

114TH CONGRESS
2D SESSION

S. RES. 583

Amending the Standing Rules of the Senate to ensure that the Senate votes on whether to confirm judicial nominees.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2016

Mr. UDALL submitted the following resolution; which was referred to the Committee on Rules and Administration

RESOLUTION

Amending the Standing Rules of the Senate to ensure that the Senate votes on whether to confirm judicial nominees.

1 *Resolved,*

2 **SECTION 1. VOTES ON JUDICIAL NOMINEES.**

3 Rule XXXI of the Standing Rules of the Senate is
4 amended by adding at the end the following:

5 “8. (a) Not later than 180 days after the date on
6 which a judicial nomination made by the President is re-
7 ceived, the Senate shall vote on—

8 “(1) whether the Senate will advise and consent
9 to the judicial nomination; or

1 “(2) a motion to invoke cloture on the judicial
2 nomination.

3 “(b) Except as provided in subparagraph (c), if the
4 Senate does not vote on whether the Senate will advise
5 and consent to a judicial nomination or a motion to invoke
6 cloture on the judicial nomination during the period de-
7 scribed in subparagraph (a), on the first day on which the
8 Senate is in session after the end of the period described
9 in subparagraph (a)—

10 “(1) if the judicial nomination was referred to
11 a committee and has not been reported, the com-
12 mittee shall be discharged from further consider-
13 ation of the judicial nomination and the judicial
14 nomination shall be placed on the calendar without
15 any intervening action or debate;

16 “(2) the Senate shall proceed to the judicial
17 nomination without any intervening action or debate;

18 “(3) the Senate shall proceed to the question ‘Is
19 it the sense of the Senate that the debate shall be
20 brought to a close?’ with respect to the judicial nom-
21 ination, in the same manner as if a motion to invoke
22 cloture had been made under rule XXII, except that
23 there shall be not more than 4 hours of debate on
24 such question; and

1 “(4) it shall not be in order to move to proceed
2 to the consideration of any other matter until such
3 question is disposed of.

4 “(c) Subparagraph (b) shall not apply to a judicial
5 nomination if, before the end of the period described in
6 subparagraph (a), the committee to which the judicial
7 nomination has been referred votes to report the judicial
8 nomination unfavorably.

9 “(d) In this paragraph, the term ‘judicial nomination’
10 means the nomination of an individual to serve as a judge
11 or justice appointed to hold office during good behavior.”.

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