.', with the blank space being filled with the termination date.

(C) Covered resolution.—In this subsection, the term 'covered resolution' means a disapproval resolution or a termination resolution.

(2) Introduction.—A covered resolution may be introduced—(A) in the House of Representatives, by the majority leader or the minority leader; and(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(3) Floor consideration in House of Representatives.—If a committee of the House of Representatives to which a covered resolution has been referred has not reported the resolution within 10 legisla-

tive days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(4) Consideration in the Senate.—

(A) Committee referral.—

(i) Disapproval resolution.—A disapproval resolution introduced in the Senate shall be—

(I) referred to the Committee on Banking, Housing, and Urban Affairs if the resolution relates to an action that is not intended to significantly alter United States foreign policy with regard to China; and

(II) referred to the Committee on Foreign Relations if the resolution relates to an action that is intended to significantly alter United States foreign policy with regard to China.

(ii) Termination resolution.—A termination resolution introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations.

(B) Reporting and discharge.—If a committee to which a covered resolution was referred has not reported the resolution within 10 legislative days after the date of referral of the resolution, that committee shall be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar.

(C) Proceeding to consideration.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a covered resolution to the Senate or has been discharged from consideration of such a resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) Rulings of the chair on procedure.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a covered resolution shall be decided without debate.

(E) Consideration of veto messages.—Debate in the Senate of any veto message with respect to a covered resolution, including all debatable motions and appeals in connection with the resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(5) Rules relating to Senate and House of Representatives.—

(A) Treatment of Senate Resolution in House.—In the House of Representatives, the following procedures shall apply to a covered resolution received from the Senate (unless the House has already passed a resolution relating to the same proposed action):

(i) The resolution shall be referred to the appropriate committees.

(ii) If a committee to which a resolution has been referred has not reported the resolution within 10 legislative days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(iii) Beginning on the third legislative day after each committee to which a resolution has been referred reports the resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The resolution shall be considered as read. All points of order against the resolution and against its consideration are waived. The previous question shall be considered as ordered on the resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the offeror of the motion to proceed (or a designee) and an opponent. A motion to reconsider the vote on passage of the resolution shall not be in order.

(B) Treatment of House Resolution in Senate.—

(i) Received before passage of Senate resolution.—If, before the passage by the Senate of a covered resolution, the Senate receives an identical resolution from the House of Representatives, the following procedures shall apply:

(I) That resolution shall not be referred to a committee.

(II) With respect to that resolution—

(aa) the procedure in the Senate shall be the same as if no resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the resolution from the House of Representatives.

(ii) Received after passage of Senate resolution.—If, following passage of a covered resolution in the Senate, the Senate receives an identical resolution from the House of Representatives, that resolution shall be placed on the appropriate Senate calendar.

(iii) No Senate companion.—If a covered resolution is received from the House of Representatives, and no companion resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the resolution from the House of Representatives.

(C) Application to revenue measures.—The provisions of this paragraph shall not apply in the House of Representatives to a covered resolution that is a revenue measure.

(6) Rules of House of Representatives and Senate.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House. (Pub. L. 116–149, §§6, 7, 8, July, 14, 2020, 134 Stat. 673, 677.)

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Chapter 69a—CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD)

375 § 6064. Termination of economic embargo of Cuba

(a) Presidential actions

Upon submitting a determination to the appropriate congressional committees under section 6063(c)(1) of this title that a transition government in Cuba is in power, the President, after consultation with the Congress, is authorized to take steps to suspend the economic embargo of Cuba and to suspend the right of action created in section 6082 of this title with respect to actions thereafter filed against the Cuban Government, to the extent that such steps contribute to a stable foundation for a democratically elected government in Cuba.

(b) Suspension of certain provisions of law

In carrying out subsection (a), the President may suspend the enforcement of—

(1) section 2370(a) of this title;

(2) section 2370(f) of this title with respect to the "Republic of Cuba";

(3) sections 6003, 6004(d), and 6005 of this title;

(4) section 902(c) of the Food Security Act of 1985; and

(5) the prohibitions on transactions described in part 515 of title 31, Code of Federal Regulations.

(c) Additional Presidential actions

Upon submitting a determination to the appropriate congressional committees under section 6063(c)(3) of this title that a democratically elected government in Cuba is in power, the President shall take steps to terminate the economic embargo of Cuba, including the restrictions under part 515 of title 31, Code of Federal Regulations.

(d) Conforming amendments

On the date on which the President submits a determination under section 6063(c)(3) of this title—

(1) section 2370(a) of this title is repealed;

(2) section 2370(f) of this title is amended by striking "Republic of Cuba";

(3) sections 6003, 6004(d), and 6005 of this title are repealed; and

(4) section 902(c) of the Food Security Act of 1985 is repealed.

(e) Review of suspension of economic embargo

(1) Review

If the President takes action under subsection (a) to suspend the economic embargo of Cuba, the President shall immediately so notify the Congress. The President shall report to the Congress no less frequently than every 6 months thereafter, until he submits a determination under section 6063(c)(3) of this title that a democratically elected government in Cuba is in power, on the progress being made by Cuba toward the establishment of such a democratically elected government. The action of the President under subsection (a) shall cease to be effective upon the enactment of a joint resolution described in paragraph (2).

(2) Joint resolutions

For purposes of this subsection, the term "joint resolution" means only a joint resolution of the 2 Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress disapproves the action of the President under section 204(a) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 to suspend the economic embargo of Cuba, notice of which was submitted to the Congress on_____.", with the blank space being filled with the appropriate date.

(3) Referral to committees

Joint resolutions introduced in the House of Representatives shall be referred to the Committee on International Relations and joint resolutions introduced in the Senate shall be referred to the Committee on Foreign Relations.

(4) Procedures

(A) Any joint resolution shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.[23]

(B) For the purpose of expediting the consideration and enactment of joint resolutions, a motion to proceed to the consideration of any joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

(C) Not more than 1 joint resolution may be considered in the House of Representatives and the Senate in the 6-month period beginning on the date on which the President notifies the Congress under paragraph (1) of the action taken under subsection (a), and in each 6-month period thereafter. (Pub. L. 104–114, Title II, § 204, Mar. 12, 1996, 110 Stat. 810.)

Chapter 102—COUNTERING RUSSIAN INFLUENCE IN EUROPE AND EURASIA

§ 9511. Congressional review of certain actions relating to sanctions imposed with respect to the Russian Federation 376

(a) Submission to Congress of proposed action

(1) In general

Notwithstanding any other provision of law, before taking any action described in paragraph (2), the President shall submit to

[23] *Id.*

the appropriate congressional committees and leadership a report that describes the proposed action and the reasons for that action.

(2) Actions described

(A) In general

An action described in this paragraph is—

(i) an action to terminate the application of any sanctions described in subparagraph (B);

(ii) with respect to sanctions described in subparagraph (B) imposed by the President with respect to a person, an action to waive the application of those sanctions with respect to that person; or

(iii) a licensing action that significantly alters United States' 1 foreign policy with regard to the Russian Federation.

(B) Sanctions described

The sanctions described in this subparagraph are—

(i) sanctions provided for under—

(I) this chapter or any provision of law amended by this title, including the Executive orders codified under section 9522 of this title;

(II) the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8901 et seq.); or

(III) the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8921 et seq.); and

(ii) the prohibition on access to the properties of the Government of the Russian Federation located in Maryland and New York that the President ordered vacated on December 29, 2016.

(3) Description of type of action

Each report submitted under paragraph (1) with respect to an action described in paragraph (2) shall include a description of whether the action—

(A) is not intended to significantly alter United States foreign policy with regard to the Russian Federation; or

(B) is intended to significantly alter United States foreign policy with regard to the Russian Federation.

(4) Inclusion of additional matter

(A) In general

Each report submitted under paragraph (1) that relates to an action that is intended to significantly alter United States foreign policy with regard to the Russian Federation shall include a description of—

(i) the significant alteration to United States foreign policy with regard to the Russian Federation;

(ii) the anticipated effect of the action on the national security interests of the United States; and

(iii) the policy objectives for which the sanctions affected by the action were initially imposed.

(B) Requests from banking and financial services committees

The Committee on Banking, Housing, and Urban Affairs of the Senate or the Committee on Financial Services of the House

of Representatives may request the submission to the Committee of the matter described in clauses (ii) and (iii) of subparagraph (A) with respect to a report submitted under paragraph (1) that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation.

(5) Confidentiality of proprietary information

Proprietary information that can be associated with a particular person with respect to an action described in paragraph (2) may be included in a report submitted under paragraph (1) only if the appropriate congressional committees and leadership provide assurances of confidentiality, unless such person otherwise consents in writing to such disclosure.

(6) Rule of construction

Paragraph (2)(A)(iii) shall not be construed to require the submission of a report under paragraph (1) with respect to the routine issuance of a license that does not significantly alter United States foreign policy with regard to the Russian Federation.

(b) Period for review by Congress

(1) In general

During the period of 30 calendar days beginning on the date on which the President submits a report under subsection (a)(1)—

(A) in the case of a report that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report; and

(B) in the case of a report that relates to an action that is intended to significantly alter United States foreign policy with regard to the Russian Federation, the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report.

(2) Exception

The period for congressional review under paragraph (1) of a report required to be submitted under subsection (a)(1) shall be 60 calendar days if the report is submitted on or after July 10 and on or before September 7 in any calendar year.

(3) Limitation on actions during initial congressional review period

Notwithstanding any other provision of law, during the period for congressional review provided for under paragraph (1) of a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2), including any additional period for such review as applicable under the exception provided in paragraph (2), the President may not take that action unless a joint resolution of approval with respect to that action is enacted in accordance with subsection (c).

(4) Limitation on actions during presidential consideration of a joint resolution of disapproval

Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) passes both Houses of Congress in accordance with subsection (c), the President may not take that action for a period of 12 calendar days after the date of passage of the joint resolution of disapproval.

(5) Limitation on actions during congressional reconsideration of a joint resolution of disapproval

Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) passes both Houses of Congress in accordance with subsection (c), and the President vetoes the joint resolution, the President may not take that action for a period of 10 calendar days after the date of the President's veto.

(6) Effect of enactment of a joint resolution of disapproval

Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) is enacted in accordance with subsection (c), the President may not take that action.

(c) Joint resolutions of disapproval or approval defined

In this subsection:

(1) Joint resolution of approval

The term "joint resolution of approval" means only a joint resolution of either House of Congress—

(A) the title of which is as follows: "A joint resolution approving the President's proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation."; and

(B) the sole matter after the resolving clause of which is the following: "Congress approves of the action relating to the application of sanctions imposed with respect to the Russian Federation proposed by the President in the report submitted to Congress under section 216(a)(1) of the Russia Sanctions Review Act of 2017 on_____ relating to_____.", with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(2) Joint resolution of disapproval

The term "joint resolution of disapproval" means only a joint resolution of either House of Congress—

(A) the title of which is as follows: "A joint resolution disapproving the President's proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation."; and

(B) the sole matter after the resolving clause of which is the following: "Congress disapproves of the action relating to the application of sanctions imposed with respect to the Russian Federation proposed by the President in the report submitted to Congress under section 216(a)(1) of the Russia Sanctions Review Act of 2017 on_____ relating to_____.", with the

first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(3) Introduction

During the period of 30 calendar days provided for under subsection (b)(1), including any additional period as applicable under the exception provided in subsection (b)(2), a joint resolution of approval or joint resolution of disapproval may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(4) Floor consideration in House of Representatives

If a committee of the House of Representatives to which a joint resolution of approval or joint resolution of disapproval has been referred has not reported the joint resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(5) Consideration in the Senate

(A) Committee referral

A joint resolution of approval or joint resolution of disapproval introduced in the Senate shall be—

(i) referred to the Committee on Banking, Housing, and Urban Affairs if the joint resolution relates to a report under subsection (a)(3)(A) that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation; and

(ii) referred to the Committee on Foreign Relations if the joint resolution relates to a report under subsection (a)(3)(B) that relates to an action that is intended to significantly alter United States foreign policy with respect to the Russian Federation.

(B) Reporting and discharge

If the committee to which a joint resolution of approval or joint resolution of disapproval was referred has not reported the joint resolution within 10 calendar days after the date of referral of the joint resolution, that committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

(C) Proceeding to consideration

Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a joint resolution of approval or joint resolution of disapproval to the Senate or has been discharged from consideration of such a joint resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by

which the motion is agreed to or disagreed to shall not be in order.

(D) Rulings of the chair on procedure

Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution of approval or joint resolution of disapproval shall be decided without debate.

(E) Consideration of veto messages

Debate in the Senate of any veto message with respect to a joint resolution of approval or joint resolution of disapproval, including all debatable motions and appeals in connection with the joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(6) Rules relating to Senate and House of Representatives

(A) Treatment of Senate joint resolution in House

In the House of Representatives, the following procedures shall apply to a joint resolution of approval or a joint resolution of disapproval received from the Senate (unless the House has already passed a joint resolution relating to the same proposed action):

(i) The joint resolution shall be referred to the appropriate committees.

(ii) If a committee to which a joint resolution has been referred has not reported the joint resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(iii) Beginning on the third legislative day after each committee to which a joint resolution has been referred reports the joint resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(B) Treatment of House joint resolution in Senate

(i) If, before the passage by the Senate of a joint resolution of approval or joint resolution of disapproval, the Sen-

ate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

(I) That joint resolution shall not be referred to a committee.

(II) With respect to that joint resolution—

(aa) the procedure in the Senate shall be the same as if no joint resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the joint resolution from the House of Representatives.

(ii) If, following passage of a joint resolution of approval or joint resolution of disapproval in the Senate, the Senate receives an identical joint resolution from the House of Representatives, that joint resolution shall be placed on the appropriate Senate calendar.

(iii) If a joint resolution of approval or a joint resolution of disapproval is received from the House, and no companion joint resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the House joint resolution.

(C) Application to revenue measures

The provisions of this paragraph shall not apply in the House of Representatives to a joint resolution of approval or joint resolution of disapproval that is a revenue measure.

(7) Rules of House of Representatives and Senate

This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(d) Appropriate congressional committees and leadership defined

In this section, the term "appropriate congressional committees and leadership" means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the majority and minority leaders of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, and the Speaker, the majority leader, and the minority leader of the House of Representatives. (Pub. L. 115–44, Title II, § 216, Aug. 2, 2017, 131 Stat. 900.)

377 § 9009. Reports to Congress; regulations

(a) Reports

The Commission shall, as soon as practicable after each presidential election, submit a full report to the Senate and House of Representatives setting forth—

(1) the qualified campaign expenses (shown in such detail as the Commission determines necessary) incurred by the candidates of each political party and their authorized committees;

(2) the amounts certified by it under section 9005 for payment to the eligible candidates of each political party; and

(3) the amount of payments, if any, required from such candidates under section 9007, and the reasons for each payment required.

Each report submitted pursuant to this section shall be printed as a Senate document.

(b) Regulations, etc.

The Commission is authorized to prescribe such rules and regulations in accordance with the provisions of subsection (c), to conduct such examinations and audits (in addition to the examinations and audits required by section 9007(a)), to conduct such investigations, and to require the keeping and submission of such books, records, and information, as it deems necessary to carry out the functions and duties imposed on it by this chapter.

(c) Review of regulations

(1) The Commission, before prescribing any rule or regulation under subsection (b), shall transmit a statement with respect to such rule or regulation to the Senate and to the House of Representatives, in accordance with the provisions of this subsection. Such statement shall set forth the proposed rule or regulation and shall contain a detailed explanation and justification of such rule or regulation.

(2) If either such House does not, through appropriate action, disapprove the proposed rule or regulation set forth in such statement no later than 30 legislative days after receipt of such statement, then the Commission may prescribe such rule or regulation. Whenever a committee of the House of Representatives reports any resolution relating to any such rule or regulation, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to. The Commission may not prescribe any rule or regulation which is disapproved by either such House under this paragraph.

(3) For purposes of this subsection, the term "legislative days" does not include any calendar day on which both Houses of the Congress are not in session.

(4) For purposes of this subsection, the term "rule or regulation" means a provision or series of interrelated provisions stating a single separable rule of law. (Added Pub. L. 92–178, Title VIII, § 801, Dec. 10, 1971, 85 Stat. 569; amended Pub. L. 93–443, Title IV, §§ 404(c)(12), (13), 406(b)(1), 409, Oct. 15, 1974, 88 Stat. 1292, 1293, 1296, 1303; Pub. L. 94–283, Title III, § 304(a), May 11, 1976, 90 Stat. 498; Pub. L. 113–94, § 2(c)(1), Apr. 3, 2014, 128 Stat. 1085.)

Chapter 96—PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT

§ 9039. Reports to Congress; regulations 378

(a) Reports

The Commission shall, as soon as practicable after each matching payment period, submit a full report to the Senate and House of Representatives setting forth—

(1) the qualified campaign expenses (shown in such detail as the Commission determines necessary) incurred by the candidates of each political party and their authorized committees,

(2) the amounts certified by it under section 9036 for payment to each eligible candidate, and

(3) the amount of payments, if any, required from candidates under section 9038, and the reasons for each payment required.

Each report submitted pursuant to this section shall be printed as a Senate document.

(b) Regulations, etc.

The Commission is authorized to prescribe rules and regulations in accordance with the provisions of subsection (c), to conduct examinations and audits (in addition to the examinations and audits required by section 9038(a)), to conduct investigations, and to require the keeping and submission of any books, records, and information, which it determines to be necessary to carry out its responsibilities under this chapter.

(c) Review of regulations

(1) The Commission, before prescribing any rule or regulation under subsection (b), shall transmit a statement with respect to such rule or regulation to the Senate and to the House of Representatives, in accordance with the provisions of this subsection. Such statement shall set forth the proposed rule or regulation and shall contain a detailed explanation and justification of such rule or regulation.

(2) If either such House does not, through appropriate action, disapprove the proposed rule or regulation set forth in such statement no later than 30 legislative days after receipt of such statement, then the Commission may prescribe such rule or regulation. Whenever a committee of the House of Representatives reports any resolution relating to any such rule or regulation, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote

by which the motion is agreed to or disagreed to. The Commission may not prescribe any rule or regulation which is disapproved by either such House under this paragraph.

(3) For purposes of this subsection, the term "legislative days" does not include any calendar day on which both Houses of the Congress are not in session.

(4) For purposes of this subsection, the term "rule or regulation" means a provision or series of interrelated provisions stating a single separable rule of law. (Added Pub. L. 93–443, Title IV, § 408(c), Oct. 15, 1974, 88 Stat. 1301; amended Pub. L. 94–283, Title III, § 304(b), May 11, 1976, 90 Stat. 499.)

TITLE 29—LABOR

Chapter 18—EMPLOYEE RETIREMENT INCOME SECURITY PROGRAM

* * * * * * *

(b) Revised schedule; Congressional procedures applicable

(1) In order to place a revised schedule (other than a schedule described in subsection (a)(2)(C), (D), or (E)) in effect, the corporation shall transmit the proposed schedule, its proposed effective date, and the reasons for its proposal to the Committee on Ways and Means and the Committee on Education and Labor of the House of Representatives, and to the Committee on Finance and the Committee on Labor and Human Resources of the Senate.

(2) The succeeding paragraphs of this subsection are enacted by Congress as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described in paragraph (3). They shall supersede other rules only to the extent that they are inconsistent therewith. They are enacted with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any rule of that House.

(3) For the purpose of the succeeding paragraphs of this subsection, "resolution" means only a joint resolution, the matter after the resolving clause of which is as follows: "The proposed revised schedule transmitted to Congress by the Pension Benefit Guaranty Corporation on_____ is hereby approved.", the blank space therein being filled with the date on which the corporation's message proposing the rate was delivered.

(4) A resolution shall be referred to the Committee on Ways and Means and the Committee on Education and Labor of the House of Representatives and to the Committee on Finance and the Committee on Labor and Human Resources of the Senate.

(5) If a committee to which has been referred a resolution has not reported it before the expiration of 10 calendar days after its introduction, it shall then (but not before) be in order to move to discharge the committee from further consideration of that resolution, or to discharge the committee from further consideration of any other resolution with respect to the proposed adjustment which has been referred to the committee. The motion to discharge may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same proposed rate), and debate thereon shall be limited to not more than 1 hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion is

not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to. If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same proposed rate.

(6) When a committee has reported, or has been discharged from further consideration of a resolution, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to. Debate on the resolution shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is not debatable. An amendment to, or motion to recommit, the resolution is not in order, and it is not in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

(7) Motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution and motions to proceed to the consideration of other business shall be decided without debate. Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution shall be decided without debate. (Pub. L. 93–406, Title IV, § 4006, Sept. 2, 1974, 88 Stat. 1010; Pub. L. 96–364, Title I, § 105, Sept. 26, 1980, 94 Stat. 1264; Pub. L. 99–272, Title XI, § 11005(a)–(c)(3), Apr. 7, 1986, 100 Stat. 240–242; Pub. L. 100–203, Title IX, § 9331(a), (b), (e), Dec. 22, 1987, 101 Stat. 1330–367, 1330–368; Pub. L. 101–239, Title VII, § 7881(h), Dec. 19, 1989, 103 Stat. 2442; Pub. L. 101–508, Title XII, § 12021(a), (b), Nov. 5, 1990, 104 Stat. 1388–573; Pub. L. 103–465, Title VII, § 774(a)(1), (b)(1), (2), Dec. 8, 1994, 108 Stat. 5045 , 5046; Pub. L. 107–147, Title IV, § 405(c), Mar. 9, 2002, 116 Stat. 43; Pub. L. 108–218, Title I, § 101(a)(4), Apr. 10, 2004, 118 Stat. 597; Pub. L. 108–311, Title IV, § 403(d), Oct. 4, 2004, 118 Stat. 1187; Pub. L. 109–171, Title VIII, § 8101(a)–(c), Feb. 8, 2006, 120 Stat. 180–182; Pub. L. 109–280, Title III, § 301(a)(3), Title IV, §§ 401(a)(1), (b)(1), (2)(A), 405(a), Aug. 17, 2006, 120 Stat. 919, 922, 928; Pub. L. 110–458, Title I, § 104(a), Dec. 23, 2008, 122 Stat. 5104; Pub. L. 112–141, div. D, Title II, §§ 40211(b)(3)(C), 40221, 40222, July 6, 2012, 126 Stat. 849–852; Pub. L. 113–67, div. A, Title VII, § 703(a)–(d), Dec. 26, 2013, 127 Stat. 1190, 1191; Pub. L. 113–235, div. O, Title I, § 131(a), Dec. 16, 2014, 128 Stat. 2796; Pub. L. 114–74, Title V, § 501(a)–(b)(2), Nov. 2, 2015, 129 Stat. 591, 592; Pub. L. 116–94, div. O, Title II, § 206, Dec. 20, 2019, 133 Stat. 3174.)

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380 § 1322a. Multiemployer plan benefits guaranteed

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(f) Study, report, etc., respecting premium increase in existing basic-benefit guarantee levels; Congressional procedures applicable for revision of schedules

(1) No later than 5 years after September 26, 1980, and at least every fifth year thereafter, the corporation shall—

(A) conduct a study to determine—

(i) the premiums needed to maintain the basic-benefit guarantee levels for multiemployer plans described in subsection (c), and

(ii) whether the basic-benefit guarantee levels for multiemployer plans may be increased without increasing the basic-benefit premiums for multiemployer plans under this subchapter; and

(B) report such determinations to the Committee on Ways and Means and the Committee on Education and Labor of the House of Representatives and to the Committee on Finance and the Committee on Labor and Human Resources of the Senate.

(2)(A) If the last report described in paragraph (1) indicates that a premium increase is necessary to support the existing basic-benefit guarantee levels for multiemployer plans, the corporation shall transmit to the Committee on Ways and Means and the Committee on Education and Labor of the House of Representatives and to the Committee on Finance and the Committee on Labor and Human Resources of the Senate by March 31 of any calendar year in which congressional action under this subsection is requested—

(i) a revised schedule of basic-benefit guarantees for multiemployer plans which would be necessary in the absence of an increase in premiums approved in accordance with section 1306(b) of this title,

(ii) a revised schedule of basic-benefit premiums for multiemployer plans which is necessary to support the existing basic-benefit guarantees for such plans, and

(iii) a revised schedule of basic-benefit guarantees for multiemployer plans for which the schedule of premiums necessary is higher than the existing premium schedule for such plans but lower than the revised schedule of premiums for such plans specified in clause (ii), together with such schedule of premiums.

(B) The revised schedule of increased premiums referred to in subparagraph (A)(ii) or (A)(iii) shall go into effect as approved by the enactment of a joint resolution.

(C) If an increase in premiums is not so enacted, the revised guarantee schedule described in subparagraph (A)(i) shall go into effect on the first day of the second calendar year following the year in which such revised guarantee schedule was submitted to the Congress.

(3)(A) If the last report described in paragraph (1) indicates that basic-benefit guarantees for multiemployer plans can be increased without increasing the basic-benefit premiums for multiemployer plans under this subchapter, the corporation shall submit to the Committee on Ways and Means and the Committee on Education and Labor of the House of Representatives and to the Committee on Finance and the Committee on Labor and Human Resources of the Senate by March 31 of the calendar year in which congressional action under this paragraph is requested—

(i) a revised schedule of increases in the basic-benefit guarantees which can be supported by the existing schedule of basic-benefit premiums for multiemployer plans, and

(ii) a revised schedule of basic-benefit premiums sufficient to support the existing basic-benefit guarantees.

(B) The revised schedules referred to in subparagraph (A)(i) or subparagraph (A)(ii) shall go into effect as approved by the enactment of a joint resolution.

(4)(A) The succeeding subparagraphs of this paragraph are enacted by the Congress as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of joint resolutions (as defined in subparagraph (B)). Such subparagraphs shall supersede other rules only to the extent that they are inconsistent therewith. They are enacted with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any rule of that House.

(B) For purposes of this subsection, "joint resolution" means only a joint resolution, the matter after the resolving clause of which is as follows: "The proposed schedule described in transmitted to the Congress by the Pension Benefit Guaranty Corporation on is hereby approved.", the first blank space therein being filled with "section 4022A(f)(2)(A)(ii) of the Employee Retirement Income Security Act of 1974", "section 4022A(f)(2)(A)(iii) of the Employee Retirement Income Security Act of 1974", "section 4022A(f)(3)(A)(i) of the Employee Retirement Income Security Act of 1974", or "section 4022A(f)(3)(A)(ii) of the Employee Retirement Income Security Act of 1974" (whichever is applicable), and the second blank space therein being filled with the date on which the corporation's message proposing the revision was submitted.

(C) The procedure for disposition of a joint resolution shall be the procedure described in section 1306(b)(4) through (7) of this title.

(g) Guarantee of payment of other classes of benefits and establishment of terms and conditions of guarantee; promulgation of regulations for establishment of supplemental program to guarantee benefits otherwise ineligible; status of benefits; applicability of revised schedule of premiums

(1) The corporation may guarantee the payment of such other classes of benefits under multiemployer plans, and establish the terms and conditions under which those other classes of benefits are guaranteed, as it determines to be appropriate.

(2)(A) The corporation shall prescribe regulations to establish a supplemental program to guarantee benefits under multiemployer plans which would be guaranteed under this section but for the limitations in subsection (c). Such regulations shall be proposed by the corporation no later than the end of the 18th calendar month following September 26, 1980. The regulations shall make coverage under the supplemental program available no later than January 1, 1983. Any election to participate in the supplemental program shall be on a voluntary basis, and a plan electing such coverage shall continue to pay the premiums required under section 1306(a)(2)(B) of this title to the revolving fund used pursuant to section 1305 of this title in connection with benefits otherwise guaranteed under this section. Any such election shall be irrevocable, except to the extent otherwise provided by regulations prescribed by the corporation.

(B) The regulations prescribed under this paragraph shall provide—

(i) that a plan must elect coverage under the supplemental program within the time permitted by the regulations;

(ii) unless the corporation determines otherwise, that a plan may not elect supplemental coverage unless the value of the assets of the plan as of the end of the plan year preceding the plan year in which the election must be made is an amount equal to 15 times the total amount of the benefit payments made under the plan for that year; and

(iii) such other reasonable terms and conditions for supplemental coverage, including funding standards and any other reasonable limitations with respect to plans or benefits covered or to means of program financing, as the corporation determines are necessary and appropriate for a feasible supplemental program consistent with the purposes of this subchapter.

(3) Any benefits guaranteed under this subsection shall be considered nonbasic benefits for purposes of this subchapter.

(4)(A) No revised schedule of premiums under this subsection, after the initial schedule, shall go into effect unless—

(i) the revised schedule is submitted to the Congress, and

(ii) a joint resolution described in subparagraph (B) is not enacted before the close of the 60th legislative day after such schedule is submitted to the Congress.

(B) For purposes of subparagraph (A), a joint resolution described in this subparagraph is a joint resolution the matter after the resolving clause of which is as follows: "The revised premium schedule transmitted to the Congress by the Pension Benefit Guaranty Corporation under section 4022A(g)(4) of the Employee Retirement Income Security Act of 1974 on _____ is hereby disapproved.", the blank space therein being filled with the date on which the revised schedule was submitted.

(C) For purposes of subparagraph (A), the term "legislative day" means any calendar day other than a day on which either House is not in session because of a sine die adjournment or an adjournment of more than 3 days to a day certain.

(D) The procedure for disposition of a joint resolution described in subparagraph (B) shall be the procedure described in paragraphs (4) through (7) of section 1306(b) of this title.

(5) Regulations prescribed by the corporation to carry out the provisions of this subsection, may, to the extent provided therein, supersede the requirements of sections 1426, 1431, and 1441 of this title, and the requirements of section 418E of title 26, but only with respect to benefits guaranteed under this subsection. (Pub. L. 93–406, Title IV, § 4022A, as added Pub. L. 96–364, Title I, § 102, Sept. 26, 1980, 94 Stat. 1210; amended Pub. L. 99–272, Title XI, § 11005(c)(4)–(12), Apr. 7, 1986, 100 Stat. 242; Pub. L. 101–239, Title VII, §§ 7891(a)(1), 7893(b), 7894(g)(3)(C)(i), Dec. 19, 1989, 103 Stat. 2445, 2447, 2451; Pub. L. 106–554, § 1(a)(6) [Title IX, § 951(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A–586; Pub. L. 113–235, div. O, Title I, § 110(a), Dec. 16, 2014, 128 Stat. 2792.)

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TITLE 31—MONEY AND FINANCE

Chapter 11—THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

381 § 1105. Budget contents and submission to Congress

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(h)(1) If there is a medicare funding warning under section 801(a)(2) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 made in a year, the President shall submit to Congress, within the 15-day period beginning on the date of the budget submission to Congress under subsection (a) for the succeeding year, proposed legislation to respond to such warning.

(2) Paragraph (1) does not apply if, during the year in which the warning is made, legislation is enacted which eliminates excess general revenue medicare funding (as defined in section 801(c) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003) for the 7-fiscal-year reporting period, as certified by the Board of Trustees of each medicare trust fund (as defined in section 801(c)(5) of such Act) not later than 30 days after the date of the enactment of such legislation.

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382 § 1105 note. Procedures in the Senate

"(a) Introduction and Referral of President's Legislative Proposal.—

"(1) Introduction.—In the case of a legislative proposal submitted by the President pursuant to section 1105(h) of title 31, United States Code, within the 15-day period specified in paragraph (1) of such section, the Majority Leader and Minority Leader of the Senate (or their designees) shall introduce such proposal (by request), the title of which is as follows: 'A bill to respond to a medicare funding warning.' Such bill shall be introduced within 3 days of session after Congress receives such proposal.

"(2) Referral.—Any legislation introduced pursuant to paragraph (1) shall be referred to the Committee on Finance.

"(b) Medicare Funding Legislation.—For purposes of this section, the term 'medicare funding legislation' means—

"(1) legislation introduced pursuant to subsection (a)(1), but only if the legislative proposal upon which the legislation is based was submitted within the 15-day period referred to in such subsection; or

"(2) any bill the title of which is as follows: 'A bill to respond to a medicare funding warning.'.

"(c) Qualification for Special Procedures.—

"(1) In general.—The special procedures set forth in subsections (d) and (e) shall apply to medicare funding legislation, as described in subsection (b), only if the legislation—

"(A) is medicare funding legislation that is passed by the House of Representatives; or

"(B) contains matter within the jurisdiction of the Committee on Finance in the Senate.

"(2) Failure to qualify for special procedures.—If the medicare funding legislation does not satisfy paragraph (1), then the legislation shall be considered under the ordinary procedures of the Standing Rules of the Senate.

"(d) Discharge.—

"(1) In general.—If the Committee on Finance has not reported medicare funding legislation described in subsection (c)(1) by June 30 of a year in which the President is required to submit medicare funding legislation to Congress under section 1105(h) of title 31, United States Code, then any Senator may move to discharge the Committee of any single medicare funding legislation measure. Only one such motion shall be in order in any session of Congress.

"(2) Debate limits.—Debate in the Senate on any such motion to discharge, and all appeals in connection therewith, shall be limited to not more than 2 hours. The time shall be equally divided between, and controlled by, the maker of the motion and the Majority Leader, or their designees, except that in the event the Majority Leader is in favor of such motion, the time in opposition thereto shall be controlled by the Minority Leader or the Minority Leader's designee. A point of order under this subsection may be made at any time. It is not in order to move to proceed to another measure or matter while such motion (or the motion to reconsider such motion) is pending.

"(3) Amendments.—No amendment to the motion to discharge shall be in order.

"(4) Exception if certified legislation enacted.—Notwithstanding paragraph (1), it shall not be in order to discharge the Committee from further consideration of medicare funding legislation pursuant to this subsection during a session of a Congress if the chairman of the Committee on the Budget of the Senate certifies that medicare funding legislation has been enacted that eliminates excess general revenue medicare funding (as defined in section 801(c) [set out as a note under section 1395i of Title 42, The Public Health and Welfare]) for each fiscal year in the 7-fiscal-year reporting period.

"(e) Consideration.—After the date on which the Committee on Finance has reported medicare funding legislation described in subsection (c)(1), or has been discharged (under subsection (d)) from further consideration of, such legislation, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of such legislation.

"(f) Rules of the Senate.—This section is enacted by the Senate—

"(1) as an exercise of the rulemaking power of the Senate and as such it is deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of a bill described in this paragraph, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

"(2) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate." (Pub. L. 108–173, Title VIII, § 804, Dec. 8, 2003, 117 Stat. 2363.)

TITLE 38—VETERANS' BENEFITS

Chapter 17—HOSPITAL, NURSING HOME, DOMICILIARY, AND MEDICAL CARE

383 § 1703E. Center for Innovation for Care and Payment

(a) In General.—(1) There is established within the Department a Center for Innovation for Care and Payment (in this section referred to as the "Center").

(2) The Secretary, acting through the Center, may carry out such pilot programs the Secretary determines to be appropriate to develop innovative approaches to testing payment and service delivery models in order to reduce expenditures while preserving or enhancing the quality of care furnished by the Department.

(3) The Secretary, acting through the Center, shall test payment and service delivery models to determine whether such models—

(A) improve access to, and quality, timeliness, and patient satisfaction of care and services; and

(B) create cost savings for the Department.

(4)(A) The Secretary shall test a model in a location where the Secretary determines that the model will addresses deficits in care (including poor clinical outcomes or potentially avoidable expenditures) for a defined population.

(B) The Secretary shall focus on models the Secretary expects to reduce program costs while preserving or enhancing the quality of care received by individuals receiving benefits under this chapter.

(C) The models selected may include those described in section 1115A(b)(2)(B) of the Social Security Act (42 U.S.C. 1315a(b)(2)(B)).

(5) In selecting a model for testing, the Secretary may consider, in addition to other factors identified in this subsection, the following factors:

(A) Whether the model includes a regular process for monitoring and updating patient care plans in a manner that is consistent with the needs and preferences of individuals receiving benefits under this chapter.

(B) Whether the model places the individual receiving benefits under this chapter (including family members and other caregivers of such individual) at the center of the care team of such individual.

(C) Whether the model uses technology or new systems to coordinate care over time and across settings.

(D) Whether the model demonstrates effective linkage with other public sector payers, private sector payers, or statewide payment models.

(6)(A) Models tested under this section may not be designed in such a way that would allow the United States to recover or collect reasonable charges from a Federal health care program for care or services furnished by the Secretary to a veteran under pilot programs carried out under this section.

(B) In this paragraph, the term "Federal health care program" means—

(i) an insurance program described in section 1811 of the Social Security Act (42 U.S.C. 1395c) or established by section 1831 of such Act (42 U.S.C. 1395j);

(ii) a State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.); or

(iii) a TRICARE program operated under sections 1075, 1075a, 1076, 1076a, 1076c, 1076d, 1076e, or 1076f of title 10.

(b) Duration.—Each pilot program carried out by the Secretary under this section shall terminate no later than 5 years after the date of the commencement of the pilot program.

(c) Location.—The Secretary shall ensure that each pilot program carried out under this section occurs in an area or areas appropriate for the intended purposes of the pilot program. To the extent practicable, the Secretary shall ensure that the pilot programs are located in geographically diverse areas of the United States.

(d) Budget.—Funding for each pilot program carried out by the Secretary under this section shall come from appropriations—

(1) provided in advance in appropriations acts for the Veterans Health Administration; and

(2) provided for information technology systems.

(e) Notice.—The Secretary shall—

(1) publish information about each pilot program under this section in the Federal Register; and

(2) take reasonable actions to provide direct notice to veterans eligible to participate in such pilot programs.

(f) Waiver of Authorities.—(1) Subject to reporting under paragraph (2) and approval under paragraph (3), in implementing a pilot program under this section, the Secretary may waive such requirements in subchapters I, II, and III of this chapter as the Secretary determines necessary solely for the purposes of carrying out this section with respect to testing models described in subsection (a).

(2) Before waiving any authority under paragraph (1), the Secretary shall submit to the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, the minority leader of the Senate, and each standing committee with jurisdiction under the rules of the Senate and of the House of Representatives to report a bill to amend the provision or provisions of law that would be waived by the Department, a report on a request for waiver that describes in detail the following:

(A) The specific authorities to be waived under the pilot program.

(B) The standard or standards to be used in the pilot program in lieu of the waived authorities.

(C) The reasons for such waiver or waivers.

(D) A description of the metric or metrics the Secretary will use to determine the effect of the waiver or waivers upon the access to and quality, timeliness, or patient satisfaction of care and services furnished through the pilot program.

(E) The anticipated cost savings, if any, of the pilot program.

(F) The schedule for interim reports on the pilot program describing the results of the pilot program so far and the feasibility and advisability of continuing the pilot program.

(G) The schedule for the termination of the pilot program and the submission of a final report on the pilot program describing the result of the pilot program and the feasibility and advisability of making the pilot program permanent.

(H) The estimated budget of the pilot program.

(3)(A) Upon receipt of a report submitted under paragraph (2), each House of Congress shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision or provisions of law that would be waived by the Department under this subsection.

(B) The waiver requested by the Secretary under paragraph (2) shall be considered approved under this paragraph if there is enacted into law a joint resolution approving such request in its entirety.

(C) For purposes of this paragraph, the term "joint resolution" means only a joint resolution which is introduced within the period of five legislative days beginning on the date on which the Secretary transmits the report to the Congress under such paragraph (2), and—

(i) which does not have a preamble; and

(ii) the matter after the resolving clause of which is as follows: "that Congress approves the request for a waiver under section 1703E(f) of title 38, United States Code, as submitted by the Secretary on_____", the blank space being filled with the appropriate date.

(D)(i) Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House without amendment not later than 15 legislative days after the date of introduction thereof. If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution.

(ii) It shall be in order at any time after the third legislative day after each committee authorized to consider a joint resolution has reported or has been discharged from consideration of a joint resolution, to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on a joint resolution addressing a particular submission. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iii) The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except two hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(E)(i) A joint resolution introduced in the Senate shall be referred to the Committee on Veterans' Affairs.

(ii) Any committee of the Senate to which a joint resolution is referred shall report it to the Senate without amendment not later than 15 session days after the date of introduction of a joint resolution described

in paragraph (C). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the calendar.

(iii)(I) Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the third session day on which the Committee on Veterans' Affairs has reported or has been discharged from consideration of a joint resolution described in paragraph (C) (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(II) Consideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than two hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(III) If the Senate has voted to proceed to a joint resolution, the vote on passage of the joint resolution shall occur immediately following the conclusion of consideration of the joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(IV) Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(F) A joint resolution considered pursuant to this paragraph shall not be subject to amendment in either the House of Representatives or the Senate.

(G)(i) If, before the passage by one House of the joint resolution of that House, that House receives the joint resolution from the other House, then the following procedures shall apply:

(I) The joint resolution of the other House shall not be referred to a committee.

(II) With respect to the joint resolution of the House receiving the joint resolution—

(aa) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(bb) the vote on passage shall be on the joint resolution of the other House.

(ii) If the Senate fails to introduce or consider a joint resolution under this paragraph, the joint resolution of the House shall be entitled to expedited floor procedures under this subparagraph.

(iii) If, following passage of the joint resolution in the Senate, the Senate then receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(H) This subparagraph is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House. (Pub. L. 115–182, Title I, § 152(a), June 6, 2018, 132 Stat. 1432.)

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Chapter 81—ACQUISITION AND OPERATION OF HOSPITAL AND DOMICILIARY FACILITIES; PROCUREMENT AND SUPPLY; ENHANCED-USE LEASES OF REAL PROPERTY

384 38 U.S.C. 8122 note. VA asset and infrastructure review

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"SEC. 204. ACTIONS REGARDING INFRASTRUCTURE AND FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

"(a) In General.—Subject to subsection (b), the Secretary shall begin to implement the recommended modernizations and realignments in the report under section 203(d) not later than 3 years after the date on which the President transmits such report to Congress. In any fiscal year, such implementation includes—

"(1) the planning of modernizations and realignments of facilities of the Veterans Health Administration as recommended in such report; and

"(2) providing detailed information on the budget for such modernizations or realignments in documents submitted to Congress by the Secretary in support of the President's budget for that fiscal year.

"(b) Congressional Disapproval.—

"(1) In general.—The Secretary may not carry out any modernization or realignment recommended by the Commission in a report transmitted from the President pursuant to section 203(d) if a joint resolution is enacted, in accordance with the provisions of section 207, disapproving such recommendations of the Commission before the earlier of—

"(A) the end of the 45-day period beginning on the date on which the President transmits such report; or

"(B) the adjournment of Congress sine die for the session during which such report is transmitted.

"(2) Computation of period.—For purposes of paragraph (1) and subsections (a) and (c) of section 207, the days on which either House of Congress is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of a period.

* * * * * * *

"SEC. 207. CONGRESSIONAL CONSIDERATION OF COMMISSION REPORT.

"(a) Disapproval Resolution.—For purposes of this subtitle, the term 'joint resolution' means only a joint resolution which is introduced within the 5-day period beginning on the date on which the President transmits the report to the Congress under section 203(d), and—

"(1) which does not have a preamble;

"(2) the matter after the resolving clause of which is as follows: 'that Congress disapproves the recommendations of the VHA Asset and Infrastructure Review Commission as submitted by the President on_____', the blank space being filled with the appropriate date; and

"(3) the title of which is as follows: 'Joint resolution disapproving the recommendations of the VHA Asset and Infrastructure Review Commission.'.

"(b) Consideration in the House of Representatives.—

"(1) Reporting and discharge.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House without amendment not later than 15 legislative days after the date of introduction thereof. If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution.

"(2) Proceeding to consideration.—It shall be in order at any time after the third legislative day after each committee authorized to consider a joint resolution has reported or has been discharged from consideration of a joint resolution, to move to proceed to consider the joint resolution in the House.

All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on a joint resolution addressing a particular submission. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

"(3) Consideration.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

"(c) Consideration in the Senate.—

"(1) Referral.—A joint resolution introduced in the Senate shall be referred to the Committee on Veterans' Affairs.

"(2) Reporting and discharge.—Any committee of the Senate to which a joint resolution is referred shall report it to the Senate without amendment not later than 15 session days after the date of introduction of a joint resolution described in subsection (a). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the calendar.

"(3) Floor consideration.—

"(A) In general.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the third session day on which the Committee on Veterans' Affairs has reported or has been discharged from consideration of a joint resolution described in subsection (a) (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

"(B) Consideration.—Consideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

"(C) Vote on passage.—If the Senate has voted to proceed to a joint resolution, the vote on passage of the joint resolution shall occur immediately following the conclusion of consideration of the joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

"(D) Rulings of the chair on procedure.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

"(d) Amendment Not in Order.—A joint resolution of disapproval considered pursuant to this section shall not be subject to amendment in either the House of Representatives or the Senate.

"(e) Coordination With Action by Other House.—

"(1) In general.—If, before the passage by one House of the joint resolution of that House, that House receives the joint resolution from the other House, then the following procedures shall apply:

"(A) The joint resolution of the other House shall not be referred to a committee.

"(B) With respect to the joint resolution of the House receiving the joint resolution—

"(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

"(ii) the vote on passage shall be on the joint resolution of the other House.

"(2) Treatment of joint resolution of other house.—If the Senate fails to introduce or consider a joint resolution under this section, the joint resolution of the House shall be entitled to expedited floor procedures under this section.

"(3) Treatment of companion measures.—If, following passage of the joint resolution in the Senate, the Senate then receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

"(f) Rules of the House of Representatives and Senate.—This section is enacted by Congress—

"(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

"(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House. (Pub. L. 115–182, Title II, Subtitle A, June 6, 2018, 132 Stat. 1443.)

TITLE 42—THE PUBLIC HEALTH AND WELFARE

Chapter 23—DEVELOPMENT AND CONTROL OF ATOMIC ENERGY

385 § 2153. Cooperation with other nations

No cooperation with any nation, group of nations or regional defense organization pursuant to sections 2073, 2074(a), 2077, 2094, 2112, 2121, 2133, 2134, or 2164 of this title shall be undertaken until—

(a) Terms, conditions, duration, nature, scope, and other requirements of proposed agreements for cooperation; Presidential exemptions; negotiations; Nuclear Proliferation Assessment Statement

the proposed agreement for cooperation has been submitted to the President, which proposed agreement shall include the terms, conditions, duration, nature, and scope of the cooperation; and shall include the following requirements * * *

* * * * * * *

(b) Presidential approval and authorization for execution of proposed agreements for cooperation

the President has submitted text of the proposed agreement for cooperation (except an agreement arranged pursuant to section 2121(c), 2164(b), 2164(c), or 2164(d) of this title), together with the accompanying unclassified Nuclear Proliferation Assessment Statement, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, the President has consulted with such Committees for a period of not less than thirty days of continuous session (as defined in section 2159(g) of this title) concerning the consistency of the terms of the proposed agreement with all the requirements of this chapter, and the President has approved and authorized the execution of the proposed agreement for cooperation and has made a determination in writing that the performance of the proposed agreement will promote, and will not constitute an unreasonable risk to, the common defense and security;

(c) Submittal of proposed agreements for cooperation to Congressional committees

the proposed agreement for cooperation (if not an agreement subject to subsection (d)), together with the approval and determination of the President, has been submitted to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate for a period of thirty days of continuous session (as defined in section 2159(g) of this title): Provided, however, That these committees, after having received such agreement for cooperation, may by resolution in writing waive the conditions of all or any portion of such thirty-day period; and

(d) Congressional action

the proposed agreement for cooperation (if arranged pursuant to section 2121(c), 2164(b), 2164(c), or 2164(d) of this title, or if entailing implementation of section 2073, 2074(a), 2133, or 2134 of this title in relation to a reactor that may be capable of producing more than five thermal megawatts or special nuclear material for use in connection therewith) has been submitted to the Congress, together with the approval and determination of the President, for a period of sixty days of continuous session (as defined in section 2159(g) of this title) and referred to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, and in addition, in the case of a proposed agreement for cooperation arranged pursuant to section 2121(c), 2164(b), 2164(c), or 2164(d) of this title, the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate, but such proposed agreement for cooperation shall not become effective if during such sixty-day period the Congress adopts, and there is enacted, a joint resolution stating in substance that the Congress does not favor the proposed agreement for cooperation: Provided, That the sixty-day period shall not begin until a Nuclear Proliferation Assessment Statement prepared by the Secretary of State, and any annexes thereto, when required by subsection (a), have been submitted to the Congress: Provided further, That an agreement for cooperation exempted by the President pursuant to subsection (a) from any requirement contained in that subsection, or an agreement exempted pursuant to section 8003(a)(1) of title 22, shall not become effective unless the Congress adopts, and there is enacted, a joint resolution stating that the Congress does favor such agreement. During the sixty-day period the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate shall each hold hearings on the proposed agreement for cooperation and submit a report to their respective bodies recommending whether it should be approved or disapproved. Any such proposed agreement for cooperation shall be considered pursuant to the procedures set forth in section 2159(i) of this title.

Following submission of a proposed agreement for cooperation (except an agreement for cooperation arranged pursuant to section 2121(c), 2164(b), 2164(c), or 2164(d) of this title) to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, the Nuclear Regulatory Commission, the Department of State, the Department of Energy, and the Department of Defense shall, upon the request of either of those committees, promptly furnish to those committees their views as to whether the safeguards and other controls contained therein provide an adequate framework to ensure that any exports as contemplated by such agreement will not be inimical to or constitute an unreasonable risk to the common defense and security.If, after March 10, 1978, the Congress fails to disapprove a proposed agreement for cooperation which exempts the recipient nation from the requirement set forth in subsection (a)(2), such failure to act shall constitute a failure to adopt a resolution of disapproval pursuant to section 2157(b)(3) of this title for purposes of the Commission's consideration of applications and requests under sec-

tion 2155(a)(2) of this title and there shall be no congressional review pursuant to section 2157 of this title of any subsequent license or authorization with respect to that state until the first such license or authorization which is issued after twelve months from the elapse of the sixty-day period in which the agreement for cooperation in question is reviewed by the Congress. (Aug. 1, 1946, ch. 724, Title I, § 123, as added Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 940; amended Pub. L. 85–479, §§ 3, 4, July 2, 1958, 72 Stat. 277; Pub. L. 85–681, § 4, Aug. 19, 1958, 72 Stat. 632; Pub. L. 88–489, § 15, Aug. 26, 1964, 78 Stat. 606; Pub. L. 93–377, § 5, Aug. 17, 1974, 88 Stat. 475; Pub. L. 93–485, § 1, Oct. 26, 1974, 88 Stat. 1460; Pub. L. 95–242, Title IV, § 401, Mar. 10, 1978, 92 Stat. 142; Pub. L. 99–64, Title III, § 301(a), (b), July 12, 1985, 99 Stat. 159, 160; renumbered Title I, Pub. L. 102–486, Title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944; Pub. L. 103–337, div. C, Title XXXI, § 3155(c)(1), Oct. 5, 1994, 108 Stat. 3092; Pub. L. 103–437, § 15(f)(5), Nov. 2, 1994, 108 Stat. 4592; Pub. L. 104–106, div. A, Title XV, § 1505(g), Feb. 10, 1996, 110 Stat. 515; Pub. L. 105–277, div. G, Title XII, § 1225(d)(4), Oct. 21, 1998, 112 Stat. 2681–774; Pub. L. 109–401, Title I, § 104(e), Dec. 18, 2006, 120 Stat. 2734; Pub. L. 110–369, Title II, § 202, Oct. 8, 2008, 122 Stat. 4033.)

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386 § 2153c. Renegotiation of agreements for cooperation

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(b) Presidential review of export agreement conditions and policy goals

The President shall annually review each of requirements (1) through (9) set forth for inclusion in agreements for cooperation under section 123 a. of the 1954 Act [42 U.S.C. 2153(a)] and the export policy goals set forth in section 2153b of this title to determine whether it is in the interest of United States non-proliferation objectives for any such requirements or export policies which are not already being applied as export criteria to be enacted as additional export criteria.

(c) Presidential proposals for additional export criteria

If the President proposes enactment of any such requirements or export policies as additional export criteria or to take any other action with respect to such requirements or export policy goals for the purpose of encouraging adherence by nations and groups of nations to such requirements and policies, he shall submit such a proposal together with an explanation thereof to the Congress.

(d) Congressional action

If the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives, after reviewing the President's annual report or any proposed legislation, determines that it is in the interest of United States non-proliferation objectives to take any action with respect to such requirements or export policy goals, it shall report a joint resolution to implement such determination. Any joint resolution so reported shall be considered in the Senate and the House of Representatives, respectively, under applicable procedures provided for the consideration of resolutions pursuant to subsection 130 b. through g. of the 1954 Act [42 U.S.C. 2159(b) through (g)]. (Pub.

L. 95–242, Title IV, § 404, Mar. 10, 1978, 92 Stat. 147; Pub. L. 103–437, § 15(g), Nov. 2, 1994, 108 Stat. 4593.)

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§ 2155. Export licensing procedures **387**

(a) Executive branch judgment on export applications; criteria governing United States nuclear exports

No license may be issued by the Nuclear Regulatory Commission (the "Commission") for the export of any production or utilization facility, or any source material or special nuclear material, including distributions of any material by the Department of Energy under section 2074, 2094, or 2112 of this title, for which a license is required or requested, and no exemption from any requirement for such an export license may be granted by the Commission, as the case may be, until—

* * * * * * *

Provided, That continued cooperation under an agreement for cooperation as authorized in accordance with section 2154 of this title shall not be prevented by failure to meet the provisions of paragraph (4) or (5) of section 2156 of this title for a period of thirty days after March 10, 1978, and for a period of twenty-three months thereafter if the Secretary of State notifies the Commission that the nation or group of nations bound by the relevant agreement has agreed to negotiations as called for in section 2153c(a) of this title; however, nothing in this subsection shall be deemed to relinquish any rights which the United States may have under agreements for cooperation in force on March 10, 1978: Provided further, That if, upon the expiration of such twenty-four month period, the President determines that failure to continue cooperation with any group of nations which has been exempted pursuant to the above proviso from the provisions of paragraph (4) or (5) of section 2156 of this title, but which has not yet agreed to comply with those provisions would be seriously prejudicial to the achievement of United States non-proliferation objectives or otherwise jeopardize the common defense and security, he may, after notifying the Congress of his determination, extend by Executive order the duration of the above proviso for a period of twelve months, and may further extend the duration of such proviso by one year increments annually thereafter if he again makes such determination and so notifies the Congress. In the event that the Committee on Foreign Affairs of the House of Representatives or the Committee on Foreign Relations of the Senate reports a joint resolution to take any action with respect to any such extension, such joint resolution will be considered in the House or Senate, as the case may be, under procedures identical to those provided for the consideration of resolutions pursuant to section 2159 of this title * * *

* * * * * * *

(b) Requests to be given timely consideration; Presidential review if Commission is unable to make required statutory determinations; Commission review

(1) Timely consideration shall be given by the Commission to requests for export licenses and exemptions and such requests shall be granted

upon a determination that all applicable statutory requirements have been met.

(2) If, after receiving the executive branch judgment that the issuance of a proposed export license will not be inimical to the common defense and security, the Commission does not issue the proposed license on a timely basis because it is unable to make the statutory determinations required under this chapter, the Commission shall publicly issue its decision to that effect, and shall submit the license application to the President. The Commission's decision shall include an explanation of the basis for the decision and any dissenting or separate views. If, after receiving the proposed license application and reviewing the Commission's decision, the President determines that withholding the proposed export would be seriously prejudicial to the achievement of United States non-proliferation objectives, or would otherwise jeopardize the common defense and security, the proposed export may be authorized by Executive order: *Provided*, That prior to any such export, the President shall submit the Executive order, together with his explanation of why, in light of the Commission's decision, the export should nonetheless be made, to the Congress for a period of sixty days of continuous session (as defined in section 2159(g) of this title) and shall be referred to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, but any such proposed export shall not occur if during such sixty-day period the Congress adopts a concurrent resolution stating in substance that it does not favor the proposed export. Any such Executive order shall be considered pursuant to the procedures set forth in section 2159 of this title for the consideration of Presidential submissions * * *

* * * * * * *

(c) Additional export criteria

In the event that the House of Representatives or the Senate passes a joint resolution which would adopt one or more additional export criteria, or would modify any existing export criteria under this chapter, any such joint resolution shall be referred in the other House to the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives, as the case may be, and shall be considered by the other House under applicable procedures provided for the consideration of resolutions pursuant to section 2159 of this title. (Aug. 1, 1946, ch. 724, Title I, § 126, as added Pub. L. 95–242, Title III, § 304(a), Mar. 10, 1978, 92 Stat. 131; renumbered title I, Pub. L. 102–486, Title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944; amended Pub. L. 103–437, § 15(f)(5), Nov. 2, 1994, 108 Stat. 4592; Pub. L. 105–277, div. G, Title XII, § 1225(d)(5), Oct. 21, 1998, 112 Stat. 2681–774.)

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388 § 2157. Additional export criterion and procedures

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Provided, That no such export of any production or utilization facility or of any source or special nuclear material (intended for use as fuel in any production or utilization facility) which has been licensed or authorized pursuant to this subsection shall be made to any non-nuclear-weapon state which has failed to meet such criterion until the first

such license or authorization with respect to such state is submitted to the Congress (together with a detailed assessment of the reasons underlying the President's determination, the judgment of the executive branch required under section 2155 of this title, and any Commission opinion and views) for a period of sixty days of continuous session (as defined in section 2159(g) of this title) and referred to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, but such export shall not occur if during such sixty-day period the Congress adopts a concurrent resolution stating in substance that the Congress does not favor the proposed export. Any such license or authorization shall be considered pursuant to the procedures set forth in section 2159 of this title for the consideration of Presidential submissions.

(2) If the Congress adopts a resolution of disapproval pursuant to paragraph (1), no further export of materials, facilities, or technology specified in subsection (a) shall be permitted for the remainder of that Congress, unless such state meets the criterion or the President notifies the Congress that he has determined that significant progress has been made in achieving adherence to such criterion by such state or that United States foreign policy interests dictate reconsideration and the Congress, pursuant to the procedure of paragraph (1), does not adopt a concurrent resolution stating in substance that it disagrees with the President's determination.

(3) If the Congress does not adopt a resolution of disapproval with respect to a license or authorization submitted pursuant to paragraph (1), the criterion set forth in subsection (a) shall not be applied as an export criterion with respect to exports of materials, facilities and technology specified in subsection (a) to that state: Provided, That the first license or authorization with respect to that state which is issued pursuant to this paragraph after twelve months from the elapse of the sixty-day period specified in paragraph (1), and the first such license or authorization which is issued after each twelve-month period thereafter, shall be submitted to the Congress for review pursuant to the procedures specified in paragraph (1): Provided further, That if the Congress adopts a resolution of disapproval during any review period provided for by this paragraph, the provisions of paragraph (2) shall apply with respect to further exports to such state. (Aug. 1, 1946, ch. 724, Title I, § 128, as added Pub. L. 95–242, Title III, § 306, Mar. 10, 1978, 92 Stat. 137; renumbered Title I, Pub. L. 102–486, Title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944; amended Pub. L. 103–437, § 15(f)(5), Nov. 2, 1994, 108 Stat. 4592.)

§ 2158. Conduct resulting in termination of nuclear exports **389**

(a) No nuclear materials and equipment or sensitive nuclear technology shall be exported to—

(1) any non-nuclear-weapon state that is found by the President to have, at any time after March 10, 1978 * * *

* * * * * * *

unless the President determines that cessation of such exports would be seriously prejudicial to the achievement of United States non-proliferation objectives or otherwise jeopardize the common defense and security: Provided, That prior to the effective date of any such determination, the President's determination, together with a report con-

taining the reasons for his determination, shall be submitted to the Congress and referred to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate for a period of sixty days of continuous session (as defined in section 2159(g) of this title), but any such determination shall not become effective if during such sixty-day period the Congress adopts, and there is enacted, a joint resolution stating in substance that it does not favor the determination. Any such determination shall be considered pursuant to the procedures set forth in section 2159 of this title for the consideration of Presidential submissions. (Aug. 1, 1946, ch. 724, Title I, § 129, as added Pub. L. 95–242, Title III, § 307, Mar. 10, 1978, 92 Stat. 138; renumbered Title I, Pub. L. 102–486, Title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944; amended Pub. L. 103–437, § 15(f)(5), Nov. 2, 1994, 108 Stat. 4592; Pub. L. 109–58, Title VI, § 632(a), Aug. 8, 2005, 119 Stat. 788; Pub. L. 110–369, Title II, § 203, Oct. 8, 2008, 122 Stat. 4033.)

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390 **§ 2159. Congressional review procedures**

(a) Committee consideration of Presidential submissions; reports

Not later than forty-five days of continuous session of Congress after the date of transmittal to the Congress of any submission of the President required by section 2155(a)(2), 2155(b)(2), 2157(b), 2158, 2160(a)(3), or 2160(f)(1)(A) of this title, the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives shall each submit a report to its respective House on its views and recommendations respecting such Presidential submission together with a resolution, as defined in subsection (f), stating in substance that the Congress approves or disapproves such submission, as the case may be: Provided, That if any such committee has not reported such a resolution at the end of such forty-five day period, such committee shall be deemed to be discharged from further consideration of such submission. If no such resolution has been reported at the end of such period, the first resolution, as defined in subsection (f), which is introduced within five days thereafter within such House shall be placed on the appropriate calendar of such House.

(b) Consideration of resolution by respective Houses of Congress

When the relevant committee or committees have reported such a resolution (or have been discharged from further consideration of such a resolution pursuant to subsection (a)) or when a resolution has been introduced and placed on the appropriate calendar pursuant to subsection (a), as the case may be, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. The motion shall not be subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(c) Debate

Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than ten hours, which shall be divided equally between individuals favoring and individuals opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to a motion to postpone, or a motion to recommit the resolution, or a motion to proceed to the consideration of other business is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to shall not be in order. No amendment to any concurrent resolution pursuant to the procedures of this section is in order except as provided in subsection (d).

(d) Vote on final approval

Immediately following (1) the conclusion of the debate on such concurrent resolution, (2) a single quorum call at the conclusion of debate if requested in accordance with the rules of the appropriate House, and (3) the consideration of an amendment introduced by the Majority Leader or his designee to insert the phrase, "does not" in lieu of the word "does" if the resolution under consideration is a concurrent resolution of approval, the vote on final approval of the resolution shall occur.

(e) Appeals from decisions of Chair

Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to such a resolution shall be decided without debate.

(f) Resolution

For the purposes of subsections (a) through (e) of this section, the term "resolution" means a concurrent resolution of the Congress, the matter after the resolving clause of which is as follows: "That the Congress (does or does not) favor the transmitted to the Congress by the President on , .", the blank spaces therein to be appropriately filled, and the affirmative or negative phrase within the parenthetical to be appropriately selected.

(g) Continuity of Congressional sessions; computation of time

(1) Except as provided in paragraph (2), for the purposes of this section—

(A) continuity of session is broken only by an adjournment of Congress sine die; and

(B) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session.

(2) For purposes of this section insofar as it applies to section 2153 of this title—

(A) continuity of session is broken only by an adjournment of Congress sine die at the end of a Congress; and

(B) the days on which either House is not in session because of an adjournment of more than three days are excluded in the computation of any period of time in which Congress is in continuous session.

(h) Supersedure or change in rules

This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described by subsection (f) of this section; and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(i) Joint resolutions

(1) For the purposes of this subsection, the term "joint resolution" means—

(A) for an agreement for cooperation pursuant to section 2153 of this title, a joint resolution, the matter after the resolving clause of which is as follows: "That the Congress (does or does not) favor the proposed agreement for cooperation transmitted to the Congress by the President on_____ .",

(B) for a determination under section 2158 of this title, a joint resolution, the matter after the resolving clause of which is as follows: "That the Congress does not favor the determination transmitted to the Congress by the President on_____ .", or

(C) for a subsequent arrangement under section 201 of the United States—India Nuclear Cooperation Approval and Nonproliferation Enhancement Act, a joint resolution, the matter after the resolving clause of which is as follows: "That the Congress does not favor the subsequent arrangement to the Agreement for Cooperation Between the Government of the United States of America and the Government of India Concerning Peaceful Uses of Nuclear Energy that was transmitted to Congress by the President on September 10, 2008.",

with the date of the transmission of the proposed agreement for cooperation inserted in the blank, and the affirmative or negative phrase within the parenthetical appropriately selected.

(2) On the day on which a proposed agreement for cooperation is submitted to the House of Representatives and the Senate under section 2153(d) of this title, a joint resolution with respect to such agreement for cooperation shall be introduced (by request) in the House by the chairman of the Committee on Foreign Affairs, for himself and the ranking minority member of the Committee, or by Members of the House designated by the chairman and ranking minority member; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such an agreement for cooperation is submitted, the joint resolution shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which that House is in session.

(3) All joint resolutions introduced in the House of Representatives shall be referred to the appropriate committee or committees, and all joint resolutions introduced in the Senate shall be referred to the Committee on Foreign Relations and in addition, in the case of a proposed agreement for cooperation arranged pursuant to section 2121(c), 2164(b), or 2164(c) of this title, the Committee on Armed Services.

(4) If the committee of either House to which a joint resolution has been referred has not reported it at the end of 45 days after its introduction (or in the case of a joint resolution related to a subsequent arrangement under section 201 of the United States—India Nuclear Cooperation Approval and Nonproliferation Enhancement Act, 15 days after its introduction), the committee shall be discharged from further consideration of the joint resolution or of any other joint resolution introduced with respect to the same matter; except that, in the case of a joint resolution which has been referred to more than one committee, if before the end of that 45-day period (or in the case of a joint resolution related to a subsequent arrangement under section 201 of the United States—India Nuclear Cooperation Approval and Nonproliferation Enhancement Act, 15-day period) one such committee has reported the joint resolution, any other committee to which the joint resolution was referred shall be discharged from further consideration of the joint resolution or of any other joint resolution introduced with respect to the same matter.

(5) A joint resolution under this subsection shall be considered in the Senate in accordance with the provisions of section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976. For the purpose of expediting the consideration and passage of joint resolutions reported or discharged pursuant to the provisions of this subsection, it shall be in order for the Committee on Rules of the House of Representatives to present for consideration a resolution of the House of Representatives providing procedures for the immediate consideration of a joint resolution under this subsection which may be similar, if applicable, to the procedures set forth in section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976.[24]

(6) In the case of a joint resolution described in paragraph (1), if prior to the passage by one House of a joint resolution of that House, that House receives a joint resolution with respect to the same matter from the other House, then—

(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(B) the vote on final passage shall be on the joint resolution of the other House. (Aug. 1, 1946, ch. 724, Title I, § 130, as added Pub. L. 95–242, Title III, § 308, Mar. 10, 1978, 92 Stat. 139; amended Pub. L. 99–64, Title III, § 301(c), July 12, 1985, 99 Stat. 160; renumbered Title I, Pub. L. 102–486, Title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944; Pub. L. 103–437, § 15(f)(5), Nov. 2, 1994, 108 Stat. 4592; Pub. L. 110–369, Title II, § 205, Oct. 8, 2008, 122 Stat. 4033.)

[24] *Id.*

391 § 2160. Subsequent arrangements

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(f) Subsequent arrangements involving direct or indirect commitment of United States for storage or other disposition of foreign spent nuclear fuel in United States

(1) With regard to any subsequent arrangement under subsection (a)(2)(E) (for the storage or disposition of irradiated fuel elements), where such arrangement involves a direct or indirect commitment of the United States for the storage or other disposition, interim or permanent, of any foreign spent nuclear fuel in the United States, the Secretary of Energy may not enter into any such subsequent arrangement, unless:

(A)(i) Such commitment of the United States has been submitted to the Congress for a period of sixty days of continuous session (as defined in section 2159(g) of this title) and has been referred to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, but any such commitment shall not become effective if during such sixty-day period the Congress adopts a concurrent resolution stating in substance that it does not favor the commitment, any such commitment to be considered pursuant to the procedures set forth in section 2159 of this title for the consideration of Presidential submissions; or (ii) if the President has submitted a detailed generic plan for such disposition or storage in the United States to the Congress for a period of sixty days of continuous session (as defined in section 2159(g) of this title), which plan has been referred to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate and has not been disapproved during such sixty-day period by the adoption of a concurrent resolution stating in substance that Congress does not favor the plan; and the commitment is subject to the terms of an effective plan. Any such plan shall be considered pursuant to the procedures set forth in section 2159 of this title for the consideration of Presidential submissions; (Aug. 1, 1946, ch. 724, Title I, § 131, as added Pub. L. 95–242, Title III, § 303(a), Mar. 10, 1978, 92 Stat. 127; renumbered Title I, Pub. L. 102–486, Title IX, § 902(a)(8), Oct. 24, 1992, 106 Stat. 2944; amended Pub. L. 103–437, § 15(f)(6), Nov. 2, 1994, 108 Stat. 4592; Pub. L. 105–277, div. G, Title XII, § 1225(d)(6), (7), Oct. 21, 1998, 112 Stat. 2681–774.)

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392 § 2160e. Congressional review and oversight of agreements with Iran

(a) Transmission to Congress of nuclear agreements with Iran and verification assessment with respect to such agreements

(1) Transmission of agreements

Not later than 5 calendar days after reaching an agreement with Iran relating to the nuclear program of Iran, the President shall transmit to the appropriate congressional committees and leadership—

(A) the agreement, as defined in subsection (h)(1), including all related materials and annexes * * *

* * * * * * *

(b) Period for review by Congress of nuclear agreements with Iran

(1) In general

During the 30-calendar day period following transmittal by the President of an agreement pursuant to subsection (a), the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives shall, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review such agreement.

(2) Exception

The period for congressional review under paragraph (1) shall be 60 calendar days if an agreement, including all materials required to be transmitted to Congress pursuant to subsection (a)(1), is transmitted pursuant to subsection (a) between July 10, 2015, and September 7, 2015.

(3) Limitation on actions during initial congressional review period

Notwithstanding any other provision of law, except as provided in paragraph (6), prior to and during the period for transmission of an agreement in subsection (a)(1) and during the period for congressional review provided in paragraph (1), including any additional period as applicable under the exception provided in paragraph (2), the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described in subsection (a).

(4) Limitation on actions during presidential consideration of a joint resolution of disapproval

Notwithstanding any other provision of law, except as provided in paragraph (6), if a joint resolution of disapproval described in subsection (c)(2)(B) passes both Houses of Congress, the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described in subsection (a) for a period of 12 calendar days following the date of such passage.

(5) Limitation on actions during congressional reconsideration of a joint resolution of disapproval

Notwithstanding any other provision of law, except as provided in paragraph (6), if a joint resolution of disapproval described in subsection (c)(2)(B) passes both Houses of Congress, and the President vetoes such joint resolution, the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described in subsection (a) for a period of 10 calendar days following the date of the President's veto.

(6) Exception

The prohibitions under paragraphs (3) through (5) do not apply to any new deferral, waiver, or other suspension of statutory sanctions pursuant to the Joint Plan of Action if that deferral, waiver, or other suspension is made—

(A) consistent with the law in effect on May 22, 2015; and

(B) not later than 45 calendar days before the transmission by the President of an agreement, assessment report, and certification under subsection (a).

(7) Definition

In the House of Representatives, for purposes of this subsection, the terms "transmittal," "transmitted," and "transmission" mean transmittal, transmitted, and transmission, respectively, to the Speaker of the House of Representatives.

(c) Effect of congressional action with respect to nuclear agreements with Iran

(1) Sense of Congress

It is the sense of Congress that—

(A) the sanctions regime imposed on Iran by Congress is primarily responsible for bringing Iran to the table to negotiate on its nuclear program;

(B) these negotiations are a critically important matter of national security and foreign policy for the United States and its closest allies;

(C) this section does not require a vote by Congress for the agreement to commence;

(D) this section provides for congressional review, including, as appropriate, for approval, disapproval, or no action on statutory sanctions relief under an agreement; and

(E) even though the agreement may commence, because the sanctions regime was imposed by Congress and only Congress can permanently modify or eliminate that regime, it is critically important that Congress have the opportunity, in an orderly and deliberative manner, to consider and, as appropriate, take action affecting the statutory sanctions regime imposed by Congress.

(2) In general

Notwithstanding any other provision of law, action involving any measure of statutory sanctions relief by the United States pursuant to an agreement subject to subsection (a) or the Joint Plan of Action—

(A) may be taken, consistent with existing statutory requirements for such action, if, during the period for review provided in subsection (b), there is enacted a joint resolution stating in substance that the Congress does favor the agreement;

(B) may not be taken if, during the period for review provided in subsection (b), there is enacted a joint resolution stating in substance that the Congress does not favor the agreement; or

(C) may be taken, consistent with existing statutory requirements for such action, if, following the period for review provided in subsection (b), there is not enacted any such joint resolution.

(3) Definition

For the purposes of this subsection, the phrase "action involving any measure of statutory sanctions relief by the United States" shall include waiver, suspension, reduction, or other effort to provide relief from, or otherwise limit the application of statutory sanctions with respect to, Iran under any provision of law or any other effort to refrain from applying any such sanctions.

(d) Congressional oversight of Iranian compliance with nuclear agreements

(1) In general

The President shall keep the appropriate congressional committees and leadership fully and currently informed of all aspects of Iranian compliance with respect to an agreement subject to subsection (a).

(2) Potentially significant breaches and compliance incidents

The President shall, within 10 calendar days of receiving credible and accurate information relating to a potentially significant breach or compliance incident by Iran with respect to an agreement subject to subsection (a), submit such information to the appropriate congressional committees and leadership.

(3) Material breach report

Not later than 30 calendar days after submitting information about a potentially significant breach or compliance incident pursuant to paragraph (2), the President shall make a determination whether such potentially significant breach or compliance issue constitutes a material breach and, if there is such a material breach, whether Iran has cured such material breach, and shall submit to the appropriate congressional committees and leadership such determination, accompanied by, as appropriate, a report on the action or failure to act by Iran that led to the material breach, actions necessary for Iran to cure the breach, and the status of Iran's efforts to cure the breach * * *

* * * * * * *

(6) Compliance certification

After the review period provided in subsection (b), the President shall, not less than every 90 calendar days—

(A) determine whether the President is able to certify that—

(i) Iran is transparently, verifiably, and fully implementing the agreement, including all related technical or additional agreements;

(ii) Iran has not committed a material breach with respect to the agreement or, if Iran has committed a material breach, Iran has cured the material breach;

(iii) Iran has not taken any action, including covert activities, that could significantly advance its nuclear weapons program; and

(iv) suspension of sanctions related to Iran pursuant to the agreement is—

(I) appropriate and proportionate to the specific and verifiable measures taken by Iran with respect to terminating its illicit nuclear program; and

(II) vital to the national security interests of the United States; and

(B) if the President determines he is able to make the certification described in subparagraph (A), make such certification to the appropriate congressional committees and leadership.

* * * * * * *

(e) Expedited consideration of legislation

(1) Initiation

(A) In general

In the event the President does not submit a certification pursuant to subsection (d)(6) during each 90-day period following the review period provided in subsection (b), or submits a determination pursuant to subsection (d)(3) that Iran has materially breached an agreement subject to subsection (a) and the material breach has not been cured, qualifying legislation introduced within 60 calendar days of such event shall be entitled to expedited consideration pursuant to this subsection.

(B) Definition

In the House of Representatives, for purposes of this paragraph, the terms "submit" and "submits" mean submit and submits, respectively, to the Speaker of the House of Representatives.

(2) Qualifying legislation defined

For purposes of this subsection, the term "qualifying legislation" means only a bill of either House of Congress—

(A) the title of which is as follows: "A bill reinstating statutory sanctions imposed with respect to Iran."; and

(B) the matter after the enacting clause of which is: "Any statutory sanctions imposed with respect to Iran pursuant to_____ that were waived, suspended, reduced, or otherwise relieved pursuant to an agreement submitted pursuant to section 135(a) of the Atomic Energy Act of 1954 are hereby reinstated and any action by the United States Government to facilitate the release of funds or assets to Iran pursuant to such agreement, or provide any further waiver, suspension, reduction, or other relief pursuant to such agreement is hereby prohibited.", with the blank space being filled in with the law or laws under which sanctions are to be reinstated.

(3) Introduction

During the 60-calendar day period provided for in paragraph (1), qualifying legislation may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(4) Floor consideration in House of Representatives

(A) Reporting and discharge

If a committee of the House to which qualifying legislation has been referred has not reported such qualifying legislation within 10 legislative days after the date of referral, that committee shall be discharged from further consideration thereof.

(B) Proceeding to consideration

Beginning on the third legislative day after each committee to which qualifying legislation has been referred reports it to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the qualifying legislation in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the qualifying legislation with regard to the same agreement. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) Consideration

The qualifying legislation shall be considered as read. All points of order against the qualifying legislation and against its consideration are waived. The previous question shall be considered as ordered on the qualifying legislation to final passage without intervening motion except two hours of debate equally divided and controlled by the sponsor of the qualifying legislation (or a designee) and an opponent. A motion to reconsider the vote on passage of the qualifying legislation shall not be in order.

(5) Consideration in the Senate

(A) Committee referral

Qualifying legislation introduced in the Senate shall be referred to the Committee on Foreign Relations.

(B) Reporting and discharge

If the Committee on Foreign Relations has not reported such qualifying legislation within 10 session days after the date of referral of such legislation, that committee shall be discharged from further consideration of such legislation and the qualifying legislation shall be placed on the appropriate calendar.

(C) Proceeding to consideration

Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the committee authorized to consider qualifying legislation reports it to the Senate or has been discharged from its consideration (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of qualifying legislation, and all points of order against qualifying legislation (and against consideration of the qualifying legislation) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the qualifying legislation is agreed to, the qualifying legislation shall remain the unfinished business until disposed of.

(D) Debate

Debate on qualifying legislation, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion

to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the qualifying legislation is not in order.

(E) Vote on passage

The vote on passage shall occur immediately following the conclusion of the debate on the qualifying legislation and a single quorum call at the conclusion of the debate, if requested in accordance with the rules of the Senate.

(F) Rulings of the Chair on procedure

Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to qualifying legislation shall be decided without debate.

(G) Consideration of veto messages

Debate in the Senate of any veto message with respect to qualifying legislation, including all debatable motions and appeals in connection with such qualifying legislation, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(6) Rules relating to Senate and House of Representatives

(A) Coordination with action by other House

If, before the passage by one House of qualifying legislation of that House, that House receives qualifying legislation from the other House, then the following procedures shall apply:

(i) The qualifying legislation of the other House shall not be referred to a committee.

(ii) With respect to qualifying legislation of the House receiving the legislation—

(I) the procedure in that House shall be the same as if no qualifying legislation had been received from the other House; but

(II) the vote on passage shall be on the qualifying legislation of the other House.

(B) Treatment of a bill of other House

If one House fails to introduce qualifying legislation under this section, the qualifying legislation of the other House shall be entitled to expedited floor procedures under this section.

(C) Treatment of companion measures

If, following passage of the qualifying legislation in the Senate, the Senate then receives a companion measure from the House of Representatives, the companion measure shall not be debatable.

(D) Application to revenue measures

The provisions of this paragraph shall not apply in the House of Representatives to qualifying legislation which is a revenue measure.

(f) Rules of House of Representatives and Senate

Subsection (e) is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such are deemed a part of the rules of each House, respectively, but applicable only

with respect to the procedure to be followed in that House in the case of legislation described in those sections, and supersede other rules only to the extent that they are inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

* * * * * * *

(h) Definitions

In this section:

(1) Agreement

The term "agreement" means an agreement related to the nuclear program of Iran that includes the United States, commits the United States to take action, or pursuant to which the United States commits or otherwise agrees to take action, regardless of the form it takes, whether a political commitment or otherwise, and regardless of whether it is legally binding or not, including any joint comprehensive plan of action entered into or made between Iran and any other parties, and any additional materials related thereto, including annexes, appendices, codicils, side agreements, implementing materials, documents, and guidance, technical or other understandings, and any related agreements, whether entered into or implemented prior to the agreement or to be entered into or implemented in the future.

(2) Appropriate congressional committees

The term "appropriate congressional committees" means the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate and the Committee on Ways and Means, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives.

(3) Appropriate congressional committees and leadership

The term "appropriate congressional committees and leadership" means the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on Foreign Relations, and the Majority and Minority Leaders of the Senate and the Committee on Ways and Means, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the

Committee on Foreign Affairs, and the Speaker, Majority Leader, and Minority Leader of the House of Representatives.

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393 § 2210. Indemnification and limitation of liability

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(e) Limitation on aggregate public liability

(1) The aggregate public liability for a single nuclear incident of persons indemnified, including such legal costs as are authorized to be paid under subsection (o)(1)(D), shall not exceed—

(A) in the case of facilities designed for producing substantial amounts of electricity and having a rated capacity of 100,000 electrical kilowatts or more, the maximum amount of financial protection required of such facilities under subsection (b) (plus any surcharge assessed under subsection (o)(1)(E));

(B) in the case of contractors with whom the Secretary has entered into an agreement of indemnification under subsection (d), the amount of indemnity and financial protection that may be required under paragraph (2) of subsection (d); and

(C) in the case of all other licensees of the Commission required to maintain financial protection under this section—

(i) $500,000,000, together with the amount of financial protection required of the licensee; or

(ii) if the amount of financial protection required of the licensee exceeds $60,000,000, $560,000,000 or the amount of financial protection required of the licensee, whichever amount is more.

(2) In the event of a nuclear incident involving damages in excess of the amount of aggregate public liability under paragraph (1), the Congress will thoroughly review the particular incident in accordance with the procedures set forth in subsection (i) and will in accordance with such procedures, take whatever action is determined to be necessary (including approval of appropriate compensation plans and appropriation of funds) to provide full and prompt compensation to the public for all public liability claims resulting from a disaster of such magnitude.

(3) No provision of paragraph (1) may be construed to preclude the Congress from enacting a revenue measure, applicable to licensees of the Commission required to maintain financial protection pursuant to subsection (b), to fund any action undertaken pursuant to paragraph (2).

(4) With respect to any nuclear incident occurring outside of the United States to which an agreement of indemnification entered into under the provisions of subsection (d) is applicable, such aggregate public liability shall not exceed the amount of $500,000,000, together with the amount of financial protection required of the contractor.

* * * * * * *

(2) Not later than 90 days after any determination by a court, pursuant to subsection (o), that the public liability from a single nuclear incident may exceed the applicable amount of aggregate public liability under subparagraph (A), (B), or (C) of subsection (e)(1) the President shall submit to the Congress—

(A) an estimate of the aggregate dollar value of personal injuries and property damage that arises from the nuclear incident and exceeds the amount of aggregate public liability under subsection (e)(1);

(B) recommendations for additional sources of funds to pay claims exceeding the applicable amount of aggregate public liability under subparagraph (A), (B), or (C) of subsection (e)(1), which recommendations shall consider a broad range of possible sources of funds (including possible revenue measures on the sector of the economy, or on any other class, to which such revenue measures might be applied);

(C) 1 or more compensation plans, that either individually or collectively shall provide for full and prompt compensation for all valid claims and contain a recommendation or recommendations as to the relief to be provided, including any recommendations that funds be allocated or set aside for the payment of claims that may arise as a result of latent injuries that may not be discovered until a later date; and

(D) any additional legislative authorities necessary to implement such compensation plan or plans.

(3)(A) Any compensation plan transmitted to the Congress pursuant to paragraph (2) shall bear an identification number and shall be transmitted to both Houses of Congress on the same day and to each House while it is in session.

(B) The provisions of paragraphs (4) through (6) shall apply with respect to consideration in the Senate of any compensation plan transmitted to the Senate pursuant to paragraph (2).

(4) No such compensation plan may be considered approved for purposes of subsection (e)(2) unless between the date of transmittal and the end of the first period of sixty calendar days of continuous session of Congress after the date on which such action is transmitted to the Senate, the Senate passes a resolution described in paragraph 6 of this subsection.

(5) For the purpose of paragraph (4) of this subsection—

(A) continuity of session is broken only by an adjournment of Congress sine die; and

(B) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the sixty-day calendar period.

(6)(A) This paragraph is enacted—

(i) as an exercise of the rulemaking power of the Senate and as such it is deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of resolutions described by subparagraph (B) and it supersedes other rules only to the extent that it is inconsistent therewith; and

(ii) with full recognition of the constitutional right of the Senate to change the rules at any time, in the same manner and to the same extent as in the case of any other rule of the Senate.

(B) For purposes of this paragraph, the term "resolution" means only a joint resolution of the Congress the matter after the resolving clause of which is as follows: "That the _____ approves the compensation plan numbered _____ submitted to the Congress on _____, 19____.",

the first blank space therein being filled with the name of the resolving House and the other blank spaces being appropriately filled; but does not include a resolution which specifies more than one compensation plan.

(C) A resolution once introduced with respect to a compensation plan shall immediately be referred to a committee (and all resolutions with respect to the same compensation plan shall be referred to the same committee) by the President of the Senate.

(D)(i) If the committee of the Senate to which a resolution with respect to a compensation plan has been referred has not reported it at the end of twenty calendar days after its referral, it shall be in order to move either to discharge the committee from further consideration of such resolution or to discharge the committee from further consideration with respect to such compensation plan which has been referred to the committee.

(ii) A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same compensation plan), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(iii) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same compensation plan.

(E)(i) When the committee has reported, or has been discharged from further consideration of, a resolution, it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(ii) Debate on the resolution referred to in clause (i) of this subparagraph shall be limited to not more than ten hours, which shall be divided equally between those favoring and those opposing such resolution. A motion further to limit debate shall not be debatable. An amendment to, or motion to recommit, the resolution shall not be in order, and it shall not be in order to move to reconsider the vote by which such resolution was agreed to or disagreed to.

(F)(i) Motions to postpone, made with respect to the discharge from committee, or the consideration of a resolution or motions to proceed to the consideration of other business, shall be decided without debate.

(ii) Appeals from the decision of the Chair relating to the application of the rules of the Senate to the procedures relating to a resolution shall be decided without debate.

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Chapter 77—ENERGY CONSERVATION

§ 6249c. Contracts for which implementing legislation is needed 394

(a) In general

(1) In the case of contracts entered into under this part, and amendments to such contracts, for which implementing legislation will be needed, the Secretary may transmit an implementing bill to both Houses of the Congress.

(2) In the Senate, any such bill shall be considered in accordance with the provisions of this section.

(3) For purposes of this section—

(A) the term "implementing bill" means a bill introduced in either House of Congress with respect to one or more contracts or amendments to contracts submitted to the House of Representatives and the Senate under this section and which contains—

(i) a provision approving such contracts or amendments, or both; and

(ii) legislative provisions that are necessary or appropriate for the implementation of such contracts or amendments, or both; and

(B) the term "implementing revenue bill" means an implementing bill which contains one or more revenue measures by reason of which it must originate in the House of Representatives.

(b) Consultation

The Secretary shall consult, at the earliest possible time and on a continuing basis, with each committee of the House and the Senate that has jurisdiction over all matters expected to be affected by legislation needed to implement any such contract.

(c) Effective date

Each contract and each amendment to a contract for which an implementing bill is necessary may become effective only if—

(1) the Secretary, not less than 30 days before the day on which such contract is entered into, notifies the House of Representatives and the Senate of the intention to enter into such a contract and promptly thereafter publishes notice of such intention in the Federal Register;

(2) after entering into the contract, the Secretary transmits a report to the House of Representatives and to the Senate containing a copy of the final text of such contract together with—

(A) the implementing bill, and an explanation of how the implementing bill changes or affects existing law; and

(B) a statement of the reasons why the contract serves the interests of the United States and why the implementing bill is required or appropriate to implement the contract; and

(3) the implementing bill is enacted into law.

(d) Rules of Senate

Subsections (e) through (h) are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate, and as such they are deemed a part of the rules of the Senate but applicable only with respect to the procedure to be followed in the Senate in the case of implementing bills and implementing revenue bills described in subsection (a), and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner and to the same extent as in the case of any other rule of the Senate.

(e) Introduction and referral in Senate

(1) On the day on which an implementing bill is transmitted to the Senate under this section, the implementing bill shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself or herself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate.

(2) If the Senate is not in session on the day on which such an agreement is submitted, the implementing bill shall be introduced in the Senate, as provided in the paragraph (1), on the first day thereafter on which the Senate is in session.

(3) Such bills shall be referred by the presiding officer of the Senate to the appropriate committee, or, in the case of a bill containing provisions within the jurisdiction of two or more committees, jointly to such committees for consideration of those provisions within their respective jurisdictions.

(f) Consideration of amendments to implementing bill prohibited in Senate

(1) No amendments to an implementing bill shall be in order in the Senate, and it shall not be in order in the Senate to consider an implementing bill that originated in the House if such bill passed the House containing any amendment to the introduced bill.

(2) No motion to suspend the application of this subsection shall be in order in the Senate; nor shall it be in order in the Senate for the Presiding Officer to entertain a request to suspend the application of this subsection by unanimous consent.

(g) Discharge in Senate

(1) Except as provided in paragraph (3), if the committee or committees of the Senate to which an implementing bill has been referred have not reported it at the close of the 30th day after its introduction, such committee or committees shall be automatically discharged from further consideration of the bill, and it shall be placed on the appropriate calendar.

(2) A vote on final passage of the bill shall be taken in the Senate on or before the close of the 15th day after the bill is reported by the committee or committees to which it was referred or after such committee or committees have been discharged from further consideration of the bill.

(3) The provisions of paragraphs (1) and (2) shall not apply in the Senate to an implementing revenue bill. An implementing revenue bill received from the House shall be, subject to subsection (f)(1), referred to the appropriate committee or committees of the Senate. If such committee or committees have not reported such bill at the close of the 15th day after its receipt by the Senate, such committee or committees shall be automatically discharged from further consideration of such bill and it shall be placed on the calendar. A vote on final passage of such bill shall be taken in the Senate on or before the close of the 15th day after such bill is reported by the committee or committees of the Senate to which it was referred, or after such committee or committees have been discharged from further consideration of such bill.

(4) For purposes of this subsection, in computing a number of days in the Senate, there shall be excluded any day on which the Senate is not in session.

(h) Floor consideration in Senate

(1) A motion in the Senate to proceed to the consideration of an implementing bill shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) Debate in the Senate on an implementing bill, and all debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) Debate in the Senate on any debatable motion or appeal in connection with an implementing bill shall be limited to not more than one hour to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of an implementing bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(4) A motion in the Senate to further limit debate is not debatable. A motion to recommit an implementing bill is not in order. (Pub. L. 94–163, Title I, § 174, as added Pub. L. 101–383, § 6(a)(4), Sept. 15, 1990, 104 Stat. 731.)

§ 6272. International voluntary agreements **395**

* * * * * * *

(m) Limitation on new plans of action

(1) With respect to any plan of action approved by the Attorney General after July 2, 1985—

(A) the defenses under subsection (f) and (j) shall be applicable to Type 1 activities (as that term is defined in the International Energy Agency Emergency Management Manual, dated December 1982) only if—

(i) the Secretary has transmitted such plan of action to the Congress; and

(ii)(I) 90 calendar days of continuous session have elapsed since receipt by the Congress of such transmittal; or

(II) within 90 calendar days of continuous session after receipt of such transmittal, either House of the Congress has disapproved a joint resolution of disapproval pursuant to subsection (n); and

(B) such defenses shall not be applicable to Type 1 activities if there has been enacted, in accordance with subsection (n), a joint resolution of disapproval.

(2) The Secretary may withdraw the plan of action at any time prior to adoption of a joint resolution described in subsection (n)(3) by either House of Congress.

(3) For the purpose of this subsection—

(A) continuity of session is broken only by an adjournment of the Congress sine die at the end of the second session of Congress; and

(B) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the calendar-day period involved.

(n) Joint resolution of disapproval

(1)(A) The application of defenses under subsections (f) and (j) for Type 1 activities with respect to any plan of action transmitted to Congress as described in subsection (m)(1)(A)(i) shall be disapproved if a joint resolution of disapproval has been enacted into law during the 90-day period of continuous session after which such transmission was received by the Congress. For the purpose of this subsection, the term "joint resolution" means only a joint resolution of either House of the Congress as described in paragraph (3).

(B) After receipt by the Congress of such plan of action, a joint resolution of disapproval may be introduced in either House of the Congress. Upon introduction in the Senate, the joint resolution shall be referred in the Senate immediately to the Committee on Energy and Natural Resources of the Senate.

(2) This subsection is enacted by the Congress—

(A) as an exercise of the rulemaking power of the Senate and as such it is deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of resolutions described by paragraph (3); it supersedes other rules only to the extent that is inconsistent therewith; and

(B) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner and to the same extent as in the case of any other rule of the Senate.

(3) The joint resolution disapproving the transmission under subsection (m) shall read as follows after the resolving clause: "That the Congress of the United States disapproves the availability of the defenses pursuant to section 252 (f) and (j) of the Energy Policy and Conservation Act with respect to Type 1 activities under the plan of action submitted to the Congress by the Secretary of Energy on .", the blank space therein being filled with the date and year of receipt by the Congress of the plan of action transmitted as described in subsection (m).

(4)(A) If the Committee on Energy and Natural Resources of the Senate has not reported a joint resolution referred to it under this subsection at the end of 20 calendar days of continuous session after its referral, it shall be in order to move either to discharge the committee from further consideration of such resolution or to discharge the committee from further consideration of any other joint resolution which has been referred to the committee with respect to such plan of action.

(B) A motion to discharge shall be highly privileged (except that it may not be made after the Committee on Energy and Natural Resources has reported a joint resolution with respect to the plan of action), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the joint resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(C) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other joint resolution with respect to the same transmission.

(5)(A) When the Committee on Energy and Natural Resources of the Senate has reported or has been discharged from further consideration of a joint resolution, it shall be in order at any time thereafter within the 90-day period following receipt by the Congress of the plan of action (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such joint resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider a vote by which the motion was agreed to or disagreed to.

(B) Debate on the joint resolution shall be limited to not more than 10 hours and final action on the joint resolution shall occur immediately following conclusion of such debate. A motion further to limit debate shall not be debatable. A motion to recommit such a joint resolution shall not be in order, and it shall not be in order to move to reconsider the vote by which such a joint resolution was agreed to or disagreed to.

(6)(A) Motions to postpone made with respect to the discharge from committee or consideration of a joint resolution, shall be decided without debate.

(B) Appeals from the decision of the Chair relating to the application of rules of the Senate to the procedures relating to a joint resolution shall be decided without debate. (Pub. L. 94–163, Title II, § 252, Dec. 22, 1975, 89 Stat. 894; Pub. L. 95–619, Title VI, § 691(b)(2), Nov. 9, 1978, 92 Stat. 3288; Pub. L. 96–30, June 30, 1979, 93 Stat. 80; Pub. L. 96–94, Oct. 31, 1979, 93 Stat. 720; Pub. L. 96–133, §§ 1, 2, Nov. 30, 1979, 93 Stat. 1053; Pub. L. 97–5, Mar. 13, 1981, 95 Stat. 7; Pub. L. 97–50, Sept. 30, 1981, 95 Stat. 957; Pub. L. 97–163, Apr. 1, 1982, 96 Stat. 24; Pub. L. 97–190, June 1, 1982, 96 Stat. 106; Pub. L. 97–217, July 19, 1982, 96 Stat. 196; Pub. L. 97–229, § 2(a), (b)(2), Aug. 3, 1982, 96 Stat. 248; Pub. L. 98–239, Mar. 20, 1984, 98 Stat. 93; Pub. L. 99–58, Title I, §§ 104(c)(2), (4), 105, July 2, 1985, 99 Stat. 105; Pub. L. 104–66, Title I, § 1091(g), Dec. 21, 1995, 109 Stat. 722; Pub. L. 105–177, § 1(4), June 1, 1998, 112 Stat. 105.)

396 § 6421. Procedure for Congressional review of Presidential requests to implement certain authorities

(a) "Energy action" defined

For purposes of this section, the term "energy action" means any matter required to be transmitted, or submitted to the Congress in accordance with the procedures of this section.

(b) Transmittal of energy action to Congress

The President shall transmit any energy action (bearing an identification number) to both Houses of Congress on the same day. If both Houses are not in session on the day any energy action is received by the appropriate officers of each House, for purposes of this section such energy action shall be deemed to have been transmitted on the first succeeding day on which both Houses are in session.

(c) Effective date of energy action

(1) Except as provided in paragraph (2) of this subsection, if energy action is transmitted to the Houses of Congress, such action shall take effect at the end of the first period of 15 calendar days of continuous session of Congress after the date on which such action is transmitted to such Houses, unless between the date of transmittal and the end of such 15-day period, either House passes a resolution stating in substance that such House does not favor such action.

(2) An energy action described in paragraph (1) may take effect prior to the expiration of the 15-calendar-day period after the date on which such action is transmitted, if each House of Congress approves a resolution affirmatively stating in substance that such House does not object to such action.

(d) Computation of period

For the purpose of subsection (c) of this section—

(1) continuity of session is broken only by an adjournment of Congress sine die; and

(2) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of the 15-calendar-day period.

(e) Provision in energy action for later effective date

Under provisions contained in an energy action, a provision of such an action may take effect on a date later than the date on which such action otherwise takes effect pursuant to the provisions of this section.

(f) Resolutions with respect to energy action

(1) This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described by paragraph (2) of this subsection; and it supersedes other rules only to the extent that it is inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that

House) at any time, in the same manner and to the same extent as in the case of any other rule of the House.

(2) For purposes of this subsection, the term "resolution" means only a resolution of either House of Congress described in subparagraph (A) or (B) of this paragraph.

(A) A resolution the matter after the resolving clause of which is as follows: "That the_____ does not object to the energy action numbered_____ submitted to the Congress on_____, 19__.", the first blank space therein being filled with the name of the resolving House and the other blank spaces being appropriately filled; but does not include a resolution which specifies more than one energy action.

(B) A resolution the matter after the resolving clause of which is as follows: "That the_____ does not favor the energy action numbered_____ transmitted to Congress on_____, 19__.", the first blank space therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled; but does not include a resolution which specifies more than one energy action.

(3) A resolution once introduced with respect to an energy action shall immediately be referred to a committee (and all resolutions with respect to the same plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

(4)(A) If the committee to which a resolution with respect to an energy action has been referred has not reported it at the end of 5 calendar days after its referral, it shall be in order to move either to discharge the committee from further consideration of such resolution or to discharge the committee from further consideration of any other resolution with respect to such energy action which has been referred to the committee.

(B) A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same energy action), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(C) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same energy action.

(5)(A) When the committee has reported, or has been discharged from further consideration of, a resolution, it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(B) Debate on the resolution referred to in subparagraph (A) of this paragraph shall be limited to not more than 10 hours, which shall

be divided equally between those favoring and those opposing such resolution. A motion further to limit debate shall not be debatable. An amendment to, or motion to recommit, the resolution shall not be in order, and it shall not be in order to move to reconsider the vote by which such resolution was agreed to or disagreed to; except that it shall be in order—

(i) to offer an amendment in the nature of a substitute, consisting of the text of a resolution described in paragraph (2)(A) of this subsection with respect to an energy action, for a resolution described in paragraph (2)(B) of this subsection with respect to the same such action, or

(ii) to offer an amendment in the nature of a substitute, consisting of the text of a resolution described in paragraph (2)(B) of this subsection with respect to an energy action, for a resolution described in paragraph (2)(A) of this subsection with respect to the same such action.The amendments described in clauses (i) and (ii) of this subparagraph shall not be amendable.

(6)(A) Motions to postpone, made with respect to the discharge from committee, or the consideration of a resolution and motions to proceed to the consideration of other business, shall be decided without debate.

(B) Appeals from the decision of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution shall be decided without debate.

(7) Notwithstanding any of the provisions of this subsection, if a House has approved a resolution with respect to an energy action, then it shall not be in order to consider in that House any other resolution with respect to the same such action. (Pub. L. 94–163, Title V, § 551, Dec. 22, 1975, 89 Stat. 965.)

397 § 6422. Expedited procedure for Congressional consideration of certain authorities

(a) Contingency plan identification number; transmittal of plan to Congress

Any contingency plan transmitted to the Congress pursuant to section 6261(a)(1) of this title shall bear an identification number and shall be transmitted to both Houses of Congress on the same day and to each House while it is in session.

(b) Necessity of Congressional resolution within certain period for plan to be considered approved

(1) No such energy conservation contingency plan may be considered approved for purposes of section 6261(b) of this title unless between the date of transmittal and the end of the first period of 60 calendar days of continuous session of Congress after the date on which such action is transmitted to such House, each House of Congress passes a resolution described in subsection (d)(2)(A).

(2)(A) Subject to subparagraph (B), any such rationing contingency plan shall be considered approved for purposes of section 6261(d) of this title only if such plan is not disapproved by a resolution described in subsection (d)(2)(B)(i) which passes each House of the Congress during the 30-calendar-day period of continuous session after the plan is transmitted to such Houses and which thereafter becomes law.

(B) A rationing contingency plan may be considered approved prior to the expiration of the 30-calendar-day period after such plan is transmitted if a resolution described in subsection (d)(2)(B)(ii) is passed by each House of the Congress and thereafter becomes law.

(c) Computation of period

For the purpose of subsection (b) of this section—

(1) continuity of session is broken only by an adjournment of Congress sine die; and

(2) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of the calendar-day period involved.

(d) Resolution with respect to contingency plan

(1) This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described by paragraph (2) of this subsection; and it supersedes other rules only to the extent that it is inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of the House.

(2)(A) For purposes of applying this section with respect to any energy conservation contingency plan, the term "resolution" means only a resolution of either House of Congress the matter after the resolving clauses of which is as follows: "That the_____ approves the energy conservation contingency plan numbered _____ submitted to the Congress on _____, 19_____.", the first blank space therein being filled with the name of the resolving House and the other blank spaces being appropriately filled; but does not include a resolution which specifies more than one energy conservation contingency plan.

(B) For purposes of applying this subsection with respect to any rationing contingency plan (other than pursuant to section 6261(d)(2)(B) of this title), the term "resolution" means only a joint resolution described in clause (i) or (ii) of this subparagraph with respect to such plan.

(i) A joint resolution of either House of the Congress (I) which is entitled: "Joint resolution relating to a rationing contingency plan.", (II) which does not contain a preamble, and (III) the matter after the resolving clause of which is: "That the Congress of the United States disapproves the rationing contingency plan transmitted to the Congress on _____, 19_____.", the blank spaces therein appropriately filled.

(ii) A joint resolution of either House of the Congress (I) which is entitled: "Joint resolution relating to a rationing contingency plan.", (II) which does not contain a preamble, and (III) the matter after the resolving clause of which is: "That the Congress of the United States does not object to the rationing contingency plan transmitted to the Congress on _____, 19_____.", the blank spaces therein appropriately filled.

(3) A resolution once introduced with respect to a contingency plan shall immediately be referred to a committee (and all resolutions with respect to the same contingency plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

(4)(A) If the committee to which a resolution with respect to a contingency plan has been referred has not reported it at the end of 20 calendar days after its referral in the case of any energy conservation contingency plan or at the end of 10 calendar days after its referral in the case of any rationing contingency plan, it shall be in order to move either to discharge the committee from further consideration of such resolution or to discharge the committee from further consideration of any other resolution with respect to such contingency plan which has been referred to the committee.

(B) A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same contingency plan), and debate thereon shall be limited to not more than 1 hour, to be divided equally between those favoring and those opposing the resolution. Except to the extent provided in paragraph (7)(A), an amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(C) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same contingency plan.

(5)(A) When the committee has reported, or has been discharged from further consideration of, a resolution, it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(B) Debate on the resolution referred to in subparagraph (A) of this paragraph shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing such resolution. A motion further to limit debate shall not be debatable. Except to the extent provided in paragraph (7)(B), an amendment to, or motion to recommit the resolution shall not be in order, and it shall not be in order to move to reconsider the vote by which such resolution was agreed to or disagreed to.

(6)(A) Motions to postpone, made with respect to the discharge from committee, or the consideration of a resolution and motions to proceed to the consideration of other business, shall be decided without debate.

(B) Appeals from the decision of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedures relating to a resolution shall be decided without debate.

(7) With respect to any rationing contingency plan—

(A) In the consideration of any motion to discharge any committee from further consideration of any resolution on any such plan, it

shall be in order after debate allowed for under paragraph (4)(B) to offer an amendment in the nature of a substitute for such motion—

(i) consisting of a motion to discharge such committee from further consideration of a resolution described in paragraph (2)(B)(i) with respect to any rationing contingency plan, if the discharge motion sought to be amended relates to a resolution described in paragraph (2)(B)(ii) with respect to the same such plan, or

(ii) consisting of a motion to discharge such committee from further consideration of a resolution described in paragraph (2)(B)(ii) with respect to any rationing contingency plan, if the discharge motion sought to be amended relates to a resolution described in paragraph (2)(B)(i) with respect to the same such plan.

An amendment described in this subparagraph shall not be amendable. Debate on such an amendment shall be limited to not more than 1 hour, which shall be divided equally between those favoring and those opposing the amendment.

(B) In the consideration of any resolution on any such plan which has been reported by a committee, it shall be in order at any time during the debate allowed for under paragraph (5)(B) to offer an amendment in the nature of a substitute for such resolution—

(i) consisting of the text of a resolution described in paragraph (2)(B)(i) with respect to any rationing contingency plan, if the resolution sought to be amended is a resolution described in paragraph (2)(B)(ii) with respect to the same such plan, or

(ii) consisting of the text of a resolution described in paragraph (2)(B)(ii) with respect to any rationing contingency plan, if the resolution sought to be amended is a resolution described in paragraph (2)(B)(i) with respect to the same such plan.

An amendment described in this subparagraph shall not be amendable.

(C) If one House receives from the other House a resolution with respect to a rationing contingency plan, then the following procedure applies:

(i) the resolution of the other House with respect to such plan shall not be referred to a committee;

(ii) in the case of a resolution of the first House with respect to such plan—

(I) the procedure with respect to that or other resolutions of such House with respect to such plan shall be the same as if no resolution from the other House with respect to such plan had been received; but

(II) on any vote on final passage of a resolution of the first House with respect to such plan a resolution from the other House with respect to such plan which has the same effect shall be automatically substituted for the resolution of the first House.

(D) Notwithstanding any of the preceding provisions of this subsection, if a House has approved a resolution with respect to a rationing contingency plan, then it shall not be in order to consider in that House any other resolution under this section with respect

to the approval of such plan. (Pub. L. 94–163, Title V, § 552, Dec. 22, 1975, 89 Stat. 967; Pub. L. 96–102, title I, §§ 103(b)(2), 105(a)(4), (b)(6), Nov. 5, 1979, 93 Stat. 753, 756; Pub. L. 105–388, § 5(a)(16), Nov. 13, 1998, 112 Stat. 3479.)

Chapter 92—POWERPLANT AND INDUSTRIAL FUEL USE

398 § 8374. Emergency authorities

(a) Coal allocation authority

(1) If the President—

(A) declares a severe energy supply interruption, as defined in section 6202(8) of this title, or

(B) finds, and publishes such finding, that a national or regional fuel supply shortage exists or may exist which the President determines—

(i) is, or is likely to be, of significant scope and duration, and of an emergency nature;

(ii) causes, or may cause, major adverse impact on public health, safety, or welfare or on the economy; and

(iii) results, or is likely to result, from an interruption in the supply of coal or from sabotage, or an act of God;

the President may, by order, allocate coal (and require the transportation thereof) for the use of any electric powerplant or major fuel-burning installation, in accordance with such terms and conditions as he may prescribe, to insure reliability of electric service or prevent unemployment, or protect public health, safety, or welfare.

(2) For purposes of this subsection, the term "coal" means anthracite and bituminous coal and lignite (but does not mean any fuel derivative thereof).

(b) Emergency prohibition on use of natural gas or petroleum

If the President declares a severe energy supply interruption, as defined in section 6202(8) of this title, the President may, by order, prohibit any electric powerplant or major fuel-burning installation from using natural gas or petroleum, or both, as a primary energy source for the duration of such interruption. Notwithstanding any other provision of this section, any suspension of emission limitations or other requirements of applicable implementation plans, as defined in section 7410(d) of this title, required by such prohibition shall be issued only in accordance with section 7410(f) of this title.

(c) Emergency stays

The President may, by order, stay the application of any provision of this chapter, or any rule or order thereunder, applicable to any new or existing electric powerplant, if the President finds, and publishes such finding, that an emergency exists, due to national, regional, or systemwide shortages of coal or other alternate fuels, or disruption of transportation facilities, which emergency is likely to affect reliability of service of any such electric powerplant.

(d) Duration of emergency orders

(1) Except as provided in paragraph (3), any order issued by the President under this section shall not be effective for longer than the

duration of the interruption or emergency, or 90 days, whichever is less.

(2) Any such order may be extended by a subsequent order which the President shall transmit to the Congress in accordance with section 6421 of this title. Such order shall be subject to congressional review pursuant to such section.

(3) Notwithstanding paragraph (1), the effectiveness of any order issued under this section shall not terminate under this subsection during the 15-calendar-day period during which any such subsequent order described in paragraph (2) is subject to congressional review under section 6421 of this title.

(4) For purposes of this subsection, the provisions of this subsection supersede the provisions of subchapter II of chapter 34 of title 50.

(e) Delegation of authority prohibited

The authority of the President to issue any order under this section may not be delegated. This subsection shall not be construed to prevent the President from directing any Federal agency to issue rules or regulations or take such other action, consistent with this section, in the implementation of such order.

(f) Publication and reports to Congress of orders

Any order issued under this section shall be published in the Federal Register. To the greatest extent practicable, the President shall, before issuing any order under this section, but in no event later than 5 days after issuing such order, report to the Congress of his intention to issue such order and state his reasons therefor. (Pub. L. 95–620, Title IV, § 404, Nov. 9, 1978, 92 Stat. 3319; Pub. L. 100–42, § 1(c)(15), May 21, 1987, 101 Stat. 313.)

Chapter 108—NUCLEAR WASTE POLICY

§ 10135. Review of repository site selection 399

(a) "Resolution of repository siting approval" defined

For purposes of this section, the term "resolution of repository siting approval" means a joint resolution of the Congress, the matter after the resolving clause of which is as follows: "That there hereby is approved the site at _____ for a repository, with respect to which a notice of disapproval was submitted by _____ on _____". The first blank space in such resolution shall be filled with the name of the geographic location of the proposed site of the repository to which such resolution pertains; the second blank space in such resolution shall be filled with the designation of the State Governor and legislature or Indian tribe governing body submitting the notice of disapproval to which such resolution pertains; and the last blank space in such resolution shall be filled with the date of such submission.

(b) State or Indian tribe petitions

The designation of a site as suitable for application for a construction authorization for a repository shall be effective at the end of the 60-day period beginning on the date that the President recommends such site to the Congress under section 10134 of this title, unless the Governor and legislature of the State in which such site is located, or the governing body of an Indian tribe on whose reservation such site

is located, as the case may be, has submitted to the Congress a notice of disapproval under section 10136 or 10138 of this title. If any such notice of disapproval has been submitted, the designation of such site shall not be effective except as provided under subsection (c).

(c) Congressional review of petitions

If any notice of disapproval of a repository site designation has been submitted to the Congress under section 10136 or 10138 of this title after a recommendation for approval of such site is made by the President under section 10134 of this title, such site shall be disapproved unless, during the first period of 90 calendar days of continuous session of the Congress after the date of the receipt by the Congress of such notice of disapproval, the Congress passes a resolution of repository siting approval in accordance with this subsection approving such site, and such resolution thereafter becomes law.

(d) Procedures applicable to Senate

(1) The provisions of this subsection are enacted by the Congress—

(A) as an exercise of the rulemaking power of the Senate, and as such they are deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of resolutions of repository siting approval, and such provisions supersede other rules of the Senate only to the extent that they are inconsistent with such other rules; and

(B) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner and to the same extent as in the case of any other rule of the Senate.

(2)(A) Not later than the first day of session following the day on which any notice of disapproval of a repository site selection is submitted to the Congress under section 10136 or 10138 of this title, a resolution of repository siting approval shall be introduced (by request) in the Senate by the chairman of the committee to which such notice of disapproval is referred, or by a Member or Members of the Senate designated by such chairman.

(B) Upon introduction, a resolution of repository siting approval shall be referred to the appropriate committee or committees of the Senate by the President of the Senate, and all such resolutions with respect to the same repository site shall be referred to the same committee or committees. Upon the expiration of 60 calendar days of continuous session after the introduction of the first resolution of repository siting approval with respect to any site, each committee to which such resolution was referred shall make its recommendations to the Senate.

(3) If any committee to which is referred a resolution of siting approval introduced under paragraph (2)(A), or, in the absence of such a resolution, any other resolution of siting approval introduced with respect to the site involved, has not reported such resolution at the end of 60 days of continuous session of Congress after introduction of such resolution, such committee shall be deemed to be discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the Senate.

(4)(A) When each committee to which a resolution of siting approval has been referred has reported, or has been deemed to be discharged from further consideration of, a resolution described in paragraph (3),

it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. Such motion shall not be subject to amendment, to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which such motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of such resolution is agreed to, such resolution shall remain the unfinished business of the Senate until disposed of.

(B) Debate on a resolution of siting approval, and on all debatable motions and appeals in connection with such resolution, shall be limited to not more than 10 hours, which shall be divided equally between Members favoring and Members opposing such resolution. A motion further to limit debate shall be in order and shall not be debatable. Such motion shall not be subject to amendment, to a motion to postpone, or to a motion to proceed to the consideration of other business, and a motion to recommit such resolution shall not be in order. A motion to reconsider the vote by which such resolution is agreed to or disagreed to shall not be in order.

(C) Immediately following the conclusion of the debate on a resolution of siting approval, and a single quorum call at the conclusion of such debate if requested in accordance with the rules of the Senate, the vote on final approval of such resolution shall occur.

(D) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a resolution of siting approval shall be decided without debate.

(5) If the Senate receives from the House a resolution of repository siting approval with respect to any site, then the following procedure shall apply:

(A) The resolution of the House with respect to such site shall not be referred to a committee.

(B) With respect to the resolution of the Senate with respect to such site—

(i) the procedure with respect to that or other resolutions of the Senate with respect to such site shall be the same as if no resolution from the House with respect to such site had been received; but

(ii) on any vote on final passage of a resolution of the Senate with respect to such site, a resolution from the House with respect to such site where the text is identical shall be automatically substituted for the resolution of the Senate.

(e) Procedures applicable to House of Representatives

(1) The provisions of this section are enacted by the Congress—

(A) as an exercise of the rulemaking power of the House of Representatives, and as such they are deemed a part of the rules of the House, but applicable only with respect to the procedure to be followed in the House in the case of resolutions of repository siting approval, and such provisions supersede other rules of the House only to the extent that they are inconsistent with such other rules; and

(B) with full recognition of the constitutional right of the House to change the rules (so far as relating to the procedure of the

House) at any time, in the same manner and to the same extent as in the case of any other rule of the House.

(2) Resolutions of repository siting approval shall upon introduction, be immediately referred by the Speaker of the House to the appropriate committee or committees of the House. Any such resolution received from the Senate shall be held at the Speaker's table.

(3) Upon the expiration of 60 days of continuous session after the introduction of the first resolution of repository siting approval with respect to any site, each committee to which such resolution was referred shall be discharged from further consideration of such resolution, and such resolution shall be referred to the appropriate calendar, unless such resolution or an identical resolution was previously reported by each committee to which it was referred.

(4) It shall be in order for the Speaker to recognize a Member favoring a resolution to call up a resolution of repository siting approval after it has been on the appropriate calendar for 5 legislative days. When any such resolution is called up, the House shall proceed to its immediate consideration and the Speaker shall recognize the Member calling up such resolution and a Member opposed to such resolution for 2 hours of debate in the House, to be equally divided and controlled by such Members. When such time has expired, the previous question shall be considered as ordered on the resolution to adoption without intervening motion. No amendment to any such resolution shall be in order, nor shall it be in order to move to reconsider the vote by which such resolution is agreed to or disagreed to.

(5) If the House receives from the Senate a resolution of repository siting approval with respect to any site, then the following procedure shall apply:

(A) The resolution of the Senate with respect to such site shall not be referred to a committee.

(B) With respect to the resolution of the House with respect to such site—

(i) the procedure with respect to that or other resolutions of the House with respect to such site shall be the same as if no resolution from the Senate with respect to such site had been received; but

(ii) on any vote on final passage of a resolution of the House with respect to such site, a resolution from the Senate with respect to such site where the text is identical shall be automatically substituted for the resolution of the House.

(f) Computation of days

For purposes of this section—

(1) continuity of session of Congress is broken only by an adjournment sine die; and

(2) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of the 90-day period referred to in subsection

(c) and the 60-day period referred to in subsections (d) and (e). (Pub. L. 97–425, Title I, § 115, Jan. 7, 1983, 96 Stat. 2217.)

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§ 10155. Storage of spent nuclear fuel **400**

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(6)(A) Upon deciding to provide an aggregate of 300 or more metric tons of storage capacity under subsection (a)(1) at any one site, the Secretary shall notify the Governor and legislature of the State where such site is located, or the governing body of the Indian tribe in whose reservation such site is located, as the case may be, of such decision. During the 60-day period following receipt of notification by the Secretary of his decision to provide an aggregate of 300 or more metric tons of storage capacity at any one site, the Governor or legislature of the State in which such site is located, or the governing body of the affected Indian tribe where such site is located, as the case may be, may disapprove the provision of 300 or more metric tons of storage capacity at the site involved and submit to the Congress a notice of such disapproval. A notice of disapproval shall be considered to be submitted to the Congress on the date of the transmittal of such notice of disapproval to the Speaker of the House and the President pro tempore of the Senate. Such notice of disapproval shall be accompanied by a statement of reasons explaining why the provision of such storage capacity at such site was disapproved by such Governor or legislature or the governing body of such Indian tribe.

(B) Unless otherwise provided by State law, the Governor or legislature of each State shall have authority to submit a notice of disapproval to the Congress under subparagraph (A). In any case in which State law provides for submission of any such notice of disapproval by any other person or entity, any reference in this part to the Governor or legislature of such State shall be considered to refer instead to such other person or entity.

(C) The authority of the Governor and legislature of each State under this paragraph shall not be applicable with respect to any site located on a reservation.

(D) If any notice of disapproval is submitted to the Congress under subparagraph (A), the proposed provision of 300 or more metric tons of storage capacity at the site involved shall be disapproved unless, during the first period of 90 calendar days of continuous session of the Congress following the date of the receipt by the Congress of such notice of disapproval, the Congress passes a resolution approving such proposed provision of storage capacity in accordance with the procedures established in this paragraph and subsections (d) through (f) of section 10135 of this title and such resolution thereafter becomes law. For purposes of this paragraph, the term "resolution" means a joint resolution of either House of the Congress, the matter after the resolving clause of which is as follows: "That there hereby is approved the provision of 300 or more metric tons of spent nuclear fuel storage capacity at the site located at _____, with respect to which a notice of disapproval was submitted by _____ on _____.". The first blank space in such resolution shall be filled with the geographic location of the site involved; the second blank space in such resolution shall be filled with the designation of the State Governor and legislature

or affected Indian tribe governing body submitting the notice of disapproval involved; and the last blank space in such resolution shall be filled with the date of submission of such notice of disapproval.

(E) For purposes of the consideration of any resolution described in subparagraph (D), each reference in subsections (d) and (e) of section 10135 of this title to a resolution of repository siting approval shall be considered to refer to the resolution described in such subparagraph.

(7) As used in this section, the term "affected Tribal Council" means the governing body of any Indian tribe within whose reservation boundaries there is located a potentially acceptable site for interim storage capacity of spent nuclear fuel from civilian nuclear power reactors, or within whose boundaries a site for such capacity is selected by the Secretary, or whose federally defined possessory or usage rights to other lands outside of the reservation's boundaries arising out of congressionally ratified treaties, as determined by the Secretary of the Interior pursuant to a petition filed with him by the appropriate governmental officials of such tribe, may be substantially and adversely affected by the establishment of any such storage capacity.

(e) Limitations

Any spent nuclear fuel stored under this section shall be removed from the storage site or facility involved as soon as practicable, but in any event not later than 3 years following the date on which a repository or monitored retrievable storage facility developed under this chapter is available for disposal of such spent nuclear fuel. (Pub. L. 97–425, Title I, § 135, Jan. 7, 1983, 96 Stat. 2232.)

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401 § 10161. Monitored retrievable storage

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(b) Submission of proposal by Secretary

(1) On or before June 1, 1985, the Secretary shall complete a detailed study of the need for and feasibility of, and shall submit to the Congress a proposal for, the construction of one or more monitored retrievable storage facilities for high-level radioactive waste and spent nuclear fuel. Each such facility shall be designed—

(A) to accommodate spent nuclear fuel and high-level radioactive waste resulting from civilian nuclear activities;

(B) to permit continuous monitoring, management, and maintenance of such spent fuel and waste for the foreseeable future;

(C) to provide for the ready retrieval of such spent fuel and waste for further processing or disposal; and

(D) to safely store such spent fuel and waste as long as may be necessary by maintaining such facility through appropriate means, including any required replacement of such facility.

(2) Such proposal shall include—

(A) the establishment of a Federal program for the siting, development, construction, and operation of facilities capable of safely storing high-level radioactive waste and spent nuclear fuel, which facilities are to be licensed by the Commission;

(B) a plan for the funding of the construction and operation of such facilities, which plan shall provide that the costs of such activities shall be borne by the generators and owners of the high-level

radioactive waste and spent nuclear fuel to be stored in such facilities;

(C) site-specific designs, specifications, and cost estimates sufficient to (i) solicit bids for the construction of the first such facility; (ii) support congressional authorization of the construction of such facility; and (iii) enable completion and operation of such facility as soon as practicable following congressional authorization of such facility; and

(D) a plan for integrating facilities constructed pursuant to this section with other storage and disposal facilities authorized in this chapter.

(3) In formulating such proposal, the Secretary shall consult with the Commission and the Administrator, and shall submit their comments on such proposal to the Congress at the time such proposal is submitted.

(4) The proposal shall include, for the first such facility, at least 3 alternative sites and at least 5 alternative combinations of such proposed sites and facility designs consistent with the criteria of paragraph (1). The Secretary shall recommend the combination among the alternatives that the Secretary deems preferable. The environmental assessment under subsection (c) shall include a full analysis of the relative advantages and disadvantages of all 5 such alternative combinations of proposed sites and proposed facility designs.

(c) Environmental impact statements

(1) Preparation and submission to the Congress of the proposal required in this section shall not require the preparation of an environmental impact statement under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The Secretary shall prepare, in accordance with regulations issued by the Secretary implementing such Act [42 U.S.C. 4321 et seq.], an environmental assessment with respect to such proposal. Such environmental assessment shall be based upon available information regarding alternative technologies for the storage of spent nuclear fuel and high-level radioactive waste. The Secretary shall submit such environmental assessment to the Congress at the time such proposal is submitted.

(2) If the Congress by law, after review of the proposal submitted by the Secretary under subsection (b), specifically authorizes construction of a monitored retrievable storage facility, the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall apply with respect to construction of such facility, except that any environmental impact statement prepared with respect to such facility shall not be required to consider the need for such facility or any alternative to the design criteria for such facility set forth in subsection (b)(1).

(d) Licensing

Any facility authorized pursuant to this section shall be subject to licensing under section 5842(3) of this title. In reviewing the application filed by the Secretary for licensing of the first such facility, the Commission may not consider the need for such facility or any alternative to the design criteria for such facility set forth in subsection (b)(1).

(e) Clarification

Nothing in this section limits the consideration of alternative facility designs consistent with the criteria of paragraph (b)(1) in any environ-

mental impact statement, or in any licensing procedure of the Commission, with respect to any monitored, retrievable facility authorized pursuant to this section.

(f) Impact assistance

(1) Upon receipt by the Secretary of congressional authorization to construct a facility described in subsection (b), the Secretary shall commence making annual impact aid payments to appropriate units of general local government in order to mitigate any social or economic impacts resulting from the construction and subsequent operation of any such facility within the jurisdictional boundaries of any such unit.

(2) Payments made available to units of general local government under this subsection shall be—

(A) allocated in a fair and equitable manner, with priority given to units of general local government determined by the Secretary to be most severely affected; and

(B) utilized by units of general local government only for planning, construction, maintenance, and provision of public services related to the siting of such facility.

(3) Such payments shall be subject to such terms and conditions as the Secretary determines are necessary to ensure achievement of the purposes of this subsection. The Secretary shall issue such regulations as may be necessary to carry out the provisions of this subsection.

(4) Such payments shall be made available entirely from funds held in the Nuclear Waste Fund established in section 10222(c) of this title and shall be available only to the extent provided in advance in appropriation Acts.

(5) The Secretary may consult with appropriate units of general local government in advance of commencement of construction of any such facility in an effort to determine the level of payments each such unit is eligible to receive under this subsection.

(g) Limitation

No monitored retrievable storage facility developed pursuant to this section may be constructed in any State in which there is located any site approved for site characterization under section 10132 of this title. The restriction in the preceding sentence shall only apply until such time as the Secretary decides that such candidate site is no longer a candidate site under consideration for development as a repository. Such restriction shall continue to apply to any site selected for construction as a repository.

(h) Participation of States and Indian tribes

Any facility authorized pursuant to this section shall be subject to the provisions of sections 10135, 10136(a), 10136(b), 10136(d), 10137, and 10138 of this title. For purposes of carrying out the provisions of this subsection, any reference in sections 10135 through 10138 of this title to a repository shall be considered to refer to a monitored retrievable storage facility. (Pub. L. 97–425, Title I, § 141, Jan. 7, 1983, 96 Stat. 2241.)

§ 10165. Site selection **402**

(a) In general

The Secretary may select the site evaluated under section 10164 of this title that the Secretary determines on the basis of available information to be the most suitable for a monitored retrievable storage facility that is an integral part of the system for the disposal of spent nuclear fuel and high-level radioactive waste established under this chapter. (Pub. L. 97–425, Title I, § 145, as added Pub. L. 100–202, § 101(d) [Title III, § 300], Dec. 22, 1987, 101 Stat. 1329–104, 1329–121; Pub. L. 100–203, Title V, § 5021, Dec. 22, 1987, 101 Stat. 1330–234.)

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§ 10166. Notice of disapproval **403**

(a) In general

The selection of a site under section 10165 of this title shall be effective at the end of the period of 60 calendar days beginning on the date of notification under such subsection, unless the governing body of the Indian tribe on whose reservation such site is located, or, if the site is not on a reservation, the Governor and the legislature of the State in which the site is located, has submitted to Congress a notice of disapproval with respect to such site. If any such notice of disapproval has been submitted under this subsection, the selection of the site under section 10165 of this title shall not be effective except as provided under section 10135(c) of this title.

(b) References

For purposes of carrying out the provisions of this subsection, references in section 10135(c) of this title to a repository shall be considered to refer to a monitored retrievable storage facility and references to a notice of disapproval of a repository site designation under section 10136(b) or 10138(a) of this title shall be considered to refer to a notice of disapproval under this section. (Pub. L. 97–425, Title I, § 146, as added Pub. L. 100–202, § 101(d) [Title III, § 300], Dec. 22, 1987, 101 Stat. 1329–104, 1329–121; Pub. L. 100–203, Title V, § 5021, Dec. 22, 1987, 101 Stat. 1330–235.)

§ 10222. Nuclear Waste Fund **404**

(a) Contracts

(1) In the performance of his functions under this chapter, the Secretary is authorized to enter into contracts with any person who generates or holds title to high-level radioactive waste, or spent nuclear fuel, of domestic origin for the acceptance of title, subsequent transportation, and disposal of such waste or spent fuel. Such contracts shall provide for payment to the Secretary of fees pursuant to paragraphs (2) and (3) sufficient to offset expenditures described in subsection (d).

(2) For electricity generated by a civilian nuclear power reactor and sold on or after the date 90 days after January 7, 1983, the fee under paragraph (1) shall be equal to 1.0 mil per kilowatt-hour.

(3) For spent nuclear fuel, or solidified high-level radioactive waste derived from spent nuclear fuel, which fuel was used to generate electricity in a civilian nuclear power reactor prior to the application of the fee under paragraph (2) to such reactor, the Secretary shall, not

later than 90 days after January 7, 1983, establish a 1 time fee per kilogram of heavy metal in spent nuclear fuel, or in solidified high-level radioactive waste. Such fee shall be in an amount equivalent to an average charge of 1.0 mil per kilowatt-hour for electricity generated by such spent nuclear fuel, or such solidified high-level waste derived therefrom, to be collected from any person delivering such spent nuclear fuel or high-level waste, pursuant to section 10143 of this title, to the Federal Government. Such fee shall be paid to the Treasury of the United States and shall be deposited in the separate fund established by subsection (c). In paying such a fee, the person delivering spent fuel, or solidified high-level radioactive wastes derived therefrom, to the Federal Government shall have no further financial obligation to the Federal Government for the long-term storage and permanent disposal of such spent fuel, or the solidified high-level radioactive waste derived therefrom.

(4) Not later than 180 days after January 7, 1983, the Secretary shall establish procedures for the collection and payment of the fees established by paragraph (2) and paragraph (3). The Secretary shall annually review the amount of the fees established by paragraphs (2) and (3) above to evaluate whether collection of the fee will provide sufficient revenues to offset the costs as defined in subsection (d) herein. In the event the Secretary determines that either insufficient or excess revenues are being collected, in order to recover the costs incurred by the Federal Government that are specified in subsection (d), the Secretary shall propose an adjustment to the fee to insure full cost recovery. The Secretary shall immediately transmit this proposal for such an adjustment to Congress. The adjusted fee proposed by the Secretary shall be effective after a period of 90 days of continuous session have elapsed following the receipt of such transmittal unless during such 90-day period either House of Congress adopts a resolution disapproving the Secretary's proposed adjustment in accordance with the procedures set forth for congressional review of an energy action under section 6421 of this title. (Pub. L. 97–425, Title III, § 302, Jan. 7, 1983, 96 Stat. 2257.)

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TITLE 43—PUBLIC LANDS

Chapter 29—SUBMERGED LANDS

§ 1337. Leases, easements, and rights-of-way on the outer Continental Shelf 405

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(4)(A) The Secretary of Energy shall submit any bidding system authorized in subparagraph (H) of paragraph (1) to the Senate and House of Representatives. The Secretary may institute such bidding system unless either the Senate or the House of Representatives passes a resolution of disapproval within thirty days after receipt of the bidding system.

(B) Subparagraphs (C) through (J) of this paragraph are enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but they are applicable only with respect to the procedures to be followed in that House in the case of resolutions described by this paragraph, and they supersede other rules only to the extent that they are inconsistent therewith; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(C) A resolution disapproving a bidding system submitted pursuant to this paragraph shall immediately be referred to a committee (and all resolutions with respect to the same request shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

(D) If the committee to which has been referred any resolution disapproving the bidding system of the Secretary has not reported the resolution at the end of ten calendar days after its referral, it shall be in order to move either to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of any other resolution with respect to the same bidding system which has been referred to the committee.

(E) A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same recommendation), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(F) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same bidding system.

(G) When the committee has reported, or has been discharged from further consideration of, a resolution as provided in this paragraph, it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(H) Debate on the resolution is limited to not more than two hours, to be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is not debatable. An amendment to, or motion to recommit, the resolution is not in order, and it is not in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

(I) Motions to postpone, made with respect to the discharge from the committee, or the consideration of a resolution with respect to a bidding system, and motions to proceed to the consideration of other business, shall be decided without debate.

(J) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a bidding system shall be decided without debate. (Aug. 7, 1953, ch. 345, § 8, 67 Stat. 468; Pub. L. 95–372, Title II, § 205(a), (b), Sept. 18, 1978, 92 Stat. 640, 644; Pub. L. 99–272, Title VIII, § 8003, Apr. 7, 1986, 100 Stat. 148; Pub. L. 100–202, § 101(g) [Title I, § 100], Dec. 22, 1987, 101 Stat. 1329–213, 1329–225; Pub. L. 103–426, § 1(a), Oct. 31, 1994, 108 Stat. 4371; Pub. L. 104–58, Title III, §§ 302, 303, Nov. 28, 1995, 109 Stat. 563, 565; Pub. L. 105–362, Title IX, § 901(k), Nov. 10, 1998, 112 Stat. 3290; Pub. L. 106–53, Title II, § 215(b)(1), Aug. 17, 1999, 113 Stat. 292; Pub. L. 109–58, Title III, §§ 346, 388(a), (c), Aug. 8, 2005, 119 Stat. 704, 744, 747.)

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Chapter 35—FEDERAL LAND POLICY AND MANAGEMENT

406 § 1712. Land use plans

(a) Development, maintenance, and revision by Secretary

The Secretary shall, with public involvement and consistent with the terms and conditions of this Act, develop, maintain, and, when appropriate, revise land use plans which provide by tracts or areas for the use of the public lands. Land use plans shall be developed for the public lands regardless of whether such lands previously have been classified, withdrawn, set aside, or otherwise designated for one or more uses.

(b) Coordination of plans for National Forest System lands with Indian land use planning and management programs for purposes of development and revision

In the development and revision of land use plans, the Secretary of Agriculture shall coordinate land use plans for lands in the National Forest System with the land use planning and management programs of and for Indian tribes by, among other things, considering the policies of approved tribal land resource management programs.

(c) Criteria for development and revision

In the development and revision of land use plans, the Secretary shall—

(1) use and observe the principles of multiple use and sustained yield set forth in this and other applicable law;

(2) use a systematic interdisciplinary approach to achieve integrated consideration of physical, biological, economic, and other sciences;

(3) give priority to the designation and protection of areas of critical environmental concern;

(4) rely, to the extent it is available, on the inventory of the public lands, their resources, and other values;

(5) consider present and potential uses of the public lands;

(6) consider the relative scarcity of the values involved and the availability of alternative means (including recycling) and sites for realization of those values;

(7) weigh long-term benefits to the public against short-term benefits;

(8) provide for compliance with applicable pollution control laws, including State and Federal air, water, noise, or other pollution standards or implementation plans; and

(9) to the extent consistent with the laws governing the administration of the public lands, coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning and management programs of other Federal departments and agencies and of the States and local governments within which the lands are located, including, but not limited to, the statewide outdoor recreation plans developed under chapter 2003 of title 54, and of or for Indian tribes by, among other things, considering the policies of approved State and tribal land resource management programs. In implementing this directive, the Secretary shall, to the extent he finds practical, keep apprised of State, local, and tribal land use plans; assure that consideration is given to those State, local, and tribal plans that are germane in the development of land use plans for public lands; assist in resolving, to the extent practical, inconsistencies between Federal and non-Federal Government plans, and shall provide for meaningful public involvement of State and local government officials, both elected and appointed, in the development of land use programs, land use regulations, and land use decisions for public lands, including early public notice of proposed decisions which may have a significant impact on non-Federal lands. Such officials in each State are authorized to furnish advice to the Secretary with respect to the development and revision of land use plans, land use guidelines, land use rules, and land use regulations for the public lands within such State and with respect to such other land use matters as may be referred to them by him. Land use plans of the Secretary under this section shall be consistent with State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this Act.

(d) Review and inclusion of classified public lands; review of existing land use plans; modification and termination of classifications

Any classification of public lands or any land use plan in effect on October 21, 1976, is subject to review in the land use planning process conducted under this section, and all public lands, regardless of classification, are subject to inclusion in any land use plan developed pursuant to this section. The Secretary may modify or terminate any such classification consistent with such land use plans.

(e) Management decisions for implementation of developed or revised plans

The Secretary may issue management decisions to implement land use plans developed or revised under this section in accordance with the following:

(1) Such decisions, including but not limited to exclusions (that is, total elimination) of one or more of the principal or major uses made by a management decision shall remain subject to reconsideration, modification, and termination through revision by the Secretary or his delegate, under the provisions of this section, of the land use plan involved.

(2) Any management decision or action pursuant to a management decision that excludes (that is, totally eliminates) one or more of the principal or major uses for two or more years with respect to a tract of land of one hundred thousand acres or more shall be reported by the Secretary to the House of Representatives and the Senate. If within ninety days from the giving of such notice (exclusive of days on which either House has adjourned for more than three consecutive days), the Congress adopts a concurrent resolution of nonapproval of the management decision or action, then the management decision or action shall be promptly terminated by the Secretary. If the committee to which a resolution has been referred during the said ninety day period, has not reported it at the end of thirty calendar days after its referral, it shall be in order to either discharge the committee from further consideration of such resolution or to discharge the committee from consideration of any other resolution with respect to the management decision or action. A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported such a resolution), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to. If the motion to discharge is agreed to or disagreed to, the motion may not be made with respect to any other resolution with respect to the same management decision or action. When the committee has reprinted, or has been discharged from further consideration of a resolution, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion

shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(3) Withdrawals made pursuant to section 1714 of this title may be used in carrying out management decisions, but public lands shall be removed from or restored to the operation of the Mining Law of 1872, as amended (R.S. 2318–2352; 30 U.S.C. 21 et seq.) or transferred to another department, bureau, or agency only by withdrawal action pursuant to section 1714 of this title or other action pursuant to applicable law: Provided, That nothing in this section shall prevent a wholly owned Government corporation from acquiring and holding rights as a citizen under the Mining Law of 1872.

(f) Procedures applicable to formulation of plans and programs for public land management

The Secretary shall allow an opportunity for public involvement and by regulation shall establish procedures, including public hearings where appropriate, to give Federal, State, and local governments and the public, adequate notice and opportunity to comment upon and participate in the formulation of plans and programs relating to the management of the public lands. (Pub. L. 94–579, Title II, § 202, Oct. 21, 1976, 90 Stat. 2747; Pub. L. 113–287, § 5(l)(6), Dec. 19, 2014, 128 Stat. 3271.)

§ 1713. Sales of public land tracts **407**

(a) Criteria for disposal; excepted lands

A tract of the public lands (except land in units of the National Wilderness Preservation System, National Wild and Scenic Rivers Systems, and National System of Trails) may be sold under this Act where, as a result of land use planning required under section 1712 of this title, the Secretary determines that the sale of such tract meets the following disposal criteria:

(1) such tract because of its location or other characteristics is difficult and uneconomic to manage as part of the public lands, and is not suitable for management by another Federal department or agency; or

(2) such tract was acquired for a specific purpose and the tract is no longer required for that or any other Federal purpose; or

(3) disposal of such tract will serve important public objectives, including but not limited to, expansion of communities and economic development, which cannot be achieved prudently or feasibly on land other than public land and which outweigh other public objectives and values, including, but not limited to, recreation and scenic values, which would be served by maintaining such tract in Federal ownership.

(b) Conveyance of land of agricultural value and desert in character

Where the Secretary determines that land to be conveyed under clause (3) of subsection (a) of this section is of agricultural value and is desert in character, such land shall be conveyed either under the sale authority of this section or in accordance with other existing law.

(c) Congressional approval procedures applicable to tracts in excess of two thousand five hundred acres

Where a tract of the public lands in excess of two thousand five hundred acres has been designated for sale, such sale may be made only after the end of the ninety days (not counting days on which the House of Representatives or the Senate has adjourned for more than three consecutive days) beginning on the day the Secretary has submitted notice of such designation to the Senate and the House of Representatives, and then only if the Congress has not adopted a concurrent resolution stating that such House does not approve of such designation. If the committee to which a resolution has been referred during the said ninety day period, has not reported it at the end of thirty calendar days after its referral, it shall be in order to either discharge the committee from further consideration of such resolution or to discharge the committee from consideration of any other resolution with respect to the designation. A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported such a resolution), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to. If the motion to discharge is agreed to or disagreed to, the motion may not be made with respect to any other resolution with respect to the same designation. When the committee has reprinted, or has been discharged from further consideration of a resolution, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(d) Sale price

Sales of public lands shall be made at a price not less than their fair market value as determined by the Secretary.

(e) Maximum size of tracts

The Secretary shall determine and establish the size of tracts of public lands to be sold on the basis of the land use capabilities and development requirements of the lands; and, where any such tract which is judged by the Secretary to be chiefly valuable for agriculture is sold, its size shall be no larger than necessary to support a family-sized farm.

(f) Competitive bidding requirements

Sales of public lands under this section shall be conducted under competitive bidding procedures to be established by the Secretary. However, where the Secretary determines it necessary and proper in order (1) to assure equitable distribution among purchasers of lands, or (2) to recognize equitable considerations or public policies, including but not limited to, a preference to users, he may sell those lands with modified competitive bidding or without competitive bidding. In recog-

nizing public policies, the Secretary shall give consideration to the following potential purchasers:

(1) the State in which the land is located;

(2) the local government entities in such State which are in the vicinity of the land;

(3) adjoining landowners;

(4) individuals; and

(5) any other person.

(g) Acceptance or rejection of offers to purchase

The Secretary shall accept or reject, in writing, any offer to purchase made through competitive bidding at his invitation no later than thirty days after the receipt of such offer or, in the case of a tract in excess of two thousand five hundred acres, at the end of thirty days after the end of the ninety-day period provided in subsection (c) of this section, whichever is later, unless the offeror waives his right to a decision within such thirty-day period. Prior to the expiration of such periods the Secretary may refuse to accept any offer or may withdraw any land or interest in land from sale under this section when he determines that consummation of the sale would not be consistent with this Act or other applicable law. (Pub. L. 94–579, Title II, § 203, Oct. 21, 1976, 90 Stat. 2750.)

§ 1714. Withdrawals of lands **408**

(a) Authorization and limitation; delegation of authority

On and after the effective date of this Act the Secretary is authorized to make, modify, extend, or revoke withdrawals but only in accordance with the provisions and limitations of this section. The Secretary may delegate this withdrawal authority only to individuals in the Office of the Secretary who have been appointed by the President, by and with the advice and consent of the Senate.

(b) Application and procedures applicable subsequent to submission of application

(1) Within thirty days of receipt of an application for withdrawal, and whenever he proposes a withdrawal on his own motion, the Secretary shall publish a notice in the Federal Register stating that the application has been submitted for filing or the proposal has been made and the extent to which the land is to be segregated while the application is being considered by the Secretary. Upon publication of such notice the land shall be segregated from the operation of the public land laws to the extent specified in the notice. The segregative effect of the application shall terminate upon (a) rejection of the application by the Secretary, (b) withdrawal of lands by the Secretary, or (c) the expiration of two years from the date of the notice.

(2) The publication provisions of this subsection are not applicable to withdrawals under subsection (e) hereof.

(c) Congressional approval procedures applicable to withdrawals aggregating five thousand acres or more

(1) On and after October 21, 1976, a withdrawal aggregating five thousand acres or more may be made (or such a withdrawal or any other withdrawal involving in the aggregate five thousand acres or more which terminates after such date of approval may be extended) only

for a period of not more than twenty years by the Secretary on his own motion or upon request by a department or agency head. The Secretary shall notify both Houses of Congress of such a withdrawal no later than its effective date and the withdrawal shall terminate and become ineffective at the end of ninety days (not counting days on which the Senate or the House of Representatives has adjourned for more than three consecutive days) beginning on the day notice of such withdrawal has been submitted to the Senate and the House of Representatives, if the Congress has adopted a concurrent resolution stating that such House does not approve the withdrawal. If the committee to which a resolution has been referred during the said ninety day period, has not reported it at the end of thirty calendar days after its referral, it shall be in order to either discharge the committee from further consideration of such resolution or to discharge the committee from consideration of any other resolution with respect to the Presidential recommendation. A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported such a resolution), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to. If the motion to discharge is agreed to or disagreed to, the motion may not be made with respect to any other resolution with respect to the same Presidential recommendation. When the committee has reprinted, or has been discharged from further consideration of a resolution, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(2) With the notices required by subsection (c)(1) of this section and within three months after filing the notice under subsection (e) of this section, the Secretary shall furnish to the committees—

(1) a clear explanation of the proposed use of the land involved which led to the withdrawal;

(2) an inventory and evaluation of the current natural resource uses and values of the site and adjacent public and nonpublic land and how it appears they will be affected by the proposed use, including particularly aspects of use that might cause degradation of the environment, and also the economic impact of the change in use on individuals, local communities, and the Nation;

(3) an identification of present users of the land involved, and how they will be affected by the proposed use;

(4) an analysis of the manner in which existing and potential resource uses are incompatible with or in conflict with the proposed use, together with a statement of the provisions to be made for continuation or termination of existing uses, including an economic analysis of such continuation or termination;

(5) an analysis of the manner in which such lands will be used in relation to the specific requirements for the proposed use;

(6) a statement as to whether any suitable alternative sites are available (including cost estimates) for the proposed use or for uses such a withdrawal would displace;

(7) a statement of the consultation which has been or will be had with other Federal departments and agencies, with regional, State, and local government bodies, and with other appropriate individuals and groups;

(8) a statement indicating the effect of the proposed uses, if any, on State and local government interests and the regional economy;

(9) a statement of the expected length of time needed for the withdrawal;

(10) the time and place of hearings and of other public involvement concerning such withdrawal;

(11) the place where the records on the withdrawal can be examined by interested parties; and

(12) a report prepared by a qualified mining engineer, engineering geologist, or geologist which shall include but not be limited to information on: general geology, known mineral deposits, past and present mineral production, mining claims, mineral leases, evaluation of future mineral potential, present and potential market demands.

(d) Withdrawals aggregating less than five thousand acres; procedure applicable

A withdrawal aggregating less than five thousand acres may be made under this subsection by the Secretary on his own motion or upon request by a department or an agency head—

(1) for such period of time as he deems desirable for a resource use; or

(2) for a period of not more than twenty years for any other use, including but not limited to use for administrative sites, location of facilities, and other proprietary purposes; or

(3) for a period of not more than five years to preserve such tract for a specific use then under consideration by the Congress.

(e) Emergency withdrawals; procedure applicable; duration

When the Secretary determines, or when the Committee on Natural Resources of the House of Representatives or the Committee on Energy and Natural Resources of the Senate notifies the Secretary, that an emergency situation exists and that extraordinary measures must be taken to preserve values that would otherwise be lost, the Secretary notwithstanding the provisions of subsections (c)(1) and (d) of this section, shall immediately make a withdrawal and file notice of such emergency withdrawal with both of those Committees. Such emergency withdrawal shall be effective when made but shall last only for a period not to exceed three years and may not be extended except under the provisions of subsection (c)(1) or (d), whichever is applicable, and (b)(1) of this section. The information required in subsection (c)(2) of this subsection shall be furnished the committees within three months after filing such notice.

(f) Review of existing withdrawals and extensions; procedure applicable to extensions; duration

All withdrawals and extensions thereof, whether made prior to or after October 21, 1976, having a specific period shall be reviewed by

the Secretary toward the end of the withdrawal period and may be extended or further extended only upon compliance with the provisions of subsection (c)(1) or (d), whichever is applicable, and only if the Secretary determines that the purpose for which the withdrawal was first made requires the extension, and then only for a period no longer than the length of the original withdrawal period. The Secretary shall report on such review and extensions to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(g) Processing and adjudication of existing applications

All applications for withdrawal pending on October 21, 1976 shall be processed and adjudicated to conclusion within fifteen years of October 21, 1976, in accordance with the provisions of this section. The segregative effect of any application not so processed shall terminate on that date.

(h) Public hearing required for new withdrawals

All new withdrawals made by the Secretary under this section (except an emergency withdrawal made under subsection (e) of this section) shall be promulgated after an opportunity for a public hearing.

(i) Consent for withdrawal of lands under administration of department or agency other than Department of the Interior

In the case of lands under the administration of any department or agency other than the Department of the Interior, the Secretary shall make, modify, and revoke withdrawals only with the consent of the head of the department or agency concerned, except when the provisions of subsection (e) of this section apply.

(j) Applicability of other Federal laws withdrawing lands as limiting authority

The Secretary shall not make, modify, or revoke any withdrawal created by Act of Congress; make a withdrawal which can be made only by Act of Congress; modify or revoke any withdrawal creating national monuments under chapter 3203 of title 54; or modify, or revoke any withdrawal which added lands to the National Wildlife Refuge System prior to October 21, 1976, or which thereafter adds lands to that System under the terms of this Act. Nothing in this Act is intended to modify or change any provision of the Act of February 27, 1976 (90 Stat. 199; 16 U.S.C. 668dd(a)).

(k) Authorization of appropriations for processing applications

There is hereby authorized to be appropriated the sum of $10,000,000 for the purpose of processing withdrawal applications pending on the effective date of this Act, to be available until expended.

(l) Review of existing withdrawals in certain States; procedure applicable for determination of future status of lands; authorization of appropriations

(1) The Secretary shall, within fifteen years of October 21, 1976, review withdrawals existing on October 21, 1976, in the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming of (1) all Federal lands other than withdrawals of the public lands administered by the Bureau of Land Management and of lands which, on October 21, 1976, were part of

Indian reservations and other Indian holdings, the National Forest System, the National Park System, the National Wildlife Refuge System, other lands administered by the Fish and Wildlife Service or the Secretary through the Fish and Wildlife Service, the National Wild and Scenic Rivers System, and the National System of Trails; and (2) all public lands administered by the Bureau of Land Management and of lands in the National Forest System (except those in wilderness areas, and those areas formally identified as primitive or natural areas or designated as national recreation areas) which closed the lands to appropriation under the Mining Law of 1872 (17 Stat. 91, as amended; 30 U.S.C. 22 et seq.) or to leasing under the Mineral Leasing Act of 1920 (41 Stat. 437, as amended; 30 U.S.C. 181 et seq.).

(2) In the review required by paragraph (1) of this subsection, the Secretary shall determine whether, and for how long, the continuation of the existing withdrawal of the lands would be, in his judgment, consistent with the statutory objectives of the programs for which the lands were dedicated and of the other relevant programs. The Secretary shall report his recommendations to the President, together with statements of concurrence or nonconcurrence submitted by the heads of the departments or agencies which administer the lands. The President shall transmit this report to the President of the Senate and the Speaker of the House of Representatives, together with his recommendations for action by the Secretary, or for legislation. The Secretary may act to terminate withdrawals other than those made by Act of the Congress in accordance with the recommendations of the President unless before the end of ninety days (not counting days on which the Senate and the House of Representatives has adjourned for more than three consecutive days) beginning on the day the report of the President has been submitted to the Senate and the House of Representatives the Congress has adopted a concurrent resolution indicating otherwise. If the committee to which a resolution has been referred during the said ninety day period, has not reported it at the end of thirty calendar days after its referral, it shall be in order to either discharge the committee from further consideration of such resolution or to discharge the committee from consideration of any other resolution with respect to the Presidential recommendation. A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported such a resolution), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to. If the motion to discharge is agreed to or disagreed to, the motion may not be made with respect to any other resolution with respect to the same Presidential recommendation. When the committee has reprinted, or has been discharged from further consideration of a resolution, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(3) There are hereby authorized to be appropriated not more than $10,000,000 for the purpose of paragraph (1) of this subsection to be available until expended to the Secretary and to the heads of other departments and agencies which will be involved. (Pub. L. 94–579, Title II, § 204, Oct. 21, 1976, 90 Stat. 2751; Pub. L. 103–437, § 16(d)(1), Nov. 2, 1994, 108 Stat. 4594; Pub. L. 113–287, § 5(l)(7), Dec. 19, 2014, 128 Stat. 3271.)

409 § 1722. Sale of public lands subject to unintentional trespass

(a) Preference right of contiguous landowners; offering price

Notwithstanding the provisions of the Act of September 26, 1968 (82 Stat. 870; 43 U.S.C. 1431–1435), hereinafter called the "1968 Act", with respect to applications under the 1968 Act which were pending before the Secretary as of the effective date of this subsection and which he approves for sale under the criteria prescribed by the 1968 Act, he shall give the right of first refusal to those having a preference right under section 2 of the 1968 Act [43 U.S.C. 1432]. The Secretary shall offer such lands to such preference right holders at their fair market value (exclusive of any values added to the land by such holders and their predecessors in interest) as determined by the Secretary as of September 26, 1973.

(b) Procedures applicable

Within three years after October 21, 1976, the Secretary shall notify the filers of applications subject to paragraph (a) of this section whether he will offer them the lands applied for and at what price; that is, their fair market value as of September 26, 1973, excluding any value added to the lands by the applicants or their predecessors in interest. He will also notify the President of the Senate and the Speaker of the House of Representatives of the lands which he has determined not to sell pursuant to paragraph (a) of this section and the reasons therefor. With respect to such lands which the Secretary determined not to sell, he shall take no other action to convey those lands or interests in them before the end of ninety days (not counting days on which the House of Representatives or the Senate has adjourned for more than three consecutive days) beginning on the date the Secretary has submitted such notice to the Senate and House of Representatives. If, during that ninety-day period, the Congress adopts a concurrent resolution stating the length of time such suspension of action should continue, he shall continue such suspension for the specified time period. If the committee to which a resolution has been referred during the said ninety-day period, has not reported it at the end of thirty calendar days after its referral, it shall be in order to either discharge the committee from further consideration of such resolution or to discharge the committee from consideration of any other resolution with respect to the suspension of action. A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported such a resolution), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to. If the motion to discharge is agreed to or disagreed to, the motion may not be made with respect

to any other resolution with respect to the same suspension of action. When the committee has reprinted, or has been discharged from further consideration of a resolution, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to. (Pub. L. 94–579, Title II, § 214, Oct. 21, 1976, 90 Stat. 2760.)

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Chapter 38—CRUDE OIL TRANSPORTATION SYSTEMS

§ 2008. Procedures for waiver of Federal law 410

(a) Waiver of provisions of Federal law

The President may identify those provisions of Federal law (including any law or laws regarding the location of a crude oil transportation system but not including any provision of the antitrust laws) which, in the national interest, as determined by the President, should be waived in whole or in part to facilitate construction or operation of any such system approved under section 2007 of this title or of the Long Beach-Midland project, and he shall submit any such proposed waiver to both Houses of the Congress. The provisions so identified shall be waived with respect to actions to be taken to construct or operate such system or project only upon enactment of a joint resolution within the first period of 60 calendar days of continuous session of Congress beginning on the date of receipt by the House of Representatives and the Senate of such proposal.

(b) Joint resolution

The resolving clause of the joint resolution referred to in subsection (a) is as follows: "That the House of Representatives and Senate approve the waiver of the provisions of law ( ) as proposed by the President, submitted to the Congress on _____, 19____.". The first blank space therein being filled with the citation to the provisions of law proposed to be waived by the President and the second blank space therein being filled with the date on which the President submits his decision to wave[25] such provisions of law to the House of Representatives and the Senate. Rules and procedures for consideration of any such joint resolution shall be governed by section 719f(c) and (d) of title 15, other than paragraph (2) of section 719f(d) of title 15, except that for the purposes of this subsection, the phrase "a waiver of provisions of law" shall be substituted in section 719f(d) of title 15 each place where the phrase "an Alaska natural gas transportation system" appears. (Pub. L. 95–617, Title V, § 508, Nov. 9, 1978, 92 Stat. 3162.)

[25] So in original. Probably should be "waive."

TITLE 48—TERRITORIES AND INSULAR POSSESSIONS

Chapter 18—MICRONESIA, MARSHALL ISLANDS, AND PALAU

411 § 1901. Approval of Compact of Free Association

(a) Federated States of Micronesia

The Compact of Free Association set forth in title II of this joint resolution between the United States and the Government of the Federated States of Micronesia is hereby approved, and Congress hereby consents to the subsidiary agreements as set forth on pages 115 through 391 of House Document 98–192 of March 30, 1984, as they relate to such Government. Subject to the provisions of this joint resolution, the President is authorized to agree, in accordance with section 411 of the Compact, to an effective date for and thereafter to implement such Compact, having taken into account any procedures with respect to the United Nations for termination of the Trusteeship Agreement.

(b) Marshall Islands

The Compact of Free Association set forth in title II of this joint resolution between the United States and the Government of the Marshall Islands is hereby approved, and Congress hereby consents to the subsidiary agreements as set forth on pages 115 through 391 of House Document 98–192 of March 30, 1984, as they relate to such Government. Subject to the provisions of this joint resolution, the President is authorized to agree, in accordance with section 411 of the Compact, to an effective date for and thereafter to implement such Compact, having taken into account any procedures with respect to the United Nations for termination of the Trusteeship Agreement.

(c) Reference to Compact

Any reference in this joint resolution to "the Compact" shall be treated as a reference to the Compact of Free Association set forth in title II of this joint resolution.

(d) Amendment, change, or termination in Compact and certain agreements

(1) Mutual agreement by the Government of the United States as provided in the Compact which results in amendment, change, or termination of all or any part thereof shall be effected only by Act of Congress and no unilateral action by the Government of the United States provided for in the Compact, and having such result, may be effected other than by Act of Congress.

(2) The provisions of paragraph (1) shall apply—

(A) to all actions of the Government of the United States under the Compact including, but not limited to, actions taken pursuant to sections 431, 432, 441, or 442;

(B) to any amendment, change, or termination in the Agreement between the Government of the United States and the Government

of the Federated States of Micronesia Regarding Friendship, Cooperation and Mutual Security Concluded Pursuant to Sections 321 and 323 of the Compact of Free Association referred to in section 462(j) of the Compact and the Agreement between the Government of the United States and the Government of the Marshall Islands Concerning Mutual Security Concluded Pursuant to Sections 321 and 323 of the Compact of Free Association referred to in section 462(k) of the Compact;

(C) to any amendment, change, or termination of the agreements concluded pursuant to Compact sections 175, 177, and 221(a)(5), the terms of which are incorporated by reference into the Compact; and

(D) to the following subsidiary agreements, or portions thereof:

(i) Article II of the agreement referred to in section 462(a) of the Compact;

(ii) Article II of the agreement referred to in section 462(b) of the Compact;

(iii) Article II and Section 7 of Article XI of the agreement referred to in section 462(e) of the Compact;

(iv) the agreement referred to in section 462(f) of the Compact;

(v) Articles III and IV of the agreement referred to in section 462(g) of the Compact;

(vi) Articles III and IV of the agreement referred to in section 462(h) of the Compact; and

(vii) Articles VI, XV, and XVII of the agreement referred to in section 462(i) of the Compact.

(e) Subsidiary agreements deemed bilateral

For purposes of implementation of the Compact and this joint resolution, each of the subsidiary agreements referred to in subsections (a) and (b) (whether or not bilateral in form) shall be deemed to be bilateral agreements between the United States and each other party to such subsidiary agreement. The consent or concurrence of any other party shall not be required for the effectiveness of any actions taken by the United States in conjunction with either the Federated States of Micronesia or the Marshall Islands which are intended to affect the implementation, modification, suspension, or termination of any such subsidiary agreement (or any provision thereof) as regards the mutual responsibilities of the United States and the party in conjunction with whom the actions are taken.

(f) Effective date

(1) The President shall not agree to an effective date for the Compact, as authorized by this section, until after certifying to Congress that the agreements described in section 1902 of this title and section 1903 of this title have been concluded.

(2) Any agreement concluded with the Federated States of Micronesia or the Marshall Islands pursuant to sections 1902 and 1903 of this title and any agreement which would amend, change, or terminate any subsidiary agreement or portion thereof as set forth in paragraph (4) of this subsection shall be submitted to the Congress. No such agreement shall take effect until after the expiration of 30 days after the date such agreement is so submitted (excluding days on which either House of Congress is not in session).

(3) No agreement described in paragraph (2) shall take effect if a joint resolution of disapproval is enacted during the period specified in paragraph (2). For the purpose of expediting the consideration of such a joint resolution, a motion to proceed to the consideration of any such joint resolution after it has been reported by an appropriate committee shall be treated as highly privileged in the House of Representatives. Any such joint resolution shall be considered in the Senate in accordance with the provisions of section 601(b) of Public Law 94–329.

(4) The subsidiary agreements or portions thereof referred to in paragraph (2) are as follows:

(A) Articles III and IV of the agreement referred to in section 462(b) of the Compact.

(B) Articles III, IV, V, VI, VII, VIII, IX, X, and XI (except for Section 7 thereof) of the agreement referred to in section 462(e) of the Compact.

(C) Articles IV, V, X, XIV, XVI, and XVIII of the agreement referred to in section 462(i) of the Compact.

(D) Articles II, V, VI, VII, and VIII of the agreement referred to in section 462(g) of the Compact.

(E) Articles II, V, VI, and VIII of the agreement referred to in section 462(h) of the Compact.

(F) The Agreement set forth on pages 388 through 391 of House Document 98–192 of March 30, 1984.

(5) No agreement between the United States and the Government of either the Federated States of Micronesia or the Marshall Islands which would amend, change, or terminate any subsidiary agreement or portion thereof, other than those set forth in subsection (d) of this section or paragraph (4) of this subsection shall take effect until the President has transmitted such agreement to the President of the Senate and the Speaker of the House of Representatives together with an explanation of the agreement and the reasons therefore. (Pub. L. 99–239, Title I, § 101, Jan. 14, 1986, 99 Stat. 1773.)

412 § 1931. Approval of Compact of Free Association

(a) Approval

The Compact of Free Association set forth in title II of this joint resolution between the United States and the Government of Palau is hereby approved, and Congress hereby consents to the agreements as set forth on pages 154 through 405 of House Document 99–193 of April 9, 1986 (hereafter in this joint resolution referred to as subsidiary or related agreements), as they relate to such Government. Subject to the provisions of this joint resolution, the President is authorized to agree, in accordance with section 411 of the Compact, to an effective date for and thereafter to implement such Compact, having taken into account any procedures with respect to the United Nations for termination of the Trusteeship Agreement.

(b) Reference to Compact

Any reference in this joint resolution to the "Compact" shall be treated as a reference to the Compact of Free Association set forth in title II of this joint resolution.

(c) Amendment, change, or termination of Compact and certain agreements

(1) Mutual agreement by the Government of the United States as provided in the Compact which results in amendment, change, or termination of all or any part thereof shall be affected only by Act of Congress and no unilateral action by the Government of the United States provided for in the Compact, and having such result, may be effected other than by Act of Congress.

(2) The provisions of paragraph (1) shall apply—

(A) to all actions of the Government of the United States under the Compact including, but not limited to, actions taken pursuant to sections 431, 432, 441, or 442;

(B) to any amendment, change, or termination in any agreement that may be concluded at any time between the Government of the United States and the Government of Palau regarding friendship, cooperation and mutual security concluded pursuant to sections 321 and 323 of the Compact referred to in section 462(h);

(C) to any amendment, change, or termination of the agreements concluded pursuant to Compact sections 175 and 221(a)(4), the terms of which are incorporated by reference into the Compact; and

(D) to the following subsidiary agreements, or portions thereof:

(i) Article II of the agreement referred to in section 462(a) of the Compact;

(ii) Article II of the agreement referred to in section 462(b) of the Compact;

(iii) Article II and Section 7 of Article X of the agreement referred to in section 462(f) of the Compact;

(iv) the agreement referred to in section 462(g) of the Compact;

(v) Articles II, III, IV, V, VI, and VII of the agreement referred to in section 462(h) of the Compact; and

(vi) Articles VI, XV, and XVII of the agreement referred to in section 462(i) of the Compact.

(d) Effective date

(1) The authority of the President to agree to an effective date for the Compact of Free Association between the United States and Palau concurrently with termination of the Trusteeship shall be carried out in accordance with this section, and the Compact shall not take effect until after—

(A) The President has certified to the Congress that the Compact has been approved in accordance with Section 411(a) and (b) of the Compact, and that there exists no legal impediment to the ability of the United States to carry out fully its responsibilities and to exercise its rights under Title Three of the Compact, as set forth in this Act, and

(B) enactment of a joint resolution which has been reported by the Committee on Energy and Natural Resources of the Senate and the Committees on Interior and Insular Affairs and Foreign Affairs and other appropriate Committees of the House of Representatives authorizing entry into force of the Compact, and

(C) agreements have been concluded with Palau which satisfy the requirements of section 1902 of this title. For the purpose of

this subsection the word "Palau" shall be substituted for "Federated States of Micronesia" whenever it appears in section 1902 of this title.

(2) Any agreement concluded with Palau pursuant to subparagraph (C) of paragraph (1) and any agreement which would amend, change, or terminate any subsidiary agreement or related agreement, or portion thereof, as set forth in paragraph (4) of this subsection shall be submitted to the Congress. No such agreement shall take effect until after the expiration of 30 days after the date such agreement is so submitted (excluding days on which either House of Congress is not in session).

(3) No agreement described in paragraph (2) shall take effect if a joint resolution of disapproval is enacted during the period specified in paragraph (2). For the purpose of expediting the consideration of such a joint resolution, a motion to proceed to the consideration of any such joint resolution after it has been reported by an appropriate committee shall be treated as highly privileged in the House of Representatives. Any such joint resolution shall be considered in the Senate in accordance with the provisions of section 601(b) of Public Law 94–329.

(4) The subsidiary agreement of portions thereof referred to in paragraph (2) are as follows:

(A) Articles III and IV of the agreement referred to in section 462(b) of the Compact.

(B) Articles III, IV, V, VI, VII, VIII, IX, and X (except for section 7 thereof) of the agreement referred to in section 462(f) of the Compact.

(C) Articles IV, V, X, XIV, XVI, and XVIII of the agreement referred to in section 462(i) of the Compact.

(D) Articles II, V, VI, VII, and VIII of the agreement referred to in section 462(h) of the Compact.

(E) The agreement referred to in section 462(j) of the Compact.

(5) No agreement between the United States and the Government of Palau which would amend, change, or terminate any subsidiary or related agreement, or portion thereof, other than those set forth in subsection (d) of this section or paragraph (4) of this subsection, shall take effect until the President has transmitted such an agreement to the President of the Senate and the Speaker of the House of Representatives, together with an explanation of the agreement and the reasons therefor. (Pub. L. 99–658, Title I, § 101, Nov. 14, 1986, 100 Stat. 3673.)

"(a) Proposed Standards.—

"(1) In general.—The Secretary of Homeland Security—

"(A) shall propose minimum standards for identification documents required of domestic commercial airline passengers for boarding an aircraft; and

"(B) may, from time to time, propose minimum standards amending or replacing standards previously proposed and transmitted to Congress and approved under this section.

"(2) Submission to congress.—Not later than 6 months after the date of enactment of this Act [Dec. 17, 2004], the Secretary shall submit the standards under paragraph (1)(A) to the Senate and the House of Representatives on the same day while each House is in session.

"(3) Effective date.—Any proposed standards submitted to Congress under this subsection shall take effect when an approval resolution is passed by the House and the Senate under the procedures described in subsection (b) and becomes law.

"(b) Congressional Approval Procedures.—

"(1) Rulemaking power.—This subsection is enacted by Congress—

"(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of such approval resolutions; and it supersedes other rules only to the extent that they are inconsistent therewith; and

"(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

"(2) Approval resolution.—For the purpose of this subsection, the term 'approval resolution' means a joint resolution of Congress, the matter after the resolving clause of which is as follows: 'That the Congress approves the proposed standards issued under section 7220 of the 9/11 Commission Implementation Act of 2004, transmitted by the President to the Congress on _____', the blank space being filled in with the appropriate date.

"(3) Introduction.—Not later than the first day of session following the day on which proposed standards are transmitted to the House of Representatives and the Senate under subsection (a), an approval resolution—

"(A) shall be introduced (by request) in the House by the Majority Leader of the House of Representatives, for himself or herself and the Minority Leader of the House of Representa-

tives, or by Members of the House of Representatives designated by the Majority Leader and Minority Leader of the House; and

"(B) shall be introduced (by request) in the Senate by the Majority Leader of the Senate, for himself or herself and the Minority Leader of the Senate, or by Members of the Senate designated by the Majority Leader and Minority Leader of the Senate.

"(4) Prohibitions.—

"(A) Amendments.—No amendment to an approval resolution shall be in order in either the House of Representatives or the Senate.

"(B) Motions to suspend.—No motion to suspend the application of this paragraph shall be in order in either House, nor shall it be in order in either House for the Presiding Officer to entertain a request to suspend the application of this paragraph by unanimous consent.

"(5) Referral.—

"(A) In general.—An approval resolution shall be referred to the committees of the House of Representatives and of the Senate with jurisdiction. Each committee shall make its recommendations to the House of Representatives or the Senate, as the case may be, within 45 days after its introduction. Except as provided in subparagraph (B), if a committee to which an approval resolution has been referred has not reported it at the close of the 45th day after its introduction, such committee shall be automatically discharged from further consideration of the resolution and it shall be placed on the appropriate calendar.

"(B) Final passage.—A vote on final passage of the resolution shall be taken in each House on or before the close of the 15th day after the resolution is reported by the committee or committees of that House to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

"(C) Computation of days.—For purposes of this paragraph, in computing a number of days in either House, there shall be excluded any day on which that House is not in session.

"(6) Coordination with action of other house.—If prior to the passage by one House of an approval resolution of that House, that House receives the same approval resolution from the other House, then the procedure in that House shall be the same as if no approval resolution has been received from the other House, but the vote on final passage shall be on the approval resolution of the other House.

"(7) Floor consideration in the House of Representatives.—

"(A) Motion to proceed.—A motion in the House of Representatives to proceed to the consideration of an approval resolution shall be highly privileged and not debatable. An amendment to the motion shall not be in order, not shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(B) Debate.—Debate in the House of Representatives on an implementing bill or approval resolution shall be limited to not more than 4 hours, which shall be divided equally between

those favoring and those opposing the resolution. A motion to further limit debate shall not be debatable. It shall not be in order to move to recommit an approval resolution or to move to reconsider the vote by which an approval resolution is agreed to or disagreed to.

"(C) Motion to postpone.—Motions to postpone made in the House of Representatives with respect to the consideration of an approval resolution and motions to proceed to the consideration of other business shall be decided without debate.

"(D) Appeals.—All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to an approval resolution shall be decided without debate.

"(E) Rules of the House of Representatives.—Except to the extent specifically provided in subparagraphs (A) through (D), consideration of an approval resolution shall be governed by the Rules of the House of Representatives applicable to other resolutions in similar circumstances.

"(8) Floor consideration in the Senate.—

"(A) Motion to proceed.—A motion in the Senate to proceed to the consideration of an approval resolution shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(B) Debate on resolution.—Debate in the Senate on an approval resolution, and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be equally divided between, and controlled by, the Majority Leader and the Minority Leader, or their designees.

"(C) Debate on motions and appeals.—Debate in the Senate on any debatable motion or appeal in connection with an approval resolution shall be limited to not more than 1 hour, which shall be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the Minority Leader or designee. Such leaders, or either of them, may, from time under their control on the passage of an approval resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

"(D) Limit on debate.—A motion in the Senate to further limit debate is not debatable. A motion to recommit an approval resolution is not in order. (Pub. L. 108–458, Title VII, § c7220, Dec. 17, 2004, 118 Stat. 3835.)

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TITLE 50—WAR AND NATIONAL DEFENSE

Chapter 33—WAR POWERS RESOLUTION

414 § 1543. Reporting requirement

(a) Written report; time of submission; circumstances necessitating submission; information reported

In the absence of a declaration of war, in any case in which United States Armed Forces are introduced—

(1) into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances;

(2) into the territory, airspace or waters of a foreign nation, while equipped for combat, except for deployments which relate solely to supply, replacement, repair, or training of such forces; or

(3) in numbers which substantially enlarge United States Armed Forces equipped for combat already located in a foreign nation;the President shall submit within 48 hours to the Speaker of the House of Representatives and to the President pro tempore of the Senate a report, in writing, setting forth—

(A) the circumstances necessitating the introduction of United States Armed Forces;

(B) the constitutional and legislative authority under which such introduction took place; and

(C) the estimated scope and duration of the hostilities or involvement.

(b) Other information reported

The President shall provide such other information as the Congress may request in the fulfillment of its constitutional responsibilities with respect to committing the Nation to war and to the use of United States Armed Forces abroad.

(c) Periodic reports; semiannual requirement

Whenever United States Armed Forces are introduced into hostilities or into any situation described in subsection (a) of this section, the President shall, so long as such armed forces continue to be engaged in such hostilities or situation, report to the Congress periodically on the status of such hostilities or situation as well as on the scope and duration of such hostilities or situation, but in no event shall he report to the Congress less often than once every six months. (Pub. L. 93–148, § 4, Nov. 7, 1973, 87 Stat. 555.)

415 § 1544. Congressional action

(a) Transmittal of report and referral to Congressional committees; joint request for convening Congress

Each report submitted pursuant to section 1543(a)(1) of this title shall be transmitted to the Speaker of the House of Representatives and to the President pro tempore of the Senate on the same calendar day. Each report so transmitted shall be referred to the Committee on For-

eign Affairs of the House of Representatives and to the Committee on Foreign Relations of the Senate for appropriate action. If, when the report is transmitted, the Congress has adjourned sine die or has adjourned for any period in excess of three calendar days, the Speaker of the House of Representatives and the President pro tempore of the Senate, if they deem it advisable (or if petitioned by at least 30 percent of the membership of their respective Houses) shall jointly request the President to convene Congress in order that it may consider the report and take appropriate action pursuant to this section.

(b) Termination of use of United States Armed Forces; exceptions; extension period

Within sixty calendar days after a report is submitted or is required to be submitted pursuant to section 1543(a)(1) of this title, whichever is earlier, the President shall terminate any use of United States Armed Forces with respect to which such report was submitted (or required to be submitted), unless the Congress (1) has declared war or has enacted a specific authorization for such use of United States Armed Forces, (2) has extended by law such sixty-day period, or (3) is physically unable to meet as a result of an armed attack upon the United States. Such sixty-day period shall be extended for not more than an additional thirty days if the President determines and certifies to the Congress in writing that unavoidable military necessity respecting the safety of United States Armed Forces requires the continued use of such armed forces in the course of bringing about a prompt removal of such forces.

(c) Concurrent resolution for removal by President of United States Armed Forces

Notwithstanding subsection (b), at any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs by concurrent resolution. (Pub. L. 93–148, § 5, Nov. 7, 1973, 87 Stat. 556.)

§ 1545. Congressional priority procedures for joint resolution or bill **416**

(a) Time requirement; referral to Congressional committee; single report

Any joint resolution or bill introduced pursuant to section 1544(b) of this title at least thirty calendar days before the expiration of the sixty-day period specified in such section shall be referred to the Committee on Foreign Affairs of the House of Representatives or the Committee on Foreign Relations of the Senate, as the case may be, and such committee shall report one such joint resolution or bill, together with its recommendations, not later than twenty-four calendar days before the expiration of the sixty-day period specified in such section, unless such House shall otherwise determine by the yeas and nays.

(b) Pending business; vote

Any joint resolution or bill so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the

opponents), and shall be voted on within three calendar days thereafter, unless such House shall otherwise determine by yeas and nays.

(c) Referral to other House committee

Such a joint resolution or bill passed by one House shall be referred to the committee of the other House named in subsection (a) and shall be reported out not later than fourteen calendar days before the expiration of the sixty-day period specified in section 1544(b) of this title. The joint resolution or bill so reported shall become the pending business of the House in question and shall be voted on within three calendar days after it has been reported, unless such House shall otherwise determine by yeas and nays.

(d) Disagreement between Houses

In the case of any disagreement between the two Houses of Congress with respect to a joint resolution or bill passed by both Houses, conferees shall be promptly appointed and the committee of conference shall make and file a report with respect to such resolution or bill not later than four calendar days before the expiration of the sixty-day period specified in section 1544(b) of this title. In the event the conferees are unable to agree within 48 hours, they shall report back to their respective Houses in disagreement. Notwithstanding any rule in either House concerning the printing of conference reports in the Record or concerning any delay in the consideration of such reports, such report shall be acted on by both Houses not later than the expiration of such sixty-day period. (Pub. L. 93–148, § 6, Nov. 7, 1973, 87 Stat. 557.)

417 § 1546. Congressional priority procedures for concurrent resolution

(a) Referral to Congressional committee; single report

Any concurrent resolution introduced pursuant to section 1544(c) of this title shall be referred to the Committee on Foreign Affairs of the House of Representatives or the Committee on Foreign Relations of the Senate, as the case may be, and one such concurrent resolution shall be reported out by such committee together with its recommendations within fifteen calendar days, unless such House shall otherwise determine by the yeas and nays.

(b) Pending business; vote

Any concurrent resolution so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the opponents) and shall be voted on within three calendar days thereafter, unless such House shall otherwise determine by yeas and nays.

(c) Referral to other House committee

Such a concurrent resolution passed by one House shall be referred to the committee of the other House named in subsection (a) and shall be reported out by such committee together with its recommendations within fifteen calendar days and shall thereupon become the pending business of such House and shall be voted upon within three calendar days, unless such House shall otherwise determine by yeas and nays.

(d) Disagreement between Houses

In the case of any disagreement between the two Houses of Congress with respect to a concurrent resolution passed by both Houses, conferees shall be promptly appointed and the committee of conference shall make and file a report with respect to such concurrent resolution within six calendar days after the legislation is referred to the committee of conference. Notwithstanding any rule in either House concerning the printing of conference reports in the Record or concerning any delay in the consideration of such reports, such report shall be acted on by both Houses not later than six calendar days after the conference report is filed. In the event the conferees are unable to agree within 48 hours, they shall report back to their respective Houses in disagreement. (Pub. L. 93–148, § 7, Nov. 7, 1973, 87 Stat. 557.)

§ 1546a. Expedited procedures for certain joint resolutions and bills 418

Any joint resolution or bill introduced in either House which requires the removal of United States Armed Forces engaged in hostilities outside the territory of the United States, its possessions and territories, without a declaration of war or specific statutory authorization shall be considered in accordance with the procedures of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976,[26] except that any such resolution or bill shall be amendable. If such a joint resolution or bill should be vetoed by the President, the time for debate in consideration of the veto message on such measure shall be limited to twenty hours in the Senate and in the House shall be determined in accordance with the Rules of the House.(Pub. L. 98–164, Title X, § 1013, Nov. 22, 1983, 97 Stat. 1062.)

Chapter 34—NATIONAL EMERGENCIES

§ 1621. Declaration of national emergency by President; publication in Federal Register; effect on other laws; superseding legislation 419

(a) With respect to Acts of Congress authorizing the exercise, during the period of a national emergency, of any special or extraordinary power, the President is authorized to declare such national emergency. Such proclamation shall immediately be transmitted to the Congress and published in the Federal Register.

(b) Any provisions of law conferring powers and authorities to be exercised during a national emergency shall be effective and remain in effect (1) only when the President (in accordance with subsection (a) of this section), specifically declares a national emergency, and (2) only in accordance with this chapter. No law enacted after September 14, 1976, shall supersede this subchapter unless it does so in specific terms, referring to this subchapter, and declaring that the new law supersedes the provisions of this subchapter. (Pub. L. 94–412, Title II, § 201, Sept. 14, 1976, 90 Stat. 1255.)

[26] *Id.*

420 § 1622. National emergencies

(a) Termination methods

Any national emergency declared by the President in accordance with this subchapter shall terminate if—

(1) there is enacted into law a joint resolution terminating the emergency; or

(2) the President issues a proclamation terminating the emergency.

Any national emergency declared by the President shall be terminated on the date specified in any joint resolution referred to in clause (1) or on the date specified in a proclamation by the President terminating the emergency as provided in clause (2) of this subsection, whichever date is earlier, and any powers or authorities exercised by reason of said emergency shall cease to be exercised after such specified date, except that such termination shall not affect—

(A) any action taken or proceeding pending not finally concluded or determined on such date;

(B) any action or proceeding based on any act committed prior to such date; or

(C) any rights or duties that matured or penalties that were incurred prior to such date.

(b) Termination review of national emergencies by Congress

Not later than six months after a national emergency is declared, and not later than the end of each six-month period thereafter that such emergency continues, each House of Congress shall meet to consider a vote on a joint resolution to determine whether that emergency shall be terminated.

(c) Joint resolution; referral to Congressional committees; conference committee in event of disagreement; filing of report; termination procedure deemed part of rules of House and Senate

(1) A joint resolution to terminate a national emergency declared by the President shall be referred to the appropriate committee of the House of Representatives or the Senate, as the case may be. One such joint resolution shall be reported out by such committee together with its recommendations within fifteen calendar days after the day on which such resolution is referred to such committee, unless such House shall otherwise determine by the yeas and nays.

(2) Any joint resolution so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the opponents) and shall be voted on within three calendar days after the day on which such resolution is reported, unless such House shall otherwise determine by yeas and nays.

(3) Such a joint resolution passed by one House shall be referred to the appropriate committee of the other House and shall be reported out by such committee together with its recommendations within fifteen calendar days after the day on which such resolution is referred to such committee and shall thereupon become the pending business of such House and shall be voted upon within three

calendar days after the day on which such resolution is reported, unless such House shall otherwise determine by yeas and nays.

(4) In the case of any disagreement between the two Houses of Congress with respect to a joint resolution passed by both Houses, conferees shall be promptly appointed and the committee of conference shall make and file a report with respect to such joint resolution within six calendar days after the day on which managers on the part of the Senate and the House have been appointed. Notwithstanding any rule in either House concerning the printing of conference reports or concerning any delay in the consideration of such reports, such report shall be acted on by both Houses not later than six calendar days after the conference report is filed in the House in which such report is filed first. In the event the conferees are unable to agree within forty-eight hours, they shall report back to their respective Houses in disagreement.

(5) Paragraphs (1)–(4) of this subsection, subsection (b) of this section, and section 1651(b) of this title are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of resolutions described by this subsection; and they supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House. (Pub. L. 94–412, Title II, § 202, Sept. 14, 1976, 90 Stat. 1255; Pub. L. 99–93, Title VIII, § 801, Aug. 16, 1985, 99 Stat. 448.)

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Chapter 35—INTERNATIONAL EMERGENCY ECONOMIC POWERS

§ 1701 note. Burmese freedom and democracy **421**

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SEC. 9 Duration of Sanctions

(a) Termination by Request From Democratic Burma.—The President may terminate any provision in this Act upon the request of a democratically elected government in Burma, provided that all the conditions in section 3(a)(3) have been met.

(b) Continuation of Import Sanctions.—

(1) Expiration.—The import restrictions contained in section 3(a)(1) shall expire 1 year from the date of enactment of this Act [July 28, 2003] unless renewed under paragraph (2) of this section [subsection].

(2) Resolution by congress.—The import restrictions contained in section 3(a)(1) may be renewed annually for a 1-year period if, prior to the anniversary of the date of enactment of this Act, and each year thereafter, a renewal resolution is enacted into law in accordance with subsection (c).

(3) Limitation.—The import restrictions contained in section 3(a)(1) may be renewed for a maximum of twelve years from the date of the enactment of this Act [July 28, 2003].

(4) Rule of construction.—For purposes of this subsection, any reference to section 3(a)(1) shall be deemed to include a reference to section 3A(b)(1) and (c)(1).

(c) Renewal Resolutions.—

(1) In general.—For purposes of this section, the term 'renewal resolution' means a joint resolution of the 2 Houses of Congress, the sole matter after the resolving clause of which is as follows: 'That Congress approves the renewal of the import restrictions contained in section 3(a)(1) and section 3A(b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.'.

(2) Procedures.—

(A) In general.—A renewal resolution—

(i) may be introduced in either House of Congress by any member of such House at any time within the 90-day period before the expiration of the import restrictions contained in section 3(a)(1) and section 3A(b)(1) and (c)(1); and

(ii) the provisions of subparagraph (B) shall apply.

(B) Expedited consideration.—The provisions of section 152(b), (c), (d), (e), and (f) of the Trade Act of 1974 (19 U.S.C. 2192 (b), (c), (d), (e), and (f)) apply to a renewal resolution under this Act as if such resolution were a resolution described in section 152(a) of the Trade Act of 1974. (Pub. L. 112–192, Oct. 5, 2012, 126 Stat. 1441, as amended by Pub. L. 113–235, div. J, Title VII, § 7043(b)(8)(A), Dec. 16, 2014, 128 Stat. 2648.)

422 § 1702. Presidential authorities

(a) In general

(1) At the times and to the extent specified in section 1701 of this title, the President may, under such regulations as he may prescribe, by means of instructions, licenses, or otherwise—

(A) investigate, regulate, or prohibit—

(i) any transactions in foreign exchange,

(ii) transfers of credit or payments between, by, through, or to any banking institution, to the extent that such transfers or payments involve any interest of any foreign country or a national thereof,

(iii) the importing or exporting of currency or securities, by any person, or with respect to any property, subject to the jurisdiction of the United States;

(B) investigate, block during the pendency of an investigation, regulate, direct and compel, nullify, void, prevent or prohibit, any acquisition, holding, withholding, use, transfer, withdrawal, transportation, importation or exportation of, or dealing in, or exercising any right, power, or privilege with respect to, or transactions involving, any property in which any foreign country or a national thereof has any interest by any person, or with respect to any property, subject to the jurisdiction of the United States; and.1

(C) when the United States is engaged in armed hostilities or has been attacked by a foreign country or foreign nationals, con-

fiscate any property, subject to the jurisdiction of the United States, of any foreign person, foreign organization, or foreign country that he determines has planned, authorized, aided, or engaged in such hostilities or attacks against the United States; and all right, title, and interest in any property so confiscated shall vest, when, as, and upon the terms directed by the President, in such agency or person as the President may designate from time to time, and upon such terms and conditions as the President may prescribe, such interest or property shall be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States, and such designated agency or person may perform any and all acts incident to the accomplishment or furtherance of these purposes. (Pub. L. 95–223, Title II, § 203, Dec. 28, 1977, 91 Stat. 1626; Pub. L. 100–418, Title II, § 2502(b)(1), Aug. 23, 1988, 102 Stat. 1371; Pub. L. 103–236, Title V, § 525(c)(1), Apr. 30, 1994, 108 Stat. 474; Pub. L. 107–56, Title I, § 106, Oct. 26, 2001, 115 Stat. 277.)

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§ 1706. Savings provisions **423**

(a) Termination of national emergencies pursuant to National Emergencies Act

(1) Except as provided in subsection (b), notwithstanding the termination pursuant to the National Emergencies Act [50 U.S.C. 1601 et seq.] of a national emergency declared for purposes of this chapter, any authorities granted by this chapter, which are exercised on the date of such termination on the basis of such national emergency to prohibit transactions involving property in which a foreign country or national thereof has any interest, may continue to be so exercised to prohibit transactions involving that property if the President determines that the continuation of such prohibition with respect to that property is necessary on account of claims involving such country or its nationals.

(2) Notwithstanding the termination of the authorities described in section 101(b) of this Act, any such authorities, which are exercised with respect to a country on the date of such termination to prohibit transactions involving any property in which such country or any national thereof has any interest, may continue to be exercised to prohibit transactions involving that property if the President determines that the continuation of such prohibition with respect to that property is necessary on account of claims involving such country or its nationals.

(b) Congressional termination of national emergencies by concurrent resolution

The authorities described in subsection (a)(1) may not continue to be exercised under this section if the national emergency is terminated by the Congress by concurrent resolution pursuant to section 202 of the National Emergencies Act [50 U.S.C. 1622] and if the Congress specifies in such concurrent resolution that such authorities may not continue to be exercised under this section.

(c) Supplemental savings provisions; supersedure of inconsistent provisions

(1) The provisions of this section are supplemental to the savings provisions of paragraphs (1), (2), and (3) of section 101(a) [50 U.S.C. 1601(a)(1), (2), (3)] and of paragraphs (A), (B), and (C) of section 202(a) [50 U.S.C. 1622(a)(A), (B), and (C)] of the National Emergencies Act.

(2) The provisions of this section supersede the termination provisions of section 101(a) [50 U.S.C. 1601(a)] and of title II [50 U.S.C. 1621 et seq.] of the National Emergencies Act to the extent that the provisions of this section are inconsistent with these provisions.

(d) Periodic reports to Congress

If the President uses the authority of this section to continue prohibitions on transactions involving foreign property interests, he shall report to the Congress every six months on the use of such authority. (Pub. L. 95–223, Title II, § 207, Dec. 28, 1977, 91 Stat. 1628.)

TITLE 51—NATIONAL AND COMMERCIAL SPACE PROGRAMS

Chapter 509—COMMERCIAL SPACE LAUNCH ACTIVITIES

§ 50915. Paying claims exceeding liability insurance and financial responsibility requirements 424

(a) General Requirements.—(1) To the extent provided in advance in an appropriation law or to the extent additional legislative authority is enacted providing for paying claims in a compensation plan submitted under subsection (d) of this section, the Secretary of Transportation shall provide for the payment by the United States Government of a successful claim (including reasonable litigation or settlement expenses) of a third party against a person described in paragraph (3)(A) resulting from an activity carried out under the license issued or transferred under this chapter for death, bodily injury, or property damage or loss resulting from an activity carried out under the license. However, claims may be paid under this section only to the extent the total amount of successful claims related to one launch or reentry—

(A) is more than the amount of insurance or demonstration of financial responsibility required under section 50914(a)(1)(A) of this title; and

(B) is not more than $1,500,000,000 (plus additional amounts necessary to reflect inflation occurring after January 1, 1989) above that insurance or financial responsibility amount.

(2) The Secretary may not provide for paying a part of a claim for which death, bodily injury, or property damage or loss results from willful misconduct by the licensee or transferee. To the extent insurance required under section 50914(a)(1)(A) of this title is not available to cover a successful third party liability claim because of an insurance policy exclusion the Secretary decides is usual for the type of insurance involved, the Secretary may provide for paying the excluded claims without regard to the limitation contained in section 50914(a)(1).

(3)(A) A person described in this subparagraph is—

(i) a licensee or transferee under this chapter;

(ii) a contractor, subcontractor, or customer of the licensee or transferee;

(iii) a contractor or subcontractor of a customer; or

(iv) a space flight participant.

(B) Clause (iv) of subparagraph (A) ceases to be effective September 30, 2025.

(b) Notice, Participation, and Approval.—Before a payment under subsection (a) of this section is made—

(1) notice must be given to the Government of a claim, or a civil action related to the claim, against a party described in subsection (a)(1) of this section for death, bodily injury, or property damage or loss;

(2) the Government must be given an opportunity to participate or assist in the defense of the claim or action; and

(3) the Secretary must approve any part of a settlement to be paid out of appropriations of the Government.

(c) Withholding Payments.—The Secretary may withhold a payment under subsection (a) of this section if the Secretary certifies that the amount is not reasonable. However, the Secretary shall deem to be reasonable the amount of a claim finally decided by a court of competent jurisdiction.

(d) Surveys, Reports, and Compensation Plans.—(1) If as a result of an activity carried out under a license issued or transferred under this chapter the total of claims related to one launch or reentry is likely to be more than the amount of required insurance or demonstration of financial responsibility, the Secretary shall—

(A) survey the causes and extent of damage; and

(B) submit expeditiously to Congress a report on the results of the survey.

(2) Not later than 90 days after a court determination indicates that the liability for the total of claims related to one launch or reentry may be more than the required amount of insurance or demonstration of financial responsibility, the President, on the recommendation of the Secretary, shall submit to Congress a compensation plan that—

(A) outlines the total dollar value of the claims;

(B) recommends sources of amounts to pay for the claims;

(C) includes legislative language required to carry out the plan if additional legislative authority is required; and

(D) for a single event or incident, may not be for more than $1,500,000,000.

(3) A compensation plan submitted to Congress under paragraph (2) of this subsection shall—

(A) have an identification number; and

(B) be submitted to the Senate and the House of Representatives on the same day and when the Senate and House are in session.

(e) Congressional Resolutions.—(1) In this subsection, "resolution"—

(A) means a joint resolution of Congress the matter after the resolving clause of which is as follows: "That the Congress approves the compensation plan numbered _____ submitted to the Congress on _____ XX, 20____.", with the blank spaces being filled appropriately; but

(B) does not include a resolution that includes more than one compensation plan.

(2) The Senate shall consider under this subsection a compensation plan requiring additional appropriations or legislative authority not later than 60 calendar days of continuous session of Congress after the date on which the plan is submitted to Congress.

(3) A resolution introduced in the Senate shall be referred immediately to a committee by the President of the Senate. All resolutions related to the same plan shall be referred to the same committee.

(4)(A) If the committee of the Senate to which a resolution has been referred does not report the resolution within 20 calendar days after it is referred, a motion is in order to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of the plan.

(B) A motion to discharge may be made only by an individual favoring the resolution and is highly privileged (except that the motion may

not be made after the committee has reported a resolution on the plan). Debate on the motion is limited to one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion is not in order. A motion to reconsider the vote by which the motion is agreed to or disagreed to is not in order.

(C) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed and another motion to discharge the committee from another resolution on the same plan may not be made.

(5)(A) After a committee of the Senate reports, or is discharged from further consideration of, a resolution, a motion to proceed to the consideration of the resolution is in order at any time, even though a similar previous motion has been disagreed to. The motion is highly privileged and is not debatable. An amendment to the motion is not in order. A motion to reconsider the vote by which the motion is agreed to or disagreed to is not in order.

(B) Debate on the resolution referred to in subparagraph (A) of this paragraph is limited to not more than 10 hours, to be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is not debatable. An amendment to, or motion to recommit, the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(6) The following shall be decided in the Senate without debate:

(A) a motion to postpone related to the discharge from committee.

(B) a motion to postpone consideration of a resolution.

(C) a motion to proceed to the consideration of other business.

(D) an appeal from a decision of the chair related to the application of the rules of the Senate to the procedures related to a resolution.

(f) Application.—This section applies to a license issued or transferred under this chapter for which the Secretary receives a complete and valid application not later than September 30, 2025. This section does not apply to permits. (Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1338, § 70113 of Title 49; Pub. L. 104–287, § 5(94), Oct. 11, 1996, 110 Stat. 3398; Pub. L. 105–303, Title I, § 102(a)(13), Oct. 28, 1998, 112 Stat. 2850; Pub. L. 106–74, Title IV, § 433, Oct. 20, 1999, 113 Stat. 1097; Pub. L. 106–377, § 1(a)(1) [Title IV, § 429], Oct. 27, 2000, 114 Stat. 1441, 1441A–56; Pub. L. 106–405, §§ 5(b), 6(a), Nov. 1, 2000, 114 Stat. 1752; Pub. L. 108–428, § 1, Nov. 30, 2004, 118 Stat. 2432; Pub. L. 108–492, § 2(c)(22), (23), Dec. 23, 2004, 118 Stat. 3981; Pub. L. 111–125, § 1, Dec. 28, 2009, 123 Stat. 3486; renumbered § 70113 then § 50915 of Title 51 and amended Pub. L. 111–314, § 4(d)(2), (3)(O), (5)(Q), (R), Dec. 18, 2010, 124 Stat. 3440–3442; Pub. L. 112–273, § 3, Jan. 14, 2013, 126 Stat. 2454; Pub. L. 113–76, § 8, Jan. 17, 2014, 128 Stat. 7; Pub. L. 114–90, Title I, §§ 102(d), 103(a)(2), Nov. 25, 2015, 129 Stat. 706.)

TITLE 52—VOTING AND ELECTIONS

Chapter 301—FEDERAL ELECTION CAMPAIGNS

425 § 30111. Administrative provisions

(a) Duties of Commission

* * * * * * *

(d) Rules, regulations, or forms; issuance, procedures applicable, etc.

(1) Before prescribing any rule, regulation, or form under this section or any other provision of this Act, the Commission shall transmit a statement with respect to such rule, regulation, or form to the Senate and the House of Representatives, in accordance with this subsection. Such statement shall set forth the proposed rule, regulation, or form, and shall contain a detailed explanation and justification of it.

(2) If either House of the Congress does not disapprove by resolution any proposed rule or regulation submitted by the Commission under this section within 30 legislative days after the date of the receipt of such proposed rule or regulation or within 10 legislative days after the date of receipt of such proposed form, the Commission may prescribe such rule, regulation, or form.

(3) For purposes of this subsection, the term "legislative day" means, with respect to statements transmitted to the Senate, any calendar day on which the Senate is in session, and with respect to statements transmitted to the House of Representatives, any calendar day on which the House of Representatives is in session.

(4) For purposes of this subsection, the terms "rule" and "regulation" mean a provision or series of interrelated provisions stating a single, separable rule of law.

(5)(A) A motion to discharge a committee of the Senate from the consideration of a resolution relating to any such rule, regulation, or form or a motion to proceed to the consideration of such a resolution, is highly privileged and shall be decided without debate.

(B) Whenever a committee of the House of Representatives reports any resolution relating to any such form, rule or regulation, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order, and is not in order to move to reconsider the vote by which the motion is agreed to or disagreed with.

(e) Scope of protection for good faith reliance upon rules or regulations

Notwithstanding any other provision of law, any person who relies upon any rule or regulation prescribed by the Commission in accordance with the provisions of this section and who acts in good faith in accordance with such rule or regulation shall not, as a result of such act,

be subject to any sanction provided by this Act or by chapter 95 or chapter 96 of title 26.

(f) Promulgation of rules, regulations, and forms by Commission and Internal Revenue Service; report to Congress on cooperative efforts

In prescribing such rules, regulations, and forms under this section, the Commission and the Internal Revenue Service shall consult and work together to promulgate rules, regulations, and forms which are mutually consistent. The Commission shall report to the Congress annually on the steps it has taken to comply with this subsection. (Pub. L. 92–225, Title III, § 311, formerly § 308, Feb. 7, 1972, 86 Stat. 16; renumbered § 316 and amended Pub. L. 93–443, Title II, §§ 208(a), (c)(7)–(10), 209(a)(1), (b), Oct. 15, 1974, 88 Stat. 1279, 1286, 1287; renumbered § 315 and amended Pub. L. 94–283, Title I, §§ 105, 110, May 11, 1976, 90 Stat. 481, 486; renumbered § 311 and amended Pub. L. 96–187, Title I, §§ 105(4), 109, Jan. 8, 1980, 93 Stat. 1354, 1362; Pub. L. 99–514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 104–79, § 3(c), Dec. 28, 1995, 109 Stat. 792; Pub. L. 107–252, Title VIII, § 801(b), Oct. 29, 2002, 116 Stat. 1726.)

426 §§ 303(a–d), 602(c), 604, 740, District of Columbia Home Rule Act

Pub. L. 93–198; 87 Stat. 774; D.C. Official Code § 1–201.01 et seq. Approved December 24, 1973

427 § 1–203.03. Charter amending procedure.

(a) The charter set forth in subchapter IV of this chapter (including any provision of law amended by such subchapter), except § § 1–204.01(a) and 1–204.21(a), and part C of such subchapter, may be amended by an act passed by the Council and ratified by a majority of the registered qualified electors of the District voting in the referendum held for such ratification. The Chairman of the Council shall submit all such acts to the Speaker of the House of Representatives and the President of the Senate on the day the Board of Elections and Ethics certifies that such act was ratified by a majority of the registered qualified electors voting thereon in such referendum.

(b) An amendment to the charter ratified by the registered electors shall take effect upon the expiration of the 35-calendar-day period (excluding Saturdays, Sundays, holidays, and days on which either House of Congress is not in session) following the date such amendment was submitted to the Congress, or upon the date prescribed by such amendment, whichever is later, unless during such 35-day period, there has been enacted into law a joint resolution, in accordance with the procedures specified in § 1–206.04, disapproving such amendment. In any case in which any such joint resolution disapproving such an amendment has, within such 35-day period, passed both Houses of Congress and has been transmitted to the President, such resolution, upon becoming law subsequent to the expiration of such 35-day period, shall be deemed to have repealed such amendment, as of the date such resolution becomes law.

(c) The Board of Elections and Ethics shall prescribe such rules as are necessary with respect to the distribution and signing of petitions and the holding of elections for ratifying amendments to subchapter IV of this chapter according to the procedures specified in subsection (a) of this section.

(d) The amending procedure provided in this section may not be used to enact any law or affect any law with respect to which the Council may not enact any act, resolution, or rule under the limitations specified in §§ 1–206.01 to 1–206.03. (Pub. L. 93–198, Title III, § 303, Dec. 24, 1973, 87 Stat. 784; Pub. L. 93–376, Title III, § 306(a), Aug. 14, 1974, 88 Stat. 458; Pub. L. 98–473, § 131(b), Oct. 12, 1984, 98 Stat. 1974.)

428 § 1–206.02. Limitations on the Council.

* * * * * * *

(c)(1) Except acts of the Council which are submitted to the President in accordance with Chapter 11 of Title 31, United States Code, any act which the Council determines, according to § 1–204.12(a), should take effect immediately because of emergency circumstances, and acts

proposing amendments to subchapter IV of this chapter and except as provided in § 1–204.62(c) and § 1–204.72(d)(1) the Chairman of the Council shall transmit to the Speaker of the House of Representatives, and the President of the Senate, a copy of each act passed by the Council and signed by the Mayor, or vetoed by the Mayor and repassed by two-thirds of the Council present and voting, each act passed by the Council and allowed to become effective by the Mayor without his signature, and each initiated act and act subject to referendum which has been ratified by a majority of the registered qualified electors voting on the initiative or referendum. Except as provided in paragraph (2) of this subsection, such act shall take effect upon the expiration of the 30-calendar-day period (excluding Saturdays, Sundays, and holidays, and any day on which neither House is in session because of an adjournment sine die, a recess of more than 3 days, or an adjournment of more than 3 days) beginning on the day such act is transmitted by the Chairman to the Speaker of the House of Representatives and the President of the Senate, or upon the date prescribed by such act, whichever is later, unless during such 30-day period, there has been enacted into law a joint resolution disapproving such act. In any case in which any such joint resolution disapproving such an act has, within such 30-day period, passed both Houses of Congress and has been transmitted to the President, such resolution, upon becoming law, subsequent to the expiration of such 30-day period, shall be deemed to have repealed such act, as of the date such resolution becomes law. The provisions of § 1–206.04, except subsections (d), (e), and (f) of such section, shall apply with respect to any joint resolution disapproving any act pursuant to this paragraph.

(2) In the case of any such act transmitted by the Chairman with respect to any act codified in Title 22, 23, or 24 of the District of Columbia Code, such act shall take effect at the end of the 60-day period beginning on the day such act is transmitted by the Chairman to the Speaker of the House of Representatives and the President of the Senate unless, during such 60-day period, there has been enacted into law a joint resolution disapproving such act. In any case in which any such joint resolution disapproving such an act has, within such 60-day period, passed both Houses of Congress and has been transmitted to the President, such resolution, upon becoming law subsequent to the expiration of such 60-day period shall be deemed to have repealed such act, as of the date such resolution becomes law. The provisions of §1A1–206.04, relating to an expedited procedure for consideration of joint resolutions, shall apply to a joint resolution disapproving such act as specified in this paragraph.

(3) The Council shall submit with each Act transmitted under this subsection an estimate of the costs which will be incurred by the District of Columbia as a result of the enactment of the act in each of the first 4 fiscal years for which the act is in effect, together with a statement of the basis for such estimate. (Pub. L. 93–198, Title VI, § 602, Dec. 24, 1973, 87 Stat. 813; Pub. L. 94–402, Sept. 7, 1976, 90 Stat. 1220; Pub. L. 95–526, Oct. 27, 1978, 92 Stat. 2023; Pub. L. 97–105, § 17, Dec. 23, 1981, 95 Stat. 1493; Pub. L. 98–473, § 131(d)–(g), Oct. 12, 1984, 98 Stat. 1974; Pub. L. 104–8, §§ 108(b)(2), 301(d)(1), Apr. 17, 1995, 109 Stat. 107, 142.)

429 § 1–206.04. Congressional action on certain District matters.

(a) This section is enacted by Congress:

(1) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such these provisions are deemed a part of the rule of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described by this section; and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) With full recognition of the constitutional right of either House to change the rule (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(b) For the purpose of this section, "resolution" means only a joint resolution, the matter after the resolving clause of which is as follows: "That the ..... approves/disapproves of the action of the District of Columbia Council described as follows: _____", the blank spaces therein being appropriately filled, and either approval or disapproval being appropriately indicated; but does not include a resolution which specifies more than 1 action.

(c) A resolution with respect to Council action shall be referred to the Committee on the District of Columbia of the House of Representatives, or the Committee on the District of Columbia of the Senate, by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

(d) If the Committee to which a resolution has been referred has not reported it at the end of 20 calendar days after its introduction, it is in order to move to discharge the Committee from further consideration of any other resolution with respect to the same Council action which has been referred to the Committee.

(e) A motion to discharge may be made only by an individual favoring the resolution, is highly privileged (except that it may not be made after the Committee has reported a resolution with respect to the same action), and debate thereon shall be limited to not more than 1 hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(f) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the Committee be made with respect to any other resolution with respect to the same action.

(g) When the Committee has reported, or has been discharged from further consideration of, a resolution, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(h) Debate on the resolution shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is not debatable. An amendment to, or motion to recommit, the resolution is not

in order, and it is not in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

(i) Motions to postpone made with respect to the discharge from Committee or the consideration of a resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(j) Appeals from the decisions of the chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution shall be decided without debate.

§ 1–207.40. Emergency control of police. **430**

(a) Notwithstanding any other provision of law, whenever the President of the United States determines that special conditions of an emergency nature exist which require the use of the Metropolitan Police force for federal purposes, he may direct the Mayor to provide him, and the Mayor shall provide, such services of the Metropolitan Police force as the President may deem necessary and appropriate. In no case, however, shall such services made available pursuant to any such direction under this subsection extend for a period in excess of 48 hours unless the President has, prior to the expiration of such period, notified the Chairmen and ranking minority members of the Committees on the District of Columbia of the Senate and the House of Representatives, in writing, as to the reason for such direction and the period of time during which the need for such services is likely to continue.

(b) Subject to the provisions of subsection (c) of this section, such services made available in accordance with subsection (a) of this section shall terminate upon the end of such emergency, the expiration of a period of 30 days following the date on which such services are first made available, or the enactment into law of a joint resolution by the Congress providing for such termination, whichever first occurs.

(c) Notwithstanding the foregoing provisions of this section, in any case in which such services are made available in accordance with the provisions of subsection (a) of this section during any period of an adjournment of the Congress sine die, such services shall terminate upon the end of the emergency, the expiration of the 30-day period following the date on which Congress first convenes following such adjournment, or the enactment into law of a joint resolution by the Congress providing for such termination, whichever first occurs.

(d) Except to the extent provided for in subsection (c) of this section, no such services made available pursuant to the direction of the President pursuant to subsection (a) of this section shall extend for any period in excess of 30 days, unless the Senate and the House of Representatives enact into law a joint resolution authorizing such an extension.

Pub. L. 94–329, International Security Assistance and Arms Export Control Act of 1976 (ISAAECA), Title VI, § 601(b), June 30, 1976, 90 Stat. 765. **431**

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Expedited Procedure in the Senate

(b)(1) For purposes of any such law, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an

adjournment of more than three days to a day certain are excluded in the computation of the period indicated.

(2) Paragraphs (3) and (4) of this subsection are enacted—

(A) as an exercise of the rulemaking power of the Senate and as such they are deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of resolutions described by subsection (a)(1) of this section; and they supersede other rules of the Senate only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of the Senate to change such rules at any time, in the same manner and to the same extent as in the case of any other rule of the Senate.

(3)(A) If the committee of the Senate to which has been referred a resolution relating to a certification has not reported such resolution at the end of ten calendar days after its introduction, not counting any day which is excluded under paragraph (1) of this subsection, it is order to move either to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of any other resolution introduced with respect to the same certification which has been referred to the committee, except that no motion to discharge shall be in order after the committee has reported a resolution with respect to the same certification.

(B) A motion to discharge under subparagraph (A) of this paragraph may be made only by a Senator favoring the resolution, is privileged, and debate thereon shall be limited to not more than 1 hour, to be divided equally between those favoring and those opposing the resolution, the time to be divided equally between, and controlled by, the majority leader and the minority leader or their designees. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(4)(A) A motion in the Senate to proceed to the consideration of a resolution shall be privileged. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(B) Debate in the Senate on a resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(C) Debate in the Senate on any debatable motion or appeal in connection with a resolution shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(D) A motion in the Senate to further limit debate on a resolution, debatable motion, or appeal is not debatable. No amendment to, or motion to recommit, a resolution is in order in the Senate.

HISTORICAL DOCUMENTS

[1700]

DECLARATION OF INDEPENDENCE

IN CONGRESS JULY 4, 1776

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA

WHEN in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies;

and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the dispository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy of the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country,

to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

WE, THEREFORE, the REPRESENTATIVES OF THE UNITED STATES OF AMERICA, IN GENERAL CONGRESS, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by authority of the good People of these Colonies, solemnly PUBLISH and DECLARE, That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT STATES; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and do all other Acts and Things which INDEPENDENT STATES may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge

to each other our Lives, our Fortunes, and our sacred Honor.

(The foregoing declaration was, by order of Congress, engrossed, and signed by the following members:)

JOHN HANCOCK.

New Hampshire

VOSIAH BARTLETT,
WM. WHIPPLE,
MATTHEW THORNTON.

Massachusetts Bay

SAML. ADAMS,
JOHN ADAMS,
ROBT. TREAT PAINE,
ELBRIDGE GERRY.

Rhode Island, etc.

STEP. HOPKINS,
WILLIAM ELLERY.

Connecticut

ROGER SHERMAN,
SAM'EL HUNTINGTON,
WM. WILLIAMS,
OLIVER WOLCOTT.

New York

WM. FLOYD,
PHIL. LIVINGSTON,
FRANS. LEWIS,
LEWIS MORRIS.

New Jersey

RICHD. STOCKTON,
JNO. WITHERSPOON,
FRAS. HOPKINSON,
JOHN HART,
ABRA CLARK.

Pennsylvania

ROBT. MORRIS,
BENJAMIN RUSH,
BENJA. FRANKLIN,
JOHN MORTON,
GEO. CLYMER,
JAS. SMITH,
GEO. TAYLOR,
JAMES WILSON,
GEO. ROSS.

Delaware

CAESAR RODNEY,
GEO. READ,
THO. M'KEAN.

Maryland

SAMUEL CHASE,
WM. PACA,
THOS. STONE,
CHARLES CARROLL OF CARROLLTON.

Virginia

GEORGE WITHE,
RICHARD HENRY LEE,
TH. JEFFERSON,
BENJA. HARRISON,
THOS. NELSON, Jr.,
FRANCIS LIGHTFOOT LEE,
CARTER BRAXTON.

North Carolina

WM. HOOPER,
JOSEPH HEWES,
JOHN PENN.

South Carolina

EDWARD RUTLEDGE,
THOS. HEYWARD, JUNR.,
THOMAS LYNCH, JUNR.,
ARTHUR MIDDLETON.

Georgia

BUTTON GWINNETT,
LYMAN HALL,
GEO. WALTON.

Resolved, That copies of the Declaration be sent to the several assemblies, conventions, and committees or councils of safety, and to the several commanding officers of the Continental Troops: That it be PROCLAIMED in each of the UNITED STATES, and at the HEAD OF THE ARMY.—[*Jour. Cong., vol. 1, p. 396.*]

[1701]

ARTICLES OF CONFEDERATION

HISTORICAL BACKGROUND

While the Declaration of Independence was under consideration in the Continental Congress, and before it was finally agreed upon, measures were taken for the establishment of a constitutional form of government; and on the 11th of June, 1776, it was "*Resolved,* That a committee be appointed to prepare and digest the form of a confederation to be entered into between these Colonies"; which committee was appointed the next day, June 12, and consisted of a member from each Colony, namely: Mr. Bartlett, Mr. S. Adams, Mr. Hopkins, Mr. Sherman, Mr. R. R. Livingston, Mr. Dickinson, Mr. McKean, Mr. Stone, Mr. Nelson, Mr. Hewes, Mr. E. Rutledge, and Mr. Gwinnett. On the 12th of July, 1776, the committee reported a draft of the Articles of Confederation, which was printed for the use of the members under the strictest injunctions of secrecy.

This report underwent a thorough discussion in Congress, from time to time, until the 15th of November, 1777; on which day, "Articles of Confederation and Perpetual Union" were finally agreed to in form, and they were directed to be proposed to the legislatures of all the United States, and if approved by them, they were advised to authorize their delegates to ratify the same in the Congress of the United States; and in that event they were to become conclusive. On the 17th of November, 1777, the Congress agreed upon the form of a circular letter to accompany the Articles of Confederation, which concluded with a recommendation to each of the several legislatures "to invest its delegates with competent powers, ultimately, and in the name and behalf of the State, to subscribe articles of confederation and perpetual union of the United States, and to attend Congress for that purpose on or before the 10th day of March next." This letter was signed by the President of Congress and sent, with a copy of the articles, to each State legislature.

On the 26th of June, 1778, Congress agreed upon the form of a ratification of the Articles of Confederation, and directed a copy of the articles and the ratification to be engrossed on parchment; which, on the 9th of July, 1778, having been examined and the blanks filled, was signed by the delegates of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, Pennsylvania, Virginia, and South Carolina. Congress then directed that a circular letter be addressed to the States whose delegates were not present, or being present, conceived they were not authorized to sign the ratification, informing them how many and what States had ratified the Articles of Confederation, and desiring them, with all convenient dispatch, to authorize their delegates to ratify the same. Of these States,

North Carolina ratified on the 21st and Georgia on the 24th of July, 1778; New Jersey on the 26th of November following; Delaware on the 5th of May, 1779; Maryland on the 1st of March, 1781; and on the 2d of March, 1781, Congress assembled under the new form of government.

[1701]

ARTICLES OF CONFEDERATION [1]

ACT OF CONFEDERATION OF THE UNITED STATES OF AMERICA 1701.1

TO ALL TO WHOM THESE PRESENTS SHALL COME, WE THE UNDERSIGNED DELEGATES OF THE STATES AFFIXED TO OUR NAMES, SEND GREETINGS

Whereas the Delegates of the United States of America in Congress assembled did on the 15th day of November in the Year of our Lord One Thousand Seven Hundred and Seventy seven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the states of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia in the Words following, viz.

"ARTICLES OF CONFEDERATION AND PERPETUAL UNION BETWEEN THE STATES OF NEWHAMPSHIRE, MASSACHUSETTS-BAY, RHODEISLAND AND PROVIDENCE PLANTATIONS, CONNECTICUT, NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE, MARYLAND, VIRGINIA, NORTH CAROLINA, SOUTH CAROLINA AND GEORGIA

ARTICLE I. The Stile of this confederacy shall be "The United States of America." 1701.2

ARTICLE II. Each State retains its Sovereignty, freedom and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the United States in Congress assembled. 1701.3

[1] Adopted by the Continental Congress on November 15, 1777, while meeting at York, Pennsylvania, which served as the site of the National Capital from September 30, 1777, to June 27, 1778. Ratification of the Articles by the respective delegates commenced on July 9, 1778, in Philadelphia, Pennsylvania, but was not completed until March 1, 1781, when the Articles were signed by the delegates from Maryland.

1701.4 ARTICLE III. The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their Liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

1701.5 ARTICLE IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds and fugitives from Justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states, and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the Owner is an inhabitant, provided also that no imposition, duties or restriction shall be laid by any state, on the property of the united states, or either of them.

If any Person guilty of, or charged with treason, felony or other high misdemeanor in any state, shall flee from Justice, and be found in any of the united states, he shall upon demand of the Governor or executive power, of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

1701.6 ARTICLE V. For the more convenient management of the general interest of the united states, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state, to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the Year.

No state shall be represented in Congress by less than two, nor by more than seven Members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person,

being a delegate, be capable of holding any office under the united states, for which he, or another for his benefit receives any salary, fees or emolument of any kind.

Each state shall maintain its own delegates in a meeting of the states, and while they act as members of the committee of the states.

In determining questions in the united states, in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any Court, or place out of Congress, and the members of congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on congress, except for treason, felony, or breach of the peace.

ARTICLE VI. No state without the Consent of the united states in congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any King, prince or state; nor shall any person holding any office of profit or trust under the united states, or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the united states in congress assembled, or any of them, grant any title of nobility. **1701.7**

No two or more states shall enter into any treaty, confederation or alliance whatever between them, without the consent of the united states in congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No state shall lay any imposts of duties, which may interfere with any stipulations in treaties, entered into by the united states in congress assembled with any king, prince or state, in pursuance of any treaties already proposed by congress to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any state, except such number only, as shall be deemed necessary by the united states in congress assembled, for the defence of such state, or its trade; nor shall any body of forces be kept up by any state, in time of peace, except such number only, as in the judgment of the united states, in congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such state; but every state shall always keep up a well regulated and

disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use, in public stores, a due number of field-pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No state shall engage in any war without the consent of the united states in congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay, till the united states in congress assembled can be consulted: nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the united states in Congress assembled, and then only against the kingdom or state and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the united states in congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the united states in congress assembled shall determine otherwise.

1701.8 ARTICLE VII. When land-forces are raised by any state for the common defence, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively by whom such forces shall be raised, or in such manner as such state shall direct, and all vacancies shall be filled up by the state which first made the appointment.

1701.9 ARTICLE VIII. All charges of war, and all other expences that shall be incurred for the common defence or general welfare, and allowed by the united states in congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state, granted to or surveyed for any Person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the united states in congress assembled, shall from time to time direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states within the time agreed upon by the united states in congress assembled.

ARTICLE IX. The united states in congress assembled, 1701.10
shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving embassadors—entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever—of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the united states shall be divided or appropriated—of granting letters of marque and reprisal in times of peace—appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of congress shall be appointed a judge of any of the said courts.

The united states in congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more states concerning boundary, jurisdiction or any other cause whatever, which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any state in controversy with another shall present a petition to congress stating the matter in question and praying for a hearing, notice thereof shall be given by order of congress to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, congress shall name three persons out of each of the united states, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as congress shall direct, shall in the presence of congress be drawn out by lot, and the persons whose

names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which congress shall judge sufficient, or being present shall refuse to strike, the congress shall proceed to nominate three persons out of each State, and the secretary of congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to congress, and lodged among the acts of congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the state, where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment without favour, affection or hope of reward": provided also that no state shall be deprived of territory for the benefit of the united states.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdiction as they may respect such lands, and the states which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the congress of the united states, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The united states in congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states—fixing the standard of weights and measures throughout the united states—

regulating the trade and managing all affairs with the Indians, not members of any of the states, provided that the legislative right of any state within its own limits be not infringed or violated—establishing and regulating post-offices from one state to another, throughout all the united states, and exacting such postage on the papers passing thro' the same as may be requisite to defray the expences of the said office—appointing all officers of the land forces, in the service of the united states, excepting regimental officers—appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the united states—making rules for the government and regulation of the said land and naval forces, and directing their operations.

The united states in congress assembled shall have authority to appoint a committee, to sit in the recess of congress, to be denominated "A Committee of the States," and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the united states under their direction—to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of Money to be raised for the service of the united states, and to appropriate and apply the same for defraying the public expences—to borrow money, or emit bills on the credit of the united states, transmitting every half year to the respective states an account of the sums of moneys so borrowed or emitted—to build and equip a navy—to agree upon the number of land forces, and to make requisition from each state for its quota, in proportion to the number of white inhabitants in such state; which requisitions shall be binding, and thereupon the legislature of each state shall appoint the regimental officers, raise the men and cloath, arm and equip them in a soldier like manner, at the expence of the united states; and the officers and men so cloathed, armed and equipped shall march to the place appointed, and within the time agreed on by the united states in congress assembled: But if the united states in congress assembled shall, on consideration of circumstances judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise

a greater number of men than the quota thereof, such extra number shall be raised, officered, cloathed, armed and equipped in the same manner as the quota of such state, unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise, officer, cloath, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so cloathed, armed and equipped, shall march to the place appointed, and within the time agreed on by the united states in congress assembled.

The united states in congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expences necessary for the defence and welfare of the united states, or any of them, nor emit bills, nor borrow money on the credit of the united states, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander-in-chief of the army or navy, unless nine states assent to the same; nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the united states in congress assembled.

The Congress of the united states shall have power to adjourn to any time within the year, and to any place within the united states, so that no period of adjournment be for a longer duration than the space of six Months, and shall publish the Journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations as in their judgment require secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the Journal, when it is desired by any delegate; and the delegates of a state, or any of them, at his or their request shall be furnished with a transcript of the said Journal, except such parts as are above excepted, to lay before the legislatures of the several states.

1701.11 ARTICLE X. The committee of the states, or any nine of them, shall be authorized to execute, in the recess of congress such of the powers of congress as the united states in congress assembled, by the consent of nine

states, shall from time to time think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine states in the congress of the united states assembled is requisite.

ARTICLE XI. Canada acceding to this confederation, and joining in the measures of the united states, shall be admitted into, and entitled to all the advantages of this union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine states. **1701.12**

ARTICLE XII. All bills of credit emitted, monies borrowed and debts contracted by, or under the authority of congress, before the assembling of the united states, in pursuance of the present confederation, shall be deemed and considered as a charge against the united states, for payment and satisfaction whereof the said united states, and the public faith are hereby solemnly pledged. **1701.13**

ARTICLE XIII. Every state shall abide by the determinations of the united states in congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this confederation shall be inviolably observed by every state, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a congress of the united states, and be afterward confirmed by the legislatures of every state. **1701.14**

AND WHEREAS it has pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union. KNOW YE that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained: And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the united states in congress assembled, on all questions, which by the said confederation are submitted to them. And that the articles thereof shall be **1701.15**

inviolably observed by the states we respectively represent and that the union shall be perpetual.

1701.16 IN WITNESS whereof we have hereunto set our hands in Congress. DONE at Philadelphia in the state of Pennsylvania the ninth Day of July in the Year of our Lord one Thousand seven Hundred and Seventy-eight, and in the third year of the independence of America.

On the part and behalf of the State of New Hampshire.

JOSIAH BARTLETT,
JOHN WENTWORTH, JUNR. AUGUST 8, 1778.

On the part and behalf of the State of Massachusetts Bay.

JOHN HANCOCK,
SAMUEL ADAMS,
ELBRIDGE GERRY,
FRANCIS DANA,
JAMES LOVELL,
SAMUEL HOLTEN.

On the part and in behalf of the State of Rhode Island and Providence Plantations.

WILLIAM ELLERY,
HENRY MARCHANT,
JOHN COLLINS.

On the part and behalf of the State of Connecticut.

ROGER SHERMAN,
SAMUEL HUNTINGTON,
OLIVER WOLCOTT,
TITUS HOSMER,
ANDREW ADAMS.

On the part and behalf of the State of New York.

JAS DUANE,
FRAS LEWIS,
WILLIAM DUER,
GOUVR MORRIS.

On the part and in behalf of the State of New Jersey.

JNO WITHERSPOON,
NATHL SCUDDER, NOV. 26, 1778.

On the part and behalf of the State of Pennsylvania.

ROBT. MORRIS,
DANIEL ROBERDEAU,
JONA BAYARD SMITH,
WILLIAM CLINGAN,
JOSEPH REED, JULY 22, 1778.

On the part and behalf of the State of Delaware.

JOHN DICKINSON, MAY 5, 1779,
NICHOLAS VAN DYKE,
THO. M'KEAN, FEB. 12, 1779.

On the part and behalf of the State of Maryland.

JOHN HANSON, MARCH 1, 1781,
DANIEL CARROL DO

On the part and behalf of the State of Virginia.

RICHARD HENRY LEE,
JOHN BANISTER,
THOMAS ADAMS,
JNO HARVIE,
FRANCIS LIGHTFOOT LEE.

On the part and behalf of the State of North Carolina.

JOHN PENN, JULY 21, 1778,
CORNS. HARNETT,
JNO WILLIAMS.

On the part and behalf of the State of South Carolina.

HENRY LAURENS,
WILLIAM HENRY DRAYTON,
JNO MATHEWS,
RICHARD HUTSON,
THOS. HEYWARD, JUNR.

On the part and behalf of the State of Georgia.

JNO WALTON, 24th JULY 1778,
EDWD TELFAIR,
EDWD. LANGWORTHY.

[1702]

ORDINANCE OF 1787

AN ORDINANCE FOR THE GOVERNMENT OF THE TERRITORY OF THE UNITED STATES NORTHWEST OF THE RIVER OHIO

[THE CONFEDERATE CONGRESS, JULY 13, 1787]

SECTION 1. *Be it ordained by the United States in Congress assembled,* That the said Territory, for the purpose of temporary government, by one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient. **1702.1**

SEC. 2. *Be it ordained by the authority aforesaid,* That the estates both of resident and non-resident proprietors in the said territory, dying intestate, shall descend to, and be distributed among, their children and the descendants of a deceased child in equal parts, the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them; and where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parent's share; and there shall, in no case, be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate, her third part of the real estate for life, and one-third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full **1702.2**

age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers, shall be appointed for that purpose; and personal property may be transferred by delivery, saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskies, Saint Vincents, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance of property.

1702.3 SEC. 3. *Be it ordained by the authority aforesaid,* That there shall be appointed, from time to time, by Congress, a governor whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

1702.4 SEC. 4. There shall be appointed from time to time, by Congress, a secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings every six months to the Secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common-law jurisdiction, and reside in the district, and have each therein a freehold estate, in five hundred acres of land, while in the exercise of their offices; and their commissions shall continue in force during good behavior.

1702.5 SEC. 5. The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to Congress from time to time, which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved of

by Congress; but afterwards the legislature shall have authority to alter them as they shall think fit.

SEC. 6. The governor, for the time being, shall be commander-in-chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed, and commissioned by Congress. **1702.6**

SEC. 7. Previous to the organization of the general assembly the governor shall appoint such magistrates, and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same. After the general assembly shall be organized the powers and duties of magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the governor. **1702.7**

SEC. 8. For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof, and he shall proceed, from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature. **1702.8**

SEC. 9. So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the general assembly: *Provided,* That for every five hundred free male inhabitants there shall be one representative, and so on, progressively, with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which the number and proportion of representatives shall be regulated by the legislature: *Provided,* That no person be eligible or qualified to act as a representative, unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless **1702.9**

he shall have resided in the district three years, and, in either case, shall likewise hold in his own right, in fee-simple, two hundred acres of land within the same: *Provided also,* That a freehold in fifty acres of land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

1702.10 SEC. 10. The representatives thus elected shall serve for the term of two years; and in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township, for which he was a member, to elect another in his stead, to serve for the residue of the term.

1702.11 SEC. 11. The general assembly, or legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum; and the members of the council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected the governor shall appoint a time and place for them to meet together, and, when met they shall nominate ten persons, resident in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress, five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress, one of whom Congress shall appoint and commission for the residue of the term; and every five years, four months at least before the expiration of the time of service of the members of the council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress, five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the

house, and by a majority in the council, shall be referred to the governor for his assent; but no bill or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly, when, in his opinion, it shall be expedient.

SEC. 12. The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity, and of office; the governor before the President of Congress, and all other officers before the governor. As soon as a legislature shall be formed in the district, the council and house assembled, in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting, during this temporary government. **1702.12**

SEC. 13. And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions, are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory; to provide, also, for the establishment of States, and permanent government therein, and for their admission to a share in the Federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest: **1702.13**

SEC. 14. It is hereby ordained and declared, by the authority aforesaid, That the following articles shall be considered as articles of compact, between the original States and the people and States in the said territory, and forever remain unalterable, unless by common consent, to wit: **1702.14**

ARTICLE I **1702.15**

No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship, or religious sentiments, in the said territories.

ARTICLE II **1702.16**

The inhabitants of the said territory shall always be entitled to the benefits of the writs of *habeas corpus,* and of the trial by jury; of a proportionate representation

of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offences, where the proof shall be evident, or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers, or the law of the land, and should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts, or engagements, *bona fide,* and without fraud previously formed.

1702.17

ARTICLE III

Religion, morality, and knowledge being necessary to good government, and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

1702.18

ARTICLE IV

The said territory, and the States which may be formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the Federal debts, contracted, or to be contracted, and a proportional part of the expenses of government to be apportioned on them by Congress, according to the same common rule

and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts, or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona-fide* purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and Saint Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

[Sands *v.* Manistee River Imp. Co., 123 U.S. 288.]

ARTICLE V

1702.19

There shall be formed in the said territory not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession and consent to the same, shall become fixed and established as follows, to wit: The western State, in the said territory, shall be bounded by the Mississippi, the Ohio, and the Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due north, to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last-mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: *Provided, however,* And it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States

in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States, in all respects whatever; and shall be at liberty to form a permanent constitution and State government: *Provided,* The constitution and government, so to be formed, shall be republican, and in conformity to the principles contained in these articles, and, so far as it can be consistent with the general interests of the Confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

1702.20 ARTICLE VI

There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: *Provided always,* That any person escaping in the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor service as aforesaid.

1702.21 *Be it ordained by the authority aforesaid,* That the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are hereby, repealed, and declared null and void.

Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the 12th.

CHARLES THOMSON,
Sec'y.

[1710]

CONSTITUTION OF THE UNITED STATES OF AMERICA

HISTORICAL BACKGROUND

In May 1785, a committee of Congress made a report recommending an alteration in the Articles of Confederation, but no action was taken on it, and it was left to the State Legislatures to proceed in the matter. In January 1786, the Legislature of Virginia passed a resolution providing for the appointment of five commissioners, who, or any three of them, should meet such commissioners as might be appointed in the other States of the Union, at a time and place to be agreed upon, to take into consideration the trade of the United States; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several States such an act, relative to this great object, as, when ratified by them, will enable the United States in Congress effectually to provide for the same.

The Virginia commissioners, after some correspondence, fixed the first Monday in September as the time, and the city of Annapolis as the place for the meeting, but only four other States were represented, viz: Delaware, New York, New Jersey, and Pennsylvania; the commissioners appointed by Massachusetts, New Hampshire, North Carolina, and Rhode Island failed to attend. Under the circumstances of so partial a representation, the commissioners present agreed upon a report (drawn by Mr. Hamilton, of New York), expressing their unanimous conviction that it might essentially tend to advance the interests of the Union if the States by which they were respectively delegated would concur, and use their endeavors to procure the concurrence of the other States, in the appointment of commissioners to meet at Philadelphia on the second Monday of May following, to take into consideration the situation of the United States; to devise such further provisions as should appear to them necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled as, when agreed to by them and afterwards confirmed by the Legislatures of every State, would effectually provide for the same.

Congress, on the 21st of February, 1787, adopted a resolution in favor of a convention, and the Legislatures of those States which had not already done so (with the exception of Rhode Island) promptly appointed delegates. On the 25th of May, seven States having convened, George Washington, of Virginia, was unanimously elected President, and the consideration of the proposed constitution was commenced. On the 17th of September, 1787, the Constitution as engrossed and agreed upon was signed by all the members present, except Mr. Gerry, of Massachu-

setts, and Messrs. Mason and Randolph, of Virginia. The president of the convention transmitted it to Congress, with a resolution stating how the proposed Federal Government should be put in operation, and an explanatory letter. Congress, on the 28th of September, 1787, directed the Constitution so framed, with the resolutions and letter concerning the same, to "be transmitted to the several Legislatures in order to be submitted to a convention of delegates chosen in each State by the people thereof, in conformity to the resolves of the convention."

On the 4th of March, 1789, the day which had been fixed for commencing the operations of Government under the new Constitution, it had been ratified by the conventions chosen in each State to consider it, as follows: Delaware, December 7, 1787; Pennsylvania, December 12, 1787; New Jersey, December 19, 1787; Georgia, January 2, 1788; Connecticut, January 9, 1788; Massachusetts, February 6, 1788; Maryland, April 28, 1788; South Carolina, May 23, 1788; New Hampshire, June 21, 1788; Virginia, June 25, 1788; and New York, July 26, 1788.

The President informed Congress, on the 28th of January, 1790, that North Carolina had ratified the Constitution November 21, 1789; and he informed Congress on the 1st of June, 1790, that Rhode Island had ratified the Constitution May 29, 1790. Vermont, in convention, ratified the Constitution January 10, 1791, and was, by an act of Congress approved February 18, 1791, "received and admitted into this Union as a new and entire member of the United States."

CONSTITUTION OF THE UNITED STATES OF AMERICA

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America. **1710.1**

ARTICLE I **1711**

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. **1711.1**

SECTION 2. [1]The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature. **1711.2**

[2]No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen. **1711.3**

[3][Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.] The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subse- **1711.4**

Note: The Constitution consists of sections and clauses. While sections are numbered, clauses are designated by a superscript to the left of a paragraph. Text set off by brackets has been repealed, amended, or otherwise changed.

The part in Article 1, section 2, clause 3 relating to apportionment of Representatives was repealed by section 1 of amendment XIV; the part relating to taxes on income without apportionment was repealed by amendment XVI.

quent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.[1]

1711.5 [4] When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

1711.6 [5] The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

1711.7 [1] SECTION 3. The Senate of the United States shall be composed of two Senators from each State, [chosen by the Legislature] thereof, for six Years; and each Senator shall have one Vote.

1711.8 [2] Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the Second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year; so that one-third may be chosen every second Year; [and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies].

1711.9 [3] No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

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[1] The Act of June 18, 1926 (46 Stat. 26), as amended by the Act of Nov. 15, 1941 (55 Stat. 761), provides for reapportionment of the existing number of Representatives (435) among the States following each new census (*see* 2 U.S.C. 2a).

The part included in brackets in Article I, section 3, clause 1 was changed by amendment XVII.

The part included in brackets in Article I, section 3, clause 2 was changed by amendment XVII.

[4] The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided. 1711.10

[5] The Senate shall choose their other Officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the Office of President of the United States. 1711.11

[6] The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two-thirds of the Members present. 1711.12

[7] Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust, or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment, and Punishment, according to Law. 1711.13

SECTION 4. [1] The Time, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators. 1711.14

[2] [The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.] 1711.15

SECTION 5. [1] Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide. 1711.16

[2] Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member. 1711.17

[3] 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 1711.18

The part included in brackets in Article I, section 4, clause 2 was superseded by section 2 of amendment XX.

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.

1711.19 [4] Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

1711.20 SECTION 6. [1] The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

1711.21 [2] No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

1711.22 SECTION 7. [1] All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

1711.23 [2] Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall

have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

[3] Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill. **1711.24**

SECTION 8. [1] The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; **1711.25**

[2] To borrow money on the credit of the United States; **1711.26**

[3] To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; **1711.27**

[4] To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States; **1711.28**

[5] To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures; **1711.29**

[6] To provide for the Punishment of counterfeiting the Securities and current Coin of the United States; **1711.30**

[7] To establish Post Offices and post Roads; **1711.31**

[8] To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries; **1711.32**

[9] To constitute Tribunals inferior to the supreme Court; **1711.33**

[10] To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations; **1711.34**

[11] To declare War, grant Letters of Marque and Reprisal and make Rules concerning Captures on Land and Water; **1711.35**

[12] To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years; **1711.36**

1711.37 [13] To provide and maintain a Navy;

1711.38 [14] To make Rules for the Government and Regulation of the land and naval Forces;

1711.39 [15] To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

1711.40 [16] To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

1711.41 [17] To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

1711.42 [18] To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

1711.43 SECTION 9. [1] The Migration or Importation of Such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

1711.44 [2] The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

1711.45 [3] No Bill of Attainder or ex post facto Law shall be passed.

1711.46 [4] No capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken. [2]

[2] *See also* amendment XVI.

[5] No Tax or Duty shall be laid on Articles exported from any State. 1711.47

[6] No preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State be obliged to enter, clear, or pay Duties in another. 1711.48

[7] No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time. 1711.49

[8] No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State. 1711.50

SECTION 10.[1] No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility. 1711.51

[2] No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress. 1711.52

[3] No State shall, without the Consent of Congress, lay any duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay. 1711.53

ARTICLE II 1712

SECTION 1. [1] The executive Power shall be vested in a President of the United States of America. He shall 1712.1

hold his Office during the Term of four years,[3] and, together with the Vice-President, chosen for the same Term, be elected, as follows:

1712.2 [2] Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

1712.3 [The Electors shall meet in their respective States, and vote by Ballot for two persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice-President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice-President.]

1712.4 [3] The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their

[3] *See also* amendment XXII.

The part in Article II, section 1, clause 2 included in brackets was superseded by amendment XII.

Votes; which Day shall be the same throughout the United States.

[4] No person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States. **1712.5**

[5] In case of the Removal of the President from Office, or of his Death, resignation, or Inability to discharge the Powers and Duties of the said Office,[4] the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected. **1712.6**

[6] The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them. **1712.7**

[7] Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States." **1712.8**

SECTION 2. [1] The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment. **1712.9**

[2] He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two- **1712.10**

[4] *See also* amendment XXV.

thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

1712.11 [3] The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

1712.12 SECTION 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

1712.13 SECTION 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

1713 ARTICLE III

1713.1 SECTION 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation which shall not be diminished during their Continuance in Office.

1713.2 SECTION 2. [1] The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases

affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

[2] In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make. 1713.3

[3] The trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed. 1713.4

SECTION 3. [1] Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court. 1713.5

[2] The Congress shall have power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted. 1713.6

ARTICLE IV 1714

SECTION 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof. 1714.1

SECTION 2. [1] The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States. 1714.2

1714.3 [2] A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

1714.4 [3] [No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.]

1714.5 SECTION 3. [1] New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

1714.6 [2] The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory of other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

1714.7 SECTION 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V

1715 The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no

The part included in brackets in Article IV, section 2, clause 3 was superseded by amendment XIII.

Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article, and that no State without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI 1716

[1] All Debts contracted and Engagements entered into, before the Adoption of this Constitution shall be as valid against the United States under this Constitution, as under the Confederation. 1716.1

[2] This Constitution, and the Laws of the United States which shall be made in Pursuance thereof, and all Treaties made, or which shall be made, under Authority of the United States, shall be the supreme Law of the Land, and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. 1716.2

[3] The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States. 1716.3

ARTICLE VII 1717

The Ratification of the Conventions of nine States shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth. IN WITNESS whereof We have here unto subscribed our Names, 1718

G°. WASHINGTON—
Presid^t. and deputy from Virginia.

New Hampshire

JOHN LANGDON, NICHOLAS GILMAN.

Massachusetts

NATHANIEL GORHAM, RUFUS KING.

Connecticut

WM. SAML. JOHNSON, ROGER SHERMAN.

New York

ALEXANDER HAMILTION.

New Jersey

WIL: LIVINGSTON, WM. PATERSON,
DAVID BREARLEY, JONA. DAYTON.

Pennsylvania

B. FRANKLIN, THOMAS MIFFLIN,
ROBT. MORRIS, GEO: CLYMER,
THO: FITZSIMONS, JARED INGERSOLL,
JAMES WILSON, GOUV: MORRIS.

Delaware

GEO: READ, GUNNING BEDFORD, JUN'R,
JOHN DICKINSON, RICHARD BASSETT.
JACO: BROOM,

Maryland

JAMES M'HENRY, DAN: OF ST. THOS. JENIFER.
DANL CARROLL,

Virginia

JOHN BLAIR, JAMES MADISON, JR.

North Carolina

WM. BLOUNT, RICH'D DOBBS SPAIGHT.
HU. WILLIAMSON,

South Carolina

J. RUTLEDGE, CHARLES COTESWORTH PINCKNEY,
CHARLES PINCKNEY, PIERCE BUTLER.

Georgia

WILLIAM FEW,

WILLIAM JACKSON,
Secretary.

Attest:
ABR. BALDWIN.

ARTICLES IN ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY THE LEGISLATURES OF THE SEVERAL STATES, PURSUANT TO THE FIFTH ARTICLE OF THE ORIGINAL CONSTITUTION

AMENDMENT I[1] 1721

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

AMENDMENT II 1722

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

[1] The first 10 amendments were proposed by Congress on September 25, 1789, when they passed the Senate [1 Ann. Cong. (1st Cong., 1st sess.) 90], having previously passed the House on September 24, 1789 [Id., 948]. They appear officially in 1 Stat. 97 and were proposed to the legislatures of the several States by the First Congress on September 25, 1789. The first 10 amendments were ratified by the following States on the following dates: New Jersey, November 20, 1789; Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; New Hampshire, January 25, 1790; Delaware, January 28, 1790; New York, February 27, 1790; Pennsylvania, March 10, 1790; Rhode Island, June 7, 1790; Vermont, November 3, 1791; Virginia, December 15, 1791; Massachusetts, March 2, 1939; Georgia, March 18, 1939; Connecticut, April 19, 1939.

In Dillon *v.* Gloss, 256 U.S. 368 [1921], the Supreme Court stated that it would take judicial notice of the date on which a State ratified a proposed constitutional amendment. Accordingly, the Court consulted the State journals to determine the dates on which each house of the legislature of certain States ratified the Eighteenth amendment. It, therefore, follows that the date on which the governor approved the ratification, or the date on which the secretary of state of a given State certified the ratification, or the date on which the Secretary of State of the United States received a copy of said certificate, or the date on which he proclaimed that the amendment had been ratified are not controlling. Hence, the ratification date given on the following pages is the date on which the legislature of a given State approved the particular amendment (signature by the speaker or presiding officers of both houses being considered a part of the ratification of the "legislature"). When that date is not available, the date given is that on which it was approved by the governor or certified by the secretary of state of the particular State. In each case such fact has been noted. Information as to ratification is based on data supplied by the Department of State and the General Services Administration.

1723

AMENDMENT III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

1724

AMENDMENT IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

1725

AMENDMENT V

No person shall be held to answer for a capital, or other wise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offenses to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

1726

AMENDMENT VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

1727

AMENDMENT VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be other-

wise reexamined in any Court of the United States, than according to the rules of the common law.

AMENDMENT VIII 1728

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

AMENDMENT IX 1729

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

AMENDMENT X 1730

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

AMENDMENT XI [2] 1731

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

AMENDMENT XII [3] 1732

The electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of

[2] The eleventh amendment was proposed by Congress on March 4, 1794, when it passed the House [4 Ann. Cong. (3d Cong., 1st sess.) 477, 478], having previously passed the Senate on January 14 [*Id.,* 30, 31]. It appears officially in 1 Stat. 402. Ratification was completed on February 7, 1795, when the twelfth State (North Carolina) approved the amendment, there being then 15 States in the Union. Official announcement of ratification was not made until January 8, 1798, when President John Adams in a message to Congress stated that the eleventh amendment had been adopted by three-fourths of the States and that it "may now be deemed to be part of the Constitution" [1 Mess. and Papers of Pres. 250]. In the interim South Carolina had ratified, and Tennessee had been admitted into the Union as the sixteenth State.

The eleventh amendment was ratified by the several State legislatures on the following dates: New York, March 27, 1794; Rhode Island, March 31, 1794; Connecticut, May 8, 1794; New Hampshire, June 16, 1794; Massachusetts, June 26, 1794; Vermont, between October 9 and November 9, 1794; Virginia, November 18, 1794; Georgia, November 29, 1794; Kentucky, December 7, 1794; Maryland, December 26, 1794; Delaware, January 23, 1795; North Carolina, February 7, 1795; South Carolina, December 4, 1797 [State Department, Press Releases, vol. XII, p. 247 (1935)].

The part included in brackets in amendment XII was superseded by section 3 of amendment XX.

[3] The twelfth amendment was proposed by Congress on December 9, 1803, when

whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for, as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. [And if the House of Representatives shall not choose a President whenever the right of

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it passed the House [13 Ann. Cong. (8th Cong., 1st sess.) 775, 776], having previously passed the Senate on December 2 [*Id.,* 209]. It was not signed by the presiding officers of the House and Senate until December 12. It appears officially in 2 Stat. 306. Ratification was probably completed on June 15, 1804, when the legislature of the thirteenth State (New Hampshire) approved the amendment, there being then 17 States in the Union. The Governor of New Hampshire, however, vetoed this act of the legislature on June 20, and the act failed to pass again by two-thirds vote then required by the State constitution. In as much as Article V of the Federal Constitution specifies that amendments shall become effective "when ratified by the legislatures of three-fourths of the several States or by conventions in three-fourths thereof," it has been generally believed that an approval or veto by a Governor is without significance. If the ratification by New Hampshire be deemed ineffective, then the amendment became operative by Tennessee's ratification on July 27, 1804. On September 25, 1804, in a circular letter to the Governors of the several States, Secretary of State Madison declared the amendment ratified by three-fourths of the States.

The twelfth amendment was ratified by the several State legislatures on the following dates: North Carolina, December 22, 1803; Maryland, December 24, 1803; Kentucky, December 27, 1803; Ohio, between December 5 and December 30, 1803; Pennsylvania, January 5, 1804; Vermont, January 30, 1804; Virginia, between December 20, 1803 and February 3, 1804; New York, February 10, 1804; New Jersey, February 22, 1804; Rhode Island, between February 27 and March 12, 1804; South Carolina, May 15, 1804; Georgia, May 19, 1804; New Hampshire, June 15, 1804; Tennessee, July 27, 1804. The amendment was rejected by Delaware on January 18, 1804; and by Connecticut at its session begun May 10, 1804; Massachusetts ratified this amendment in 1961 (after having rejected it on February 3, 1804).

choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.]—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

AMENDMENT XIII[4] 1733

SECTION 1. Neither slavery nor involuntary servitude, 1733.1
except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

[4] The thirteenth amendment was proposed by Congress on January 31, 1865, when it passed the House [Cong. Globe (38th Cong., 2d sess.) 531], having previously passed the Senate on April 8, 1864 [*Id.* (38th cong., 1st sess.) 1490]. It appears officially in 13 Stat. 567 under date of February 1, 1865. Ratification was completed on December 6, 1865, when the legislature of the twenty-seventh State (Georgia) approved the amendment, there being then 36 States in the Union. On December 18, 1865, Secretary of State Seward certified that the thirteenth amendment had become a part of the Constitution [13 Stat. 774].

The thirteenth amendment was ratified by the several State legislatures on the following dates: Illinois, February 1, 1865; Rhode Island, February 2, 1865; Michigan, February 2, 1865; Maryland, February 3, 1865; New York, February 3, 1865; West Virginia, February 3, 1865; Missouri, February 6, 1865; Maine, February 7, 1865; Kansas, February 7, 1865; Massachusetts, February 7, 1865; Pennsylvania, February 8, 1865; Virginia, February 9, 1865; Ohio, February 10, 1865; Louisiana, February 15 or 16, 1865; Indiana, February 16, 1865; Nevada, February 16, 1865; Minnesota, February 23, 1865; Wisconsin, February 24, 1865; Vermont, March 9, 1865 (date on which it was "approved" by Governor); Tennessee, April 7, 1865; Arkansas, April 14, 1865; Connecticut, May 4, 1865; New Hampshire, June 30, 1865; South Carolina, November 13, 1865; Alabama, December 2, 1865 (date on which it was "approved" by Provisional Governor); North Carolina, December 4, 1865; Georgia, December 6, 1865; Oregon, December 11, 1865; California, December 15, 1865; Florida, December 28, 1865 (Florida again ratified this amendment on June 9, 1868, upon its adoption of a new constitution); Iowa, January 17, 1866; New Jersey, January 23, 1866 (after having rejected the amendment on March 16, 1865); Texas, February 17, 1870; Delaware, February 12, 1901 (after having rejected the amendment on February 8, 1865); Kentucky, March 18, 1976 (after having rejected the amendment on February 24, 1865). The amendment was rejected by Mississippi on December 2, 1865.

A "thirteenth amendment" depriving of United States citizenship any citizen who should accept any title, office, or emolument from a foreign power, was proposed by Congress on May 1, 1810, when it passed the House [21 Ann. Cong. (11th Cong., 2d sess.) 2050], having previously passed the Senate on April 27 [20 Ann. Cong. (11th Cong., 2d sess.) 672]. It appears officially in 2 Stat. 613. It failed of adoption, being ratified by but 12 States up to December 10, 1812

1733.2 SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

1734

AMENDMENT XIV[5]

1734.1 SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are

[2 Miscell. Amer. State Papers, 477–479; 2 Doc. Hist. Const. 454–499], there then being 18 in all.

Another "thirteenth amendment", forbidding any future amendment that should empower Congress to interfere with the domestic institution of any State, was proposed by Congress on March 2, 1861, when it passed the Senate [Cong. Globe (36th Cong., 2d sess.) 1403], having previously passed the House on February 28 [*Id.*, 1285]. It appears officially in 12 Stat. 2512. It failed of adoption, being ratified by but three States: Ohio, May 13, 1861 [58 Laws Ohio 190]; Maryland, January 10, 1862 [Laws Maryland (1861–62) 21]; Illinois, February 14, 1862 [2 Doc. Hist. Const., 518] irregular, because by convention instead of by legislature as authorized by Congress.

[5] The fourteenth amendment was proposed by Congress on June 13, 1866, when it passed the House [Cong. Globe (39th Cong., 1st sess.) 3148, 3149], having previously passed the Senate on June 8 [*Id.*, 3042]. It appears officially in 14 Stat. 358 under date of June 16, 1866. Ratification was probably completed on July 9, 1868, when the legislature of the twenty-eighth State (South Carolina or Louisiana) approved the amendment, there being then 37 States in the Union. However, Ohio and New Jersey had prior to that date "withdrawn" their earlier assent to this amendment. Accordingly, Secretary of State Seward on July 20, 1868, certified that the amendment had become a part of the Constitution if the said withdrawals were ineffective [15 Stat. 706–707]. Congress at once (July 21, 1868) passed a joint resolution declaring the amendment a part of the Constitution and directing the Secretary to promulgate it as such. On July 28, 1868, Secretary Seward certified without reservation that the amendment was a part of the Constitution. In the interim, two other States, Alabama on July 13 and Georgia on July 21, 1868, had added their ratifications.

The fourteenth amendment was ratified by the several State legislatures on the following dates: Connecticut, June 30, 1866; New Hampshire, July 7, 1866; Tennessee, July 19, 1866; New Jersey, September 11, 1866 (the New Jersey Legislature on February 20, 1868, "withdrew" its consent to the ratification; the Governor vetoed that bill on March 5, 1868, and it was repassed over his veto on March 24, 1868; and on Nov. 12, 1980, the Legislature expressed support for the amendment); Oregon, September 19, 1866 (Oregon "withdrew" its consent on October 15, 1868); Vermont, October 30, 1866; New York, January 10, 1867; Ohio, January 11, 1867 (Ohio "withdrew" its consent on January 15, 1868); Illinois, January 15, 1867; West Virginia, January 16, 1867; Michigan, January 16, 1867; Kansas, January 17, 1867; Minnesota, January 17, 1867; Maine, January 19, 1867; Nevada, January 22, 1867; Indiana, January 23, 1867; Missouri, January 26, 1867 (date on which it was certified by the Missouri secretary of state); Rhode Island, February 7, 1867; Pennsylvania, February 12, 1867; Wisconsin, February 13, 1867 (actually passed February 7, but not signed by legislative officers until February 13); Massachusetts, March 20, 1867; Nebraska, June 15, 1867; Iowa, March 9, 1868; Arkansas, April 6, 1868; Florida, June 9, 1868; North Carolina, July 2, 1868 (after having rejected the amendment on December 13, 1866); Louisiana, July 9, 1868 (after having rejected the amendment on February 6, 1867); South Carolina, July 9, 1868 (after having rejected the amendment on December 20, 1866); Alabama, July 13, 1868 (date on which it was "approved" by the Governor); Georgia, July 21, 1868 (after having rejected the amendment on November 9, 1866—Georgia ratified again on February 2, 1870); Virginia, October 8, 1869 (after having rejected the amendment on January 9, 1867); Mississippi, January 17, 1870; Texas, February 18, 1870 (after having rejected the amendment on October 27, 1866); Delaware, February 12, 1901 (after having rejected the amendment on February 8, 1867); Maryland, April 4, 1959 (after having rejected the amendment on March 23, 1867); California, May 6, 1959; Kentucky, March 18, 1976 (after having rejected the amendment on January 8, 1867).

citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State. **1734.2**

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability. **1734.3**

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void. **1734.4**

1734.5 SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

1735

AMENDMENT XV[6]

1735.1 SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

1735.2 SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

1736

AMENDMENT XVI[7]

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without appor-

[6] The fifteenth amendment was proposed by Congress on February 26, 1869, when it passed the Senate [Cong. Globe (40th Cong., 3d sess.) 1641], having previously passed the House on February 25 [*Id.,* 1563, 1564]. It appears officially in 15 Stat. 346 under date of February 27, 1869. Ratification was probably completed on February 3, 1870, when the legislature of the twenty-eighth State (Iowa) approved the amendment, there being then 37 States in the Union. However, New York had prior to that date "withdrawn" its earlier assent to this amendment. Even if this withdrawal were effective, Nebraska's ratification on February 17, 1870, authorized Secretary of State Fish's certification of March 30, 1870, that the 15th amendment had become a part of the Constitution [16 Stat. 1131].

The fifteenth amendment as ratified by the several State legislatures on the following dates: Nevada, March 1, 1869; West Virginia, March 3, 1869; North Carolina, March 5, 1869; Louisiana, March 5, 1869 (date on which it was "approved" by the Governor); Illinois, March 5, 1869; Michigan, March 5, 1869; Wisconsin, March 5, 1869; Maine, March 11, 1869; Massachusetts, March 12, 1869; South Carolina, March 15, 1869; Arkansas, March 15, 1869; Pennsylvania, March 25, 1869; New York, April 14, 1869 (New York "withdrew" its consent to the ratification on January 5, 1870, which action it rescinded on March 30, 1970); Indiana, May 14, 1869; Connecticut, May 19, 1869; Florida, June 14, 1869; New Hampshire, July 1, 1869; Virginia, October 8, 1869; Vermont, October 20, 1869; Alabama, November 16, 1869; Missouri, January 7, 1870 (Missouri had ratified the first section of the 15th Amendment on March 1, 1869; it failed to include in its ratification the second section of the amendment); Minnesota, January 13, 1870; Mississippi, January 17, 1870; Rhode Island, January 18, 1870; Kansas, January 19, 1870 (Kansas had by a defectively worded resolution previously ratified this amendment on February 27, 1869); Ohio, January 27, 1870 (after having rejected the amendment on May 4, 1869); Georgia, February 2, 1870; Iowa, February 3, 1870; Nebraska, February 17, 1870; Texas, February 18, 1870; New Jersey, February 15, 1871 (after having rejected the amendment on February 7, 1870); Delaware, February 12, 1901 (date on which approved by Governor; Delaware had previously rejected the amendment on March 18, 1869); Oregon, February 24, 1959 (after having rejected the amendment on October 26, 1870); California, April 3, 1962 (after having rejected the amendment on January 28, 1870); Maryland, May 7, 1973 (date on which approved by Governor; Maryland had previously rejected the amendment on February 26, 1870); Kentucky, March 18, 1976 (after having rejected the amendment on March 12, 1869). The amendment was rejected by Tennessee on November 16, 1869.

[7] The sixteenth amendment was proposed by Congress on July 12, 1909, when it passed the House [44 Cong. Rec. (61st Cong., 1st sess.) 4390, 4440, 4441], having previously passed the Senate on July 5 [*Id.,* 4121]. It appears officially in 36 Stat. 184. Ratification was completed on February 3, 1913, when the legislature of the thirty-sixth State (Delaware, Wyoming, or New Mexico) approved the amendment, there being then 48 States in the Union. On February 25, 1913,

tionment among the several States, and without regard to any census or enumeration.

AMENDMENT XVII[8] 1737

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Pro-*

Secretary of State Knox certified that this amendment had become a part of the Constitution [37 Stat. 1785].

The sixteenth amendment was ratified by the several State legislatures on the following dates: Alabama, August 10, 1909; Kentucky, February 8, 1910; South Carolina, February 19, 1910; Illinois, March 1, 1910; Mississippi, March 7, 1910; Oklahoma, March 10, 1910; Maryland, April 8, 1910; Georgia, August 3, 1910; Texas, August 16, 1910; Ohio, January 19, 1911; Idaho, January 20, 1911; Oregon, January 23, 1911; Washington, January 26, 1911; Montana, January 27, 1911; Indiana, January 30, 1911; California, January 31, 1911; Nevada, January 31, 1911; South Dakota, February 1, 1911; Nebraska, February 9, 1911; North Carolina, February 11, 1911; Colorado, February 15, 1911; North Dakota, February 17, 1911; Michigan, February 23, 1911; Iowa, February 24, 1911; Kansas, March 2, 1911; Missouri, March 16, 1911; Maine, March 31, 1911; Tennessee, April 7, 1911; Arkansas, April 22, 1911 (after having rejected the amendment at the session begun January 9, 1911); Wisconsin, May 16, 1911; New York, July 12, 1911; Arizona, April 3, 1912; Minnesota, June 11, 1912; Louisiana, June 28, 1912; West Virginia, January 31, 1913; Delaware, February 3, 1913; Wyoming, February 3, 1913; New Mexico, February 3, 1913; New Jersey, February 4, 1913; Vermont, February 19, 1913; Massachusetts, March 4, 1913; New Hampshire, March 7, 1913 (after having rejected the amendment on March 2, 1911). The amendment was rejected (and not subsequently ratified) by Connecticut, Rhode Island, and Utah.

[8] The seventeenth amendment was proposed by Congress on May 13, 1912, when it passed the House [48 Cong. Rec. (62d Cong., 2d sess.) 6367], having previously passed the Senate on June 12, 1911 [47 Cong. Rec. (62d Cong., 1st sess.) 1925]. It appears officially in 37 Stat. 646. Ratification was completed on April 8, 1913, when the thirty-sixth State (Connecticut) approved the amendment, there being then 48 States in the Union. On May 31, 1913, Secretary of State Bryan certified that it had become a part of the Constitution [38 Stat. 2049].

The seventeenth amendment was ratified by the several State legislatures on the following dates: Massachusetts, May 22, 1912; Arizona, June 3, 1912; Minnesota, June 10, 1912; New York, January 15, 1913; Kansas, January 17, 1913; Oregon, January 23, 1913; North Carolina, January 25, 1913; California, January 28, 1913; Michigan, January 28, 1913; Iowa, January 30, 1913; Montana, January 30, 1913; Idaho, January 31, 1913; West Virginia, February 4, 1913; Colorado, February 5, 1913; Nevada, February 6, 1913; Texas, February 7, 1913; Washington, February 7, 1913; Wyoming, February 8, 1913; Arkansas, February 11, 1913; Illinois, February 13, 1913; North Dakota, February 14, 1913; Wisconsin, February 18, 1913; Indiana, February 19, 1913; New Hampshire, February 19, 1913; Vermont, February 19, 1913; South Dakota, February 19, 1913; Maine, February 20, 1913; Oklahoma, February 24, 1913; Ohio, February 25, 1913; Missouri, March 7, 1913; New Mexico, March 13, 1913; Nebraska, March 14, 1913; New Jersey, March 17, 1913; Tennessee, April 1, 1913; Pennsylvania, April 2, 1913; Connecticut, April 8, 1913; Louisiana, June 5, 1914. The amendment was rejected by Utah on February 26, 1913.

vided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

1738

AMENDMENT XVIII [9]

1738.1 [SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

1738.2 [SECTION 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

1738.3 [SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.]

Amendment XVIII was repealed in its entirety by amendment XXI.

[9] The eighteenth amendment was proposed by Congress on December 18, 1917, when it passed the Senate [Cong. Rec. (65th Cong., 2d sess.) 478], having previously passed the House on December 17 [*Id.,* 470]. It appears officially in 40 Stat. 1050. Ratification was completed on January 16, 1919, when the thirty-sixth State approved the amendment, there being then 48 States in the Union. On January 29, 1919, Acting Secretary of State Polk certified that this amendment had been adopted by the requisite number of States [40 Stat. 1941]. By its terms this amendment did not become effective until 1 year after ratification.

The eighteenth amendment was ratified by the several State legislatures on the following dates: Mississippi, January 8, 1918; Virginia, January 11, 1918; Kentucky, January 14, 1918; North Dakota, January 28, 1918 (date on which approved by Governor); South Carolina, January 29, 1918; Maryland, February 13, 1918; Montana, February 19, 1918; Texas, March 4, 1918; Delaware, March 18, 1918; South Dakota, March 20, 1918; Massachusetts, April 2, 1918; Arizona, May 24, 1918; Georgia, June 26, 1918; Louisiana, August 9, 1918 (date on which approved by Governor); Florida, November 27, 1918; Michigan, January 2, 1919; Ohio, January 7, 1919; Oklahoma, January 7, 1919; Idaho, January 8, 1919; Maine, January 8, 1919; West Virginia, January 9, 1919; California, January 13, 1919; Tennessee, January 13, 1919; Washington, January 13, 1919; Arkansas, January 14, 1919; Kansas, January 14, 1919; Illinois, January 14, 1919; Indiana, January 14, 1919; Alabama, January 15, 1919; Colorado, January 15, 1919; Iowa, January 15, 1919; New Hampshire, January 15, 1919; Oregon, January 15, 1919; Nebraska, January 16, 1919; North Carolina, January 16, 1919; Utah, January 16, 1919; Missouri, January 16, 1919; Wyoming, January 16, 1919; Minnesota, January 17, 1919; Wisconsin, January 17, 1919; New Mexico, January 20, 1919; Nevada, January 21, 1919; New York, January 29, 1919; Vermont, January 29, 1919; Pennsylvania, February 25, 1919; Connecticut, May 6, 1919; New Jersey, March 9, 1922. The amendment was rejected (and not subsequently ratified) by Rhode Island.

AMENDMENT XIX[10] 1739

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XX[11] 1740

SECTION 1. The terms of the President and Vice-President shall end at noon on the 20th day of January, 1740.1

[10] The nineteenth amendment was proposed by Congress on June 4, 1919, when it passed the Senate [Cong. Rec. (66th Cong., 1st sess.) 635], having previously passed the House on May 21 [*Id.,* 94]. It appears officially in 41 Stat. 362. Ratification was completed on August 18, 1920, when the thirty-sixth State (Tennessee) approved the amendment, there being then 48 States in the Union. On August 26, 1920, Secretary of State Colby certified that it had become a part of the Constitution [41 Stat. 1823].

The nineteenth amendment was ratified by the several State legislatures on the following dates: Illinois, June 10, 1919 (readopted June 17, 1919); Michigan, June 10, 1919; Wisconsin, June 10, 1919; Kansas, June 16, 1919; New York, June 16, 1919; Ohio, June 16, 1919; Pennsylvania, June 24, 1919; Massachusetts, June 25, 1919; Texas, June 28, 1919; Iowa, July 2, 1919 (date on which approved by Governor); Missouri, July 3, 1919; Arkansas, July 28, 1919; Montana, August 2, 1919 (date on which approved by Governor); Nebraska, August 2, 1919; Minnesota, September 8, 1919; New Hampshire, September 10, 1919 (date on which approved by Governor); Utah, October 2, 1919; California, November 1, 1919; Maine, November 5, 1919; North Dakota, December 1, 1919; South Dakota, December 4, 1919 (date on which certified); Colorado, December 15, 1919 (date on which approved by Governor); Kentucky, January 6, 1920; Rhode Island, January 6, 1920; Oregon, January 13, 1920; Indiana, January 16, 1920; Wyoming, January 27, 1920; Nevada, February 7, 1920; New Jersey, February 9, 1920; Idaho, February 11, 1920; Arizona, February 12, 1920; New Mexico, February 21, 1920 (date on which approved by Governor); Oklahoma, February 28, 1920; West Virginia, March 10, 1920; Washington, March 22, 1920; Tennessee, August 18, 1920; Connecticut, September 14, 1920 (confirmed September 21, 1920); Vermont, February 8, 1921; Delaware, March 6, 1923 (after having rejected it on June 2, 1920); Maryland, March 29, 1941 (after having rejected it on February 24, 1920, ratification certified on February 25, 1958); Virginia, February 21, 1952 (after having rejected it on February 12, 1920); Alabama, September 8, 1953 (after having rejected it on September 22, 1919); Florida, May 13, 1969; South Carolina, July 1, 1969 (after having rejected it on January 29, 1920); Georgia, February 20, 1970 (after having rejected it on July 24, 1919); Louisiana, June 11, 1970 (after having rejected it on July 1, 1920); North Carolina, May 6, 1971; Mississippi, March 22, 1984 (after having rejected it on March 29, 1920).

[11] The twentieth amendment was proposed by Congress on March 2, 1932, when it passed the Senate [Cong. Rec. (72d Cong., 1st sess.) 5086], having previously passed the House on March 1 [*Id.,* 5027]. It appears officially in 47 Stat. 745. Ratification was completed on January 23, 1933, when the thirty-sixth State approved the amendment, there being then 48 States in the Union. On February 6, 1933, Secretary of State Stimson certified that it had become a part of the Constitution [47 Stat. 2569].

The twentieth amendment was ratified by the several State legislatures on the following dates: Virginia, March 4, 1932; New York, March 11, 1932; Mississippi, March 16, 1932; Arkansas, March 17, 1932; Kentucky, March 17, 1932; New Jersey, March 21, 1932; South Carolina, March 25, 1932; Michigan, March 31, 1932; Maine, April 1, 1932; Rhode Island, April 14, 1932; Illinois, April 21, 1932; Louisiana, June 22, 1932; West Virginia, July 30, 1932; Pennsylvania, August 11, 1932; Indiana, August 15, 1932; Texas, September 7, 1932; Alabama, September 13, 1932; California, January 4, 1933; North Carolina, January 5, 1933; North

and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

1740.2 SECTION 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

1740.3 SECTION 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice-President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice-President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice-President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice-President shall have qualified.

1740.4 SECTION 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President when-

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Dakota, January 9, 1933; Minnesota, January 12, 1933; Arizona, January 13, 1933; Montana, January 13, 1933; Nebraska, January 13, 1933; Oklahoma, January 13, 1933; Kansas, January 16, 1933; Oregon, January 16, 1933; Delaware, January 19, 1933; Washington, January 19, 1933; Wyoming, January 19, 1933; Iowa, January 20, 1933; South Dakota, January 20, 1933; Tennessee, January 20, 1933; Idaho, January 21, 1933; New Mexico, January 21, 1933; Georgia, January 23, 1933; Missouri, January 23, 1933; Ohio, January 23, 1933; Utah, January 23, 1933; Colorado, January 24, 1933; Massachusetts, January 24, 1933; Wisconsin, January 24, 1933; Nevada, January 26, 1933; Connecticut, January 27, 1933; New Hampshire, January 31, 1933; Vermont, February 2, 1933; Maryland, March 24, 1933; Florida, April 26, 1933.

A proposed amendment which would authorize Congress to limit, regulate, and prohibit the labor of persons under 18 years of age was passed by Congress on June 2, 1924. This proposal at the time it was submitted to the States was referred to as "the proposed 20th Amendment." It appears officially in 43 Stat. 670. The status of this proposed amendment is a matter of conflicting opinion. The Kentucky Court of Appeals in Wise *v.* Chandler (270 Ky. 1 [1937]) has held that it is no longer open to ratification because: (1) Rejected by more than one-fourth of the States; (2) a State may not reject and then subsequently ratify, at least when more than one-fourth of the States are on record as rejecting; and (3) more than a reasonable time has elapsed since it was submitted to the States in 1924 (for subsequent litigation in the Chandler case see 303 U.S. 634 and 307 U.S. 474). The Kansas Supreme Court in Coleman *v.* Miller (146 Kan. 390 [1937]) came to the opposite conclusion.

On October 1, 1937, 27 States had ratified the proposed amendment. Of these States 10 had previously rejected the amendment on one or more occasions. At least 26 different States have at one time rejected the amendment.

ever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice-President whenever the right of choice shall have devolved upon them.

SECTION 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article. 1740.5

SECTION 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission. 1740.6

AMENDMENT XXI [12] 1741

SECTION 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed. 1741.1

SECTION 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited. 1741.2

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress. 1741.3

[12] The twenty-first amendment was proposed by Congress on February 20, 1933, when it passed the House [76 Cong. Rec. (72d Cong., 2d sess.) 4516], having previously passed the Senate on February 16 [*Id.,* 4231]. It appears officially in 47 Stat. 1625. Ratification was completed on December 5, 1933, when the thirty-sixth State (Utah) approved the amendment, there being then 48 States in the Union. On December 5, 1933, Acting Secretary of State Phillips certified that it had been adopted by the requisite number of States [48 Stat. 1749].

The twenty-first amendment was ratified by the several State conventions on the following dates: Michigan, April 10, 1933; Wisconsin, April 25, 1933; Rhode Island, May 8, 1933; Wyoming, May 25, 1933; New Jersey, June 1, 1933; Delaware, June 24, 1933; Indiana, June 26, 1933; Massachusetts, June 26, 1933; New York, June 27, 1933; Illinois, July 10, 1933; Iowa, July 10, 1933; Connecticut, July 11, 1933; New Hampshire, July 11, 1933; California, July 24, 1933; West Virginia, July 25, 1933; Arkansas, August 1, 1933; Oregon, August 7, 1933; Alabama, August 8, 1933; Tennessee, August 11, 1933; Missouri, August 29, 1933; Arizona, September 5, 1933; Nevada, September 5, 1933; Vermont, September 23, 1933; Colorado, September 26, 1933; Washington, October 3, 1933; Minnesota, October 10, 1933; Idaho, October 17, 1933; Maryland, October 18, 1933; Virginia, October 25, 1933; New Mexico, November 2, 1933; Florida, November 14, 1933; Texas, November 24, 1933; Kentucky, November 27, 1933; Ohio, December 5, 1933; Pennsylvania, December 5, 1933; Utah, December 5, 1933; Maine, December 6, 1933; Montana, August 6, 1934. The amendment was rejected by a convention in the State of South Carolina, on December 4, 1933. The electorate of the State of North Carolina voted against holding a convention at a general election held on November 7, 1933.

1742

AMENDMENT XXII [13]

1742.1 SECTION 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative, from holding the office of President or acting as President during the remainder of such term.

1742.2 SECTION 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

1743

AMENDMENT XXIII [14]

1743.1 SECTION 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

[13] The twenty-second amendment was proposed by Congress on March 24, 1947, when the House agreed to Senate amendment [93 Cong. Rec. (80th Cong., 1st sess.) 2389], having previously been passed in the House of Representatives on February 6, 1947 [93 Cong. Rec. (80th Cong., 1st sess.) 872], and in the Senate on March 12, 1947, with an amendment [93 Cong. Rec. (80th Cong., 1st sess.) 1978]. Ratification was completed on February 27, 1951, when the legislature of the thirty-sixth State (Minnesota) approved the amendment, there being then forty-eight States in the Union. On March 1, 1951, the Administrator of General Services, Jess Larson, certified that this amendment had become a part of the Constitution.

The twenty-second amendment was ratified by the several State legislatures on the following dates: Maine, March 31, 1947; Michigan, March 31, 1947; Iowa, April 1, 1947; Kansas, April 1, 1947; New Hampshire, April 1, 1947; Delaware, April 2, 1947; Illinois, April 3, 1947; Oregon, April 3, 1947; Colorado, April 12, 1947; California, April 15, 1947; New Jersey, April 15, 1947; Vermont, April 15, 1947; Ohio, April 16, 1947; Wisconsin, April 16, 1947; Pennsylvania, April 29, 1947; Connecticut, May 21, 1947; Missouri, May 22, 1947; Nebraska, May 23, 1947; Virginia, January 28, 1948; Mississippi, February 12, 1948; New York, March 9, 1948; South Dakota, January 21, 1949; North Dakota, February 25, 1949; Louisiana, May 17, 1950; Montana, January 25, 1951; Indiana, January 29, 1951; Idaho, January 30, 1951; New Mexico, February 12, 1951; Wyoming, February 12, 1951; Arkansas, February 15, 1951; Georgia, February 17, 1951; Tennessee, February 20, 1951; Texas, February 22, 1951; Utah, February 26, 1951; Nevada, February 26, 1951; Minnesota, February 27, 1951; North Carolina, February 28, 1951; South Carolina, March 13, 1951; Maryland, March 14, 1951; Florida, April 16, 1951; Alabama, May 4, 1951. The amendment was rejected (and not subsequently ratified) by Oklahoma in June 1947, and Massachusetts on June 9, 1949.

[14] The twenty-third amendment was proposed by Congress on June 16, 1960,

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation. 1743.2

AMENDMENT XXIV[15] 1744

SECTION 1. The right of citizens of the United States to vote in any primary or other election for President 1744.1

when the Senate agreed to S.J. Res. 39, 86th Cong., as passed by the House of Representatives on June 14; which action consisted of substituting H.J. Res. 757 for the original text of S.J. Res. 39 [106 Cong. Rec. (86th Cong., 2d sess.) 12571]. S.J. Res. 39 as approved by the Senate on February 2, 1960 [106 Cong. Rec. (86th Cong., 2d sess.) 12850–58], for the first time since 1789, proposed several unrelated articles of amendment, though several amendments cover several points in sections of an article; as finally proposed it dealt with a single matter. It appears officially in 74 Stat. 1057 under date of June 16, 1960. Ratification was completed on March 29, 1961, when the legislature of the thirty-eighth State (Ohio) approved the amendment, there being then fifty States in the Union. The identity of the thirty-eighth State was in doubt until New Hampshire by "official notice" determined March 30 as the date of its ratification. On April 3, 1961, the Administrator of General Services, John L. Moore, certified that this amendment had become a part of the Constitution (26 F.R. 2808 and 75 Stat. 847).

The twenty-third amendment was ratified by the several State legislatures on the following dates: Hawaii, June 23, 1960 (technical correction, June 30, 1960); Massachusetts, August 22, 1960; New Jersey, December 19, 1960; New York, January 17, 1961; California, January 19, 1961; Oregon, January 27, 1961; Maryland, January 30, 1961; Idaho, January 31, 1961; Maine, January 31, 1961; Minnesota, January 31, 1961; New Mexico, February 1, 1961; Nevada, February 2, 1961; Montana, February 6, 1961; Colorado, February 8, 1961; Washington, February 9, 1961; West Virginia, February 9, 1961; Alaska, February 10, 1961; Wyoming, February 13, 1961; South Dakota, February 14, 1961 (date of filing in Office of Secretary of State of South Dakota); Delaware, February 20, 1961; Utah, February 21, 1961; Wisconsin, February 21, 1961; Pennsylvania, February 28, 1961; Indiana, March 3, 1961; North Dakota, March 3, 1961; Tennessee, March 6, 1961; Michigan, March 8, 1961; Connecticut, March 9, 1961; Arizona, March 10, 1961; Illinois, March 14, 1961; Nebraska, March 15, 1961; Vermont, March 15, 1961; Iowa, March 16, 1961; Missouri, March 20, 1961; Oklahoma, March 21, 1961; Rhode Island, March 22, 1961; Kansas, March 29, 1961; Ohio, March 29, 1961; New Hampshire, March 30, 1961 (date in official notice; preceded by ratification on March 29, 1961, which was annulled and then repeated March 29). Arkansas rejected the proposal on January 24, 1961.

[15] The twenty-fourth amendment was proposed by Congress on August 27, 1962, when it passed the House [108 Cong. Rec. (87th Cong., 2d sess.) 1767], having previously passed the Senate on March 27, 1962 [*Id.,* 5105]. It appears officially in 76 Stat. 1259 under date of August 29, 1962. Ratification was completed on January 23, 1964, when the legislature of the thirty-eighth State (South Dakota) approved the amendment, there being then fifty States in the Union. On February 4, 1964, the Administrator of General Services, Bernard L. Boutin, certified that

or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

1744.2 SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

1745

AMENDMENT XXV [16]

1745.1 SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

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this amendment had become a part of the Constitution (29 F.R. 1715).

The twenty-fourth amendment was ratified by the several State legislatures on the following dates: Illinois, November 14, 1962; New Jersey, December 3, 1962; Oregon, January 25, 1963; Montana, January 28, 1963; West Virginia, February 1, 1963; New York, February 4, 1963; Maryland, February 6, 1963; California, February 7, 1963; Alaska, February 11, 1963; Rhode Island, February 14, 1963; Indiana, February 19, 1963; Utah, February 20, 1963; Michigan, February 20, 1963; Colorado, February 21, 1963; Ohio, February 27, 1963; Minnesota, February 27, 1963; New Mexico, March 5, 1963; Hawaii, March 6, 1963; North Dakota, March 7, 1963; Idaho, March 8, 1963; Washington, March 14, 1963; Vermont, March 15, 1963; Nevada, March 19, 1963; Connecticut, March 20, 1963; Tennessee, March 21, 1963; Pennsylvania, March 25, 1963; Wisconsin, March 26, 1963; Kansas, March 28, 1963; Massachusetts, March 28, 1963; Nebraska, April 4, 1963; Florida, April 18, 1963; Iowa, April 24, 1963; Delaware, May 1, 1963; Missouri, May 13, 1963; New Hampshire, June 16, 1963; Kentucky, June 27, 1963; Maine, January 16, 1964; South Dakota, January 23, 1964; Virginia, February 25, 1977; North Carolina, May 3, 1989. Mississippi rejected the proposal on December 20, 1962.

[16] The twenty-fifth amendment was proposed by Congress on July 6, 1965, when the Senate agreed to a conference report, to which the House had previously agreed on June 30, 1965. It appears officially in 79 Stat. 1327. Ratification was completed on February 10, 1967, when the legislature of the thirty-eighth State (Nevada) approved the amendment, there being then fifty States in the Union. On February 23, 1967, the Administrator of General Services, Lawson B. Knott, Jr., certified that this amendment had become a part of the Constitution (32 F.R. 3287).

The twenty-fifth amendment was ratified by the several State legislatures on the following dates: Nebraska, July 12, 1965; Wisconsin, July 13, 1965; Oklahoma, July 16, 1965; Massachusetts, August 9, 1965; Pennsylvania, August 18, 1965; Kentucky, September 15, 1965; Arizona, September 22, 1965; Michigan, October 5, 1965; Indiana, October 20, 1965; California, October 21, 1965; Arkansas, November 4, 1965; New Jersey, November 29, 1965; Delaware, December 7, 1965; Utah, January 17, 1966; West Virginia, January 20, 1966; Maine, January 24, 1966; Rhode Island, January 28, 1966; Colorado, February 3, 1966; New Mexico, February 3, 1966; Kansas, February 8, 1966; Vermont, February 10, 1966; Alaska, February 18, 1966; Idaho, March 2, 1966; Hawaii, March 3, 1966; Virginia, March 8, 1966; Mississippi, March 10, 1966; New York, March 14, 1966; Maryland, March 23, 1966; Missouri, March 30, 1966; New Hampshire, June 13, 1966; Louisiana, July 5, 1966; Tennessee, January 12, 1967; Wyoming, January 25, 1967; Washington, January 26, 1967; Iowa, January 26, 1967; Oregon, February 2, 1967; Minnesota, February 10, 1967; Nevada, February 10, 1967; Connecticut, February 14, 1967; Montana, February 15, 1967; South Dakota, March 6, 1967; Ohio, March 7, 1967; Alabama, March 14, 1967; North Carolina, March 22, 1967; Illinois, March 22, 1967; Texas, April 25, 1967; Florida, May 25, 1967.

SECTION 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress. 1745.2

SECTION 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President. 1745.3

SECTION 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President. 1745.4

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department[17] or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President;

[17] "Department" is per the original text of the amendment; it likely should be "departments".

otherwise, the President shall resume the powers and duties of his office.

1746

AMENDMENT XXVI [18]

1746.1 SECTION 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

1746.2 SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

[18] The twenty-sixth amendment was proposed by Congress on March 23, 1971, when it passed the House [117 Cong. Rec. (92d Cong., 1st sess.) 7570], having previously passed the Senate on March 10, 1971 [*Id.,* 5830]. It appears officially in 85 Stat. 825. Ratification was completed on July 1, 1971, when the legislature of the thirty-eighth State (North Carolina) approved the amendment, there being then fifty States in the Union. On July 5, 1971, the Administrator of General Services, Robert L. Kunzig, certified that this amendment had become a part of the Constitution (36 F.R. 12725).

The twenty-sixth amendment was ratified by the several State legislatures on the following dates: Connecticut, March 23, 1971; Delaware, March 23, 1971; Minnesota, March 23, 1971; Tennessee, March 23, 1971; Washington, March 23, 1971; Hawaii, March 24, 1971; Massachusetts, March 24, 1971; Montana, March 29, 1971; Arkansas, March 30, 1971; Idaho, March 30, 1971; Iowa, March 30, 1971; Nebraska, April 2, 1971; New Jersey, April 3, 1971; Kansas, April 7, 1971; Michigan, April 7, 1971; Alaska, April 8, 1971; Maryland, April 8, 1971; Indiana, April 8, 1971; Maine, April 9, 1971; Vermont, April 16, 1971; Louisiana, April 17, 1971; California, April 19, 1971; Colorado, April 27, 1971; Pennsylvania, April 27, 1971; Texas, April 27, 1971; South Carolina, April 28, 1971; West Virginia, April 28, 1971; New Hampshire, May 13, 1971; Arizona, May 14, 1971; Rhode Island, May 27, 1971; New York, June 2, 1971; Oregon, June 4, 1971; Missouri, June 14, 1971; Wisconsin, June 22, 1971; Illinois, June 29, 1971; Alabama, June 30, 1971; Ohio, June 30, 1971; North Carolina, July 1, 1971; Oklahoma, July 1, 1971; Virginia, July 8, 1971; Wyoming, July 8, 1971; Georgia, October 4, 1971.

AMENDMENT XXVII [19]

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

[19] The twenty-seventh amendment was the second of twelve articles proposed by the First Congress on Sept. 25, 1789. Ratification was completed on May 7, 1992, when the legislatures of the thirty-eighth and thirty-ninth States (Michigan and New Jersey) approved the amendment, there being then fifty States in the Union. On May 18, 1992, the Archivist of the United States, Don W. Wilson, declared this amendment to have become valid. (F.R. Doc. 92–11951, 57 F.R. 21187).

The twenty-seventh amendment was ratified by the following States: Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; Delaware, January 28, 1790; Vermont, November 3, 1791; Virginia, December 15, 1791; Ohio, May 6, 1873; Wyoming, March 6, 1978; Maine, April 27, 1983; Colorado, April 22, 1984; South Dakota, February 21, 1985; New Hampshire, March 7, 1985; Arizona, April 3, 1985; Tennessee, May 23, 1985; Oklahoma, July 10, 1985; New Mexico, February 14, 1986; Indiana, February 24, 1986; Utah, February 25, 1986; Arkansas, March 6, 1987; Montana, March 17, 1987; Connecticut, May 13, 1987; Wisconsin, July 15, 1987; Georgia, February 2, 1988; West Virginia, March 10, 1988; Louisiana, July 7, 1988; Iowa, February 9, 1989; Idaho, March 23, 1989; Nevada, April 26, 1989; Alaska, May 6, 1989; Oregon, May 19, 1989; Minnesota, May 22, 1989; Texas, May 25, 1989; Kansas, April 5, 1990; Florida, May 31, 1990; North Dakota, March 25, 1991; Alabama, May 5, 1992; Missouri, May 5, 1992; Michigan, May 7, 1992; New Jersey, May 7, 1992; Illinois, May 12, 1992; California, June 26, 1992; Rhode Island, June 10, 1993.

STATISTICAL DATA

PRESIDENTS PRO TEMPORE OF THE SENATE

FROM THE FIRST CONGRESS TO THE END OF THE FIRST SESSION OF THE ONE HUNDRED SIXTEENTH CONGRESS

[In earlier years the appointment or election of a President pro tempore was held by the Senate to be for the occasion only, so that more than one appears in several sessions and in others none were chosen. Since Mar. 12, 1890, however, they have served until "the Senate otherwise ordered."]

Congress	Name of President pro tempore	State	Elected
First	John Langdon	New Hampshire	Apr. 6, 1789.
			Aug. 7, 1789
Second	Richard Henry Lee	Virginia	Apr. 18, 1792.
Do	John Langdon	New Hampshire	Nov. 5, 1792.
			Mar. 1, 1793.
Third	Ralph Izard	South Carolina	May 31, 1794.
Do	Henry Tazewell	Virginia	Feb. 20, 1795.[1]
Fourth	.....do	.....do	Dec. 7, 1795.
Do	Samuel Livermore	New Hampshire	May 6, 1796.
Do	William Bingham	Pennsylvania	Feb. 16, 1797.
Fifth	William Bradford	Rhode Island	July 6, 1797.
Do	Jacob Read	South Carolina	Nov. 22, 1797.
Do	Theodore Sedgwick	Massachusetts	June 27, 1798.
Do	John Laurance	New York	Dec. 6, 1798.
Do	James Ross	Pennsylvania	Mar. 1, 1799.
Sixth	Samuel Livermore	New Hampshire	Dec. 2, 1799.
Do	Uriah Tracy	Connecticut	May 14, 1800.
Do	John E. Howard	Maryland	Nov. 21, 1800.
Do	James Hillhouse	Connecticut	Feb. 28, 1801.
Seventh	Abraham Baldwin	Georgia	Dec. 7, 1801.
			Apr. 17, 1802.
Do	Stephen R. Bradley	Vermont	Dec. 14, 1802.
			Feb. 25, 1803.
			Mar. 2, 1803.
Eighth	John Brown	Kentucky	Oct. 17, 1803.
			Jan. 23, 1804.
Do	Jesse Franklin	North Carolina	Mar. 10, 1804.
Do	Joseph Anderson	Tennessee	Jan. 15, 1805.
			Feb. 28, 1805.
			Mar. 2, 1805.
Ninth	Samuel Smith	Maryland	Dec. 2, 1805.
			Mar. 18, 1806.
			Mar. 2, 1807.
Tenth	.....do	.....do	Apr. 16, 1808.
Do	Stephen R. Bradley	Vermont	Dec. 28, 1808.
Do	John Milledge	Georgia	Jan. 30, 1809.
Eleventh	Andrew Gregg	Pennsylvania	June 26, 1809.
Do	John Gaillard	South Carolina	Feb. 28, 1810.
			Apr. 17, 1810.
Do	John Pope	Kentucky	Feb. 23, 1811.
Twelfth	William H. Crawford	Georgia	Mar. 24, 1812.
Thirteenth	Joseph B. Varnum	Massachusetts	Dec. 6, 1813.
Do	John Gaillard	South Carolina	Apr. 18, 1814.
			Nov. 25, 1814, upon the death of Vice President Elbridge Gerry.[2]

See footnotes at end of table.

Congress	Name of President pro tempore	State	Elected
Fourteenth	.....do	.....do	Mar. 6, 1817.
Fifteenth	.....do	.....do	Mar. 31, 1818.[3]
Do	James Barbour	Virginia	Feb. 15, 1819.
Sixteenth	John Gaillard	South Carolina	Jan. 25, 1820.
Seventeenth	.....do	.....do	Feb. 1, 1822.
			Feb. 19, 1823.
Eighteenth	.....do	.....do	May 21, 1824.
Nineteenth	.....do	.....do	Mar. 9, 1825.[4]
Do	Nathaniel Macon	North Carolina	May 20, 1826.
			Jan. 2, 1827.
			Mar. 2, 1827.
Twentieth	Samuel Smith	Maryland	May 15, 1828.[5]
Twenty-first	.....do	.....do	Mar. 13, 1829.[4]
			May 29, 1830.
			Mar. 1, 1831.[6]
Twenty-second	Littleton W. Tazewell	Virginia	July 9, 1832.
Do	Hugh L. White	Tennessee	Dec. 3, 1832.
Twenty-third	.....do	.....do	(7)
Do	George Poindexter	Mississippi	June 28, 1834.
Do	John Tyler	Virginia	Mar. 3, 1835.
Twenty-fourth	William R. King	Alabama	July 1, 1836.
			Jan. 28, 1837.
Twenty-fifth	.....do	.....do	Mar. 7, 1837.[4]
			Oct. 13, 1837.
			July 2, 1838.
			Feb. 25, 1839.
Twenty-sixth	.....do	.....do	(7)
			July 3, 1840.
			Mar. 3, 1841.
Twenty-seventh	.....do	.....do	Mar. 4, 1841.[4]
Do	Samuel L. Southard	New Jersey	Mar. 11, 1841.[8]
Do	Willie P. Mangum	North Carolina	May 31, 1842.
Twenty-eighth	.....do	.....do	(7)
Twenty-ninth	Ambrose H. Sevier	Arkansas	Dec. 27, 1845.[9]
Do	David R. Atchison	Missouri	Aug. 8, 1846.
			Jan. 11, 1847.
			Mar. 3, 1847.
Thirtieth	.....do	.....do	Feb. 2, 1848.
			June 1, 1848.
			June 26, 1848.
			July 29, 1848.
			Dec. 26, 1848.
			Mar. 2, 1849.
Thirty-first	.....do	.....do	Mar. 5, 1849.[4]
			Mar. 16, 1849.
Do	William R. King	Alabama	May 6, 1850.
			July 11, 1850.
Thirty-second	.....do	.....do	(10)
Do	David R. Atchison	Missouri	Dec. 20, 1852.
Thirty-third	.....do	.....do	Mar. 4, 1853.[4]
Do	Lewis Cass	Michigan	Dec. 4, 1854.
Do	Jesse D. Bright	Indiana	Dec. 5, 1854.
Thirty-fourth	Charles E. Stuart	Michigan	June 9, 1856.[11]
Do	Jesse D. Bright	Indiana	June 11, 1856.
Do	James M. Mason	Virginia	Jan. 6, 1857.[12]
Thirty-fifth	.....do	.....do	Mar. 4, 1857.[4]
Do	Thomas J. Rusk	Texas	Mar. 14, 1857.[4]
Do	Benjamin Fitzpatrick	Alabama	Dec. 7, 1857.
			Mar. 29, 1858.
			June 14, 1858.
			Jan. 25, 1859.
Thirty-sixth	.....do	.....do	Mar. 9, 1859.[4]
			Dec. 19, 1859.
			Feb. 20, 1860.[4]
			June 26, 1860.
Do	Jesse D. Bright	Indiana	June 12, 1860.
Do	Benjamin Fitzpatrick	Alabama	June 26, 1860.
Do	Solomon Foot	Vermont	Feb. 16, 1861.

See footnotes at end of table.

Congress	Name of President pro tempore	State	Elected
Thirty-seventh	Solomon Foot	.....do	Mar. 23, 1861.[4]
			July 18, 1861.
			Jan. 15, 1862.
			Mar. 31, 1862.
			June 19, 1862.
			Feb. 18, 1863.
Thirty-eighth	.....do	.....do	Mar. 4, 1863.[4]
			Dec. 18, 1863.
			Feb. 23, 1864.
			Mar. 11, 1864.
			Apr. 11, 1864.
Do	Daniel Clark	New Hampshire	Apr. 26, 1864.
			Feb. 9, 1865.
Thirty-ninth	Layfayette S. Foster	Connecticut	Mar. 7, 1865.[13]
Do	Benjamin F. Wade	Ohio	Mar. 2, 1867.
Fortieth	.....do	.....do	(7)
Forty-first	Henry B. Anthony	Rhode Island	Mar. 23, 1869.
			Apr. 9, 1869.
			May 28, 1870.
			July 1, 1870.
			July 14, 1870.
Forty-second	.....do	.....do	Mar. 10, 1871.
			Apr. 17, 1871.
			May 23, 1871.[4]
			Dec. 21, 1871.
			Feb. 23, 1872.
			June 8, 1872.
			Dec. 4, 1872.
			Dec. 13, 1872.
			Dec. 20, 1872.
			Jan. 24, 1873.
Forty-third	Matthew H. Carpenter.	Wisconsin	Mar. 12, 1873.[4]
			Mar. 26, 1873.[4]
			Dec. 11, 1873.
			Dec. 23, 1874.
Do	Henry B. Anthony	Rhode Island	Jan. 25, 1875.
			Feb. 15, 1875.
Forty-fourth	Thomas W. Ferry	Michigan	Mar. 9, 1875.[4]
			Mar. 19, 1875.[4]
			Dec. 20, 1875.
Forty-fifth	.....do	.....do	Mar. 5, 1877.[4]
			Feb. 26, 1878.
			Apr. 17, 1878.
			Mar. 3, 1879.
Forty-sixth	Allen G. Thurman	Ohio	Apr. 15, 1879.
			Apr. 7, 1880.
			May 6, 1880.
Forty-seventh	Thomas F. Bayard	Delaware	Oct. 10, 1881.[4]
Do	David Davis	Illinois	Oct. 13, 1881.[14]
Do	George F. Edmunds	Vermont	Mar. 3, 1883.
Forty-eighth	.....do	.....do	Jan. 14, 1884.
Forty-ninth	John Sherman	Ohio	Dec. 7, 1885.[15]
Do	John J. Ingalls	Kansas	Feb. 26, 1887.
Fiftieth	.....do	.....do	(7)
Fifty-first	.....do	.....do	Mar. 7, 1889.[4]
			Apr. 2, 1889.[4]
			Dec. 5, 1889.
			Feb. 28, 1890.
			Apr. 3, 1890.[16]
Do	Charles F. Manderson	Nebraska	Mar. 2, 1891.
Fifty-second	.....do	.....do	
Fifty-third	.....do	.....do	(17)
Do	Isham G. Harris	Tennessee	Mar. 22, 1893.[4]
Do	Matt W. Ransom	North Carolina	Jan. 7, 1895.[18]
Do	Isham G. Harris	Tennessee	Jan. 10, 1895.
Fifty-fourth	William P. Frye	Maine	Feb. 7, 1896.
Fifty-fifth	.....do	.....do	
Fifty-sixth	.....do	.....do	
Fifty-seventh	.....do	.....do	Mar. 7, 1901.[4]
Fifty-eighth	.....do	.....do	
Fifty-ninth	.....do	.....do	
Sixtieth	.....do	.....do	Dec. 5, 1907.

See footnotes at end of table.

Congress	Name of President pro tempore	State	Elected
Sixty-first	.....do	.....do	
Sixty-second	.....do	.....do	(19)
Do	Augustus O. Bacon	Georgia	August 14, 1911.[20]
Do	Charles Curtis	Kansas	Dec. 4, 1911.[21]
Do	Augustus O. Bacon	Georgia	Jan. 15, 1912.[22]
Do	Jacob H. Gallinger	New Hampshire	Feb. 12, 1912.[23]
Do	Henry Cabot Lodge	Massachusetts	Mar. 25, 1912.[24]
Do	.....do	.....do	May 25, 1912.
Sixty-third	James P. Clarke	Arkansas	Mar. 13, 1913.[4]
Sixty-fourth	.....do	.....do	Dec. 6, 1915.[25]
Do	Willard Saulsbury	Delaware	Dec. 14, 1916.
Sixty-fifth	.....do	.....do	
Sixty-sixth	Albert B. Cummins	Iowa	May 19, 1919.
Sixty-seventh	.....do	.....do	Mar. 7, 1921.[4]
Sixty-eighth	.....do	.....do	
Sixty-ninth	.....do	.....do	
Do	George H. Moses	New Hampshire	Mar. 6, 1925.[4]
Seventieth	.....do	.....do	Dec. 15, 1927.
Seventy-first	.....do	.....do	
Seventy-second	.....do	.....do	
Seventy-third	Key Pittman	Nevada	Mar. 9, 1933.
Seventy-fourth	.....do	.....do	Jan. 7, 1935.
Seventy-fifth	.....do	.....do	
Seventy-sixth	.....do	.....do	(26)
Do	William H. King	Utah	Nov. 19, 1940.
Seventy-seventh	Pat Harrison	Mississippi	Jan. 6, 1941.[27]
Do	Carter Glass	Virginia	July 10, 1941.
Seventy-eighth	.....do	.....do	Jan. 14, 1943.
Seventy-ninth	Kenneth McKellar	Tennessee	Jan. 6, 1945.
Eightieth	Arthur H. Vandenberg	Michigan	Jan. 4, 1947.
Eighty-first	Kenneth McKellar	Tennessee	Jan. 3, 1949.
Eighty-second	.....do	.....do	
Eighty-third	Styles Bridges	New Hampshire	Jan. 3, 1953.
Eighty-fourth	Walter F. George	Georgia	Jan. 5, 1955.
Eighty-fifth	Carl Hayden	Arizona	Jan. 3, 1957.
Eighty-sixth	.....do	.....do	
Eighty-seventh	.....do	.....do	
Eighty-eighth	.....do	.....do	Jan. 9, 1963.
Eighty-ninth	.....do	.....do	
Ninetieth	.....do	.....do	
Ninety-first	Richard B. Russell	Georgia	Jan. 3, 1969.[28]
Ninety-second	.....do	.....do	
Do	Allen J. Ellender	Louisiana	Jan. 22, 1971.[29]
Do	James O. Eastland	Mississippi	July 28, 1972.
Ninety-third	.....do	.....do	
Ninety-fourth	.....do	.....do	
Ninety-fifth	.....do	.....do	
Ninety-sixth	Warren G. Magnuson	Washington	Jan. 15, 1979.
Do	Milton R. Young	North Dakota	Dec. 4, 1980.[30]
Ninety-seventh	Strom Thurmond	South Carolina	Jan. 5, 1981.
Ninety-eighth	.....do	.....do	
Ninety-ninth	.....do	.....do	Jan. 3, 1985.
One-hundredth	John C. Stennis	Mississippi	Jan. 6, 1987.
One-hundred-first	Robert C. Byrd	West Virginia	Jan. 3, 1989.
One-hundred-second	.....do	.....do	
One-hundred-third	.....do	.....do	
One-hundred-fourth	Strom Thurmond	South Carolina	Jan. 4, 1995.
One-hundred-fifth	.....do	.....do	
One-hundred-sixth	.....do	.....do	
One-hundred-seventh	Robert C. Byrd	West Virginia	Jan. 3, 2001.[31]
Do	Strom Thurmond	South Carolina	Jan. 3, 2001.[32]
Do	Robert C. Byrd	West Virginia	June 6, 2001.
One-hundred-eighth	Ted Stevens	Alaska	Jan. 7, 2003.
One-hundred-ninth	.....do	.....do	
One-hundred-tenth	Robert C. Byrd	West Virginia	Jan. 4, 2007.
One-hundred-eleventh.	.....do	.....do	(33)
Do	Daniel K. Inouye	Hawaii	June 28, 2010.
One-hundred-twelfth	.....do	.....do	(34)
Do	Patrick J. Leahy	Vermont	Dec. 17, 2012.
One-hundred-thirteenth.	.....do	.....do	

See footnotes at end of table.

Congress	Name of President pro tempore	State	Elected
One-hundred-fourteenth.	Orrin Hatch	Utah	Jan. 6, 2015.
One-hundred-fifteenth.	.....do	.....do	Jan. 3, 2017.
One-hundred-sixteenth.	Charles E. Grassley	Iowa	Jan. 3, 2019.

[1] Samuel Livermore was elected Feb. 20, 1795, but declined.
[2] Vice President Gerry died in preceding Congress.
[3] Continuing from preceding session.
[4] Special session of the Senate.
[5] Nathaniel Macon, of North Carolina, was first elected on the same day, but declined to serve.
[6] Littleton W. Tazewell, of Virginia, was first elected, but declined to serve.
[7] Continuing from preceding session.
[8] Special session of the Senate. Resigned as President pro tempore May 31, 1842.
[9] Served as President pro tempore 1 day, under designation by the Vice President.
[10] Resigned as President pro tempore Dec. 20, 1852.
[11] Resigned June 11, 1856.
[12] Served Jan. 5, 1856, by request of President pro tempore Bright.
[13] Special session of the Senate. Elected "to serve in the absence of the Vice President" and served until Mar. 2, 1867.
[14] Special session of the Senate. Resigned Mar. 3, 1883.
[15] Resigned as President pro tempore, effective Feb. 26, 1887.
[16] Resigned as President pro tempore, effective Mar. 2, 1891; in March 1890, the Senate adopted a resolution stating that Presidents pro tempore would hold office continuously until the election of another President pro tempore, rather than being elected for the period in which the vice president was absent. The new system has continued to the present.
[17] Resigned as President pro tempore Mar. 22, 1893.
[18] Resigned as President pro tempore Jan. 10, 1895.
[19] Resigned as President pro tempore Apr. 27, 1911.
[20] Bacon served as President pro tempore Aug. 14 but was actually elected on Aug. 13.
[21] Elected to serve Dec. 4 to 12, 1911.
[22] Elected to serve Jan. 15 to 17, Mar. 11 and 12, Apr. 8, May 10, May 30 to June 3, June 13 to July 5, Aug. 1 to 10, and Aug. 27 to Dec. 15, 1912; Jan. 5 to 18 and Feb. 2 to 15, 1913.
[23] Elected to serve Feb. 12 to 14, Apr. 26 and 27, May 7, July 6 to 31, Aug. 12 to 26, 1912; Dec. 16, 1912, to Jan. 4, 1913; Jan 19 to Feb. 1 and Feb. 16 to Mar. 3, 1913.
[24] Elected to serve Mar. 25 and 26, 1912.
[25] Died Oct. 1, 1916.
[26] Died Nov. 10, 1940.
[27] Died June 22, 1941.
[28] Died Jan. 21, 1971.
[29] Died July 27, 1972.
[30] Elected to serve for one day only (Dec. 5, 1980). Magnuson resumed the post.
[31] Elected to serve Jan. 3 to Jan. 20, 2001.
[32] Elected to serve beginning Jan. 20, 2001, after Republicans regained control of the Senate. Thurmond was designated President pro tempore emeritus of the United States Senate (S. Res. 103, 107–1, June 6, 2001) after Democrats regained control of Senate.
[33] Died June 28, 2010.
[34] Died Dec. 17, 2012.

1801 DEPUTY PRESIDENTS PRO TEMPORE OF THE SENATE [1]

Congress	Name	State	Elected
95th	Hubert H. Humphrey	Minnesota	Jan. 10, 1977 (effective Jan. 5, 1977).[2]
100th	George J. Mitchell	Maine	Jan. 28, 1987.[3]

[1] This office was established by S. Res. 17, 95–1, agreed to Jan. 10, 1977 (effective Jan. 5, 1977). The resolution provided that "[a]ny Member of the Senate who has held the Office of President of the United States or Vice President of the United States shall be a Deputy President pro tempore".
[2] Died Jan. 13, 1978.
[3] S. Res. 90, 100–1, agreed to Jan. 28, 1987, provided that in addition to Senators who hold the Office of Deputy President pro tempore under authority of S. Res. 17, 95–1, any other Member of the Senate designated by Senate resolution shall hold the office at the pleasure of the Senate during the 100th Congress. Senator Mitchell was so designated by S. Res. 91, agreed to the same date.

1802 PERMANENT ACTING PRESIDENT PRO TEMPORE OF THE SENATE [1]

Congress	Name	State	Elected
88th–95th	Lee Metcalf	Montana	Feb. 7, 1964.[2]

[1] Development of this office started in 1963 upon adoption of S. Res. 232 and S. Res. 238, making Senator Metcalf Permanent Acting President pro tempore from Dec. 9, 1963, until meeting of the second regular session of the 88th Congress. On Feb. 7, 1964, S. Res. 296 was adopted authorizing Senator Metcalf "to perform the duties of the Chair as Acting President pro tempore until otherwise ordered by the Senate."
[2] Died Jan. 12, 1978.

1803 PRESIDENTS PRO TEMPORE EMERITUS OF THE SENATE [1]

Congress	Name	State	Elected
107th	Strom Thurmond	South Carolina	June 6, 2001.[2]
108th	Robert C. Byrd	West Virginia	Jan. 15, 2003.[3]
110th	Ted Stevens	Alaska	Jan. 4, 2007.[4]
114th	Patrick J. Leahy	Vermont	Jan. 6, 2015.[5]
115th	.....do	.....do	
116th	.....do	.....do	

[1] This office was first created on June 6, 2001, with S. Res. 103, designating Senator Strom Thurmond as President pro tempore emeritus.
[2] Designated by S. Res. 103.
[3] Designated by S. Res. 21.
[4] Designated by S. Res. 6.
[5] Designated by S. Res. 6.

[1804]

SENATORS OF THE UNITED STATES

FROM THE FIRST CONGRESS TO THE BEGINNING OF THE SECOND SESSION OF THE ONE HUNDRED SIXTEENTH CONGRESS

CLASSIFICATION OF SENATORS

Under Article I, section 3, clause 2, of the Constitution of the United States, relating to the classification of Senators in the First and succeeding Congresses, it was provided that, "Immediately after they shall be assembled in consequence of the first election they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year." The classification of the Senators of the First Congress was made in accordance with this provision by lot. The following table shows the classes to which the Senators of the First Congress, and from States subsequently admitted into the Union, were severally assigned, and the succession in each State to the second session of the One Hundred Thirteenth Congress.

TERMS OF SENATORS

Technically, pursuant to the Twentieth Amendment to the Constitution of the United States, ratified January 23, 1933, the terms of Members of the Senate commence at noon on the third day of January and end six years later at noon on the third day of January. In view of the impracticality of dealing with split days, however, it has been the long established practice for payment of salaries, computation of allowances, and recording of service to credit a Member for the full day of the third of January and to consider the term as ended at the close of business on the second of January six years later. Accordingly, the service of Members of the Senate is shown on that basis in the following tables.

TABLE OF SENATORS FROM THE FIRST CONGRESS TO THE SECOND SESSION OF THE ONE HUNDRED SIXTEENTH CONGRESS *

ALABAMA

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
16th–29th	William R. King	Dec. 14, 1819	Mar. 3, 1847	Res. Apr. 15, 1844.
28th	Dixon H. Lewis	Apr. 22, 1844	Dec. 9, 1844	By gov., to fill vac.
28th–32d	.....do	Dec. 10, 1844	Mar. 3, 1853	Died Oct. 25, 1848.
30th–31st	Benjamin Fitzpatrick	Nov. 25, 1848	Nov. 30, 1849	By gov., to fill vac.
31st–32d	Jeremiah Clemens	Nov. 30, 1849	Mar. 3, 1853	
33d–38th	Clement Claiborne Clay, Jr.	Mar. 4, 1853	Mar. 3, 1865	(1)
40th–41st	Willard Warner	July 23, 1868	Mar. 3, 1871	(2)
42d–44th	George Goldthwaite	Mar. 4, 1871	Mar. 3, 1877	(3)
45th–62d	John T. Morgan	Mar. 4, 1877	Mar. 3, 1913	Died June 11, 1907.
60th	John H. Bankhead	June 18, 1907	July 16, 1907	By gov., to fill vac.
60th–68th	.....do	July 17, 1907	Mar. 3, 1925	Died Mar. 1, 1920.
66th	Braxton B. Comer	Mar. 5, 1920	Nov. 2, 1920	By gov., to fill vac.
66th–71st	J. Thomas Heflin	Nov. 3, 1920	Mar. 3, 1931	
72d–80th	John H. Bankhead II	Mar. 4, 1931	Jan. 2, 1949	Died June 12, 1946.
79th	George R. Swift	June 15, 1946	Nov. 5, 1946	By gov., to fill vac.
79th–95th	John Sparkman	Nov. 6, 1946	Jan. 2, 1979	
96th–104th	Howell Heflin	Jan. 3, 1979	Jan. 2, 1997	
105th–116th	Jeff Sessions	Jan. 3, 1997	Jan. 2, 2021	Res. Feb. 8, 2017.
115th	Luther Strange	Feb. 9, 2017	Jan. 2, 2018	By gov., to fill vac.
115th–116th	Doug Jones	Jan. 3, 2018	Jan. 2, 2021	

CLASS 3

16th–18th	John W. Walker	Dec. 14, 1819	Mar. 3, 1825	Res. Dec. 12, 1822.
17th–18th	William Kelly	Dec. 12, 1822	Do.	
19th–21st	Henry H. Chambers	Mar. 4, 1825	Mar. 3, 1831	Died Jan. 24, 1826.
19th	Israel Pickens	Feb. 17, 1826	Nov. 27, 1826	By gov., to fill vac.
19th–21st	John McKinley	Nov. 27, 1826	Mar. 3, 1831	
22d–24th	Gabriel Moore	Mar. 4, 1831	Mar. 3, 1837	
25th	John McKinley	Mar. 4, 1837	Mar. 3, 1843	Res. Apr. 22, 1837.
25th–27th	Clement Comer Clay	June 19, 1837	Do.	Res. Nov. 15, 1841.
27th–30th	Arthur P. Bagby	Nov. 24, 1841	Mar. 3, 1849	Res. June 16, 1848.
30th	William R. King	July 1, 1848	Do.	By gov., to fill vac.
31st–33d	.....do	Mar. 4, 1849	Mar. 3, 1855	Res. Dec. 20, 1852.
32d–33d	Benjamin Fitzpatrick	Jan. 14, 1853	Mar. 3, 1855	By gov., to fill vac.
34th–36th	.....do	Mar. 4, 1855	Mar. 3, 1861	(4)
40th–45th	George E. Spencer	July 21, 1868	Mar. 3, 1879	(5)
46th–48th	George S. Houston	Mar. 4, 1879	Mar. 3, 1885	Died Dec. 31, 1879.
46th	Luke Pryor	Jan. 7, 1880	Nov. 23, 1880	By gov., to fill vac.
46th–54th	James L. Pugh	Nov. 24, 1880	Mar. 3, 1897	
55th–60th	Edmund W. Pettus	Mar. 4, 1897	Mar. 3, 1909	Died July 27, 1907.
60th-63d	Joseph F. Johnston	Aug. 6, 1907	Mar. 3, 1915	(6)
63d	Francis S. White	May 11, 1914	Do.	
64th–69th	Oscar W. Underwood	Mar. 4, 1915	Mar. 3, 1927	
70th–75th	Hugo Black	Mar. 4, 1927	Jan. 2, 1939	Res. Aug. 19, 1937.
75th	Dixie Bibb Graves	Aug. 20, 1937	Do.	(7)
75th	J. Lister Hill	Jan. 11, 1938	Apr. 26, 1938	By gov., to fill vac.
75th–90th	.....do	April 27, 1938	Jan. 2, 1969	
91st–96th	James B. Allen	Jan. 3, 1969	Jan. 2, 1981	Died June 1, 1978.
95th	Maryon Pittman Allen	June 8, 1978	Nov. 7, 1978	By gov., to fill vac.
95th–96th	Donald W. Stewart	Nov. 8, 1978	Jan. 2, 1981	Res. Jan. 1, 1981.
96th–99th	Jeremiah Denton	Jan. 2, 1981	Jan. 2, 1987	(8)
100th–117th	Richard C. Shelby	Jan. 3, 1987	Jan. 2, 2023	

*These tables are accurate as of January 2019.

Footnotes continued on next page.

[1] Withdrew from the Senate Jan. 21, 1861. Seat declared vacant Mar. 14, 1861. Because of Civil War, vacancy from Jan. 21, 1861, to July 22, 1868.
[2] By legislature, to fill vacancy in term beginning Mar. 4, 1865. Seated July 25, 1868.
[3] Not sworn in until Jan. 15, 1872, because of contested election.
[4] Withdrew from the Senate Jan. 21, 1861. Seat declared vacant Mar. 14, 1861. Because of Civil War, vacancy from Jan. 21, 1861, to July 20, 1868.
[5] By legislature, to fill vacancy in term beginning Mar. 4, 1867. Seated July 25, 1868.
[6] Died Aug. 8, 1913. Vacancy from Aug. 8, 1913, to May 11, 1914. Henry D. Clayton was appointed by governor Aug. 12, 1913, to fill vacancy but his credentials were withdrawn on Oct. 21, 1913; Frank P. Glass was appointed by governor Nov. 17, 1913, but by Senate resolution, Feb. 4, 1914, was declared not entitled to a seat.
[7] By governor, to fill vacancy. Resigned Jan. 10, 1938.
[8] Elected for term commencing Jan. 3, 1981; subsequently appointed by governor on Jan. 2, 1981, to fill vacancy in term ending Jan. 2, 1981.

1807 1808

ALASKA

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
86th–92d	E. L. Bartlett	Jan. 3, 1959	Jan. 2, 1973	Died Dec. 11, 1968.
90th–91st	Ted Stevens	Dec. 24, 1968	Nov. 3, 1970	By gov., to fill vac.
91st–110th	.....do	Nov. 4, 1970	Jan. 2, 2009	
111th–113th	Mark Begich	Jan. 3, 2009	Jan. 2, 2015	
114th–116th	Dan Sullivan	Jan. 3, 2015	Jan. 2, 2021	

CLASS 3

86th–90th	Ernest Gruening	Jan. 3, 1959	Jan. 2, 1969	
91st–96th	Mike Gravel	Jan. 3, 1969	Jan. 2, 1981	
97th–108th	Frank H. Murkowski	Jan. 3, 1981	Jan. 2, 2005	Res. Dec. 2, 2002.
107th–108th	Lisa Murkowski	Dec. 20, 2002	Nov. 2, 2004	By gov., to fill vac.
109th–117th	.....do	Nov. 3, 2004	Jan. 2, 2023	

1809 1810

ARIZONA

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
62d–76th	Henry Fountain Ashurst	Mar. 27, 1912	Jan. 2, 1941	
77th–82d	Ernest W. McFarland	Jan. 3, 1941	Jan. 2, 1953	
83d–88th	Barry Goldwater	Jan. 3, 1953	Jan. 2, 1965	
89th–94th	Paul J. Fannin	Jan. 3, 1965	Jan. 2, 1977	
95th–103d	Dennis DeConcini	Jan. 3, 1977	Jan. 2, 1995	
104th–112th	Jon Kyl	Jan. 3, 1995	Jan. 2, 2013	
113th–115th	Jeff Flake	Jan. 3, 2013	Jan. 2, 2019	
116th–118th	Krysten Sinema	Jan. 3, 2019	Jan. 2, 2025	

CLASS 3

62d–66th	Marcus A. Smith	Mar. 27, 1912	Mar. 3, 1921	
67th–69th	Ralph H. Cameron	Mar. 4, 1921	Mar. 3, 1927	
70th–90th	Carl Hayden	Mar. 4, 1927	Jan. 2, 1969	
91st–99th	Barry Goldwater	Jan. 3, 1969	Jan. 2, 1987	
100th–117th	John S. McCain III	Jan. 3, 1987	Jan. 2, 2023	Died Aug. 25, 2018
115th	Jon Kyl	Sept. 4, 2018	Nov. 3, 2020	(1)
116th	Martha McSally	Jan. 3, 2018	Do.	By gov., to fill vac.

[1] By governor, to fill vacancy. Resigned Dec. 31, 2018.

1811 1812

ARKANSAS

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
24th–29th	William S. Fulton	Sept. 18, 1836	Mar. 3, 1847	Died Aug. 15, 1844.
28th–32d	Chester Ashley	Nov. 8, 1844	Mar. 3, 1853	Died Apr. 29, 1848.
30th	William K. Sebastian	May 12, 1848	Nov. 16, 1848	By gov., to fill vac.

See footnotes at end of Arkansas table.

ARKANSAS—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
30th–38th	.....do	Nov. 17, 1848	Mar. 3, 1865	(1)
40th–41st	Alexander McDonald	June 22, 1868	Mar. 3, 1871	(2)
42d–44th	Powell Clayton	Mar. 4, 1871	Mar. 3, 1877	
45th–50th	Augustus H. Garland	Mar. 4, 1877	Mar. 3, 1889	Res. Mar. 6, 1885.
49th–59th	James H. Berry	Mar. 20, 1885	Mar. 3, 1907	
60th–62d	Jeff Davis	Mar. 4, 1907	Mar. 3, 1913	Died Jan. 3, 1913.
62d	John N. Heiskell	Jan. 6, 1913	Jan. 29, 1913	By gov., to fill vac.
Do	William M. Kavanaugh	Jan. 29, 1913	Mar. 3, 1913	
63d–77th	Joseph T. Robinson	Mar. 10, 1913	Jan. 2, 1943	(3)
75th–77th	John E. Miller	Nov. 15, 1937	Do.	(4)
77th	Lloyd Spencer	Apr. 1, 1941	Do.	By gov., to fill vac.
78th–95th	John L. McClellan	Jan. 3, 1943	Jan. 2, 1979	Died Nov. 28, 1977.
95th	Kaneaster Hodges, Jr.	Dec. 10, 1977	Do.	By gov., to fill vac.
96th–104th	David H. Pryor	Jan. 3, 1979	Jan. 2, 1997	
105th–107th	Tim Hutchinson	Jan. 3, 1997	Jan. 2, 2003	
108th–113th	Mark Pryor	Jan. 3, 2003	Jan. 2, 2015	
114th–116th	Tom Cotton	Jan. 3, 2015	Jan. 2, 2021	

CLASS 3

24th–30th	Ambrose H. Sevier	Sept. 18, 1836	Mar. 3, 1849	Res. Mar. 15, 1848.
30th	Solon Borland	Mar. 30, 1848	Nov. 16, 1848	By gov., to fill vac.
30th–33d	.....do	Nov. 17, 1848	Mar. 3, 1855	Res. Apr. 3, 1853.
33d	Robert W. Johnson	July 6, 1853	Nov. 9, 1854	By gov., to fill vac.
33d–36th	.....do	Nov. 10, 1854	Mar. 3, 1861	
37th–39th	Charles B. Mitchel	Mar. 4, 1861	Mar. 3, 1867	(5)
40th–42d	Benjamin F. Rice	June 23, 1868	Mar. 3, 1873	(6)
43d–45th	Stephen W. Dorsey	Mar. 4, 1873	Mar. 3, 1879	
46th–48th	James D. Walker	Mar. 4, 1879	Mar. 3, 1885	
49th–57th	James K. Jones	Mar. 4, 1885	Mar. 3, 1903	
58th–66th	James P. Clarke	Mar. 4, 1903	Mar. 3, 1921	Died Oct. 1, 1916.
64th–66th	William F. Kirby	Nov. 8, 1916	Do.	
67th–72d	Thaddeus H. Caraway	Mar. 4, 1921	Mar. 3, 1933	Died Nov. 6, 1931.
72d	Hattie W. Caraway	Nov. 13, 1931	Jan. 12, 1932	By gov., to fill vac.
72d–78th	.....do	Jan. 13, 1932	Jan. 2, 1945	
79th–93d	J. William Fulbright	Jan. 3, 1945	Jan. 2, 1975	Res. Dec. 31, 1974.
94th–105th	Dale Bumpers	Jan. 3, 1975	Jan. 2, 1999	
106th–111th	Blanche L. Lincoln	Jan. 3, 1999	Jan. 2, 2011	
112th–117th	John Boozman	Jan. 3, 2011	Jan. 2, 2023	

[1] Expelled July 11, 1861. Because of Civil War, vacancy from July 11, 1861, to June 22, 1868, when Arkansas was readmitted to representation.
[2] By legislature, to fill vacancy in term beginning Mar. 4, 1865.
[3] Elected Jan. 28, 1913, for the term beginning Mar. 4, 1913. Took oath Mar. 10, 1913. Served as governor until Mar. 8, 1913. Died July 14, 1937. Vacancy from July 15 to Nov. 14, 1937.
[4] Elected Oct. 18, 1937. Served in House during interim. Resigned Mar. 31, 1941.
[5] Expelled July 11, 1861. Because of Civil War, vacancy from July 11, 1861, to June 22, 1868, when Arkansas was readmitted to representation.
[6] By legislature, to fill vacancy in term beginning Mar. 4, 1867.

CALIFORNIA

1813 1814

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
31st	John C. Fremont	Sept. 9, 1850	Mar. 3, 1851	
32d–34th	John B. Weller	Jan. 30, 1852	Mar. 3, 1857	(1)
35th–37th	David C. Broderick	Mar. 4, 1857	Mar. 3, 1863	Died Sept. 16, 1859.
36th	Henry P. Haun	Nov. 3, 1859	Mar. 5, 1860	By gov., to fill vac.
36th–37th	Milton S. Latham	Mar. 5, 1860	Mar. 3, 1863	
38th–40th	John Conness	Mar. 4, 1863	Mar. 3, 1869	
41st–43d	Eugene Casserly	Mar. 4, 1869	Mar. 3, 1875	Res. Nov. 29, 1873.
43d	John S. Hager	Dec. 23, 1873	Do.	
44th–46th	Newton Booth	Mar. 4, 1875	Mar. 3, 1881	
47th–49th	John F. Miller	Mar. 4, 1881	Mar. 3, 1887	Died Mar. 8, 1886.
49th	George Hearst	Mar. 23, 1886	Aug. 4, 1886	By gov., to fill vac.
Do	Abram P. Williams	Aug. 4, 1886	Mar. 3, 1887	

See footnotes at end of California table.

CALIFORNIA—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
50th–52d	George Hearst	Mar. 4, 1887	Mar. 3, 1893	Died Feb. 28, 1891.
52d	Charles N. Felton	Mar. 19, 1891	Do.	
53d–55th	Stephen M. White	Mar. 4, 1893	Mar. 3, 1899	
56th–58th	Thomas R. Bard	Feb. 7, 1900	Mar. 3, 1905	(2)
59th–61st	Frank P. Flint	Mar. 4, 1905	Mar. 3, 1911	
62d–64th	John D. Works	Mar. 4, 1911	Mar. 3, 1917	
65th–79th	Hiram W. Johnson	Mar. 16, 1917	Jan. 2, 1947	(3)
78th	William F. Knowland	Aug. 26, 1945	Nov. 5, 1946	By gov., to fill vac.
78th–85th	.....do	Nov. 6, 1946	Jan. 2, 1959	
86th–88th	Clair Engle	Jan. 3, 1959	Jan. 2, 1965	Died July 30, 1964.
88th	Pierre Salinger	Aug. 4, 1964	Jan. 2, 1971	By gov., to fill vac.[4]
88th–91st	George Murphy	Jan. 1, 1965	Do.	(5)
91st–94th	John V. Tunney	Jan. 2, 1971	Jan. 2, 1977	(6)
94th–97th	S. I. Hayakawa	Jan. 2, 1977	Jan. 2, 1983	(7)
98th–102d	Pete Wilson	Jan. 3, 1983	Jan. 2, 1995	Res. Jan. 7, 1991.
102d	John Seymour	Jan. 7, 1991	Nov. 3, 1992	By gov., to fill vac.
102d–118th	Dianne Feinstein	Nov. 4, 1992	Jan. 2, 2025	

CLASS 3

31st–33d	William M. Gwin	Sept. 9, 1850	Mar. 3, 1855	(8)
34th–36th	.....do	Jan. 13, 1857	Mar. 3, 1861	
37th–39th	James A. McDougall	Mar. 4, 1861	Mar. 3, 1867	
40th–42d	Cornelius Cole	Mar. 4, 1867	Mar. 3, 1873	
43d–45th	Aaron A. Sargent	Mar. 4, 1873	Mar. 3, 1879	
46th–48th	James T. Farley	Mar. 4, 1879	Mar. 3, 1885	
49th–54th	Leland Stanford	Mar. 4, 1885	Mar. 3, 1897	Died June 21, 1893.
53d	George C. Perkins	July 26, 1893	Jan. 22, 1895	By gov., to fill vac.
53d–63d	.....do	Jan. 23, 1895	Mar. 3, 1915	
64th–66th	James D. Phelan	Mar. 4, 1915	Mar. 3, 1921	
67th–72d	Samuel M. Shortridge	Mar. 4, 1921	Mar. 3, 1933	
73d–75th	William Gibbs McAdoo	Mar. 4, 1933	Jan. 2, 1939	Res. Nov. 8, 1938.
75th	Thomas M. Storke	Nov. 9, 1938	Do.	By gov., to fill vac.
76th–81st	Sheridan Downey	Jan. 3, 1939	Jan. 2, 1951	Res. Nov. 30, 1950.
81st–84th	Richard M. Nixon	Dec. 1, 1950	Jan 2, 1957	(9)
83d	Thomas H. Kuchel	Jan. 2, 1953	Nov. 2, 1954	By gov., to fill vac.
83d–90th	.....do	Nov. 3, 1954	Jan. 2, 1969	
91st–102d	Alan Cranston	Jan. 3, 1969	Jan. 2, 1993	
103d–114th	Barbara Boxer	Jan. 3, 1993	Jan. 2, 2017	
115th–117th	Kamala O. Harris	Jan. 3, 2017	Jan. 2, 2023	

[1] Vacancy from Mar. 4, 1851, to Jan. 30, 1852.
[2] Vacancy from Mar. 4, 1899, to Feb. 7, 1900, because of failure of legislature to elect.
[3] Elected Nov. 7, 1916. Took oath Apr. 2, 1917. Governor during interim, until his resignation on Mar. 15, 1917. Died Aug. 6, 1945.
[4] Resigned Dec. 31, 1964.
[5] Elected to full term beginning Jan. 3, 1965; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1965. Resigned Jan. 1, 1971.
[6] Elected to full term beginning Jan. 3, 1971; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1971. Resigned Jan. 1, 1977.
[7] Elected to full term beginning Jan. 3, 1977; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1977.
[8] Vacancy from Mar. 4, 1855, to Jan. 12, 1857, because of failure of legislature to elect.
[9] Elected to full term commencing Jan. 3, 1951; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1951. Resigned Nov. 11, 1952, effective Jan. 1, 1953, having been elected Vice President of the United States for the 42nd term on Nov. 4, 1952.

COLORADO

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
44th–47th	Henry M. Teller	Nov. 15, 1876	Mar. 3, 1883	Res. Apr. 17, 1882.
47th	George M. Chilcott	Apr. 17, 1882	Jan. 27, 1883	By gov., to fill vac.
47th	Horace A. W. Tabor	Jan. 27, 1883	Mar. 3, 1883	
48th–50th	Thomas M. Bowen	Mar. 4, 1883	Mar. 3, 1889	
51st–56th	Edward O. Wolcott	Mar. 4, 1889	Mar. 3, 1901	
57th–59th	Thomas M. Patterson	Mar. 4, 1901	Mar. 3, 1907	

See footnotes at end of Colorado table.

COLORADO—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
60th–62d	Simon Guggenheim	Mar. 4, 1907	Mar. 3, 1913	
63d–65th	John F. Shafroth	Mar. 4, 1913	Mar. 3, 1919	
66th–71st	Lawrence C. Phipps	Mar. 4, 1919	Mar. 3, 1931	
72d–74th	Edward P. Costigan	Mar. 4, 1931	Jan. 2, 1937	
75th–83d	Edwin C. Johnson	Jan. 3, 1937	Jan. 2, 1955	
84th–92d	Gordon Allott	Jan. 3, 1955	Jan. 2, 1973	
93d–95th	Floyd K. Haskell	Jan. 3, 1973	Jan. 2, 1979	
96th–101st	William L. Armstrong	Jan. 3, 1979	Jan. 2, 1991	
102d–104th	Hank Brown	Jan. 3, 1991	Jan. 2, 1997	
105th–110th	Wayne Allard	Jan. 3, 1997	Jan. 2, 2009	
111th–113th	Mark Udall	Jan. 3, 2009	Jan. 2, 2015	
114th–116th	Cory Gardner	Jan. 3, 2015	Jan. 2, 2021	

CLASS 3

44th–45th	Jerome B. Chaffee	Nov. 15, 1876	Mar. 3, 1879	
46th–48th	Nathaniel P. Hill	Mar. 4, 1879	Mar. 3, 1885	
49th–60th	Henry M. Teller	Mar. 4, 1885	Mar. 3, 1909	
61st–63d	Charles J. Hughes, Jr.	Mar. 4, 1909	Mar. 3, 1915	Died Jan. 11, 1911.
62d–66th	Charles S. Thomas	Jan. 15, 1913	Mar. 3, 1921	(1)
67th–69th	Samuel D. Nicholson	Mar. 4, 1921	Mar. 3, 1927	Died Mar. 24, 1923.
68th	Alva B. Adams	May 17, 1923	Nov. 30, 1924	By gov., to fill vac.
68th–69th	Rice W. Means	Dec. 1, 1924	Mar. 3, 1927	
70th–72d	Charles W. Waterman	Mar. 4, 1927	Mar. 3, 1933	Died Aug. 27, 1932.
72d	Walter Walker	Sept. 26, 1932	Dec. 6, 1932	By gov., to fill vac.
Do	Karl C. Schuyler	Dec. 7, 1932	Mar. 3, 1933	
73d–78th	Alva B. Adams	Mar. 4, 1933	Jan. 2, 1945	Died Dec. 1, 1941.
77th	Eugene D. Millikin	Dec. 20, 1941	Nov. 3, 1942	By gov., to fill vac.
77th–84th	.....do	Nov. 4, 1942	Jan. 2, 1957	
85th–87th	John A. Carroll	Jan. 3, 1957	Jan. 2, 1963	
88th–93d	Peter H. Dominick	Jan. 3, 1963	Jan. 2, 1975	
94th–99th	Gary W. Hart	Jan. 3, 1975	Jan. 2, 1987	
100th–102d	Timothy E. Wirth	Jan. 3, 1987	Jan. 2, 1993	
103d–108th	Ben Nighthorse Campbell	Jan. 3, 1993	Jan. 2, 2005	
109th–111th	Ken Salazar	Jan. 3, 2005	Jan. 2, 2011	Res. Jan. 20, 2009.
111th	Michael Bennet	Jan. 21, 2009	Jan. 2, 2011	By gov., to fill vac.
112th–117th	.....do	Jan. 3, 2011	Jan. 2, 2023	

[1] Vacancy from Jan. 11, 1911, to Jan. 14, 1913, because of failure of legislature to elect.

CONNECTICUT 1817 1818

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st–4th	Oliver Ellsworth	Mar. 4, 1789	Mar. 3, 1797	Res. Mar. 8, 1796.
4th–13th	James Hillhouse	May 18, 1796	Mar. 3, 1815	Res. June 10, 1810.
11th–16th	Samuel W. Dana	Dec. 4, 1810	Mar. 3, 1821	
17th–19th	Elijah Boardman	Mar. 4, 1821	Mar. 3, 1827	Died Oct. 8, 1823.
18th	Henry W. Edwards	Oct. 8, 1823	May 4, 1824	By gov., to fill vac.
18th–19th	.....do	May 5, 1824	Mar. 3, 1827	
20th–22d	Samuel A. Foot	Mar. 4, 1827	Mar. 3, 1833	
23d–25th	Nathan Smith	Mar. 4, 1833	Mar. 3, 1839	Died Dec. 6, 1835.
24th	John M. Niles	Dec. 14, 1835	May 3, 1836	By gov., to fill vac.
24th–25th	.....do	May 4, 1836	Mar. 3, 1839	
26th–28th	Thaddeus Betts	Mar. 4, 1839	Mar. 3, 1845	Died Apr. 7, 1840.
26th–31st	Jabez W. Huntington	May 4, 1840	Mar. 3, 1851	Died Nov. 2, 1847.
30th	Roger S. Baldwin	Nov. 11, 1847	May 2, 1848	By gov., to fill vac.
30th–31st	.....do	May 3, 1848	Mar. 3, 1851	
32d–34th	Isaac Toucey	May 12, 1852	Mar. 3, 1857	(1)
35th–40th	James Dixon	Mar. 4, 1857	Mar. 3, 1869	
41st–43d	William A. Buckingham	Mar. 4, 1869	Mar. 3, 1875	Died Feb. 5, 1875.
43d	William W. Eaton	Feb. 5, 1875	Do.	By gov., to fill vac.
44th–46th	.....do	Mar. 4, 1875	Mar. 3, 1881	
47th–58th	Joseph R. Hawley	Mar. 4, 1881	Mar. 3, 1905	
59th–61st	Morgan G. Bulkeley	Mar. 4, 1905	Mar. 3, 1911	

See footnotes at end of Connecticut table.

CONNECTICUT—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
62d–70th	George P. McLean	Mar. 4, 1911	Mar. 3, 1929	
71st–73d	Frederic C. Walcott	Mar. 4, 1929	Jan. 2, 1935	
74th–79th	Francis Maloney	Jan. 3, 1935	Jan. 2, 1947	Died Jan. 16, 1945.
79th	Thomas C. Hart	Feb. 15, 1945	Nov. 5, 1946	By gov., to fill vac.
80th–82d	Raymond E. Baldwin	Dec. 27, 1946	Jan. 2, 1953	(2)
81st	William Benton	Dec. 17, 1949	Nov. 7, 1950	By gov., to fill vac.
81st–82d	.....do	Nov. 8, 1950	Jan. 2, 1953	
83d–85th	William A. Purtell	Jan. 3, 1953	Jan. 2, 1959	
86th–91st	Thomas J. Dodd	Jan. 3, 1959	Jan. 2, 1971	
92d–100th	Lowell P. Weicker, Jr.	Jan. 3, 1971	Jan. 2, 1989	
101st–112th	Joseph I. Lieberman	Jan. 3, 1989	Jan. 2, 2013	
113th–118th	Christopher Murphy	Jan. 3, 2013	Jan. 2, 2025	

CLASS 3

1st–3d	William S. Johnson	Mar. 4, 1789	Mar. 3, 1795	Res. Mar. 4, 1791.
2d–3d	Roger Sherman	June 13, 1791	Do.	Died July 23, 1793.
3d	Stephen M. Mitchell	Dec. 2, 1793	Do.	
4th–6th	Jonathan Trumbull	Mar. 4, 1795	Mar. 3, 1801	Res. June 10, 1796.
4th–12th	Uriah Tracy	Oct. 13, 1796	Mar. 3, 1813	Died July 19, 1807.
10th–15th	Chauncey Goodrich	Oct. 25, 1807	Mar. 3, 1819	Res. in May 1813.
13th–15th	David Daggett	May 13, 1813	Do.	
16th–18th	James Lanman	Mar. 4, 1819	Mar. 3, 1825	
19th–21st	Calvin Willey	May 4, 1825	Mar. 3, 1831	(3)
22d–24th	Gideon Tomlinson	Mar. 4, 1831	Mar. 3, 1837	
25th–27th	Perry Smith	Mar. 4, 1837	Mar. 3, 1843	
28th–30th	John M. Niles	Mar. 4, 1843	Mar. 3, 1849	
31st–33d	Truman Smith	Mar. 4, 1849	Mar. 3, 1855	(4)
33d	Francis Gillette	May 25, 1854	Do.	
34th–39th	Lafayette S. Foster	Mar. 4, 1855	Mar. 3, 1867	
40th–45th	Orris S. Ferry	Mar. 4, 1867	Mar. 3, 1879	Died Nov. 21, 1875.
44th	James E. English	Nov. 27, 1875	May 17, 1876	By gov., to fill vac.
44th–45th	William H. Barnum	May 17, 1876	Mar. 3, 1879	
46th–60th	Orville H. Platt	Mar. 4, 1879	Mar. 3, 1909	Died Apr. 21, 1905.
59th–69th	Frank B. Brandegee	May 10, 1905	Mar. 3, 1927	(5)
68th–72d	Hiram Bingham	Jan. 8, 1925	Mar. 3, 1933	(6)
73d–75th	Augustine Lonergan	Mar. 4, 1933	Jan. 2, 1939	
76th–78th	John A. Danaher	Jan. 3, 1939	Jan. 2, 1945	
79th–84th	Brien McMahon	Jan. 3, 1945	Jan. 2, 1957	Died July 28, 1952.
82d	William A. Purtell	Aug. 29, 1952	Nov. 4, 1952	By gov., to fill vac.
82d–87th	Prescott Bush	Nov. 5, 1952	Jan. 3, 1963	
88th–96th	Abraham Ribicoff	Jan. 3, 1963	Jan. 2, 1981	
97th–111th	Christopher J. Dodd	Jan. 3, 1981	Jan. 2, 2011	
112th–117th	Richard Blumenthal	Jan. 3, 2011	Jan. 2, 2023	

[1] Vacancy from Mar. 4, 1851, to May 11, 1852, because of failure of governor to appoint.
[2] Elected Nov. 5, 1946, to fill the vacancy in term ending Jan. 2, 1947, and at the same time to the full term commencing Jan. 3, 1947; took oath Dec. 27, 1946. Governor during interim. Resigned Dec. 16, 1949.
[3] Because the state legislature had failed to elect a senator for the term beginning Mar. 4, 1825, the governor appointed James Lanman to serve until the legislature was scheduled to meet again in May, but the Senate, on Mar. 5, 1825, would not permit him to qualify; vacancy from Mar. 4 to May 3, 1825, because of recess of legislature.
[4] Resigned Apr. 11, 1854, to take effect May 24, 1854.
[5] Died Oct. 14, 1924. Vacancy from Oct. 15 to Jan. 8, 1925.
[6] Elected Dec. 16, 1924. Governor during interim.

1819 1820

DELAWARE

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st–4th	George Read	Mar. 4, 1789	Mar. 3, 1797	(1)
3d–7th	Henry Latimer	Feb. 7, 1795	Mar. 3, 1803	Res. Feb. 28, 1801.
6th–7th	Samuel White	Feb. 28, 1801	Jan. 13, 1802	By gov., to fill vac.
7th–13th	.....do	Jan. 14, 1802	Mar. 3, 1815	Died Nov. 4, 1809.
11th–16th	Outerbridge Horsey	Jan. 12, 1810	Mar. 3, 1821	
17th–19th	Caesar A. Rodney	Jan. 24, 1822	Mar. 3, 1827	(2)

See footnotes at end of Delaware table.

DELAWARE—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
18th–19th	Thomas Clayton	Jan. 15, 1824	Do.	(3)
20th–22d	Louis McLane	Mar. 4, 1827	Mar. 3, 1833	Res. Apr. 16, 1829.
21st–25th	Arnold Naudain	Jan. 7, 1830	Mar. 3, 1839	Res. June 16, 1836.
24th–28th	Richard H. Bayard	June 17, 1836	Mar. 3, 1845	(4)
29th–31st	John M Clayton	Mar. 4, 1845	Mar. 3, 1851	Res. Feb. 23, 1849.
30th–31st	John Wales	Feb. 23, 1849	Do.	
32d–40th	James Asheton Bayard, Jr	Mar. 4, 1851	Mar. 3, 1869	Res. Jan. 29, 1864.
38th–40th	George Read Riddle	Jan. 29, 1864	Do.	Died Mar. 29, 1867.
40th	James Asheton Bayard, Jr	Apr. 5, 1867	Jan. 18, 1869	By gov., to fill vac.
Do	.....do	Jan. 19, 1869	Mar. 3, 1869	
41st–49th	Thomas F. Bayard, Sr	Mar. 4, 1869	Mar. 3, 1887	Res. Mar. 6, 1885.
49th–55th	George Gray	Mar. 18, 1885	Mar. 3, 1899	
57th–58th	L. Heisler Ball	Mar. 2, 1903	Mar. 3, 1905	(5)
59th–64th	Henry A. du Pont	June 13, 1906	Mar. 3, 1917	(6)
65th–67th	Josiah O. Wolcott	Mar. 4, 1917	Mar. 3, 1923	Res. July 2, 1921.
67th	T. Coleman du Pont	July 7, 1921	Nov. 6, 1922	By gov., to fill vac.
67th–70th	Thomas F. Bayard, Jr.	Nov. 8, 1922	Mar. 3, 1929	
71st–76th	John G. Townsend, Jr.	Mar. 4, 1929	Jan. 2, 1941	
77th–79th	James M. Tunnell	Jan 3, 1941	Jan. 2, 1947	
80th–91st	John J. Williams	Jan 3, 1947	Jan. 2, 1971	Res. Dec. 31, 1970
91st–106th	William V. Roth, Jr.	Jan. 1, 1971	Jan. 2, 2001	(7)
107th–118th	Thomas Carper	Jan. 3, 2001	Jan. 2, 2025	

CLASS 2

1st–2d	Richard Bassett	Mar. 4, 1789	Mar. 3, 1793	
3d–5th	John Vining	Mar. 4, 1793	Mar. 3, 1799	Res. Jan. 19, 1798.
5th	Joshua Clayton	Jan. 19, 1798	Do.	Died Aug. 11, 1798.
5th–8th	William Hill Wells	Jan. 17, 1799	Mar. 3, 1805	Res. Nov. 6, 1804.
8th–14th	James Asheton Bayard, Sr.	Nov. 13, 1804	Mar. 3, 1817	Res. Mar. 3, 1813.
13th–14th	William Hill Wells	May 28, 1813	Do.	
15th–20th	Nicholas Van Dyke	Mar. 4, 1817	Mar. 3, 1829	Died May 21, 1826.
19th	Daniel Rodney	Nov. 8, 1826	Jan. 12, 1827	By gov., to fill vac.
19th–20th	Henry M. Ridgely	Jan. 12, 1827	Mar. 3, 1829	
21st–26th	John M. Clayton	Mar. 4, 1829	Mar. 3, 1841	Res. Dec. 29, 1836.
24th–29th	Thomas Clayton	Jan. 9, 1837	Mar. 3, 1847	
30th–32d	Presley Spruance	Mar. 4, 1847	Mar. 3, 1853	
33d–35th	John M. Clayton	Mar. 4, 1853	Mar. 3, 1859	Died Nov. 9, 1856.
34th	Joseph P. Comegys	Nov. 19, 1856	Jan. 14, 1857	By gov., to fill vac.
34th–35th	Martin W. Bates	Jan. 14, 1857	Mar. 3, 1859	
36th–41st	Willard Saulsbury, Sr	Mar. 4, 1859	Mar. 3, 1871	
42d–50th	Eli Saulsbury	Mar. 4, 1871	Mar. 3, 1889	
51st–53d	Anthony Higgins	Mar. 4, 1889	Mar. 3, 1895	
54th–56th	Richard R. Kenney	Jan. 19, 1897	Mar. 3, 1901	(8)
57th–59th	James F. Allee	Mar. 2, 1903	Mar. 3, 1907	(9)
60th–62d	Harry A. Richardson	Mar. 4, 1907	Mar. 3, 1913	
63d–65th	Willard Saulsbury, Jr	Mar. 4, 1913	Mar. 3, 1919	
66th–68th	L. Heisler Ball	Mar. 4, 1919	Mar. 3, 1925	
69th–70th	T. Coleman du Pont	Mar. 4, 1925	Mar. 3, 1931	Res. Dec. 9, 1928.
70th–71st	Daniel O. Hastings	Dec. 10, 1928	Nov. 4, 1930	By gov., to fill vac.
71st–74th	.....do	Nov. 5, 1930	Jan. 2, 1937	
75th–77th	James H. Hughes	Jan. 3, 1937	Jan. 2, 1943	
78th–80th	C. Douglass Buck	Jan. 3, 1943	Jan. 2, 1949	
81st–86th	J. Allen Frear, Jr	Jan. 3, 1949	Jan. 2, 1961	
87th–92d	J. Caleb Boggs	Jan. 3, 1961	Jan. 2, 1973	
93d–113th	Joseph R. Biden, Jr	Jan. 3, 1973	Jan. 2, 2015	Res. Jan. 15, 2009.[10]
111th	Edward E. (Ted) Kaufman	Jan. 15, 2009	Nov. 15, 2010	By gov., to fill vac.
111th–116th	Christopher Coons	Nov. 15, 2010	Jan. 2, 2021	

[1]Resigned Sept. 18, 1793. Vacancy from Sept. 18, 1793, to Feb. 7, 1795. Kensey Johns was appointed by governor Mar. 19, 1794, to fill vacancy, but by Senate resolution of Mar. 28, 1794, was declared not entitled to a seat.

[2]Elected to fill vacancy in term commencing Mar. 4, 1821, and took his seat Jan. 24, 1822; vacancy in this class from Mar. 4, 1821, to Jan. 23, 1822; resigned Jan. 29, 1823.

[3]Vacancy from Jan. 29, 1823, to Jan. 14, 1824, because of failure of legislature to elect.

[4]Resigned Sept. 19, 1839. Reelected, serving from Jan. 12, 1841, to Mar. 3, 1845. Vacancy from Sept. 19, 1839, to Jan. 11, 1841.

[5]Vacancy from Mar. 4, 1899, to Mar. 2, 1903, because of failure of legislature to elect.

[6]Vacancy from Mar. 4, 1905, to June 13, 1906, because of failure of legislature to elect.

Footnotes continued on next page.

[7]Elected to full term commencing Jan. 3, 1971; subsequently appointed by governor Jan. 1, 1971, to fill vacancy in term ending Jan. 2, 1971.
[8]Vacancy from Mar. 4, 1895, to Jan. 19, 1897, because of failure of legislature to elect.
[9]Vacancy from Mar. 4, 1901, to Mar. 2, 1903, because of failure of legislature to elect.
[10]Resigned having been elected Vice President of the United States for the 56th term on Nov. 4, 2008.

1821 1822 FLORIDA

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
29th–31st	David Levy Yulee	July 1, 1845	Mar. 3, 1851	(1)
32d–37th	Stephen R. Mallory	Mar. 4, 1851	Mar. 3, 1863	(2)
40th	Adonijah S. Welch	June 25, 1868	Mar. 3, 1869	(3)
41st–43d	Abijah Gilbert	Mar. 4, 1869	Mar. 3, 1875	
44th–49th	Charles W. Jones	Mar. 4, 1875	Mar. 3, 1887	
50th–52d	Samuel Pasco	May 19, 1887	Mar. 3, 1893	(4)
53d	.....do	Mar. 4, 1893	Apr. 19, 1893	By gov., to fill vac.
53d–55th	.....do	Apr. 20, 1893	Mar. 3, 1899	
56th	.....do	Mar. 4, 1899	Apr. 19, 1899	Do.
56th–58th	James P. Taliaferro	Apr. 20, 1899	Mar. 3, 1905	
59th	.....do	Mar. 4, 1905	Apr. 19, 1905	Do.
59th–61st	.....do	Apr. 20, 1905	Mar. 3, 1911	
62d	Nathan P. Bryan	Mar. 4, 1911	Apr. 18, 1911	Do.
62d–64th	.....do	Apr. 19, 1911	Mar. 3, 1917	
65th–76th	Park Trammell	Mar. 4, 1917	Jan. 2, 1941	Died May 8, 1936.
74th	Scott M. Loftin	May 26, 1936	Nov. 3, 1936	By gov., to fill vac.
74th–79th	Charles O. Andrews	Nov. 4, 1936	Jan. 2, 1947	Died Sept. 18, 1946.
79th	Spessard L. Holland	Sept. 25, 1946	Nov. 5, 1946	By gov., to fill vac.
79th–91st	.....do	Nov. 6, 1956	Jan. 2, 1971	
92d–100th	Lawton Chiles	Jan. 3, 1971	Jan. 2, 1989	
101st–106th	Connie Mack	Jan. 3, 1989	Jan. 2, 2001	
107th–115th	Bill Nelson	Jan. 3, 2001	Jan. 2, 2019	
116th–118th	Rick Scott	Jan. 3, 2019	Jan. 2, 2025	(5)

CLASS 3

29th–30th	James D. Westcott, Jr.	July 1, 1845	Mar. 3, 1849	
31st–33d	Jackson Morton	Mar. 4, 1849	Mar. 3, 1855	
34th–36th	David L. Yulee	Mar. 4, 1855	Mar. 3, 1861	(5)
40th–42d	Thomas W. Osborn	June 25, 1868	Mar. 3, 1873	(6)
43d–45th	Simon B. Conover	Mar. 4, 1873	Mar. 3, 1879	
46th–54th	Wilkinson Call	Mar. 4, 1879	Mar. 3, 1897	
55th–57th	Stephen R. Mallory	May 15, 1897	Mar. 3, 1903	(7)
58th	.....do	Mar. 4, 1903	Apr. 21, 1903	By gov., to fill vac.
58th–60th	.....do	Apr. 22, 1903	Mar. 3, 1909	Died Dec. 23, 1907.
60th	William J. Bryan	Dec. 26, 1907	Do.	(8)
Do	William H. Milton	Mar. 27, 1908	Do.	By gov., to fill vac.
61st	Duncan U. Fletcher	Mar. 4, 1909	Apr. 20, 1909	By gov., to fill vac.
61st–75th	.....do	Apr. 21, 1909	Jan. 2, 1939	Died June 17, 1936.
74th	William L. Hill	July 1, 1936	Nov. 3, 1936	By gov., to fill vac.
74th–81st	Claude Pepper	Nov. 4, 1936	Jan. 2, 1951	
82d–90th	George A. Smathers	Jan. 3, 1951	Jan. 2, 1969	
91st–93d	Edward J. Gurney	Jan. 3, 1969	Jan. 2, 1975	Res. Dec. 31, 1974.
93d–96th	Richard (Dick) Stone	Jan. 1, 1975	Jan. 2, 1981	(9)
96th–99th	Paula Hawkins	Jan. 1, 1981	Jan. 2, 1987	(10)
100th–108th	Bob Graham	Jan. 3, 1987	Jan. 2, 2005	
109th–111th	Mel Martinez	Jan. 3, 2005	Jan. 2, 2011	Res. Sep. 9, 2009.
111th	George LeMieux	Sep. 9, 2009	Jan. 2, 2011	By gov., to fill vac.
112th–117th	Marco Rubio	Jan. 3, 2011	Jan. 2, 2023	

[1]Joint credentials of David Levy and James D. Westcott, Jr., dated July 1, 1845. Name David Levy changed to David Levy Yulee by an act of the legislature of Florida (Sen. Jour., Jan. 12, 1846).
[2]Withdrew from the Senate Jan. 21, 1861. Seat declared vacant Mar. 14, 1861. Because of Civil War, vacancy from Jan. 21, 1861, to June 25, 1868, when Florida was readmitted to representation. Wilkinson Call presented credentials of an election held on Dec. 29, 1865, but was not seated.
[3]By legislature, to fill vacancy in term beginning Mar. 4, 1863. Seated July 2, 1868.
[4]Vacancy from Mar. 4 to May 19, 1887; Jesse J. Finley was appointed on Feb. 28, 1887, but never qualified for the reason that President pro tempore Ingalls held that the appointment having been anticipated was not valid; a successor was elected.
[5]Elected to term commencing Jan. 3, 2019. Governor during interim.

Footnotes continued on next page.

[6] Withdrew from the Senate Jan. 21, 1861. Because of Civil War, vacancy from Jan. 21, 1861, to June 25, 1868, when Florida was readmitted to representation. William Marvin presented credentials of an election held on Dec. 29, 1865, for term ending Mar. 3, 1867, and of an election held on Nov. 28, 1866, for term commencing Mar. 4, 1867, but was not seated.
[7] By legislature, to fill vacancy in term beginning Mar. 4, 1867. Seated June 30, 1868.
[8] Vacancy from Mar. 4 to May 24, 1897. John A. Henderson was appointed by the governor on Mar. 6, 1897, but was not seated.
[9] By governor, to fill vacancy. Died Mar. 22, 1908.
[10] Elected to full term beginning Jan. 3, 1975; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1975. Resigned Dec. 31, 1980.
[11] Elected to full term beginning Jan. 3, 1981; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1981.

GEORGIA

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st–2d	William Few	Mar. 4, 1789	Mar. 3, 1793	
2d–5th	James Jackson	Mar. 4, 1793	Mar. 3, 1799	Res. 1795.
3d	George Walton	Nov. 16, 1795	Apr. 12, 1796	By gov., to fill vac.
4th–5th	Josiah Tatnall	Apr. 12, 1796	Mar. 3, 1799	
6th–11th	Abraham Baldwin	Mar. 4, 1799	Mar. 3, 1811	Died Mar. 4, 1807.
10th	George Jones	Aug. 27, 1807	Nov. 7, 1807	By gov., to fill vac.
10th–14th	William H. Crawford	Nov. 7, 1807	Mar. 3, 1817	Res. Mar. 23, 1813.
13th	William B. Bulloch	Apr. 8, 1813	Nov. 6, 1813	By gov., to fill vac.
13th–14th	William Wyatt Bibb	Nov. 6, 1813	Mar. 3, 1817	Res. Nov. 9, 1816.
14th–17th	George Michael Troup	Nov. 13, 1816	Mar. 3, 1823	Res. Sept. 23, 1818.
15th–17th	John Forsyth	Nov. 23, 1818	Do.	(1)
16th–17th	Freeman Walker	Nov. 6, 1819	Do.	Res. Aug. 8, 1821.
17th–20th	Nicholas Ware	Nov. 10, 1821	Mar. 3, 1829	Died Sept. 7, 1824.
18th–20th	Thomas W. Cobb	Dec. 6, 1824	Do.	Res. in 1828.
20th	Oliver H. Prince	Nov. 7, 1828	Do.	
21st–23d	George Michael Troup	Mar. 4, 1829	Mar. 3, 1835	Res. Nov. 8, 1833.
23d–26th	John Pendleton King	Nov. 21, 1833	Mar. 3, 1841	Res. Nov. 1, 1837.
25th–26th	Wilson Lumpkin	Nov. 22, 1837	Do.	
27th–29th	John Macpherson Berrien	Mar. 4, 1841	Mar. 3, 1847	Res. May 1845.
29th	.....do	Nov. 14, 1845	Do.	
30th–32d	.....do	Nov. 13, 1847	Mar. 3, 1853	Res. May 28, 1852.[2]
32d	Robert M. Charlton	May 31, 1852	Do.	By gov., to fill vac.
33d–38th	Robert Toombs	Mar. 4, 1853	Mar. 3, 1865	(3)
40th–41st	Homer V. M. Miller	Feb. 24, 1871	Mar. 3, 1871	(4)
42d–44th	Thomas M. Norwood	Nov. 14, 1871	Mar. 3, 1877	(5)
45th–47th	Benjamin H. Hill	Mar. 4, 1877	Mar. 3, 1883	Died Aug. 16, 1882.
47th	Pope Barrow	Nov. 15, 1882	Do.	
48th–53d	Alfred H. Colquitt	Mar. 4, 1883	Mar. 3, 1895	Died Mar. 26, 1894.
53d	Patrick Walsh	Apr. 2, 1894	Nov. 6, 1894	By gov., to fill vac.
Do	.....do	Nov. 7, 1894	Mar. 3, 1895	
54th–59th	Augustus O. Bacon	Mar. 4, 1895	Mar. 3, 1907	
60th	.....do	Mar. 4, 1907	July 8, 1907	Do.
60th–62d	.....do	July 9, 1907	Mar. 3, 1913	
63d	.....do	Mar. 4, 1913	July 9, 1913	Do.
63d–65th	.....do	July 10, 1913	Mar. 3, 1919	Died Feb. 14, 1914.
63d	William S. West	Mar. 2, 1914	Nov. 3, 1914	By gov., to fill vac.
63d–65th	Thomas W. Hardwick	Nov. 4, 1914	Mar. 3, 1919	
66th–74th	William J. Harris	Mar. 4, 1919	Jan. 2, 1937	Died Apr. 18, 1932.
72d	John S. Cohen	Apr. 25, 1932	Jan. 11, 1933	By gov., to fill vac.
72d–92d	Richard B. Russell	Jan. 12, 1933	Jan. 2, 1973	Died Jan. 21, 1971.
92d	David H. Gambrell	Feb. 1, 1971	Nov. 7, 1972	By gov., to fill vac.
92d–104th	Sam Nunn	Nov. 8, 1972	Jan. 2, 1997	(6)
105th–107th	Max Cleland	Jan. 3, 1997	Jan. 2, 2003	
108th–113th	Saxby Chambliss	Jan. 3, 2003	Jan. 2, 2015	
114th–116th	David Perdue	Jan. 3, 2015	Jan. 2, 2021	

CLASS 3

1st–6th	James Gunn	Mar. 4, 1789	Mar. 3, 1801	
7th–9th	James Jackson	Mar. 4, 1801	Mar. 3, 1807	Died Mar. 19, 1806.
9th–12th	John Milledge	June 19, 1806	Mar. 3, 1813	Res. Nov. 14, 1809.
11th–15th	Charles Tait	Nov. 27, 1809	Mar. 3, 1819	
16th–18th	John Elliott	Mar. 4, 1819	Mar. 3, 1825	
19th–21st	John Macpherson Berrien	Mar. 4, 1825	Mar. 3, 1831	Res. Mar. 9, 1829.
21st–24th	John Forsyth	Nov. 9, 1829	Mar. 3, 1837	Res. June 27, 1834.

See footnotes at end of Georgia table.

GEORGIA—Continued

CLASS 3

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
23d–27th	Alfred Cuthbert	Jan. 12, 1835	Mar. 3, 1843	
28th–30th	Walter T. Colquitt	Mar. 4, 1843	Mar. 3, 1849	Res. Feb. 1848.
30th	Herschel V. Johnson	Feb. 4, 1848	Do.	By gov., to fill vac.[7]
31st–33d	William C. Dawson	Mar. 4, 1849	Mar. 3, 1855	
34th–36th	Alfred Iverson	Mar. 4, 1855	Mar. 3, 1861	([8])
40th–42d	Joshua Hill	Feb. 1, 1871	Mar. 3, 1873	([9])
43d–48th	John B. Gordon	Mar. 4, 1873	Mar. 3, 1885	([10])
46th	Joseph E. Brown	May 26, 1880	Nov. 15, 1880	By gov., to fill vac.
46th–51st	.....do	Nov. 16, 1880	Mar. 3, 1891	
52d–54th	John B. Gordon	Mar. 4, 1891	Mar. 3, 1897	
55th–63d	Alexander S. Clay	Mar. 4, 1897	Mar. 3, 1915	Died Nov. 13, 1910.
61st–63d	Joseph M. Terrell	Nov. 17, 1910	Do.	([11])
62d–66th	Hoke Smith	Nov. 16, 1911	Mar. 3, 1921	([12])
67th–69th	Thomas E. Watson	Mar. 4, 1921	Mar. 3, 1927	Died Sept. 26, 1922.
67th	Rebecca L. Felton	Oct. 3, 1922	Nov. 21, 1922	By gov., to fill vac.
67th–84th	Walter F. George	Nov. 22, 1922	Jan. 2, 1957	
85th–96th	Herman E. Talmadge	Jan. 3, 1957	Jan. 2, 1981	
97th–99th	Mack Mattingly	Jan. 3, 1981	Jan. 2, 1987	
100th–102d	Wyche Fowler, Jr.	Jan. 3, 1987	Jan. 2, 1993	
103d–108th	Paul Coverdell	Jan. 3, 1993	Jan. 2, 2005	Died July 18, 2000.
106th	Zell Bryan Miller	July 24, 2000	Nov. 6, 2000	By gov., to fill vac.
106th–108th	.....do	Nov. 7, 2000	Jan. 2, 2005	
109th–117th	Johnny Isakson	Jan. 3, 2005	Jan. 2, 2023	Res. Dec. 31, 2019.
116th	Kelly Loeffler	Jan. 6, 2020	Nov. 3, 2020	By gov., to fill vac.

[1] Elected Nov. 7, 1818. Served in House during interim. Resigned Feb. 17, 1819.
[2] Vacancy from Mar. 4 to Nov. 12, 1847, because of failure of legislature to elect.
[3] Withdrew from the Senate Feb. 4, 1861. Seat declared vacant Mar. 14, 1861. Because of Civil War, vacancy from Feb. 4, 1861, to Feb. 23, 1871.
[4] Miller was elected July 28, 1868. His credentials were challenged, however, and he was not seated until Feb. 24, 1871.
[5] Vacancy from Mar. 4 to Nov. 13, 1871. Foster Blodgett presented credentials, but was not permitted to qualify, and on Dec. 19, 1871, was adjudged not elected in accordance with the Constitution.
[6] Elected Nov. 7, 1972, to fill vacancy in term ending Jan. 2, 1973, and also to full term ending Jan. 2, 1979.
[7] Senator-elect in 1866, but was not permitted to qualify.
[8] Withdrew from Senate Jan. 28, 1861. Because of Civil War, vacancy from Jan. 28, 1861, to Jan. 31, 1871.
[9] Elected July 28, 1868, to fill vacancy in term beginning Mar. 4, 1867; credentials challenged; took oath Feb. 1, 1871.
[10] Tendered resignation May 14, 1880, effective May 26, 1880.
[11] By governor, to fill vacancy. Resigned July 14, 1911.
[12] Elected July 12, 1911. Took oath Dec. 4, 1911. Governor during interim.

1825 1826

HAWAII

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
86th–94th	Hiram L. Fong	Aug. 21, 1959	Jan. 2, 1977	
95th–103d	Spark M. Matsunaga	Jan. 3, 1977	Jan. 2, 1995	Died Apr. 15, 1990.
101st	Daniel K. Akaka	May 16, 1990	Nov. 6, 1990	By gov., to fill vac.
101st–112th	.....do	Nov. 7, 1990	Jan. 2, 2013	
113th–118th	Mazie Hirono	Jan. 3, 2013	Jan. 2, 2025	

CLASS 3

86th–87th	Oren E. Long	Aug. 21, 1959	Jan. 2, 1963	
88th–114th	Daniel K. Inouye	Jan. 3, 1963	Jan. 2, 2017	Died Dec. 17, 2012.
112th–113th	Brian Schatz	Dec. 26, 2012	Nov. 4, 2014	By gov., to fill vac.
113th–117th	.....do	Nov. 5, 2014	Jan. 2, 2023	

IDAHO 1827 1828

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
51st–56th	George L. Shoup	Dec. 18, 1890	Mar. 3, 1901	
57th–59th	Fred T. Dubois	Mar. 4, 1901	Mar. 3, 1907	
60th–77th	William E. Borah	Mar. 4, 1907	Jan. 2, 1943	Died Jan. 19, 1940.
76th	John Thomas	Jan. 27, 1940	Nov. 5, 1940	By gov., to fill vac.
76th–80th	.....do	Nov. 6, 1940	Jan. 2, 1949	Died Nov. 10, 1945.
79th	Charles C. Gossett	Nov. 17, 1945	Nov. 5, 1946	By gov., to fill vac.
80th	Henry C. Dworshak	Nov. 6, 1946	Jan. 2, 1949	
81st–83d	Bert H. Miller	Jan. 3, 1949	Jan. 2, 1955	Died Oct. 8, 1949.
81st	Henry C. Dworshak	Oct. 14, 1949	Nov. 6, 1950	By gov., to fill vac.
81st–89th	.....do	Nov. 7, 1950	Jan. 2, 1967	Died July 23, 1962.
87th	Len B. Jordan	Aug. 6, 1962	Nov. 6, 1962	By gov., to fill vac.
87th–92d	.....do	Nov. 7, 1962	Jan. 2, 1973	
93d–101st	James A. McClure	Jan. 3, 1973	Jan. 2, 1991	
102d–110th	Larry E. Craig	Jan. 3, 1991	Jan. 2, 2009	
111th–116th	Jim Risch	Jan. 3, 2009	Jan 2. 2021	

CLASS 3

51st	William J. McConnell	Dec. 18, 1890	Mar. 3, 1891	
52d–54th	Fred T. Dubois	Mar. 4, 1891	Mar. 3, 1897	
55th–57th	Henry Heitfeld	Mar. 4, 1897	Mar. 3, 1903	
58th–63d	Weldon B. Heyburn	Mar. 4, 1903	Mar. 3, 1915	Died Oct. 17, 1912.
62d	Kirtland I. Perky	Nov. 18, 1912	Feb. 5, 1913	By gov., to fill vac.
62d–66th	James H. Brady	Feb. 6, 1913	Mar. 3, 1921	Died Jan. 13, 1918.
65th	John F. Nugent	Jan. 22, 1918	Nov. 4, 1918	By gov., to fill vac.
66th	.....do	Nov. 5, 1918	Mar. 3, 1921	Res. Jan 14, 1921.
66th–72d	Frank R. Gooding	Jan. 15, 1921	Mar. 3, 1933	[1]
70th	John Thomas	June 30, 1928	Nov. 5, 1928	By gov., to fill vac.
70th–72d	.....do	Nov. 6, 1928	Mar. 3, 1933	
73d–75th	James P. Pope	Mar. 4, 1933	Jan. 2, 1939	
76th–78th	D. Worth Clark	Jan. 3, 1939	Jan. 2, 1945	
79th–81st	Glen H. Taylor	Jan. 3, 1945	Jan. 2, 1951	
82d–84th	Herman Welker	Jan. 3, 1951	Jan. 2, 1957	
85th–96th	Frank Church	Jan. 3, 1957	Jan. 2, 1981	
97th–102d	Steven D. Symms	Jan. 3, 1981	Jan. 2, 1993	
103d–105th	Dirk Kempthorne	Jan. 3, 1993	Jan. 2, 1999	
106th–117th	Mike Crapo	Jan. 3, 1999	Jan. 2, 2023	

[1] Elected to full term commencing Mar. 4, 1921; subsequently appointed by governor to fill vacancy in term ending Mar. 3, 1921. Died June 24, 1928.

ILLINOIS 1829 1830

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
15th–20th	Jesse B. Thomas	Dec. 3, 1818	Mar. 3, 1829	
21st–23d	John McLean	Mar. 4, 1829	Mar. 3, 1835	Died Oct. 14, 1830.
21st	David J. Baker	Nov. 12, 1830	Dec. 11, 1830	By gov., to fill vac.
21st–26th	John M. Robinson	Dec. 11, 1830	Mar. 3, 1841	
27th–29th	Samuel McRoberts	Mar. 4, 1841	Mar. 3, 1847	Died Mar. 27, 1843.
28th	James Semple	Aug. 16, 1843	Dec. 10, 1844	By gov., to fill vac.
28th–29th	.....do	Dec. 11, 1844	Mar. 3, 1847	
30th–38th	Stephen A. Douglas	Mar. 4, 1847	Mar. 3, 1865	Died June 3, 1861.
37th	Orville H. Browning	June 26, 1861	Jan. 12, 1863	By gov., to fill vac.
37th–38th	William A. Richardson	Jan. 12, 1863	Mar. 3, 1865	
39th–41st	Richard Yates	Mar. 4, 1865	Mar. 3, 1871	
42d–44th	John A. Logan	Mar. 4, 1871	Mar. 3, 1877	
45th–47th	David Davis	Mar. 4, 1877	Mar. 3, 1883	
48th–62d	Shelby M. Cullom	Mar. 4, 1883	Mar. 3, 1913	
63d–65th	James Hamilton Lewis	Mar. 26, 1913	Mar. 3, 1919	[1]
66th–68th	Medill McCormick	Mar. 4, 1919	Mar. 3, 1925	Died Feb. 25, 1925.
68th–71st	Charles S. Deneen	Feb. 26, 1925	Mar. 3, 1931	[2]
72d–77th	James Hamilton Lewis	Mar. 4, 1931	Jan. 2, 1943	Died Apr. 9, 1939.
76th	James M. Slattery	Apr. 14, 1939	Nov. 21, 1940	By gov., to fill vac.
76th–80th	C. Wayland Brooks	Nov. 22, 1940	Jan. 2, 1949	
81st–89th	Paul H. Douglas	Jan. 3, 1949	Jan. 2, 1967	

See footnotes at end of Illinois table.

ILLINOIS—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
90th–98th	Charles H. Percy	Jan. 3, 1967	Jan. 2, 1985	
99th–104th	Paul Simon	Jan. 3, 1985	Jan. 2, 1997	
105th–116th	Richard J. Durbin	Jan. 3, 1997	Jan. 2, 2021	

CLASS 3

15th–18th	Ninian Edwards	Dec. 3, 1818	Mar. 3, 1825	Res. Mar. 4, 1824.
18th	John McLean	Nov. 23, 1824	Do.	
19th–24th	Elias K. Kane	Mar. 4, 1825	Mar. 3, 1837	Died Dec. 11, 1835.
24th	William Lee D. Ewing	Dec. 30, 1835	Do.	
25th–27th	Richard M. Young	Mar. 4, 1837	Mar. 3, 1843	
28th–30th	Sidney Breese	Mar. 4, 1843	Mar. 3, 1849	
31st–33d	James Shields	Oct. 27, 1849	Mar. 3, 1855	(3)
34th–42d	Lyman Trumbull	Mar. 4, 1855	Mar. 3, 1873	
43d–45th	Richard J. Oglesby	Mar. 4, 1873	Mar. 3, 1879	
46th–51st	John A. Logan	Mar. 4, 1879	Mar. 3, 1891	Died Dec. 26, 1886.
49th–51st	Charles B. Farwell	Jan. 19, 1877	Do.	
52d–54th	John McAuley Palmer	Mar. 4, 1891	Mar. 3, 1897	
55th–57th	William E. Mason	Mar. 4, 1897	Mar. 3, 1903	
58th–60th	Albert J. Hopkins	Mar. 4, 1903	Mar. 3, 1909	
61st–63d	William Lorimer	June 18, 1909	Mar. 3, 1915	(4)
63d	Lawrence Y. Sherman	Mar. 26, 1913	Do.	(5)
64th–66th	.....do	Mar. 4, 1915	Mar. 3, 1921	
67th–69th	William B. McKinley	Mar. 4, 1921	Mar. 3, 1927	Died Dec. 7, 1926.
70th–72d	Frank L. Smith	Mar. 4, 1927	Mar. 3, 1933	(6)
71st–72d	Otis F. Glenn	Dec. 3, 1928	Do.	
73d–75th	William H. Dieterich	Mar. 4, 1933	Jan. 2, 1939	
76th–81st	Scott W. Lucas	Jan. 3, 1939	Jan. 2, 1951	
82d–93d	Everett McKinley Dirksen.	Jan. 3, 1951	Jan. 2, 1975	Died Sept. 7, 1969.
91st	Ralph Tyler Smith	Sept. 17, 1969	Nov. 16, 1970	By gov., to fill vac.
91st–96th	Adlai E. Stevenson III	Nov. 17, 1970	Jan. 2, 1981	(7)
97th–102d	Alan J. Dixon	Jan. 3, 1981	Jan. 2, 1993	
103d–105th	Carol Moseley-Braun	Jan. 3, 1993	Jan. 2, 1999	
106th–108th	Peter G. Fitzgerald	Jan. 3, 1999	Jan. 2, 2005	
109th–111th	Barack Obama	Jan. 3, 2005	Jan. 2, 2011	Res. Nov. 16, 2008.[8]
111th	Roland Burris	Jan. 12, 2009	Nov. 29, 2010	By gov., to fill vac.[9]
111th–114th	Mark Kirk	Nov. 29, 2010	Jan. 2, 2017	(10)
115th–117th	Tammy Duckworth	Jan. 3, 2017	Jan. 2, 2023	

[1]Vacancy from Mar. 4 to Mar. 25, 1913, because of recess of legislature.
[2]Elected Nov. 4, 1924, for full term commencing Mar. 4, 1925; subsequently appointed by governor to fill vacancy in term ending Mar. 3, 1925.
[3]Elected for term commencing Mar. 4, 1849; took his seat on Mar. 6, 1849, but on Mar. 15, 1849, the Senate declared his election void on the ground that he had not been a citizen of the United States the number of years required by the Constitution; immediately elected for the same term. Vacancy from Mar. 16 to Oct. 27, 1849.
[4]Vacancy from Mar. 4 to May 27, 1909, because of failure of legislature to elect, and also from May 27 to June 17, 1909, because Mr. Lorimer did not resign his seat in the House of Representatives until the last named date. Election declared invalid July 13, 1912.
[5]Vacancy from July 14, 1912, to Mar. 25, 1913, because of recess of legislature.
[6]By governor, to fill vacancy, Dec. 16, 1926. Oath not administered. Elected for term beginning Mar. 4, 1927, but was not permitted to qualify. Resignation sent to governor of Illinois, Feb. 9, 1928. Vacancy from Dec. 8, 1926, to Dec. 2. 1928.
[7]Elected Nov. 3, 1970, to fill vacancy in term ending Jan. 2, 1975.
[8]Resigned Nov. 16, 2008, having been elected President of the United States for the 56th term on Nov. 4, 2008. Vacancy from Nov. 17, 2008, to Jan. 11, 2009.
[9]Appointed Dec. 31, 2008, to fill vacancy in term ending Jan. 2, 2011, but credentials were not found to be in order until Jan. 12, 2009.
[10]Elected in a special election to fill remainder of term ending Jan. 2, 2011, and simultaneously elected to full term beginning Jan. 3, 2011.

1831 1832 INDIANA

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
14th–22d	James Noble	Dec. 11, 1816	Mar. 3, 1833	Died Feb. 26, 1831.
22d	Robert Hanna	Aug. 19, 1831	Jan. 3, 1832	By gov., to fill vac.

See footnotes at end of Indiana table.

INDIANA—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
22d–25th	John Tipton	Jan. 3, 1832	Mar. 3, 1839	
26th–28th	Albert S. White	Mar. 4, 1839	Mar. 3, 1845	
29th–37th	Jesse D. Bright	Mar. 4, 1845	Mar. 3, 1863	Exp. Feb. 5, 1862.
37th	Joseph A. Wright	Feb. 24, 1862	Jan. 14, 1863	By gov., to fill vac.
Do	David Turpie	Jan. 14, 1863	Mar. 3, 1863	
37th–40th	Thomas A. Hendricks	Mar. 4, 1863	Mar. 3, 1869	
41st–43d	Daniel D. Pratt	Mar. 4, 1869	Mar. 3, 1875	
44th–46th	Joseph E. McDonald	Mar. 4, 1875	Mar. 3, 1881	
47th–49th	Benjamin Harrison	Mar. 4, 1881	Mar. 3, 1887	
50th–55th	David Turpie	Mar. 4, 1887	Mar. 3, 1899	
56th–61st	Albert J. Beveridge	Mar. 4, 1899	Mar. 3, 1911	
62d–64th	John W. Kern	Mar. 4, 1911	Mar. 3, 1917	
65th–67th	Harry S. New	Mar. 4, 1917	Mar. 3, 1923	
68th–70th	Samuel M. Ralston	Mar. 4, 1923	Mar. 3, 1929	Died Oct. 14, 1925.
69th	Arthur R. Robinson	Oct. 20, 1925	Nov. 2, 1926	By gov., to fill vac.
69th–73d	.....do	Nov. 3, 1926	Jan. 2, 1935	
74th–76th	Sherman Minton	Jan. 3, 1935	Jan. 2, 1941	
77th–79th	Raymond E. Willis	Jan. 3, 1941	Jan. 2, 1947	
80th–85th	William E. Jenner	Jan. 3, 1947	Jan. 2, 1959	
86th–94th	Vance Hartke	Jan. 3, 1959	Jan. 2, 1977	
95th–112th	Richard G. Lugar	Jan. 3, 1977	Jan. 2, 2013	
113th–115th	Joe Donnelly	Jan. 3, 2013	Jan. 2, 2019	
116th–118th	Mike Braun	Jan. 3, 2019	Jan. 2, 2025	

CLASS 3

14th–18th	Waller Taylor	Dec. 11, 1816	Mar. 3, 1825	
19th–24th	William Hendricks	Mar. 4, 1825	Mar. 3, 1837	
25th–27th	Oliver H. Smith	Mar. 4, 1837	Mar. 3, 1843	
28th–30th	Edward A. Hannegan	Mar. 4, 1843	Mar. 3, 1849	
31st–33d	James Whitcomb	Mar. 4, 1849	Mar. 3, 1855	Died Oct. 4, 1852.
32d	Charles W. Cathcart	Nov. 23, 1852	Jan. 11, 1853	By gov., to fill vac.
32d–33d	John Petit	Jan. 11, 1853	Mar. 3, 1855	
34th–36th	Graham N. Fitch	Feb. 4, 1857	Mar. 3, 1861	(1)
37th–39th	Henry S. Lane	Mar. 4, 1861	Mar. 3, 1867	
40th–45th	Oliver H. P. T. Morton	Mar. 4, 1867	Mar. 3, 1879	Died Nov. 1, 1877.
45th	Daniel W. Voorhees	Nov. 6, 1877	Jan. 30, 1879	By gov., to fill vac.
45th–54th	.....do	Jan. 31, 1879	Mar. 3, 1897	
55th–60th	Charles W. Fairbanks	Mar. 4, 1897	Mar. 3, 1909	Res. Mar. 3, 1905.
59th–60th	James A. Hemenway	Mar. 4, 1905	Do.	
61st–66th	Benjamin F. Shively	Mar. 4, 1909	Mar. 3, 1921	Died Mar. 14, 1916.
64th	Thomas Taggart	Mar. 20, 1916	Nov. 7, 1916	By gov., to fill vac.
64th–72d	James E. Watson	Nov. 8, 1916	Mar. 3, 1933	
73d–78th	Frederick Van Nuys	Mar. 4, 1933	Jan. 2, 1945	Died Jan. 25, 1944.
78th	Samuel D. Jackson	Jan. 28, 1944	Nov. 13, 1944	By gov., to fill vac.
78th	William E. Jenner	Nov. 14, 1944	Jan. 2, 1945	
79th–87th	Homer E. Capehart	Jan. 3, 1945	Jan. 2, 1963	
88th–96th	Birch Bayh	Jan. 3, 1963	Jan. 2, 1981	
97th–102d	Dan Quayle	Jan. 3, 1981	Jan. 2, 1993	Res. Jan. 2, 1989.[2]
101st	Dan Coats	Jan. 3, 1989	Nov. 6, 1990	By gov., to fill vac.
101st–105th	.....do	Nov. 6, 1990	Jan. 2, 1999	
106th–111th	Evan Bayh	Jan. 3, 1999	Jan. 2, 2011	
112th–114th	Dan Coats	Jan. 3, 2011	Jan. 2, 2017	
115th–117th	Todd Young	Jan. 3, 2017	Jan. 2, 2023	

[1]Vacancy from Mar. 4, 1855, to Feb. 3, 1857.
[2]Resigned Jan. 2, 1989, having been elected Vice President of the United States for the 51st term on Nov. 8, 1988.

IOWA

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
30th–35th	George W. Jones	Dec. 7, 1848	Mar. 3, 1859	
36th–41st	James W. Grimes	Mar. 4, 1859	Mar. 3, 1871	Res. Dec. 6, 1869.

See footnotes at end of Iowa table.

IOWA—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
41st	James B. Howell	Jan. 18, 1870	Do.	
42d–44th	George G. Wright	Mar. 4, 1871	Mar. 3, 1877	
45th–47th	Samuel J. Kirkwood	Mar. 4, 1877	Mar. 3, 1883	Res. Mar. 7, 1881.
47th	James W. McDill	Mar. 8, 1881	Jan. 17, 1882	By gov., to fill vac.
Do	.....do	Jan. 18, 1882	Mar. 3, 1883	
48th–53d	James F. Wilson	Mar. 4, 1883	Mar. 3, 1895	
54th–59th	John H. Gear	Mar. 4, 1895	Mar. 3, 1907	Died July 14, 1900.
56th	Jonathan P. Dolliver	Aug. 22, 1900	Mar. 3, 1901	By gov., to fill vac.
57th	.....do	Mar. 4, 1901	Jan. 20, 1902	Do.
57th–62d	.....do	Jan. 21, 1902	Mar. 3, 1913	Died Oct. 15, 1910.
61st–62d	Lafayette Young	Nov. 12, 1910	Apr. 11, 1911	By gov., to fill vac.
62d–68th	William S. Kenyon	Apr. 12, 1911	Mar. 3, 1925	Res. Feb. 24, 1922.
67th	Charles A. Rawson	Feb. 24, 1922	Nov. 7, 1922	By gov., to fill vac.
67th–68th	Smith W. Brookhart	Nov. 8, 1922	Mar. 3, 1925	
69th–71st	.....do	Mar. 4, 1925	Mar. 3, 1931	(1)
Do	Daniel F. Steck	Apr. 12, 1926	Do.	(2)
72d–74th	L. J. Dickinson	Mar. 4, 1931	Jan. 2, 1937	
75th–77th	Clyde L. Herring	Jan. 15, 1937	Jan. 2, 1943	(3)
78th–80th	George A. Wilson	Jan. 14, 1943	Jan. 2, 1949	(4)
81st–83d	Guy M. Gillette	Jan. 3, 1949	Jan. 2, 1955	
84th–86th	Thomas E. Martin	Jan. 3, 1955	Jan. 2, 1961	
87th–92d	Jack Miller	Jan. 3, 1961	Jan. 2, 1973	
93d–95th	Dick Clark	Jan. 3, 1973	Jan. 2, 1979	
96th–98th	Roger W. Jepsen	Jan. 3, 1979	Jan. 2, 1985	
99th–113th	Thomas R. Harkin	Jan. 3, 1985	Jan. 2, 2015	
114th–116th	Joni Ernst	Jan. 3, 2015	Jan. 2, 2021	

CLASS 3

30th–33d	Augustus C. Dodge	Dec. 7, 1848	Mar. 3, 1855	Res. Feb. 22, 1855.
34th–36th	James Harlan	Mar. 4, 1855	Mar. 3, 1861	(5)
34th–39th	.....do	Jan. 17, 1857	Mar. 3, 1867	(6)
39th	Samuel J. Kirkwood	Jan. 13, 1866	Do.	
40th–42d	James Harlan	Mar. 4, 1867	Mar. 3, 1873	
43d–60th	William B. Allison	Mar. 4, 1873	Mar. 3, 1909	(7)
60th–69th	Albert B. Cummins	Nov. 24, 1908	Mar. 3, 1927	Died July 30, 1926.
69th	David W. Stewart	Aug. 7, 1926	Nov. 9, 1926	By gov., to fill vac.
Do	.....do	Nov. 10, 1926	Mar. 3, 1927	
70th–72d	Smith W. Brookhart	Mar. 4, 1927	Mar. 3, 1933	
73d–75th	Richard Louis Murphy	Mar. 4, 1933	Jan. 2, 1939	(8)
74th–78th	Guy M. Gillette	Nov. 4, 1936	Jan. 2, 1945	
79th–90th	Bourke B. Hickenlooper	Jan. 3, 1945	Jan. 2, 1969	
91st–93d	Harold E. Hughes	Jan. 3, 1969	Jan. 2, 1975	
94th–96th	John C. Culver	Jan. 3, 1975	Jan. 2, 1981	
97th–117th	Charles E. Grassley	Jan. 3, 1981	Jan. 2, 2023	

[1] Election declared invalid, Apr. 12, 1926.
[2] Successfully contested the election of Smith W. Brookhart and took his seat Apr. 12, 1926.
[3] Elected Nov. 3, 1936. Governor during interim.
[4] Elected Nov. 3, 1942. Governor during interim.
[5] Seat declared vacant Jan. 12, 1857.
[6] Resigned May 15, 1865. Vacancy from May 16, 1865, to Jan. 12, 1866.
[7] Died Aug. 4, 1908. Vacancy from Aug. 4 to Nov. 24, 1908, because of failure of legislature to elect.
[8] Died July 16, 1936. Vacancy from July 17 to Nov. 3, 1936, when a successor was elected.

1835 1836

KANSAS

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
37th–41st	James H. Lane	Apr. 4, 1861	Mar. 3, 1871	Died July 11, 1866.
39th	Edmund G. Ross	July 19, 1866	Jan. 22, 1867	By gov., to fill vac.
39th–41st	.....do	Jan. 23, 1867	Mar. 3, 1871	
42d–44th	Alexander Caldwell	Mar. 4, 1871	Mar. 3, 1877	Res. Mar. 24, 1873.
43d	Robert Crozier	Nov. 24, 1873	Feb. 12, 1874	By gov., to fill vac.
43d–44th	James M. Harvey	Feb. 12, 1874	Mar. 3, 1877	

See footnotes at end of Kansas table.

KANSAS—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
45th–53d	Preston B. Plumb	Mar. 4, 1877	Mar. 3, 1895	Died Dec. 20, 1891.
52d	Bishop W. Perkins	Jan. 1, 1892	Mar. 3, 1893	By gov., to fill vac.
53d	John Martin	Mar. 4, 1893	Mar. 3, 1895	
54th–56th	Lucien Baker	Mar. 4, 1895	Mar. 3, 1901	
57th–59th	Joseph R. Burton	Mar. 4, 1901	Mar. 3, 1907	Res. June 4, 1906.
59th	Alfred W. Benson	June 11, 1906	Jan. 23, 1907	By gov., to fill vac.
59th–62d	Charles Curtis	Jan. 29, 1907	Mar. 3, 1913	
63d–65th	William H. Thompson	Mar. 4, 1913	Mar. 3, 1919	
66th–80th	Arthur Capper	Mar. 4, 1919	Jan. 2, 1949	
81st–89th	Andrew F. Schoeppel	Jan. 3, 1949	Jan. 2, 1967	Died Jan. 21, 1962.
87th	James B. Pearson	Jan. 31, 1962	Nov. 5, 1962	By gov., to fill vac.
87th–95th	.....do	Nov. 6, 1962	Jan. 2, 1979	Res. Dec. 23, 1978.
95th–104th	Nancy L. Kassebaum	Dec. 23, 1978	Jan. 2, 1997	(1)
105th–116th	Pat Roberts	Jan. 3, 1997	Jan. 2, 2021	

CLASS 3

37th–42d	Samuel C. Pomeroy	Apr. 4, 1861	Mar. 3, 1873	
43d–51st	John J. Ingalls	Mar. 4, 1873	Mar. 3, 1891	
52d–54th	William A. Peffer	Mar. 4, 1891	Mar. 3, 1897	
55th–57th	William A. Harris	Mar. 4, 1897	Mar. 3, 1903	
58th–60th	Chester I. Long	Mar. 4, 1903	Mar. 3, 1909	
61st–63d	Joseph L. Bristow	Mar. 4, 1909	Mar. 3, 1915	
64th–72d	Charles Curtis	Mar. 4, 1915	Mar. 3, 1933	Res. Mar. 3, 1929.[2]
71st	Henry J. Allen	Apr. 1, 1929	Nov. 30, 1930	By gov., to fill vac.
71st–75th	George McGill	Dec. 1, 1930	Jan. 2, 1939	
76th–81st	Clyde M. Reed	Jan. 3, 1939	Jan. 2, 1951	Died Nov. 8, 1949.
81st	Harry Darby	Dec. 2, 1949	Nov. 28, 1950	By gov., to fill vac.
81st–90th	Frank Carlson	Nov. 29, 1950	Jan. 2, 1969	(3)
91st–104th	Robert Dole	Jan. 3, 1969	Jan. 2, 1999	Res. June 11, 1996.
104th	Sheila Frahm	June 11, 1996	Nov. 5, 1996	By gov., to fill vac.
104th–111th	Sam Brownback	Nov. 7, 1996	Jan. 2, 2011	(4)
112th–117th	Jerry Moran	Jan. 3, 2011	Jan. 2, 2023	

[1] Elected to full term commencing Jan. 3, 1979; subsequently appointed by governor to fill vacancy in term ending Jan. 2. 1979.
[2] Resigned Mar. 3, 1929, having been elected Vice President of the United States for the 36th term on Nov. 6, 1928.
[3] Elected Nov. 7, 1950, to fill unexpired term ending Jan. 2, 1951, and also to full term ending Jan. 2, 1957.
[4] Elected on Nov. 5, 1996, to unexpired term ending Jan. 2, 1999. Resigned from the House of Representatives on Nov. 27, retroactive to Nov. 7, 1996. Sworn in on Nov. 27.

KENTUCKY

1837 1838

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
2d–8th	John Brown	June 18, 1792	Mar. 3, 1805	
9th–11th	Buckner Thruston	Mar. 4, 1805	Mar. 3, 1811	Res. Dec. 18, 1809.
11th	Henry Clay	Jan. 4, 1810	Do.	
12th–14th	George M. Bibb	Mar. 4, 1811	Mar. 3, 1817	Res. Aug. 23, 1814.
13th	George Walker	Aug. 30, 1814	Feb. 1, 1815	By gov., to fill vac.
13th–14th	William T. Barry	Feb. 2, 1815	Mar. 3, 1817	Res. May 1, 1816.
14th	Martin D. Hardin	Nov. 13, 1816	Dec. 4, 1816	By gov., to fill vac.
Do	.....do	Dec. 5, 1816	Mar. 3, 1817	
15th–17th	John J. Crittenden	Mar. 4, 1817	Mar. 3, 1823	Res. Mar. 3, 1819.
16th–20th	Richard M. Johnson	Dec. 10, 1819	Mar. 3, 1829	
21st–23d	George M. Bibb	Mar. 4, 1829	Mar. 3, 1835	
24th–26th	John J. Crittenden	Mar. 4, 1835	Mar. 3, 1841	
27th–29th	James T. Morehead	Mar. 4, 1841	Mar. 3, 1847	
30th–32d	Joseph R. Underwood	Mar. 4, 1847	Mar. 3, 1853	
33d–35th	John B. Thompson	Mar. 4, 1853	Mar. 3, 1859	
36th–38th	Lazarus W. Powell	Mar. 4, 1859	Mar. 3, 1865	
39th–41st	James Guthrie	Mar. 4, 1865	Mar. 3, 1871	Res. Feb. 7, 1868.
40th–41st	Thomas C. McCreery	Feb. 19, 1868	Do.	
42d–44th	John W. Stevenson	Mar. 4, 1871	Mar. 3, 1877	

See footnotes at end of Kentucky table.

KENTUCKY—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
45th–53d	James B. Beck	Mar. 4, 1877	Mar. 3, 1895	Died May 3, 1890.
51st–53d	John G. Carlisle	May 17, 1890	Do.	Res. Feb. 4, 1893.
52d–56th	William Lindsay	Feb. 15, 1893	Mar. 3, 1901	
57th–59th	Joseph C. S. Blackburn	Mar. 4, 1901	Mar. 3, 1907	
60th–62d	Thomas H. Paynter	Mar. 4, 1907	Mar. 3, 1913	
63d–65th	Ollie M. James	Mar. 4, 1913	Mar. 3, 1919	Died Aug. 28, 1918.
65th	George B. Martin	Sept. 7, 1918	Do.	By gov., to fill vac.
66th–68th	A. Owsley Stanley	Mar. 4, 1919	Mar. 3, 1925	
69th–71st	Fred M. Sackett	Mar. 4, 1925	Mar. 3, 1931	Res. Jan. 9, 1930.
71st	John M. Robsion	Jan. 11, 1930	Nov. 30, 1930	By gov., to fill vac.
Do	Ben M. Williamson	Dec. 1, 1930	Mar. 3, 1931	
72d–77th	Marvel M. Logan	Mar. 4, 1931	Jan. 2, 1943	Died Oct. 3, 1939.
76th	Albert B. Chandler	Oct. 10, 1939	Nov. 5, 1940	By gov., to fill vac.
76th–80th	.....do	Nov. 6, 1940	Jan. 2, 1949	Res. Nov. 1, 1945.
79th	William A. Stanfill	Nov. 19, 1945	Nov. 5, 1946	By gov., to fill vac.
80th	John Sherman Cooper	Nov. 6, 1946	Jan. 2, 1949	
81st–83d	Virgil Chapman	Jan. 3, 1949	Jan. 2, 1955	Died Mar. 8, 1951.
82d	Thomas R. Underwood	Mar. 19, 1951	Nov. 4, 1952	By gov., to fill vac.
82d–83d	John Sherman Cooper	Nov. 5, 1952	Jan. 2, 1955	
84th–86th	Alben W. Barkley	Jan. 3, 1955	Jan. 2, 1961	Died Apr. 30, 1956.
84th	Robert Humphreys	June 21, 1956	Nov. 6, 1956	By gov., to fill vac.[1]
85th–92d	John Sherman Cooper	Nov. 7, 1956	Jan. 2, 1973	
93d–98th	Walter D. Huddleston	Jan. 3, 1973	Jan. 2, 1985	
99th–116th	Mitch McConnell	Jan. 3, 1985	Jan. 2, 2021	

CLASS 3

2d–3d	John Edwards	June 18, 1792	Mar. 3, 1795	
4th–6th	Humphrey Marshall	Mar. 4, 1795	Mar. 3, 1801	
7th–9th	John Breckinridge	Mar. 4, 1801	Mar. 3, 1807	Res. Aug. 7, 1805.
9th	John Adair	Nov. 8, 1805	Do.	Res. Nov. 18, 1806.
Do	Henry Clay	Dec. 29, 1806	Do.	
10th–12th	John Pope	Mar. 4, 1807	Mar. 3, 1813	
13th–15th	Jesse Bledsoe	Mar. 4, 1813	Mar. 3, 1819	Res. Jan. 14, 1815.[2]
Do	Isham Talbot	Feb. 2, 1815	Do.	
16th–18th	William Logan	Mar. 4, 1819	Mar. 3, 1825	Res. May 28, 1820.
Do	Isham Talbot	Oct. 19, 1820	Do.	
19th–21st	John Rowan	Mar. 4, 1825	Mar. 3, 1831	
22d–27th	Henry Clay	Nov. 10, 1831	Mar. 3, 1843	Res. Mar. 31, 1842.
27th–30th	John J. Crittenden	Mar. 31, 1842	Mar. 3, 1849	Res. June 12, 1848.
30th	Thomas Metcalfe	June 23, 1848	Jan. 2, 1849	By gov., to fill vac.
Do	.....do	Jan. 3, 1849	Mar. 3, 1849	
31st–33d	Henry Clay	Mar. 4, 1849	Mar. 3, 1855	(3)
32d	David Meriwether	July 6, 1852	Sept. 1, 1852	By gov., to fill vac.
32d–33d	Archibald Dixon	Sept. 1, 1852	Mar. 3, 1855	
34th–36th	John J. Crittenden	Mar. 4, 1855	Mar. 3, 1861	
37th–39th	John C. Breckinridge	Mar. 4, 1861	Mar. 3, 1867	Exp. Dec. 4, 1861.
37th–42d	Garrett Davis	Dec. 10, 1861	Mar. 3, 1873	Died Sept. 22, 1872.
42d	Willis B. Machen	Sept. 27, 1872	Jan. 20, 1873	By gov., to fill vac.
Do	.....do	Jan. 21, 1873	Mar. 3, 1873	
43d–45th	Thomas C. McCreery	Mar. 4, 1873	Mar. 3, 1879	
46th–48th	John Stuart Williams	Mar. 4, 1879	Mar. 3, 1885	
49th–54th	Joseph C. S. Blackburn	Mar. 4, 1885	Mar. 3, 1897	
55th–57th	William J. Deboe	Mar. 4, 1897	Mar. 3, 1903	
58th–60th	James B. McCreary	Mar. 4, 1903	Mar. 3, 1909	
61st–63d	William O. Bradley	Mar. 4, 1909	Mar. 3, 1915	Died May 23, 1914.
63d	Johnson N. Camden, Jr.	June 16, 1914	Nov. 2, 1914	By gov., to fill vac.
Do	.....do	Nov. 3, 1914	Mar. 3, 1915	
64th–66th	John C. W. Beckham	Mar. 4, 1915	Mar. 3, 1921	
67th–69th	Richard P. Ernst	Mar. 4, 1921	Mar. 3, 1927	
70th–81st	Alben W. Barkley	Mar. 4, 1927	Jan. 2, 1951	(4)
81st	Garrett L. Withers	Jan. 20, 1949	Nov. 26, 1950	By gov., to fill vac.
81st–84th	Earle C. Clements	Nov. 27, 1950	Jan. 2, 1957	(5)
85th–90th	Thruston B. Morton	Jan. 3, 1957	Jan. 2, 1969	Res. Dec. 16, 1968.
90th–93d	Marlow W. Cook	Dec. 17, 1968	Jan. 2, 1975	Res. Dec. 27, 1974.[6]
93d–105th	Wendell H. Ford	Dec. 28, 1974	Jan. 2, 1999	(7)
106th–111th	Jim Bunning	Jan. 3, 1999	Jan. 2, 2011	

See footnotes at end of Kentucky table.

KENTUCKY—Continued

CLASS 3

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
112th–117th	Rand Paul	Jan. 3, 2011	Jan. 2, 2023	

[1]Joseph J. Leary appointed June 18, 1956, to fill vacancy, but declined to serve.
[2]Resignation offered Dec. 24, 1814, but remained on Senate payroll until Jan. 14, 1815.
[3]Resigned Dec. 17, 1851, to take effect first Monday in Sept. 1852. Died June 29, 1852.
[4]Resigned Jan. 19, 1949, having been elected Vice President of the United States for the 41st term on Nov. 2, 1948.
[5]Elected Nov. 7, 1950, for vacancy in term ending Jan. 2, 1951, and at the same time, elected for full term beginning Jan. 3, 1951. Oath administered Nov. 27, 1950.
[6]Elected to six-year term commencing Jan. 3, 1969; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1969.
[7]Elected to six-year term commencing Jan. 3, 1975; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1975.

LOUISIANA

1839 1840

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
12th–14th	Jean N. Destréhan	Sept. 3, 1812	Mar. 3, 1817	(1)
12th	Thomas Posey	Oct. 8, 1812	Feb. 4, 1813	By gov., to fill vac.
12th–14th	James Brown	Feb. 5, 1813	Mar. 3, 1817	Elect. Dec. 1, 1812.
15th–17th	William C. C. Claiborne	Mar. 4, 1817	Mar. 3, 1823	Died Nov. 23, 1817.
15th–20th	Henry Johnson	Jan. 12, 1818	Mar. 3, 1829	Res. May 27, 1824.
18th–20th	Dominique Bouligny	Nov. 19, 1824	Do.	
21st–23d	Edward Livingston	Mar. 4, 1829	Mar. 3, 1835	Res. May 24, 1831.
22d–23d	George A. Waggaman	Nov. 15, 1831	Do.	
24th–26th	Robert C. Nicholas	Jan. 13, 1836	Mar. 3, 1841	(2)
27th–29th	Alexander Barrow	Mar. 4, 1841	Mar. 3, 1847	Died Dec. 29, 1846.
29th	Pierre Soulé	Jan. 21, 1847	Do.	
30th–32d	Solomon W. Downs	Mar. 4, 1847	Mar. 3, 1853	
33d–38th	Judah P. Benjamin	Mar. 4, 1853	Mar. 3, 1865	(3)
40th–41st	John S. Harris	July 9, 1868	Mar. 3, 1871	(4)
42d–44th	J. Rodman West	Mar. 4, 1871	Mar. 3, 1877	
45th–47th	William P. Kellogg	Mar. 4, 1877	Mar. 3, 1883	
48th–53d	Randall L. Gibson	Mar. 4, 1883	Mar. 3, 1895	Died Dec. 15, 1892.
52d–53d	Donelson Caffery	Dec. 31, 1892	May 22, 1894	By gov., to fill vac.
53d–56th	.....do	May 23, 1894	Mar. 3, 1901	
57th–62d	Murphy J. Foster	Mar. 4, 1901	Mar. 3, 1913	
63d–71st	Joseph E. Ransdell	Mar. 4, 1913	Mar. 3, 1931	
72d–74th	Huey P. Long	Jan. 25, 1932	Jan. 2, 1937	(5)
74th	Rose McConnell Long	Jan. 31, 1936	Apr. 20, 1936	By gov., to fill vac.
Do	.....do	Apr. 21, 1936	Jan. 2, 1937	
75th–92d	Allen J. Ellender	Jan. 3, 1937	Jan. 2, 1973	Died July 27, 1972.
92d	Elaine S. Edwards	Aug. 1, 1972	Do.	(6)
92d–104th	J. Bennett Johnston, Jr.	Nov. 14, 1972	Jan. 2, 1997	(7)
105th–113th	Mary L. Landrieu	Jan. 3, 1997	Jan. 2, 2015	
114th–116th	Bill Cassidy	Jan. 3, 2015	Jan. 2, 2021	

CLASS 3

12th	Allan B. Magruder	Sept. 3, 1812	Mar. 3, 1813	
13th–15th	Eligius Fromentin	Mar. 4, 1813	Mar. 3, 1819	
16th–18th	James Brown	Mar. 4, 1819	Mar. 3, 1825	Res. Dec. 10, 1823.
18th–24th	Josiah S. Johnston	Jan. 15, 1824	Mar. 3, 1837	Died May 19, 1833.[8]
23d–24th	Alexander Porter	Dec. 19, 1833	Do.	Res. Jan. 5, 1837.
24th–27th	Alexander Mouton	Jan. 12, 1837	Mar. 3, 1843	Res. Mar. 1, 1842.
27th	Charles M. Conrad	Apr. 14, 1842	Do.	
28th–30th	Henry Johnson	Feb. 12, 1844	Mar. 3, 1849	(9)
31st–33d	Pierre Soulé	Mar. 4, 1849	Mar. 3, 1855	Res. Apr. 11, 1853.
33d–36th	John Slidell	Apr. 28, 1853	Mar. 3, 1861	(10)
40th–44th	William P. Kellogg	July 9, 1868	Mar. 3, 1873	(11)
44th–45th	James B. Eustis	Jan. 12, 1876	Mar. 3, 1879	
46th–48th	Benjamin F. Jonas	Mar. 4, 1879	Mar. 3, 1885	
49th–51st	James B. Eustis	Mar. 4, 1885	Mar. 3, 1891	
52d–54th	Edward D. White	Mar. 4, 1891	Mar. 3, 1897	Res. Mar. 12, 1894.
53d	Newton C. Blanchard	Mar. 12, 1894	May 22, 1894	By gov., to fill vac.
53d–54th	.....do	May 23, 1894	Mar. 3, 1897	

See footnotes at end of Louisiana table.

LOUISIANA—Continued

CLASS 3

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
55th–63d	Samuel D. McEnery	Mar. 4, 1897	Mar. 3, 1915	Died June 28, 1910.
61st–63d	John R. Thornton	Dec. 7, 1910	Mar. 3, 1915	(12)
64th–66th	Robert F. Broussard	Mar. 4, 1915	Mar. 3, 1921	Died Apr. 12, 1918.
65th	Walter Guion	Apr. 22, 1918	Nov. 5, 1918	By gov., to fill vac.
65th–66th	Edward J. Gay	Nov. 6, 1918	Mar. 3, 1921	
67th–72d	Edwin S. Broussard	Mar. 4, 1921	Mar. 3, 1933	
73d–81st	John H. Overton	Mar. 4, 1933	Jan. 2, 1951	Died May 14, 1948.
80th	William C. Feazel	May 18, 1948	Dec. 30, 1948	By gov., to fill vac.
80th–99th	Russell B. Long	Dec. 31, 1948	Jan. 2, 1987	(13)
100th–108th	John B. Breaux	Jan. 3, 1987	Jan. 2, 2005	
109th–114th	David Vitter	Jan. 3, 2005	Jan. 2, 2017	
115th–117th	John Kennedy	Jan. 3, 2017	Jan. 2, 2023	

[1]Not sworn. Resigned Oct. 1, 1812.
[2]Elected in place of Chas. E. A. Gayarre, who did not qualify. Vacancy from Mar. 4, 1835, to Jan. 13, 1836.
[3]Withdrew Feb. 4, 1861. Seat declared vacant Mar. 14, 1861. Because of Civil War, vacancy from Feb. 4, 1861, to July 9, 1868, when Louisiana was readmitted to representation.
[4]By legislature, to fill vacancy in term beginning Mar. 4, 1865. Seated July 17, 1868.
[5]Elected Nov. 4, 1930. Took oath Jan. 25, 1932. Governor during interim. Died Sept. 10, 1935. Vacancy from Sept. 11, 1935, to Jan. 30, 1936.
[6]By governor, to fill vacancy. Resigned, effective Nov. 13, 1972.
[7]Elected to six-year term commencing Jan. 3, 1973; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1973.
[8]Vacancy from May 20 to Dec. 18, 1833.
[9]Alexander Porter was elected for this term, but he did not present credentials nor qualify. Vacancy from Mar. 4, 1843, to Feb. 12, 1844.
[10]Withdrew from the Senate Feb. 4, 1861. Because of Civil War, vacancy from Feb. 4, 1861, to July 9, 1868, when Louisiana was readmitted to representation.
[11]By legislature, to fill vacancy in term beginning Mar. 4, 1867. Seated July 17, 1868. Resigned Nov. 1, 1872. Vacancy from Nov. 1, 1872, to Jan. 12, 1876.
[12]Vacancy from June 29 to Dec. 6, 1910.
[13]Elected Nov. 2, 1948, for term ending Jan. 2, 1951. Oath administered Dec. 31, 1948.

1841 1842

MAINE

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
16th–19th	John Holmes	June 13, 1820	Mar. 3, 1827	
20th–22d	Albion K. Parris	Mar. 4, 1827	Mar. 3, 1833	Res. Aug. 26, 1828.
Do	John Holmes	Jan. 15, 1829	Do.	
23d–25th	Ether Shepley	Mar. 4, 1833	Mar. 3, 1839	Res. Mar. 3, 1836.
24th	Judah Dana	Dec. 7, 1836	Mar. 3, 1837	By gov., to fill vac.
25th–28th	Reuel Williams	Mar. 4, 1837	Mar. 3, 1845	Res. Feb. 15, 1843.
28th–31st	John Fairfield	Mar. 7, 1843	Mar. 3, 1851	Died Dec. 24, 1847.
30th	Wyman B. S. Moor	Jan. 5, 1848	June 7, 1848	By gov., to fill vac.
30th–34th	Hannibal Hamlin	June 8, 1848	Mar. 3, 1857	Res. Jan. 7, 1857.
34th	Amos Nourse	Jan. 16, 1857	Do.	
35th–37th	Hannibal Hamlin	Mar. 4, 1857	Mar. 3, 1863	(1)
36th–40th	Lot Myrick Morrill	Jan. 17, 1861	Mar. 3, 1869	
41st–46th	Hannibal Hamlin	Mar. 4, 1869	Mar. 3, 1881	
47th–61st	Eugene Hale	Mar. 4, 1881	Mar. 3, 1911	
62d–64th	Charles F. Johnson	Mar. 4, 1911	Mar. 3, 1917	
65th–76th	Frederick Hale	Mar. 4, 1917	Jan. 2, 1941	
77th–82d	Ralph O. Brewster	Jan. 3, 1941	Jan. 2, 1953	Res. Dec. 31, 1952.
83d–85th	Frederick G. Payne	Jan. 3, 1953	Jan. 2, 1959	
86th–97th	Edmund S. Muskie	Jan. 3, 1959	Jan. 2, 1983	Res. May 7, 1980.
96th	George J. Mitchell	May 17, 1980	Jan. 2, 1983	By gov., to fill vac.
96th–103d	.....do	Jan. 3, 1983	Jan. 2, 1995	
104th–112th	Olympia J. Snowe	Jan. 3, 1995	Jan. 2, 2013	
113th–118th	Angus King	Jan. 3, 2013	Jan. 2, 2025	

CLASS 2

16th–20th	John Chandler	June 14, 1820	Mar. 3, 1829	
21st–23d	Peleg Sprague	Mar. 4, 1829	Mar. 3, 1835	Res. Jan. 1, 1835.
23d–26th	John Ruggles	Jan. 20, 1835	Mar. 3, 1841	
27th–29th	George Evans	Mar. 4, 1841	Mar. 3, 1847	

See footnotes at end of Main table.

MAINE—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
30th–32d	James W. Bradbury	Mar. 4, 1847	Mar. 3, 1853	
33d–38th	William Pitt Fessenden	Feb. 10, 1854	Mar. 3, 1865	Res. July 1, 1864.
38th	Nathan A. Farwell	Oct. 27, 1864	Jan. 10, 1865	By gov., to fill vac.
Do	.....do	Jan. 11, 1865	Mar. 3, 1865	
39th–41st	William Pitt Fessenden	Mar. 4, 1865	Mar. 3, 1871	Died Sept. 8, 1869.
41st	Lot Myrick Morrill	Oct. 30, 1869	Jan. 18, 1870	By gov., to fill vac.
41st–44th	.....do	Jan. 19, 1870	Mar. 3, 1877	Res. July 7, 1876.
44th	James G. Blaine	July 10, 1876	Jan. 16, 1877	By gov., to fill vac.
44th–47th	.....do	Jan. 17, 1877	Mar. 3, 1883	Res. Mar. 5, 1881.
47th–62d	William P. Frye	Mar. 18, 1881	Mar. 3, 1913	(2)
62d	Obadiah Gardner	Sept. 23, 1911	Apr. 1, 1912	By gov., to fill vac.
Do	.....do	Apr. 2, 1912	Mar. 3, 1913	
63d–65th	Edwin C. Burleigh	Mar. 4, 1913	Mar. 3, 1919	Died June 16, 1916.[3]
64th–71st	Bert M. Fernald	Sept. 12, 1916	Mar. 3, 1931	Died Aug. 23, 1926.
69th–71st	Arthur R. Gould	Nov. 30, 1926	Mar. 3, 1931	
72d–80th	Wallace H. White, Jr.	Mar. 4, 1931	Jan. 2, 1949	
81st–92d	Margaret Chase Smith	Jan. 3, 1949	Jan. 2, 1973	
93d–95th	William D. Hathaway	Jan. 3, 1973	Jan. 2, 1979	
96th–104th	William S. Cohen	Jan. 3, 1979	Jan. 2, 1997	
105th–116th	Susan M. Collins	Jan. 3, 1997	Jan. 2, 2021	

[1]Resigned Jan. 7, 1861, to take effect Jan. 17, 1861, having been elected Vice President of the United States for the 19th term on Nov. 6, 1860.
[2]Elected Mar. 15, 1881. Resigned From House Mar. 17, 1881. Died Aug. 8, 1911.
[3]Vacancy from June 17 to Sept. 11, 1916, because of recess of legislature.

MARYLAND

1843 1844

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st–4th	C. Carroll, of Carrollton	Mar. 4, 1789	Mar. 3, 1797	Res. Nov. 30, 1792.
2d–4th	Richard Potts	Jan. 10, 1793	Do.	Res. Oct. 24, 1796.
4th–7th	John E. Howard	Nov. 21, 1796	Mar. 3, 1803	
8th–10th	Samuel Smith	Mar. 4, 1803	Mar. 3, 1809	
11th	.....do	Mar. 4, 1809	Nov. 15, 1809	By gov., to fill vac.
11th–13th	.....do	Nov. 16, 1809	Mar. 3, 1815	
14th–16th	Robert G. Harper	Jan. 29, 1816	Mar. 3, 1821	(1)
Do	Alexander Contee Hanson	Dec. 20, 1816	Do.	Died Apr. 23, 1819.
16th–19th	William Pinkney	Dec. 21, 1819	Mar. 3, 1827	Died Feb. 25, 1822.
17th–23d	Samuel Smith	Dec. 16, 1822	Mar. 3, 1833	
23d–25th	Joseph Kent	Mar. 4, 1833	Mar. 3, 1839	Died Nov. 24, 1837.
25th–28th	William D. Merrick	Jan. 4, 1838	Mar. 3, 1845	
29th–31st	Reverdy Johnson	Mar. 4, 1845	Mar. 3, 1851	Res. Mar. 7, 1849.
31st	David Stewart	Dec. 6, 1849	Jan. 12, 1850	By gov., to fill vac.
31st–34th	Thomas G. Pratt	Jan. 12, 1850	Mar. 3, 1857	
35th–37th	Anthony Kennedy	Mar. 4, 1857	Mar. 3, 1863	
38th–40th	Reverdy Johnson	Mar. 4, 1863	Mar. 3, 1869	Res. July 10, 1868.
40th	William Pinkney Whyte	July 13, 1868	Do.	By gov., to fill vac.
41st–43d	William T. Hamilton	Mar. 4, 1869	Mar. 3, 1875	
44th–46th	William Pinkney Whyte	Mar. 4, 1875	Mar. 3, 1881	
47th–55th	Arthur P. Gorman	Mar. 4, 1881	Mar. 3, 1899	
56th–58th	Louis E. McComas	Mar. 4, 1899	Mar. 3, 1905	
59th–64th	Isidor Rayner	Mar. 4, 1905	Mar. 3, 1917	Died Nov. 25, 1912.
62d–63d	William P. Jackson	Nov. 29, 1912	Jan. 28, 1914	By gov., to fill vac.
63d–64th	Blair Lee	Jan. 29, 1914	Mar. 3, 1917	
65th–67th	Joseph L. France	Mar. 4, 1917	Mar. 3, 1923	
68th–70th	William Cabell Bruce	Mar. 4, 1923	Mar. 3, 1929	
71st–73d	Phillips Lee Goldsborough.	Mar. 4, 1929	Jan. 2, 1935	
74th–79th	George L.P. Radcliffe	Jan. 3, 1935	Jan. 2, 1947	
80th–82d	Herbert R. O'Conor	Jan. 3, 1947	Jan. 2, 1953	
83d–88th	J. Glenn Beall	Jan. 3, 1953	Jan. 2, 1965	
89th–91st	Joseph D. Tydings	Jan. 3, 1965	Jan. 2, 1971	
92d–94th	J. Glenn Beall, Jr.	Jan. 3, 1971	Jan. 2, 1977	
95th–109th	Paul S. Sarbanes	Jan. 3, 1977	Jan. 2, 2007	

See footnotes at end of Maryland table.

MARYLAND—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
110th–118th	Benjamin L. Cardin	Jan. 3, 2007	Jan. 2, 2025	

CLASS 3

1st–6th	John Henry	Mar. 4, 1789	Mar. 3, 1801	Res. July 10, 1797.
5th–6th	James Lloyd	Dec. 8, 1797	Do.	Res. Dec. 1, 1800.
6th	William Hindman	Dec. 12, 1800	Do.	
7th	.....do	Mar. 4, 1801	Nov. 19, 1801	By gov., to fill vac.
7th–9th	Robert Wright	Nov. 19, 1801	Mar. 3, 1807	Res. Nov. 12, 1806.
9th–12th	Philip Reed	Nov. 25, 1806	Mar. 3, 1813	
13th–15th	Robert H. Goldsborough	May 21, 1813	Mar. 3, 1819	(2)
16th–21st	Edward Lloyd	Dec. 27, 1819	Mar. 3, 1831	Res. Jan. 14, 1826.
19th–24th	Ezekiel F. Chambers	Jan. 24, 1826	Mar. 3, 1837	Res. Dec. 20, 1834.
23d–24th	Robert H. Goldsborough	Jan. 13, 1835	Do.	Died Oct. 5, 1936.
24th–27th	John S. Spence	Dec. 31, 1836	Mar. 3, 1843	Died Oct. 24, 1840.
26th–27th	John Leeds Kerr	Jan. 5, 1841	Do.	
28th–29th	James A. Pearce	Mar. 4, 1843	Mar. 3, 1867	Died Dec. 20, 1862.
37th–38th	Thomas H. Hicks	Dec. 29, 1862	Jan. 11, 1864	By gov., to fill vac.
38th–39th	.....do	Jan. 12, 1864	Mar. 3, 1867	Died Feb. 14, 1865.
39th	John A. J. Creswell	Mar. 9, 1865	Do.	
40th–42d	George Vickers	Mar. 7, 1868	Mar. 3, 1873	(3)
43d–45th	George R. Dennis	Mar. 4, 1873	Mar. 3, 1879	
46th–48th	James B. Groome	Mar. 4, 1879	Mar. 3, 1885	
49th–51st	Ephraim King Wilson	Mar. 4, 1885	Mar. 3, 1891	(4)
52d	Charles H. Gibson	Nov. 19, 1891	Jan. 21, 1892	By gov., to fill vac.
52d–54th	.....do	Jan. 21, 1892	Mar. 3, 1897	
55th–57th	George L. Wellington	Mar. 4, 1897	Mar. 3, 1903	
58th–60th	Arthur P. Gorman	Mar. 4, 1903	Mar. 3, 1909	Died June 4, 1906.
59th–60th	William Pinkney Whyte	June 8, 1906	Jan. 14, 1908	By gov., to fill vac.
60th	.....do	Jan. 15, 1908	Mar. 3, 1909	Died Mar. 17, 1908.
60th–66th	John Walter Smith	Mar. 25, 1908	Mar. 3, 1921	
67th–69th	Ovington E. Weller	Mar. 4, 1921	Mar. 3, 1927	
70th–81st	Millard E. Tydings	Mar. 4, 1927	Jan. 2, 1951	
82d–87th	John Marshall Butler	Jan. 3, 1951	Jan. 2, 1963	
88th–90th	Daniel B. Brewster	Jan. 3, 1963	Jan. 2, 1969	
91st–99th	Charles McC. Mathias, Jr.	Jan. 3, 1969	Jan. 2, 1987	
100th–114th	Barbara A. Mikulski	Jan. 3, 1987	Jan. 2, 2017	
115th–117th	Chris Van Hollen	Jan. 3, 2017	Jan. 2, 2023	

[1]Vacancy from Mar. 4, 1815, to Jan. 28, 1816, due to failure of legislature to elect. Resigned Dec. 6, 1816.
[2]Vacancy from Mar. 4, 1813, to May 20, 1813, due to failure of legislature to elect.
[3]Philip F. Thomas was elected but was not permitted to qualify. Vacancy from Mar. 4, 1867, to Mar. 6, 1868.
[4]Died Feb. 24, 1891. Had been reelected on Jan. 15, 1890, for the term beginning Mar. 4, 1891. Vacancy from Feb. 25 to Nov. 18, 1891, because of recess of legislature.

MASSACHUSETTS

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st	Tristram Dalton	Mar. 4, 1789	Mar. 3, 1791	
2d–4th	George Cabot	Mar. 4, 1791	Mar. 3, 1797	Res. June 9, 1796.
4th–7th	Benjamin Goodhue	June 11, 1796	Mar. 3, 1803	Res. Nov. 8, 1800.
6th–7th	Jonathan Mason	Nov. 14, 1800	Do.	
8th–10th	John Quincy Adams	Mar. 4, 1803	Mar. 3, 1809	Res. June 8, 1808.
10th–13th	James Lloyd	June 9, 1808	Mar. 3, 1815	Res. May 1, 1813.
13th	Christopher Gore	May 5, 1813	May 29, 1813	By gov., to fill vac.
13th–16th	.....do	May 30, 1813	Mar. 3, 1821	Res. May 30, 1816.
14th–16th	Eli P. Ashmun	June 12, 1816	Do.	Res. May 10, 1818.
15th–16th	Prentiss Mellen	June 5, 1818	Do.	Res. May 15, 1820.
16th–19th	Elijah H. Mills	June 12, 1820	Mar. 3, 1827	
20th–28th	Daniel Webster	May 30, 1827	Mar. 3, 1845	Res. Feb. 22, 1841.
26th–28th	Rufus Choate	Feb. 23, 1841	Do.	
29th–31st	Daniel Webster	Mar. 4, 1845	Mar. 3, 1851	Res. July 22, 1850.

See footnotes at end of Massachusetts table.

MASSACHUSETTS—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
31st	Robert C. Winthrop	July 30, 1850	Feb. 1, 1851	By gov., to fill vac.
Do	Robert Rantoul	Feb. 1, 1851	Mar. 3, 1851	
32d–43d	Charles Sumner	Apr. 24, 1851	Mar. 3, 1875	Died Mar. 11, 1874.
43d	William B. Washburn	Apr. 17, 1874	Mar. 3, 1875	
44th–52d	Henry L. Dawes	Mar. 4, 1875	Mar. 3, 1893	
53d–70th	Henry Cabot Lodge	Mar. 4, 1893	Mar. 3, 1929	Died Nov. 9, 1924.
69th	William M. Butler	Nov. 13, 1924	Dec. 5, 1926	By gov., to fill vac.
69th–79th	David I. Walsh	Dec. 6, 1926	Jan. 2, 1947	
80th–82d	Henry Cabot Lodge, Jr.	Jan. 3, 1947	Jan. 2, 1953	
83d–88th	John F. Kennedy	Jan. 3, 1953	Jan. 2, 1965	(1)
87th	Benjamin A. Smith, II	Dec. 27, 1960	Nov. 6, 1962	By gov., to fill vac.
87th–112th	Edward M. Kennedy	Nov. 7, 1962	Jan. 2, 2013	Died Aug. 25, 2009.
111th	Paul G. Kirk, Jr.	Sept. 24, 2009	Feb. 4, 2010	By gov., to fill vac.
111th–112th	Scott P. Brown	Feb. 4, 2010	Jan. 2, 2013	
113th–118th	Elizabeth Warren	Jan. 3, 2013	Jan. 2, 2025	

CLASS 2

1st–5th	Caleb Strong	Mar. 4, 1789	Mar. 3, 1799	Res. June 1, 1796.
4th–5th	Theodore Sedgwick	June 11, 1796	Do.	
6th–8th	Samuel Dexter	Mar. 4, 1799	Mar. 3, 1805	Res. May 30, 1800.
Do	Dwight Foster	June 6, 1800	Do.	Res. Mar. 3, 1803.
8th–11th	Timothy Pickering	Mar. 4, 1803	Mar. 3, 1811	
12th–14th	Joseph B. Varnum	June 8, 1811	Mar. 3, 1817	
15th–17th	Harrison Gray Otis	Mar. 4, 1817	Mar. 3, 1823	Res. May 30, 1822.
17th–20th	James Lloyd	June 5, 1822	Mar. 3, 1829	Res. May 23, 1826.
19th–23d	Nathaniel Silsbee	May 31, 1826	Mar. 3, 1835	
24th–26th	John Davis	Mar. 4, 1835	Mar. 3, 1841	Res. Jan. 5, 1841.
26th–29th	Isaac C. Bates	Jan. 13, 1841	Mar. 3, 1847	Died Mar. 16, 1945.
29th–32d	John Davis	Mar. 24, 1845	Mar. 3, 1853	
33d–35th	Edward Everett	Mar. 4, 1853	Mar. 3, 1859	Res. June 1, 1854.
33d	Julius Rockwell	June 3, 1854	Jan. 31, 1855	By gov., to fill vac.
33d–44th	Henry Wilson	Jan. 31, 1855	Mar. 3, 1877	Res. Mar. 3, 1873.
43d–44th	George S. Boutwell	Mar. 12, 1873	Do.	
45th–59th	George F. Hoar	Mar. 4, 1877	Mar. 3, 1907	Died Sept. 30, 1904.
58th	Winthrop Murray Crane	Oct. 12, 1904	Jan. 17, 1905	By gov., to fill vac.
58th–62d	.....do	Jan. 18, 1905	Mar. 3, 1913	
63d–65th	John W. Weeks	Mar. 4, 1913	Mar. 3, 1919	
66th–68th	David I. Walsh	Mar. 4, 1919	Mar. 3, 1925	
69th–71st	Frederick H. Gillett	Mar. 4, 1925	Mar. 3, 1931	
72d–74th	Marcus A. Coolidge	Mar. 4, 1931	Jan. 2, 1937	
75th–80th	Henry Cabot Lodge, Jr.	Jan. 3, 1937	Jan. 2, 1949	Res. Feb. 3, 1944.
78th	Sinclair Weeks	Feb. 8, 1944	Dec. 19, 1944	By gov., to fill vac.
78th–89th	Leverett Saltonstall	Jan. 4, 1945	Jan. 2, 1967	(2)
90th–95th	Edward W. Brooke	Jan. 3, 1967	Jan. 2, 1979	
96th–98th	Paul Tsongas	Jan. 3, 1979	Jan. 2, 1985	Res. Jan. 2, 1985.
98th–113th	John F. Kerry	Jan. 2, 1985	Jan. 2, 2015	(3)
113th	William "Mo" Cowan	Feb. 1, 2013	July 15, 2013	By gov., to fill vac.
113th–116th	Edward Markey	July 16, 2013	Jan. 2, 2021	

[1] Resigned Dec. 22, 1960, having been elected President of the United States for the 44th term on Nov. 8, 1960. Vacancy from Dec. 23 to 26, 1960.
[2] Elected Nov. 7, 1944. Took oath Jan. 10, 1945. Governor during interim.
[3] Elected to full term commencing Jan. 3, 1985; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1985. Resigned Feb. 1, 2013.

MICHIGAN

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
24th–25th	Lucius Lyon	Jan. 26, 1837	Mar. 3, 1839	
26th–28th	Augustus S. Porter	Jan. 20, 1840	Mar. 3, 1845	
29th–31st	Lewis Cass	Mar. 4, 1845	Mar. 3, 1851	Res. May 29, 1848.
30th	Thomas Fitzgerald	June 8, 1848	Mar. 3, 1849	By gov., to fill vac.
30th–34th	Lewis Cass	Mar. 4, 1849	Mar. 3, 1857	
35th–43d	Zachariah Chandler	Mar. 4, 1857	Mar. 3, 1875	
44th–46th	Isaac P. Christiancy	Mar. 4, 1875	Mar. 3, 1881	Res. Feb. 10, 1879.

See footnotes at end of Michigan table.

MICHIGAN—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
46th	Zachariah Chandler	Feb. 19, 1879	Do.	Died Nov. 1, 1879.
Do	Henry P. Baldwin	Nov. 17, 1879	Jan. 18, 1881	By gov., to fill vac.
Do	.....do	Jan. 19, 1881	Mar. 3, 1881	
47th–49th	Omar D. Conger	Mar. 4, 1881	Mar. 3, 1887	
50th–55th	Francis B. Stockbridge	Mar. 4, 1887	Mar. 3, 1899	Died Apr. 30, 1894.
53d	John Patton, Jr.	May 5, 1894	Jan. 14, 1895	By gov., to fill vac.
53d–61st	Julius C. Burrows	Jan. 23, 1895	Mar. 3, 1911	
62d–67th	Charles E. Townsend	Mar. 4, 1911	Mar. 3, 1923	
68th–70th	Woodbridge N. Ferris	Mar. 4, 1923	Mar. 3, 1929	Died Mar. 23, 1928.
70th	Arthur H. Vandenberg	Mar. 31, 1928	Nov. 5, 1928	By gov., to fill vac.
70th–82d	.....do	Nov. 6, 1928	Jan. 2, 1953	Died Apr. 18, 1951.
82d	Blair Moody	Apr. 23, 1951	Nov. 4, 1952	By gov., to fill vac.
82d–85th	Charles E. Potter	Nov. 5, 1952	Jan. 2, 1959	(1)
86th–94th	Phillip A. Hart	Jan. 3, 1959	Jan. 2, 1977	Died Dec. 26, 1976.
94th–103d	Donald W. Riegle, Jr.	Dec. 30, 1976	Jan. 2, 1995	(2)
104th–106th	Spencer Abraham	Jan. 3, 1995	Jan. 2, 2001	
107th–118th	Debbie Stabenow	Jan. 3, 2001	Jan. 2, 2025	

CLASS 2

24th–26th	John Norvell	Jan. 26, 1837	Mar. 3, 1841	
27th–29th	William Woodbridge	Mar. 4, 1841	Mar. 3, 1847	
30th–32d	Alpheus Felch	Mar. 4, 1847	Mar. 3, 1853	
33d–35th	Charles E. Stuart	Mar. 4, 1853	Mar. 3, 1859	
36th–38th	Kinsley S. Bingham	Mar. 4, 1859	Mar. 3, 1865	Died Oct. 5, 1861.
37th–41st	Jacob M. Howard	Jan. 4, 1862	Mar. 3, 1871	
42d–47th	Thomas W. Ferry	Mar. 4, 1871	Mar. 3, 1883	
48th–50th	Thomas W. Palmer	Mar. 4, 1883	Mar. 3, 1889	
51st–59th	James McMillan	Mar. 4, 1889	Mar. 3, 1907	Died Aug. 10, 1902.
57th	Russell A. Alger	Sept. 27, 1902	Jan. 19, 1903	By gov., to fill vac.
57th–59th	.....do	Jan. 20, 1903	Mar. 3, 1907	Died Jan. 24, 1907.
59th–65th	William Alden Smith	Feb. 6, 1907	Mar. 3, 1919	
66th–68th	Truman H. Newberry	Mar. 4, 1919	Mar. 3, 1925	Res. Nov. 18, 1922.
67th–68th	James Couzens	Nov. 29, 1922	Nov. 3, 1924	By gov., to fill vac.
68th–74th	.....do	Nov. 4, 1924	Jan. 2, 1937	Died Oct. 22, 1936.
74th–77th	Prentiss M. Brown	Nov. 19, 1936	Jan. 2, 1943	(3)
78th–83d	Homer Ferguson	Jan. 3, 1943	Jan. 2, 1955	
84th–89th	Patrick V. McNamara	Jan. 3, 1955	Jan. 2, 1967	Died Apr. 30, 1966.
89th	Robert P. Griffin	May 11, 1966	Jan. 2, 1967	By gov., to fill vac.
89th–95th	.....do	Jan. 3, 1967	Jan. 2, 1979	
96th–113th	Carl Levin	Jan. 3, 1979	Jan. 2, 2015	
114th–116th	Gary C. Peters	Jan. 3, 2015	Jan. 2, 2021	

[1] Elected Nov. 4, 1952, to fill vacancy in term ending Jan. 2, 1953, and also to full term ending Jan. 2, 1959.
[2] Elected to full term commencing Jan. 3, 1977; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1977.
[3] Elected to full term commencing Jan. 3, 1937; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1937.

MINNESOTA

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
35th–37th	Henry M. Rice	May 11, 1858	Mar. 3, 1863	
38th–43d	Alexander Ramsey	Mar. 4, 1863	Mar. 3, 1875	
44th–49th	Samuel J. R. McMillan	Mar. 4, 1875	Mar. 3, 1887	
50th–58th	Cushman K. Davis	Mar. 4, 1887	Mar. 3, 1905	Died Nov. 27, 1900.
56th	Charles A. Towne	Dec. 5, 1900	Jan. 28, 1901	By gov., to fill vac.
56th–64th	Moses E. Clapp	Jan. 28, 1901	Mar. 3, 1917	
65th–67th	Frank B. Kellogg	Mar. 4, 1917	Mar. 3, 1923	
68th–79th	Henrik Shipstead	Mar. 4, 1923	Jan. 2, 1947	
80th–85th	Edward J. Thye	Jan. 3, 1947	Jan. 2, 1959	
86th–91st	Eugene J. McCarthy	Jan. 3, 1959	Jan. 2, 1971	
92nd–97th	Hubert H. Humphrey	Jan. 3, 1971	Jan. 2, 1983	Died Jan. 13, 1978.
95th	Muriel Humphrey	Jan. 25, 1978	Nov. 7, 1978	By gov., to fill vac.

See footnotes at end of Minnesota table.

MINNESOTA—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
95th–103d	David Durenberger	Nov. 8, 1978	Jan. 2, 1995	
104th–106th	Rod Grams	Jan. 3, 1995	Jan. 2, 2001	
107th–109th	Mark Dayton	Jan. 3, 2001	Jan. 2, 2007	
110th–118th	Amy Klobuchar	Jan. 3, 2007	Jan. 2, 2025	

CLASS 2

35th	James Shields	May 11, 1858	Mar. 3, 1859	
36th–38th	Morton S. Wilkinson	Mar. 4, 1859	Mar 3, 1865	
39th–41st	Daniel S. Norton	Mar. 4, 1865	Mar. 3, 1871	Died July 13, 1870.
41st	William Windom	July 15, 1870	Jan. 22, 1871	By gov., to fill vac.
Do	Ozora P. Stearns	Jan. 23, 1871	Mar. 3, 1871	
42d–47th	William Windom	Mar. 4, 1871	Mar. 3, 1883	Res. Mar. 7, 1881.
47th	A. J. Edgerton	Mar. 12, 1881	Nov. 14, 1881	By gov. to fill vac.
Do	William Windom	Nov. 15, 1881	Mar. 3, 1883	
48th–50th	Dwight M. Sabin	Mar. 4, 1883	Mar. 3, 1889	
51st–53d	William D. Washburn	Mar. 4, 1889	Mar. 3, 1895	
54th–68th	Knute Nelson	Mar. 4, 1895	Mar. 3, 1925	Died Apr. 28, 1923.
68th	Magnus Johnson	July 16, 1923	Do.	
69th–74th	Thomas D. Schall	Mar. 4, 1925	Jan. 2, 1937	Died Dec. 22, 1935.
74th	Elmer A. Benson	Dec. 27, 1935	Nov. 3, 1936	By gov., to fill vac.
Do	Guy V. Howard	Nov. 4, 1936	Jan. 2, 1937	
75th–77th	Ernest Lundeen	Jan. 3, 1937	Jan. 2, 1943	Died Aug. 31, 1940.
76th–77th	Joseph H. Ball	Oct. 14, 1940	Nov. 17, 1942	By gov., to fill vac.
77th	Arthur E. Nelson	Nov. 18, 1942	Jan. 2, 1943	
78th–80th	Joseph H. Ball	Jan. 3, 1943	Jan. 2, 1949	
81st–89th	Hubert H. Humphrey	Jan. 3, 1949	Jan. 2, 1967	(1)
88th–89th	Walter F. Mondale	Dec. 30, 1964	Jan. 2, 1967	By gov., to fill vac.
90th–95th	.....do	Jan. 3, 1967	Jan. 2, 1979	(2)
95th–97th	Wendell R. Anderson	Dec. 30, 1976	Jan. 2, 1979	(3)
96th–101st	Rudolph E. Boschwitz	Dec. 30, 1978	Jan. 2, 1991	(4)
102d–107th	Paul D. Wellstone	Jan. 3, 1991	Jan. 2, 2003	Died Oct. 25, 2002.
107th	Dean Barkley	Nov. 4, 2002	Jan. 2, 2003	By gov., to fill vac.
108th–110th	Norm Coleman	Jan. 3, 2003	Jan. 2, 2009	
110th–116th	Al Franken	July 7, 2009	Jan. 2, 2021	(5)
115th	Tina Smith	Jan. 3, 2018	Nov. 6, 2018	By gov.,to fill vac.
115th–116th	.....do	Nov. 7, 2018	Jan. 2, 2021	

[1]Resigned Dec. 29, 1964, having been elected Vice President of the United States for the 45th term on Nov. 3, 1964.
[2]Resigned Dec. 30, 1976, having been elected Vice President of the United States for the 48th term on Nov. 2, 1976.
[3]By governor, to fill vacancy in term ending Jan. 2, 1979. Resigned Dec. 29, 1978.
[4]Elected to full term commencing Jan. 3, 1979; subsequently appointed by governor on Dec. 30, 1978, to fill vacancy in term ending Jan. 2, 1979.
[5]The contested election case between Al Franken and Norm Coleman was resolved by the Minnesota Supreme Court on June 30, 2009. Franken was sworn into office on July 7, 2009. Vacancy from Jan. 3 until July 6. Resigned Jan. 2, 2018.

MISSISSIPPI

1851 1852

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
15th–16th	Walter Leake	Dec. 10, 1817	Mar. 3, 1821	Res. May 15, 1820.
16th	David Holmes	Aug. 30, 1820	Do.	By gov., to fill vac.
17th–19th	.....do	Mar. 4, 1821	Mar. 3, 1827	Res. Sept. 25, 1825.
19th	Powhatan Ellis	Sept. 28, 1825	Jan. 28, 1826	By gov., to fill vac.
19th	Thomas B. Reed	Jan. 28, 1826	Mar. 3, 1827	
20th–22d	Powhatan Ellis	Mar. 4, 1827	Mar. 3, 1833	Res. July 16, 1832.
22d	John Black	Nov. 12, 1832	Do.	By gov., to fill vac.
23d–25th	.....do	Mar. 4, 1833	Mar. 3, 1839	Res. Jan. 22, 1838.
25th	James F. Trotter	Jan. 22, 1838	Do.	Res. July 10, 1838.
Do	Thomas Hickman Williams.	Nov. 12, 1838	Jan. 29, 1839	By gov., to fill vac.
Do	.....do	Jan. 30, 1839	Mar. 3, 1839	
26th–28th	John Henderson	Mar. 4, 1839	Mar. 3, 1845	

See footnotes at end of Mississippi table.

MISSISSIPPI—Continuted

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
29th–31st	Jesse Speight	Mar. 4, 1845	Mar. 3, 1851.	Died May 1, 1847.
30th	Jefferson Davis	Aug. 10, 1847	Jan. 10, 1848	By gov., to fill vac.
30th–34th	.....do	Jan. 11, 1848	Mar. 3, 1857	Res. Sept. 23, 1851.
32d	John J. McRae	Dec. 1, 1851	Mar. 17, 1852	By gov., to fill vac.
32d–34th	Stephen Adams	Mar. 17, 1852	Mar. 3, 1857	
35th–37th	Jefferson Davis	Mar. 4, 1857	Mar. 3, 1863	(1)
41st–43d	Adelbert Ames	Feb. 23, 1870	Mar. 3, 1875	(2)
43d	Henry R. Pease	Feb. 3, 1874	Do.	
44th–46th	Blanche K. Bruce	Mar. 4, 1875	Mar. 3, 1881	
47th–55th	James Z. George	Mar. 4, 1881	Mar. 3, 1899	Died Aug. 14, 1897.
55th	Hernando D. Money	Oct. 8, 1897	Jan. 18, 1898	By gov., to fill vac.
55th–61st	.....do	Jan. 19, 1898	Mar. 3, 1911	
62d–67th	John Sharp Williams	Mar. 4, 1911	Mar. 3, 1923	
68th–73d	Hubert D. Stephens	Mar. 4, 1923	Jan. 2, 1935	
74th–82d	Theodore G. Bilbo	Jan. 3, 1935	Jan. 2, 1953	(3)
80th–100th	John C. Stennis	Nov. 5, 1947	Jan. 2, 1989	
101st–112th	Trent Lott	Jan. 3, 1989	Jan. 2, 2013	Res. Dec. 18, 2007
110th	Roger F. Wicker	Dec. 31, 2007	Nov. 4, 2008	By gov., to fill vac.
110th–118th	.....do	Nov. 5, 2008	Jan. 2, 2025	

CLASS 2

15th–20th	Thomas Hill Williams	Dec. 10, 1817	Mar. 3, 1829	
21st–23d	Thomas B. Reed	Mar. 4, 1829	Mar. 3, 1835	Died Nov. 26, 1829.
Do	Robert H. Adams	Jan. 6, 1830	Do.	Died July 2, 1830.
21st	George Poindexter	Oct. 15, 1830	Nov. 17, 1830	By gov., to fill vac.
21st–23d	.....do	Nov. 18, 1830	Mar. 3, 1835	
24th–29th	Robert J. Walker	Mar. 4, 1835	Mar. 3, 1847	Res. Mar. 5, 1845.
29th	Joseph W. Chalmers	Nov. 3, 1845	Jan. 9, 1846	By gov., to fill vac.
Do.	.....do	Jan. 10, 1846	Mar. 3, 1847	
30th–32d	Henry Stuart Foote	Mar. 4, 1847	Mar. 3, 1853	Res. Jan. 8, 1852.
32d	Walker Brooke	Feb. 18, 1852	Do.	
33d–38th	Albert G. Brown	Jan. 7, 1854	Mar. 3, 1865	(4)
41st	Hiram R. Revels	Feb. 23, 1870	Mar. 3, 1871	(5)
42d–44th	James L. Alcorn	Dec. 4, 1871	Mar. 3, 1877	(6)
45th–50th	Lucius Q. C. Lamar	Mar. 4, 1877	Mar. 3, 1889	Res. Mar. 6, 1885.
49th	Edward C. Walthall	Mar. 9, 1885	Jan. 20, 1886	By gov., to fill vac.
49th–53d	.....do	Jan. 20, 1886	Mar. 3, 1895	Res. Jan. 24, 1894.
53d	Anselm J. McLaurin	Feb. 7, 1894	Do.	
54th–56th	Edward C. Walthall	Mar. 4, 1895	Mar. 3, 1901	Died Apr. 21, 1898.
55th–56th	William V. Sullivan	May 31, 1898	Jan. 15, 1900	By gov., to fill vac.
56th	.....do	Jan. 16, 1900	Mar. 3, 1901	
57th–62d	Anselm J. McLaurin	Mar. 4, 1901	Mar. 3, 1913	Died Dec. 22, 1909.
61st	James Gordon	Dec. 27, 1909	Feb. 22, 1910	By gov., to fill vac.
61st–62d	Le Roy Percy	Feb. 23, 1910	Mar. 3, 1913	
63d–65th	James K. Vardaman	Mar. 4, 1913	Mar. 3, 1919	
66th–77th	Pat Harrison	Mar. 4, 1919	Jan. 2, 1943	Died June 22, 1941.
77th	James O. Eastland	June 30, 1941	Sept. 28, 1941	By gov., to fill vac.
Do	Wall Doxey	Sept. 29, 1941	Jan. 2, 1943	
78th–95th	James O. Eastland	Jan. 3, 1943	Jan. 2, 1979	Res. Dec. 27, 1978.
95th–116th	Thad Cochran	Dec. 27, 1978	Jan. 2, 2021	(7)
115th	Cindy Hyde-Smith	Apr. 9, 2018	Nov. 27, 2018	By gov., to fill vac.
115th–116th	.....do	Nov. 28, 2018	Jan. 2, 2021	

[1] Withdrew from the Senate Jan. 21, 1861. Seat declared vacant Mar. 14, 1861. Because of Civil War, vacancy from Jan. 21, 1861, to Feb. 23, 1870, when Mississippi was readmitted to representation.

[2] By legislature, to fill vacancy in term beginning Mar. 4, 1869. Credentials challenged; seated Apr. 1, 1870. Resigned Jan. 10, 1874.

[3] Oath not administered for term beginning Jan. 3, 1947. Died Aug. 21, 1947. Vacancy from Aug. 21 to Nov. 4, 1947.

[4] Vacancy from Mar. 4, 1853, to Jan. 6, 1854, because of legislature's failure to elect. Brown was elected on Jan. 7 and took his seat Jan. 26. Withdrew from the Senate Jan. 12, 1861. Seat declared vacant Mar. 14, 1861. Because of Civil War, vacancy from Jan. 13, 1861, to Feb. 23, 1870, when Mississippi was readmitted to representation.

[5] By legislature, to fill vacancy in term beginning Mar. 4, 1865. Credentials challenged; seated Feb. 25, 1870.

[6] Elected Jan. 18, 1870, for term beginning Mar. 4, 1871. Took oath Dec. 4, 1871. Governor during interim.

[7] Elected to full term commencing Jan. 3, 1979; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1979. Resigned Apr. 1, 2018

MISSOURI

1853 1854

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
17th–31st	Thomas H. Benton	Aug. 10, 1821	Mar. 3, 1851	
32d–34th	Henry S. Geyer	Mar. 4, 1851	Mar. 3, 1857	
35th–37th	Trusten Polk	Mar. 4, 1857	Mar. 3, 1863	Exp. Jan. 10, 1862.
37th	John B. Henderson	Jan. 17, 1862	Jan. 5, 1863	By gov., to fill vac.
37th–40th	.....do	Jan. 6, 1863	Mar. 3, 1869	
41st–43d	Carl Schurz	Mar. 4, 1869	Mar. 3, 1875	
44th–58th	Francis M. Cockrell	Mar. 4, 1875	Mar. 3, 1905	
59th–61st	William Warner	Mar. 18, 1905	Mar. 3, 1911	(1)
62d–70th	James A. Reed	Mar. 4, 1911	Mar. 3, 1929	
71st–73d	Roscoe C. Patterson	Mar. 4, 1929	Jan. 2, 1935	
74th–79th	Harry S. Truman	Jan. 3, 1935	Jan. 2, 1947	(2)
79th	Frank P. Briggs	Jan. 18, 1945	Do.	By gov., to fill vac.
80th–82d	James P. Kem	Jan. 3, 1947	Jan. 2, 1953	
83d–94th	Stuart Symington	Jan. 3, 1953	Jan. 2, 1977	Res. Dec. 27, 1976.
94th–103d	John C. Danforth	Dec. 27, 1976	Jan. 2, 1995	(3)
104th–106th	John Ashcroft	Jan. 3, 1995	Jan. 2, 2001	
107th	Jean Carnahan	Jan. 3, 2001	Nov. 23, 2002	(4)
107th–109th	Jim Talent	Nov. 23, 2002	Jan. 2, 2007	
110th–115th	Claire McCaskill	Jan. 3, 2007	Jan. 2, 2019	
116th–118th	Joshua D. Hawley	Jan. 3, 2019	Jan. 2, 2025	

CLASS 3

17th–21st	David Barton	Aug. 10, 1821	Mar. 3, 1831	
22d–24th	Alexander Buckner	Mar. 4, 1831	Mar. 3, 1837	Died June 6, 1833.
23d	Lewis F. Linn	Oct. 25, 1833	Nov. 19, 1834	By gov., to fill vac.
23d–30th	.....do	Nov. 20, 1834	Mar. 3, 1849	Died Oct. 3, 1843.
28th	David R. Atchison	Oct. 14, 1843	Nov. 19, 1844	By gov., to fill vac.
28th–33d	.....do	Nov. 20, 1844	Mar. 3, 1855	
34th–36th	James S. Green	Jan. 12, 1857	Mar. 3, 1861	(5)
37th–39th	Waldo P. Johnson	Mar. 17, 1861	Mar. 3, 1867	Exp. Jan. 10, 1862.
37th–38th	Robert Wilson	Jan. 17, 1862	Nov. 13, 1863	By gov., to fill vac.
38th–39th	B. Gratz Brown	Nov. 13, 1863	Mar. 3, 1867	
40th–42d	Charles D. Drake	Mar. 4, 1867	Mar. 3, 1873	Res. Dec. 19, 1870.
41st	Daniel T. Jewett	Dec. 19, 1870	Jan. 20, 1871	By gov., to fill vac.
41st–42d	Francis P. Blair	Jan. 20, 1871	Mar. 3, 1873	
43d–45th	Lewis V. Bogy	Mar. 4, 1873	Mar. 4, 1879	Died Sept. 20, 1877.
45th	David H. Armstrong	Sept. 29, 1877	Jan. 26, 1879	By gov., to fill vac.
Do	James Shields	Jan. 27, 1879	Mar. 3, 1879	
46th–57th	George G. Vest	Mar. 4, 1879	Mar. 3, 1903	
58th–66th	William J. Stone	Mar. 4, 1903	Mar. 3, 1921	Died Apr. 14, 1918.
65th	Xenophon P. Wilfley	Apr. 30, 1918	Nov. 5, 1918	By gov., to fill vac.
65th–69th	Selden P. Spencer	Nov. 6, 1918	Mar. 3, 1927	Died May 16, 1925.
69th	George H. Williams	May 25, 1925	Dec. 5, 1926	By gov., to fill vac.
69th–72d	Harry B. Hawes	Dec. 6, 1926	Mar. 3, 1933	Res. Feb. 3, 1933.
72d–78th	Joel Bennett Clark	Feb. 3, 1933	Jan. 2, 1945	(6)
79th–81st	Forrest C. Donnell	Jan. 3, 1945	Jan. 2, 1951	
82d–87th	Thomas C. Hennings, Jr.	Jan. 3, 1951	Jan. 2, 1963	Died Sept. 13, 1960.
86th	Edward V. Long	Sept. 23, 1960	Nov. 8, 1960	By gov., to fill vac.
86th–90th	.....do	Nov. 9, 1960	Jan. 2, 1969	Res. Dec. 27, 1968.
90th–99th	Thomas F. Eagleton	Dec. 28, 1968	Jan. 2, 1987	(7)
100th–111th	Christopher S. Bond	Jan. 3, 1987	Jan. 2, 2011	
112th–117th	Roy Blunt	Jan. 3, 2011	Jan. 2, 2023	

[1] Vacancy from Mar. 4 to Mar. 17, 1905, because of failure of legislature to elect.
[2] Resigned Jan. 17, 1945, having been elected Vice President of the United States for the 40th term on Nov. 7, 1944.
[3] Elected to full term commencing Jan. 3, 1977; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1977.
[4] By governor, to fill vacancy caused by death of husband Mel, who was posthumously elected to term ending Jan. 2, 2007. Defeated in special election.
[5] Vacancy from Mar. 4, 1855, to Jan. 12, 1857, and from Mar. 3 to Mar. 17, 1861.
[6] Elected to full term commencing Mar. 4, 1933; subsequently appointed by governor to fill vacancy in term ending Mar. 3, 1933.
[7] Elected to full term commencing Jan. 3, 1969; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1969.

MONTANA

1855 1856

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
51st–52d	Wilbur F. Sanders	Jan. 1, 1890	Mar. 3, 1893	
53d–55th	Lee Mantle	Jan. 16, 1895	Mar. 3, 1899	(1)
56th–58th	William A. Clark	Mar. 4, 1899	Mar. 3, 1905	(2)
57th–58th	Paris Gibson	Mar. 7, 1901	Do.	
59th–61st	Thomas H. Carter	Mar. 4, 1905	Mar. 3, 1911	
62d–67th	Henry L. Myers	Mar. 4, 1911	Mar. 3, 1923	
68th–79th	Burton K. Wheeler	Mar. 4, 1923	Jan. 2, 1947	
80th–82d	Zales N. Ecton	Jan. 3, 1947	Jan. 2, 1953	
83d–94th	Mike Mansfield	Jan. 3, 1953	Jan. 2, 1977	
95th–100th	John Melcher	Jan. 3, 1977	Jan. 2, 1989	
101st–109th	Conrad Burns	Jan. 3, 1989	Jan. 2, 2007	
110th–118th	Jon Tester	Jan. 3, 2007	Jan. 2, 2025	

CLASS 2

51st–53d	Thomas C. Power	Jan. 2, 1890	Mar. 3, 1895	
54th–56th	Thomas H. Carter	Mar. 4, 1895	Mar. 3, 1901	
57th–59th	William A. Clark	Mar. 4, 1901	Mar. 3, 1907	
60th–62d	Joseph M. Dixon	Mar. 4, 1907	Mar. 3, 1913	
63d–74th	Thomas J. Walsh	Mar. 4, 1913	Jan. 2, 1937	Died Mar. 2, 1933.
73d	John E. Erickson	Mar. 13, 1933	Nov. 6, 1934	By gov., to fill vac.
73d–86th	James E. Murray	Nov. 7, 1934	Jan. 2, 1961	
87th–95th	Lee Metcalf	Jan. 3, 1961	Jan. 2, 1979	Died Jan. 12, 1978.
95th	Paul G. Hatfield	Jan. 22, 1978	Do.	(3)
95th–113th	Max Baucus	Dec. 15, 1978	Jan. 2, 2015	Res. Feb. 6, 2014.[4]
113th	John E. Walsh	Feb. 9, 2014	Do.	By gov., to fill vac.
114th–116th	Steve Daines	Jan. 3, 2015	Jan. 2, 2021	

[1]Vacancy from Mar. 4, 1893, to Jan. 16, 1895, because of failure of legislature to elect.
[2]Resigned, to take effect May 15, 1900. Vacancy from May 15, 1900, to Mar. 7, 1901.
[3]By governor, to fill vacancy in term ending Jan. 2, 1979. Resigned Dec. 14, 1978.
[4]Elected to full term commencing Jan. 3, 1979; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1979.

NEBRASKA

1857 1858

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
40th–43d	Thomas W. Tipton	Mar. 1, 1867	Mar. 3, 1875	
44th–46th	Algernon S. Paddock	Mar. 4, 1875	Mar. 3, 1881	
47th–49th	Charles H. Van Wyck	Mar. 4, 1881	Mar. 3, 1887	
50th–52d	Algernon S. Paddock	Mar. 4, 1887	Mar. 3, 1893	
53d–55th	William V. Allen	Mar. 4, 1893	Mar. 3, 1899	
56th–58th	Monroe L. Hayward	Mar. 8, 1899	Mar. 3, 1905	(1)
56th–57th	William V. Allen	Dec. 13, 1899	Mar. 28, 1901	By gov., to fill vac.
57th–58th	Charles H. Dietrich	May 1, 1901	Mar. 3, 1905	(2)
59th–61st	Elmer J. Burkett	Mar. 4, 1905	Mar. 3, 1911	
62d–67th	Gilbert M. Hitchcock	Mar. 4, 1911	Mar. 3, 1923	
68th–73d	Robert B. Howell	Mar. 4, 1923	Jan. 2, 1935	(3)
73d	William H. Thompson	May 24, 1933	Nov. 6, 1934	By gov., to fill vac.
Do	Richard C. Hunter	Nov. 7, 1934	Jan. 2, 1935	
74th–76th	Edward R. Burke	Jan. 3, 1935	Jan. 2, 1941	
77th–85th	Hugh Butler	Jan. 3, 1941	Jan. 2, 1959	Died July 1, 1954.
83d	Sam W. Reynolds	July 3, 1954	Nov. 7, 1954	By gov., to fill vac.
83d–94th	Roman L. Hruska	Nov. 8, 1954	Jan. 2, 1977	Res. Dec. 27, 1976.
94th–100th	Edward Zorinsky	Dec. 28, 1976	Jan. 2, 1989	(4)
100th	David K. Karnes	Mar. 11, 1987	Jan. 2, 1989	By gov., to fill vac.
101st–106th	J. Robert Kerrey	Jan. 3, 1989	Jan. 2, 2001	
107th–112th	Ben Nelson	Jan. 3, 2001	Jan. 2, 2013	
113th–118th	Debra Fischer	Jan. 3, 2003	Jan. 2, 2025	

CLASS 2

40th–41st	John M. Thayer	Mar. 1, 1867	Mar. 3, 1871	
42d–44th	Phineas W. Hitchcock	Mar. 4, 1871	Mar. 3, 1877	

See footnotes at end of Nebraska table.

NEBRASKA—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
45th–47th	Alvin Saunders	Mar. 4, 1877	Mar. 3, 1883	
48th–53d	Charles F. Manderson	Mar. 4, 1883	Mar. 3, 1895	
54th–56th	John M. Thurston	Mar. 4, 1895	Mar. 3, 1901	
57th–59th	Joseph H. Millard	Mar. 28, 1901	Mar. 3, 1907	(5)
60th–62d	Norris Brown	Mar. 4, 1907	Mar. 3, 1913	
63d–77th	George W. Norris	Mar. 4, 1913	Jan. 2, 1943	
78th–83d	Kenneth S. Wherry	Jan. 3, 1943	Jan. 2, 1955	Died Nov. 29, 1951.
82d	Fred A. Seaton	Dec. 10, 1951	Nov. 4, 1952	By gov., to fill vac.
82d–83d	Dwight Griswold	Nov. 5, 1952	Jan. 2, 1955	Died Apr. 12, 1954.
83d	Eva Bowring	Apr. 16, 1954	Nov. 7, 1954	By gov., to fill vac.
Do	Hazel H. Abel	Nov. 8, 1954	Jan. 2, 1955	Res. Dec. 31, 1954.
84th–95th	Carl T. Curtis	Jan. 1, 1955	Jan. 2, 1979	(6)
96th–104th	J.J. Exon	Jan. 3, 1979	Jan. 2, 1997	
105th–110th	Chuck Hagel	Jan. 3, 1997	Jan. 2, 2009	
111th–113th	Mike Johanns	Jan. 3, 2009	Jan. 2, 2015	
114th–116th	Ben Sasse	Jan. 3, 2015	Jan. 2, 2021	

[1]Elected Mar. 8, 1899, to fill vacancy caused by failure of legislature to elect, but died Dec. 5, 1899, before qualifying.
[2]Elected Mar. 28, 1901. Did not resign as governor until May 1, 1901. Seated Dec. 2, 1901.
[3]Died Mar. 11, 1933. Vacancy from Mar. 12 to May 23, 1933.
[4]Elected to full term commencing Jan. 3, 1977; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1977. Died Mar. 6, 1987.
[5]Vacancy from Mar. 3 to Mar. 28, 1901, because of failure of legislature to elect.
[6]Elected to full term commencing Jan. 3, 1955; subsequently appointed by governor Jan. 1, 1955, to fill vacancy in term ending Jan. 2, 1955.

NEVADA

1859 1860

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
38th–43d	William M. Stewart	Dec. 15, 1864	Mar. 3, 1875	
44th–46th	William Sharon	Mar. 4, 1875	Mar. 3, 1881	
47th–49th	James G. Fair	Mar. 4, 1881	Mar. 3, 1887	
50th–58th	William M. Stewart	Mar. 4, 1887	Mar. 3, 1905	
59th–64th	George S. Nixon	Mar. 4, 1905	Mar. 3, 1917	Died June 5, 1912.
62d	William A. Massey	July 1, 1912	Jan. 29, 1913	By gov., to fill vac.
62d–76th	Key Pittman	Jan. 29, 1913	Jan. 2, 1941	Died Nov. 10, 1940.
76th–77th	Berkeley L. Bunker	Nov. 27, 1940	Dec. 6, 1942	By gov., to fill vac.
77th–79th	James G. Scrugham	Dec. 7, 1942	Jan. 2, 1947	Died June 23, 1945.
79th	E.P. Carville	July 25, 1945	Do.	By gov., to fill vac.
80th–85th	George W. Malone	Jan. 3, 1947	Jan. 2, 1959	
86th–97th	Howard W. Cannon	Jan. 3, 1959	Jan. 2, 1983	
98th–100th	Chic Hecht	Jan. 3, 1983	Jan. 2, 1989	
101st–106th	Richard H. Bryan	Jan. 3, 1989	Jan. 2, 2001	
107th–112th	John Ensign	Jan. 3, 2001	Jan. 2, 2013	Res. May 3, 2011
112th	Dean Heller	May 9, 2011	Do.	By gov., to fill vac.
113th–115th	.....do	Jan. 3, 2013	Jan. 2, 2019	
116th–118th	Jacky Rosen	Jan. 3, 2019	Jan. 2, 2025	

CLASS 3

38th–42d	James W. Nye	Dec. 16, 1864	Mar. 3, 1873	
43d–57th	John P. Jones	Mar. 4, 1873	Mar. 3, 1903	
58th–66th	Francis G. Newlands	Mar. 4, 1903	Mar. 3, 1921	Died Dec. 24, 1917.
65th	Charles B. Henderson	Jan. 12, 1918	Nov. 5, 1918	By gov., to fill vac.
65th–66th	.....do	Nov. 6, 1918	Mar. 3, 1921	
67th–72d	Tasker L. Oddie	Mar. 4, 1921	Mar. 3, 1933	
73d–84th	Patrick A. McCarran	Mar. 4, 1933	Jan. 2, 1957	Died Sept. 28, 1954.
83d	Ernest S. Brown	Oct. 1, 1954	Dec. 1, 1954	By gov., to fill vac.
83d–93d	Alan Bible	Dec. 2, 1954	Jan. 2, 1975	Res. Dec. 17, 1974.
93d–99th	Paul Laxalt	Dec. 18, 1974	Jan. 2, 1987	(1)
100th–114th	Harry M. Reid	Jan. 3, 1987	Jan. 2, 2017	
115th–117th	Catherine Cortez Masto	Jan. 3, 2017	Jan. 2, 2023	

[1]Elected to full term commencing Jan. 3, 1975; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1975.

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NEW HAMPSHIRE

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st–2d	Paine Wingate	Mar. 4, 1789	Mar. 3, 1793	
3d–8th	Samuel Livermore	Mar. 4, 1793	Mar. 3, 1805	Res. June 12, 1801.
7th–8th	Simeon Olcott	June 17, 1801	Do.	
9th–14th	Nicholas Gilman	Mar. 4, 1805	Mar. 3, 1817	Died May 2, 1814.
13th–14th	Thomas W. Thompson	June 24, 1814	Do.	
15th–17th	David L. Morrill	Mar. 4, 1817	Mar. 3, 1823	
18th–23d	Samuel Bell	Mar. 4, 1823	Mar. 3, 1835	
24th–26th	Henry Hubbard	Mar. 4, 1835	Mar. 3, 1841	
27th–29th	Levi Woodbury	Mar. 4, 1841	Mar. 3, 1847	Res. Nov. 20, 1845.
29th	Benning W. Jenness	Dec. 1, 1845	June 13, 1846	By gov., to fill vac.
Do	Joseph Cilley	June 13, 1846	Mar. 3, 1847	
30th–32d	John P. Hale	Mar. 4, 1847	Mar. 3, 1853	
33d–35th	Charles G. Atherton	Mar. 4, 1853	Mar. 3, 1859	Died Nov. 15, 1853.
33d	Jared W. Williams	Nov. 29, 1853	Aug. 4, 1854	(1)
34th–38th	John P. Hale	July 30, 1855	Mar. 3, 1865	
39th–44th	Aaron H. Cragin	Mar. 4, 1865	Mar. 3, 1877	
45th–47th	Edward H. Rollins	Mar. 4, 1877	Mar. 3, 1883	
48th–50th	Austin F. Pike	Mar. 4, 1883	Mar. 3, 1889	Died Oct. 8, 1886.
49th–50th	Person C. Cheney	Nov. 24, 1886	June 14, 1887	By gov., to fill vac.
50th	William E. Chandler	June 14, 1887	Mar. 3, 1889	
51st	Gilman Marston	Mar. 4, 1889	June 18, 1889	By gov., to fill vac.
51st–56th	William E. Chandler	June 18, 1889	Mar. 3, 1901	
57th–62d	Henry E. Burnham	Mar. 4, 1901	Mar. 3, 1913	
63d–65th	Henry F. Hollis	Mar. 13, 1913	Mar. 3, 1919	(2)
66th–74th	Henry W. Keyes	Mar. 4, 1919	Jan. 2, 1937	
75th–89th	Styles Bridges	Jan. 3, 1937	Jan. 2, 1967	Died Nov. 26, 1961.
87th	Maurice J. Murphy, Jr.	Dec. 7, 1961	Nov. 6, 1962	By gov., to fill vac.
87th–95th	Thomas J. McIntyre	Nov. 7, 1962	Jan. 2, 1979	
96th–101st	Gordon J. Humphrey	Jan. 3, 1979	Jan. 2, 1991	Res. Dec. 4, 1990.
101st–107th	Robert C. Smith	Dec. 7, 1990	Jan. 2, 2003	(3)
108th–110th	John E. Sununu	Jan. 3, 2003	Jan. 2, 2009	
111th–116th	Jeanne Shaheen	Jan. 3, 2009	Jan. 2, 2021	

CLASS 3

1st–6th	John Langdon	Mar. 4, 1789	Mar. 3, 1801	
7th–9th	James Sheafe	Mar. 4, 1801	Mar. 3, 1807	Res. June 14, 1802.
Do	William Plumer	June 17, 1802	Do.	
10th–12th	Nahum Parker	Mar. 4, 1807	Mar. 3, 1813	Res. June 1, 1810.
11th–12th	Charles Cutts	June 21, 1810	Do.	
13th	.....do	Apr. 2, 1813	June 10, 1813	By gov., to fill vac.
13th–15th	Jeremiah Mason	June 10, 1813	Mar. 3, 1819	Res. June 16, 1817.
15th	Clement Storer	June 27, 1817	Do.	
16th–18th	John F. Parrott	Mar. 4, 1819	Mar. 3, 1825	
19th–21st	Levi Woodbury	June 16, 1825	Mar. 3, 1831	
22d–24th	Isaac Hill	Mar. 4, 1831	Mar. 3, 1837	Res. May 30, 1836.
24th	John Page	June 8, 1836	Do.	
25th–27th	Franklin Pierce	Mar. 4, 1837	Mar. 3, 1834	Res. Feb. 28, 1842.
27th	Leonard Wilcox	Mar. 1, 1842	June 8, 1842	By gov., to fill vac.
Do	.....do	June 9, 1842	Mar. 3, 1843	
28th–30th	Charles G. Atherton	Mar. 4, 1843	Mar. 3, 1849	
31st–33d	Moses Norris, Jr.	Mar. 4, 1849	Mar. 3, 1855	Died Jan. 11, 1855.
33d	John S. Wells	Jan. 16, 1855	Do.	(4)
34th–36th	James Bell	July 30, 1855	Mar. 3, 1861	Died May 26, 1857.
35th–39th	Daniel Clark	June 27, 1857	Mar. 3, 1867	Res. July 27, 1866.
39th	George G. Fogg	Aug. 31, 1866	Do.	By gov., to fill vac.
40th–42d	James W. Patterson	Mar. 4, 1867	Mar. 3, 1873	
43d–45th	Bainbridge Wadleigh	Mar. 4, 1873	Mar. 3, 1879	
46th	Charles H. Bell	Mar. 13, 1879	June 16, 1879	Do.
46th–48th	Henry W. Blair	June 17, 1879	Mar. 3, 1885	
49th	.....do	Mar. 5, 1885	June 16, 1885	Do.
49th–51st	.....do	June 17, 1885	Mar. 3, 1891	
52d–66th	Jacob H. Gallinger	Mar. 4, 1891	Mar. 3, 1921	Died Aug. 17, 1918.
65th	Irving W. Drew	Sept. 2, 1918	Nov. 5, 1918	By gov., to fill vac.
65th–72d	George H. Moses	Nov. 6, 1918	Mar. 3, 1933	
73d–75th	Fred H. Brown	Mar. 4, 1933	Jan. 2, 1939	
76th–84th	Charles W. Tobey	Jan. 3, 1939	Jan. 2, 1957	Died July 24, 1953.
83d	Robert W. Upton	Aug. 14, 1953	Nov. 7, 1954	By gov., to fill vac.

See footnotes at end of New Hampshire table.

NEW HAMPSHIRE—Continuted

CLASS 3

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
83d–93d	Norris Cotton	Nov. 8, 1954	Jan. 2, 1975	Res. Dec. 31, 1974.[5]
93d	Louis C. Wyman	Dec. 31, 1974	Do.	By gov., to fill vac.
94th	Norris Cotton	Aug. 8, 1975	Sept. 17, 1975	([6])
94th–96th	John A. Durkin	Sept. 18, 1975	Jan. 2, 1981	([7])
96th–102d	Warren Rudman	Dec. 29, 1980	Jan. 2, 1993	([8])
103d–111th	Judd Gregg	Jan. 3, 1993	Jan. 2, 2011	
112th–114th	Kelly Ayotte	Jan. 3, 2011	Jan. 2, 2017	
115th–117th	Margaret W. Hassan	Jan. 3, 2017	Jan. 2, 2023	

[1] By governor, to fill vacancy. Senate resolution of Aug. 4, 1854, declared that representation under the appointment had expired. Vacancy from Aug. 5, 1854, to July 29, 1855.
[2] Vacancy from Mar. 3 to Mar. 13, because of failure of legislature to elect.
[3] Elected to full term commencing Jan. 3, 1991; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1991.
[4] By governor to fill vacancy. Vacancy from Mar. 4 to July 29, 1855.
[5] Elected Nov. 2, 1954, to fill vacancy in term ending Jan. 2, 1957. Seated Nov. 8, 1954. Served in House during interim.
[6] By governor, to fill vacancy until new senatorial election. Vacancy Jan. 3, 1975, to Aug. 8, 1975, due to contested election. On July 30, 1975, the Senate voted to declare the seat vacant as of Aug. 8, 1975; New Hampshire called a special election to fill the seat on September 16, 1975.
[7] Elected Sept. 16, 1975, to fill vacancy in unexpired term ending Jan. 2, 1981. Resigned Dec. 29, 1980.
[8] Elected to term commencing Jan. 3, 1981; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1981.

NEW JERSEY

1863 1864

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st	Jonathan Elmer	Mar. 4, 1789	Mar. 3, 1791	
2d–7th	John Rutherfurd	Mar. 4, 1791	Mar. 3, 1803	Res. Nov. 26, 1798.
5th	Franklin Davenport	Dec. 5, 1798	Mar. 3, 1799	By gov., to fill vac.
5th–7th	James Schureman	Mar. 4, 1799	Mar. 3, 1803	([1])
6th–7th	Aaron Ogden	Feb. 28, 1801	Do.	
8th	John Condit	Sept. 1, 1803	Nov. 2, 1803	([2])
8th–10th	.....do	Nov. 3, 1803	Mar. 3, 1809	
11th–13th	John Lambert	Mar. 4, 1809	Mar. 3, 1815	
14th–16th	James J. Wilson	Mar. 4, 1815	Mar. 3, 1821	Res. Jan. 8, 1821.
16th	Samuel L. Southard	Jan. 26, 1821	Do.	By gov., to fill vac.
17th–19th	.....do	Mar. 4, 1821	Mar. 3, 1827	Res. Mar. 3, 1823.
18th–19th	Joseph McIlvaine	Nov. 12, 1823	Do.	Died Aug. 19, 1826.
19th–22d	Ephraim Bateman	Nov. 9, 1826	Mar. 3, 1833	Res. Jan. 12, 1829.
20th–22d	Mahlon Dickerson	Jan. 30, 1829	Do.	
23d–28th	Samuel L. Southard	Mar. 4, 1833	Mar. 3, 1845	Died June 26, 1842.
27th	William L. Dayton	July 2, 1842	Oct. 27, 1842	By gov., to fill vac.
27th–31st	.....do	Oct. 28, 1842	Mar. 3, 1851	
32d–34th	Robert F. Stockton	Mar. 4, 1851	Mar. 3, 1857	Res. Jan. 10, 1853.
33d–37th	John R. Thomson	Mar. 4, 1853	Mar. 3, 1863	Died Sept. 12, 1862.
37th	Richard S. Field	Nov. 21, 1862	Jan. 14, 1863	By gov., to fill vac.
Do	James W. Wall	Jan. 14, 1863	Mar. 3, 1863	
38th–40th	William Wright	Mar. 4, 1863	Mar. 3, 1869	Died Nov. 1, 1866.
39th	Frederick T. Frelinghuysen.	Nov. 12, 1866	Jan. 22, 1867	By gov., to fill vac.
39th–40th	.....do	Jan. 23, 1867	Mar. 3, 1869	
41st–43d	John P. Stockton	Mar. 4, 1869	Mar. 3, 1875	
44th–46th	Theodore F. Randolph	Mar. 4, 1875	Mar. 3, 1881	
47th–49th	William J. Sewell	Mar. 4, 1881	Mar. 3, 1887	
50th–52d	Rufus Blodgett	Mar. 4, 1887	Mar. 3, 1893	
53d–55th	James Smith, Jr.	Mar. 4, 1893	Mar. 3, 1899	
56th–61st	John Kean	Mar. 4, 1899	Mar. 3, 1911	
62d–64th	James E. Martine	Mar. 4, 1911	Mar. 3, 1917	
65th–67th	Joseph S. Frelinghuysen	Mar. 4, 1917	Mar. 3, 1923	
68th–70th	Edward I. Edwards	Mar. 4, 1923	Mar. 3, 1929	
71st–73d	Hamilton F. Kean	Mar. 4, 1929	Jan. 2, 1935	
74th–76th	A. Harry Moore	Jan. 3, 1935	Jan. 2, 1941	Res. Jan. 18, 1938.
75th	John Milton	Jan. 18, 1938	Nov. 8, 1938	By gov., to fill vac.
75th–79th	W. Warren Barbour	Nov. 9, 1938	Jan. 2, 1947	Died Nov. 22, 1943.
78th	Arthur Walsh	Nov. 26, 1943	Dec. 6, 1944	By gov., to fill vac.
78th–85th	H. Alexander Smith	Dec. 7, 1944	Jan. 2, 1959	

See footnotes at end of New Jersey table.

NEW JERSEY—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
86th–97th	Harrison A. Williams, Jr.	Jan. 3, 1959	Jan. 2, 1983	Res. Mar. 11, 1982
97th	Nicholas F. Brady	Apr. 12, 1982	Do.	By gov., to fill vac.[3]
97th–106th	Frank R. Lautenberg	Dec. 27, 1982	Jan. 2, 2001	(4)
107th–109th	John Corzine	Jan. 3, 2001	Jan. 2, 2007	Res. Jan. 17, 2006
109th	Robert Menendez	Jan. 17, 2006	Do.	By gov., to fill vac.
110th–118th	.....do	Jan. 3, 2007	Jan. 2, 2025	

CLASS 2

1st–2d	William Paterson	Mar. 4, 1789	Mar. 3, 1793	Res. Nov. 13, 1790.
Do	Philemon Dickinson	Nov. 23, 1790	Do.	
3d–5th	Frederick Frelinghuysen	Mar. 4, 1793	Mar. 3, 1799	Res. Nov. 12, 1796.
4th–5th	Richard Stockton	Nov. 12, 1796	Do.	
6th–8th	Jonathan Dayton	Mar. 4, 1799	Mar. 3, 1805	
9th–11th	Aaron Kitchell	Mar. 4, 1805	Mar. 3, 1811	Res. Mar. 12, 1809.
11th	John Condit	Mar. 21, 1809	Nov. 1, 1809	By gov., to fill vac.
11th–14th	.....do	Nov. 2, 1809	Mar. 3, 1817	
15th–20th	Mahlon Dickerson	Mar. 4, 1817	Mar. 3, 1829	Res. Jan. 30, 1829.
21st–23d	Theodore Frelinghuysen	Mar. 4, 1829	Mar. 3, 1835	
24th–26th	Garret D. Wall	Mar. 4, 1835	Mar. 3, 1841	
27th–32d	Jacob W. Miller	Mar. 4, 1841	Mar. 3, 1853	
33d–35th	William Wright	Mar. 4, 1853	Mar. 3, 1859	
36th–38th	John C. Ten Eyck	Mar. 4, 1859	Mar. 3, 1865	
39th–41st	John P. Stockton	Mar. 15, 1865	Mar. 3, 1871	(5)
Do	Alexander G. Cattell	Sept. 19, 1866	Do.	(6)
42d–44th	Frederick T. Frelinghuysen.	Mar. 4, 1871	Mar. 3, 1877	
45th–53d	John R. McPherson	Mar. 4, 1877	Mar. 3, 1895	
54th–59th	William J. Sewell	Mar. 4, 1895	Mar. 3, 1907	Died Dec. 27, 1901.
57th–59th	John F. Dryden	Jan. 29, 1902	Do.	
60th–62d	Frank O. Briggs	Mar. 4, 1907	Mar. 3, 1913	
63d–65th	William Hughes	Mar. 4, 1913	Mar. 3, 1919	Died Jan. 30, 1918.
65th	David Baird	Feb. 23, 1918	Nov. 5, 1918	By gov., to fill vac.
Do	.....do	Nov. 6, 1918	Mar. 3, 1919	
66th–71st	Walter E. Edge	Mar. 4, 1919	Mar. 3, 1931	Res. Nov. 21, 1929.
71st	David Baird, Jr.	Nov. 30, 1929	Dec. 2, 1930	By gov., to fill vac.
71st–74th	Dwight W. Morrow	Dec. 3, 1930	Jan. 2, 1937	Died Oct. 5, 1931.
72d	W. Warren Barbour	Dec. 1, 1931	Nov. 8, 1932	By gov., to fill vac.
72d–74th	.....do	Nov. 9, 1932	Jan. 2, 1937	
75th–77th	William H. Smathers	Apr. 15, 1937	Jan. 2, 1943	(7)
78th–80th	Albert W. Hawkes	Jan. 3, 1943	Jan. 2, 1949	
81st–83d	Robert C. Hendrickson	Jan. 3, 1949	Jan. 2, 1955	
84th–95th	Clifford P. Case	Jan. 3, 1955	Jan. 2, 1979	
96th–104th	Bill Bradley	Jan. 3, 1979	Jan. 2, 1997	
105th–107th	Robert G. Torricelli	Jan. 3, 1997	Jan. 2, 2003	
108th–113th	Frank Lautenberg	Jan. 3, 2003	Jan. 2, 2015	Died June 3, 2013.
113th	Jeffrey Chiesa	June 6, 2013	Oct. 30, 2013	By gov., to fill vac.
113th–116th	Cory A. Booker	Oct. 31, 2013	Jan. 2, 2021	

[1] Elected Feb. 14, 1799. Served in the House during interim. Resigned Feb. 16, 1801.
[2] By governor, to fill vacancy. Vacancy from Mar. 3, to Sept. 1, 1803, because of failure of legislature to elect.
[3] Resigned Dec. 27, 1982.
[4] Elected to full term commencing Jan. 3, 1983; subsequently appointed by governor, Dec. 27, 1982, to fill vacancy in term ending Jan. 2, 1983.
[5] Seat declared vacant Mar. 27, 1866.
[6] Elected to fill unexpired term of John P. Stockton, unseated. Vacancy from Mar. 28 to Sept. 18, 1866.
[7] Elected Nov. 3, 1936. Took oath Apr. 15, 1937. Served as a state senator during interim.

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NEW MEXICO

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
62d–64th	Thomas B. Catron	Mar. 27, 1912	Mar. 3, 1917	
65th–70th	Andrieus A. Jones	Mar. 4, 1917	Mar. 3, 1929	Died Dec. 20, 1927.
70th	Bronson Cutting	Dec. 29, 1927	Dec. 6, 1928	By gov., to fill vac.

See footnotes at end of New Mexico table.

NEW MEXICO—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
Do	Octaviano A. Larrazolo	Dec. 7, 1928	Mar. 3, 1929	
71st–76th	Bronson Cutting	Mar. 4, 1929	Jan. 2, 1941	Died May 6, 1935.
74th	Dennis Chavez	May 11, 1935	Nov. 3, 1936	By gov., to fill vac.
74th–88th	.....do	Nov. 4, 1936	Jan. 2, 1965	Died Nov. 18, 1962
87th–88th	E. L. Mechem	Nov. 30, 1962	Nov. 3, 1964	By gov., to fill vac.
88th–94th	Joseph M. Montoya	Nov. 4, 1964	Jan. 2, 1977	
95th–97th	Harrison H. Schmitt	Jan. 3, 1977	Jan. 2, 1983	
98th–112th	Jeff Bingaman	Jan. 3, 1983	Jan. 2, 2013	
113th–118th	Martin Heinrich	Jan. 3, 2013	Jan. 2, 2025	

CLASS 2

62d–68th	Albert B. Fall	Mar. 27, 1912	Mar. 3, 1925	Res. Mar. 4, 1921.
67th	Holm O. Bursum	Mar. 11, 1921	Sept. 19, 1921	By gov., to fill vac.
67th–68th	.....do	Sept. 20, 1921	Mar. 3, 1925	
69th–74th	Sam G. Bratton	Mar. 4, 1925	Jan. 2, 1937	Res. June 24, 1933.
73d	Carl A. Hatch	Oct. 10, 1933	Nov. 6, 1934	By gov., to fill vac.[1]
73d–80th	.....do	Nov. 7, 1934	Jan. 2, 1949	
81st–92d	Clinton P. Anderson	Jan. 3, 1949	Jan. 2, 1973	
93d–110th	Pete V. Domenici	Jan. 3, 1973	Jan. 2, 2009	
111th–116th	Tom Udall	Jan. 3, 2009	Jan. 2, 2021	

[1] Vacancy from June 25 to Oct. 9, 1933.

NEW YORK

1867 1868

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st	Philip Schuyler	July 15, 1789	Mar. 3, 1791	
2d–4th	Aaron Burr	Mar. 4, 1791	Mar. 3, 1797	
5th–7th	Philip Schuyler	Mar. 4, 1797	Mar. 3, 1803	Res. Jan. 3, 1798.
Do	John S. Hobart	Jan. 11, 1798	Do.	Res. Apr. 16, 1798.
5th	William North	May 5, 1798	Aug. 17, 1798	By gov., to fill vac.
5th–7th	James Watson	Aug. 17, 1798	Mar. 3, 1803	Res. Mar. 19, 1800.
6th–7th	Gouverneur Morris	Apr. 3, 1800	Do.	
8th–10th	Theodorus Bailey	Mar. 4, 1803	Mar. 3, 1809	Res. Jan. 16, 1804.
Do	John Armstrong	Feb. 4, 1804	Do.	Res. June 30, 1804.
Do	Samuel L. Mitchill	Nov. 9, 1804	Do.	
11th–13th	Obadiah German	Mar. 4, 1809	Mar. 3, 1815	
14th–16th	Nathan Sanford	Mar. 4, 1815	Mar. 3, 1821	
17th–22d	Martin Van Buren	Mar. 4, 1821	Mar. 3, 1833	Res. Dec. 20, 1828.
20th–22d	Charles E. Dudley	Jan. 15, 1829	Mar. 3, 1833	
23d–28th	Nathaniel P. Tallmadge	Mar. 4, 1833	Mar. 3, 1845	Res. June 17, 1844.
28th	Daniel S. Dickinson	Nov. 30, 1844	Jan. 17, 1845	By gov., to fill vac.
28th–31st	.....do	Jan. 18, 1845	Mar. 3, 1851	
32d–34th	Hamilton Fish	Mar. 4, 1851	Mar. 3, 1857	
35th–37th	Preston King	Mar. 4, 1857	Mar. 3, 1863	
38th–40th	Edwin D. Morgan	Mar. 4, 1863	Mar. 3, 1869	
41st–43d	Reuben E. Fenton	Mar. 4, 1869	Mar. 3, 1875	
44th–46th	Francis Kernan	Mar. 4, 1875	Mar. 3, 1881	
47th–49th	Thomas C. Platt	Mar. 4, 1881	Mar. 3, 1887	Res. May 16, 1881.
Do	Warner Miller	July 16, 1881	Do.	
50th–52d	Frank Hiscock	Mar. 4, 1887	Mar. 3, 1893	
53d–55th	Edward Murphy, Jr.	Mar. 4, 1893	Mar. 3, 1890	
56th–61st	Chauncey M. Depew	Mar. 4, 1899	Mar. 3, 1911	
62d–64th	James A. O'Gorman	Mar. 31, 1911	Mar. 3, 1917	(1)
65th–67th	William M. Calder	Mar. 4, 1917	Mar. 3, 1923	
68th–76th	Royal S. Copeland	Mar. 4, 1923	Jan. 2, 1941	Died June 17, 1938.
75th–79th	James M. Mead	Dec. 3, 1938	Jan. 2, 1947	(2)
80th–85th	Irving M. Ives	Jan. 3, 1947	Jan. 2, 1959	
86th–88th	Kenneth B. Keating	Jan. 3, 1959	Jan. 2, 1965	
89th–91st	Robert F. Kennedy	Jan. 3, 1965	Jan. 2, 1971	Died June 6, 1968.
90th–91st	Charles E. Goodell	Sept. 10, 1968	Do.	By gov., to fill vac.
92d–94th	James L. Buckley	Jan. 3, 1971	Jan. 2, 1977	
95th–106th	Daniel P. Moynihan	Jan. 3, 1977	Jan. 2, 2001	

See footnotes at end of New York table.

NEW YORK—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
107th–112th	Hillary Clinton	Jan. 3, 2001	Jan. 2, 2013	Res. Jan. 21, 2009.
111th	Kirsten Gillibrand	Jan. 27, 2009	Nov. 2, 2010	By gov., to fill vac.
111th–118th	.....do	Nov. 3, 2010	Jan. 2, 2025	

CLASS 3

1st–6th	Rufus King	July 16, 1789	Mar. 3, 1801	Res. May 23, 1796.
4th–6th	John Laurance	Nov. 9, 1796	Do.	Res. in Aug. 1800.
6th–9th	John Armstrong	Nov. 6, 1800	Mar. 3, 1807	Res. Feb. 5, 1802.
7th–9th	De Witt Clinton	Feb. 9, 1802	Do.	Res. Nov. 4, 1803.
8th	John Armstrong	Nov. 10, 1803	Feb. 4, 1804	By gov., to fill vac.
8th–12th	John Smith	Feb. 4, 1804	Mar. 3, 1813	
13th–18th	Rufus King	Mar. 4, 1813	Mar. 3, 1825	
19th–21st	Nathan Sanford	Jan. 14, 1826	Mar. 3, 1831	(3)
22d–24th	William L. Marcy	Mar. 4, 1831	Mar. 3, 1837	Res. Jan. 1, 1833.
22d–30th	Silas Wright, Jr.	Jan. 4, 1833	Mar. 3, 1849	Res. Nov. 26, 1844.
28th	Henry A. Foster	Nov. 30, 1844	Jan. 18, 1845	By gov., to fill vac.
28th–30th	John A. Dix	Jan. 18, 1845	Jan. 3, 1849	
31st–36th	William H. Seward	Mar. 4, 1849	Mar. 3, 1861	
37th–39th	Ira Harris	Mar. 4, 1861	Mar. 3, 1867	
40th–48th	Roscoe Conkling	Mar. 4, 1867	Mar. 3, 1885	Res. May 16, 1881.
47th–48th	Elbridge G. Lapham	July 22, 1881	Do.	
49th–51st	William M. Evarts	Mar. 4, 1885	Mar. 3, 1891	
52d–54th	David B. Hill	Jan. 7, 1892	Mar. 3, 1897	(4)
55th–60th	Thomas C. Platt	Mar. 4, 1897	Mar. 3, 1909	
61st–63d	Elihu Root	Mar. 4, 1909	Mar. 3, 1915	
64th–69th	James W. Wadsworth, Jr.	Mar. 4, 1915	Mar. 3, 1927	
70th–81st	Robert F. Wagner	Mar. 4, 1927	Jan. 2, 1951	Res. June 28, 1949.
81st	John Foster Dulles	July 7, 1949	Nov. 8, 1949	By gov., to fill vac.
81st–84th	Herbert H. Lehman	Nov. 9, 1949	Jan. 2, 1957	
85th–96th	Jacob K. Javits	Jan. 9, 1957	Jan. 2, 1981	(5)
97th–105th	Alfonse M. D'Amato	Jan. 3, 1981	Jan. 2, 1999	
106th–117th	Charles E. Schumer	Jan. 3, 1999	Jan. 2, 2023	

[1] Vacancy from Mar. 4 to Mar. 30, 1911, because of failure of legislature to elect.
[2] Elected Nov. 8, 1938. Served in the House during interim. Vacancy from June 18 to Dec. 2, 1938.
[3] Vacancy from Mar. 4, 1825, to Jan. 13, 1826.
[4] Elected Jan. 21, 1891, for term commencing Mar. 4, 1891. Took oath Jan. 7, 1892. Governor during interim.
[5] Waived compensation Jan. 3–8, 1957, while serving as attorney general of state.

1869 1870

NORTH CAROLINA

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st–2d	Samuel Johnston	Nov. 26, 1789	Mar. 3, 1793	
3d–5th	Alexander Martin	Mar. 4, 1793	Mar. 3, 1799	
6th–8th	Jesse Franklin	Mar. 4, 1799	Mar. 3, 1805	
9th–14th	James Turner	Mar. 4, 1805	Mar. 3, 1817	Res. Nov. 21, 1816.
14th–17th	Montfort Stokes	Dec. 4, 1816	Mar. 3, 1823	
18th–23d	John Branch	Mar. 4, 1823	Mar. 3, 1835	Res. Mar. 9, 1829.
21st–26th	Bedford Brown	Dec. 9, 1829	Mar. 3, 1841	Res. Nov. 11, 1840.
26th–32d	Willie P. Mangum	Nov. 25, 1840	Mar. 3, 1853	
33d–35th	David S. Reid	Dec. 6, 1854	Mar. 3, 1859	(1)
36th–38th	Thomas Bragg	Mar. 4, 1859	Mar. 3, 1865	(2)
40th–41st	Joseph C. Abbott	July 14, 1868	Mar. 3, 1871	(3)
42d–53d	Matt W. Ransom	Jan. 30, 1872	Mar. 3, 1895	(4)
54th–56th	Marion Butler	Mar. 4, 1895	Mar. 3, 1901	
57th–71st	Furnifold M. Simmons	Mar. 4, 1901	Mar. 3, 1931	
72d–80th	Josiah W. Bailey	Mar. 4, 1931	Jan. 2, 1949	Died Dec. 15, 1946.
80th	Wm. B. Umstead	Dec. 18, 1946	Dec. 30, 1948	By gov., to fill vac.
80th–83d	J. Melville Broughton	Dec. 31, 1948	Jan. 2, 1955	(5)
81st	Frank P. Graham	Mar. 29, 1949	Nov. 26, 1950	By gov., to fill vac.
81st–83d	Willis Smith	Nov. 27, 1950	Jan. 2, 1955	Died June 26, 1953.
83d	Alton A. Lennon	July 10, 1953	Nov. 28, 1954	By gov., to fill vac.

See footnotes at end of North Carolina table.

NORTH CAROLINA—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
83d–86th	W. Kerr Scott	Nov. 29, 1954	Jan. 2, 1961	(6)
85th	B. Everett Jordan	Apr. 19, 1958	Nov. 4, 1958	By gov., to fill vac.
85th–92d	.....do	Nov. 5, 1958	Jan. 2, 1973	
93d–107th	Jesse Helms	Jan. 3, 1973	Jan. 2, 2003	
108th–110th	Elizabeth Dole	Jan. 3, 2003	Jan. 2, 2009	
111th–113th	Kay Hagan	Jan. 3, 2009	Jan. 2, 2015	
114th–116th	Thom Tillis	Jan. 3, 2015	Jan. 2, 2021	

CLASS 3

1st–3d	Benjamin Hawkins	Dec. 8, 1789	Mar. 3, 1795	
4th–6th	Timothy Bloodworth	Mar. 4, 1795	Mar. 3, 1801	
7th–9th	David Stone	Mar. 4, 1801	Mar. 3, 1807	Res. Feb. 17, 1807.
10th–12th	Jesse Franklin	Mar. 4, 1807	Mar. 3, 1813	
13th–15th	David Stone	Mar. 4, 1813	Mar. 3, 1819	Res. Dec. 24, 1814.
Do	Francis Locke	.....	Do.	(7)
14th–21st	Nathaniel Macon	Dec. 5, 1815	Mar. 3, 1831	Res. Nov. 14, 1828.
20th–21st	James Iredell	Dec. 15, 1828	Do.	
22d–24th	Willie P. Mangum	Mar. 4, 1831	Mar. 3, 1837	Res. Nov. 26, 1836.
24th–27th	Robert Strange	Dec. 5, 1836	Mar. 3, 1843	Res. Nov. 16, 1840.
26th–27th	William A. Graham	Nov. 25, 1840	Do.	
28th–30th	William H. Haywood, Jr.	Mar. 4, 1843	Mar. 3, 1849	Res. July 25, 1846.
29th–33d	George E. Badger	Nov. 25, 1846	Mar. 3, 1855	
34th–36th	Asa Biggs	Mar. 4, 1855	Mar. 3, 1861	Res. May 5, 1858.
35th	Thomas L. Clingman	May 6, 1858	Nov. 22, 1858	By gov., to fill vac.
35th–39th	.....do	Nov. 23, 1858	Mar. 3, 1867	(8)
40th–42d	John Pool	July 14, 1868	Mar. 3, 1873	(9)
43d–45th	Augustus S. Merrimon	Mar. 4, 1873	Mar. 3, 1879	
46th–54th	Zebulon B. Vance	Mar. 4, 1879	Mar. 3, 1897	Died Apr. 14, 1894.
53d	Thomas J. Jarvis	Apr. 19, 1894	Jan. 23, 1895	By gov., to fill vac.
53d–58th	Jeter C. Pritchard	Jan. 23, 1895	Mar. 3, 1903	
58th–72d	Lee S. Overman	Mar. 4, 1903	Mar. 3, 1933	Died Dec. 12, 1930.
71st–72d	Cameron Morrison	Dec. 13, 1930	Dec. 4, 1932	By gov., to fill vac.
72d–78th	Robert R. Reynolds	Dec. 5, 1932	Jan. 2, 1945	
79th–84th	Clyde R. Hoey	Jan. 3, 1945	Jan. 2, 1957	Died May 12, 1954.
83d	Sam J. Ervin, Jr.	June 5, 1954	Nov. 2, 1954	By gov., to fill vac.
83d–93d	.....do	Nov. 3, 1954	Jan. 2, 1975	Res. Dec. 31, 1974
94th–96th	Robert Morgan	Jan. 3, 1975	Jan. 2, 1981	
97th–99th	John P. East	Jan. 3, 1981	Jan. 2, 1987	Died June 29, 1986.
99th	James T. Broyhill	July 14, 1986	Nov. 4, 1986	By gov., to fill vac.
99th–102d	Terry Sanford	Nov. 5, 1986	Jan. 2, 1993	(10)
103d–105th	Lauch Faircloth	Jan. 3, 1993	Jan. 2, 1999	
106th–108th	John Edwards	Jan. 3, 1999	Jan. 2, 2005	
109th–117th	Richard Burr	Jan. 3, 2005	Jan. 2, 2023	

[1]Vacancy from Mar. 4, 1853, to Dec. 6, 1854.
[2]Expelled July 11, 1861. Because of Civil War, vacancy from July 11, 1861, to July 13, 1868.
[3]By legislature, to fill vacancy in term beginning Mar. 4, 1865. Seated July 17, 1868.
[4]Vacancy from Mar. 4, 1871, to Jan. 29, 1872. Zebulon B. Vance was elected but not admitted.
[5]Elected Nov. 2, 1948, to fill vacancy in term ending Jan. 2, 1949, and at the same time to full term commencing Jan. 3, 1949. Died Mar. 6, 1949.
[6]Elected Nov. 2, 1954, to fill vacancy in term ending Jan. 2, 1955, and at the same time to full term ending Jan. 2, 1961. Died Apr. 16, 1958.
[7]Did not qualify. Resigned Dec. 5, 1815.
[8]Expelled July 11, 1861. Because of Civil War, vacancy from July 11, 1861, to July 13, 1868.
[9]By legislature, to fill vacancy in term beginning Mar. 4, 1867. Seated July 17, 1868.
[10]Elected Nov. 5, 1986, to fill vacancy in term ending Jan. 3, 1987, and at the same time to full term ending Jan. 3, 1993.

NORTH DAKOTA

1871 1872

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
51st–52d	Lyman R. Casey	Nov. 25, 1889	Mar. 3, 1893	
53d–55th	William N. Roach	Mar. 4, 1893	Mar. 3, 1899	
56th–67th	Porter J. McCumber	Mar. 4, 1899	Mar. 3, 1923	
68th–76th	Lynn J. Frazier	Mar. 4, 1923	Jan. 2, 1941	

See footnotes at end of North Dakota table.

NORTH DAKOTA—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
77th–86th	William Langer	Jan. 3, 1941	Jan. 2, 1965	Died Nov. 8, 1959.
86th	C. Norman Brunsdale	Nov. 19, 1959	Aug. 7, 1960	By gov., to fill vac.
86th–103d	Quentin N. Burdick	Aug. 8, 1960	Jan. 2, 1995	Died Sept. 8, 1992.
102d	Jocelyn Birch Burdick	Sept. 12, 1992	Dec. 14, 1992	By gov., to fill vac.
102d–112th	Kent Conrad	Dec. 14, 1992	Jan. 2, 2013	(1)
113th–115th	Heidi Heitkamp	Jan. 3, 2013	Jan. 2, 2019	
116th–118th	Kevin Cramer	Jan. 3, 2019	Jan. 2, 2025	

CLASS 3

51st	Gilbert A. Pierce	Nov. 21, 1889	Mar. 3, 1891	
52d–60th	Henry C. Hansbrough	Mar. 4, 1891	Mar. 3, 1909	
61st–63d	Martin N. Johnson	Mar. 4, 1909	Mar. 3, 1915	Died Oct. 21, 1909.
61st	Fountain L. Thompson	Nov. 10, 1909	Do.	By gov., to fill vac.[2]
Do	William E. Purcell	Feb. 1, 1910	Feb. 1, 1911	Do.
61st–66th	Asle J. Gronna	Feb. 2, 1911	Mar. 3, 1921	
67th–69th	Edwin F. Ladd	Mar. 4, 1921	Mar. 3, 1927	Died June 22, 1925.
69th	Gerald P. Nye	Nov. 14, 1925	June 29, 1926	By gov., to fill vac.
69th–78th	.....do	June 30, 1926	Jan. 2, 1945	
79th–81st	John Moses	Jan. 3, 1945	Jan. 2, 1951	Died Mar. 3, 1945.
79th	Milton R. Young	Mar. 12, 1945	June 24, 1946	By gov., to fill vac.
79th–96th	.....do	June 25, 1946	Jan. 2, 1981	
97th–99th	Mark Andrews	Jan. 3, 1981	Jan. 2, 1987	
100th–102d	Kent Conrad	Jan. 3, 1987	Jan. 2, 1993	(3)
102d–111th	Byron L. Dorgan	Dec. 14, 1992	Jan. 2, 2011	(4)
112th–117th	John Hoeven	Jan. 3, 2011	Jan. 2, 2023	

[1]Was serving in the Class 3 Senate seat when he was elected Dec. 4, 1992, to fill the vacancy in Class 1. Sen. Conrad resigned his Class 3 seat on Dec. 14, 1992.
[2]Resigned Jan. 31, 1910.
[3]Resigned Dec. 14, 1992, having been elected to the Class 1 Senate seat from North Dakota.
[4]Elected to full term commencing Jan. 3, 1993; subsequently appointed by governor on Dec. 14, 1992, to fill vacancy in term ending Jan. 2, 1993, created by the resignation of Sen. Conrad, who switched to the Class 1 seat.

1873 1874

OHIO

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
8th–10th	John Smith	Apr. 1, 1803	Mar. 3, 1809	Res. Apr. 25, 1808.
10th–13th	Return J. Meigs, Jr.	Dec. 12, 1808	Mar. 3, 1815	Res. Dec. 8, 1810[1]
11th–13th	Thomas Worthington	Dec. 15, 1810	Do.	Res. Dec. 1, 1814.
13th	Joseph Kerr	Dec. 10, 1814	Do.	
14th–22d	Benjamin Ruggles	Mar. 4, 1815	Mar. 3, 1833	
23d–25th	Thomas Morris	Mar. 4, 1833	Mar. 3, 1839	
26th–28th	Benjamin Tappan	Mar. 4, 1839	Mar. 3, 1845	
29th–31st	Thomas Corwin	Mar. 4, 1845	Mar. 3, 1851	Res. July 20, 1850.
31st	Thomas Ewing	July 20, 1850	Do.	By gov., to fill vac.
32d–40th	Benjamin F. Wade	Mar. 15, 1851	Mar. 3, 1869	(2)
41st–46th	Allen G. Thurman	Mar. 4, 1869	Mar. 3, 1881	
47th–55th	John Sherman	Mar. 4, 1881	Mar. 3, 1899	Res. Mar. 5, 1897.
55th	Marcus A. Hanna	Mar. 5, 1897	Jan. 11, 1898	By gov., to fill vac.
55th–58th	.....do	Jan. 12, 1898	Mar. 3, 1905	Died Feb. 15, 1904.
58th–61st	Charles W. F. Dick	Mar. 2, 1904	Mar. 3, 1911	
62d–67th	Atlee Pomerene	Mar. 4, 1911	Mar. 3, 1923	
68th–73d	Simeon D. Fess	Mar. 4, 1923	Jan. 2, 1935	
74th–76th	Vic Donahey	Jan. 3, 1935	Jan. 2, 1941	
77th–79th	Harold H. Burton	Jan. 3, 1941	Jan. 2, 1947	Res. Sept. 30, 1945.
79th	James W. Huffman	Oct. 8, 1945	Nov. 5, 1946	By gov., to fill vac.
Do	Kingsley A. Taft	Nov. 6, 1946	Jan. 2, 1947	
80th–85th	John W. Bricker	Jan. 3, 1947	Jan. 2, 1959	
86th–91st	Stephen M. Young	Jan. 3, 1959	Jan. 2, 1971	
92d–94th	Robert Taft, Jr.	Jan. 3, 1971	Jan. 2, 1977	Res. Dec. 28, 1976.
93d–103d	Howard M. Metzenbaum	Dec. 29, 1976	Jan. 2, 1995	(3)
104th–109th	Mike DeWine	Jan. 3, 1995	Jan. 2, 2007	

See footnotes at end of Ohio table.

OHIO—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
110th–118th	Sherrod Brown	Jan. 3, 2007	Jan. 2, 2025	

CLASS 3

8th–9th	Thomas Worthington	Apr. 1, 1803	Mar. 3, 1807	
10th–12th	Edward Tiffin	Mar. 4, 1807	Mar. 3, 1813	Res. Mar. 3, 1809.
11th	Stanley Griswold	May 18, 1809	Dec. 11, 1809	By gov., to fill vac.
11th–12th	Alexander Campbell	Dec. 11, 1809	Mar. 3, 1813	
13th–15th	Jeremiah Morrow	Mar. 4, 1813	Mar. 3, 1819	
16th–18th	William A. Trimble	Mar. 4, 1819	Mar. 3, 1825	Died Dec. 13, 1821.
17th–18th	Ethan Allen Brown	Jan. 3, 1822	Do.	
19th–21st	William H. Harrison	Mar. 4, 1825	Mar. 3, 1831	Res. May 20, 1828.
20th–21st	Jacob Burnet	Dec. 10, 1828	Do.	
22d–24th	Thomas Ewing	Mar. 4, 1831	Mar. 3, 1837	
25th–30th	William Allen	Mar. 4, 1837	Mar. 3, 1849	
31st–33d	Salmon P. Chase	Mar. 4, 1849	Mar. 3, 1855	
34th–36th	George E. Pugh	Mar. 4, 1855	Mar. 3, 1861	
37th–39th	Salmon P. Chase	Mar. 4, 1861	Mar. 3, 1867	Res. Mar. 6, 1861.
37th–45th	John Sherman	Mar. 21, 1861	Mar. 3, 1879	Res. Mar. 8, 1877.
45th	Stanley Matthews	Mar. 21, 1877	Do.	
46th–48th	George H. Pendleton	Mar. 4, 1879	Mar. 3, 1885	
49th–51st	Henry B. Payne	Mar. 4, 1885	Mar. 3, 1891	
52d–54th	Calvin S. Brice	Mar. 4, 1891	Mar. 3, 1897	
55th–60th	Joseph B. Foraker	Mar. 4, 1897	Mar. 3, 1909	
61st–63d	Theodore E. Burton	Mar. 4, 1909	Mar. 3, 1915	
64th–66th	Warren G. Harding	Mar. 4, 1915	Mar. 3, 1921	(4)
66th–72d	Frank B. Willis	Jan. 14, 1921	Mar. 3, 1933	(5)
70th	Cyrus Locher	Apr. 4, 1928	Dec. 14, 1928	By gov., to fill vac.
70th–72d	Theodore E. Burton	Dec. 15, 1928	Mar. 3, 1933	Died Oct. 28, 1929.
71st	Roscoe C. McCulloch	Nov. 5, 1929	Nov. 30, 1930	By gov., to fill vac.
71st–75th	Robert J. Bulkley	Dec. 1, 1930	Jan. 2, 1939	
76th–84th	Robert A. Taft	Jan. 3, 1939	Jan. 2, 1957	Died July 31, 1953.
83d	Thomas A. Burke	Nov. 10, 1953	Dec. 2, 1954	By gov., to fill vac.
83d–84th	George H. Bender	Dec. 16, 1954	Jan. 2, 1957	(6)
85th–90th	Frank J. Lausche	Jan. 3, 1957	Jan. 2, 1969	
91st–93d	William B. Saxbe	Jan. 3, 1969	Jan. 2, 1975	Res. Jan. 3, 1974.
93d	Howard M. Metzenbaum	Jan. 4, 1974	Jan. 2, 1975	(7)
93d–105th	John H. Glenn	Dec. 24, 1974	Jan. 2, 1999	(8)
106th–111th	George V. Voinovich	Jan. 3, 1999	Jan. 2, 2011	
112th–117th	Robert Portman	Jan. 3, 2011	Jan. 2, 2023	

[1]Resigned on or before this date, having been elected governor.
[2]Vacancy from Mar. 4 to Mar. 14, 1851, because of failure of legislature to elect.
[3]Elected to term commencing Jan. 3, 1977; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1977.
[4]Resigned effective Jan. 13, 1921, having been elected President of the United States for the 34th term on Nov. 2, 1920.
[5]Elected in 1920 for the term commencing Mar. 4, 1921; subsequently appointed by governor to fill the vacancy in term ending Mar. 3, 1921, caused by the resignation of Warren G. Harding.
[6]Elected Nov. 2, 1954, to fill vacancy in term ending Jan. 2, 1957. Chose to continue as a Member of the House of Representatives until Dec. 15, 1954, waiving right to commence service in the Senate on Dec. 3, 1954.
[7]By governor, to fill vacancy in term ending Jan. 2, 1975; resigned Dec. 23, 1974, to fill vacancy in Class 1.
[8]Elected to term commencing Jan. 3, 1975; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1975.

OKLAHOMA

1875 1876

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
60th–68th	Robert L. Owen	Dec. 11, 1907	Mar. 3. 1925	
69th–71st	William B. Pine	Mar. 4, 1925	Mar. 3, 1931	
72d–74th	Thomas P. Gore	Mar. 4, 1931	Jan. 2, 1937	
75th–77th	Josh Lee	Jan. 3, 1937	Jan. 2, 1943	
78th–80th	Edward H. Moore	Jan. 3, 1943	Jan. 2, 1949	
81st–87th	Robert S. Kerr	Jan. 3, 1949	Jan. 2, 1967	Died Jan. 1, 1963.

See footnotes at end of Oklahoma table.

OKLAHOMA—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
88th	J. Howard Edmondson	Jan. 7, 1963	Nov. 3, 1964	By gov., to fill vac.
88th–92d	Fred R. Harris	Nov. 4, 1964	Jan. 2, 1973	
93d–95th	Dewey F. Bartlett	Jan. 3, 1973	Jan. 2, 1979	
96th–104th	David L. Boren	Jan. 3, 1979	Jan. 2, 1997	Res. Nov. 15, 1994.
103d–116th	James M. Inhofe	Nov. 16, 1994	Jan. 2, 2021	(1)

CLASS 3

60th–66th	Thomas P. Gore	Dec. 11, 1907	Mar. 3, 1921	
67th–69th	John W. Harreld	Mar. 4, 1921	Mar. 3, 1927	
70th–81st	Elmer Thomas	Mar. 4, 1927	Jan. 2, 1951	
82d–90th	A. S. Mike Monroney	Jan. 3, 1951	Jan. 2, 1969	
91st–96th	Henry Bellmon	Jan. 3, 1969	Jan. 2, 1981	
97th–108th	Don Nickles	Jan. 3, 1981	Jan. 2, 2005	
109th–114th	Tom Coburn	Jan. 3, 2005	Jan. 2, 2017	Res. Jan. 3, 2015.
114th–117th	James Lankford	Jan. 3, 2015	Jan. 2, 2023	

[1] Elected Nov. 8, 1994. Served in House during interim.

1877 1878

OREGON

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
35th	Delazon Smith	Feb. 14, 1859	Mar. 3, 1859	
36th–38th	Edward D. Baker	Oct. 2, 1860	Mar. 3, 1865	(1)
37th	Benjamin Stark	Oct. 29, 1861	Sept. 12, 1862	By gov., to fill vac.
37th–38th	Benjamin F. Harding	Sept. 12, 1862	Mar. 3, 1865	
39th–41st	George Henry Williams	Mar. 4, 1865	Mar. 3, 1871	
42d–44th	James K. Kelly	Mar. 4, 1871	Mar. 3, 1877	
45th–47th	La Fayette Grover	Mar. 4, 1877	Mar. 3, 1883	
48th–53d	Joseph N. Dolph	Mar. 4, 1883	Mar. 3, 1895	
54th–56th	George W. McBride	Mar. 4, 1895	Mar. 3, 1901	
57th–59th	John H. Mitchell	Mar. 4, 1901	Mar. 3, 1907	Died Dec. 8, 1905.
59th	John M. Gearin	Dec. 13, 1905	Jan. 23, 1907	By gov., to fill vac.
Do	Frederick W. Mulkey	Jan. 23, 1907	Mar. 3, 1907	
60th–62d	Jonathan Bourne, Jr.	Mar. 4, 1907	Mar. 3, 1913	
63d–65th	Harry Lane	Mar. 4, 1913	Mar. 3, 1919	Died May 23, 1917.
65th	Charles L. McNary	May 29, 1917	Nov. 5, 1918	By gov., to fill vac.
Do	Frederick W. Mulkey	Nov. 6, 1918	Mar. 3, 1919	Res. Dec. 17, 1918
65th–80th	Charles L. McNary	Dec. 18, 1918	Jan. 2, 1949	(2)
78th	Guy Cordon	Mar. 4, 1944	Nov. 7, 1944	By gov., to fill vac.
78th–83d	.....do	Nov. 8, 1944	Jan. 2, 1955	
84th–86th	Richard L. Neuberger	Jan. 3, 1955	Jan. 2, 1961	Died Mar. 9, 1960.
86th	Hall S. Lusk	Mar. 16, 1960	Nov. 8, 1960	By gov., to fill vac.
86th–89th	Maurine B. Neuberger	Nov. 9, 1960	Jan. 2, 1967	(3)
90th–104th	Mark O. Hatfield	Jan. 10, 1967	Jan. 2, 1997	(4)
105th–110th	Gordon H. Smith	Jan. 3, 1997	Jan. 2, 2009	
111th–116th	Jeff Merkley	Jan. 3, 2009	Jan. 2, 2021	

CLASS 3

35th–36th	Joseph Lane	Feb. 14, 1859	Mar. 3, 1861	
37th–39th	James W. Nesmith	Mar. 4, 1861	Mar. 3, 1867	
40th–42d	Henry W. Corbett	Mar. 4, 1867	Mar. 3, 1873	
43d–45th	John H. Mitchell	Mar. 4, 1873	Mar. 3, 1879	
46th–48th	James H. Slater	Mar. 4, 1879	Mar. 3, 1885	
49th–54th	John H. Mitchell	Nov. 18, 1885	Mar. 3, 1897	(5)
55th–57th	Joseph Simon	Oct. 8, 1898	Mar. 3, 1903	(6)
58th–60th	Charles W. Fulton	Mar. 4, 1903	Mar. 3, 1909	
61st–66th	George E. Chamberlain	Mar. 4, 1909	Mar. 3, 1921	
67th–69th	Robert N. Stanfield	Mar. 4, 1921	Mar. 3, 1927	
70th–75th	Frederick Steiwer	Mar. 4, 1927	Jan. 2, 1939	Res. Jan. 31, 1938.
75th	Alfred Evan Reames	Feb. 1, 1938	Nov. 8, 1938	By gov., to fill vac.
Do	Alexander G. Barry	Nov. 9, 1938	Jan. 2, 1939	

See footnotes at end of Oregon table.

OREGON—Continued

CLASS 3

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
76th–78th	Rufus C. Holman	Jan. 3, 1939	Jan. 2, 1945	
79th–90th	Wayne L. Morse	Jan. 3, 1945	Jan. 2, 1969	
91st–105th	Robert W. Packwood	Jan. 3, 1969	Jan. 2, 1999	Res. Oct. 1, 1995.
104th–117th	Ron Wyden	Feb. 5, 1996	Jan. 2, 2023	

[1]Vacancy from Mar. 4, 1859, to Oct. 2, 1860. Killed in the battle of Balls Bluff, Va., Oct. 21, 1861.
[2]Elected to full term commencing Mar. 4, 1919; subsequently appointed by governor to fill vacancy in term ending Mar. 3, 1919. Died Feb. 25, 1944.
[3]Elected Nov. 8, 1960, to fill unexpired term ending Jan. 2, 1961, and to full term commencing Jan. 3, 1961.
[4]Waived compensation Jan. 3–9, 1967, to complete term as governor.
[5]Vacancy from Mar. 4 to Nov. 18, 1885, because of failure of legislature to elect.
[6]Vacancy from Mar. 4, 1897, to Oct. 7, 1898, because of failure of legislature to elect.

PENNSYLVANIA

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st	William Maclay	Mar. 4, 1789	Mar. 3, 1791	
2d–4th	Albert Gallatin	Feb. 28, 1793	Mar. 3, 1797	(1)
3d–7th	James Ross	Apr. 24, 1794	Mar. 3, 1803	(2)
8th–10th	Samuel Maclay	Mar. 4, 1803	Mar. 3, 1809	Res. Jan. 4, 1809.
10th–13th	Michael Leib	Jan. 9, 1809	Mar. 3, 1815	Res. Feb. 14, 1814.
13th–16th	Jonathan Roberts	Feb. 24, 1814	Mar. 3, 1821	
17th–19th	William Findlay	Dec. 10, 1821	Mar. 3, 1827	(3)
20th–22d	Isaac D. Barnard	Mar. 4, 1827	Mar. 3, 1833	Res. Dec. 6, 1831.
22d	George M. Dallas	Dec. 13, 1831	Do.	
23d–25th	Samuel McKean	Dec. 7, 1833	Mar. 3, 1839	(4)
26th–31st	Daniel Sturgeon	Jan. 14, 1840	Mar. 3, 1851	(5)
32d–34th	Richard Brodhead	Mar. 4, 1851	Mar. 3, 1857	
35th–37th	Simon Cameron	Mar. 4, 1857	Mar. 3, 1863	Res. Mar. 4, 1861.
37th	David Wilmot	Mar. 14, 1861	Do.	
38th–40th	Charles R. Buckalew	Mar. 4, 1863	Mar. 3, 1869	
41st–43d	John Scott	Mar. 4, 1869	Mar. 3, 1875	
44th–46th	William A. Wallace	Mar. 4, 1875	Mar. 3, 1881	
47th–49th	John I. Mitchell	Mar. 4, 1881	Mar. 3, 1887	
50th–55th	Matthew S. Quay	Mar. 4, 1887	Mar. 3, 1899	
56th–58th	.....do	Jan. 16, 1901	Mar. 3, 1905	(6)
58th	Philander C. Knox	June 10, 1904	Jan. 17, 1905	By gov., to fill vac.
59th–61st	.....do	Jan. 18, 1905	Mar. 3, 1911	Res. Mar. 4, 1909.
61st–64th	George T. Oliver	Mar. 17, 1909	Mar. 3, 1917	
65th–67th	Philander C. Knox	Mar. 4, 1917	Mar. 3, 1923	Died Oct. 12, 1921.
67th	William E. Crow	Oct. 24, 1921	Do.	(7)
Do	David A. Reed	Aug. 8, 1922	Nov. 7, 1922	By gov., to fill vac.
67th–73d	.....do	Nov. 8, 1922	Jan. 2, 1935	
74th–79th	Joseph F. Guffey	Jan. 3, 1935	Jan. 2, 1947	
80th–85th	Edward Martin	Jan. 3, 1947	Jan. 2, 1959	
86th–94th	Hugh Scott	Jan. 3, 1959	Jan. 2, 1977	
95th–102d	H. John Heinz III	Jan. 3, 1977	Jan. 2, 1995	Died Apr. 4, 1991.
102d	Harris Wofford	May 8, 1991	Nov. 5, 1991	By gov. to fill vac.
102d–103d	.....do	Nov. 6, 1991	Jan. 2, 1995	
104th–109th	Rick Santorum	Jan. 3, 1995	Jan. 2, 2007	
110th–118th	Robert P. Casey, Jr.	Jan. 3, 2007	Jan. 2, 2025	

CLASS 3

1st–3d	Robert Morris	Mar. 4, 1789	Mar. 3, 1795	
4th–6th	William Bingham	Mar. 4, 1795	Mar. 3, 1801	
7th–9th	John Peter G. Muhlenberg	Mar. 4, 1801	Mar. 3, 1807	Res. June 30, 1801.
7th	George Logan	July 13, 1801	Dec. 15, 1801	By gov., to fill vac.
7th–9th	.....do	Dec. 16, 1801	Mar. 3, 1807	
10th–12th	Andrew Gregg	Mar. 4, 1807	Mar. 3, 1813	
13th–15th	Abner Lacock	Mar. 4, 1813	Mar. 3, 1819	
16th–18th	Walter Lowrie	Mar. 4, 1819	Mar. 3, 1825	

See footnotes at end of Pennsylvania table.

PENNSYLVANIA—Continuted

CLASS 3

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
19th–21st	William Marks	Mar. 4, 1825	Mar. 3, 1831	
22d–24th	William Wilkins	Mar. 4, 1831	Mar. 3, 1837	Res. June 30, 1834.
23d–30th	James Buchanan	Dec. 6, 1834	Mar. 3, 1849	Res. Mar. 5, 1845.
29th–30th	Simon Cameron	Mar. 13, 1845	Do.	
31st–33d	James Cooper	Mar. 4, 1849	Mar. 3, 1855	
34th–36th	William Bigler	Jan. 14, 1856	Mar. 3, 1861	(8)
37th–39th	Edgar Cowan	Mar. 4, 1861	Mar. 3, 1867	
40th–45th	Simon Cameron	Mar. 4, 1867	Mar. 3, 1879	Res. Mar. 3, 1877.
45th–54th	James Donald Cameron	Mar. 20, 1877	Mar. 3, 1897	
55th–69th	Boies Penrose	Mar. 4, 1897	Mar. 3, 1927	Died Dec. 31, 1921.
67th	George Wharton Pepper	Jan. 9, 1922	Nov. 6, 1922	By gov., to fill vac.
67th–69th	.....do	Nov. 7, 1922	Mar. 3, 1927	
70th–72d	William S. Vare	Mar. 4, 1927	Mar. 3, 1933	(9)
71st	Joseph R. Grundy	Dec. 11, 1929	Dec. 1, 1930	By gov., to fill vac.
71st–78th	James J. Davis	Dec. 2, 1930	Jan. 2, 1945	
79th–81st	Francis J. Myers	Jan. 3, 1945	Jan. 2, 1951	
82d–84th	James H. Duff	Jan. 16, 1951	Jan. 2, 1957	(10)
85th–90th	Joseph S. Clark	Jan. 3, 1957	Jan. 2, 1969	
91st–96th	Richard S. Schweiker	Jan. 3, 1969	Jan. 2, 1981	
97th–111th	Arlen Specter	Jan. 3, 1981	Jan. 2, 2011	
112th–117th	Patrick J. Toomey	Jan. 3, 2011	Jan. 2, 2023	

[1] Vacancy from Mar. 4, 1791, to Feb. 28, 1793, because of failure of legislature to elect. Senate resolution of Feb. 28, 1794, declared that Mr. Gallatin had not been a citizen the term of years required by law.
[2] Vacancy from Feb. 28 to Apr. 23, 1794.
[3] Vacancy from Mar. 4 to Dec. 10, 1821.
[4] Vacancy from Mar. 4, to Dec. 7, 1833, because of failure of legislature to elect.
[5] Vacancy from Mar. 4, 1839, to Jan. 13, 1840, because of failure of legislature to elect.
[6] Appointed by governor Apr. 21, 1899, to fill vacancy caused by legislature's failure to elect. By Senate resolution of Apr. 24, 1900, was declared not entitled to seat, but was subsequently elected. Vacancy from Apr. 24, 1900, to Jan. 16, 1901. Died May 28, 1904.
[7] By governor, to fill vacancy. Died Aug. 2, 1922.
[8] Vacancy from Mar. 4, 1855, to Jan. 14, 1856, because of failure of legislature to elect.
[9] Credentials as Senator elect were presented and referred to the Committee on Privileges and Elections for report; meanwhile Mr. Vare was not permitted to qualify and by S. Res. No. 111 of Dec. 6, 1929, was declared not entitled to a seat.
[10] Elected to term commencing Jan. 3, 1951. Oath administered on Jan. 18, 1951. Governor during interim.

1881 1882

RHODE ISLAND

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st–7th	Theodore Foster	June 12, 1790	Mar. 3, 1803	
8th–10th	Samuel J. Potter	Mar. 4, 1803	Mar. 3, 1809	Died Oct. 14, 1804.
Do	Benjamin Howland	Oct. 29, 1804	Do.	
11th–13th	Francis Malbone	Mar. 4, 1809	Mar. 3, 1815	Died June 4, 1809.
Do	Christopher G. Champlin	June 26, 1809	Do.	Res. Oct. 2, 1811.
12th–16th	William Hunter	Oct. 28, 1811	Mar. 3, 1821	
17th–19th	James De Wolf	Mar. 4, 1821	Mar. 3, 1827	Res. Oct. 31, 1825.
19th–25th	Asher Robbins	Oct. 31, 1825	Mar. 3, 1839	
26th–28th	Nathan F. Dixon 1st	Mar. 4, 1839	Mar. 3, 1845	Died Jan. 29, 1842.
27th–28th	William Sprague	Feb. 5, 1842	Do.	Res. Jan. 17, 1844.
28th	John B. Francis	Jan. 25, 1844	Do.	
29th–31st	Albert C. Greene	Mar. 4, 1845	Mar. 3, 1851	
32d–34th	Charles T. James	Mar. 4, 1851	Mar. 3, 1857	
35th–37th	James F. Simmons	Mar. 4, 1857	Mar. 3, 1863	Res. Sept. 5, 1862.
37th	Samuel G. Arnold	Sept. 5, 1862	Do.	
38th–43d	William Sprague	Mar. 4, 1863	Mar. 3, 1875	(1)
44th–49th	Ambrose E. Burnside	Mar. 4, 1875	Mar. 3, 1887	Died Sept. 13, 1881.
47th–61st	Nelson W. Aldrich	Oct. 5, 1881	Mar. 3, 1911	
62d–64th	Henry F. Lippitt	Mar. 4, 1911	Mar. 3, 1917	
65th–70th	Peter G. Gerry	Mar. 4, 1917	Mar. 3, 1929	
71st–73d	Felix Hebert	Mar. 4, 1929	Jan. 2, 1935	
74th–79th	Peter G. Gerry	Jan. 3, 1935	Jan. 2, 1947	
80th–82d	J. Howard McGrath	Jan. 3, 1947	Jan. 2, 1953	Res. Aug. 23, 1949.
80th–81st	Edward L. Leahy	Aug. 24, 1949	Nov. 7, 1950	By gov., to fill vac.
81st–94th	John O. Pastore	Dec. 19, 1950	Jan. 2, 1977	Res. Dec. 28, 1976.

See footnotes at the end of Rhode Island table.

RHODE ISLAND—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
94th–106th	John H. Chafee	Dec. 29, 1976	Jan. 2, 2001	(2)
106th	Lincoln D. Chafee	Nov. 2, 1999	Jan. 2, 2001	By gov., to fill vac.
107th–109th	.....do	Jan. 3, 2001	Jan. 2, 2007	
110th–118th	Sheldon Whitehouse	Jan. 3, 2007	Jan. 2, 2025	

CLASS 2

1st–2d	Joseph Stanton, Jr.	June 12, 1790	Mar. 3, 1793	
3d–5th	William Bradford	Mar. 4, 1793	Mar. 3, 1799	Res. in Oct. 1797.
5th–8th	Ray Greene	Nov. 13, 1797	Mar. 3, 1805	Res. Mar. 5, 1801.
7th–8th	Christopher Ellery	May 6, 1801	Do.	
9th–11th	James Fenner	Mar. 4, 1805	Mar. 3, 1811	Res. in Sept. 1807.
10th–11th	Elisha Mathewson	Oct. 26, 1807	Do.	
12th–14th	Jeremiah B. Howell	Mar. 4, 1811	Mar. 3, 1817	
15th–17th	James Burrill, Jr.	Mar. 4, 1817	Mar. 3, 1823	Died Dec. 25, 1820.
16th–26th	Nehemiah R. Knight	Jan. 9, 1821	Mar. 3, 1841	
27th–29th	James F. Simmons	Mar. 4, 1841	Mar. 3, 1847	
30th–32d	John H. Clarke	Mar. 4, 1847	Mar. 3, 1853	
33d–35th	Philip Allen	July 20, 1853	Mar. 3, 1859	(3)
36th–50th	Henry B. Anthony	Mar. 4, 1859	Mar. 3, 1889	Died Sept. 2, 1884.
48th	William P. Sheffield	Nov. 19, 1884	Jan. 20, 1885	By gov., to fill vac.
48th–53d	Jonathan Chace	Jan. 20, 1885	Mar. 3, 1895	Res. Apr. 9, 1889.
51st–53d	Nathan F. Dixon 3d	Apr. 10, 1889	Do.	
54th–59th	George Peabody Wetmore	Mar. 4, 1895	Mar. 3, 1907	
60th–62d	.....do	Jan. 22, 1908	Mar. 3, 1913	(4)
63d–68th	LeBaron B. Colt	Mar. 4, 1913	Mar. 3, 1925	Died Aug. 18, 1924.
68th–74th	Jesse H. Metcalf	Nov. 5, 1924	Jan. 2, 1937	(5)
75th–86th	Theodore Francis Green	Jan. 3, 1937	Jan. 2, 1961	
87th–104th	Claiborne Pell	Jan. 3, 1961	Jan. 2, 1997	
105th–116th	Jack Reed	Jan. 3, 1997	Jan. 2, 2021	

[1] Nephew of William Sprague, above, who served Feb. 5, 1842–Jan. 17, 1844.
[2] Elected to full term commencing Jan. 3, 1977; subsequently appointed by governor to fill vacancy in term ending Jan. 3, 1977. Died Oct. 24, 1999.
[3] Elected May 4, 1853. Served as governor until July 20, 1853. Vacancy from Mar. 4 to July 20, 1853.
[4] Vacancy from Mar. 4, 1907, to Jan. 21, 1908, because of failure of legislature to elect.
[5] Vacancy from Aug. 19 to Nov. 4, 1924, because of failure of legislature to elect.

SOUTH CAROLINA

1883 1884

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st–5th	Pierce Butler	Mar. 4, 1789	Mar. 3, 1799	Res. Oct. 25, 1796.
4th–5th	John Hunter	Dec. 8, 1796	Do.	Res. Nov. 26, 1798.
5th–8th	Charles Pinckney	Dec. 6, 1798	Mar. 3, 1805	Res. in 1801.
7th–11th	Thomas Sumter	Dec. 15, 1801	Mar. 3, 1811	Res. Dec. 16, 1810.
11th–14th	John Taylor	Dec. 31, 1810	Mar. 3, 1817	Res. in Nov. 1816.
14th–17th	William Smith	Dec. 4, 1816	Mar. 3, 1823	
18th–23d	Robert Young Hayne	Mar. 4, 1823	Mar. 3, 1835	Res. Dec. 13, 1832.
22d–29th	John C. Calhoun	Dec. 29, 1832	Mar. 3, 1847	(1)
28th–29th	Daniel Elliott Huger	Mar. 4, 1843	Do.	Res. Mar. 3, 1845.
29th–32d	John C. Calhoun	Nov. 26, 1845	Mar. 3, 1853	(2)
31st	Franklin H. Elmore	Apr. 11, 1850	Dec. 18, 1850	(3)
Do	Robert W. Barnwell	June 4, 1850	Do.	By gov., to fill vac.
31st–32d	R. Barnwell Rhett	Dec. 18, 1850	Mar. 3, 1853	Res. May 7, 1852.
32d	William F. De Saussure	May 10, 1852	Nov. 28, 1852	By gov., to fill vac.
Do	.....do	Nov. 29, 1852	Mar. 3, 1853	
33d–35th	Josiah J. Evans	Mar. 4, 1853	Mar. 3, 1859	Died May 6, 1858.
35th	Arthur P. Hayne	May 11, 1858	Dec. 2, 1858	By gov., to fill vac.
35th–36th	James Chesnut, Jr.	Dec. 3, 1858	Mar. 3, 1865	(4)
40th–44th	Thomas J. Robertson	July 15, 1868	Mar. 3, 1877	(5)
45th–53d	Matthew C. Butler	Mar. 4, 1877	Mar. 3, 1895	
54th–65th	Benjamin R. Tillman	Mar. 4, 1895	Mar. 3, 1919	Died July 3, 1918.
65th	Christie Benet	July 6, 1918	Nov. 5, 1918	By gov., to fill vac.
Do	William P. Pollock	Nov. 6, 1918	Mar. 3, 1919	

See footnotes at end of South Carolina table.

SOUTH CAROLINA—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
66th–68th	Nathaniel B. Dial	Mar. 4, 1919	Mar. 3, 1925	
69th–71st	Coleman L. Blease	Mar. 4, 1925	Mar. 3, 1931	
72d–77th	James F. Byrnes	Mar. 4, 1931	Jan. 2, 1943	Res. July 8, 1941.
77th	Alva M. Lumpkin	July 22, 1941	Nov. 4, 1941	(6)
Do	Roger C. Peace	Aug. 5, 1941	Nov. 4, 1941	By gov., to fill vac.
77th–83d	Burnet R. Maybank	Nov. 5, 1941	Jan. 2, 1955	Died Sept. 1, 1954.
83d	Charles E. Daniel	Sept. 6, 1954	Jan. 2, 1955	By gov., to fill vac.[7]
83d–86th	Strom Thurmond	Dec. 24, 1954	Jan. 2, 1961	Res. Apr. 4, 1956.[8]
84th	Thomas A. Wofford	Apr. 5, 1956	Nov. 6, 1956	By gov., to fill vac.
85th–107th	Strom Thurmond	Nov. 7, 1956	Jan. 2, 2003	(9)
108th–116th	Lindsey Graham	Jan. 3, 2003	Jan. 2, 2021	

CLASS 3

1st–3d	Ralph Izard	Mar. 4, 1789	Mar. 3, 1795	
4th–6th	Jacob Read	Mar. 4, 1795	Mar. 3, 1801	
7th–9th	John Ewing Colhoun	Mar. 4, 1801	Mar. 3, 1807	Died Oct. 26, 1802.
Do	Pierce Butler	Nov. 4, 1802	Do.	Res. Nov. 21, 1804.
8th–21st	John Gaillard	Dec. 6, 1804	Mar. 3, 1831	Died Feb. 26, 1826.
19th	William Harper	Mar. 8, 1826	Nov. 29, 1826	By gov., to fill vac.
19th–21st	William Smith	Nov. 29, 1826	Mar. 3, 1831	
22d–24th	Stephen D. Miller	Mar. 4, 1831	Mar. 3, 1837	Res. Mar. 2, 1833.
23d–27th	William C. Preston	Nov. 26, 1833	Mar. 3, 1843	Res. Nov. 29, 1842.
27th–30th	George McDuffie	Dec. 2, 1842	Mar. 3, 1849	Res. Aug. 17, 1846.[10]
29th–36th	Andrew P. Butler	Dec. 4, 1846	Mar. 3, 1861	Died May 25, 1857.
35th–36th	James H. Hammond	Dec. 7, 1857	Do.	(11)
40th–42d	Frederick A. Sawyer	July 16, 1868	Mar. 3, 1873	(12)
43d–45th	John J. Patterson	Mar. 4, 1873	Mar. 3, 1879	
46th–51st	Wade Hampton	Mar. 4, 1879	Mar. 3, 1891	
52d–54th	John L. M. Irby	Mar. 4, 1891	Mar. 3, 1897	
55th–57th	Joseph H. Earle	Mar. 4, 1897	Mar. 3, 1903	Died May 20, 1897.
55th	John L. McLaurin	May 27, 1897	Jan. 25, 1898	By gov., to fill vac.
55th–57th	.....do	Jan. 26, 1898	Mar. 3, 1903	
58th–60th	Asbury C. Latimer	Mar. 4, 1903	Mar. 3, 1909	Died Feb. 20, 1908.
60th	Frank B. Gary	Mar. 6, 1908	Do.	
61st–78th	Ellison D. Smith	Mar. 4, 1909	Jan. 2, 1945	Died Nov. 17, 1944.
78th	Wilton E. Hall	Nov. 20, 1944	Do.	By gov., to fill vac.
79th–90th	Olin D. Johnston	Jan. 3, 1945	Jan. 2, 1969	Died Apr. 18, 1965.
89th–90th	Donald Russell	Apr. 22, 1965	Do.	By gov., to fill vac.
89th–108th	Ernest F. Hollings	Nov. 9, 1966	Jan. 2, 2005	
109th–114th	James DeMint	Jan. 3, 2005	Jan. 2, 2017	Res. Jan. 1, 2013.
112th–113th	Tim Scott	Jan. 2, 2013	Nov. 4, 2014	By gov., to fill vac.
113th–117th	.....do	Nov. 5, 2014	Jan. 2, 2023	

[1] Elected Dec. 12, 1832. Took oath Jan. 4, 1833. Vice President during interim. Resigned Mar. 3, 1843.
[2] Vacancy from Mar. 4 to Nov. 26, 1845. Died Mar. 31, 1850.
[3] By governor, to fill vacancy. Died May 29, 1850.
[4] Withdrew from the Senate Nov. 10, 1860. Expelled July 11, 1861. Because of Civil War, vacancy from Nov. 10, 1860, to July 14, 1868.
[5] By legislature, to fill vacancy in term beginning Mar. 4, 1865.
[6] By governor, to fill vacancy. Died Aug. 1, 1941.
[7] Resigned effective Dec. 23, 1954.
[8] Elected to full term commencing Jan. 3, 1955; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1955.
[9] Elected Nov. 6, 1956, to fill vacancy in term ending Jan. 2, 1961.
[10] Vacancy from Aug. 18 to Dec. 3, 1846.
[11] Withdrew from Senate Nov. 11, 1860. Because of Civil War, vacancy from Nov. 11, 1860, to July 15, 1868.
[12] By legislature, to fill vacancy in term beginning Mar. 4, 1867.

1885 1886

SOUTH DAKOTA

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
51st–56th	Richard F. Pettigrew	Nov. 2, 1889	Mar. 3, 1901	

See footnotes at the end of South Dakota table.

SOUTH DAKOTA—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
57th–62d	Robert J. Gamble	Mar. 4, 1901	Mar. 3, 1913	
63d–68th	Thomas Sterling	Mar. 4, 1913	Mar. 3, 1925	
69th–71st	William H. McMaster	Mar. 4, 1925	Mar. 3, 1931	
72d–77th	William J. Bulow	Mar. 4, 1931	Jan. 2, 1943	
78th–80th	Harlan J. Bushfield	Jan. 3, 1943	Jan. 2, 1949	Died Sept. 27, 1948.
80th	Vera C. Bushfield	Oct. 6, 1948	Jan. 2, 1949	By gov., to fill vac.[1]
80th–92d	Karl E. Mundt	Dec. 31, 1948	Jan. 2, 1973	(2)
93d–95th	James Abourezk	Jan. 3, 1973	Jan. 2, 1979	
96th–104th	Larry Pressler	Jan. 3, 1979	Jan. 2, 1997	
105th–113th	Tim Johnson	Jan. 3, 1997	Jan. 2, 2015	
114th–116th	Mike Rounds	Jan. 3, 2015	Jan. 2, 2021	

CLASS 3

51st	Gideon C. Moody	Nov. 2, 1889	Mar. 3, 1891	
52d–57th	James H. Kyle	Mar. 4, 1891	Mar. 3, 1903	Died July 1, 1901.
57th	Alfred B. Kittredge	July 11, 1901	Jan. 20, 1903	By gov., to fill vac.
57th–60th	.....do	Jan. 21, 1903	Mar. 3, 1909	
61st–63d	Coe I. Crawford	Mar. 4, 1909	Mar. 3, 1915	
64th–66th	Edwin S. Johnson	Mar. 4, 1915	Mar. 3, 1921	
67th–75th	Peter Norbeck	Mar. 4, 1921	Jan. 2, 1939	Died Dec. 20, 1936.
74th–75th	Herbert E. Hitchcock	Dec. 29, 1936	Nov. 8, 1938	By gov., to fill vac.
75th	Gladys Pyle	Nov. 9, 1938	Jan. 2, 1939	
76th–81st	J. Chandler Gurney	Jan. 3, 1939	Jan. 2, 1951	
82d–87th	Francis Case	Jan 3, 1951	Jan. 2, 1963	Died June 22, 1962.
87th	Joe H. Bottum	July 9, 1962	Do.	By gov., to fill vac.
88th–96th	George McGovern	Jan. 3, 1963	Jan. 2, 1981	
97th–99th	James Abdnor	Jan. 3, 1981	Jan. 2, 1987	
100th–108th	Thomas A. Daschle	Jan. 3, 1987	Jan. 2, 2005	
109th–117th	John Thune	Jan. 3, 2005	Jan. 2, 2023	

[1] Resigned Dec. 26, 1948.
[2] Elected to full term commencing Jan. 3, 1949; subsequently appointed by governor on Dec. 27, 1948, to fill vacancy in term ending Jan. 2, 1949. Oath administered Dec. 31, 1948. Continued to serve as Member of House of Representatives during interim.

TENNESSEE

CLASS 1

1887 1888

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
4th	William Cocke	Aug. 2, 1796	Mar. 3, 1797	
5th	.....do	Apr. 22, 1797	Sept. 26, 1797	(1)
5th–7th	Andrew Jackson	Sept. 26, 1797	Mar. 3, 1803	Res. in April 1798.
5th	Daniel Smith	Oct. 6, 1798	Mar. 3, 1799	By gov., to fill vac.
5th–10th	Joseph Anderson	Mar. 4, 1799	Mar. 3, 1809	(2)
11th	.....do	Mar. 4, 1809	Apr. 10, 1809	By gov., to fill vac.
11th–13th	.....do	Apr. 11, 1809	Mar. 3, 1815	
14th–16th	George W. Campbell	Oct. 10, 1815	Mar. 3, 1821	(3)
15th–16th	John H. Eaton	Sept. 5, 1818	Oct. 8, 1819	By gov., to fill vac.
16th–22d	.....do	Oct. 9, 1819	Mar. 3, 1833	Res. Mar. 9, 1829.
21st–25th	Felix Grundy	Oct. 19, 1829	Mar. 3, 1839	Res. July 4, 1838.
25th	Ephraim H. Foster	Sept. 17, 1838	Do.	(4)
26th–28th	Felix Grundy	Dec. 14, 1839	Mar. 3, 1845	Died Dec. 19, 1840.
26th–27th	Alfred O. P. Nicholson	Dec. 25, 1840	Feb. 7, 1842	By gov., to fill vac.
28th	Ephraim H. Foster	Oct. 17, 1843	Mar. 3, 1845	(5)
29th–31st	Hopkins L. Turney	Mar. 4, 1845	Mar. 3, 1851	
32d–34th	James C. Jones	Mar. 4, 1851	Mar. 3, 1857	
35th–37th	Andrew Johnson	Oct. 8, 1857	Mar. 3, 1863	(6)
39th–40th	David T. Patterson	July 24, 1866	Mar. 3, 1869	(7)
41st–43d	William G. Brownlow	Mar. 4, 1869	Mar. 3, 1875	
44th–46th	Andrew Johnson	Mar. 4, 1875	Mar. 3, 1881	Died July 31, 1875.
44th	David M. Key	Aug. 18, 1875	Jan. 19, 1877	By gov., to fill vac.
44th–46th	James E. Bailey	Jan. 19, 1877	Mar. 3, 1881	
47th–49th	Howell E. Jackson	Mar. 4, 1881	Mar. 3, 1887	Res. Apr. 14, 1886.
49th	Washington C. Whitthorne	Apr. 16, 1886	Do.	By gov., to fill vac.
50th–61st	William B. Bate	Mar. 4, 1887	Mar. 3, 1911	Died Mar. 9, 1905.

See footnotes at end of Tennessee table.

TENNESSEE—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
59th–61st	James B. Frazier	Mar. 21, 1905	Do.	
62d–64th	Luke Lea	Mar. 4, 1911	Mar. 3, 1917	
65th–82d	Kenneth D. McKellar	Mar. 4, 1917	Jan. 2, 1953	
83d–91st	Albert Gore	Jan. 3, 1953	Jan. 2, 1971	
92d–94th	William E. Brock III	Jan. 3, 1971	Jan. 2, 1977	
95th–103d	James R. Sasser	Jan. 3, 1977	Jan. 2, 1995	
104th–109th	Bill Frist	Jan. 3, 1995	Jan. 2, 2007	
110th–115th	Bob Corker	Jan. 3, 2007	Jan. 2, 2019	
116th–118th	Marsha Blackburn	Jan. 3, 2019	Jan. 2, 2025	

CLASS 2

4th–5th	William Blount	Aug. 2, 1796	Mar. 3, 1799	Exp. July 8, 1797.
5th	Joseph Anderson	Sept. 26, 1797	Do.	
6th–8th	William Cocke	Mar. 4, 1799	Mar. 3, 1805	
9th–11th	Daniel Smith	Mar. 4, 1805	Mar. 3, 1811	Res. Mar. 31, 1809.
11th–14th	Jenkin Whiteside	Apr. 11, 1809	Mar. 3, 1817	Res. Oct. 8, 1811.
12th–14th	George W. Campbell	Oct. 8, 1811	Do.	Res. Feb. 11, 1814.
13th–14th	Jesse Wharton	Mar. 17, 1814	Oct. 10, 1815	By gov., to fill vac.
14th	John Williams	Oct. 10, 1815	Mar. 3, 1817	
15th	.....do	Mar. 4, 1817	Oct. 1, 1817	(8)
15th–17th	.....do	Oct. 2, 1817	Mar. 3, 1823	
18th–20th	Andrew Jackson	Mar. 4, 1823	Mar. 3, 1829	Res. Oct. 14, 1825.
19th–23d	Hugh Lawson White	Oct. 28, 1825	Mar. 3, 1835	
24th–26th	.....do	Oct. 6, 1835	Mar. 3, 1841	Res. Jan. 13, 1840.[9]
26th	Alexander Anderson	Jan. 27, 1840	Do.	
28th–29th	Spencer Jarnagin	Oct. 17, 1843	Mar. 3, 1847	(10)
30th–32d	John Bell	Nov. 22, 1847	Mar. 3, 1853	(11)
33d–35th	.....do	Oct. 29, 1853	Mar. 3, 1859	
36th–38th	Alfred O. P. Nicholson	Mar. 4, 1859	Mar. 3, 1865	(12)
39th–41st	Joseph S. Fowler	July 24, 1866	Mar. 3, 1871	(13)
42d–44th	Henry Cooper	Mar. 4, 1871	Mar. 3, 1877	
45th–56th	Isham G. Harris	Mar. 4, 1877	Mar. 3, 1901	Died July 8, 1897.
55th	Thomas B. Turley	July 20, 1897	Feb. 1, 1898	By gov., to fill vac.
55th–56th	.....do	Feb. 2, 1898	Mar. 3, 1901	
57th–59th	Edward W. Carmack	Mar. 4, 1901	Mar. 3, 1907	
60th–62d	Robert L. Taylor	Mar. 4, 1907	Mar. 3, 1913	Died Mar. 31, 1912.
62d	Newell Sanders	Apr. 8, 1912	Jan. 24, 1913	By gov., to fill vac.
Do	William R. Webb	Jan. 24, 1913	Mar. 3, 1913	
63d–68th	John K. Shields	Mar. 4, 1913	Mar. 3, 1925	
69th–71st	Lawrence D. Tyson	Mar. 4, 1925	Mar. 3, 1931	Died Aug. 24, 1929.
71st	William E. Brock	Sept. 2, 1929	Nov. 3, 1930	By gov., to fill vac.
Do	.....do	Nov. 4, 1930	Mar. 3, 1931	
72d–74th	Cordell Hull	Mar. 4, 1931	Jan. 2, 1937	Res. Mar. 3, 1933.
73d	Nathan L. Bachman	Mar. 4, 1933	Nov. 6, 1934	By gov., to fill vac.
73d–77th	.....do	Nov. 7, 1934	Jan. 2, 1943	Died Apr. 23, 1937.
75th	George L. Berry	May 6, 1937	Nov. 8, 1938	By gov., to fill vac.
75th–80th	Tom Stewart	Jan. 16, 1939	Jan. 2, 1949	(14)
81st–89th	Estes Kefauver	Jan. 3, 1949	Jan. 2, 1967	Died Aug. 10, 1963.
88th	Herbert S. Walters	Aug. 20, 1963	Nov. 3, 1964	By gov., to fill vac.
88th–89th	Ross Bass	Nov. 4, 1964	Jan. 2, 1967	
90th–98th	Howard H. Baker, Jr.	Jan. 3, 1967	Jan. 2, 1985	
99th–104th	Albert Gore, Jr.	Jan. 3, 1985	Jan. 2, 1997	(15)
102d–103d	Harlan Mathews	Jan. 2, 1993	Dec. 1, 1994	By gov., to fill vac.
103d–107th	Fred Thompson	Dec. 2, 1994	Jan. 2, 2003	
108th–116th	Lamar Alexander	Jan. 3, 2003	Jan. 2, 2021	

[1] By governor, to fill vacancy because of legislature's failure to elect.
[2] Elected on Dec. 12, 1798, but remained in the other Tennessee seat until Mar. 3, 1799.
[3] Vacancy from Mar. 1 to Oct. 10, 1815. Resigned, effective Apr. 20, 1818.
[4] By governor, to fill vacancy; subsequently elected to term beginning Mar. 4, 1839; resigned Mar. 3, 1839. Vacancy from Mar. 4 to Dec. 14, 1839.
[5] Vacancy from Feb. 8, 1842, to Oct. 16, 1843.
[6] Vacancy from Mar. 4 to Oct. 7, 1857. Resigned Mar. 4, 1862, to become military governor of Tennessee. Because of Civil War, vacancy from Mar. 4, 1862, to July 24, 1866, when Tennessee was readmitted to representation.
[7] By legislature, to fill vacancy in term beginning Mar. 4, 1863. Seated July 28, 1866, after the Senate resolved a challenge to his credentials.
[8] By governor, during recess of legislature.
[9] Vacancy from Mar. 4 to Oct. 5, 1835.

Footnotes continued on next page.

[10]Vacancy from Mar. 4, 1841, to Oct. 16, 1843.
[11]Vacancy from Mar. 4 to Oct. 28, 1853.
[12]Withdrew Mar. 3, 1861. Expelled July 11, 1861. Because of Civil War, vacancy from Mar. 3, 1861, to July 24, 1866, when Tennessee was readmitted to representation.
[13]By legislature to fill vacancy in term beginning Mar. 4, 1865. Seated July 25, 1866.
[14]Elected Nov. 8, 1938, but did not assume duties until Jan. 16, 1939. Vacancy from Nov. 9, 1938, to Jan. 15, 1939.
[15]Resigned Jan. 2, 1993, having been elected Vice President of the United States for the 52nd term on Nov. 3, 1992.

TEXAS

1889 1890

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
29th–37th	Thomas J. Rusk	Feb. 21, 1846	Mar. 3, 1863	Died July 29, 1857.
35th–37th	J. Pinckney Henderson	Nov. 9, 1857	Do.	(1)
35th–36th	Matthias Ward	Sept. 27, 1858	Dec. 5, 1859	By gov., to fill vac.
36th–37th	Louis T. Wigfall	Dec. 5, 1859	Mar. 3, 1863	(2)
41st–43d	J. W. Flanagan	Mar. 30, 1870	Mar. 3, 1875	(3)
44th–49th	Samuel B. Maxey	Mar. 4, 1875	Mar. 3, 1887	
50th–52d	John H. Reagan	Mar. 4, 1887	Mar. 3, 1893	Res. June 10, 1891.
52d	Horace Chilton	June 10, 1891	Mar. 22, 1892	By gov., to fill vac.
52d–55th	Roger Q. Mills	Mar. 23, 1892	Mar. 3, 1899	
56th–67th	Charles A. Culberson	Mar. 4, 1899	Mar. 3, 1923	
68th–70th	Earle B. Mayfield	Mar. 4, 1923	Mar. 3, 1929	
71st–82d	Tom Connally	Mar. 4, 1929	Jan. 2, 1953	
83d–85th	Price Daniel	Jan. 3, 1953	Jan. 2, 1959	Res. Jan. 14, 1957.
85th	Wm. A. Blakley	Jan. 15, 1957	Apr. 28, 1957	By gov., to fill vac.
85th–91st	Ralph Yarborough	Apr. 29, 1957	Jan. 2, 1971	(4)
92d–103d	Lloyd M. Bentsen, Jr.	Jan. 3, 1971	Jan. 2, 1995	Res. Jan. 20, 1993.
103d	Bob Krueger	Jan. 21, 1993	June 14, 1993	By gov., to fill vac.
103d–112th	Kay Bailey Hutchison	June 14, 1993	Jan. 2, 2013	
113th–118th	Ted Cruz	Jan. 3, 2013	Jan. 2, 2025	

CLASS 2

29th–35th	Sam Houston	Feb. 21, 1846	Mar. 3, 1859	
36th–38th	John Hemphill	Mar. 4, 1859	Mar. 3, 1865	(5)
41st–44th	Morgan C. Hamilton	Mar. 30, 1870	Mar. 3, 1877	(6)
45th–53d	Richard Coke	Mar. 4, 1877	Mar. 3, 1895	
54th–56th	Horace Chilton	Mar. 4, 1895	Mar. 3, 1901	
57th–62d	Joseph W. Bailey	Mar. 4, 1901	Mar. 3, 1913	Res. Jan. 3, 1913.
62d	Rienzi M. Johnston	Jan. 4, 1913	Jan. 29, 1913	By gov., to fill vac.
62d–77th	Morris Sheppard	Jan. 29, 1913	Jan. 2, 1943	Died Apr. 9, 1941.
77th	Andrew Jackson Houston	Apr. 21, 1941	June 26, 1941	(7)
77th–80th	W. Lee O'Daniel	Aug. 4, 1941	Jan. 2, 1949	(8)
81st–87th	Lyndon B. Johnson	Jan. 3, 1949	Jan. 2, 1967	(9)
87th	Wm. A. Blakley	Jan. 3, 1961	June 14, 1961	By gov., to fill vac.
87th–98th	John G. Tower	June 15, 1961	Jan. 2, 1985	(10)
99th–107th	Phil Gramm	Jan. 3, 1985	Jan. 2, 2003	Res. Nov. 30, 2002.
107th–116th	John Cornyn	Dec. 2, 2002	Jan. 2, 2021	(11)

[1]By gov., to fill vac.; died June 4, 1858.
[2]Expelled July 11, 1861. Because of Civil War, vacancy from July 11, 1861, to Mar. 30, 1870, when Texas was readmitted to representation.
[3]By legislature, to fill vacancy in term beginning Mar. 4, 1869. Seated Mar. 31, 1870.
[4]Elected Apr. 2, 1957, to fill vacancy in term ending Jan. 2, 1959. Took oath Apr. 29, 1957.
[5]Expelled July 11, 1861. Because of Civil War, vacancy from July 11, 1861, to Mar. 30, 1870, when Texas was readmitted to representation.
[6]By legislature, to fill vacancy in term beginning Mar. 4, 1865. Seated Mar. 31, 1870.
[7]By governor, to fill vacancy. Died June 26, 1941.
[8]Elected June 28, 1941. Took oath Aug. 4, 1941, Governor during interim.
[9]Elected Nov. 8, 1960, to full term commencing Jan. 3, 1961, but resigned Jan. 3, 1961, immediately after taking oath of office, having been elected Vice President of the United States for the 44th term on Nov. 8, 1960.
[10]Elected May 27, 1961, to serve unexpired term. *See* S. Jour. 547, 87–1, July 17, 1961.
[11]Elected to full term commencing Jan. 3, 2003; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 2003.

1891 1892

UTAH

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
54th–55th	Frank J. Cannon	Jan. 22, 1896	Mar. 3, 1899	
56th–58th	Thomas Kearns	Jan. 23, 1901	Mar. 3, 1905	(1)
59th–65th	George Sutherland	Mar. 4, 1905	Mar. 3, 1917	
65th–76th	William H. King	Mar. 4, 1917	Jan. 2, 1941	
77th–79th	Abe Murdock	Jan. 3, 1941	Jan. 2, 1947	
80th–85th	Arthur V. Watkins	Jan. 3, 1947	Jan. 2, 1959	
86th–94th	Frank E. Moss	Jan. 3, 1959	Jan. 2, 1977	
95th–115th	Orrin G. Hatch	Jan. 3, 1977	Jan. 2, 2019	
116th–118th	Mitt Romney	Jan. 3, 2019	Jan. 2, 2025	

CLASS 3

54th	Arthur Brown	Jan. 22, 1896	Mar. 3, 1897	
55th–57th	Joseph L. Rawlins	Mar. 4, 1897	Mar. 3, 1903	
58th–72d	Reed Smoot	Mar. 4, 1903	Mar. 3, 1933	
73d–81st	Elbert D. Thomas	Mar. 4, 1933	Jan. 2, 1951	
82d–93d	Wallace F. Bennett	Jan. 3, 1951	Jan. 2, 1975	Res. Dec. 20, 1974.
93d–102d	E. J. "Jake" Garn	Dec. 21, 1974	Jan. 2, 1993	(2)
103d–111th	Robert F. Bennett	Jan. 3, 1993	Jan. 2, 2011	
112th–117th	Mike Lee	Jan. 3, 2011	Jan. 2, 2023	

[1]Vacancy from Mar. 4, 1899 to Jan. 22, 1901, because of failure of legislature to elect.
[2]Elected to full term commencing Jan. 3, 1975; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1975.

VERMONT

1893 1894

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
2d–4th	Moses Robinson	Oct. 17, 1791	Mar. 3, 1797	Res. Oct. 15, 1796.
4th–7th	Isaac Tichenor	Oct. 18, 1796	Mar. 3, 1803	Res. Oct. 17, 1797.
5th–7th	Nathaniel Chipman	Oct. 17, 1797	Do.	
8th–10th	Israel Smith	Mar. 4, 1803	Mar. 3, 1809	Res. Oct. 1, 1807.
10th–13th	Jonathan Robinson	Oct. 10, 1807	Mar. 3, 1815	
14th–16th	Issac Tichenor	Mar. 4, 1815	Mar. 3, 1821	
17th–22d	Horatio Seymour	Mar. 4, 1821	Mar. 3, 1833	
23d–25th	Benjamin Swift	Mar. 4, 1833	Mar. 3, 1839	
26th–31st	Samuel S. Phelps	Mar. 4, 1839	Mar. 3, 1851	
32d–40th	Solomon Foot	Mar. 4, 1851	Mar. 3, 1869	Died Mar. 28, 1866.
39th	George F. Edmunds	Apr. 3, 1866	Oct. 23, 1866	By gov., to fill vac.
39th–52d	.....do	Oct. 24, 1866	Mar. 3, 1893	Res. Nov. 1, 1891.
52d	Redfield Proctor	Nov. 2, 1891	Oct. 18, 1892	By gov., to fill vac.
52d–61st	.....do	Oct. 19, 1892	Mar. 3, 1911	Died Mar. 4, 1908.
60th	John W. Stewart	Mar. 24, 1908	Oct. 20, 1908	By gov., to fill vac.
60th–67th	Carroll S. Page	Oct. 21, 1908	Mar. 3, 1923	
68th–73d	Frank L. Greene	Mar. 4, 1923	Mar. 3, 1935	Died Dec. 17, 1930.
71st–72d	Frank C. Partridge	Dec. 23, 1930	Mar. 31, 1931	By gov., to fill vac.
72d–79th	Warren R. Austin	Apr. 1, 1931	Jan. 2, 1947	Res. Aug. 2, 1946.
79th	Ralph E. Flanders	Nov. 1, 1946	Do.	By gov., to fill vac.
80th–85th	.....do	Jan. 3, 1947	Jan. 2, 1959	
86th–94th	Winston L. Prouty	Jan. 3, 1959	Jan. 2, 1977	Died Sept. 10, 1971.
92d	Robert T. Stafford	Sept. 16, 1971	Jan. 7, 1972	By gov., to fill vac.
92d–100th	.....do	Jan. 7, 1972	Jan. 2, 1989	
101st–109th	James M. Jeffords	Jan. 3, 1989	Jan. 2, 2007	
110th–118th	Bernard Sanders	Jan. 3, 2007	Jan. 2, 2025	

CLASS 3

2d–3d	Stephen R. Bradley	Oct. 17, 1791	Mar. 3, 1795	
4th–6th	Elijah Paine	Mar. 4, 1795	Mar. 3, 1802	Res. Sept. 1, 1801.
7th–12th	Stephen R. Bradley	Oct. 15, 1801	Mar. 3, 1813	
13th–15th	Dudley Chase	Mar. 4, 1813	Mar. 3, 1819	Res. Nov. 3, 1817.
15th	James Fisk	Nov. 4, 1817	Do.	Res. Jan. 8, 1818.
15th–18th	William A. Palmer	Oct. 20, 1818	Mar. 3, 1825	
19th–21st	Dudley Chase	Mar. 4, 1825	Mar. 3, 1831	

See footnotes at end of Vermont table.

VERMONT—Continued

CLASS 3

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
22d–27th	Samuel Prentiss	Mar. 4, 1831	Mar. 3, 1843	Res. Apr. 11, 1842.
27th	Samuel C. Crafts	Apr. 23, 1842	Oct. 25, 1842	By gov., to fill vac.
Do	.....do	Oct. 26, 1842	Mar. 3, 1843	
28th–33d	William Upham	Mar. 4, 1843	Mar. 3, 1855	Died Jan. 14, 1853.
32d–33d	Samuel S. Phelps	Jan. 17, 1853	Mar. 16, 1854	(1)
33d	Lawrence Brainerd	Oct. 14, 1854	Mar. 3, 1855	
34th–39th	Jacob Collamer	Mar. 4, 1855	Mar. 3, 1867	Died Nov. 9, 1865.
39th	Luke P. Poland	Nov. 21, 1865	Oct. 23, 1866	By gov., to fill vac.
Do	.....do	Oct. 24, 1866	Mar. 3, 1867	
40th–57th	Justin S. Morrill	Mar. 4, 1867	Mar. 3, 1903	Died Dec. 28, 1898.
55th–56th	Jonathan Ross	Jan. 11, 1899	Oct. 17, 1900	By gov., to fill vac.
56th–69th	William P. Dillingham	Oct. 18, 1900	Mar. 3, 1927	Died July 12, 1923.[2]
68th–75th	Porter H. Dale	Nov. 6, 1923	Jan. 2, 1939	Died Oct. 6, 1933.[3]
73d	Ernest W. Gibson	Nov. 21, 1933	Jan. 16, 1934	By gov., to fill vac.
73d–78th	.....do	Jan. 17, 1934	Jan. 2, 1945	Died June 20, 1940.
76th	Ernest W. Gibson, Jr.	June 24, 1940	Jan. 2, 1941	By gov., to fill vac.
77th–93d	George D. Aiken	Jan. 10, 1941	Jan. 2, 1975	(4)
94th–117th	Patrick J. Leahy	Jan. 3, 1975	Jan. 2, 2023	

[1]By governor, to fill vacancy. By resolution of Senate, Mar. 16, 1854, declared not entitled to retain his seat. Vacancy from Mar. 16 to Oct. 13, 1854.
[2]Vacancy from July 13 to Nov. 5, 1923.
[3]Vacancy from Oct. 7 to Nov. 20, 1933.
[4]Elected Nov. 5, 1940, to fill vacancy in term ending Jan. 2, 1945. Took oath Jan. 10, 1941. Governor during interim.

VIRGINIA

1895 1896

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st	William Grayson	Mar. 4, 1789	Mar. 3, 1791	Died Mar. 12, 1790.
Do	John Walker	Mar. 31, 1790	Nov. 9, 1790	By gov., to fill vac.
1st–4th	James Monroe	Nov. 9, 1790	Mar. 3, 1797	Res. May 27, 1794.
3d–10th	Stevens T. Mason	Nov. 18, 1794	Mar. 3, 1809	Died May 10, 1803.
8th	John Taylor	June 4, 1803	Dec. 7, 1803	By gov., to fill vac.
8th–10th	Abraham B. Venable	Dec. 7, 1803	Mar. 3, 1809	Res. June 7, 1804.
8th	William B. Giles	Aug. 11, 1804	Dec. 4, 1804	By gov., to fill vac.
8th–10th	Andrew Moore	Dec. 4, 1804	Mar. 3, 1809	
11th–13th	Richard Brent	Mar. 4, 1809	Mar. 3, 1815	Died Dec. 30, 1814.
13th–19th	James C. Barbour	Jan. 2, 1815	Mar. 3, 1827	Res. Mar. 27, 1825.
19th	John Randolph	Dec. 9, 1825	Do.	
20th–25th	John Tyler	Mar. 4, 1827	Mar. 3, 1839	Res. Feb. 29, 1836.
24th–25th	William C. Rives	Mar. 4, 1836	Do.	
26th–28th	.....do	Jan. 18, 1841	Mar. 3, 1845	(1)
29th–31st	Isaac S. Pennybacker	Dec. 3, 1845	Mar. 3, 1851	Died Jan. 12, 1847.
29th–37th	James M. Mason	Jan. 21, 1847	Mar. 3, 1863	(2)
37th	Waitman T. Willey	July 9, 1861	Do.	(3)
38th–40th	Lemuel J. Bowden	Mar. 4, 1863	Mar. 3, 1869	(4)
41st–43d	John F. Lewis	Jan. 26, 1870	Mar. 3, 1875	(5)
44th–46th	Robert E. Withers	Mar. 4, 1875	Mar. 3, 1881	
47th–49th	William Mahone	Mar. 4, 1881	Mar. 3, 1887	
50th–64th	John W. Daniel	Mar. 4, 1887	Mar. 3, 1917	Died June 29, 1910.
61st	Claude A. Swanson	Aug. 1, 1910	Mar. 3, 1911	By gov., to fill vac.
62d	.....do	Mar. 4, 1911	Jan. 23, 1912	Do.
62d–73d	.....do	Jan. 24, 1912	Jan. 2, 1935	Res. Mar. 3, 1933.
73d	Harry Flood Byrd	Mar. 4, 1933	Nov. 7, 1933	By gov., to fill vac.
73d–91st	.....do	Nov. 7, 1933	Jan. 2, 1971	Res. Nov. 10, 1965.
89th	Harry Flood Byrd, Jr.	Nov. 12, 1965	Nov. 8, 1966	By gov., to fill vac.
89th–97th	.....do	Nov. 8, 1966	Jan. 2, 1983	
98th–100th	Paul S. Trible, Jr.	Jan. 3, 1983	Jan. 2, 1989	
101st–106th	Charles S. Robb	Jan. 3, 1989	Jan. 2, 2001	
107th–109th	George Allen	Jan. 3, 2001	Jan. 2, 2007	
110th–112th	Jim Webb	Jan. 3, 2007	Jan. 2, 2013	
113th–118th	Tim Kaine	Jan. 3, 2013	Jan. 2, 2025	

See footnotes at end of Virginia table.

VIRGINIA—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
1st–2d	Richard Henry Lee	Mar. 4, 1789	Mar. 3, 1793	Res. Oct. 8, 1792.
2d–5th	John Taylor	Oct. 18, 1792	Mar. 3, 1799	Res. May 11, 1794.
3d–5th	Henry Tazewell	Nov. 18, 1794	Do.	Died Jan. 24, 1799.
6th–8th	Wilson C. Nicholas	Dec. 5, 1799	Mar. 3, 1805	Res. May 22, 1804.
8th	Andrew Moore	Aug. 11, 1804	Dec. 4, 1804	By gov., to fill vac.
8th–14th	William B. Giles	Dec. 4, 1804	Mar. 3, 1817	Res. Mar. 3, 1815.
14th	Armistead T. Mason	Jan. 3, 1816	Do.	
15th–17th	John W. Eppes	Mar. 4, 1817	Mar. 3, 1823	Res. Dec. 4, 1819.
16th–17th	James Pleasants	Dec. 10, 1819	Do.	Res. Dec. 15, 1822.
17th–20th	John Taylor	Dec. 18, 1822	Mar. 3, 1829	Died Aug. 20, 1824.
18th–23d	Littleton W. Tazewell	Dec. 7, 1824	Mar. 3, 1835	Res. July 16, 1832.
22d–23d	William C. Rives	Dec. 10, 1832	Do.	Res. Feb. 22, 1834.
23d–26th	Benjamin W. Leigh	Feb. 26, 1834	Mar. 3, 1841	Res. July 4, 1836.
24th–26th	Richard E. Parker	Dec. 12, 1836	Do.	Res. Mar. 13, 1837.
25th–26th	William H. Roane	Mar. 14, 1837	Do.	
27th–29th	William S. Archer	Mar. 4, 1841	Mar. 3, 1847	
30th–38th	Robert M. T. Hunter	Mar. 4, 1847	Mar. 3, 1865	(6)
37th–38th	John S. Carlile	July 9, 1861	Do.	(7)
41st	John W. Johnston	Jan. 26, 1870	Mar. 3, 1871	(8)
42d–47th	.....do	Mar. 15, 1871	Mar. 3, 1883	
48th–50th	Harrison H. Riddleberger	Mar. 4, 1883	Mar. 3, 1889	
51st–53d	John S. Barbour, Jr.	Mar. 4, 1889	Mar. 3, 1895	Died May 14, 1892.
52d–53d	Eppa Hunton	May 28, 1892	Dec. 19, 1893	By gov., to fill vac.
53d	.....do	Dec. 20, 1893	Mar. 3, 1895	
54th–66th	Thomas S. Martin	Mar. 4, 1895	Mar. 3, 1925	Died Nov. 12, 1919.
66th	Carter Glass	Feb. 2, 1919	Nov. 2, 1920	(9)
66th–80th	.....do	Nov. 3, 1920	Jan. 2, 1949	Died May 28, 1946.
79th	Thomas G. Burch	May 31, 1946	Nov. 5, 1946	By gov., to fill vac.
79th–89th	A. Willis Robertson	Nov. 6, 1946	Jan. 2, 1967	Res. Dec. 30, 1966.
89th–92d	William B. Spong, Jr.	Dec. 31, 1966	Jan. 2, 1973	(10)
93d–95th	William L. Scott	Jan. 3, 1973	Jan. 2, 1979	Res. Jan. 1, 1979.
96th–110th	John W. Warner	Jan. 2, 1979	Jan. 2, 2009	(11)
111th–116th	Mark R. Warner	Jan. 3, 2009	Jan. 2, 2021	

[1]Vacancy in this class from Mar. 4, 1839, to Jan. 17, 1841.
[2]Withdrew from Senate Mar. 28, 1861. Expelled July 11, 1861. Because of Civil War, vacancy from Mar. 28 to July 8, 1861.
[3]By legislature, to fill vacancy.
[4]Died Jan. 2, 1864. Because of Civil War, vacancy from Jan. 2, 1864, to Jan. 26, 1870, when Virginia was readmitted to representation.
[5]By legislature, to fill vacancy in term beginning Mar. 4, 1869. Seated Jan. 27, 1870.
[6]Withdrew from Senate Mar. 28, 1861. Expelled July 11, 1861. Because of Civil War, vacancy from Mar. 28 to July 8, 1861.
[7]By legislature to fill vacancy. Because of Civil War, vacancy from Mar. 4, 1865, to Jan. 26, 1870, when Virginia was readmitted to representation.
[8]By legislature to fill vacancy in term beginning Mar. 4, 1865. Seated Jan. 28, 1870.
[9]Appointed by governor. Took oath Feb. 2, 1920. Secretary of Treasury during interim. Vacancy from Nov. 12, 1919, to Feb. 1, 1920.
[10]Elected to full term commencing Jan. 3, 1967; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1967.
[11]Elected to full term commencing Jan. 3, 1979; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1979.

1897 1898

WASHINGTON

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
51st–52d	John B. Allen	Nov. 20, 1889	Mar. 3, 1893	
53d–55th	John L. Wilson	Feb. 19, 1895	Mar. 3, 1899	(1)
56th–58th	Addison G. Foster	Mar. 4, 1899	Mar. 3, 1905	
59th–61st	Samuel H. Piles	Mar. 4, 1905	Mar. 3, 1911	
62d–67th	Miles Poindexter	Mar. 4, 1911	Mar. 3, 1923	
68th–73d	Clarence C. Dill	Mar. 4, 1923	Jan. 2, 1935	
74th–76th	Lewis B. Schwellenbach	Jan. 3, 1935	Jan. 2, 1941	Res. Dec. 16, 1940.
76th–79th	Mon C. Wallgren	Dec. 19, 1940	Jan. 2, 1947	(2)
79th	Hugh B. Mitchell	Jan. 10, 1945	Do.	(3)
79th–82nd	Harry P. Cain	Dec. 26, 1946	Jan. 2, 1953	(4)
83d–98th	Henry M. Jackson	Jan. 3, 1953	Jan. 2, 1989	Died Sept. 1, 1983.
98th	Daniel J. Evans	Sept. 8, 1983	Nov. 8, 1983	By gov., to fill vac.

See footnotes at end of Washington table.

WASHINGTON—Continued

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
98th–100th	.....do	Nov. 8, 1983	Jan. 2, 1989	
101st–106th	Slade Gorton	Jan. 3, 1989	Jan. 2, 2001	
107th–118th	Maria Cantwell	Jan. 3, 2001	Jan. 2, 2025	

CLASS 3

51st–54th	Watson C. Squire	Nov. 20, 1889	Mar. 3, 1897	
55th–57th	George Turner	Mar. 4, 1897	Mar. 3, 1903	
58th–60th	Levi Ankeny	Mar. 4, 1903	Mar. 3, 1909	
61st–72d	Wesley L. Jones	Mar. 4, 1909	Mar. 3, 1933	Died Nov. 19, 1932.
72d	Elijah S. Grammer	Nov. 22, 1932	Do.	By gov., to fill vac.
73d–78th	Homer T. Bone	Mar. 4, 1933	Jan. 2, 1945	Res. Nov. 13, 1944.
78th–96th	Warren G. Magnuson	Dec. 14, 1944	Jan. 2, 1981	(5)
97th–99th	Slade Gorton	Jan. 3, 1981	Jan. 2, 1987	
100th–102d	Brock Adams	Jan 3, 1987	Jan. 2, 1993	
103d–117th	Patty Murray	Jan. 3, 1993	Jan. 2, 2023	

[1] Vacancy from Mar. 4, 1893, to Feb. 18, 1895, because of failure of legislature to elect. John B. Allen was appointed by governor Mar. 10, 1893, to fill vacancy, but by Senate resolution of Aug. 28, 1893, was declared not entitled to a seat. Wilson was elected Feb. 1, 1895, but served in House during interim.

[2] Elected to full term commencing Jan. 3, 1941; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1941. Resigned Jan. 10, 1945.

[3] By governor, to fill vacancy. Resigned Dec. 25, 1946.

[4] Elected to full term commencing Jan. 3, 1947; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1947.

[5] Elected to full term commencing Jan. 3, 1945; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1945.

WEST VIRGINIA

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
38th–40th	Peter G. Van Winkle	Aug. 4, 1863	Mar. 3, 1869	
41st–43d	Arthur I. Boreman	Mar. 4, 1869	Mar. 3, 1875	
44th–46th	Allen T. Caperton	Mar. 4, 1875	Mar. 3, 1881	Died July 26, 1876.
44th	Samuel Price	Aug. 26, 1876	Jan. 26, 1877	By gov., to fill vac.
44th–46th	Frank Hereford	Jan. 31, 1877	Mar. 3, 1881	
47th–49th	Johnson N. Camden	Mar. 4, 1881	Mar. 3, 1887	
50th–55th	Charles J. Faulkner	Mar. 4, 1887	Mar. 3, 1899	
56th–61st	Nathan B. Scott	Mar. 4, 1899	Mar. 3, 1911	
62d–64th	William E. Chilton	Mar. 4, 1911	Mar. 3, 1917	
65th–67th	Howard Sutherland	Mar. 4, 1917	Mar. 3, 1923	
68th–70th	Matthew M. Neely	Mar. 4, 1923	Mar. 3, 1929	
71st–73d	Henry D. Hatfield	Mar. 4, 1929	Jan. 2, 1935	
74th–76th	Rush D. Holt	June 21, 1935	Jan. 2, 1941	(1)
77th–85th	Harley M. Kilgore	Jan. 3, 1941	Jan. 2, 1959	Died Feb. 28, 1956.
84th	William R. Laird III	Mar. 13, 1956	Nov. 6, 1956	By gov., to fill vac.
85th	Chapman Revercomb	Nov. 7, 1956	Jan. 2, 1959	
86th–112th	Robert C. Byrd	Jan. 3, 1959	Jan. 2, 2013	Died June 28, 2010.
111th	Carte Goodwin	July 16, 2010	Nov. 15, 2010	By gov., to fill vac.
111th–118th	Joe Manchin	Nov. 15, 2010	Jan. 2, 2025	

CLASS 2

38th–41st	Waitman T. Willey	Aug. 4, 1863	Mar. 3, 1871	
42d–47th	Henry G. Davis	Mar. 4, 1871	Mar. 3, 1883	
48th–53d	John E. Kenna	Mar. 4, 1883	Mar. 3, 1895	Died Jan. 11, 1893.
52d–53d	Johnson N. Camden	Jan. 25, 1893	Do.	
54th–62d	Stephen B. Elkins	Mar. 4, 1895	Mar. 3, 1913	Died Jan. 4, 1911.
61st	Davis Elkins	Jan. 9, 1911	Jan. 31, 1911	By gov., to fill vac.
61st–62d	Clarence W. Watson	Feb. 1, 1911	Mar. 3, 1913	
63d–65th	Nathan Goff	Apr. 1, 1913	Mar. 3, 1919	(2)
66th–68th	Davis Elkins	Mar. 4, 1919	Mar. 3, 1925	
69th–71st	Guy D. Goff	Mar. 4, 1925	Mar. 3, 1931	

See footnotes at end of West Virginia table.

WEST VIRGINIA—Continued

CLASS 2

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
72d–77th	Matthew M. Neely	Mar. 4, 1931	Jan. 2, 1943	Res. Jan. 12, 1941.
77th	Joseph Rosier	Jan. 13, 1941	Nov. 17, 1942	By gov., to fill vac.
Do	Hugh Ike Shott	Nov. 18, 1942	Jan. 2, 1943	
78th–80th	Chapman Revercomb	Jan. 3, 1943	Jan. 2, 1949	
81st–86th	Matthew M. Neely	Jan. 3, 1949	Jan. 2, 1961	Died Jan. 18, 1958.
85th	John D. Hoblitzell, Jr.	Jan. 25, 1958	Nov. 4, 1958	By gov., to fill vac.
85th–98th	Jennings Randolph	Nov. 5, 1958	Jan. 2, 1985	
99th–113th	John D. Rockefeller IV	Jan. 15, 1985	Jan. 2, 2015	(3)
114th–116th	Shelley Moore Capito	Jan. 3, 2015	Jan. 2, 2021	

[1] Elected Nov. 6, 1934, but not having reached the age required by the Constitution, did not take his seat until June 21, 1935.
[2] Elected to term commencing Mar. 4, 1913. Seated Apr. 1, 1913. U.S. Circuit Judge during interim.
[3] Elected to term commencing Jan. 3, 1985. Governor during interim.

1901 1902

WISCONSIN

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
30th–34th	Henry Dodge	June 8, 1848	Mar. 3, 1857	
35th–40th	James R. Doolittle	Mar. 4, 1857	Mar. 3, 1869	
41st–43d	Matthew H. Carpenter	Mar. 4, 1869	Mar. 3, 1875	
44th–46th	Angus Cameron	Mar. 4, 1875	Mar. 3, 1881	
47th–52d	Philetus Sawyer	Mar. 4, 1881	Mar. 3, 1893	
53d–55th	John L. Mitchell	Mar. 4, 1893	Mar. 3, 1899	
56th–58th	Joseph V. Quarles	Mar. 4, 1899	Mar. 3, 1905	
59th–70th	Robert M. La Follette	Jan. 4, 1906	Mar. 3, 1929	(1)
69th–79th	Robert M. La Follette, Jr.	Sept. 30, 1925	Jan. 2, 1947	
80th–85th	Joseph R. McCarthy	Jan. 3, 1947	Jan. 2, 1959	Died May 2, 1957.
85th–100th	William Proxmire	Aug. 28, 1957	Jan. 2, 1989	
101st–112th	Herbert Kohl	Jan. 3, 1989	Jan. 2, 2013	
113th–118th	Tammy Baldwin	Jan. 3, 2013	Jan. 2, 2025	

CLASS 3

30th–33d	Isaac P. Walker	June 8, 1848	Mar. 3, 1855	
34th–36th	Charles Durkee	Mar. 4, 1855	Mar. 3, 1861	
37th–45th	Timothy O. Howe	Mar. 4, 1861	Mar. 3, 1879	
46th–48th	Matthew H. Carpenter	Mar. 4, 1879	Mar. 3, 1885	Died Feb. 24, 1881.
47th–48th	Angus Cameron	Mar. 14, 1881	Do.	
49th–51st	John Coit Spooner	Mar. 4, 1885	Mar. 3, 1891	
52d–54th	William F. Vilas	Mar. 4, 1891	Mar. 3, 1897	
55th–60th	John Coit Spooner	Mar. 4, 1897	Mar. 3, 1909	(2)
60th–63d	Isaac Stephenson	May 17, 1907	Mar. 3, 1915	
64th–66th	Paul O. Husting	Mar. 4, 1915	Mar. 3, 1921	Died Oct. 21, 1917.
65th–69th	Irvine L. Lenroot	Apr. 18, 1918	Mar. 3, 1927	(3)
70th–72d	John J. Blaine	Mar. 4, 1927	Mar. 3, 1933	
73d–75th	F. Ryan Duffy	Mar. 4, 1933	Jan. 2, 1939	
76th–87th	Alexander Wiley	Jan. 3, 1939	Jan. 2, 1963	
88th–96th	Gaylord Nelson	Jan. 8, 1963	Jan. 2, 1981	(4)
97th–102d	Robert W. Kasten, Jr.	Jan. 3, 1981	Jan. 2, 1993	
103d–111th	Russell D. Feingold	Jan. 3, 1993	Jan. 2, 2011	
112th–117th	Ron Johnson	Jan. 3, 2011	Jan. 2, 2023	

[1] Elected Jan. 25, 1905. Took oath Jan. 4, 1906. Governor during interim. Died June 18, 1925. Vacancy from June 19 to Sept. 29, 1925.
[2] Resigned Mar. 2, 1907, to take effect Apr. 30, 1907.
[3] Elected Apr. 2, 1918. Seated Apr. 18, 1918. Representative during interim. Vacancy from Oct. 22, 1917, to Apr. 1, 1918.
[4] Waived compensation Jan. 3–7, 1963, while governor of state.

WYOMING

1903 1904

CLASS 1

Congress	Name of Senator	Commencement of term	Expiration of term	Remarks
51st–52d	Francis E. Warren	Nov. 24, 1890	Mar. 3, 1893	
53d				(1)
53d–64th	Clarence D. Clark	Jan. 23, 1895	Mar. 3, 1917	
65th–73d	John B. Kendrick	Mar. 4, 1917	Jan. 2, 1935	Died Nov. 3, 1933.
73d	Joseph C. O'Mahoney	Jan. 1, 1934	Nov. 6, 1934	By gov., to fill vac.[2]
73d–82d	.....do	Nov. 7, 1934	Jan. 2, 1953	
83d–85th	Frank A. Barrett	Jan. 3, 1953	Jan. 2, 1959	
86th–94th	Gale W. McGee	Jan. 3, 1959	Jan. 2, 1977	
95th–103d	Malcolm Wallop	Jan. 3, 1977	Jan. 2, 1995	
104th–112th	Craig Thomas	Jan. 3, 1995	Jan. 2, 2013	Died June 4, 2007.
110th	John Barrasso	June 22, 2007	Nov. 4, 2008	By gov., to fill vac.
110th–118th	.....do	Nov. 5, 2008	Jan. 2, 2025	

CLASS 2

51st–53d	Joseph M. Carey	Nov. 15, 1890	Mar. 3, 1895	
54th–71st	Francis E. Warren	Mar. 4, 1895	Mar. 3, 1931	Died Nov. 24, 1929.
71st	Patrick J. Sullivan	Dec. 5, 1929	Nov. 30, 1930	By gov., to fill vac.
71st–74th	Robert D. Carey	Dec. 1, 1930	Jan. 2, 1937	
75th–77th	Henry H. Schwartz	Jan. 3, 1937	Jan. 2, 1943	
78th–80th	E. V. Robertson	Jan. 3, 1943	Jan. 2, 1949	
81st–83d	Lester C. Hunt	Jan. 3, 1949	Jan. 2, 1955	Died June 19, 1954.
83d	Edward D. Crippa	June 24, 1954	Nov. 28, 1954	By gov., to fill vac.
83d–86th	Joseph C. O'Mahoney	Nov. 29, 1954	Jan. 2, 1961	(3)
87th–89th	John Joseph Hickey	Jan. 3, 1961	Nov. 6, 1962	By gov., to fill vac.[4]
87th–89th	Milward L. Simpson	Nov. 7, 1962	Jan. 2, 1967	
90th–95th	Clifford P. Hansen	Jan. 3, 1967	Jan. 2, 1979	Res. Dec. 31, 1978.
96th–104th	Alan K. Simpson	Jan. 1, 1979	Jan. 2, 1997	(5)
105th–116th	Michael B. Enzi	Jan. 3, 1997	Jan. 2, 2021	

[1]Asahel C. Beckwith appointed by governor. Credentials presented to Senate Mar. 15, 1893, but did not qualify. On July 11, 1893, Mr. Beckwith resigned. Vacancy from Mar. 4, 1893 to Jan. 23, 1895, because of failure of legislature to elect.

[2]Appointed Dec. 18, 1933, but continued to serve as First Assistant Postmaster General through Dec. 31, 1933. Vacancy from Nov. 4 to Dec. 31, 1933.

[3]Elected Nov. 2, 1954, to fill vacancy in term ending Jan. 2, 1955, and to full term ending Jan. 2, 1961.

[4]Keith Thomson, who had been elected Nov. 8, 1960, to full term commencing Jan. 3, 1961, died Dec. 9, 1960, prior to taking the oath of office.

[5]Elected to full term commencing Jan. 3, 1979; subsequently appointed by governor to fill vacancy in term ending Jan. 2, 1979.

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[1] Appointed by governor, but did not qualify.

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Champlin, Christopher G.; RI 1881
Chandler, Albert B.; KY 1837
Chandler, John; ME 1842

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Chandler, William E.; NH 1861
Chandler, Zachariah; MI 1847
Chapman, Virgil; KY 1837
Charlton, Robert M.; GA 1823
Chase, Dudley; VT 1894
Chase, Salmon P.; OH 1874
Chavez, Dennis; NM 1865
Cheney, Person C.; NH 1861
Chesnut, James, Jr.; SC 1883
Chilcott, George M.; CO 1815
Chiles, Lawton; FL 1821
Chilton, Horace; TX 1889, 1890
Chilton, William E.; WV 1899
Chipman, Nathaniel; VT 1893
Choate, Rufus; MA 1845
Christiancy, Isaac P.; MI 1847
Church, Frank; ID 1828
Cilley, Joseph; NH 1861
Claiborne, William C.C.; LA .1839
Clapp, Moses E.; MN 1849
Clark, Clarence D.; WY 1903
Clark, D. Worth; ID 1828
Clark, Daniel; NH 1862
Clark, Dick; IA 1833
Clark, Joel Bennett; MO 1854
Clark, Joseph S.; PA 1880
Clark, William A.; MT 1855, 1856
Clarke, James P.; AR 1812
Clarke, John H.; RI 1882
Clay, Alexander S.; GA 1824
Clay, Clement Claiborne, Jr.; AL 1805
Clay, Clement Comer; AL 1806
Clay, Henry; KY..... 1837, 1838
Clayton, Henry D.; AL[1] 1806
Clayton, John M.; DE 1819, 1820
Clayton, Joshua; DE 1820
Clayton, Powell; AR 1811
Clayton, Thomas; DE... 1819, 1820
Cleland, Max; GA..... 1823
Clemens, Jeremiah; AL 1805
Clements, Earle C.; KY 1838
Clingman, Thomas L.; NC 1870
Clinton, De Witt; NY 1868
Clinton, Hillary; NY 1867
Coats, Dan; IN 1832
Cobb, Thomas W.; GA 1823
Coburn, Tom; OK 1876
Cochran, Thad; MS 1852
Cocke, William; TN..... 1887, 1888
Cockrell, Francis M.; MO 1853
Cohen, John S.; GA 1823

[1] Appointed by governor, but withdrew.

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Cohen, William S.; ME 1842
Coke, Richard; TX 1890
Cole, Cornelius; CA 1814
Coleman, Norm; MN 1850
Colhoun, John E.; SC 1884
Collamer, Jacob; VT 1894
Collins, Susan M.; ME 1842
Colquitt, Alfred H.; GA 1823
Colquitt, Walter T.; GA 1824
Colt, LeBaron B.; RI 1882
Comegys, Joseph P.; DE 1820
Comer, Braxton B.; AL 1805
Condit, John; NJ 1863, 1864
Conger, Omar D.; MI 1847
Conkling, Roscoe; NY 1868
Connally, Tom; TX 1889
Conness, John; CA 1813
Conover, Simon B.; FL 1822
Conrad, Charles M.; LA 1840
Conrad, Kent;
ND..... 1871, 1872
Cook, Marlow W.; KY 1838
Coolidge, Marcus A.; MA 1846
Coons, Christopher; DE 1820
Cooper, Henry; TN 1888
Cooper, James; PA 1880
Cooper, John S.; KY 1837
Copeland, Royal S.; NY 1867
Corbett, Henry W.; OR 1878
Cordon, Guy; OR 1877
Corker, Robert; TN 1887
Cornyn, John; TX 1890
Cortez Masto, Catherine; NV 1860
Corwin, Thomas; OH 1873
Corzine, John; NJ 1863
Costigan, Edward P.; CO 1815
Cotton, Norris; NH 1862
Cotton, Tom; AR 1811
Couzens, James; MI 1848
Coverdell, Paul; GA 1824
Cowan, Edgar; PA 1880
Cowan, William "Mo"; MA 1846
Crafts, Samuel C.; VT 1894
Cragin, Aaron H.; NH 1861
Craig, Larry E.; ID 1827
Cramer, Kevin; ND 1871
Crane, Winthrop M.; MA 1846
Cranston, Alan; CA 1814
Crapo, Mike; ID 1828
Crawford, Coe I.; SD 1886
Crawford, William H.; GA 1823
Creswell, John A. J.; MD 1844
Crippa, Edward D.; WY 1904
Crittenden, John J.;
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Crow, William E.; PA 1879
Crozier, Robert; KS 1835

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Cruz, Ted; TX 1889
Culberson, Charles A.; TX 1889
Cullom, Shelby M.; IL 1829
Culver, John C.; IA 1834
Cummins, Albert B.; IA 1834
Curtis, Carl T.; NE 1858
Curtis, Charles;
KS 1835, 1836
Cuthbert, Alfred; GA 1824
Cutting, Bronson; NM 1865
Cutts, Charles; NH 1862

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Daggett, David; CT 1818
Daines, Steve; MT 1856
Dale, Porter H.; VT 1894
Dallas, George M.; PA 1879
Dalton, Tristram; MA 1845
D'Amato, Alfonse M.; NY 1868
Dana, Judah; ME 1841
Dana, Samuel W.; CT 1817
Danaher, John A.; CT 1818
Danforth, John C.; MO 1853
Daniel, Charles E.; SC 1883
Daniel, John W.; VA 1895
Daniel, Price; TX 1889
Darby, Harry; KS 1836
Daschle, Thomas A.; SD 1886
Davenport, Franklin; NJ 1863
Davis, Cushman K.; MN 1849
Davis, David; IL 1829
Davis, Garrett; KY 1838
Davis, Henry G.; WV 1900
Davis, James J.; PA 1880
Davis, Jeff; AR 1811
Davis, Jefferson; MS 1851
Davis, John; MA 1846
Dawes, Henry L.; MA 1845
Dawson, William C.; GA 1824
Dayton, Jonathan; NJ 1864
Dayton, Mark; MN 1849
Dayton, William L.; NJ 1863
Deboe, William J.; KY 1838
DeConcini, Dennis; AZ 1809
DeMint, James; SC 1884
Deneen, Charles S.; IL 1829
Dennis, George R.; MD 1844
Denton, Jeremiah; AL 1806
Depew, Chauncey M.; NY 1867
DeSaussure, William F.; SC ..1883
Destréhan, John N.; LA[1] 1839
DeWine, Mike; OH 1873
DeWolf, James; RI 1881
Dexter, Samuel; MA 1846

[1] Elected, but did not qualify.

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Dial, Nathaniel B.; SC 1883
Dick, Charles W.F.; OH 1873
Dickerson, Mahlon; NJ 1863, 1864
Dickinson, Daniel S.; NY 1867
Dickinson, L. J.; IA 1833
Dickinson, Philemon; NJ 1864
Dieterich, William H.; IL 1830
Dietrich, Charles H.; NE 1857
Dill, Clarence C.; WA 1897
Dillingham, William P.; VT ...1894
Dirksen, Everett M.; IL 1830
Dix, John A.; NY 1868
Dixon, Alan J.; IL 1830
Dixon, Archibald; KY 1838
Dixon, James; CT 1817
Dixon, Joseph M.; MT 1856
Dixon, Nathan F., 1st; RI 1881
Dixon, Nathan F., 3d; RI 1882
Dodd, Christopher J.; CT 1818
Dodd, Thomas J.; CT 1817
Dodge, Augustus C.; IA 1834
Dodge, Henry; WI 1901
Dole, Elizabeth; NC 1869
Dole, Robert; KS 1836
Dolliver, Jonathan P.; IA 1833
Dolph, Joseph N.; OR 1877
Domenici, Pete V.; NM 1866
Dominick, Peter H.; CO 1816
Donahey, Vic; OH 1873
Donnell, Forrest C.; MO 1854
Donnelly, Joe; IN 1831
Doolittle, James R.; WI 1901
Dorgan, Byron L.; ND 1872
Dorsey, Stephen W.; AR 1812
Douglas, Paul H.; IL 1829
Douglas, Stephen A.; IL 1829
Downey, Sheridan; CA 1814
Downs, Solomon W.; LA 1839
Doxey, Wall; MS 1852
Drake, Charles D.; MO 1854
Drew, Irving W.; NH 1862
Dryden, John F.; NJ 1864
Dubois, Fred T.; ID 1827, 1828
Duckworth, Tammy; IL 1830
Dudley, Charles E.; NY 1867
Duff, James H.; PA 1880
Duffy, F. Ryan; WI 1902
Dulles, John Foster; NY 1868
duPont, Henry A.; DE 1819
duPont, T. Coleman; DE 1819, 1820
Durbin, Richard J.; IL 1829
Durenberger, David; MN 1849
Durkee, Charles; WI 1902
Durkin, John A., NH 1862

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Dworshak, Henry C.; ID 1827

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Eagleton, Thomas F.; MO 1854
Earle, Joseph H.; SC 1884
East, John P.; NC 1870
Eastland, James O.; MS 1852
Eaton, John H.; TN 1887
Eaton, William W.; CT 1817
Ecton, Zales N.; MT 1855
Edge, Walter E.; NJ 1864
Edgerton, Alonzo J.; MN 1850
Edmondson, J. Howard; OK ..1875
Edmunds, George F.; VT 1893
Edwards, Edward I.; NJ 1863
Edwards, Elaine S.; LA 1839
Edwards, Henry W.; CT 1817
Edwards, John; KY 1838
Edwards, John; NC 1870
Edwards, Ninian; IL 1830
Elkins, Davis; WV 1900
Elkins, Stephen B.; WV 1900
Ellender, Allen J.; LA 1839
Ellery, Christopher; RI 1882
Elliott, John; GA 1824
Ellis, Powhatan; MS 1851
Ellsworth, Oliver; CT 1817
Elmer, Jonathan; NJ 1863
Elmore, Franklin H.; SC 1883
Engle, Clair; CA 1813
English, James E.; CT 1818
Ensign, John; NV 1859
Enzi, Michael B; WY 1904
Eppes, John W.; VA 1896
Erickson, John E.; MT 1856
Ernst, Joni; IA 1833
Ernst, Richard P.; KY 1838
Ervin, Sam J., Jr.; NC 1870
Eustis, James B.; LA 1840
Evans, Daniel J.; WA 1897
Evans, George; ME 1842
Evans, Josiah J.; SC 1883
Evarts, William M.; NY 1868
Everett, Edward; MA 1846
Ewing, Thomas; OH..... 1873, 1874
Ewing, William L.D.; IL 1830
Exon, J.J.; NE 1858

F

Fair, James G.; NV 1859
Fairbanks, Charles W.; IN 1832
Faircloth, Lauch; NC 1870
Fairfield, John; ME 1841
Fall, Albert B.; NM 1866
Fannin, Paul J.; AZ 1809
Farley, James T.; CA 1814

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Farwell, Charles B.; IL 1830
Farwell, Nathan A.; ME 1842
Faulkner, Charles J.; WV 1899
Feazel, William C.; LA 1840
Feingold, Russell D.; WI 1902
Feinstein, Dianne; CA 1813
Felch, Alpheus; MI 1848
Felton, Charles N.; CA 1813
Felton, Mrs. Rebecca L.; GA .1824
Fenner, James; RI 1882
Fenton, Reuben E.; NY 1867
Ferguson, Homer; MI 1848
Fernald, Bert M.; ME 1842
Ferris, Woodbridge N.; MI 1847
Ferry, Orris S.; CT 1818
Ferry, Thomas W.; MI 1848
Fess, Simeon D.; OH 1873
Fessenden, William P.; ME ...1842
Few, William; GA 1823
Field, Richard S.; NJ 1863
Findlay, William; PA 1879
Finley, Jesse J.; FL[1] 1821
Fischer, Debra; NE 1857
Fish, Hamilton; NY 1867
Fisk, James; VT 1894
Fitch, Graham N.; IN 1832
Fitzgerald, Peter G.; IL 1830
Fitzgerald, Thomas; MI 1847
Fitzpatrick, Benjamin;
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Flake, Jeff; AZ 1809
Flanagan, James W.; TX 1889
Flanders, Ralph E.; VT 1893
Fletcher, Duncan U.; FL 1822
Flint, Frank P.; CA 1813
Fogg, George G.; NH 1862
Fong, Hiram L.; HI 1825
Foot, Samuel A.; CT 1817
Foot, Solomon; VT 1893
Foote, Henry S.; MS 1852
Foraker, Joseph B.; OH 1874
Ford, Wendell H.; KY 1838
Forsyth, John; GA..... 1823, 1824
Foster, Addison G.; WA 1897
Foster, Dwight; MA 1846
Foster, Ephraim III; TN 1887
Foster, Henry A.; NY 1868
Foster, Lafayette S.; CT 1818
Foster, Murphy J.; LA 1839
Foster, Theodore; RI 1881
Fowler, Joseph S.; TN 1888
Fowler, Wyche, Jr.; GA 1824
Frahm, Sheila; KS 1836
France, Joseph I.; MD 1843

[1] Appointed by governor, but did not qualify.

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Francis, John B.; RI 1881
Franken, Al; MN 1850
Franklin, Jesse; NC 1869, 1870
Frazier, James B.; TN 1887
Frazier, Lynn J.; ND 1871
Frear, J. Allen, Jr.; DE 1820
Frelinghuysen, Frederick; NJ 1864
Frelinghuysen, Frederick
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Frelinghuysen, Joseph S.; NJ 1863
Frelinghuysen, Theodore; NJ 1864
Frémont, John C.; CA 1813
Frist, William H.; TN 1887
Fromentin, Eligius; LA 1840
Frye, William P.; ME 1842
Fulbright, J. William; AR 1812
Fulton, Charles W.; OR 1878
Fulton, William S.; AR 1811

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Gaillard, John; SC 1884
Gallatin, Albert; PA[1] 1879
Gallinger, Jacob H.; NH 1862
Gamble, Robert J.; SD 1885
Gambrell, David H.; GA 1823
Gardner, Cory; CO 1815
Gardner, Obadiah; ME 1842
Garland, Augustus H.; AR 1811
Garn, E. J. "Jake"; UT 1892
Gary, Frank B.; SC 1884
Gay, Edward J.; LA 1840
Gear, John H.; IA 1833
Gearin, John M.; OR 1877
George, James Z.; MS 1851
George, Walter F.; GA 1824
German, Obadiah; NY 1867
Gerry, Peter G.; RI 1881
Geyer, Henry S.; MO 1853
Gibson, Charles H.; MD 1844
Gibson, Ernest W.; VT 1894
Gibson, Ernest W., Jr.; VT 1894
Gibson, Paris; MT 1855
Gibson, Randall L.; LA 1839
Gilbert, Abijah; FL 1821
Giles, William B.; VA... 1895, 1896
Gillett, Frederick H.; MA 1846
Gillette, Francis; CT 1818
Gillette, Guy M.; IA 1833, 1834
Gillibrand, Kirsten; NY 1867
Gilman, Nicholas; NH 1861
Glass, Carter; VA 1896
Glass, Frank P.; AL[2] 1806
Glenn, John H.; OH 1874

[1] Elected but did not qualify.
[2] Appointed by governor, but did not qualify.

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Glenn, Otis F.; IL 1830
Goff, Guy D.; WV 1900
Goff, Nathan; WV 1900
Goldsborough, Phillips L.; MD 1843
Goldsborough, Robert H.; MD 1844
Goldthwaite, George; AL 1805
Goldwater, Barry; AZ... 1809, 1810
Goodell, Charles E.; NY 1867
Goodhue, Benjamin; MA 1845
Gooding, Frank R.; ID 1828
Goodrich, Chauncey; CT 1818
Goodwin, Carte; WV 1899
Gordon, James; MS 1852
Gordon, John B.; GA 1824
Gore, Albert; TN 1887
Gore, Albert, Jr.; TN 1888
Gore, Christopher; MA 1845
Gore, Thomas P.; OK... 1875, 1876
Gorman, Arthur P.; MD 1843, 1844
Gorton, Slade; WA..... 1897, 1898
Gossett, Charles C.; ID 1827
Gould, Arthur R.; ME 1842
Graham, Bob; FL 1822
Graham, Frank P.; NC 1869
Graham, Lindsey; SC 1883
Graham, William A.; NC 1870
Gramm, Wm. Philip; TX 1890
Grammer, Elijah S.; WA 1898
Grams, Rod; MN 1849
Grassley, Charles E.; IA 1834
Gravel, Mike; AK 1808
Graves, Mrs. Dixie Bibb; AL .1806
Gray, George; DE 1819
Grayson, William; VA 1895
Green, James S.; MO 1854
Green, Theodore F.; RI 1882
Greene, Albert C.; RI 1881
Greene, Frank L.; VT 1893
Greene, Ray; RI 1882
Gregg, Andrew; PA 1880
Gregg, Judd; NH 1862
Griffin, Robert P.; MI 1848
Grimes, James W.; IA 1833
Griswold, Dwight; NE 1858
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Gronna, Asle J.; ND 1872
Groome, James B.; MD 1844
Grover, LaFayette; OR 1877
Gruening, Ernest; AK 1808
Grundy, Felix; TN 1887
Grundy, Joseph R.; PA 1880
Guffey, Joseph F.; PA 1879
Guggenheim, Simon; CO 1815
Guion, Walter; LA 1840
Gunn, James; GA 1824

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Gurney, Edward J.; FL 1822
Gurney, J. Chandler; SD 1886
Guthrie, James; KY 1837
Gwin, William M.; CA 1814

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Hagan, Kay; NC 1869
Hagel, Chuck; NE 1858
Hager, John S.; CA 1813
Hale, Eugene; ME 1841
Hale, Frederick; ME 1841
Hale, John P.; NH 1861
Hall, Wilton E.; SC 1884
Hamilton, Morgan C.; TX 1890
Hamilton, William T.; MD 1843
Hamlin, Hannibal; ME 1841
Hammond, James H.; SC 1884
Hampton, Wade; SC 1884
Hanna, Marcus A.; OH 1873
Hanna, Robert; IN 1831
Hannegan, Edward A.; IN 1832
Hansbrough, Henry C.; ND ...1872
Hansen, Clifford P.; WY 1904
Hanson, Alexander C.; MD ...1843
Hardin, Martin D.; KY 1837
Harding, Benjamin F.; OR 1877
Harding, Warren G.; OH 1874
Hardwick, Thomas W.; GA 1823
Harkin, Thomas R; IA 1833
Harlan, James; IA 1834
Harper, Robert G.; MD 1843
Harper, William; SC 1884
Harreld, John W.; OK 1876
Harris, Fred R.; OK 1875
Harris, Ira; NY 1868
Harris, Isham G.; TN 1888
Harris, John S.; LA 1839
Harris, Kamala O.; CA 1814
Harris, William A.; KS 1836
Harris, William J.; GA 1823
Harrison, Benjamin; IN 1831
Harrison, Pat; MS 1852
Harrison, William H.; OH 1874
Hart, Gary W.; CO 1816
Hart, Philip A.; MI 1847
Hart, Thomas C.; CT 1817
Hartke, Vance; IN 1831
Harvey, James M.; KS 1835
Haskell, Floyd K.; CO 1815
Hassan, Margaret W.;NH 1862
Hastings, Daniel O.; DE 1820
Hatch, Carl A.; NM 1866
Hatch, Orrin G.; UT 1891
Hatfield, Henry D.; WV 1899
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Hatfield, Paul G.; MT 1856
Hathaway, William D.; ME ...1842

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Haun, Henry P.; CA 1813
Hawes, Harry B.; MO 1854
Hawkes, Albert W.; NJ 1864
Hawkins, Benjamin; NC 1870
Hawkins, Paula; FL 1822
Hawley, Joseph R.; CT 1817
Hawley, Joshua D.; MO 1853
Hayakawa, S.I.; CA 1813
Hayden, Carl; AZ 1810
Hayne, Arthur P.; SC 1883
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Hayward, Monroe L.; NE 1857
Haywood, William H.; NC 1870
Hearst, George; CA 1813
Hebert, Felix; RI 1881
Hecht, Chic; NV 1859
Heflin, Howell; AL 1805
Heflin, J. Thomas; AL 1805
Heinrich, Martin; NM 1865
Heinz, H. John, III; PA 1879
Heiskell, John N.; AR 1811
Heitfeld, Henry; ID 1828
Heitkamp, Heidi; ND 1871
Heller, Dean; NV 1859
Helms, Jesse; NC 1869
Hemenway, James A.; IN 1832
Hemphill, John; TX 1890
Henderson, Charles B.; NV ...1860
Henderson, J. Pinckney; TX ..1889
Henderson, John; MS 1851
Henderson, John B.; MO 1853
Hendricks, Thomas A.; IN 1831
Hendricks, William; IN 1832
Hendrickson, Robert C.; NJ ..1864
Hennings, Thomas C., Jr.;
MO 1854
Henry, John; MD 1844
Hereford, Frank; WV 1899
Herring, Clyde L.; IA 1833
Heyburn, Weldon B.; ID 1828
Hickenlooper, Bourke B.; IA .1834
Hickey, John Joseph; WY 1904
Hicks, Thomas H.; MD 1844
Higgins, Anthony; DE 1820
Hill, Benjamin H.; GA 1823
Hill, David B.; NY 1868
Hill, Isaac; NH 1862
Hill, Joshua; GA 1824
Hill, Lister; AL 1806
Hill, Nathaniel P.; CO 1816
Hill, William L.; FL 1822
Hillhouse, James; CT 1817
Hindman, William; MD 1844
Hirono, Mazie; HI 1825
Hiscock, Frank; NY 1867
Hitchcock, Gilbert M.; NE 1857
Hitchcock, Herbert E.; SD 1886

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Hitchcock, Phineas W.; NE ...1858
Hoar, George F.; MA 1846
Hobart, John S.; NY 1867
Hoblitzell, John D., Jr.; WV ..1900
Hodges, Kaneaster, Jr.; AR ...1811
Hoeven, John; ND 1872
Hoey, Clyde R.; NC 1870
Holland, Spessard L.; FL 1821
Hollings, Ernest F.; SC 1884
Hollis, Henry F.; NH 1861
Holman, Rufus C.; OR 1878
Holmes, David; MS 1851
Holmes, John; ME 1841
Holt, Rush D., WV 1899
Hopkins, Albert J.; IL 1830
Horsey, Outerbridge; DE 1819
Houston, Andrew Jackson;
TX 1890
Houston, George S.; AL 1806
Houston, Sam; TX 1890
Howard, Guy V.; MN 1850
Howard, Jacob M.; MI 1848
Howard, John E.; MD 1843
Howe, Timothy O.; WI 1902
Howell, James B.; IA 1833
Howell, Jeremiah B.; RI 1882
Howell, Robert B.; NE 1857
Howland, Benjamin; RI 1881
Hruska, Roman L.; NE 1857
Hubbard, Henry; NH 1861
Huddleston, Walter D.; KY ...1837
Huffman, James W.; OH 1873
Huger, Daniel E.; SC 1883
Hughes, Charles J., Jr.; CO ..1816
Hughes, Harold E.; IA 1834
Hughes, James H.; DE 1820
Hughes, William; NJ 1864
Hull, Cordell; TN 1888
Humphrey, Gordon J.; NH 1861
Humphrey, Hubert H.;
MN..... 1849, 1850
Humphrey, Muriel; MN 1849
Humphreys, Robert; KY 1837
Hunt, Lester C.; WY 1904
Hunter, John; SC 1883
Hunter, Richard C.; NE 1857
Hunter, Robert M.T.; VA 1896
Hunter, William; RI 1881
Huntington, Jabez W.; CT 1817
Hunton, Eppa; VA 1896
Husting, Paul O.; WI 1902
Hutchinson, Tim; AR 1811
Hutchison, Kay B.; TX 1889
Hyde-Smith, Cindy; MS 1852

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Ingalls, John J.; KS 1836

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Inhofe, James M.; OK 1875
Inouye, Daniel K.; HI 1826
Irby, John L.M.; SC 1884
Iredell, James; NC 1870
Isakson, Johnny; GA 1824
Iverson, Alfred; GA 1824
Ives, Irving M.; NY 1867
Izard, Ralph; SC 1884

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Jackson, Andrew; TN... 1887, 1888
Jackson, Henry M.; WA 1897
Jackson, Howell E.; TN 1887
Jackson, James; GA..... 1823, 1824
Jackson, Samuel D.; IN 1832
Jackson, William P.; MD 1843
James, Charles T.; RI 1881
James, Ollie M.; KY 1837
Jarnagin, Spencer; TN 1888
Jarvis, Thomas J.; NC 1870
Javits, Jacob K.; NY 1868
Jeffords, James M.; VT 1893
Jenner, William E.;
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Jenness, Benning W.; NH 1861
Jepsen, Roger W.; IA 1833
Jewett, Daniel T.; MO 1854
Johanns, Mike; NE 1858
Johns, Kensey; DE[1] 1819
Johnson, Andrew; TN 1887
Johnson, Charles F.; ME 1841
Johnson, Edwin C.; CO 1815
Johnson, Edwin S.; SD 1886
Johnson, Henry; LA..... 1839, 1840
Johnson, Herschel V.; GA 1824
Johnson, Hiram W.; CA 1813
Johnson, Lyndon B.; TX 1890
Johnson, Magnus; MN 1850
Johnson, Martin N.; ND 1872
Johnson, Reverdy; MD 1843
Johnson, Richard M.; KY 1837
Johnson, Robert W.; AR 1812
Johnson, Ron; WI 1902
Johnson, Tim; SD 1885
Johnson, Waldo P.; MO 1854
Johnson, William S.; CT 1818
Johnston, J. Bennett; LA 1839
Johnston, John W.; VA 1896
Johnston, Joseph F.; AL 1806
Johnston, Josiah S.; LA 1840
Johnston, Olin D.; SC 1884
Johnston, Rienzi M.; TX 1890
Johnston, Samuel; NC 1869
Jonas, Benjamin F.; LA 1840

[1] Appointed by governor but declared not entitled to seat.

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Jones, Andrieus A.; NM 1865
Jones, Charles W.; FL 1821
Jones, Doug; AL 1805
Jones, George; GA 1823
Jones, George W.; IA 1833
Jones, James C.; TN 1887
Jones, James K.; AR 1812
Jones, John P.; NV 1860
Jones, Wesley L.; WA 1898
Jordan, B. Everett; NC 1869
Jordan, Len B.; ID 1827

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Kaine, Tim; VA 1895
Kane, Elias K.; IL 1830
Karnes, David K.; NE 1857
Kassebaum, Nancy Landon;
KS 1835
Kasten, Robert W., Jr.; WI 1902
Kaufman, Edward; DE 1820
Kavanaugh, William M.; AR .1811
Kean, Hamilton F.; NJ 1863
Kean, John; NJ 1863
Kearns, Thomas; UT 1891
Keating, Kenneth B.; NY 1867
Kefauver, Estes; TN 1888
Kellogg, Frank B.; MN 1849
Kellogg, William P.;
LA..... 1839, 1840
Kelly, James K.; OR 1877
Kelly, William; AL 1806
Kem, James P.; MO 1853
Kempthorne, Dirk; ID 1828
Kendrick, John B.; WY 1903
Kenna, John E.; WV 1900
Kennedy, Anthony; MD 1843
Kennedy, Edward M.; MA 1845
Kennedy, John F.; MA 1845
Kennedy, John; LA 1840
Kennedy, Robert F.; NY 1867
Kenney, Richard R.; DE 1820
Kent, Joseph; MD 1843
Kenyon, William S.; IA 1833
Kern, John W.; IN 1831
Kernan, Francis; NY 1867
Kerr, John L.; MD 1844
Kerr, Joseph; OH 1873
Kerr, Robert S.; OK 1875
Kerrey, J. Robert; NE 1857
Kerry, John F.; MA 1846
Key, David M.; TN 1887
Keyes, Henry W.; NH 1861
Kilgore, Harley M.; WV 1899
King, Angus; ME 1841
King, John P.; GA 1823
King, Preston; NY 1867
King, Rufus; NY 1868

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King, William H.; UT 1891
King, William R.; AL ... 1805, 1806
Kirby, William F.; AR 1812
Kirk, Mark; IL 1830
Kirk, Paul G.; MA 1845
Kirkwood, Samuel J.;
IA 1833, 1834
Kitchell, Aaron; NJ 1864
Kittredge, Alfred B.; SD 1886
Klobuchar, Amy; MN 1849
Knight, Nehemiah R.; RI 1882
Knowland, William F.; CA 1813
Knox, Philander C.; PA 1879
Kohl, Herbert; WI 1901
Krueger, Bob; TX 1889
Kuchel, Thomas H.; CA 1814
Kyl, Jon; AZ 1809,.1810
Kyle, James H.; SD 1886

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Lacock, Abner; PA 1880
Ladd, Edwin F.; ND 1872
LaFollette, Robert M.; WI 1901
LaFollette, Robert M., Jr.;
WI 1901
Laird, William R., III; WV 1899
Lamar, Lucius Q.C.; MS 1852
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Tower, John G.; TX 1890
Towne, Charles A.; MN 1849
Townsend, Charles E.; MI 1847
Townsend, John G., Jr.; DE ..1819
Tracy, Uriah; CT 1818
Trammell, Park; FL 1821
Trible, Paul S., Jr.; VA 1895
Trimble, William A.; OH 1874
Trotter, James F.; MS 1851
Troup, George M.; GA 1823
Truman, Harry S.; MO 1853
Trumbull, Jonathan, CT 1818
Trumbull, Lyman; IL 1830
Tsongas, Paul; MA 1846
Tunnell, James M.; DE 1819
Tunney, John V.; CA 1813
Turley, Thomas B.; TN 1888
Turner, George; WA 1898
Turner, James; NC 1869
Turney, Hopkins L.; TN 1887
Turpie, David; IN 1831
Tydings, Joseph D.; MD 1843
Tydings, Millard E.; MD 1844
Tyler, John; VA 1895
Tyson, Lawrence D.; TN 1888

U

Udall, Mark; CO 1815
Udall, Tom; NM 1866
Umstead, William B.; NC 1869
Underwood, Joseph R.; KY 1837
Underwood, Oscar W.; AL 1806
Underwood, Thomas R.; KY ..1837
Upham, William; VT 1894
Upton, Robert W.; NH 1862

V

Van Buren, Martin; NY 1867
Van Hollen, Chris; MD 1844
Vance, Zebulon B.; NC 1870
Vandenberg, Arthur H.; MI ..1847
Van Dyke, Nicholas; DE 1820
Van Nuys, Frederick; IN 1832
Van Winkle, Peter G.; WV 1899
Van Wyck, Charles H.; NE ...1857
Vardaman, James K.; MS 1852
Vare, William S.; PA[1] 1880
Varnum, Joseph B.; MA 1846

[1] Elected, but was not seated.

Senate Manual Section

Venable, Abraham B.; VA 1895
Vest, George G.; MO 1854
Vickers, George; MD 1844
Vilas, William F.; WI 1902
Vining, John; DE 1820
Vitter, David; LA 1840
Voinovich, George V.; OH 1874
Voorhees, Daniel W.; IN 1832

W

Wade, Benjamin F.; OH 1873
Wadleigh, Bainbridge; NH 1862
Wadsworth, James W., Jr.;
NY 1868
Waggaman, George A.; LA 1839
Wagner, Robert F.; NY 1868
Walcott, Frederic C.; CT 1817
Wales, John; DE 1819
Walker, Freeman; GA 1823
Walker, George; KY 1837
Walker, Isaac P.; WI 1902
Walker, James D.; AR 1812
Walker, John; VA 1895
Walker, John W.; AL 1806
Walker, Robert J.; MS 1852
Walker, Walter; CO 1816
Wall, Garret D.; NJ 1864
Wall, James W.; NJ 1863
Wallace, William A.; PA 1879
Wallgren, Mon C.; WA 1897
Wallop, Malcolm; WY 1903
Walsh, Arthur; NJ 1863
Walsh, David I.;
MA 1845, 1846
Walsh, John E.; MT 1856
Walsh, Patrick; GA 1823
Walsh, Thomas J.; MT 1856
Walters, Herbert S.; TN 1888
Walthall, Edward C.; MS 1852
Walton, George; GA 1823
Ward, Matthias; TX 1889
Ware, Nicholas; GA 1823
Warner, Mark; VA 1896
Warner, John W.; VA 1896
Warner, Willard; AL 1805
Warner, William; MO 1853
Warren, Elizabeth;
MA 1845
Warren, Francis E.;
WY 1903, 1904
Washburn, William B.; MA ...1845
Washburn, William D.; MN ..1850
Waterman, Charles W.; CO ..1816
Watkins, Arthur V.; UT 1891
Watson, Clarence W.; WV 1900
Watson, James; NY 1867
Watson, James E.; IN 1832

Senate Manual Section

Watson, Thomas E.; GA 1824
Webb, Jim; VA 1895
Webb, William R.; TN 1888
Webster, Daniel; MA 1845
Weeks, John W.; MA 1846
Weeks, Sinclair; MA 1846
Weicker, Lowell P., Jr.; CT ...1817
Welch, Adonijah S.; FL 1821
Welker, Herman; ID 1828
Weller, John B.; CA 1813
Weller, Ovington E.; MD 1844
Wellington, George L.; MD ...1844
Wells, John S.; NH 1862
Wells, William H.; DE 1820
Wellstone, Paul J.; MN 1850
West, J. Rodman; LA 1839
West, William S.; GA 1823
Westcott, James D., Jr.; FL ..1822
Wetmore, George P.; RI 1882
Wharton, Jesse; TN 1888
Wheeler, Burton K.; MT 1855
Wherry, Kenneth S.; NE 1858
Whitcomb, James; IN 1832
White, Albert S.; IN 1831
White, Edward D.; LA 1840
White, Francis S.; AL 1806
White, Hugh L.; TN 1888
White, Samuel; DE 1819
White, Stephen M.; CA 1813
White, Wallace H., Jr.; ME ...1842
Whiteside, Jenkin; TN 1888
Whitthorne, Washington C.;
TN 1887
Whitehouse, Sheldon; RI 1881
Whyte, William P.;
MD 1843, 1844
Wicker, Roger F.; MS 1851
Wigfall, Louis T.; TX 1889
Wilcox, Leonard; NH 1862
Wiley, Alexander; WI 1902
Wilfley, Xenophon P.; MO 1854
Wilkins, William; PA 1880
Wilkinson, Morton S.; MN 1850
Willey, Calvin; CT 1818
Willey, Waitman T.; VA 1895
WV 1900
Williams, Abram P.; CA 1813
Williams, George H.; MO 1854
Williams, George H.; OR 1877
Williams, Harrison A., Jr.;
NJ 1863
Williams, Jared W.; NH 1861
Williams, John; TN 1888
Williams, John J.; DE 1819
Williams, John S.; KY 1838
Williams, John S.; MS 1851
Williams, Reuel; ME 1841

Senate Manual Section

Williams, Thomas Hickman;
MS 1851
Williams, Thomas Hill; MS ...1852
Williamson, Ben M.; KY 1837
Willis, Frank B.; OH 1874
Willis, Raymond E.; IN 1831
Wilmot, David; PA 1879
Wilson, Ephraim K.; MD 1844
Wilson, George A.; IA 1833
Wilson, Henry; MA 1846
Wilson, James F.; IA 1833
Wilson, James J.; NJ 1863
Wilson, John L.; WA 1897
Wilson, Pete; CA 1813
Wilson, Robert; MO 1854
Windom, William; MN 1850
Wingate, Paine; NH 1861
Winthrop, Robert C.; MA 1845
Wirth, Timothy E.; CO 1816
Withers, Garrett L.; KY 1838
Withers, Robert E.; VA 1895
Wofford, Harris; PA 1879
Wofford, Thomas A.; SC 1883
Wolcott, Edward O.; CO 1815
Wolcott, Josiah O.; DE 1819
Woodbridge, William; MI 1848
Woodbury, Levi; NH 1861, 1862
Works, John D.; CA 1813
Worthington, Thomas;
OH 1873, 1874
Wright, George G.; IA 1833
Wright, Joseph A.; IN 1831
Wright, Robert; MD 1844
Wright, Silas, Jr.; NY 1868
Wright, William; NJ..... 1863, 1864
Wyden, Ron; OR 1878
Wyman, Louis C.; NH 1862

Y

Yarborough, Ralph; TX 1889
Yates, Richard; IL 1829
Young, Lafayette; IA 1833
Young, Milton R.; ND 1872
Young, Richard M.; IL 1830
Young, Stephen M.; OH 1873
Young, Todd; IN 1832
Yulee, David L.; FL..... 1821, 1822

Z

Zorinsky, Edward; NE 1857

[1906]

ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT

1906

ELECTION FOR THE FIRST TERM, 1789–1793

GEORGE WASHINGTON, President; JOHN ADAMS, Vice President

Name of candidate	Conn.	Del.	Ga.	Md.	Mass.	N.H.	N.J.	Pa.	S.C.	Va.	Total
George Washington, Esq	7	3	5	6	10	5	6	10	7	10	69
John Adams, Esq	5	.....	.....	.....	10	5	1	8	.....	5	34
Samuel Huntington, Esq	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	2
John Jay, Esq	.....	3	.....	.....	.....	.....	5	.....	.....	1	9
John Hancock, Esq	.....	.....	.....	.....	.....	.....	.....	2	1	1	4
Robert H. Harrison, Esq	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	6
George Clinton, Esq	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	3
John Rutledge, Esq	.....	.....	.....	.....	.....	.....	.....	.....	6	.....	6
John Milton, Esq	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	2
James Armstrong, Esq	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	1
Edward Telfair, Esq	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	1
Benjamin Lincoln, Esq	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	1
Total electoral vote	7	3	5	6	10	5	6	10	7	10	69

1907

ELECTION FOR THE SECOND TERM, 1793–1797

GEORGE WASHINGTON, President; JOHN ADAMS, Vice President

Name of candidate	Conn.	Del.	Ga.	Ky.	Md.	Mass.	N.H.	N.J.	N.Y.	N.C.	Pa.	R.I.	S.C.	Vt.	Va.	Total
George Washington, of Virginia	9	3	4	4	8	16	6	7	12	12	15	4	8	3	21	132
John Adams, of Massachusetts	9	3	.....	.....	8	16	6	7	.....	.....	14	4	7	3	.....	77
George Clinton, of New York	.....	.....	4	.....	.....	.....	.....	.....	12	12	1	.....	.....	.....	21	50
Thomas Jefferson, of Virginia	.....	.....	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4
Aaron Burr, of New York	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	1
Total electoral vote	9	3	4	4	8	16	6	7	12	12	15	4	8	3	21	132

1908 ELECTION FOR THE THIRD TERM, 1797–1801

JOHN ADAMS, President; THOMAS JEFFERSON, Vice President

Name of candidate	Conn.	Del.	Ga.	Ky.	Md.	Mass.	N.H.	N.J.	N.Y.	N.C.	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
John Adams, of Massachusetts	9	3			7	16	6	7	12	1	1	4			4	1	71
Thomas Jefferson, of Virginia			4	4	4					11	14		8	3		20	68
Thomas Pinckney, of South Carolina	4	3			4	13		7	12	1	2		8		4	1	59
Aaron Burr, of New York				4	3					6	13			3		1	30
Samuel Adams, of Massachusetts																15	15
O. Ellsworth, of Connecticut						1	6					4					11
John Jay, of New York	5																5
George Clinton, of New York			4													3	7
S. Johnston, of North Carolina						2											2
James Iredell, of North Carolina										3							3
George Washington, of Virginia										1						1	2
C. C. Pinckney, of South Carolina										1							1
John Henry, of Maryland					2												2
Total electoral vote	9	3	4	4	10	16	6	7	12	12	15	4	8	3	4	21	138

1909 ELECTION FOR THE FOURTH TERM, 1801–1805

THOMAS JEFFERSON, President; AARON BURR, Vice President

Name of candidate	Conn.	Del.	Ga.	Ky.	Md.	Mass.	N.H.	N.J.	N.Y.	N.C.	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
Thomas Jefferson, of Virginia			4	4	5				12	8	8		8	3		21	*73
Aaron Burr, of New York			4	4	5				12	8	8		8	3		21	*73
John Adams, of Massachusetts	9	3			5	16	6	7		4	7	4			4		65
Charles C. Pinckney, of South Carolina	9	3			5	16	6	7		4	7	3			4		64
John Jay, of New York												1					1
Total electoral vote	9	3	4	4	10	16	6	7	12	12	15	4	8	3	4	21	138

*There being no choice for President by the people, the election devolved upon the House of Representatives, and February 17, 1801, Thomas Jefferson was chosen by the votes of ten States, to four for Aaron Burr, and two blank.

1910

ELECTION FOR THE FIFTH TERM, 1805–1809

THOMAS JEFFERSON, President; GEORGE CLINTON, Vice President

Name of candidate	Conn.	Del.	Ga.	Ky.	Md.	Mass.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
For President:																		
Thomas Jefferson, of Virginia	.....	.....	6	8	9	19	7	8	19	14	3	20	4	10	5	6	24	162
Charles C. Pinckney, of South Carolina	9	3	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	14
For Vice President:																		
George Clinton, of New York	.....	.....	6	8	9	19	7	8	19	14	3	20	4	10	5	6	24	162
Rufus King, of New York	9	3	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	14
Total electoral vote	9	3	6	8	11	19	7	8	19	14	3	20	4	10	5	6	24	176

1911

ELECTION FOR THE SIXTH TERM, 1809–1813

JAMES MADISON, President; GEORGE CLINTON, Vice President

Name of candidate	Conn.	Del.	Ga.	Ky.	Md.	Mass.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
For President:																		
James Madison, of Virginia	.....	.....	6	7	9	.....	.....	8	13	11	3	20	.....	10	5	6	24	122
George Clinton, of New York	.....	.....	.....	.....	.....	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	.....	.....	6
Charles C. Pinckney, of South Carolina	9	3	.....	.....	2	19	7	.....	.....	3	.....	.....	4	.....	.....	.....	.....	47
For Vice President:																		
George Clinton, of New York	.....	.....	6	7	9	.....	.....	8	13	11	.....	20	.....	10	5	.....	24	113
James Madison, of Virginia	.....	.....	.....	.....	.....	.....	.....	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	3
James Monroe, of Virginia	.....	.....	.....	.....	.....	.....	.....	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	3
John Langdon, of New Hampshire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	.....	.....	.....	.....	6	.....	9
Rufus King, of New York	9	3	.....	.....	2	19	7	.....	.....	3	.....	.....	4	.....	.....	.....	.....	47
Total electoral vote	9	3	6	7	11	19	7	8	19	14	3	20	4	10	5	6	24	175

1912 ELECTION FOR THE SEVENTH TERM, 1813–1817

JAMES MADISON, President; ELBRIDGE GERRY, Vice President

Name of candidate	Conn.	Del.	Ga.	Ky.	La.	Md.	Mass.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
For President:																			
James Madison, of Virginia	.....	.....	8	12	3	6	.....	.....	.....	.....	15	7	25	.....	11	8	8	25	128
De Witt Clinton, of New York	9	4	.....	.....	.....	5	22	8	8	29	.....	.....	.....	4	.....	.....	.....	.....	89
For Vice President:																			
Elbridge Gerry, of Massachusetts	.....	.....	8	12	3	6	2	1	.....	.....	15	7	25	.....	11	8	8	25	131
Jared Ingersoll, of Pennsylvania	9	4	.....	.....	.....	5	20	7	8	29	.....	.....	.....	4	.....	.....	.....	.....	86
Total electoral vote	9	4	8	12	3	11	22	8	8	29	15	7	25	4	11	8	8	25	217

1913 ELECTION FOR THE EIGHTH TERM, 1817–1821

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President

Name of candidate	Conn.	Del.	Ga.	Ind.	Ky.	La.	Md.	Mass.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
For President:																				
James Monroe, of Virginia	.....	.....	8	3	12	3	8	.....	8	8	29	15	8	25	4	11	8	8	25	183
Rufus King, of New York	9	3	.....	.....	.....	.....	.....	22	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	34
For Vice President:																				
Daniel D. Tompkins, of New York	.....	.....	8	3	12	3	8	.....	8	8	29	15	8	25	4	11	8	8	25	183
John E. Howard, of Maryland	.....	.....	.....	.....	.....	.....	.....	22	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	22
James Ross, of Pennsylvania	5	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5
John Marshall, of Virginia	4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4
Robert G. Harper, of Maryland	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3
Total electoral vote	9	3	8	3	12	3	8	22	8	8	29	15	8	25	4	11	8	8	25	217

1914 ELECTION FOR THE NINTH TERM, 1821–1825

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President

Name of candidate	Ala.	Conn.	Del.	Ga.	Ill.	Ind.	Ky.	La.	Maine	Md.	Mass.	Miss.	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
For President:																									
James Monroe, of Virginia	3	9	4	8	3	3	12	3	9	11	15	2	3	7	8	29	15	8	24	4	11	7	8	25	231
John Quincy Adams, of Massachusetts														1											1
For Vice President:																									
Daniel D. Tompkins, of New York	3	9		8	3	3	12	3	9	10	7	2	3	7	8	29	15	8	24	4	11	7	8	25	218
Richard Stockton, of New Jersey											8														8
Robert G. Harper, of Maryland										1															1
Richard Rush, of Pennsylvania														1											1
Daniel Rodney, of Delaware			4																						4
Total electoral vote	3	9	4	8	3	3	12	3	9	11	15	3	3	8	8	29	15	8	25	4	11	8	8	25	*235

*The whole number of electors appointed was 235, but one elector from each of the States of Pennsylvania, Tennessee, and Mississippi, having died, the number of votes actually cast was 232.

1915 ELECTION FOR THE TENTH TERM, 1825–1829

JOHN QUINCY ADAMS, President; JOHN C. CALHOUN, Vice President

Name of candidate	Ala.	Conn.	Del.	Ga.	Ill.	Ind.	Ky.	La.	Maine	Md.	Mass.	Miss.	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
For President:																									
Andrew Jackson, of Tennessee	5				2	5		3		7		3			8	1	15		28		11	11			*99
John Quincy Adams, of Massachusetts		8	1		1			2	9	3	15			8		26				4			7		*84
William H. Crawford, of Georgia			2	9						1						5								24	41
Henry Clay, of Kentucky							14						3			4		16							37
For Vice President:																									
John C. Calhoun, of South Carolina	5		1		3	5	7	5	9	10	15	3		7	8	29	15		28	3	11	11	7		182
Nathan Sanford, of New York							7									7		16							30
Nathaniel Macon, of North Carolina																								24	24
Andrew Jackson, of Tennessee		8								1			3	1											13
Martin Van Buren, of New York				9																					9
Henry Clay, of Kentucky			2																						2
Total electoral vote	5	8	3	9	3	5	14	5	9	11	15	3	3	8	8	36	15	16	28	4	11	11	7	24	261

*No choice for President having been made by the people, the election devolved upon the House of Representatives, and John Quincy Adams was elected, receiving the votes of thirteen States to seven for Andrew Jackson and four for William H. Crawford.

1916

ELECTION FOR THE ELEVENTH TERM, 1829–1833

ANDREW JACKSON, President; JOHN C. CALHOUN, Vice President

Name of candidate	Ala.	Conn.	Del.	Ga.	Ill.	Ind.	Ky.	La.	Maine	Md.	Mass.	Miss.	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
For President:																									
Andrew Jackson, of Tennessee	5	.....	.....	9	3	5	14	5	1	5	.....	3	3	.....	.....	20	15	16	28	.....	11	11	.....	24	178
John Quincy Adams, of Massachusetts	.....	8	3	.....	.....	.....	.....	.....	8	6	15	.....	.....	8	8	16	.....	.....	.....	4	.....	.....	7	.....	83
For Vice President:																									
John C. Calhoun, of South Carolina	5	.....	.....	2	3	5	14	5	1	5	.....	3	3	.....	.....	20	15	16	28	.....	11	11	.....	24	171
Richard Rush, of Pennsylvania	.....	8	3	.....	.....	.....	.....	.....	8	6	15	.....	.....	8	8	16	.....	.....	.....	4	.....	.....	7	.....	83
William Smith, of South Carolina	.....	.....	.....	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	7
Total electoral vote	5	8	3	9	3	5	14	5	9	11	15	3	3	8	8	36	15	16	28	4	11	11	7	24	261

1917

ELECTION FOR THE TWELFTH TERM, 1833–1837

ANDREW JACKSON, President; MARTIN VAN BUREN, Vice President

Name of candidate	Ala.	Conn.	Del.	Ga.	Ill.	Ind.	Ky.	La.	Maine	Md.	Mass.	Miss.	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
For President:																									
Andrew Jackson, of Tennessee	7	.....	.....	11	5	9	.....	5	10	3	.....	4	4	7	8	42	15	21	30	.....	.....	15	.....	23	219
Henry Clay, of Kentucky	.....	8	3	.....	.....	.....	15	.....	.....	5	14	.....	.....	.....	.....	.....	.....	.....	.....	4	.....	.....	.....	.....	49
John Floyd, of Virginia	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	11	.....	.....	.....	11
William Wirt, of Maryland	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	7	.....	7
For Vice President:																									
Martin Van Buren, of New York	7	.....	.....	11	5	9	.....	5	10	3	.....	4	4	7	8	42	15	21	.....	.....	.....	15	.....	23	189
John Sergeant, of Pennsylvania	.....	8	3	.....	.....	.....	15	.....	.....	5	14	.....	.....	.....	.....	.....	.....	.....	.....	4	.....	.....	.....	.....	49
William Wilkins, of Pennsylvania	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	30	.....	.....	.....	.....	.....	30
Henry Lee, of Massachusetts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	11	.....	.....	.....	11
Amos Ellmaker, of Pennsylvania	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	7	.....	7
Total electoral vote	7	8	3	11	5	9	15	5	10	*8	14	4	4	7	8	42	15	21	30	4	11	15	7	23	286

*Two votes were not given in Maryland.

ELECTION FOR THE THIRTEENTH TERM, 1837–1841

MARTIN VAN BUREN, President; RICHARD M. JOHNSON, Vice President

Name of candidate	Ala.	Ark.	Conn.	Del.	Ga.	Ill.	Ind.	Ky.	La.	Maine	Md.	Mass.	Mich.	Miss.	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
For President:																											
Martin Van Buren, of New York	7	3	8	.....	.....	5	.....	.....	5	10	.....	.....	3	4	4	7	.....	42	15	.....	30	4	.....	.....	.....	23	170
William H. Harrison, of Ohio	.....	.....	.....	3	.....	.....	9	15	.....	.....	10	.....	.....	.....	.....	.....	8	.....	.....	21	.....	.....	.....	.....	7	.....	73
Hugh L. White, of Tennessee	.....	.....	.....	.....	11	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	15	.....	.....	26
Daniel Webster, of Massachusetts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	14	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	14
Willie P. Mangum, of North Carolina	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	11	.....	.....	.....	11
For Vice President:																											
Richard M. Johnson, of Kentucky	7	3	8	.....	.....	5	.....	.....	5	10	.....	.....	3	4	4	7	.....	42	15	.....	30	4	.....	.....	.....	.....	*147
Francis Granger, of New York	.....	.....	.....	3	.....	.....	9	15	.....	.....	.....	14	.....	.....	.....	.....	8	.....	.....	21	.....	.....	.....	.....	7	.....	*77
John Tyler, of Virginia	.....	.....	.....	.....	11	.....	.....	.....	.....	.....	10	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	11	15	.....	.....	47
William Smith, of Alabama	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	23	23
Total electoral vote	7	3	8	3	11	5	9	15	5	10	10	14	3	4	4	7	8	42	15	21	30	4	11	15	7	23	294

*There being no choice for Vice President by the people, the election devolved upon the Senate of the United States. Richard M. Johnson received 33 votes and Francis Granger 16 votes. Richard M. Johnson was thereupon declared elected Vice President.

1919

ELECTION FOR THE FOURTEENTH TERM, 1841–1845

WILLIAM HENRY HARRISON,* President; JOHN TYLER, Vice President

Name of candidate	Ala.	Ark.	Conn.	Del.	Ga.	Ill.	Ind.	Ky.	La.	Maine	Md.	Mass.	Mich.	Miss.	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Vt.	Va.	Total
For President:																											
William H. Harrison, of Ohio	.....	.....	8	3	11	.....	9	15	5	10	10	14	3	4	.....	.....	8	42	15	21	30	4	.....	15	7	.....	234
Martin Van Buren, of New York	7	3	.....	.....	.....	5	.....	.....	.....	.....	.....	.....	.....	.....	4	7	.....	.....	.....	.....	.....	.....	11	.....	.....	23	60
For Vice President:																											
John Tyler, of Virginia	.....	.....	8	3	11	.....	9	15	5	10	10	14	3	4	.....	.....	8	42	15	21	30	4	.....	15	7	.....	234
R. M. Johnson, of Kentucky	7	3	.....	.....	.....	5	.....	.....	.....	.....	.....	.....	.....	.....	4	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	22	48
L. W. Tazewell, of Virginia	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	11	.....	.....	.....	11
James K. Polk, of Tennessee	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1
Total electoral vote	7	3	8	3	11	5	9	15	5	10	10	14	3	4	4	7	8	42	15	21	30	4	11	15	7	23	294

*William Henry Harrison, ninth President of the United States, died at Washington, April 4, 1841. The duties of the Presidential office devolving, in this event, upon John Tyler, Vice President, he accordingly took the oath of office April 6, 1841.

1920

ELECTION FOR THE FIFTEENTH TERM, 1845–1849

JAMES K. POLK, President; GEORGE M. DALLAS, Vice President

Name of candidate	Ala.	Ark.	Conn.	Del.	Ga.	Ill.	Ind.	Ky.	La.	Maine	Md.	Mass.	Mich.	Miss.	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.*	S.C.	Tenn.	Vt.	Va.	Total
For President:																											
James K. Polk, of Tennessee	9	3	.....	.....	10	9	12	.....	6	9	.....	.....	5	6	7	6	.....	36	.....	.....	26	.....	9	.....	.....	17	170
Henry Clay, of Kentucky	.....	.....	6	3	.....	.....	.....	12	.....	.....	8	12	.....	.....	.....	.....	7	.....	11	23	.....	4	.....	13	6	.....	105
For Vice President:																											
George M. Dallas, of Pennsylvania	9	3	.....	.....	10	9	12	.....	6	9	.....	.....	5	6	7	6	.....	36	.....	.....	26	.....	9	.....	.....	17	170
Theodore Frelinghuysen, of New Jersey	.....	.....	6	3	.....	.....	.....	12	.....	.....	8	12	.....	.....	.....	.....	7	.....	11	23	.....	4	.....	13	6	.....	105
Total electoral vote	9	3	6	3	10	9	12	12	6	9	8	12	5	6	7	6	7	36	11	23	26	4	9	13	6	17	275

*And Providence Plantations.

1921

ELECTION FOR THE SIXTEENTH TERM, 1849–1853

ZACHARY TAYLOR,* President; MILLARD FILLMORE, Vice President

Name of candidate	Ala.	Ark.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Ky.	La.	Maine	Md.	Mass.	Mich.	Miss.
For President:																
Zachary Taylor, of Louisiana	.....	.....	6	3	3	10	.....	.....	.....	12	6	.....	8	12	.....	.....
Lewis Cass, of Michigan	9	3	.....	.....	.....	.....	9	12	4	.....	.....	9	.....	.....	5	6
For Vice President:																
Millard Fillmore, of New York	.....	.....	6	3	3	10	.....	.....	.....	12	6	.....	8	12	.....	.....
W. O. Butler, of Kentucky	9	3	.....	.....	.....	.....	9	12	4	.....	.....	9	.....	.....	5	6
Total electoral vote	9	3	6	3	3	10	9	12	4	12	6	9	8	12	5	6

Name of candidate	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Tex.	Vt.	Va.	Wis.	Total
For President:															
Zachary Taylor, of Louisiana	.....	.....	7	36	11	.....	26	4	.....	13	.....	6	.....	.....	163
Lewis Cass, of Michigan	7	6	.....	.....	.....	23	.....	.....	9	.....	4	.....	17	4	127
For Vice President:															
Millard Fillmore, of New York	.....	.....	7	36	11	.....	26	4	.....	13	.....	6	.....	.....	163
W. O. Butler, of Kentucky	7	6	.....	.....	.....	23	.....	.....	9	.....	4	.....	17	4	127
Total electoral vote	7	6	7	36	11	23	26	4	9	13	4	6	17	4	290

*Zachary Taylor, twelfth President of the United States, died at Washington, July 9, 1850. The duties of the Presidential office devolving, in this event, upon the Vice President, Millard Fillmore, he accordingly took the oath of office July 10, 1850.

ELECTION FOR THE SEVENTEENTH TERM, 1853–1857

FRANKLIN PIERCE, President; WILLIAM R. KING, Vice President

Name of candidate	Ala.	Ark.	Calif.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Ky.	La.	Maine	Md.	Mass.	Mich.
For President:																
Franklin Pierce, of New Hampshire	9	4	4	6	3	3	10	11	13	4	.....	6	8	8	.....	6
Winfield Scott, of New Jersey	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12	.....	.....	.....	13	.....
For Vice President:																
William R. King, of Alabama	9	4	4	6	3	3	10	11	13	4	.....	6	8	8	.....	6
William A. Graham, of North Carolina	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12	.....	.....	.....	13	.....
Total electoral vote	9	4	4	6	3	3	10	11	13	4	12	6	8	8	13	6

Name of candidate	Miss.	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn.	Tex.	Vt.	Va.	Wis.	Total
For President:																
Franklin Pierce, of New Hampshire	7	9	5	7	35	10	23	27	4	8	.....	4	.....	15	5	254
Winfield Scott, of New Jersey	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12	.....	5	.....	.....	42
For Vice President:																
William R. King, of Alabama	7	9	5	7	35	10	23	27	4	8	.....	4	.....	15	5	254
William A. Graham, of North Carolina	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12	.....	5	.....	.....	42
Total electoral vote	7	9	5	7	35	10	23	27	4	8	12	4	5	15	5	296

1923

ELECTION FOR THE EIGHTEENTH TERM, 1857–1861

JAMES BUCHANAN, President; JOHN C. BRECKINRIDGE, Vice President

Name of candidate	Ala.	Ark.	Calif.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Ky.	La.	Maine	Md.	Mass.	Mich.
For President:																
James Buchanan, of Pennsylvania	9	4	4	.....	3	3	10	11	13	.....	12	6	.....	.....	.....	.....
John C. Frémont, of California	.....	.....	.....	6	.....	.....	.....	.....	.....	4	.....	.....	8	.....	13	6
Millard Fillmore, of New York	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	.....	.....
For Vice President:																
John C. Breckinridge, of Kentucky	9	4	4	.....	3	3	10	11	13	.....	12	6	.....	.....	.....	.....
William L. Dayton, of New Jersey	.....	.....	.....	6	.....	.....	.....	.....	.....	4	.....	.....	8	.....	13	6
Andrew J. Donelson, of Tennessee	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	.....	.....
Total electoral vote	9	4	4	6	3	3	10	11	13	4	12	6	8	8	13	6

Name of candidate	Miss.	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Pa.	R.I.	S.C.	Tenn	Tex.	Vt.	Va.	Wis.	Total
For President:																
James Buchanan, of Pennsylvania	7	9	.....	7	.....	10	.....	27	.....	8	12	4	.....	15	.....	174
John C. Frémont, of California	.....	.....	5	.....	35	.....	23	.....	4	.....	.....	.....	5	.....	5	114
Millard Fillmore, of New York	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8
For Vice President:																
John C. Breckinridge, of Kentucky	7	9	.....	7	.....	10	.....	27	.....	8	12	4	.....	15	.....	174
William L. Dayton, of New Jersey	.....	.....	5	.....	35	.....	23	.....	4	.....	.....	.....	5	.....	5	114
Andrew J. Donelson, of Tennessee	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8
Total electoral vote	7	9	5	7	35	10	23	27	4	8	12	4	5	15	5	296

ELECTION FOR THE NINETEENTH TERM, 1861–1865

ABRAHAM LINCOLN, President; HANNIBAL HAMLIN, Vice President

Name of candidate	Ala.	Ark.	Calif.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.
For President:																	
Abraham Lincoln, of Illinois	.....	.....	4	6	.....	.....	.....	11	13	4	.....	.....	8	.....	13	6	4
John C. Breckinridge, of Kentucky	9	4	.....	.....	3	3	10	.....	.....	.....	.....	6	.....	8	.....	.....	.....
John Bell, of Tennessee	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	.....
Stephen A. Douglas, of Illinois	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
For Vice President:																	
Hannibal Hamlin, of Maine	.....	.....	4	6	.....	.....	.....	11	13	4	.....	.....	8	.....	13	6	4
Joseph Lane, of Oregon	9	4	.....	.....	3	3	10	.....	.....	.....	.....	6	.....	8	.....	.....	.....
Edward Everett, of Massachusetts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	.....
Herschel V. Johnson, of Georgia	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	9	4	4	6	3	3	10	11	13	4	12	6	8	8	13	6	4

Name of candidate	Miss.	Mo.	N.H.	N.J.	N.Y.	N.C.	Ohio	Oreg.	Pa.	R.I.	S.C.	Tenn.	Texas	Vt.	Va.	Wis.	Total
For President:																	
Abraham Lincoln, of Illinois	.....	.....	5	4	35	.....	23	3	27	4	.....	.....	.....	5	.....	5	180
John C. Breckinridge, of Kentucky	7	.....	.....	.....	.....	10	.....	.....	.....	.....	8	.....	4	.....	.....	.....	72
John Bell, of Tennessee	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12	.....	.....	15	.....	39
Stephen A. Douglas, of Illinois	.....	9	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12
For Vice President:																	
Hannibal Hamlin, of Maine	.....	.....	5	4	35	.....	23	3	27	4	.....	.....	.....	5	.....	5	180
Joseph Lane, of Oregon	7	.....	.....	.....	.....	10	.....	.....	.....	.....	8	.....	4	.....	.....	.....	72
Edward Everett, of Massachusetts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12	.....	.....	15	.....	39
Herschel V. Johnson, of Georgia	.....	9	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12
Total electoral vote	7	9	5	7	35	10	23	3	27	4	8	12	4	5	15	5	303

ELECTION FOR THE TWENTIETH TERM, 1865–1869

ABRAHAM LINCOLN,* President; ANDREW JOHNSON, Vice President

Name of candidate	Ala.	Ark.	Calif.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.
For President:																			
Abraham Lincoln, of Illinois	.....	.....	5	6	.....	.....	.....	16	13	8	3	.....	.....	7	7	12	8	4	.....
George B. McClellan, of New Jersey	.....	.....	.....	.....	3	.....	.....	.....	.....	.....	.....	11	.....	.....	.....	.....	.....	.....	.....
For Vice President:																			
Andrew Johnson, of Tennessee	.....	.....	5	6	.....	.....	.....	16	13	8	3	.....	.....	7	7	12	8	4	.....
George H. Pendleton, of Ohio	.....	.....	.....	.....	3	.....	.....	.....	.....	.....	.....	11	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	.....	.....	5	6	3	.....	.....	16	13	8	3	11	.....	7	7	12	8	4	.....

Name of candidate	Mo.	Nev.	N.H.	N.J.	N.Y.	N.C.	Ohio	Oreg.	Pa.	R.I.	S.C.	Tenn.	Tex.	Vt.	Va.	W. Va.	Wis.	Total
For President:																		
Abraham Lincoln, of Illinois	11	2	5	.....	33	.....	21	3	26	4	.....	.....	.....	5	.....	5	8	212
George B. McClellan, of New Jersey	.....	.....	.....	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	21
For Vice President:																		
Andrew Johnson, of Tennessee	11	2	5	.....	33	.....	21	3	26	4	.....	.....	.....	5	.....	5	8	212
George H. Pendleton, of Ohio	.....	.....	.....	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	21
Total electoral vote	11	2	5	7	33	.....	21	3	26	4	.....	.....	.....	5	.....	5	8	233

*Abraham Lincoln, the sixteenth President of the United States, was shot by an assassin on the night of April 14, 1865, and died the following morning. The duties of the Presidential office devolving, in this event, upon the Vice President, Andrew Johnson, he accordingly took the oath of office April 15, 1865.

ELECTION FOR THE TWENTY-FIRST TERM, 1869–1873

ULYSSES S. GRANT, President; SCHUYLER COLFAX, Vice President

Name of candidate	Ala.	Ark.	Calif.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.
For President:																				
Ulysses S. Grant, of Illinois	8	5	5	6	.....	3	.....	16	13	8	3	.....	.....	7	.....	12	8	4	.....	11
Horatio Seymour, of New York	.....	.....	.....	.....	3	.....	9	.....	.....	.....	.....	11	7	.....	7	.....	.....	.....	.....	.....
For Vice President:																				
Schuyler Colfax, of Indiana	8	5	5	6	.....	3	.....	16	13	8	3	.....	.....	7	.....	12	8	4	.....	11
Francis P. Blair, Jr., of Missouri	.....	.....	.....	.....	3	.....	9	.....	.....	.....	.....	11	7	.....	7	.....	.....	.....	.....	.....
Total electoral vote	8	5	5	6	3	3	9	16	13	8	3	11	7	7	7	12	8	4	.....	11

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	Ohio	Oreg.	Pa.	R.I.	S.C.	Tenn.	Tex.	Vt.	Va.	W. Va.	Wis.	Total, excluding vote of Georgia	Total, including vote of Georgia
For President:																			
Ulysses S. Grant, of Illinois	3	3	5	.....	.....	9	21	.....	26	4	6	10	.....	5	.....	5	8	214	214
Horatio Seymour, of New York	.....	.....	.....	7	33	.....	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	71	80
For Vice President:																			
Schuyler Colfax, of Indiana	3	3	5	.....	.....	9	21	.....	26	4	6	10	.....	5	.....	5	8	214	214
Francis P. Blair, Jr., of Missouri	.....	.....	.....	7	33	.....	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	71	80
Total electoral vote	3	3	5	7	33	9	21	3	26	4	6	10	.....	5	.....	5	8	285	29

ELECTION FOR THE TWENTY-SECOND TERM, 1873–1877

ULYSSES S. GRANT, President; HENRY WILSON,* Vice President

Name of candidate	Ala.	Ark.	Calif.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.
For President:																			
Ulysses S. Grant, of Illinois	10	.....	6	6	3	4	.....	21	15	11	5	.....	.....	7	.....	13	11	5	8
Horace Greeley, of New York	.....	.....	.....	.....	.....	.....	(†)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
B. Gratz Brown, of Missouri	.....	.....	.....	.....	.....	.....	6	.....	.....	.....	.....	4	.....	.....	.....	.....	.....	.....	.....
Thomas A. Hendricks, of Indiana	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	.....	.....	8	.....	.....	.....	.....
Charles J. Jenkins, of Georgia	.....	.....	.....	.....	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
David Davis, of Illinois	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
For Vice President:																			
Henry Wilson, of Massachusetts	10	.....	6	6	3	4	.....	21	15	11	5	.....	.....	7	.....	13	11	5	8
B. Gratz Brown, of Missouri	.....	.....	.....	.....	.....	.....	5	.....	.....	.....	.....	8	.....	.....	8	.....	.....	.....	.....
N. P. Banks, of Massachusetts	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
George W. Julian, of Indiana	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Alfred H. Colquitt, of Georgia	.....	.....	.....	.....	.....	.....	5	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
John M. Palmer, of Illinois	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Thomas E. Bramlette, of Kentucky	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	.....	.....	.....	.....	.....	.....	.....
William S. Groesbeck, of Ohio	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Willis B. Machen, of Kentucky	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	10	.....	6	6	3	4	11	21	15	11	5	12	.....	7	8	13	11	5	8

*Died in the Capitol, Washington, D.C., November 22, 1875, aged 68 years.
†By resolution of the House, 3 votes cast for Horace Greeley were not counted.

Name of candidate	Mo.	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	Ohio	Oreg.	Pa.	R.I.	S.C.	Tenn.	Tex.	Vt.	Va.	W. Va.	Wis.	Total
For President:																			
Ulysses S. Grant, of Illinois	.....	3	3	5	9	35	10	22	3	29	4	7	.....	.....	5	11	5	10	286
Horace Greeley, of New York	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
B. Gratz Brown, of Missouri	8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	18
Thomas A. Hendricks, of Indiana	6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12	8	.....	.....	.....	.....	42
Charles J. Jenkins, of Georgia	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2
David Davis, of Illinois	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
For Vice President:																			
Henry Wilson, of Massachusetts	.....	3	3	5	9	35	10	22	3	29	4	7	.....	.....	5	11	5	10	286
B. Gratz Brown, of Missouri	6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12	8	.....	.....	.....	.....	47
N. P. Banks, of Massachusetts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
George W. Julian, of Indiana	5	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5
Alfred H. Colquitt, of Georgia	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5
John M. Palmer, of Illinois	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3
Thomas E. Bramlette, of Kentucky	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3
William S. Groesbeck, of Ohio	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Willis B. Machen, of Kentucky	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Total electoral vote	15	3	3	5	9	35	10	22	3	29	4	7	12	8	5	11	5	10	352

ELECTION FOR THE TWENTY-THIRD TERM, 1877–1881

RUTHERFORD B. HAYES, President; WILLIAM A. WHEELER, Vice President

Name of candidate	Ala.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.
For President:																				
Rutherford B. Hayes, of Ohio	.....	.....	6	3	.....	.....	4	.....	21	.....	11	5	.....	8	7	.....	13	11	5	.....
Samuel J. Tilden, of New York	10	6	.....	.....	6	3	.....	11	.....	15	.....	.....	12	.....	.....	8	.....	.....	.....	8
For Vice President:																				
William A. Wheeler, of New York	.....	.....	6	3	.....	.....	4	.....	21	.....	11	5	.....	8	7	.....	13	11	5	.....
Thomas A. Hendricks, of Indiana	10	6	.....	.....	6	3	.....	11	.....	15	.....	.....	12	.....	.....	8	.....	.....	.....	8
Total electoral vote	10	6	6	3	6	3	4	11	21	15	11	5	12	8	7	8	13	11	5	8

Name of candidate	Mo.	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	Ohio	Oreg.	Pa.	R.I.	S.C.	Tenn.	Tex.	Vt.	Va.	W. Va.	Wis.	Total
For President:																			
Rutherford B. Hayes, of Ohio	.....	3	3	5	.....	.....	.....	22	3	29	4	7	.....	.....	5	.....	.....	10	185
Samuel J. Tilden, of New York	15	.....	.....	.....	9	35	10	.....	.....	.....	.....	.....	12	8	.....	11	5	.....	184
For Vice President:																			
William A. Wheeler, of New York	.....	3	3	5	.....	.....	.....	22	3	29	4	7	.....	.....	5	.....	.....	10	185
Thomas A. Hendricks, of Indiana	15	.....	.....	.....	9	35	10	.....	.....	.....	.....	.....	12	8	.....	11	5	.....	184
Total electoral vote	15	3	3	5	9	35	10	22	3	29	4	7	12	8	5	11	5	10	369

1929

ELECTION FOR THE TWENTY-FOURTH TERM, 1881–1885

JAMES A. GARFIELD,* President; CHESTER A. ARTHUR, Vice President

Name of candidate	Ala.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.
For President:																				
James A. Garfield, of Ohio	.....	.....	1	3	6	.....	.....	.....	21	15	11	5	.....	.....	7	.....	13	11	5	.....
Winfield S. Hancock, of Pennsylvania	10	6	5	.....	.....	3	4	11	.....	.....	.....	.....	12	8	.....	8	.....	.....	.....	8
For Vice President:																				
Chester A. Arthur, of New York	.....	.....	1	3	6	.....	.....	.....	21	15	11	5	.....	.....	7	.....	13	11	5	.....
William H. English, of Indiana	10	6	5	.....	.....	3	4	11	.....	.....	.....	.....	12	8	.....	8	.....	.....	.....	8
Total electoral vote	10	6	6	3	6	3	4	11	21	15	11	5	12	8	7	8	13	11	5	8

Name of candidate	Mo.	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	Ohio	Oreg.	Pa.	R.I.	S.C.	Tenn.	Tex.	Vt.	Va.	W. Va.	Wis.	Total
For President:																			
James A. Garfield, of Ohio	.....	3	.....	5	.....	35	.....	22	3	29	4	.....	.....	.....	5	.....	.....	10	214
Winfield S. Hancock, of Pennsylvania	15	.....	3	.....	9	.....	10	.....	.....	.....	.....	7	12	8	.....	11	5	.....	†155
For Vice President:																			
Chester A. Arthur, of New York	.....	3	.....	5	.....	35	.....	22	3	29	4	.....	.....	.....	5	.....	.....	10	214
William H. English, of Indiana	15	.....	3	.....	9	.....	10	.....	.....	.....	.....	7	12	8	.....	11	5	.....	†155
Total electoral vote	15	3	3	5	9	35	10	22	3	29	4	7	12	8	5	11	5	10	369

*James A. Garfield, the twentieth President of the United States, was shot by an assassin July 2, 1881, and died from the effects of his wounds September 19, 1881. The duties of the Presidential office devolving, in this event, upon the Vice President, Chester A. Arthur, he accordingly took the oath of office in New York City, September 20, 1881, and again formally took the oath of office at Washington, September 22, 1881.

†The vote of Georgia, cast on the 8th of December, second Wednesday of the month, if not counted would reduce this total to 144.

1930

ELECTION FOR THE TWENTY-FIFTH TERM, 1885–1889

GROVER CLEVELAND, President; THOMAS A. HENDRICKS,* Vice President

Name of candidate	Ala.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.
For President:																				
Grover Cleveland, of New York	10	7	.....	.....	6	3	4	12	.....	15	.....	.....	13	8	.....	8	.....	.....	.....	9
James G. Blaine, of Maine	.....	.....	8	3	.....	.....	.....	.....	22	.....	13	9	.....	.....	6	.....	14	13	7	.....
For Vice President:																				
Thomas A. Hendricks, of Indiana	10	7	.....	.....	6	3	4	12	.....	15	.....	.....	13	8	.....	8	.....	.....	.....	9
John A. Logan, of Illinois	.....	.....	8	3	.....	.....	.....	.....	22	.....	13	9	.....	.....	6	.....	14	13	7	.....
Total electoral vote	10	7	8	3	6	3	4	12	22	15	13	9	13	8	6	8	14	13	7	9

Name of candidate	Mo.	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	Ohio	Oreg.	Pa.	R.I.	S.C.	Tenn.	Tex.	Vt.	Va.	W. Va.	Wis.	Total
For President:																			
Grover Cleveland, of New York	16	.....	.....	.....	9	36	11	.....	.....	.....	.....	9	12	13	.....	12	6	.....	219
James G. Blaine, of Maine	.....	5	3	4	.....	.....	.....	23	3	30	4	.....	.....	.....	4	.....	.....	11	182
For Vice President:																			
Thomas A. Hendricks, of Indiana	16	.....	.....	.....	9	36	11	.....	.....	.....	.....	9	12	13	.....	12	6	.....	219
John A. Logan, of Illinois	.....	5	3	4	.....	.....	.....	23	3	30	4	.....	.....	.....	4	.....	.....	11	182
Total electoral vote	16	5	3	4	9	36	11	23	3	30	4	9	12	13	4	12	6	11	401

*Thomas A. Hendricks died at Indianapolis, Ind., Nov. 25, 1885, aged 66 years.

ELECTION FOR THE TWENTY-SIXTH TERM, 1889–1893

BENJAMIN HARRISON, President; LEVI P. MORTON, Vice President

Name of candidate	Ala.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.
For President:																				
Benjamin Harrison, of Indiana	.....	.....	8	3	.....	.....	.....	.....	22	15	13	9	.....	.....	6	.....	14	13	7	.....
Grover Cleveland, of New York	10	7	.....	.....	6	3	4	12	.....	.....	.....	.....	13	8	.....	8	.....	.....	.....	9
For Vice President:																				
Levi P. Morton, of New York	.....	.....	8	3	.....	.....	.....	.....	22	15	13	9	.....	.....	6	.....	14	13	7	.....
Allen G. Thurman, of Ohio	10	7	.....	.....	6	3	4	12	.....	.....	.....	.....	13	8	.....	8	.....	.....	.....	9
Total electoral vote	10	7	8	3	6	3	4	12	22	15	13	9	13	8	6	8	14	13	7	9

Name of candidate	Mo.	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	Ohio	Oreg.	Pa.	R.I.	S.C.	Tenn.	Tex.	Vt.	Va.	W. Va.	Wis.	Total
For President:																			
Benjamin Harrison, of Indiana	.....	5	3	4	.....	36	.....	23	3	30	4	.....	.....	.....	4	.....	.....	11	233
Grover Cleveland, of New York	16	.....	.....	.....	9	.....	11	.....	.....	.....	.....	9	12	13	.....	12	6	.....	168
For Vice President:																			
Levi P. Morton, of New York	.....	5	3	4	.....	36	.....	23	3	30	4	.....	.....	.....	4	.....	.....	11	233
Allen G. Thurman, of Ohio	16	.....	.....	.....	9	.....	11	.....	.....	.....	.....	9	12	13	.....	12	6	.....	168
Total electoral vote	16	5	3	4	9	36	11	23	3	30	4	9	12	13	4	12	6	11	401

1932

ELECTION FOR THE TWENTY-SEVENTH TERM, 1893–1897

GROVER CLEVELAND, President; ADLAI E. STEVENSON, Vice President

Name of candidate	Ala.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																							
Grover Cleveland, of New York	11	8	8	.....	6	3	4	13	.....	24	15	.....	.....	13	8	.....	8	.....	5	.....	9	17	.....
Benjamin Harrison, of Indiana	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	13	.....	.....	.....	6	.....	15	9	9	.....	.....	3
James B. Weaver, of Iowa	.....	.....	.....	4	.....	.....	.....	.....	3	.....	.....	.....	10	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
For Vice President:																							
Adlai E. Stevenson, of Illinois	11	8	8	.....	6	3	4	13	.....	24	15	.....	.....	13	8	.....	8	.....	5	.....	9	17	.....
Whitelaw Reid, of New York	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	13	.....	.....	.....	6	.....	15	9	9	.....	.....	3
James G. Field, of Virginia	.....	.....	.....	4	.....	.....	.....	.....	3	.....	.....	.....	10	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	11	8	9	4	6	3	4	13	3	24	15	13	10	13	8	6	8	15	14	9	9	17	3

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	N. Dak.	Ohio	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																						
Grover Cleveland, of New York	.....	.....	.....	10	36	11	1	1	.....	.....	.....	9	.....	12	15	.....	12	.....	6	12	.....	277
Benjamin Harrison, of Indiana	8	.....	4	.....	.....	.....	1	22	3	32	4	.....	4	.....	.....	4	.....	4	.....	.....	3	145
James B. Weaver, of Iowa	.....	3	.....	.....	.....	.....	1	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	22
For Vice President:																						
Adlai E. Stevenson, of Illinois	.....	.....	.....	10	36	11	1	1	.....	.....	.....	9	.....	12	15	.....	12	.....	6	12	.....	277
Whitelaw Reid, of New York	8	.....	4	.....	.....	.....	1	22	3	32	4	.....	4	.....	.....	4	.....	4	.....	.....	3	145
James G. Field, of Virginia	.....	3	.....	.....	.....	.....	1	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	22
Total electoral vote	8	3	4	10	36	11	3	23	4	32	4	9	4	12	15	4	12	4	6	12	3	444

ELECTION FOR THE TWENTY-EIGHTH TERM, 1897–1901

WILLIAM MCKINLEY, President; GARRET A. HOBART,* Vice President

Name of candidate	Ala.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																							
William McKinley, of Ohio	.....	.....	8	.....	6	3	.....	.....	.....	24	15	13	.....	12	.....	6	8	15	14	9	.....	.....	.....
William J. Bryan, of Nebraska	11	8	1	4	.....	.....	4	13	3	.....	.....	.....	10	1	8	.....	.....	.....	.....	.....	9	17	3
For Vice President:																							
Garret A. Hobart, of New Jersey	.....	.....	8	.....	6	3	.....	.....	.....	24	15	13	.....	12	.....	6	8	15	14	9	.....	.....	.....
Arthur Sewall, of Maine	11	5	1	4	.....	.....	4	13	3	.....	.....	.....	10	1	4	.....	.....	.....	.....	.....	9	13	2
Thomas E. Watson, of Georgia	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4	.....	.....	.....	.....	.....	.....	4	1
Total electoral vote	11	8	9	4	6	3	4	13	3	24	15	13	10	13	8	6	8	15	14	9	9	17	3

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	N. Dak.	Ohio	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																							
William McKinley, of Ohio	.....	.....	4	10	36	.....	3	23	4	32	4	.....	.....	.....	.....	.....	4	.....	.....	6	12	.....	271
William J. Bryan, of Nebraska	8	3	.....	.....	.....	11	.....	.....	.....	.....	.....	9	4	12	15	3	.....	12	4	.....	.....	3	176
For Vice President:																							
Garret A. Hobart, of New Jersey	.....	.....	4	10	36	.....	3	23	4	32	4	.....	.....	.....	.....	.....	4	.....	.....	6	12	.....	271
Arthur Sewall, of Maine	4	3	.....	.....	.....	6	.....	.....	.....	.....	.....	9	2	12	15	2	.....	12	2	.....	.....	2	149
Thomas E. Watson, of Georgia	4	.....	.....	.....	.....	5	.....	.....	.....	.....	.....	.....	2	.....	.....	1	.....	.....	2	.....	.....	1	27
Total electoral vote	8	3	4	10	36	11	3	23	4	32	4	9	4	12	15	3	4	12	4	6	12	3	447

*Garret A. Hobart died at Paterson, N.J., Nov. 21, 1899, aged 55 years.

ELECTION FOR THE TWENTY-NINTH TERM, 1901–1905

WILLIAM MCKINLEY,* President; THEODORE ROOSEVELT, Vice President

Name of candidate	Ala.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																							
William McKinley, of Ohio	.....	.....	9	.....	6	3	.....	.....	.....	24	15	13	10	.....	.....	6	8	15	14	9	.....	.....	.....
William J. Bryan, of Nebraska	11	8	.....	4	.....	.....	4	13	3	.....	.....	.....	.....	13	8	.....	.....	.....	.....	.....	9	17	3
For Vice President:																							
Theodore Roosevelt, of New York	.....	.....	9	.....	6	3	.....	.....	.....	24	15	13	10	.....	.....	6	8	15	14	9	.....	.....	.....
Adlai E. Stevenson, of Illinois	11	8	.....	4	.....	.....	4	13	3	.....	.....	.....	.....	13	8	.....	.....	.....	.....	.....	9	17	3
Total electoral vote	11	8	9	4	6	3	4	13	3	24	15	13	10	13	8	6	8	15	14	9	9	17	3

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	N. Dak.	Ohio	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																							
William McKinley, of Ohio	8	.....	4	10	36	.....	3	23	4	32	4	.....	4	.....	.....	3	4	.....	4	6	12	3	292
William J. Bryan, of Nebraska	.....	3	.....	.....	.....	11	.....	.....	.....	.....	.....	9	.....	12	15	.....	.....	12	.....	.....	.....	.....	155
For Vice President:																							
Theodore Roosevelt, of New York	8	.....	4	10	36	.....	3	23	4	32	4	.....	4	.....	.....	3	4	.....	4	6	12	3	292
Adlai E. Stevenson, of Illinois	.....	3	.....	.....	.....	11	.....	.....	.....	.....	.....	9	.....	12	15	.....	.....	12	.....	.....	.....	.....	155
Total electoral vote	8	3	4	10	36	11	3	23	4	32	4	9	4	12	15	3	4	12	4	6	12	3	447

*William McKinley, the twenty-fourth President of the United States, was shot by an assassin Sept. 6, 1901, and died Sept. 14, 1901. The duties of the Presidential office devolving, in this event, upon the Vice President, Theodore Roosevelt, he accordingly took the oath of office at Buffalo, N.Y., on Sept. 14, 1901.

ELECTION FOR THE THIRTIETH TERM, 1905–1909

THEODORE ROOSEVELT, President; CHARLES WARREN FAIRBANKS, Vice President

Name of candidate	Ala.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																							
Theodore Roosevelt, of New York	.....	.....	10	5	7	3	.....	.....	3	27	15	13	10	.....	.....	6	1	16	14	11	.....	18	3
Alton B. Parker, of New York	11	9	.....	.....	.....	.....	5	13	.....	.....	.....	.....	.....	13	9	.....	7	.....	.....	.....	10	.....	.....
For Vice President:																							
Charles W. Fairbanks, of Indiana	.....	.....	10	5	7	3	.....	.....	3	27	15	13	10	.....	.....	6	1	16	14	11	.....	18	3
Henry G. Davis, of West Virginia	11	9	.....	.....	.....	.....	5	13	.....	.....	.....	.....	.....	13	9	.....	7	.....	.....	.....	10	.....	.....
Total electoral vote	11	9	10	5	7	3	5	13	3	27	15	13	10	13	9	6	8	16	14	11	10	18	3

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	N. Dak.	Ohio	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																							
Theodore Roosevelt, of New York	8	3	4	12	39	.....	4	23	4	34	4	.....	4	.....	.....	3	4	.....	5	7	13	3	336
Alton B. Parker, of New York	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	9	.....	12	18	.....	.....	12	.....	.....	.....	.....	140
For Vice President:																							
Charles W. Fairbanks, of Indiana	8	3	4	12	39	.....	4	23	4	34	4	.....	4	.....	.....	3	4	.....	5	7	13	3	336
Henry G. Davis, of West Virginia	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	9	.....	12	18	.....	.....	12	.....	.....	.....	.....	140
Total electoral vote	8	3	4	12	39	12	4	23	4	34	4	9	4	12	18	3	4	12	5	7	13	3	476

1936

ELECTION FOR THE THIRTY-FIRST TERM, 1909–1913

WILLIAM HOWARD TAFT, President; JAMES SCHOOLCRAFT SHERMAN,* Vice President

Name of candidate	Ala.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																							
William H. Taft, of Ohio	.....	.....	10	.....	7	3	.....	.....	3	27	15	13	10	.....	.....	6	2	16	14	11	.....	18	3
William J. Bryan, of Nebraska	11	9	.....	5	.....	.....	5	13	.....	.....	.....	.....	.....	13	9	.....	6	.....	.....	.....	10	.....	.....
For Vice President:																							
James S. Sherman, of New York	.....	.....	10	.....	7	3	.....	.....	3	27	15	13	10	.....	.....	6	2	16	14	11	.....	18	3
John W. Kern, of Indiana	11	9	.....	5	.....	.....	5	13	.....	.....	.....	.....	.....	13	9	.....	6	.....	.....	.....	10	.....	.....
Total electoral vote	11	9	10	5	7	3	5	13	3	27	15	13	10	13	9	6	8	16	14	11	10	18	3

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																								
William H. Taft, of Ohio	.....	.....	4	12	39	.....	4	23	.....	4	34	4	.....	4	.....	.....	3	4	.....	5	7	13	3	321
William J. Bryan, of Nebraska	8	3	.....	.....	.....	12	.....	.....	7	.....	.....	.....	9	.....	12	18	.....	.....	12	.....	.....	.....	.....	162
For Vice President:																								
James S. Sherman, of New York	.....	.....	4	12	39	.....	4	23	.....	4	34	4	.....	4	.....	.....	3	4	.....	5	7	13	3	321
John W. Kern, of Indiana	8	3	.....	.....	.....	12	.....	.....	7	.....	.....	.....	9	.....	12	18	.....	.....	12	.....	.....	.....	.....	162
Total electoral vote	8	3	4	12	39	12	4	23	7	4	34	4	9	4	12	18	3	4	12	5	7	13	3	483

*James S. Sherman died at Utica, N.Y., Oct. 30, 1912, aged 57 years.

ELECTION FOR THE THIRTY-SECOND TERM, 1913–1917

WOODROW WILSON, President; THOMAS RILEY MARSHALL, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.	Neb.
For President:																									
Woodrow Wilson, of New Jersey	12	3	9	2	6	7	3	6	14	4	29	15	13	10	13	10	6	8	18	.....	.....	10	18	4	8
Theodore Roosevelt, of New York	.....	.....	.....	11	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	15	12	.....	.....	.....	.....
William H. Taft, of Ohio	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
For Vice President:																									
Thomas R. Marshall, of Indiana	12	3	9	2	6	7	3	6	14	4	29	15	13	10	13	10	6	8	18	.....	.....	10	18	4	8
Hiram W. Johnson, of California	.....	.....	.....	11	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	15	12	.....	.....	.....	.....
Nicholas M. Butler,* of New York	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	12	3	9	13	6	7	3	6	14	4	29	15	13	10	13	10	6	8	18	15	12	10	18	4	8

Name of candidate	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																								
Woodrow Wilson, of New Jersey	3	4	14	3	45	12	5	24	10	5	.....	5	9	.....	12	20	.....	.....	12	.....	8	13	3	435
Theodore Roosevelt, of New York	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	38	.....	.....	5	.....	.....	.....	.....	.....	7	.....	.....	.....	88
William H. Taft, of Ohio	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4	4	.....	.....	.....	.....	.....	8
For Vice President:	.....																							
Thomas R. Marshall, of Indiana	3	4	14	3	45	12	5	24	10	5	.....	5	9	.....	12	20	.....	.....	12	.....	8	13	3	435
Hiram W. Johnson, of California	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	38	.....	.....	5	.....	.....	.....	.....	.....	7	.....	.....	.....	88
Nicholas M. Butler,* of New York	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4	4	.....	.....	.....	.....	.....	8
Total electoral vote	3	4	14	3	45	12	5	24	10	5	38	5	9	5	12	20	4	4	12	7	8	13	3	531

*After the election, was selected to receive the electoral votes of the States of Utah and Vermont owing to the death of James S. Sherman.

ELECTION FOR THE THIRTY-THIRD TERM, 1917–1921

WOODROW WILSON, President; THOMAS RILEY MARSHALL, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																								
Woodrow Wilson, of New Jersey	12	3	9	13	6	.....	.....	6	14	4	.....	.....	.....	10	13	10	.....	8	.....	.....	.....	10	18	4
Charles E. Hughes, of New York	.....	.....	.....	.....	.....	7	3	.....	.....	.....	29	15	13	.....	.....	.....	6	.....	18	15	12	.....	.....	.....
For Vice President:																								.....
Thomas R. Marshall, of Indiana	12	3	9	13	6	.....	.....	6	14	4	.....	.....	.....	10	13	10	.....	8	.....	.....	.....	10	18	4
Charles W. Fairbanks, of Indiana	.....	.....	.....	.....	.....	7	3	.....	.....	.....	29	15	13	.....	.....	.....	6	.....	18	15	12	.....	.....	.....
Total electoral vote	12	3	9	13	6	7	3	6	14	4	29	15	13	10	13	10	6	8	18	15	12	10	18	4

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																									
Woodrow Wilson, of New Jersey	8	3	4	.....	3	.....	12	5	24	10	.....	.....	.....	9	.....	12	20	4	.....	12	7	1	.....	3	277
Charles E. Hughes, of New York	.....	.....	.....	14	.....	45	.....	.....	.....	.....	5	38	5	.....	5	.....	.....	.....	4	.....	.....	7	13	.....	254
For Vice President:																									
Thomas R. Marshall, of Indiana	8	3	4	.....	3	.....	12	5	24	10	.....	.....	.....	9	.....	12	20	4	.....	12	7	1	.....	3	277
Charles W. Fairbanks, of Indiana	.....	.....	.....	14	.....	45	.....	.....	.....	.....	5	38	5	.....	5	.....	.....	.....	4	.....	.....	7	13	.....	254
Total electoral vote	8	3	4	14	3	45	12	5	24	10	5	38	5	9	5	12	20	4	4	12	7	8	13	3	531

ELECTION FOR THE THIRTY-FOURTH TERM, 1921–1925

WARREN G. HARDING,* President; CALVIN COOLIDGE, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.	Nebr.
For President:																									
Warren G. Harding, of Ohio	.....	3	.....	13	6	7	3	.....	.....	4	29	15	13	10	.....	.....	6	8	18	15	12	.....	18	4	8
James M. Cox, of Ohio	12	.....	9	.....	.....	.....	.....	6	14	.....	.....	.....	.....	.....	13	10	.....	.....	.....	.....	.....	10	.....	.....	.....
For Vice President:																									
Calvin Coolidge, of Massachusetts	.....	3	.....	13	6	7	3	.....	.....	4	29	15	13	10	.....	.....	6	8	18	15	12	.....	18	4	8
Franklin D. Roosevelt, of New York	12	.....	9	.....	.....	.....	.....	6	14	.....	.....	.....	.....	.....	13	10	.....	.....	.....	.....	.....	10	.....	.....	.....
Total electoral vote	12	3	9	13	6	7	3	6	14	4	29	15	13	10	13	10	6	8	18	15	12	10	18	4	8

Name of candidate	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																								
Warren G. Harding, of Ohio	3	4	14	3	45	.....	5	24	10	5	38	5	.....	5	12	.....	4	4	.....	7	8	13	3	404
James M. Cox, of Ohio	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	.....	9	.....	.....	20	.....	.....	12	.....	.....	.....	.....	127
For Vice President:																								
Calvin Coolidge, of Massachusetts	3	4	14	3	45	.....	5	24	10	5	38	5	.....	5	12	.....	4	4	.....	7	8	13	3	404
Franklin D. Roosevelt, of New York	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	.....	9	.....	.....	20	.....	.....	12	.....	.....	.....	.....	127
Total electoral vote	3	4	14	3	45	12	5	24	10	5	38	5	9	5	12	20	4	4	12	7	8	13	3	531

*Warren G. Harding, the twenty-eighth President of the United States, died on Aug. 2, 1923. The duties of the Presidential office devolving, in this event, upon the Vice President, Calvin Coolidge, he accordingly took the oath of office at Plymouth, Vt., on Aug. 3, 1923.

1940

ELECTION FOR THE THIRTY-FIFTH TERM, 1925–1929

CALVIN COOLIDGE, President; CHARLES G. DAWES, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.	Nebr.
For President:																									
Calvin Coolidge, of Massachusetts	.....	3	.....	13	6	7	3	.....	.....	4	29	15	13	10	13	.....	6	8	18	15	12	.....	18	4	8
John W. Davis, of West Virginia	12	.....	9	.....	.....	.....	.....	6	14	.....	.....	.....	.....	.....	.....	10	.....	.....	.....	.....	.....	10	.....	.....	.....
Robert M. La Follette, of Wisconsin	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
For Vice President:																									
Charles G. Dawes, of Illinois	.....	3	.....	13	6	7	3	.....	.....	4	29	15	13	10	13	.....	6	8	18	15	12	.....	18	4	8
Charles W. Bryan, of Nebraska	12	.....	9	.....	.....	.....	.....	6	14	.....	.....	.....	.....	.....	.....	10	.....	.....	.....	.....	.....	10	.....	.....	.....
Burton K. Wheeler, of Montana	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	12	3	9	13	6	7	3	6	14	4	29	15	13	10	13	10	6	8	18	15	12	10	18	4	8

Name of candidate	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																								
Calvin Coolidge, of Massachusetts	3	4	14	3	45	.....	5	24	.....	5	38	5	.....	5	.....	.....	4	4	.....	7	8	.....	3	382
John W. Davis, of West Virginia	.....	.....	.....	.....	.....	12	.....	.....	10	.....	.....	.....	9	.....	12	20	.....	.....	12	.....	.....	.....	.....	136
Robert M. La Follette, of Wisconsin	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	13	.....	13
For Vice President:																								
Charles G. Dawes, of Illinois	3	4	14	3	45	.....	5	24	.....	5	38	5	.....	5	.....	.....	4	4	.....	7	8	.....	3	382
Charles W. Bryan, of Nebraska	.....	.....	.....	.....	.....	12	.....	.....	10	.....	.....	.....	9	.....	12	20	.....	.....	12	.....	.....	.....	.....	136
Burton K. Wheeler, of Montana	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	13	.....	13
Total electoral vote	3	4	14	3	45	12	5	24	10	5	38	5	9	5	12	20	4	4	12	7	8	13	3	531

ELECTION FOR THE THIRTY-SIXTH TERM, 1929–1933

HERBERT C. HOOVER, President; CHARLES CURTIS, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.	Nebr.
For President:																									
Herbert C. Hoover, of California	.....	3	.....	13	6	7	3	6	.....	4	29	15	13	10	13	.....	6	8	.....	15	12	.....	18	4	8
Alfred E. Smith, of New York	12	.....	9	.....	.....	.....	.....	.....	14	.....	.....	.....	.....	.....	.....	10	.....	.....	18	.....	.....	10	.....	.....	.....
For Vice President:																									
Charles Curtis, of Kansas	.....	3	.....	13	6	7	3	6	.....	4	29	15	13	10	13	.....	6	8	.....	15	12	.....	18	4	8
Joseph T. Robinson, of Arkansas	12	.....	9	.....	.....	.....	.....	.....	14	.....	.....	.....	.....	.....	.....	10	.....	.....	18	.....	.....	10	.....	.....	.....
Total electoral vote	12	3	9	13	6	7	3	6	14	4	29	15	13	10	13	10	6	8	18	15	12	10	18	4	8

Name of candidate	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																								
Herbert C. Hoover, of California	3	4	14	3	45	12	5	24	10	5	38	.....	.....	5	12	20	4	4	12	7	8	13	3	444
Alfred E. Smith, of New York	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5	9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	87
For Vice President:																								
Charles Curtis, of Kansas	3	4	14	3	45	12	5	24	10	5	38	.....	.....	5	12	20	4	4	12	7	8	13	3	444
Joseph T. Robinson, of Arkansas	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5	9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	87
Total electoral vote	3	4	14	3	45	12	5	24	10	5	38	5	9	5	12	20	4	4	12	7	8	13	8	531

ELECTION FOR THE THIRTY-SEVENTH TERM, 1933–1937

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																								
Franklin D. Roosevelt, of New York	11	3	9	22	6	.....	.....	7	12	4	29	14	11	9	11	10	.....	8	17	19	11	9	15	4
Herbert C. Hoover, of California	.....	.....	.....	.....	.....	8	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	5	.....	.....	.....	.....	.....	.....	.....
For Vice President:																								
John N. Garner, of Texas	11	3	9	22	6	.....	.....	7	12	4	29	14	11	9	11	10	.....	8	17	19	11	9	15	4
Charles Curtis, of Kansas	.....	.....	.....	.....	.....	8	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	5	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	11	3	9	22	6	8	3	7	12	4	29	14	11	9	11	10	5	8	17	19	11	9	15	4

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																									
Franklin D. Roosevelt, of New York	7	3	.....	16	3	47	13	4	26	11	5	.....	4	8	4	11	23	4	.....	11	8	8	12	3	472
Herbert C. Hoover, of California	.....	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	36	.....	.....	.....	.....	.....	.....	3	.....	.....	.....	.....	.....	59
For Vice President:																									
John N. Garner, of Texas	7	3	.....	16	3	47	13	4	26	11	5	.....	4	8	4	11	23	4	.....	11	8	8	12	3	472
Charles Curtis, of Kansas	.....	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	36	.....	.....	.....	.....	.....	.....	3	.....	.....	.....	.....	.....	59
Total electoral vote	7	3	4	16	3	47	13	4	26	11	5	36	4	8	4	11	23	4	3	11	8	8	12	3	531

ELECTION FOR THE THIRTY-EIGHTH TERM, 1937–1941

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																								
Franklin D. Roosevelt, of New York	11	3	9	22	6	8	3	7	12	4	29	14	11	9	11	10	.....	8	17	19	11	9	15	4
Alfred M. Landon, of Kansas	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5	.....	.....	.....	.....	.....	.....	.....
For Vice President:																								
John N. Garner, of Texas	11	3	9	22	6	8	3	7	12	4	29	14	11	9	11	10	.....	8	17	19	11	9	15	4
Frank Knox, of Illinois	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	11	3	9	22	6	8	3	7	12	4	29	14	11	9	11	10	5	8	17	19	11	9	15	4

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																									
Franklin D. Roosevelt, of New York	7	3	4	16	3	47	13	4	26	11	5	36	4	8	4	11	23	4	.....	11	8	8	12	3	523
Alfred M. Landon, of Kansas	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	.....	.....	.....	.....	.....	8
For Vice President:																									
John N. Garner, of Texas	7	3	4	16	3	47	13	4	26	11	5	36	4	8	4	11	23	4	.....	11	8	8	12	3	523
Frank Knox, of Illinois	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	.....	.....	.....	.....	.....	8
Total electoral vote	7	3	4	16	3	47	13	4	26	11	5	36	4	8	4	11	23	4	3	11	8	8	12	3	531

ELECTION FOR THE THIRTY-NINTH TERM, 1941–1945

FRANKLIN D. ROOSEVELT, President; HENRY A. WALLACE, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																								
Franklin D. Roosevelt, of New York	11	3	9	22	.....	8	3	7	12	4	29	.....	.....	.....	11	10	.....	8	17	.....	11	9	15	4
Wendell L. Willkie, of New York	.....	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	14	11	9	.....	.....	5	.....	.....	19	.....	.....	.....	.....
For Vice President:																								
Henry A. Wallace, of Iowa	11	3	9	22	.....	8	3	7	12	4	29	.....	.....	.....	11	10	.....	8	17	.....	11	9	15	4
Charles L. McNary, of Oregon	.....	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	14	11	9	.....	.....	5	.....	.....	19	.....	.....	.....	.....
Total electoral vote	11	3	9	22	6	8	3	7	12	4	29	14	11	9	11	10	5	8	17	19	11	9	15	4

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																									
Franklin D. Roosevelt, of New York	.....	3	4	16	3	47	13	.....	26	11	5	36	4	8	.....	11	23	4	.....	11	8	8	12	3	449
Wendell L. Willkie, of New York	7	.....	.....	.....	.....	.....	.....	4	.....	.....	.....	.....	.....	.....	4	.....	.....	.....	3	.....	.....	.....	.....	.....	82
For Vice President:																									
Henry A. Wallace, of Iowa	.....	3	4	16	3	47	13	.....	26	11	5	36	4	8	.....	11	23	4	.....	11	9	9	12	3	449
Charles L. McNary, of Oregon	7	.....	.....	.....	.....	.....	.....	4	.....	.....	.....	.....	.....	.....	4	.....	.....	.....	3	.....	.....	.....	.....	.....	82
Total electoral vote	7	3	4	16	3	47	13	4	26	11	5	36	4	8	4	11	23	4	3	11	8	8	12	3	531

ELECTION FOR THE FORTIETH TERM, 1945–1949

FRANKLIN D. ROOSEVELT,* President; HARRY S. TRUMAN, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																								
Franklin D. Roosevelt, of New York	11	4	9	25	.....	8	3	8	12	4	28	.....	.....	.....	11	10	.....	8	16	19	11	9	15	4
Thomas E. Dewey, of New York	.....	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	13	10	8	.....	.....	5	.....	.....	.....	.....	.....	.....	.....
For Vice President:																								
Harry S. Truman, of Missouri	11	4	9	25	.....	8	3	8	12	4	28	.....	.....	.....	11	10	.....	8	16	19	11	9	15	4
John W. Bricker, of Ohio	.....	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	13	10	8	.....	.....	5	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	11	4	9	25	6	8	3	8	12	4	28	13	10	8	11	10	5	8	16	19	11	9	15	4

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																									
Franklin D. Roosevelt, of New York	.....	3	4	16	4	47	14	.....	.....	10	6	35	4	8	.....	12	23	4	.....	11	8	8	.....	.....	432
Thomas E. Dewey, of New York	6	.....	.....	.....	.....	.....	.....	4	25	.....	.....	.....	.....	.....	4	.....	.....	.....	3	.....	.....	.....	12	3	99
For Vice President:																									
Harry S. Truman, of Missouri	.....	3	4	16	4	47	14	.....	.....	10	6	35	4	8	.....	12	23	4	.....	11	8	8	.....	.....	432
John W. Bricker, of Ohio	6	.....	.....	.....	.....	.....	.....	4	25	.....	.....	.....	.....	.....	4	.....	.....	.....	3	.....	.....	.....	12	3	99
Total electoral vote	6	3	4	16	4	47	14	4	25	10	6	35	4	8	4	12	23	4	3	11	8	8	12	3	531

*Franklin D. Roosevelt, the thirty-first President of the United States, died on April 12, 1945. The duties of the Presidential office devolving, in this event, upon the Vice President, Harry S. Truman, he accordingly took the oath of office at Washington, D.C., on April 12, 1945.

ELECTION FOR THE FORTY-FIRST TERM, 1949–1953

HARRY S. TRUMAN, President; ALBEN W. BARKLEY, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																								
Harry S. Truman, of Missouri	.....	4	9	25	6	.....	.....	8	12	4	28	.....	10	.....	11	.....	.....	.....	16	.....	11	.....	15	4
Thomas E. Dewey, of New York	.....	.....	.....	.....	.....	8	3	.....	.....	.....	.....	13	.....	8	.....	.....	5	8	.....	19	.....	.....	.....	.....
J. Strom Thurmond, of South Carolina	11	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	10	.....	.....	.....	.....	.....	9	.....	.....
For Vice President:																								
Alben W. Barkley, of Kentucky	.....	4	9	25	6	.....	.....	8	12	4	28	.....	10	.....	11	.....	.....	.....	16	.....	11	.....	15	4
Earl Warren, of California	.....	.....	.....	.....	.....	8	3	.....	.....	.....	.....	13	.....	8	.....	.....	5	8	.....	19	.....	.....	.....	.....
Fielding L. Wright, of Mississippi	11	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	10	.....	.....	.....	.....	.....	9	.....	.....
Total electoral vote	11	4	9	25	6	8	3	8	12	4	28	13	10	8	11	10	5	8	16	19	11	9	15	4

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																									
Harry S. Truman, of Missouri	.....	3	.....	.....	4	.....	14	.....	25	10	.....	.....	4	.....	.....	11	23	4	.....	11	8	8	12	3	303
Thomas E. Dewey, of New York	6	.....	4	16	.....	47	.....	4	.....	.....	6	35	.....	.....	4	.....	.....	.....	3	.....	.....	.....	.....	.....	189
J. Strom Thurmond, of South Carolina	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	39
For Vice President:																									
Alben W. Barkley, of Kentucky	.....	3	.....	.....	4	.....	14	.....	25	10	.....	.....	4	.....	.....	11	23	4	.....	11	8	8	12	3	303
Earl Warren, of California	6	.....	4	16	.....	47	.....	4	.....	.....	6	35	.....	.....	4	.....	.....	.....	3	.....	.....	.....	.....	.....	189
Fielding L. Wright, of Mississippi	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	39
Total electoral vote	6	3	4	16	4	47	14	4	25	10	6	35	4	8	4	12	23	4	3	11	8	8	12	3	531

ELECTION FOR THE FORTY-SECOND TERM, 1953–1957

DWIGHT D. EISENHOWER, President; RICHARD M. NIXON, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																								
Dwight D. Eisenhower, of New York	.....	4	.....	32	6	8	3	10	.....	4	27	13	10	8	.....	.....	5	9	16	20	11	.....	13	4
Adlai Stevenson, of Illinois	11	.....	8	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	10	10	.....	.....	.....	.....	.....	8	.....	.....
For Vice President:																								
Richard M. Nixon, of California	.....	4	.....	32	6	8	3	10	.....	4	27	13	10	8	.....	.....	5	9	16	20	11	.....	13	4
John Sparkman, of Alabama	11	.....	8	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	10	10	.....	.....	.....	.....	.....	8	.....	.....
Total electoral vote	11	4	8	32	6	8	3	10	12	4	27	13	10	8	10	10	5	9	16	20	11	8	13	4

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N. Mex	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																									
Dwight D. Eisenhower, of New York	6	3	4	16	4	45	.....	4	25	8	6	32	4	.....	4	11	24	4	3	12	9	.....	12	3	442
Adlai Stevenson, of Illinois	.....	.....	.....	.....	.....	.....	14	.....	.....	.....	.....	.....	.....	8	.....	.....	.....	.....	.....	.....	.....	8	.....	.....	89
For Vice President:																									
Richard M. Nixon, of California	6	3	4	16	4	45	.....	4	25	8	6	32	4	.....	4	11	24	4	3	12	9	.....	12	3	442
John Sparkman, of Alabama	.....	.....	.....	.....	.....	.....	14	.....	.....	.....	.....	.....	.....	8	.....	.....	.....	.....	.....	.....	.....	8	.....	.....	89
Total electoral vote	6	3	4	16	4	45	14	4	25	8	6	32	4	8	4	11	24	4	3	12	9	8	12	3	531

1948

ELECTION FOR THE FORTY-THIRD TERM, 1957–1961

DWIGHT D. EISENHOWER, President; RICHARD M. NIXON, Vice President

Name of candidate	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																								
Dwight D. Eisenhower, of Pennsylvania	.....	4	.....	32	6	8	3	10	.....	4	27	13	10	8	10	10	5	9	16	20	11	.....	.....	4
Adlai Stevenson, of Illinois	10	.....	8	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	13	.....
Walter B. Jones, of Alabama	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
For Vice President:																								
Richard M. Nixon, of California	.....	4	.....	32	6	8	3	10	.....	4	27	13	10	8	10	10	5	9	16	20	11	.....	.....	4
Estes Kefauver, of Tennessee	10	.....	8	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	13	.....
Herman Talmadge, of Georgia	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	11	4	8	32	6	8	3	10	12	4	27	13	10	8	10	10	5	9	16	20	11	8	13	4

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																									
Dwight D. Eisenhower, of Pennsylvania	6	3	4	16	4	45	.....	4	25	8	6	32	4	.....	4	11	24	4	3	12	9	8	12	3	457
Adlai Stevenson, of Illinois	.....	.....	.....	.....	.....	.....	14	.....	.....	.....	.....	.....	.....	8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	73
Walter B. Jones, of Alabama	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
For Vice President:																									
Richard M. Nixon, of California	6	3	4	16	4	45	.....	4	25	8	6	32	4	.....	4	11	24	4	3	12	9	8	12	3	457
Estes Kefauver, of Tennessee	.....	.....	.....	.....	.....	.....	14	.....	.....	.....	.....	.....	.....	8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	73
Herman Talmadge, of Georgia	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Total electoral vote	6	3	4	16	4	45	14	4	25	8	6	32	4	8	4	11	24	4	3	12	9	8	12	3	531

ELECTION FOR THE FORTY-FOURTH TERM, 1961–1965

JOHN F. KENNEDY,* President; LYNDON B. JOHNSON, Vice President

Name of candidate	Ala.	Alaska	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Hawaii	Idaho	Ill.	Ind.	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.
For President:																										
John F. Kennedy, of Massachusetts	5	.....	.....	8	.....	.....	8	3	.....	12	3	.....	27	.....	.....	.....	.....	10	.....	9	16	20	11	.....	13	.....
Richard M. Nixon, of California	.....	3	4	.....	32	6	.....	.....	10	.....	.....	4	.....	13	10	8	10	.....	5	.....	.....	.....	.....	.....	.....	.....
Harry F. Byrd, of Virginia	6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	.....	.....
For Vice President:																										
Lyndon B. Johnson, of Texas	5	.....	.....	8	.....	.....	8	3	.....	12	3	.....	27	.....	.....	.....	.....	10	.....	9	16	20	11	.....	13	.....
Henry Cabot Lodge, of Massachusetts	.....	3	4	.....	32	6	.....	.....	10	.....	.....	4	.....	13	10	8	10	.....	5	.....	.....	.....	.....	.....	.....	4
Strom Thurmond, of South Carolina	6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	.....	.....
Barry Goldwater, of Arizona	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total electoral vote	11	3	4	8	32	6	8	3	10	12	3	4	27	13	10	8	10	10	5	9	16	20	11	8	13	4

Name of candidate	Nebr.	Nev.	N.H.	N.J.	N. Mex.	N.Y.	N.C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	R.I.	S.C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	Total
For President:																									
John F. Kennedy, of Massachusetts	.....	3	.....	16	4	45	14	.....	.....	.....	.....	32	4	8	.....	.....	24	.....	.....	.....	.....	8	.....	.....	303
Richard M. Nixon, of California	6	.....	4	.....	.....	.....	.....	4	25	7	6	.....	.....	.....	4	11	.....	4	3	12	9	.....	12	3	219
Harry F. Byrd, of Virginia	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	15
For Vice President:																									
Lyndon B. Johnson, of Texas	.....	3	.....	16	4	45	14	.....	.....	.....	.....	32	4	8	.....	.....	24	.....	.....	.....	.....	8	.....	.....	303
Henry Cabot Lodge, of Massachusetts	6	.....	4	.....	.....	.....	.....	4	25	7	6	.....	.....	.....	4	11	.....	4	3	12	9	.....	12	3	219
Strom Thurmond, of South Carolina	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	14
Barry Goldwater, of Arizona	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Total electoral vote	6	3	4	16	4	45	14	4	25	8	6	32	4	8	4	11	24	4	3	12	9	8	12	3	537

*John F. Kennedy, the thirty-fourth President of the United States, was assassinated on November 22, 1963. The duties of the Presidential office devolving, in this event, upon the Vice President, Lyndon B. Johnson, he accordingly took the oath of office at Dallas, Tex., on November 22, 1963.

ELECTION FOR THE FORTY-FIFTH TERM, 1965–1969

LYNDON B. JOHNSON, President; HUBERT H. HUMPHREY, Vice President

State	Electoral vote of each State	For President		For Vice President	
		Lyndon B. Johnson, of Texas	Barry M. Goldwater, of Arizona	Hubert H. Humphrey, of Minnesota	William E. Miller, of New York
Alabama	10		10		10
Alaska	3	3		3	
Arizona	5		5		5
Arkansas	6	6		6	
California	40	40		40	
Colorado	6	6		6	
Connecticut	8	8		8	
Delaware	3	3		3	
District of Columbia	3	3		3	
Florida	14	14		14	
Georgia	12		12		12
Hawaii	4	4		4	
Idaho	4	4		4	
Illinois	26	26		26	
Indiana	13	13		13	
Iowa	9	9		9	
Kansas	7	7		7	
Kentucky	9	9		9	
Louisiana	10		10		10
Maine	4	4		4	
Maryland	10	10		10	
Massachusetts	14	14		14	
Michigan	21	21		21	
Minnesota	10	10		10	
Mississippi	7		7		7
Missouri	12	12		12	
Montana	4	4		4	
Nebraska	5	5		5	
Nevada	3	3		3	
New Hampshire	4	4		4	
New Jersey	17	17		17	
New Mexico	4	4		4	
New York	43	43		43	
North Carolina	13	13		13	
North Dakota	4	4		4	
Ohio	26	26		26	
Oklahoma	8	8		8	
Oregon	6	6		6	
Pennsylvania	29	29		29	
Rhode Island	4	4		4	
South Carolina	8		8		8
South Dakota	4	4		4	
Tennessee	11	11		11	
Texas	25	25		25	
Utah	4	4		4	
Vermont	3	3		3	
Virginia	12	12		12	
Washington	9	9		9	
West Virginia	7	7		7	
Wisconsin	12	12		12	
Wyoming	3	3		3	
Total	538	486	52	486	52

1951

ELECTION FOR THE FORTY-SIXTH TERM, 1969–1973

RICHARD M. NIXON, President; SPIRO T. AGNEW, Vice President

State	Electoral vote of each State	For President			For Vice President		
		Richard M. Nixon, of New York	Hubert H. Humphrey, of Minnesota	George C. Wallace, of Alabama	Spiro T. Agnew, of Maryland	Edmund S. Muskie, of Maine	Curtis E. LeMay, of California
Alabama	10			10			10
Alaska	3	3			3		
Arizona	5	5			5		
Arkansas	6			6			6
California	40	40			40		
Colorado	6	6			6		
Connecticut	8		8			8	
Delaware	3	3			3		
District of Columbia	3		3			3	
Florida	14	14			14		
Georgia	12			12			12
Hawaii	4		4			4	
Idaho	4	4			4		
Illinois	26	26			26		
Indiana	13	13			13		
Iowa	9	9			9		
Kansas	7	7			7		
Kentucky	9	9			9		
Louisiana	10			10			10
Maine	4		4			4	
Maryland	10		10			10	
Massachusetts	14		14			14	
Michigan	21		21			21	
Minnesota	10		10			10	
Mississippi	7			7			7
Missouri	12	12			12		
Montana	4	4			4		
Nebraska	5	5			5		
Nevada	3	3			3		
New Hampshire	4	4			4		
New Jersey	17	17			17		
New Mexico	4	4			4		
New York	43		43			43	
North Carolina	13	12		1	12		1
North Dakota	4	4			4		
Ohio	26	26			26		
Oklahoma	8	8			8		
Oregon	6	6			6		
Pennsylvania	29		29			29	
Rhode Island	4		4			4	
South Carolina	8	8			8		
South Dakota	4	4			4		
Tennessee	11	11			11		
Texas	25		25			25	
Utah	4	4			4		
Vermont	3	3			3		
Virginia	12	12			12		
Washington	9		9			9	
West Virginia	7		7			7	
Wisconsin	12	12			12		
Wyoming	3	3			3		
Total	538	301	191	46	301	191	46

ELECTION FOR THE FORTY-SEVENTH TERM, 1973–1977 [1]

1952

RICHARD M. NIXON, President; SPIRO T. AGNEW, Vice President

States	Electoral votes of each State	For President			For Vice President		
		Richard M. Nixon, of California	George McGovern, of South Dakota	John Hospers, of California	Spiro T. Agnew, of Maryland	R. Sargent Shriver, of Maryland	Theodora Nathan, of Oregon
Alabama	9	9			9		
Alaska	3	3			3		
Arizona	6	6			6		
Arkansas	6	6			6		
California	45	45			45		
Colorado	7	7			7		
Connecticut	8	8			8		
Delaware	3	3			3		
District of Columbia	3		3			3	
Florida	17	17			17		
Georgia	12	12			12		
Hawaii	4	4			4		
Idaho	4	4			4		
Illinois	26	26			26		
Indiana	13	13			13		
Iowa	8	8			8		
Kansas	7	7			7		
Kentucky	9	9			9		
Louisiana	10	10			10		
Maine	4	4			4		
Maryland	10	10			10		
Massachusetts	14		14			14	
Michigan	21	21			21		
Minnesota	10	10			10		
Mississippi	7	7			7		
Missouri	12	12			12		
Montana	4	4			4		
Nebraska	5	5			5		
Nevada	3	3			3		
New Hampshire	4	4			4		
New Jersey	17	17			17		
New Mexico	4	4			4		
New York	41	41			41		
North Carolina	13	13			13		
North Dakota	3	3			3		
Ohio	25	25			25		
Oklahoma	8	8			8		
Oregon	6	6			6		
Pennsylvania	27	27			27		
Rhode Island	4	4			4		
South Carolina	8	8			8		
South Dakota	4	4			4		
Tennessee	10	10			10		
Texas	26	26			26		
Utah	4	4			4		
Vermont	3	3			3		
Virginia	12	11		1	11		1
Washington	9	9			9		
West Virginia	6	6			6		
Wisconsin	11	11			11		
Wyoming	3	3			3		
Total	538	520	17	1	520	17	1

[1] Spiro T. Agnew resigned as Vice President on Oct. 10, 1973. Gerald R. Ford was sworn in as Vice President on Dec. 6, 1973. Richard M. Nixon resigned as President on Aug. 9, 1974, and Gerald R. Ford was sworn in as President on the same date. Nelson A. Rockefeller was sworn in as Vice President on Dec. 19, 1974.

1953

ELECTION FOR THE FORTY-EIGHTH TERM, 1977–1981

JIMMY CARTER, President; WALTER F. MONDALE, Vice President

States	Electoral votes of each State	For President			For Vice President	
		Jimmy Carter, of Georgia	Gerald R. Ford, of Michigan	Ronald Reagan, of California	Walter F. Mondale, of Minnesota	Robert Dole, of Kansas
Alabama	9	9			9	
Alaska	3		3			3
Arizona	6		6			6
Arkansas	6	6			6	
California	45		45			45
Colorado	7		7			7
Connecticut	8		8			8
Delaware	3	3			3	
District of Columbia	3	3			3	
Florida	17	17			17	
Georgia	12	12			12	
Hawaii	4	4			4	
Idaho	4		4			4
Illinois	26		26			26
Indiana	13		13			13
Iowa	8		8			8
Kansas	7		7			7
Kentucky	9	9			9	
Louisiana	10	10			10	
Maine	4		4			4
Maryland	10	10			10	
Massachusetts	14	14			14	
Michigan	21		21			21
Minnesota	10	10			10	
Mississippi	7	7			7	
Missouri	12	12			12	
Montana	4		4			4
Nebraska	5		5			5
Nevada	3		3			3
New Hampshire	4		4			4
New Jersey	17		17			17
New Mexico	4		4			4
New York	41	41			41	
North Carolina	13	13			13	
North Dakota	3		3			3
Ohio	25	25			25	
Oklahoma	8		8			8
Oregon	6		6			6
Pennsylvania	27	27			27	
Rhode Island	4	4			4	
South Carolina	8	8			8	
South Dakota	4		4			4
Tennessee	10	10			10	
Texas	26	26			26	
Utah	4		4			4
Vermont	3		3			3
Virginia	12		12			12
Washington	9		8	1		9
West Virginia	6	6			6	
Wisconsin	11	11			11	
Wyoming	3		3			3
Total	538	297	240	1	297	241

ELECTION FOR THE FORTY-NINTH TERM, 1981–1985

RONALD REAGAN, President; GEORGE BUSH, Vice President

States	Electoral votes of each State	For President		For Vice President	
		Ronald Reagan, of California	Jimmy Carter, of Georgia	George Bush, of Texas	Walter F. Mondale, of Minnesota
Alabama	9	9		9	
Alaska	3	3		3	
Arizona	6	6		6	
Arkansas	6	6		6	
California	45	45		45	
Colorado	7	7		7	
Connecticut	8	8		8	
Delaware	3	3		3	
District of Columbia	3		3		3
Florida	17	17		17	
Georgia	12		12		12
Hawaii	4		4		4
Idaho	4	4		4	
Illinois	26	26		26	
Indiana	13	13		13	
Iowa	8	8		8	
Kansas	7	7		7	
Kentucky	9	9		9	
Louisiana	10	10		10	
Maine	4	4		4	
Maryland	10		10		10
Massachusetts	14	14		14	
Michigan	21	21		21	
Minnesota	10		10		10
Mississippi	7	7		7	
Missouri	12	12		12	
Montana	4	4		4	
Nebraska	5	5		5	
Nevada	3	3		3	
New Hampshire	4	4		4	
New Jersey	17	17		17	
New Mexico	4	4		4	
New York	41	41		41	
North Carolina	13	13		13	
North Dakota	3	3		3	
Ohio	25	25		25	
Oklahoma	8	8		8	
Oregon	6	6		6	
Pennsylvania	27	27		27	
Rhode Island	4		4		4
South Carolina	8	8		8	
South Dakota	4	4		4	
Tennessee	10	10		10	
Texas	26	26		26	
Utah	4	4		4	
Vermont	3	3		3	
Virginia	12	12		12	
Washington	9	9		9	
West Virginia	6		6		6
Wisconsin	11	11		11	
Wyoming	3	3		3	
Total	538	489	49	489	49

1955

ELECTION FOR THE FIFTIETH TERM, 1985–1989

RONALD REAGAN, President; GEORGE BUSH, Vice President

States	Electoral votes of each State	For President		For Vice President	
		Ronald Reagan, of California	Walter F. Mondale, of Minnesota	George Bush, of Texas	Geraldine A. Ferraro, of New York
Alabama	9	9		9	
Alaska	3	3		3	
Arizona	7	7		7	
Arkansas	6	6		6	
California	47	47		47	
Colorado	8	8		8	
Connecticut	8	8		8	
Delaware	3	3		3	
District of Columbia	3		3		3
Florida	21	21		21	
Georgia	12	12		12	
Hawaii	4	4		4	
Idaho	4	4		4	
Illinois	24	24		24	
Indiana	12	12		12	
Iowa	8	8		8	
Kansas	7	7		7	
Kentucky	9	9		9	
Louisiana	10	10		10	
Maine	4	4		4	
Maryland	10	10		10	
Massachusetts	13	13		13	
Michigan	20	20		20	
Minnesota	10		10		10
Mississippi	7	7		7	
Missouri	11	11		11	
Montana	4	4		4	
Nebraska	5	5		5	
Nevada	4	4		4	
New Hampshire	4	4		4	
New Jersey	16	16		16	
New Mexico	5	5		5	
New York	36	36		36	
North Carolina	13	13		13	
North Dakota	3	3		3	
Ohio	23	23		23	
Oklahoma	8	8		8	
Oregon	7	7		7	
Pennsylvania	25	25		25	
Rhode Island	4	4		4	
South Carolina	8	8		8	
South Dakota	3	3		3	
Tennessee	11	11		11	
Texas	29	29		29	
Utah	5	5		5	
Vermont	3	3		3	
Virginia	12	12		12	
Washington	10	10		10	
West Virginia	6	6		6	
Wisconsin	11	11		11	
Wyoming	3	3		3	
Total	538	525	13	525	13

ELECTION FOR THE FIFTY-FIRST TERM, 1989–1993

GEORGE BUSH, President; DAN QUAYLE, Vice President

States	Electoral votes of each State	For President			For Vice President		
		George Bush of Texas	Michael S. Dukakis of Massachusetts	Lloyd Bentsen of Texas	Dan Quayle of Indiana	Lloyd Bentsen of Texas	Michael S. Dukakis of Massachusetts
Alabama	9	9			9		
Alaska	3	3			3		
Arizona	7	7			7		
Arkansas	6	6			6		
California	47	47			47		
Colorado	8	8			8		
Connecticut	8	8			8		
Delaware	3	3			3		
District of Columbia	3		3			3	
Florida	21	21			21		
Georgia	12	12			12		
Hawaii	4		4			4	
Idaho	4	4			4		
Illinois	24	24			24		
Indiana	12	12			12		
Iowa	8		8			8	
Kansas	7	7			7		
Kentucky	9	9			9		
Louisiana	10	10			10		
Maine	4	4			4		
Maryland	10	10			10		
Massachusetts	13		13			13	
Michigan	20	20			20		
Minnesota	10		10			10	
Mississippi	7	7			7		
Missouri	11	11			11		
Montana	4	4			4		
Nebraska	5	5			5		
Nevada	4	4			4		
New Hampshire	4	4			4		
New Jersey	16	16			16		
New Mexico	5	5			5		
New York	36		36			36	
North Carolina	13	13			13		
North Dakota	3	3			3		
Ohio	23	23			23		
Oklahoma	8	8			8		
Oregon	7		7			7	
Pennsylvania	25	25			25		
Rhode Island	4		4			4	
South Carolina	8	8			8		
South Dakota	3	3			3		
Tennessee	11	11			11		
Texas	29	29			29		
Utah	5	5			5		
Vermont	3	3			3		
Virginia	12	12			12		
Washington	10		10			10	
West Virginia	6		5	1		5	1
Wisconsin	11		11			11	
Wyoming	3	3			3		
Total	538	426	111	1	426	111	1

1957

ELECTION FOR THE FIFTY-SECOND TERM, 1993–1997

WILLIAM J. CLINTON, President; ALBERT GORE, JR., Vice President

States	Electoral votes of each State	For President		For Vice President	
		Bill Clinton of Arkansas	George Bush of Texas	Al Gore of Tennessee	Dan Quayle of Indiana
Alabama	9		9		9
Alaska	3		3		3
Arizona	8		8		8
Arkansas	6	6		6	
California	54	54		54	
Colorado	8	8		8	
Connecticut	8	8		8	
Delaware	3	3		3	
District of Columbia	3	3		3	
Florida	25		25		25
Georgia	13	13		13	
Hawaii	4	4		4	
Idaho	4		4		4
Illinois	22	22		22	
Indiana	12		12		12
Iowa	7	7		7	
Kansas	6		6		6
Kentucky	8	8		8	
Louisiana	9	9		9	
Maine	4	4		4	
Maryland	10	10		10	
Massachusetts	12	12		12	
Michigan	18	18		18	
Minnesota	10	10		10	
Mississippi	7		7		7
Missouri	11	11		11	
Montana	3	3		3	
Nebraska	5		5		5
Nevada	4	4		4	
New Hampshire	4	4		4	
New Jersey	15	15		15	
New Mexico	5	5		5	
New York	33	33		33	
North Carolina	14		14		14
North Dakota	3		3		3
Ohio	21	21		21	
Oklahoma	8		8		8
Oregon	7	7		7	
Pennsylvania	23	23		23	
Rhode Island	4	4		4	
South Carolina	8		8		8
South Dakota	3		3		3
Tennessee	11	11		11	
Texas	32		32		32
Utah	5		5		5
Vermont	3	3		3	
Virginia	13		13		13
Washington	11	11		11	
West Virginia	5	5		5	
Wisconsin	11	11		11	
Wyoming	3		3		3
Total	538	370	168	370	168

ELECTION FOR THE FIFTY-THIRD TERM, 1997–2001

WILLIAM J. CLINTON, President; ALBERT GORE, JR., Vice President

States	Electoral votes of each State	For President		For Vice President	
		Bill Clinton of Arkansas	Bob Dole of Kansas	Al Gore of Tennessee	Jack Kemp of New York
Alabama	9		9		9
Alaska	3		3		3
Arizona	8	8		8	
Arkansas	6	6		6	
California	54	54		54	
Colorado	8		8		8
Connecticut	8	8		8	
Delaware	3	3		3	
District of Columbia	3	3		3	
Florida	25	25		25	
Georgia	13		13		13
Hawaii	4	4		4	
Idaho	4		4		4
Illinois	22	22		22	
Indiana	12		12		12
Iowa	7	7		7	
Kansas	6		6		6
Kentucky	8	8		8	
Louisiana	9	9		9	
Maine	4	4		4	
Maryland	10	10		10	
Massachusetts	12	12		12	
Michigan	18	18		18	
Minnesota	10	10		10	
Mississippi	7		7		7
Missouri	11	11		11	
Montana	3		3		3
Nebraska	5		5		5
Nevada	4	4		4	
New Hampshire	4	4		4	
New Jersey	15	15		15	
New Mexico	5	5		5	
New York	33	33		33	
North Carolina	14		14		14
North Dakota	3		3		3
Ohio	21	21		21	
Oklahoma	8		8		8
Oregon	7	7		7	
Pennsylvania	23	23		23	
Rhode Island	4	4		4	
South Carolina	8		8		8
South Dakota	3		3		3
Tennessee	11	11		11	
Texas	32		32		32
Utah	5		5		5
Vermont	3	3		3	
Virginia	13		13		13
Washington	11	11		11	
West Virginia	5	5		5	
Wisconsin	11	11		11	
Wyoming	3		3		3
Total	538	379	159	379	159

1959 ELECTION FOR THE FIFTY-FOURTH TERM 2001–2005

GEORGE W. BUSH, President; RICHARD CHENEY, Vice President

State	Electoral votes of each State	For President		For Vice President	
		George W. Bush of Texas	Al Gore of Tennessee	Richard Cheney of Wyoming	Joe Lieberman of Connecticut
Alabama	9	9		9	
Alaska	3	3		3	
Arizona	8	8		8	
Arkansas	6	6		6	
California	54		54		54
Colorado	8	8		8	
Connecticut	8		8		8
Delaware	3		3		3
District of Columbia	3		2*		2*
Florida	25	25		25	
Georgia	13	13		13	
Hawaii	4		4		4
Idaho	4	4		4	
Illinois	22		22		22
Indiana	12	12		12	
Iowa	7		7		7
Kansas	6	6		6	
Kentucky	8	8		8	
Louisiana	9	9		9	
Maine	4		4		4
Maryland	10		10		10
Massachusetts	12		12		12
Michigan	18		18		18
Minnesota	10		10		10
Mississippi	7	7		7	
Missouri	11	11		11	
Montana	3	3		3	
Nebraska	5	5		5	
Nevada	4	4		4	
New Hampshire	4	4		4	
New Jersey	15		15		15
New Mexico	5		5		5
New York	33		33		33
North Carolina	14	14		14	
North Dakota	3	3		3	
Ohio	21	21		21	
Oklahoma	8	8		8	
Oregon	7		7		7
Pennsylvania	23		23		23
Rhode Island	4		4		4
South Carolina	8	8		8	
South Dakota	3	3		3	
Tennessee	11	11		11	
Texas	32	32		32	
Utah	5	5		5	
Vermont	3		3		3
Virginia	13	13		13	
Washington	11		11		11
West Virginia	5	5		5	
Wisconsin	11		11		11
Wyoming	3	3		3	
Total	271	271	266	271	266

*The District of Columbia has 3 electoral votes. Two votes were cast for Gore and the third vote was an abstention.

Total Electoral Vote = 538. Total Electoral Vote Needed to Win = 270.

ELECTION FOR THE FIFTY-FIFTH TERM 2005–2009 1960

GEORGE W. BUSH, President; RICHARD CHENEY, Vice President

State	Electoral votes of each State	For President			For Vice President	
		George W. Bush of Texas	John F. Kerry of Massachusetts	John Edwards of North Carolina	Richard B. Cheney of Wyoming	John Edwards of North Carolina
Alabama	9	9			9	
Alaska	3	3			3	
Arizona	10	10			10	
Arkansas	6	6			6	
California	55		55			55
Colorado	9	9			9	
Connecticut	7		7			7
Delaware	3		3			3
District of Columbia	3		3			3
Florida	27	27			27	
Georgia	15	15			15	
Hawaii	4		4			4
Idaho	4	4			4	
Illinois	21		21			21
Indiana	11	11			11	
Iowa	7	7			7	
Kansas	6	6			6	
Kentucky	8	8			8	
Louisiana	9	9			9	
Maine	4		4			4
Maryland	10		10			10
Massachusetts	12		12			12
Michigan	17		17			17
Minnesota	10		9	1		10
Mississippi	6	6			6	
Missouri	11	11			11	
Montana	3	3			3	
Nebraska	5	5			5	
Nevada	5	5			5	
New Hampshire	4		4			4
New Jersey	15		15			15
New Mexico	5	5			5	
New York	31		31			31
North Carolina	15	15			15	
North Dakota	3	3			3	
Ohio	20	20			20	
Oklahoma	7	7			7	
Oregon	7		7			7
Pennsylvania	21		21			21
Rhode Island	4		4			4
South Carolina	8	8			8	
South Dakota	3	3			3	
Tennessee	11	11			11	
Texas	34	34			34	
Utah	5	5			5	
Vermont	3		3			3
Virginia	13	13			13	
Washington	11		11			11
West Virginia	5	5			5	
Wisconsin	10		10			10
Wyoming	3	3			3	
Total	538	286	251	1	286	252

1961 ELECTION FOR THE FIFTY-SIXTH TERM 2009–2013

BARACK OBAMA, President; JOE BIDEN, Vice President

State	Electoral votes of each State	For President		For Vice President	
		Barack Obama of Illinois	John McCain of Arizona	Joe Biden of Delaware	Sarah Palin of Alaska
Alabama	9	.....	9	.....	9
Alaska	3	.....	3	.....	3
Arizona	10	.....	10	.....	10
Arkansas	6	.....	6	.....	6
California	55	55	.....	55	.....
Colorado	9	9	.....	9	.....
Connecticut	7	7	.....	7	.....
Delaware	3	3	.....	3	.....
District of Columbia	3	3	.....	3	.....
Florida	27	27	.....	27	.....
Georgia	15	.....	15	.....	15
Hawaii	4	4	.....	4	.....
Idaho	4	.....	4	.....	4
Illinois	21	21	.....	21	.....
Indiana	11	11	.....	11	.....
Iowa	7	7	.....	7	.....
Kansas	6	.....	6	.....	6
Kentucky	8	.....	8	.....	8
Louisiana	9	.....	9	.....	9
Maine	4	4	.....	4	.....
Maryland	10	10	.....	10	.....
Massachusetts	12	12	.....	12	.....
Michigan	17	17	.....	17	.....
Minnesota	10	10	.....	10	.....
Mississippi	6	.....	6	.....	6
Missouri	11	.....	11	.....	11
Montana	3	.....	3	.....	3
Nebraska	5	1	4	1	4
Nevada	5	5	.....	5	.....
New Hampshire	4	4	.....	4	.....
New Jersey	15	15	.....	15	.....
New Mexico	5	5	.....	5	.....
New York	31	31	.....	31	.....
North Carolina	15	15	.....	15	.....
North Dakota	3	.....	3	.....	3
Ohio	20	20	.....	20	.....
Oklahoma	7	.....	7	.....	7
Oregon	7	7	.....	7	.....
Pennsylvania	21	21	.....	21	.....
Rhode Island	4	4	.....	4	.....
South Carolina	8	.....	8	.....	8
South Dakota	3	.....	3	.....	3
Tennessee	11	.....	11	.....	11
Texas	34	.....	34	.....	34
Utah	5	.....	5	.....	5
Vermont	3	3	.....	3	.....
Virginia	13	13	.....	13	.....
Washington	11	11	.....	11	.....
West Virginia	5	5	.....	5	.....
Wisconsin	10	10	.....	10	.....
Wyoming	3	.....	3	.....	3
Total	538	365	173	365	173

ELECTION FOR THE FIFTY-SEVENTH TERM 2013–2017

1962

BARACK OBAMA, President; JOE BIDEN, Vice President

State	Electoral votes of each State	For President		For Vice President	
		Barack Obama of Illinois	Mitt Romney of Massachusetts	Joe Biden of Delaware	Paul Ryan of Wisconsin
Alabama	9		9		9
Alaska	3		3		3
Arizona	11		11		11
Arkansas	6		6		6
California	55	55		55	
Colorado	9	9		9	
Connecticut	7	7		7	
Delaware	3	3		3	
District of Columbia	3	3		3	
Florida	29	29		29	
Georgia	16		16		16
Hawaii	4	4		4	
Idaho	4		4		4
Illinois	20	20		20	
Indiana	11	11		11	
Iowa	6	6		6	
Kansas	6		6		6
Kentucky	8		8		8
Louisiana	8		8		8
Maine	4	4		4	
Maryland	10	10		10	
Massachusetts	11	11		11	
Michigan	16	16		16	
Minnesota	10	10		10	
Mississippi	6		6		6
Missouri	10		10		10
Montana	3		3		3
Nebraska	5		5		5
Nevada	6	6		6	
New Hampshire	4	4		4	
New Jersey	14	14		14	
New Mexico	5	5		5	
New York	29	29		29	
North Carolina	15	15		15	
North Dakota	3		3		3
Ohio	18	18		18	
Oklahoma	7		7		7
Oregon	7	7		7	
Pennsylvania	20	20		20	
Rhode Island	4	4		4	
South Carolina	9		9		9
South Dakota	3		3		3
Tennessee	11		11		11
Texas	38		38		38
Utah	6		6		6
Vermont	3	3		3	
Virginia	13	13		13	
Washington	12	12		12	
West Virginia	5		5		5
Wisconsin	10	10		10	
Wyoming	3		3		3
Total	538	332	206	332	206

1963

ELECTION FOR THE FIFTY-EIGHTH TERM 2017–2021

DONALD TRUMP, President; MIKE PENCE, Vice President

State	Electoral votes of each State	For President			For Vice President		
		Donald Trump of New York	Hillary Clinton of New York	Other	Mike Pence of Indiana	Tim Kaine of Virginia	Other
Alabama	9	9			9		
Alaska	3	3			3		
Arizona	11	11			11		
Arkansas	6	6			6		
California	55		55			55	
Colorado	9		9			9	
Connecticut	7		7			7	
Delaware	3		3			3	
District of Columbia	3		3			3	
Florida	29	29			29		
Georgia	16	16			16		
Hawaii	4		3	1		3	1
Idaho	4	4			4		
Illinois	20		20			20	
Indiana	11	11			11		
Iowa	6	6			6		
Kansas	6	6			6		
Kentucky	8	8			8		
Louisiana	8	8			8		
Maine	4	1	3		1	3	
Maryland	10		10			10	
Massachusetts	11		11			11	
Michigan	16	16			16		
Minnesota	10		10			10	
Mississippi	6	6			6		
Missouri	10	10			10		
Montana	3	3			3		
Nebraska	5	5			5		
Nevada	6		6			6	
New Hampshire	4		4			4	
New Jersey	14		14			14	
New Mexico	5		5			5	
New York	29		29			29	
North Carolina	15	15			15		
North Dakota	3	3			3		
Ohio	18	18			18		
Oklahoma	7	7			7		
Oregon	7		7			7	
Pennsylvania	20	20			20		
Rhode Island	4		4			4	
South Carolina	9	9			9		
South Dakota	3	3			3		
Tennessee	11	11			11		
Texas	38	36		2	37		1
Utah	6	6			6		
Vermont	3		3			3	
Virginia	13		13			13	
Washington	12		8	4		8	4
West Virginia	5	5			5		
Wisconsin	10	10			10		
Wyoming	3	3			3		
Total	538	304	227	7	305	227	6

JUSTICES OF THE SUPREME COURT, 1789 TO 2020 [1]

Name [2]	State whence appointed	Date of commission [3]	Date service terminated	Years of service
CHIEF JUSTICES				
1. John Jay	New York	Sept. 26, 1789	June 29, 1795	5
2. John Rutledge	South Carolina	July 1, 1795	Dec. 15, 1795	(4)(5)
3. Oliver Ellsworth	Connecticut	Mar. 4, 1796	Dec. 15, 1800	4
4. John Marshall	Virginia	Jan. 31, 1801	July 6, 1835	34
5. Roger Brooke Taney	Maryland	Mar. 15, 1836	Oct. 12, 1864	28
6. Salmon Portland Chase	Ohio	Dec. 6, 1864	May 7, 1873	8
7. Morrison Remick Waite	....do	Jan. 21, 1874	Mar. 23, 1888	14
8. Melville Weston Fuller	Illinois	July 20, 1888	July 4, 1910	21
9. Edward Douglas White	Louisiana	Dec. 12, 1910	May 19, 1921	[5] 10
10. William Howard Taft	Connecticut	June 30, 1921	Feb. 3, 1930	8
11. Charles Evans Hughes	New York	Feb. 13, 1930	June 30, 1941	[5] 11
12. Harlan Fiske Stone	.....do	July 3, 1941	Apr. 22, 1946	[5] 4
13. Fred Moore Vinson	Kentucky	June 21, 1946	Sept. 8, 1953	7
14. Earl Warren	California	Oct. 2, 1953	June 23, 1969	15
15. Warren E. Burger	Virginia	June 23, 1969	Sept. 26, 1986	17
16. William Hubbs Rehnquist	Virginia	Sept. 25, 1986	Sept. 3, 2005	[5] 19
17. John G. Roberts, Jr	Maryland	Sept. 29, 2005	.....	.....
ASSOCIATE JUSTICES				
1. John Rutledge	South Carolina	Sept. 26, 1789	Mar. 5, 1791	1
2. William Cushing	Massachusetts	Sept. 27, 1789	Sept. 13, 1810	20
3. James Wilson	Pennsylvania	Sept. 29, 1789	Aug. 21, 1798	8
4. John Blair	Virginia	Sept. 30, 1789	Jan. 27, 1796	5
5. James Iredell	North Carolina	Feb. 10, 1790	Oct. 20, 1799	9
6. Thomas Johnson	Maryland	Nov. 7, 1791	Feb. 1, 1793	1
7. William Paterson	New Jersey	Mar. 4, 1793	Sept. 9, 1806	13
8. Samuel Chase	Maryland	Jan. 27, 1796	June 19, 1811	15
9. Bushrod Washington	Virginia	Dec. 20, 1798	Nov. 26, 1829	30
10. Alfred Moore	North Carolina	Dec. 10, 1799	Jan. 26, 1804	3
11. William Johnson	South Carolina	Mar. 26, 1804	Aug. 4, 1834	30
12. Henry B. Livingston	New York	Nov. 10, 1806	Mar. 18, 1823	16
13. Thomas Todd	Kentucky	Mar. 3, 1807	Feb. 7, 1826	18
14. Gabriel Duvall	Maryland	Nov. 18, 1811	Jan. 14, 1835	23
15. Joseph Story	Massachusetts	.....do	Sept. 10, 1845	33
16. Smith Thompson	New York	Dec. 9, 1823	Dec. 18, 1843	20
17. Robert Trimble	Kentucky	May 9, 1826	Aug. 25, 1828	2
18. John McLean	Ohio	Mar. 7, 1829	Apr. 4, 1861	31
19. Henry Baldwin	Pennsylvania	Jan. 6, 1830	Apr. 21, 1844	14
20. James Moore Wayne	Georgia	Jan. 9, 1835	July 5, 1867	32
21. Philip Pendleton Barbour	Virginia	Mar. 15, 1836	Feb. 25, 1841	4
22. John Catron	Tennessee	Mar. 8, 1837	May 30, 1865	28
23. John McKinley	Alabama	Sept. 25, 1837	July 19, 1852	14
24. Peter Vivian Daniel	Virginia	Mar. 3, 1841	May 31, 1860	18
25. Samuel Nelson	New York	Feb. 13, 1845	Nov. 28, 1872	27
26. Levi Woodbury	New Hampshire	Sept. 20, 1845	Sept. 4, 1851	5
27. Robert Cooper Grier	Pennsylvania	Aug. 4, 1846	Jan. 31, 1870	23
28. Benjamin Robbins Curtis	Massachusetts	Sept. 22, 1851	Sept. 30, 1857	6
29. John Archibald Campbell	Alabama	Mar. 22, 1853	Apr. 30, 1861	8
30. Nathan Clifford	Maine	Jan. 12, 1858	July 25, 1881	23
31. Noah Haynes Swayne	Ohio	Jan. 24, 1862	Jan. 24, 1881	18
32. Samuel Freeman Miller	Iowa	July 16, 1862	Oct. 13, 1890	28
33. David Davis	Illinois	Dec. 8, 1862	Mar. 4, 1877	14
34. Stephen Johnson Field	California	Mar. 10, 1863	Dec. 1, 1897	34
35. William Strong	Pennsylvania	Feb. 18, 1870	Dec. 14, 1880	10
36. Joseph P. Bradley	New Jersey	Mar. 21, 1870	Jan. 22, 1892	21
37. Ward Hunt	New York	Dec. 11, 1872	Jan. 27, 1882	9

JUSTICES OF THE SUPREME COURT, 1789 TO 2020 [1]—Continued

Name [2]	State whence appointed	Date of commission [3]	Date service terminated	Years of service
38. John Marshall Harlan	Kentucky	Nov. 29, 1877	Oct. 14, 1911	33
39. William Burnham Woods	Georgia	Dec. 21, 1880	May 14, 1887	6
40. Stanley Matthews	Ohio	May 12, 1881	Mar. 22, 1889	7
41. Horace Gray	Massachusetts	Dec. 20, 1881	Sept. 15, 1902	20
42. Samuel Blatchford	New York	Mar. 22, 1882	July 7, 1893	11
43. Lucius Quintus C. Lamar	Mississippi	Jan. 16, 1888	Jan. 23, 1893	5
44. David Josiah Brewer	Kansas	Dec. 18, 1889	Mar. 28, 1910	20
45. Henry Billings Brown	Michigan	Dec. 29, 1890	May 28, 1906	15
46. George Shiras, Jr	Pennsylvania	July 26, 1892	Feb. 23, 1903	10
47. Howell Edmunds Jackson	Tennessee	Feb. 18, 1893	Aug. 8, 1895	2
48. Edward Douglas White	Louisiana	Feb. 19, 1894	Dec. 18, 1910	16
49. Rufus Wheeler Peckham	New York	Dec. 9, 1895	Oct. 24, 1909	13
50. Joseph McKenna	California	Jan. 21, 1898	Jan. 5, 1925	26
51. Oliver Wendell Holmes	Massachusetts	Dec. 4, 1902	Jan. 12, 1932	29
52. William Rufus Day	Ohio	Feb. 23, 1903	Nov. 13, 1922	19
53. William Henry Moody	Massachusetts	Dec. 12, 1906	Nov. 20, 1910	3
54. Horace Harmon Lurton	Tennessee	Dec. 20, 1909	July 12, 1914	4
55. Charles Evans Hughes	New York	May 2, 1910	June 10, 1916	5
56. Willis Van Devanter	Wyoming	Dec. 16, 1910	June 2, 1937	26
57. Joseph Rucker Lamar	Georgia	Dec. 17, 1910	Jan. 2, 1916	4
58. Mahlon Pitney	New Jersey	Mar. 13, 1912	Dec. 31, 1922	10
59. James Clark McReynolds	Tennessee	Aug. 29, 1914	Jan. 31, 1941	26
60. Louis Dembitz Brandeis	Massachusetts	June 1, 1916	Feb. 13, 1939	22
61. John Hessin Clarke	Ohio	July 24, 1916	Sept. 18, 1922	5
62. George Sutherland	Utah	Sept. 5, 1922	Jan. 17, 1938	15
63. Pierce Butler	Minnesota	Dec. 21, 1922	Nov. 16, 1939	16
64. Edward Terry Sanford	Tennessee	Jan. 29, 1923	Mar. 8, 1930	7
65. Harlan Fiske Stone	New York	Feb. 5, 1925	July 2, 1941	16
66. Owen Josephus Roberts	Pennsylvania	May 20, 1930	July 31, 1945	15
67. Benjamin Nathan Cardozo	New York	Mar. 2, 1932	July 9, 1938	6
68. Hugo Lafayette Black	Alabama	Aug. 18, 1937	Sept. 17, 1971	34
69. Stanley Forman Reed	Kentucky	Jan. 27, 1938	Feb. 25, 1957	19
70. Felix Frankfurter	Massachusetts	Jan. 20, 1939	Aug. 28, 1962	23
71. William Orville Douglas	Connecticut	Apr. 15, 1939	Nov. 12, 1975	36
72. Frank Murphy	Michigan	Jan. 18, 1940	July 19, 1949	9
73. James Francis Byrnes	South Carolina	June 25, 1941	Oct. 3, 1942	1
74. Robert Houghwout Jackson	New York	July 11, 1941	Oct. 9, 1954	13
75. Wiley Blount Rutledge	Iowa	Feb. 11, 1943	Sept. 10, 1949	6
76. Harold Hitz Burton	Ohio	Sept. 22, 1945	Oct. 13, 1958	13
77. Thomas Campbell Clark	Texas	Aug. 19, 1949	June 12, 1967	17
78. Sherman Minton	Indiana	Oct. 5, 1949	Oct. 15, 1956	7
79. John Marshall Harlan	New York	Mar. 17, 1955	Sept. 23, 1971	16
80. William J. Brennan, Jr	New Jersey	Oct. 15, 1956	July 20, 1990	34
81. Charles Evans Whittaker	Missouri	Mar. 22, 1957	Mar. 31, 1962	5
82. Potter Stewart	Ohio	Oct. 14, 1958	July 3, 1981	23
83. Byron R. White	Colorado	Apr. 12, 1962	June 28, 1993	31
84. Arthur J. Goldberg	Illinois	Sept. 28, 1962	July 25, 1965	2
85. Abe Fortas	Tennessee	Aug. 11, 1965	May 14, 1969	3
86. Thurgood Marshall	New York	Aug. 30, 1967	Oct. 1, 1991	24
87. Harry A. Blackmun	Minnesota	May 14, 1970	Aug. 3, 1994	24
88. Lewis Franklin Powell, Jr	Virginia	Dec. 9, 1971	June 26, 1987	16
89. William Hubbs Rehnquist	Arizona	Dec. 15, 1971	Sept. 25, 1986	15
90. John Paul Stevens	Illinois	Dec. 17, 1975	June 29, 2010	34
91. Sandra Day O'Connor	Arizona	Sept. 22, 1981	Jan. 31, 2006	26
92. Antonin Scalia	Virginia	Sept. 25, 1986	Feb. 13, 2016	29
93. Anthony M. Kennedy	California	Feb. 18, 1988	July 31, 2013	30
94. David Hackett Souter	New Hampshire	Oct. 29, 1990	June 29, 2009	18
95. Clarence Thomas	Georgia	Oct. 23, 1991	.....	.....
96. Ruth Bader Ginsburg	New York	Aug. 10, 1993	Sept. 18, 2020	27
97. Stephen G. Breyer	Massachusetts	Aug. 3, 1994	.....	.....
98. Samuel A. Alito, Jr	New Jersey	Jan. 31, 2006	.....	.....
99. Sonia M. Sotomayor	New York	Aug. 8, 2009	.....	.....
100. Elena Kagan	Massachusetts	Aug. 7, 2010	.....	.....
101. Neil M. Gorsuch	Colorado	Apr. 10, 2017	.....	.....
102. Brett M. Kavanaugh	Maryland	Oct. 6, 2018	.....	.....
103. Amy Coney Barrett	Indiana	Oct. 26, 2020	.....	.....

[1] SOURCE: Marshal, Supreme Court of the United States.

[2] The acceptance of the appointment and commission by the appointee, as evidenced by the taking of the prescribed oaths, is here implied, otherwise the individual is not carried on this list of the Members of the Court. Examples: Robert Hanson Harrison is not carried, as a letter from President Washington of February 9, 1790, states Harrison declined to serve; neither is Edwin M. Stanton, who died before he could take the necessary steps toward becoming a Member of the Court. Chief Justice Rutledge is included because he took his oaths and presided over the August term of 1795, his name appearing on two opinions of the Court for that term.

[3] Where a Member received two commissions the one entered on the Court's Minutes is here used.

[4] Commissioned July 1, 1795 (during adjournment of Congress); presided at August term, 1795. Nomination rejected by the Senate Dec. 15, 1795.

[5] Also served as Associate Justice.

CABINET OFFICERS, 1789 TO 2019

SECRETARIES OF STATE

Name	Confirmation date[1]	President
1. Thomas Jefferson	Sept. 26, 1789	George Washington.
Do	Mar. 4, 1793	Do.
2. Edmund Randolph	Jan. 2, 1794	Do.
3. Timothy Pickering	Dec. 10, 1795	Do.
Do	Mar. 4, 1797	John Adams.
4. John Marshall	May 13, 1800	Do.
5. James Madison	Mar. 5, 1801	Thomas Jefferson.
Do	Mar. 4, 1805	Do.
6. Robert Smith	Mar. 6, 1809	James Madison.
7. James Monroe	Nov. 25, 1811	Do.[2]
Do	Feb. 28, 1815	Do.
8. John Quincy Adams	Mar. 5, 1817	James Monroe.
9. Henry Clay	Mar. 7, 1825	John Quincy Adams.
10. Martin Van Buren	Mar. 6, 1829	Andrew Jackson.
11. Edward Livingston	Jan. 12, 1832	Do.[3]
12. Louis McLane	May 29, 1833	Do.
13. John Forsyth	June 27, 1834	Do.
Do	Mar. 4, 1837	Martin Van Buren.
14. Daniel Webster	Mar. 5, 1841	William H. Harrison.
Do	Apr. 6, 1841	John Tyler.
15. Abel P. Upshur	Jan. 2, 1844	Do.[4]
16. John C. Calhoun	Mar. 6, 1844	Do.
17. James Buchanan	Mar. 5, 1845	James K. Polk.
18. John M. Clayton	Mar. 7, 1849	Zachary Taylor.
19. Daniel Webster	July 20, 1850	Millard Fillmore.
20. Edward Everett	Dec. 9, 1852	Do.[5]
21. William L. Marcy	Mar. 7, 1853	Franklin Pierce.
22. Lewis Cass	Mar. 6, 1857	James Buchanan.
23. Jeremiah S. Black	Dec. 17, 1860	Do.
24. William H. Seward	Mar. 5, 1861	Abraham Lincoln.
Do	.....	Andrew Johnson.
25. Elihu B. Washburne	Mar. 5, 1869	Ulysses S. Grant.
26. Hamilton Fish	Mar. 11, 1869	Do.
Do	Mar. 17, 1873	Do.
27. William M. Evarts	Mar. 10, 1877	Rutherford B. Hayes.
28. James G. Blaine	Mar. 5, 1881	James A. Garfield.
29. Frederick T. Frelinghuysen	Dec. 12, 1881	Chester A. Arthur.
30. Thomas F. Bayard	Mar. 6, 1885	Grover Cleveland.
31. James G. Blaine	Mar. 5, 1889	Benjamin Harrison.
32. John W. Foster	June 29, 1892	Do.
33. Walter Q. Gresham	Mar. 6, 1893	Grover Cleveland.
34. Richard Olney	Dec. 3, 1895	Do.[6]
35. John Sherman	Mar. 5, 1897	William McKinley.
36. William R. Day	Apr. 26, 1898	Do.
37. John Hay	Dec. 7, 1898	Do.[7]
Do	Mar. 5, 1901	Do.
Do	Mar. 6, 1905	Theodore Roosevelt.
38. Elihu Root	Dec. 6, 1905	Do.[8]
39. Robert Bacon	Jan. 27, 1909	Do.
40. Philander C. Knox	Mar. 5, 1909	William H. Taft.
41. William Jennings Bryan	Mar. 5, 1913	Woodrow Wilson.
42. Robert Lansing	Dec. 13, 1915	Do.[9]
43. Bainbridge Colby	Mar. 22, 1920	Do.
44. Charles Evans Hughes	Mar. 4, 1921	Warren G. Harding.
Do	.....	Calvin Coolidge.
45. Frank B. Kellogg	Feb. 16, 1925	Do.
46. Henry Lewis Stimson	Mar. 5, 1929	Herbert C. Hoover.

SECRETARIES OF STATE—Continued

Name	Confirmation date[1]	President
47. Cordell Hull	Mar. 4, 1933	Franklin D. Roosevelt.
48. Edward R. Stettinius, Jr	Nov. 30, 1944	Do.
49. James F. Byrnes	July 2, 1945	Harry S. Truman.
50. George C. Marshall	Jan. 8, 1947	Do.
51. Dean G. Acheson	Jan. 18, 1949	Do.
52. John Foster Dulles	Jan. 21, 1953	Dwight D. Eisenhower.
53. Christian A. Herter	Apr. 21, 1959	Do.
54. Dean Rusk	Jan. 21, 1961	John F. Kennedy.
Do		Lyndon B. Johnson.
55. William P. Rogers	Jan. 20, 1969	Richard M. Nixon.
56. Henry A. Kissinger	Sept. 20, 1973	Do.
Do		Gerald R. Ford.
57. Cyrus Vance	Jan. 20, 1977	Jimmy Carter.
58. Edmund S. Muskie	May 7, 1980	Do.
59. Alexander Meigs Haig, Jr	Jan. 21, 1981	Ronald Reagan.
60. George P. Shultz	July 15, 1982	Do.
61. James A. Baker III	Jan. 25, 1989	George Bush.
62. Lawrence S. Eagleburger	Dec. 10, 1992	Do.
63. Warren Christopher	Jan. 20, 1993	William J. Clinton.
64. Madeleine K. Albright	Jan. 22, 1997	Do.
65. Colin L. Powell	Jan. 20, 2001	George W. Bush.
66. Condoleeza Rice	Jan. 26, 2005	Do.
67. Hillary Rodham Clinton	Jan. 21, 2009	Barack Obama.
68. John Kerry	Jan. 29, 2013	Do.
69. Rex Tillerson	Feb. 1, 2017	Donald J. Trump.
70. Mike Pompeo	Apr. 26, 2018	Do.

[1] Previous editions of the Senate Manual listed the appointment date for cabinet officers. This edition provides the Senate's confirmation date. If the cabinet officer was appointed and began service during a Senate recess, a footnote provides a beginning service date.
[2] Recess appointment; began service April 2, 1811.
[3] Recess appointment; began service May 24, 1831.
[4] Recess appointment; began service July 24, 1843.
[5] Recess appointment; began service Nov. 6, 1852.
[6] Recess appointment; began service June 8, 1895.
[7] Recess appointment; began service Sept. 30, 1898.
[8] Recess appointment; began service July 19, 1905.
[9] Recess appointment; began service June 24, 1915.

1972

SECRETARIES OF THE TREASURY

Name	Confirmation date	President
1. Alexander Hamilton	Sept. 11, 1789	George Washington.
2. Oliver Wolcott, Jr	Feb. 3, 1795	Do.
Do		John Adams.
3. Samuel Dexter	Dec. 31, 1800	Do.
Do		Thomas Jefferson.
4. Albert Gallatin	Jan. 26, 1802	Do.[1]
Do		James Madison.
5. George W. Campbell	Feb. 9, 1814	Do.
6. Alexander J. Dallas	Oct. 6, 1814	Do.
7. William H. Crawford	Oct. 22, 1816	Do.
Do	Mar. 5, 1817	James Monroe.
8. Richard Rush	Mar. 7, 1825	John Quincy Adams.
9. Samuel D. Ingham	Mar. 6, 1829	Andrew Jackson.
10. Louis McLane	Jan. 13, 1832	Do.[2]
11. William J. Duane		Do.[3]
12. Roger B. Taney		Do.[4]
13. Levi Woodbury	June 27, 1834	Do.
Do		Martin Van Buren.
14. Thomas Ewing	Mar. 5, 1841	William H. Harrison.
Do		John Tyler.
15. Walter Forward	Sept. 13, 1841	Do.
16. John C. Spencer	Mar. 3, 1843	Do.
17. George M. Bibb	June 15, 1844	Do.
Do		James K. Polk.
18. Robert J. Walker	Mar. 5, 1845	Do.
19. William M. Meredith	Mar. 7, 1849	Zachary Taylor.
Do		Millard Fillmore.

SECRETARIES OF THE TREASURY—Continued

Name	Confirmation date	President
20. Thomas Corwin	July 20, 1850	Do.
21. James Guthrie	Mar. 7, 1853	Franklin Pierce.
22. Howell Cobb	Mar. 6, 1857	James Buchanan.
23. Phillip F. Thomas	Dec. 12, 1860	Do.
24. John A. Dix	Jan. 11, 1861	Do.
25. Salmon P. Chase	Mar. 5, 1861	Abraham Lincoln.
26. William Pitt Fessenden	July 1, 1864	Do.
27. Hugh McCulloch	Mar. 7, 1865	Do.
Do		Andrew Johnson.
28. George S. Boutwell	Mar. 11, 1869	Ulysses S. Grant.
29. William A. Richardson	Mar. 17, 1873	Do.
30. Benjamin H. Bristow	June 2, 1874	Do.
31. Lot M. Morrill	June 21, 1876	Do.
Do		Rutherford B. Hayes.
32. John Sherman	Mar. 8, 1877	Do.
33. William Windom	Mar. 5, 1881	James A. Garfield.
Do		Chester A. Arthur.
34. Charles J. Folger	Oct. 27, 1881	Do.
35. Walter Q. Gresham		Do.[5]
36. Hugh McCulloch	Dec. 18, 1884	Do.[6]
Do		Grover Cleveland.
37. Daniel Manning	Mar. 6, 1885	Do.
38. Charles S. Fairchild	Dec. 15, 1887	Do.[7]
Do		Benjamin Harrison.
39. William Windom	Mar. 5, 1889	Do.
40. Charles Foster	Feb. 24, 1891	Do.
Do		Grover Cleveland.
41. John G. Carlisle	Mar. 6, 1893	Do.
Do		William McKinley.
42. Lyman J. Gage	Mar. 5, 1897	Do.
Do	Mar. 5, 1901	Do.
43. Leslie M. Shaw	Jan. 9, 1902	Theodore Roosevelt.
Do	Mar. 6, 1905	Do.
44. George B. Cortelyou	Jan. 15, 1907	Do.
45. Franklin MacVeagh	Mar. 5, 1909	William H. Taft.
46. William G. McAdoo	Mar. 5, 1913	Woodrow Wilson.
47. Carter Glass	Dec. 6, 1918	Do.
48. David Franklin Houston	Jan. 31, 1920	Do.
49. Andrew W. Mellon	Mar. 4, 1921	Warren G. Harding.
Do		Calvin Coolidge.
Do		Herbert C. Hoover.
50. Ogden L. Mills	Feb. 10, 1932	Do.
51. William H. Woodin	Mar. 4, 1933	Franklin D. Roosevelt.
52. Henry Morgenthau, Jr	Jan. 8, 1934	Do.
Do		Harry S. Truman.
53. Fred M. Vinson	July 17, 1945	Do.
54. John W. Snyder	June 11, 1946	Do.
55. George M. Humphrey	Jan. 21, 1953	Dwight D. Eisenhower.
56. Robert B. Anderson	July 2, 1957	Do.
57. Douglas Dillon	Jan. 21, 1961	John F. Kennedy.
Do		Lyndon B. Johnson.
58. Henry H. Fowler	Mar. 25, 1965	Do.
59. Joseph W. Barr	Dec. 21, 1968	Do.[8]
60. David M. Kennedy	Jan. 20, 1969	Richard M. Nixon.
61. John B. Connally	Feb. 8, 1971	Do.
62. George P. Shultz	June 8, 1972	Do.
63. William E. Simon	Apr. 30, 1974	Do.
Do		Gerald R. Ford.
64. W. Michael Blumenthal	Jan. 20, 1977	Jimmy Carter.
65. G. William Miller	Aug. 2, 1979	Do.
66. Donald T. Regan	Jan. 21, 1981	Ronald Reagan.
67. James A. Baker, III	Jan. 29, 1985	Do.
68. Nicholas F. Brady	Sept. 14, 1988	Do.
Do		George Bush.
69. Lloyd Bentsen	Jan. 20, 1993	William J. Clinton.
70. Robert E. Rubin	Jan. 10, 1995	Do.
71. Lawrence H. Summers	July 1, 1999	Do.
72. Paul H. O'Neill	Jan. 20, 2001	George W. Bush.
73. John Snow	Jan. 30, 2003	Do.
74. Henry Paulson	June 28, 2006	Do.
75. Timothy Geithner	Jan. 26, 2009	Barack Obama.

SECRETARIES OF THE TREASURY—Continued

Name	Confirmation date	President
76. Jacob J. Lew	Feb. 27, 2013	Do.
77. Steve Mnuchin	Feb. 13, 2017	Donald J. Trump.

[1] Recess appointment. Began service May 14, 1801.
[2] Recess appointment. Began service Aug. 8, 1831.
[3] Recess appointment that was not submitted to the Senate. Duane served from May 29, 1833, to Sept. 23, 1833.
[4] Recess appointment. Began service Sept. 23, 1833, but was rejected by the Senate on Jun. 24, 1834.
[5] Recess appointment. Served from Sept. 25, 1884, to Oct. 30, 1884.
[6] Recess appointment. Began service on Oct. 31, 1884.
[7] Recess appointment. Began service on Apr. 1, 1887.
[8] Recess appointment. Received new commission Jan. 9, 1969, upon confirmation by the Senate.

1973

SECRETARIES OF DEFENSE*

Name	Confirmation date	President
1. James V. Forrestal	July 26, 1947	Harry S. Truman.
2. Louis A. Johnson	Mar. 23, 1949	Do.
3. George C. Marshall	Sept. 20, 1950	Do.
4. Robert A. Lovett	Sept. 14, 1951	Do.
5. Charles E. Wilson	Jan. 26, 1953	Dwight D. Eisenhower.
6. Neil Hosler McElroy	Aug. 19, 1957	Do.
7. Thomas Sovereign Gates, Jr	Jan. 26, 1960	Do.
8. Robert S. McNamara	Jan. 21, 1961	John F. Kennedy.
Do		Lyndon B. Johnson.
9. Clark M. Clifford	Jan. 30, 1968	Do.
10. Melvin R. Laird	Jan. 20, 1969	Richard M. Nixon.
11. Elliot L. Richardson	Jan. 29, 1973	Do.
12. James R. Schlesinger	June 28, 1973	Do.
Do		Gerald R. Ford.
13. Donald H. Rumsfeld	Nov. 18, 1975	Do.
14. Harold Brown	Jan. 20, 1977	Jimmy Carter.
15. Caspar Willard Weinberger	Jan. 20, 1981	Ronald Reagan.
16. Frank C. Carlucci	Nov. 20, 1987	Do.
17. Richard B. Cheney	Mar. 17, 1989	George Bush.
18. Les Aspin	Jan. 20, 1993	William J. Clinton.
19. William J. Perry	Feb. 3, 1994	Do.
20. William S. Cohen	Jan. 22, 1997	Do.
21. Donald H. Rumsfeld	Jan. 20, 2001	George W. Bush.
22. Robert Gates	Dec. 6, 2006	Do.
Do		Barack Obama.
23. Leon E. Panetta	Jan. 21, 2011	Do.
24. Chuck Hagel	Feb. 26, 2013	Do.
25. Ashton Carter	Feb. 12, 2015	Do.
26. James Mattis	Jan. 20, 2017	Donald J. Trump.
27. Mark Esper	July 23, 2019	Do.

*The National Security Act of 1947, Public Law 253, 80th Cong., approved July 26, 1947, created the office of Secretary of Defense and merged the War and Navy Departments into the National Military Establishment.

1974

SECRETARIES OF WAR*

Name	Confirmation date	President
1. Harry Knox	Sept. 12, 1789	George Washington.
2. Timothy Pickering	Jan. 2, 1795	Do.
3. James McHenry	Jan. 27, 1796	Do.
Do	Mar. 4, 1797	John Adams.
4. Samuel Dexter	May 13, 1800	Do.
5. Roger Griswold	Feb. 3, 1801	Do.
6. Henry Dearborn	Mar. 5, 1801	Thomas Jefferson.
7. William Eustis	Mar. 6, 1809	James Madison.
8. John Armstrong	Jan. 13, 1813	Do.
9. James Monroe	Sept. 27, 1814	Do.
10. William H. Crawford	Mar. 3, 1815	Do.
11. John C. Calhoun	Dec. 15, 1817	James Monroe.[1]

SECRETARIES OF WAR*—Continued

Name	Confirmation date	President
12. James Barbour	Mar. 7, 1825	John Quincy Adams.
13. Peter B. Porter	May 26, 1828	Do.
14. John H. Eaton	Mar. 9, 1829	Andrew Jackson.
15. Lewis Cass	Dec. 30, 1831	Do.[2]
16. Benjamin F. Butter	Mar. 3, 1837	Do.[3]
17. Joel R. Poinsett	Mar. 7, 1837	Martin Van Buren.
18. John Bell	Mar. 5, 1841	William H. Harrison.
Do		John Tyler.
19. John C. Spencer	Dec. 20, 1841	Do.
20. James M. Porter		Do.[4]
21. William Wilkins	Feb. 15, 1844	Do.
22. William L. Marcy	Mar. 5, 1845	James K. Polk.
23. George W. Crawford	Mar. 7, 1849	Zachary Taylor.
24. Charles M. Conard	Aug. 15, 1850	Millard Fillmore.
25. Jefferson Davis	Mar. 7, 1853	Franklin Pierce.
26. John B. Floyd	Mar. 6, 1857	James Buchanan.
27. Joseph Holt	Jan. 18, 1861	Do.
28. Simon Cameron	Mar. 5, 1861	Abraham Lincoln.
29. Edwin M. Stanton	Jan. 15, 1862	Do.
Do		Andrew Johnson.
30. Ulysses S. Grant		Do.[5]
31. John M. Schofield	May 30, 1868	Do.
32. John A. Rawlins	Mar. 11, 1869	Ulysses S. Grant.
33. William T. Sherman		Do.[6]
34. William W. Belknap	Dec. 8, 1869	Do.
Do	Mar. 17, 1873	Do.
35. Alphonso Taft	Mar. 8, 1876	Do.
36. James D. Cameron	May 22, 1876	Do.
37. George W. McCrary	Mar. 10, 1877	Rutherford B. Hayes.
38. Alexander Ramsey	Dec. 10, 1879	Do.
39. Robert T. Lincoln	Mar. 5, 1881	James A. Garfield.
Do		Chester A. Arthur.
40. William C. Endicott	Mar. 6, 1885	Grover Cleveland.
41. Redfield Proctor	Mar. 5, 1889	Benjamin Harrison.
42. Stephen B. Elkins	Dec. 22, 1891	Do.
43. Daniel S. Lamont	Mar. 6, 1893	Grover Cleveland.
44. Russell A. Alger	Mar. 5, 1897	William McKinley.
45. Elihu Root	Dec. 6, 1899	Do.[7]
Do	Mar. 5, 1901	Do.
Do		Theodore Roosevelt.
46. William H. Taft	Jan. 11, 1904	Do.
Do	Mar. 6, 1905	Do.
47. Luke E. Wright	Dec. 9, 1908	Do.[8]
48. Jacob M. Dickinson	Mar. 5, 1909	William H. Taft.
49. Henry Lewis Stimson	May 16, 1911	Do.
50. Lindley M. Garrison	Mar. 5, 1913	Woodrow Wilson.
51. Newton D. Baker	Mar. 7, 1916	Do.
52. John Wingate Weeks	Mar. 4, 1921	Warren G. Harding.
Do		Calvin Coolidge.
53. Dwight F. Davis	Dec. 15, 1925	Do.
54. James William Good	Mar. 5, 1929	Herbert C. Hoover.
55. Patrick J. Hurley	Dec. 9, 1929	Do.
56. George H. Dern	Mar. 4, 1933	Franklin D. Roosevelt.
57. Harry Hines Woodring	May 6, 1937	Do.
58. Henry Lewis Stimson	July 9, 1940	Do.
Do		Harry S. Truman.
59. Robert P. Patterson	Sept. 20, 1945	Do.
60. Kenneth C. Royall	July 19, 1947	Do.

*The National Security Act of 1947, Public Law 253, 80th Cong., approved July 26, 1947, created the office of Secretary of Defense and merged the War and Navy Departments into the National Military Establishment.

[1] Recess appointment. Began service on Oct. 8, 1817.

[2] Recess appointment. Began service on Aug. 1, 1831.

[3] Recess appointment. Began service on Oct. 6, 1836.

[4] Recess appointment. Began service on Mar. 8, 1843, but was rejected by the Senate on Jan. 30, 1844.

[5] Recess appointment. Served ad interim from Aug. 12, 1867, to Jan. 12, 1868.

[6] Recess appointment. Began service on Sept. 9, 1869, but nomination not submitted to Senate.

[7] Recess appointment. Began service on Aug. 1, 1899.

[8] Recess appointment. Began service on July 1, 1908.

ATTORNEYS GENERAL

Name	Confirmation date	President
1. Edmund Randolph	Sept. 26, 1789	George Washington.
2. William Bradford	Jan. 27, 1794	Do.
3. Charles Lee	Dec. 10, 1795	Do.
Do		John Adams.
4. Levi Lincoln	Mar. 5, 1801	Thomas Jefferson.
5. John Breckenridge	Dec. 23, 1805	Do.[1]
6. Caesar A. Rodney	Jan. 20, 1807	Do.
Do		James Madison.
7. William Pinckney	Dec. 11, 1811	Do.
8. Richard Rush	Feb. 10, 1814	Do.
Do		James Monroe.
9. William Wirt	Dec. 15, 1817	Do.[2]
Do		John Quincy Adams.
10. John M. Berrien	Mar. 9, 1829	Andrew Jackson.
11. Roger B. Taney	Dec. 27, 1831	Do.[3]
12. Benjamin F. Butler	June 24, 1834	Do.[4]
Do		Martin Van Buren.
13. Felix Grundy	July 5, 1838	Do.
14. Henry D. Gilpin	Jan. 10, 1840	Do.
15. John J. Crittenden	Mar. 5, 1841	William H. Harrison.
Do		John Tyler.
16. Hugh S. Legare	Sept. 13, 1841	Do.
17. John Nelson	Jan. 2, 1844	Do.[5]
18. John Y. Mason	Mar. 5, 1845	James K. Polk.
19. Nathan Clifford	Dec. 23, 1846	Do.[6]
20. Isaac Toucey	June 21, 1848	Do.
21. Reverdy Johnson	Mar. 7, 1849	Zachary Taylor.
22. John J. Crittenden	July 20, 1850	Millard Fillmore.
23. Caleb Cushing	Mar. 7, 1853	Franklin Pierce.
24. Jeremiah S. Black	Mar. 6, 1857	James Buchanan.
25. Edwin M. Stanton	Dec. 20, 1860	Do.
26. Edward Bates	Mar. 5, 1861	Abraham Lincoln.
27. James Speed	Dec. 12, 1864	Do.
Do		Andrew Johnson.
28. Henry Stanbery	July 23, 1866	Do.[7]
29. William M. Evarts	July 15, 1868	Do.
30. E. Rockwood Hoar	Mar. 5, 1869	Ulysses S. Grant.
31. Amos T. Ackerman	June 23, 1870	Do.
32. George H. Williams	Dec. 14, 1871	Do.
Do	Mar. 17, 1873	Do.
33. Edwards Pierrepont	Dec. 9, 1875	Do.[8]
34. Alphonso Taft	May 22, 1876	Do.
35. Charles Devens	Mar. 10, 1877	Rutherford B. Hayes.
36. Wayne MacVeagh	Mar. 5, 1881	James A. Garfield.
Do		Chester A. Arthur.
37. Benjamin H. Brewster	Dec. 19, 1881	Do.
38. Augustus H. Garland	Mar. 6, 1885	Grover Cleveland.
39. William H. H. Miller	Mar. 5, 1889	Benjamin Harrison.
40. Richard Olney	Mar. 6, 1893	Grover Cleveland.
41. Judson Harmon	Dec. 3, 1895	Do.[9]
42. Joseph McKenna	Mar. 5, 1897	William McKinley.
43. John W. Griggs	Jan. 25, 1898	Do.
Do	Mar. 5, 1901	Do.
44. Philander C. Knox	Dec. 16, 1901	Do.[10]
Do		Theodore Roosevelt.
45. William H. Moody	Dec. 7, 1904	Theodore Roosevelt.[11]
Do	Mar. 6, 1905	Do.
46. Charles J. Bonaparte	Dec. 12, 1906	Do.
47. George W. Wickersham	Mar. 5, 1909	William H. Taft.
48. James Clark McReynolds	Mar. 5, 1913	Woodrow Wilson.
49. Thomas Watt Gregory	Aug. 29, 1914	Do.
50. A. Mitchell Palmer	Aug. 29, 1919	Do.[12]
51. Harry M. Daugherty	Mar. 4, 1921	Warren G. Harding.
Do		Calvin Coolidge.
52. Harlan F. Stone	Apr. 7, 1924	Do.
53. John G. Sargent	Mar. 17, 1925	Do.
54. William DeWitt Mitchell	Mar. 5, 1929	Herbert C. Hoover.
55. Homer S. Cummings	Mar. 4, 1933	Franklin D. Roosevelt.
56. Frank Murphy	Jan. 17, 1939	Do.
57. Robert H. Jackson	Jan. 16, 1940	Do.
58. Francis Biddle	Sept. 5, 1941	Do.
Do		Harry S. Truman.

ATTORNEYS GENERAL—Continued

Name	Confirmation date	President
59. Tom C. Clark	June 14, 1945	Harry S. Truman.
60. J. Howard McGrath	Aug. 18, 1949	Do.
61. James P. McGranery	May 20, 1952	Do.
62. Herbert Brownell, Jr	Jan. 21, 1953	Dwight D. Eisenhower.
63. William P. Rogers	Jan. 27, 1958	Do.
64. Robert F. Kennedy	Jan. 21, 1961	John F. Kennedy.
Do		Lyndon B. Johnson.
65. Nicholas deB. Katzenbach	Feb. 10, 1965	Do.
66. Ramsey Clark	Mar. 2, 1967	Do.
67. John N. Mitchell	Jan. 20, 1969	Richard M. Nixon.
68. Richard G. Kleindienst	June 8, 1972	Do.
69. Elliot L. Richardson	May 23, 1973	Do.
70. William B. Saxbe	Dec. 17, 1973	Do.
Do		Gerald R. Ford.
71. Edward Hirsch Levi	Feb. 5, 1975	Do.
72. Griffin B. Bell	Jan. 25, 1977	Jimmy Carter.
73. Benjamin R. Civiletti	Aug. 1, 1979	Do.
74. William French Smith	Jan. 22, 1981	Ronald Reagan.
75. Edwin Meese III	Feb. 23, 1985	Do.
76. Richard L. Thornburgh	Aug. 11, 1988	Do.
Do		George Bush.
77. William P. Barr	Nov. 20, 1991	Do.
78. Janet Reno	Mar. 11, 1993	William J. Clinton.
79. John D. Ashcroft	Feb. 1, 2001	George W. Bush.
80. Alberto Gonzales	Feb. 3, 2005	Do.
81. Michael Mukasey	Nov. 8, 2007	Do.
82. Eric Holder	Feb. 2, 2009	Barack Obama.
83. Loretta Lynch	Apr. 23, 2015	Do.
84. Jeff Sessions	Feb. 8, 2017	Donald J. Trump
85. William Barr	Feb. 14, 2019	Do.

[1] Recess appointment. Began service Aug. 7, 1805.
[2] Recess appointment. Began service Nov. 15, 1817.
[3] Recess appointment. Began service July 20, 1831.
[4] Recess appointment. Began service Nov. 15, 1833.
[5] Recess appointment. Began service July 1, 1843.
[6] Recess appointment. Began service Oct. 17, 1846.
[7] Stanbery left his position as attorney general to serve as counsel to President Andrew Johnson in his impeachment trial. When Johnson again nominated Stanbery as attorney general after the trial, the Senate rejected the nomination.
[8] Recess appointment. Began service May 15, 1875.
[9] Recess appointment. Began service June 11, 1895.
[10] Recess appointment. Began service April 10, 1901.
[11] Recess appointment. Began service July 1, 1904.
[12] Palmer was nominated Feb. 27, 1919, but the Senate failed to act on the nomination. Wilson appointed him as a recess appointment and he began service on Mar. 5, 1919.

POSTMASTERS GENERAL*

1976

Name	Confirmation date	President
1. Samuel Osgood	Sept. 26, 1789	George Washington.
2. Timothy Pickering	Nov. 7, 1791	Do.[1]
3. Joseph Habersham	Feb. 25, 1795	Do.
Do		John Adams.
Do		Thomas Jefferson.
4. Gideon Granger	Jan. 6, 1802	Do.[2]
Do		James Madison.
5. Return J. Meigs, Jr	Mar. 17, 1814	Do.
Do		James Monroe.
6. John McLean	Dec. 9, 1823	Do.[3]
Do		John Quincy Adams.
7. William T. Barry	Mar. 9, 1829	Andrew Jackson.
8. Amos Kendall	Mar. 15, 1836	Do.[4]
Do		Martin Van Buren.
9. John M. Niles	May 18, 1840	Do.
10. Francis Granger	Mar. 5, 1841	William H. Harrison.
Do		John Tyler.
11. Charles A. Wickliffe	Sept. 13, 1841	Do.
12. Cave Johnson	Mar. 5, 1845	James K. Polk.
13. Jacob Collamer	Mar. 7, 1849	Zachary Taylor.

POSTMASTERS GENERAL*—Continued

Name	Confirmation date	President
14. Nathan K. Hall	July 20, 1850	Millard Fillmore.
15. Samuel D. Hubbard	Aug. 31, 1852	Do.
16. James Campbell	Mar. 7, 1853	Franklin Pierce.
17. Aaron V. Brown	Mar. 6, 1857	James Buchanan.
18. Joseph Holt	Mar. 9, 1859	Do.
19. Horatio King	Feb. 12, 1861	Do.
20. Montgomery Blair	Mar. 5, 1861	Abraham Lincoln.
21. William Dennison	Dec. 8, 1864	Do.
Do	Apr. 15, 1865	Andrew Johnson.
22. Alexander W. Randall	July 25, 1866	Do.
23. John A. Creswell	Mar. 5, 1869	Ulysses S. Grant.
Do	Mar. 17, 1873	Do.
24. James W. Marshal	.....	Do.[5]
25. Marshall Jewell	Dec. 15, 1874	Do.[6]
26. James N. Tyner	July 12, 1876	Do.
27. David M. Key	Mar. 10, 1877	Rutherford B. Hayes.
28. Horace Maynard	June 2, 1880	Do.
29. Thomas L. James	Mar. 5, 1881	James A. Garfield.
Do	Oct. 27, 1881	Chester A. Arthur.
30. Timothy O. Howe	Dec. 20, 1881	Do.
31. Walter Q. Gresham	Dec. 11, 1883	Do.[7]
32. Frank Hatton	Dec. 4, 1884	Do.[8]
33. William F. Vilas	Mar. 6, 1885	Grover Cleveland.
34. Don M. Dickinson	Jan. 16, 1888	Do.
35. John Wanamaker	Mar. 5, 1889	Benjamin Harrison.
36. Wilson S. Bissell	Mar. 6, 1893	Grover Cleveland.
37. William L. Wilson	Mar. 1, 1895	Do.
38. James A. Gary	Mar. 5, 1897	William McKinley.
39. Charles Emory Smith	Apr. 21, 1898	Do.
Do	Mar. 5, 1901	Do.
40. Henry C. Payne	Jan. 9, 1902	Theodore Roosevelt.
41. Robert J. Wynne	Dec. 7, 1904	Do.[9]
42. George B. Cortelyou	Mar. 6, 1905	Do.
43. George von L. Meyer	Jan. 15, 1907	Do.[10]
44. Frank H. Hitchcock	Mar. 5, 1909	William H. Taft.
45. Albert Sidney Burleson	Mar. 5, 1913	Woodrow Wilson.
Do	Jan. 24, 1918	Do.
46. Will H. Hays	Mar. 4, 1921	Warren G. Harding.
47. Hubert Work	Mar. 2, 1922	Do.
48. Harry S. New	Feb. 27, 1923	Do.
Do	.....	Calvin Coolidge.
Do	Mar. 5, 1925	Do.
49. Walter Folger Brown	Mar. 5, 1929	Herbert C. Hoover.
50. James A. Farley	Mar. 4, 1933	Franklin D. Roosevelt.
51. Frank C. Walker	Sept. 6, 1940	Do.
Do	Feb. 5, 1945	Do.
52. Robert E. Hannegan	May 7, 1945	Harry S. Truman.
53. Jesse M. Donaldson	Dec. 15, 1947	Do.
54. Arthur E. Summerfield	Jan. 21, 1953	Dwight D. Eisenhower.
Do	Feb. 4, 1957	Do.
55. J. Edward Day	Jan. 21, 1961	John F. Kennedy.
56. John A. Gronouski	Sept. 24, 1963	Do.
Do	.....	Lyndon B. Johnson.
57. Lawrence F. O'Brien	Sept. 1, 1965	Do.
58. W. Marvin Watson	Apr. 26, 1968	Do.
59. Winton M. Blount	Jan. 21, 1969	Richard M. Nixon.

*The Post Office Department ceased to exist as a Cabinet Department upon the establishment of the United States Postal Service, effective July 1, 1971. Winton M. Blount was the last Postmaster General to be appointed by a President of the United States.

[1] Recess appointment. Began service Aug. 12, 1791.
[2] Recess appointment. Began service Nov. 28, 1791.
[3] Recess appointment. Began service June 26, 1823.
[4] Recess appointment. Began service May 1, 1835.
[5] Recess appointment. Nomination never submitted to Senate. Served July 7, 1874, to Aug. 31, 1874.
[6] Recess appointment. Began service Sept. 1, 1874.
[7] Recess appointment. Began service Apr. 11, 1883.
[8] Recess appointment. Began service Oct. 14, 1884.
[9] Recess appointment. Began service Oct. 10, 1904.
[10] To take effect Mar. 4, 1907.

SECRETARIES OF THE NAVY*

Name	Confirmation date	President
1. Benjamin Stoddert	May 21, 1798	John Adams.
Do		Thomas Jefferson.
2. Robert Smith		Do.[1]
3. Paul Hamilton	Mar. 7, 1809	James Madison.
4. William Jones	Jan. 12, 1813	Do.
5. Benjamin W. Crowninshield	Dec. 19, 1814	Do.
Do		James Monroe.
6. Smith Thompson	Nov. 30, 1818	Do.
7. Samuel L. Southard	Dec. 9, 1823	Do.[2]
Do		John Quincy Adams.
8. John Branch	Mar. 9, 1829	Andrew Jackson.
9. Levi Woodbury	Dec. 27, 1831	Do.[3]
10. Mahlon Dickerson	June 30, 1834	Do.
Do		Martin Van Buren.
11. James K. Paulding	June 20, 1838	Do.
12. George E. Badger	Mar. 5, 1841	William H. Harrison.
Do		John Tyler.
13. Abel P. Upshur	Sept. 13, 1841	Do.
14. David Henshaw		Do.[4]
15. Thomas W. Gilmer	Feb. 15, 1844	Do.
16. John Y. Mason	Mar. 14, 1844	Do.
17. George Bancroft	Mar. 10, 1845	James K. Polk.
18. John Y. Mason	Dec. 17, 1846	Do.[5]
19. William B. Preston	Mar. 7, 1849	Zachary Taylor.
20. William A. Graham	July 20, 1850	Millard Fillmore.
21. John P. Kennedy	July 22, 1852	Do.
22. James C. Dobbin	Mar. 7, 1853	Franklin Pierce.
23. Isaac Toucey	Mar. 6, 1857	James Buchanan.
24. Gideon Welles	Mar. 5, 1861	Abraham Lincoln.
Do		Andrew Johnson.
25. Adolph E. Borie	Mar. 5, 1869	Ulysses S. Grant.
26. George M. Robeson	Dec. 8, 1869	Do.[6]
Do	Mar. 17, 1873	Do.
27. Richard W. Thompson	Mar. 10, 1877	Rutherford B. Hayes.
28. Nathan Goff, Jr	Jan. 6, 1881	Do.
29. William H. Hunt	Mar. 5, 1881	James A. Garfield.
30. William E. Chandler	Apr. 12, 1882	Chester A. Arthur.
31. William C. Whitney	Mar. 6, 1885	Grover Cleveland.
32. Benjamin F. Tracy	Mar. 5, 1889	Benjamin Harrison.
33. Hilary A. Herbert	Mar. 6, 1893	Grover Cleveland.
34. John D. Long	Mar. 5, 1897	William McKinley.
Do	Mar. 5, 1901	Do.
35. William H. Moody	Apr. 29, 1902	Theodore Roosevelt.
36. Paul Morton	Dec. 7, 1904	Do.[7]
Do	Mar. 6, 1905	Do.
37. Charles J. Bonaparte	Dec. 7, 1905	Theodore Roosevelt.[8]
38. Victor H. Metcalf	Dec. 12, 1906	Do.
39. Truman H. Newberry	Dec. 9, 1908	Do.
40. George von L. Meyer	Mar. 5, 1909	William H. Taft.
41. Josephus Daniels	Mar. 5, 1913	Woodrow Wilson.
42. Edwin Denby	Mar. 4, 1921	Warren G. Harding.
Do		Calvin Coolidge.
43. Curtis D. Wilbur	Mar. 18, 1924	Do.
44. Charles Francis Adams	Mar. 5, 1929	Herbert C. Hoover.
45. Claude A. Swanson	Mar. 4, 1933	Franklin D. Roosevelt.
46. Charles Edison	Jan. 11, 1940	Do.
47. Frank Knox	July 10, 1940	Do.
48. James V. Forrestal	May 17, 1944	Do.

*The Navy and War Departments were merged into the National Military Establishment by Public Law 253, 80th Cong., approved July 26, 1947.

[1] Recess appointment. Began service July 27, 1801.
[2] Recess appointment. Began service Sept. 16, 1823.
[3] Recess appointment. Began service May 23, 1831.
[4] Recess appointment. Began service July 24, 1843. Rejected by the Senate on Jan. 15, 1844.
[5] Recess appointment. Began service Sept. 9, 1846.
[6] Recess appointment. Began service June 26, 1869.
[7] Recess appointment. Began service July 1, 1904.
[8] Recess appointment. Began service July 1, 1905.

1978

SECRETARIES OF THE INTERIOR

Name	Confirmation date	President
1. Thomas Ewing	Mar. 7, 1849	Zachary Taylor.
2. Thomas M. T. McKennan	Aug. 15, 1850	Millard Fillmore.
3. Alex H. H. Stuart	Sept. 12, 1850	Do.
4. Robert McClelland	Mar. 7, 1853	Franklin Pierce.
5. Jacob Thompson	Mar. 6, 1857	James Buchanan.
6. Caleb B. Smith	Mar. 5, 1861	Abraham Lincoln.
7. John P. Usher	Jan. 8, 1863	Do.
Do	Apr. 15, 1865	Andrew Johnson.
8. James Harlan	May 15, 1865	Do.[1]
9. Orville H. Browning	July 27, 1866	Do.
10. Jacob D. Cox	Mar. 5, 1869	Ulysses S. Grant.
11. Columbus Delano	Dec. 8, 1870	Do.
Do	Mar. 17, 1873	Do.
12. Zachariah Chandler	Dec. 9, 1875	Do.[2]
13. Carl Schurz	Mar. 10, 1877	Rutherford B. Hayes.
14. Samuel J. Kirkwood	Mar. 5, 1881	James A. Garfield.
15. Henry M. Teller	Apr. 6, 1882	Chester A. Arthur.
16. Lucius Q. C. Lamar	Mar. 6, 1885	Grover Cleveland.
17. William F. Vilas	Jan. 16, 1888	Do.
18. John W. Noble	Mar. 5, 1889	Benjamin Harrison.
19. Hoke Smith	Mar. 6, 1893	Grover Cleveland.
20. David R. Francis	Jan. 18, 1897	Do.[3]
21. Cornelius N. Bliss	Mar. 5, 1897	William McKinley.
22. Ethan Allen Hitchcock	Dec. 21, 1898	Do.
Do	Mar. 5, 1901	Do.
Do	.....	Theodore Roosevelt.
Do	Mar. 6, 1905	Do.
23. James R. Garfield	Jan. 15, 1907	Do.
24. Richard A. Ballinger	Mar. 5, 1909	William H. Taft.
25. Walter L. Fisher	Apr. 17, 1911	Do.
26. Franklin Knight Lane	Mar. 5, 1913	Woodrow Wilson.
27. John Barton Payne	Feb. 28, 1920	Do.
28. Albert Bacon Fall	Mar. 4, 1921	Warren G. Harding.
29. Hubert Work	Feb. 27, 1923	Do.
Do	.....	Calvin Coolidge.
30. Roy O. West	July 20, 1928	Do.
31. Ray Lyman Wilbur	Mar. 5, 1929	Herbert C. Hoover.
32. Harold L. Ickes	Mar. 4, 1933	Franklin D. Roosevelt.
Do	.....	Harry S. Truman.
33. Julius A. Krug	Mar. 5, 1946	Do.
34. Oscar L. Chapman	Jan. 18, 1950	Do.[4]
35. Douglas McKay	Jan. 21, 1953	Dwight D. Eisenhower.
36. Frederick A. Seaton	June 6, 1956	Do.
37. Stewart Lee Udall	Jan. 21, 1961	John F. Kennedy.
Do	.....	Lyndon B. Johnson.
38. Walter J. Hickel	Jan. 23, 1969	Richard M. Nixon.
39. Rogers C. B. Morton	Jan. 28, 1971	Do.
Do	.....	Gerald R. Ford.
40. Stanley K. Hathaway	June 11, 1975	Do.
41. Thomas S. Kleppe	Oct. 9, 1975	Do.
42. Cecil D. Andrus	Jan. 20, 1977	Jimmy Carter.
43. James Gaius Watt	Jan. 22, 1981	Ronald Reagan.
44. William P. Clark	Nov. 18, 1983	Do.
45. Donald P. Hodel	Feb. 6, 1985	Do.
46. Manuel Lujan, Jr	Feb. 2, 1989	George Bush.
47. Bruce Babbitt	Jan. 21, 1993	William J. Clinton.
48. Gale A. Norton	Jan. 30, 2001	George W. Bush.
49. Dirk Kempthorne	May 26, 2006	Do.
50. Ken Salazar	Jan. 20, 2009	Barack Obama.
51. Sally Jewell	Apr. 10, 2013	Do.
52. Ryan Zinke	Mar. 1, 2017	Donald J. Trump.
53. David Bernhardt	Apr. 11, 2019	Do.

[1] Harlan was nominated by Abraham Lincoln and confirmed by the Senate on Mar. 9, 1865, to take effect on May 15, 1865.
[2] Recess appointment. Began service Oct. 19, 1875.
[3] Recess appointment. Began service Sept. 1, 1896.
[4] Recess appointment. Began service Dec. 1, 1949.

1979

SECRETARIES OF AGRICULTURE

Name	Confirmation date	President
1. Norman J. Coleman	Feb. 13, 1889	Grover Cleveland.
2. Jeremiah M. Rusk	Mar. 5, 1889	Benjamin Harrison.
3. Julius Sterling Morton	Mar. 6, 1893	Grover Cleveland.
4. James Wilson	Mar. 5, 1897	William McKinley.
Do	Mar. 5, 1901	Do.
Do	.....	Theodore Roosevelt.
Do	Mar. 6, 1905	Do.
Do	Mar. 5, 1909	William H. Taft.
5. David Franklin Houston	Mar. 5, 1913	Woodrow Wilson.
6. Edwin Thomas Meredith	Jan. 31, 1920	Do.
7. Henry C. Wallace	Mar. 4, 1921	Warren G. Harding.
Do	.....	Calvin Coolidge.
8. Howard M. Gore	Dec. 4, 1924	Do.
9. William M. Jardine	Feb. 17, 1925	Do.
10. Arthur L. Hyde	Mar. 5, 1929	Herbert C. Hoover.
11. Henry A. Wallace	Mar. 4, 1933	Franklin D. Roosevelt.
12. Claude R. Wickard	Aug. 23, 1940	Do.
13. Clinton P. Anderson	June 1, 1945	Harry S. Truman.
14. Charles F. Brannan	May 28, 1948	Do.
15. Ezra Taft Benson	Jan. 21, 1953	Dwight D. Eisenhower.
16. Orville L. Freeman	Jan. 21, 1961	John F. Kennedy.
Do	.....	Lyndon B. Johnson.
17. Clifford M. Hardin	Jan. 20, 1969	Richard M. Nixon.
18. Earl Lauer Butz	Dec. 2, 1971	Do.
Do	.....	Gerald R. Ford.
19. John A. Knebel	Nov. 3, 1976	Do.[1]
20. Bob S. Bergland	Jan. 20, 1977	Jimmy Carter.
21. John R. Block	Jan. 22, 1981	Ronald Reagan.
22. Richard E. Lyng	Mar. 6, 1986	Do.
23. Clayton K. Yeutter	Feb. 8, 1989	George Bush.
24. Edward R. Madigan	Mar. 7, 1991	Do.
25. Mike Espy	Jan. 21, 1993	William J. Clinton.
26. Daniel R. Glickman	Mar. 30, 1995	Do.
27. Ann M. Veneman	Jan. 20, 2001	George W. Bush
28. Mike Johanns	Jan. 20, 2005	Do.
29. Edward Schafer	Jan. 28, 2008	Do.
30. Tom Vilsack	Jan. 20, 2009	Barack Obama.
31. Sonny Perdue	Apr. 24, 2017	Donald J. Trump.

[1] Recess appointment. Nomination not confirmed by the Senate.

SECRETARIES OF COMMERCE AND LABOR* 1980

Name	Confirmation date	President
1. George B. Cortelyou	Feb. 16, 1903	Theodore Roosevelt.
2. Victor H. Metcalf	Dec. 7, 1904	Do.[1]
Do	Mar. 6, 1905	Do
3. Oscar S. Straus	Dec. 12, 1906	Do.
4. Charles Nagel	Mar. 5, 1909	William H. Taft.

*Department of Commerce and Labor abolished Mar. 3, 1913.
[1] Recess appointment. Began service July 1, 1904.

SECRETARIES OF COMMERCE 1981

Name	Confirmation date	President
1. William C. Redfield	Mar. 4, 1913	Woodrow Wilson.
2. Joshua Wills Alexander	Dec. 11, 1919	Do.
3. Herbert C. Hoover	Mar. 4, 1921	Warren G. Harding.
Do	.....	Calvin Coolidge.
4. William F. Whiting	Dec. 11, 1928	Do.[1]
5. Robert Patterson Lamont	Mar. 5, 1929	Herbert C. Hoover.
6. Roy Dikeman Chapin	Dec. 14, 1932	Do.[2]
7. Daniel C. Roper	Mar. 4, 1933	Franklin D. Roosevelt.
8. Harry L. Hopkins	Jan. 23, 1939	Do.
9. Jesse H. Jones	Sept. 14, 1940	Do.

SECRETARIES OF COMMERCE—Continued

Name	Confirmation date	President
10. Henry A. Wallace	Mar. 1, 1945	Do.
11. W. Averell Harriman	Jan. 27, 1947	Harry S. Truman.[3]
12. Charles Sawyer	May 5, 1948	Do.
13. Sinclair Weeks	Jan. 21, 1953	Dwight D. Eisenhower.
14. Lewis L. Strauss		Do.[4]
15. Frederick Henry Mueller	Aug. 6, 1959	Do.
16. Luther H. Hodges	Jan. 21, 1961	John F. Kennedy.
Do		Lyndon B. Johnson.
17. John T. Connor	Jan. 15, 1965	Do.
18. Alexander B. Trowbridge	June 8, 1967	Do.
19. C. R. Smith	Mar. 1, 1968	Do.
20. Maurice H. Stans	Jan. 20, 1969	Richard M. Nixon.
21. Peter G. Peterson	Feb. 21, 1972	Do.
22. Frederick B. Dent	Jan. 18, 1973	Do.
Do		Gerald R. Ford.
23. Rogers C. B. Morton	Apr. 25, 1975	Do.
24. Elliot L. Richardson	Dec. 11, 1975	Do.
25. Juanita M. Kreps	Jan. 20, 1977	Jimmy Carter.
26. Philip M. Klutznick	Dec. 20, 1979	Do.
27. Malcolm Baldrige	Jan. 22, 1981	Ronald Reagan.
28. C. William Verity, Jr	Oct. 13, 1987	Do.
29. Robert A. Mosbacher	Jan. 31, 1989	George Bush.
30. Barbara H. Franklin	Feb. 27, 1992	Do.
31. Ronald H. Brown	Jan. 21, 1993	William J. Clinton.
32. Michael Kantor		Do.[5]
33. William M. Daley	Jan. 30, 1997	Do.
34. Norman Y. Mineta	July 20, 2000	Do.
35. Donald L. Evans	Jan. 20, 2001	George W. Bush.
36. Carlos Gutierrez	Jan. 24, 2005	Do.
37. Gary Locke	Mar. 24, 2009	Barack Obama.
38. John E. Bryson	Oct. 20, 2011	Do.
39. Penny Pritzker	June 25, 2013	Do.
40. Wilbur Ross	Feb. 27, 2017	Donald J. Trump.

[1] Recess appointment. Began service Aug. 22, 1928.
[2] Recess appointment. Began service Aug. 8, 1932.
[3] Recess appointment. Began service Oct. 7, 1946.
[4] Recess appointment. Served from Nov. 13, 1958 to June 30, 1958. Nomination rejected by the Senate (June 18, 1959).
[5] Recess appointment. Served from Apr. 12, 1996 to Jan. 21, 1997.

SECRETARIES OF LABOR

Name	Confirmation date	President
1. William Bauchop Wilson	Mar. 5, 1913	Woodrow Wilson.
2. James J. Davis	Mar. 4, 1921	Warren G. Harding.
Do		Calvin Coolidge.
3. William N. Doak	Dec. 8, 1930	Herbert C. Hoover.
4. Frances Perkins	Mar. 4, 1933	Franklin D. Roosevelt.
5. Lewis B. Schwellenbach	May 31, 1945	Harry S. Truman.
6. Maurice J. Tobin	Jan. 31, 1949	Do.[1]
7. Martin P. Durkin	Jan. 21, 1953	Dwight D. Eisenhower.
8. James P. Mitchell	Jan. 19, 1954	Do.
9. Arthur J. Goldberg	Jan. 21, 1961	John F. Kennedy.
10. W. Willard Wirtz	Sept. 20, 1962	Do.
Do		Lyndon B. Johnson.
11. George P. Shultz	Jan. 20, 1969	Richard M. Nixon.
12. James D. Hodgson	June 17, 1970	Do.
13. Peter J. Brennan	Jan. 31, 1973	Do.
Do		Gerald R. Ford.
14. John T. Dunlop	Mar. 6, 1975	Do.
15. Willie J. Usery, Jr	Feb. 4, 1976	Do.
16. Ray Marshall	Jan. 26, 1977	Jimmy Carter.
17. Raymond J. Donovan	Feb. 3, 1981	Ronald Reagan.
18. William E. Brock III	April 26, 1985	Do.
19. Ann D. McLaughlin	Dec. 11, 1987	Do.
20. Elizabeth H. Dole	Jan. 25, 1989	George Bush.
21. Lynn Martin	Feb. 7, 1991	Do.
22. Robert B. Reich	Jan. 21, 1993	William J. Clinton.

SECRETARIES OF LABOR—Continued

Name	Confirmation date	President
23. Alexis M. Herman	Apr. 30, 1997	Do.
24. Elaine L. Chao	Jan. 29, 2001	George W. Bush.
25. Hilda Solis	Feb. 24, 2009	Barack Obama.
26. Thomas Perez	July 18, 2013	Do.
27. Alexander Acosta	Apr. 27, 2017	Donald J. Trump.
28. Eugene Scalia	Sept. 26, 2017	Do.

[1] Recess appointment. Began service on Aug. 13, 1948.

SECRETARIES OF HEALTH AND HUMAN SERVICES* 1983

Name	Confirmation date	President
1. Oveta Culp Hobby.	Apr. 10, 1953	Dwight D. Eisenhower.
2. Marion B. Folsom	July 20, 1955	Do.
3. Arthur S. Flemming	July 9, 1958	Do.
4. Abraham Ribicoff	Jan. 21, 1961	John F. Kennedy.
5. Anthony J. Celebrezze	July 20, 1962	Do.
Do		Lyndon B. Johnson.
6. John W. Gardner	Aug. 11, 1965	Do.
7. Wilbur J. Cohen	May 9, 1968	Do.
8. Robert H. Finch	Jan. 20, 1969	Richard M. Nixon.
9. Elliot L. Richardson	June 15, 1970	Do.
10. Caspar W. Weinberger	Feb. 8, 1973	Do.
Do		Gerald R. Ford.
11. Forrest David Mathews	July 22, 1975	Do.
12. Joseph A. Califano, Jr	Jan. 24, 1977	Jimmy Carter.
13. Patricia Roberts Harris	July 27, 1979	Do.
14. Richard S. Schweiker	Jan. 21, 1981	Ronald Reagan.
15. Margaret M. Heckler	Mar. 7, 1983	Do.
16. Dr. Otis R. Bowen	Dec. 12, 1985	Do.
17. Dr. Louis W. Sullivan	Mar. 1, 1989	George Bush.
18. Donna E. Shalala	Jan. 21, 1993	William J. Clinton.
19. Tommy G. Thompson	Jan. 24, 2001	George W. Bush.
20. Michael Leavitt	Jan. 26, 2005	Do.
21. Kathleen Sebelius	Apr. 28, 2009	Barack Obama.
22. Sylvia Mathews Burwell	June 5, 2014	Do.
23. Tom Price	Feb. 10, 2017	Donald J. Trump.
24. Alex Azar	Jan. 24, 2018	Do.

*The Department of Health, Education, and Welfare was created by Reorganization Plan No. 1 of 1953, approved Apr. 1, 1953 (67 Stat. 18; 5 U.S.C. 623), which, effective Apr. 11, 1953, abolished the Federal Security Agency and transferred its functions to the new Department. Name changed from Department of Health, Education, and Welfare effective May 4, 1980, pursuant to Executive Order 12212 of May 2, 1980.

SECRETARIES OF HOUSING AND URBAN DEVELOPMENT* 1984

Name	Confirmation date	President
1. Robert C. Weaver	Jan. 17, 1966	Lyndon B. Johnson.
2. Robert C. Wood		Do.[1]
3. George W. Romney	Jan. 20, 1969	Richard M. Nixon.
4. James T. Lynn	Jan. 31, 1973	Do.
Do		Gerald R. Ford.
5. Carla Anderson Hills	Mar. 5, 1975	Do.
6. Patricia Roberts Harris	Jan. 20, 1977	Jimmy Carter.
7. Moon Landrieu	Sept. 12, 1979	Do.
8. Samuel R. Pierce, Jr	Jan. 22, 1981	Ronald Reagan.
9. Jack Kemp	Feb. 2, 1989	George Bush.
10. Henry G. Cisneros	Jan. 21, 1993	William J. Clinton.
11. Andrew Cuomo	Jan. 29, 1997	Do.
12. Mel R. Martinez	Jan. 23, 2001	George W. Bush.
13. Alphonso R. Jackson	Mar. 31, 2004	Do.
14. Steven C. Preston	June 4, 2008	Do.
15. Shaun Donovan	Jan. 20, 2009	Barack Obama.
16. Julián Castro	July 9, 2014	Do.

SECRETARIES OF HOUSING AND URBAN DEVELOPMENT*—Continued

Name	Confirmation date	President
17. Ben Carson	Mar. 2, 2017	Donald J. Trump.

*The Department of Housing and Urban Development was created by Public Law 89–174, approved Sept. 9, 1965.
[1]Recess appointment. Served from Jan. 7, 1969 to Jan. 20, 1969.

1985

SECRETARIES OF TRANSPORTATION*

Name	Confirmation date	President
1. Alan S. Boyd	Jan. 17, 1967	Lyndon B. Johnson.
2. John A. Volpe	Jan. 20, 1969	Richard M. Nixon.
3. Claude S. Brinegar	Jan. 18, 1973	Do.
Do		Gerald R. Ford.
4. William T. Coleman, Jr	Mar. 3, 1975	Do.
5. Brockman Adams	Jan. 20, 1977	Jimmy Carter.
6. Neil Goldschmidt	Sept. 21, 1979	Do.
7. Andrew L. Lewis, Jr	Jan. 22, 1981	Ronald Reagan.
8. Elizabeth Hanford Dole	Feb. 1, 1983	Do.
9. James H. Burnley IV	Nov. 30, 1987	Do.
10. Samuel K. Skinner	Jan. 31, 1989	George Bush.
11. Andrew H. Card, Jr	Feb. 21, 1992	Do.
12. Federico Peña	Jan. 21, 1993	William J. Clinton.
13. Rodney E. Slater	Feb. 6, 1997	Do.
14. Norman Y. Mineta	Jan. 24, 2001	George W. Bush.
15. Mary Peters	Sept. 29, 2006	Do.
16. Ray LaHood	Jan. 22, 2009	Barack Obama.
17. Anthony Foxx	June 27, 2013	Do.
18. Elaine Chao	Jan. 31, 2017	Donald J. Trump.

*The Department of Transportation was created by Public Law 89–670, approved Oct. 15, 1966.

1986

SECRETARIES OF ENERGY*

Name	Confirmation date	President
1. James R. Schlesinger	Aug. 4, 1977	Jimmy Carter.
2. Charles William Duncan, Jr	July 31, 1979	Do.
3. James B. Edwards	Jan. 22, 1981	Ronald Reagan.
4. Donald P. Hodel	Dec. 8, 1982	Do.
5. John S. Herrington	Feb. 6, 1985	Do.
6. James D. Watkins	Mar. 1, 1989	George Bush.
7. Hazel Rollins O'Leary	Jan. 21, 1993	William J. Clinton.
8. Frederico Peña	Mar. 12, 1997	Do.
9. Bill Richardson	July 31, 1998	Do.
10. Spencer Abraham	Jan. 20, 2001	George W. Bush.
11. Sam Bodman	Jan. 31, 2005	Do.
12. Steven Chu	Jan. 20, 2009	Barack Obama.
13. Ernest Moniz	May 16, 2013	Do.
14. Rick Perry	Mar. 2, 2017	Donald J. Trump.
15. Dan R. Brouillette	Dec. 2, 2017	Do.

*The Department of Energy was created by Public Law 95–91, approved Aug. 4, 1977.

1987

SECRETARIES OF EDUCATION*

Name	Confirmation date	President
1. Shirley Mount Hufstedler	Nov. 30, 1979	Jimmy Carter.
2. T.H. Bell	Jan. 22, 1981	Ronald Reagan.
3. William J. Bennett	Feb. 6, 1985	Do.
4. Lauro F. Cavazos	Sept. 20, 1988	Do.
Do		George Bush.
5. Lamar Alexander	Mar. 14, 1991	Do.

SECRETARIES OF EDUCATION*—Continued

Name	Confirmation date	President
6. Richard W. Riley	Jan. 21, 1993	William J. Clinton.
7. Roderick R. Paige	Jan. 20, 2001	George W. Bush.
8. Margaret Spellings	Jan. 20, 2005	Do.
9. Arne Duncan	Jan. 20, 2009	Barack Obama.
10. John King	Mar. 14, 2016	Do.
11. Betsy DeVos	Feb. 7, 2017	Donald J. Trump.

*The Department of Education was created by Public Law 96–88, approved Oct. 17, 1979, and became effective May 4, 1980, pursuant to Executive Order 12212 of May 2, 1980.

SECRETARIES OF VETERANS AFFAIRS* 1988

Name	Confirmation date	President
1. Edward J. Derwinski	Mar. 2, 1989	George Bush.
2. Jesse Brown	Jan. 21, 1993	William J. Clinton.
3. Togo D. West, Jr.	Apr. 28, 1998	Do.[1]
4. Anthony J. Principi	Jan. 23, 2001	George W. Bush.
5. Jim Nicholson	Jan. 26, 2005	Do.
6. James Peake	Dec. 14, 2007	Do.
7. Eric Shinseki	Jan. 20, 2009	Barack Obama.
8. Robert A. McDonald	July 29, 2014	Do.
9. David Shulkin	Feb. 13, 2017	Donald J. Trump.
10. Robert Wilkie	Feb. 13, 2017	Do.

*The Department of Veterans Affairs was created by Public Law 100–527, approved Oct. 25, 1988, which abolished the Veterans Administration and transferred its functions to the new Department, effective Mar. 15, 1989.

[1]Recess appointment. Began service Jan. 2, 1998.

SECRETARIES OF HOMELAND SECURITY* 1989

Name	Confirmation date	President
1. Tom Ridge	Jan. 22, 2003	George W. Bush.
2. Michael Chertoff	Feb. 15, 2005	Do.
3. Janet Napolitano	Jan. 20, 2009	Barack Obama.
4. Jeh Johnson	Dec. 16, 2013	Do.
5. John Kelly	Jan. 30, 2017	Donald J. Trump.
6. Kirstjen Nielsen	Dec. 5, 2017	Do.

*Created by Public Law 107–296, approved Nov. 25, 2002.

[1990]

RATIFICATION [1] OF THE CONSTITUTION BY THE THIRTEEN ORIGINAL STATES

State	Date of ratification of the Constitution	Votes cast		Population at date of ratification	Population, 2000 census	Area in square miles	Remarks
		Yeas	Nays				
Delaware	Dec. 7, 1787	[2] 30	.....	59,096	783,600	2,045	
Pennsylvania	Dec. 12, 1787	46	23	434,373	12,281,054	45,308	
New Jersey	Dec. 18, 1787	[2] 38	.....	184,139	8,414,350	7,787	
Georgia	Jan. 2, 1788	[2] 26	.....	82,548	8,186,453	58,910	Seceded Jan. 19, 1861. Readmitted to representation by the act of July 15, 1870.
Connecticut	Jan. 9, 1788	128	40	238,141	3,405,565	5,018	
Massachusetts	Feb. 6, 1788	187	168	378,787	6,349,097	8,284	
Maryland	Apr. 28, 1788	63	11	319,728	5,296,486	10,460	
South Carolina	May 23, 1788	149	73	249,073	4,012,012	31,113	Seceded Dec. 20, 1860. Readmitted to representation upon ratifying the Fourteenth Amendment, July 9, 1868.
New Hampshire	June 21, 1788	57	46	141,899	1,235,786	9,279	
Virginia	June 25, 1788	89	79	747,610	7,078,515	[3] 40,767	Seceded Apr. 17, 1861. Readmitted to representation by the act of Jan. 26, 1870.
New York	July 26, 1788	30	27	340,120	18,976,457	49,108	
North Carolina	Nov. 21, 1789	184	77	393,751	8,049,313	52,669	Seceded May 21, 1861. Readmitted to representation upon ratifying the Fourteenth Amendment, July 4, 1868.
Rhode Island	May 29, 1790	34	32	68,825	1,048,319	1,212	

[1] The Constitution was adopted by Convention of the States, Sept. 17, 1787, and was subsequently ratified by the several States in the order listed.
[2] Unanimous.
[3] The area of Virginia at the date of ratification was 61,352 square miles, but Dec. 31, 1862, a portion of its territory was set off and admitted into the Union as a free and independent State under the name of West Virginia.

[1991]

STATES ADMITTED INTO THE UNION SINCE ADOPTION OF THE CONSTITUTION

State	Date of admission	Population at time of admission	Population, 2000 census	Area in square miles	Formation
Vermont	Mar. 4, 1791	85,539	608,827	9,614	Formed from a portion of the territory of the State of New York.
Kentucky	June 1, 1792	73,677	4,041,769	40,410	Formed from a portion of the territory of the State of Virginia.
Tennessee	June 1, 1796	77,262	5,689,283	42,144	Formed from territory ceded to the United States by North Carolina. Seceded June 8, 1861. Readmitted to representation by joint resolution of July 24, 1866.
Ohio	Mar. 1, 1803[1]	41,915	11,353,140	41,330	Formed from territory ceded to the United States by the State of Virginia.
Louisiana	Apr. 30, 1812	76,556	4,468,976	47,752	Formed from territory ceded to the United States by France under the Treaty of Paris of Apr. 30, 1803. Seceded Jan. 26, 1861. Readmitted to representation upon ratifying the Fourteenth Amendment, July 9, 1868.
Indiana	Dec. 11, 1816	63,897	6,080,485	36,185	Formed from territory ceded to the United States by the State of Virginia.
Mississippi	Dec. 10, 1817	75,512	2,844,658	47,689	Formed from territory ceded to the United States by the States of Georgia and South Carolina. Seceded Jan. 9, 1861. Readmitted to representation by act of Feb. 23, 1870.
Illinois	Dec. 3, 1818	34,620	12,419,293	56,345	Formed from territory ceded to the United States by the State of Virginia.
Alabama	Dec. 14, 1819	144,317	4,447,100	51,705	Formed from territory ceded to the United States by the States of South Carolina and Georgia. Seceded Jan. 11, 1861. Readmitted to representation upon ratifying the Fourteenth Amendment, July 13, 1868.
Maine	Mar. 15, 1820	298,335	1,274,923	33,265	Formed from a portion of the territory of the State of Massachusetts.
Missouri	Aug. 10, 1821	66,586	5,595,211	69,697	Formed from a portion of the territory ceded to the United States by France, under the name of "Louisiana," by the Treaty of Paris of 1803.
Arkansas	June 15, 1836	52,240	2,673,400	53,187	Formed from a portion of the territory ceded to the United States by France, under the name of "Louisiana," by the Treaty of Paris of 1803. Seceded May 6, 1861. Readmitted to representation upon ratifying the Fourteenth Amendment, June 22, 1868.
Michigan	Jan. 26, 1837	*200,000	9,938,444	58,527	Formed from territory ceded to the United States by the State of Virginia.
Florida	Mar. 3, 1845	54,477	15,982,378	58,664	Formed from territory ceded to the United States by Spain by Treaty of Washington of Feb. 22, 1819. Seceded Jan. 11, 1861. Readmitted to representation upon ratifying the Fourteenth Amendment, June 25, 1868.
Texas	Dec. 29, 1845	*250,000	20,851,820	266,807	This State was originally a part of the Republic of Mexico, but by a successful revolt the people established for themselves an independent republican government, and were subsequently annexed to the United States. Seceded Feb. 1, 1861. Readmitted to representation by the act of Mar. 30, 1870.
Iowa	Dec. 28, 1846	81,920	2,926,324	56,275	Formed from a portion of the Territory of Wisconsin, as the "Territory of Iowa," June 12, 1838.
Wisconsin	May 29, 1848	210,596	5,363,675	56,153	Formed from a portion of the territory of the State of Michigan, as the "Territory of Wisconsin," Apr. 20, 1836.
California	Sept. 9, 1850	107,000	33,871,648	158,706	Formed from territory ceded to the United States by Mexico by the Treaty of Guadalupe Hidalgo of Feb. 2, 1848.
Minnesota	May 11, 1858	150,042	4,919,479	84,402	Formed from a portion of the territory ceded to the United States by France by the Treaty of Paris of Apr. 30, 1803.

STATES ADMITTED INTO THE UNION SINCE ADOPTION OF THE CONSTITUTION—Continued

State	Date of admission	Population at time of admission	Population, 2000 census	Area in square miles	Formation
Oregon	Feb. 14, 1859	52,465	3,421,399	97,073	Formed from territory ceded to the United States by the Treaty with France of Apr. 30, 1803, the Treaty with Spain of Feb. 22, 1819, and the Treaty with Great Britain of June 15, 1846.
Kansas	Jan. 29, 1861	107,206	2,688,418	82,277	Formed from territory ceded to the United States by France by the Treaty of Paris of Apr. 30, 1803, and by the State of Texas, in the settlement of her boundaries, in 1850.
West Virginia	June 20, 1863	376,683	1,808,344	24,232	Formed from a portion of the territory of the State of Virginia.
Nevada	Oct. 31, 1864	*40,000	1,998,257	110,561	Formed from a portion of the territory ceded to the United States by Mexico by the Treaty of Guadalupe Hidalgo of Feb. 2, 1848.
Nebraska	Mar. 1, 1867	*60,000	1,711,263	77,355	Formed from a petition of the territory ceded to the United States by France by the Treaty of Paris of Apr. 30, 1803.
Colorado	Aug. 1, 1876	*150,000	4,301,261	104,091	Formed from portions of the territory ceded to the United States by France by the Treaty of Paris of Apr. 30, 1803 and of that ceded by Mexico by the Treaty of Guadalupe Hidalgo of Feb. 2, 1848.
South Dakota	Nov. 2, 1889	*460,000	754,844	77,116	Formed from a portion of the territory ceded to the United States by France by the Treaty of Paris of Apr. 30, 1803.
North Dakota	Nov. 2, 1889		642,200	70,702	Do.
Montana	Nov. 8, 1889	*112,000	902,195	147,046	Do.
Washington	Nov. 11, 1889	*273,000	5,894,121	68,139	Formed from territory ceded to the United States by France by Treaty of Paris of Apr. 30, 1803. The northern boundary of the territory was settled by a treaty with Great Britain, known as the "Oregon Treaty" of June 15, 1846.
Idaho	July 3, 1890	84,385	1,293,953	83,564	Formed from a portion of the territory ceded to the United States by France by the Treaty of Paris of Apr. 30, 1803.
Wyoming	July 10, 1890	60,705	493,782	97,809	Formed from a portion of the territory ceded to the United States by France by the Treaty of Paris of Apr. 30, 1803.
Utah	Jan. 4, 1896	*241,000	2,233,169	84,899	Formed from a portion of the territory ceded to the United States by Mexico by the Treaty of Guadalupe Hidalgo of Feb. 2, 1848.
Oklahoma	Nov. 16, 1907	*1,414,177	3,450,654	69,956	Formed by the union of Oklahoma Territory and Indian Territory.
New Mexico	Jan. 6, 1912	*338,470	1,819,046	121,593	Formed from a portion of the territory ceded to the United States by Mexico by the Treaty of Guadalupe Hidalgo of Feb. 2, 1848.
Arizona	Feb. 14, 1912	*216,639	5,130,632	114,000	Formed from territory ceded to the United States by Mexico, part by the Treaty of Guadalupe Hidalgo of Feb. 2, 1848, and part by what is known as the "Gadsden Purchase," Dec. 30, 1853.
Alaska	Jan. 3, 1959	*211,000	626,932	591,004	Formed from territory ceded to the United States by Russia by treaty of Mar. 30, 1867.
Hawaii	Aug. 21, 1959	*595,000	1,211,537	6,471	Formed from the territory of the Republic of Hawaii, annexed to the United States by act of Congress of July 7, 1898.

*Estimated.

[1] By Public Law 204 of the 83d Cong., approved Aug. 7, 1953 (67 Stat. 407), Congress corrected an oversight of one-and-one-half centuries and formally admitted the State of Ohio to the Union, setting Mar. 1, 1803, as the effective date of admission.

[1992]

THE DISTRICT OF COLUMBIA

Territory	Date of establishment of territorial government	Population, 2000 census	Area in square miles	Formation
District of Columbia	.....	572,059	69	Established under Art. I, sec. 8, clause 17 of Constitution. Territory originally ceded by Maryland (legislative act of Dec. 23, 1788) and Virginia (legislative act of Dec. 3, 1789). Cessions accepted by Congress by act of July 16, 1790; lines and bounds established by proclamation of President Washington, Mar. 30, 1791. Virginia's cession retroceded by act of Congress July 9, 1846. The government of the District is administered by a Mayor and a 13-member Council, all of whom are elected by the citizens of the District of Columbia. All acts of the council are reviewable by Congress. (Dec. 24, 1973, Pub. L. 93–198.) Pursuant to the District of Columbia Delegate Act the District of Columbia now has a non-voting Delegate to the House of Representatives. (Sept. 22, 1970, Pub. L. 91–405, §§201–206, 84 Stat. 848.)

[1993]

COMMONWEALTH OF PUERTO RICO, THE INSULAR POSSESSIONS, AND TRUST TERRITORY OF THE PACIFIC ISLANDS

Insular possession	Date of establishment of insular government	Population, 2010 census	Area in square miles	Acquisition
Commonwealth of Puerto Rico	July 25, 1952	3,725,789	3,421	Ceded to United States by Spain by the Treaty of Paris, Dec. 10, 1898. The constitution of the Commonwealth was approved July 3, 1952.
Guam	Aug. 1, 1950	159,358	209	Ceded to the United States by Spain by the Treaty of Paris, Dec. 10, 1898.
American Samoa	(1)	55,579	77	Acquired by the United States Feb. 16, 1900, under terms of Tripartite Treaty Dec. 2, 1899. Full sovereignty accepted from native chiefs by United States Feb. 20, 1929.
Virgin Islands	June 22, 1936	106,415	132	By purchase from Denmark, Mar. 3, 1917, for $25,000,000. The Revised Organic Act of 1954 is the basis for the present territorial government.
Trust Territory of the Pacific Islands.	(1)(2)			Occupied during World War II. Placed under the United Nations Trusteeship system in 1947 by agreement with the Security Council of the United Nations.
Northern Mariana Islands	Jan. 9, 1978	53,883	184	Concluded future political status negotiations in 1975 which will establish a commonwealth relationship with the U.S. at termination of the trusteeship. Covenant providing this relationship passed by Congress in March 1976 (Pub. L. 94–241).

[1] Administered under jurisdiction of the Department of the Interior, with a locally drafted constitution and elected governor and legislature.
[2] As of November 3, 1986 the Marshall Islands and the Federal States of Micronesia became freely associated states. The 2015 population of the remaining territory, the Republic of Palau, was 17,661.

[1994]

APPORTIONMENTS OF REPRESENTATIVES

State	1787	1790	1800	1810	1820	1830	1840	1850	1860	1870	1880	1890	1900	1910	1930	1940	1950	1960	1970	1980	1990	2000	2010
Alabama	.....	.....	.....	*1	3	5	7	7	6	8	8	9	9	10	9	9	9	8	7	7	7	7	7
Alaska	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	1	1	1	1	1
Arizona	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	2	2	3	4	5	6	8	9
Arkansas	.....	.....	.....	.....	.....	*1	1	2	3	4	5	6	7	7	7	7	6	4	4	4	4	4	4
California	.....	.....	.....	.....	.....	.....	*2	2	3	4	6	7	8	11	20	23	30	38	43	45	52	53	53
Colorado	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	2	3	4	4	4	4	4	5	6	6	7	7
Connecticut	5	7	7	7	6	6	4	4	4	4	4	4	5	5	6	6	6	6	6	6	6	5	5
Delaware	1	1	1	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Florida	.....	.....	.....	.....	.....	.....	*1	1	1	2	2	2	3	4	5	6	8	12	15	19	23	25	27
Georgia	3	2	4	6	7	9	8	8	7	9	10	11	11	12	10	10	10	10	10	10	11	13	14
Hawaii	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	2	2	2	2	2	2
Idaho	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	1	2	2	2	2	2	2	2	2	2	2
Illinois	.....	.....	.....	*1	1	3	7	9	14	19	20	22	25	27	27	26	25	24	24	22	20	19	18
Indiana	.....	.....	.....	*1	3	7	10	11	11	13	13	13	13	13	12	11	11	11	11	10	10	9	9
Iowa	.....	.....	.....	.....	.....	.....	*2	2	6	9	11	11	11	11	9	8	8	7	6	6	5	5	4
Kansas	.....	.....	.....	.....	.....	.....	.....	.....	1	3	7	8	8	8	7	6	6	5	5	5	4	4	4
Kentucky	.....	2	6	10	12	13	10	10	9	10	11	11	11	11	9	9	8	7	7	7	6	6	6
Louisiana	.....	.....	.....	*1	3	3	4	4	5	6	6	6	7	8	8	8	8	8	8	8	7	7	6
Maine	.....	.....	.....	7	7	8	7	6	3	5	4	4	4	4	3	3	3	2	2	2	2	2	2
Maryland	6	8	9	9	9	8	6	6	5	6	6	6	6	6	6	6	7	8	8	8	8	8	8
Mass.	8	14	17	13	13	12	10	11	10	11	12	13	14	16	15	14	14	12	12	11	10	10	9
Michigan	.....	.....	.....	.....	.....	*1	3	4	6	9	11	12	12	13	17	17	18	19	19	18	16	15	14
Minnesota	.....	.....	.....	.....	.....	.....	.....	*2	2	3	5	7	9	10	9	9	9	8	8	8	8	8	8
Mississippi	.....	.....	.....	*1	1	2	4	5	5	6	7	7	8	8	7	7	6	5	5	5	5	4	4
Missouri	.....	.....	.....	.....	1	2	5	7	9	13	14	15	16	16	13	13	11	10	10	9	9	9	8
Montana	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	1	2	2	2	2	2	2	2	1	1	1
Nebraska	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	3	6	6	6	5	4	4	3	3	3	3	3	3
Nevada	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	1	1	1	1	1	1	1	1	1	2	2	3	4
N. Hamp.	3	4	5	6	6	5	4	3	3	3	2	2	2	2	2	2	2	2	2	2	2	2	2
N. Jersey	4	5	6	6	6	6	5	5	5	7	7	8	10	12	14	14	14	15	15	14	13	13	12
N. Mexico	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	2	2	2	2	3	3	3	3
New York	6	10	17	27	34	40	34	33	31	33	34	34	37	43	45	45	43	41	39	34	31	29	27
N. Carolina	5	10	12	13	13	13	9	8	7	8	9	9	10	10	11	12	12	11	11	11	12	13	13
N. Dakota	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	2	3	2	2	2	2	1	1	1	1	1
Ohio	.....	.....	*1	6	14	19	21	21	19	20	21	21	21	22	24	23	23	24	23	21	19	18	16
Oklahoma	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*5	8	9	8	6	6	6	6	6	5	5
Oregon	.....	.....	.....	.....	.....	.....	.....	*1	1	1	1	2	2	3	3	4	4	4	4	5	5	5	5
Penn.	8	13	18	23	26	28	24	25	24	27	28	30	32	36	34	33	30	27	25	23	21	19	18
Rhode Is.	1	2	2	2	2	2	2	2	2	2	2	2	2	3	2	2	2	2	2	2	2	2	2

APPORTIONMENTS OF REPRESENTATIVES—Continued

State	1787	1790	1800	1810	1820	1830	1840	1850	1860	1870	1880	1890	1900	1910	1930	1940	1950	1960	1970	1980	1990	2000	2010
S. Carolina	5	6	8	9	9	9	7	6	4	5	7	7	7	7	6	6	6	6	6	6	6	6	7
S. Dakota	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*2	2	2	3	2	2	2	2	2	1	1	1	1
Tennessee	.....	*1	3	6	9	13	11	10	8	10	10	10	10	10	9	10	9	9	8	9	9	9	9
Texas	.....	.....	.....	.....	.....	.....	*2	2	4	6	11	13	16	18	21	21	22	23	24	27	30	32	36
Utah	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	2	2	2	2	2	2	3	3	3	4
Vermont	.....	2	4	6	5	5	4	3	3	3	2	2	2	2	1	1	1	1	1	1	1	1	1
Virginia	10	19	22	23	22	21	15	13	11	9	10	10	10	10	9	9	10	10	10	10	11	11	11
Washington	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	2	3	5	6	6	7	7	7	8	9	9	10
W. Virginia	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	4	4	5	6	6	6	6	5	4	4	3	3	3
Wisconsin	.....	.....	.....	.....	.....	.....	*2	3	6	8	9	10	11	11	10	10	10	10	9	9	9	8	8
Wyoming	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	*1	1	1	1	1	1	1	1	1	1	1	1	1
Total	65	106	142	186	213	242	232	237	243	293	332	357	391	435	435	435	437	435	435	435	435	435	435

*Indicates representation of new States admitted after the respective decennial census apportionments.

NOTE: The original apportionment of Representatives was established in 1787 by the Constitution. Subsequent apportionments based on the 1st Census through the 6th Census were as follows (number of census, date of act, and ratio of persons per Representative): 1st, Apr. 14, 1792, 33,000; 2d, Jan. 14, 1802, 33,000; 3d, Dec. 21, 1811, 35,000; 4th, Mar. 7, 1822, 40,000; 5th, May 22, 1832, 47,700; 6th, June 25, 1842, 70,680. Apportionment based on the 7th Census (1850) through the 12th Census (1900) was determined by the Vinton method, and for the 13th Census (1910) and 15th Census (1930) the method of major fractions was employed, there being no reapportionment in 1920. Apportionment based on the 16th Census (1940), through the 21st Census (1990), was determined by the method of equal proportions, a description of which may be found in S. Doc. 304, 76th Cong., 3d sess.

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