

115TH CONGRESS
2D SESSION

S. RES. 725

Modifying extended debate in the Senate to improve the legislative process.

IN THE SENATE OF THE UNITED STATES

DECEMBER 13, 2018

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

RESOLUTION

Modifying extended debate in the Senate to improve the
legislative process.

1 *Resolved,*

2 **SECTION 1. EXTENDED DEBATE.**

3 Paragraph 2 of rule XXII of the Standing Rules of
4 the Senate is amended by striking the second undesig-
5 nated paragraph and inserting the following:

6 “‘Is it the sense of the Senate that the debate shall
7 be brought to a close?’ And unless that question shall be
8 decided in the negative by one more than two-fifths of the
9 Senators duly chosen and sworn (except on a measure or
10 motion to amend the Senate rules, in which case the nec-
11 essary vote shall be two-thirds of the Senators present and

1 voting in the affirmative, a quorum being present), then
2 cloture has been invoked.

3 “If that question is on disposition of a bill or joint
4 resolution, a resolution or concurrent resolution, a sub-
5 stitute amendment for a bill or resolution, a motion with
6 respect to amendments between the Houses, a conference
7 report, or advice and consent to a nomination or treaty,
8 and if such question shall be decided in the affirmative
9 by a majority of Senators voting, a quorum being present,
10 and in the negative by more than two-fifths of the Sen-
11 ators duly chosen and sworn (or in the affirmative by less
12 than two-thirds of the Senators voting, a quorum being
13 present, in the case of a measure or motion to amend the
14 Senate rules), then it shall be in order for the Majority
15 Leader (or his or her designee) to initiate a period of ex-
16 tended debate upon the measure, motion, or other matter
17 pending before the Senate, or the unfinished business, in
18 relation to which the motion to close debate was offered,
19 in which case the period of extended debate shall begin
20 one hour later.

21 “During a period of extended debate, such measure,
22 motion, or other matter pending before the Senate, or the
23 unfinished business, shall be the unfinished business to the
24 exclusion of all other business, except on action or motion
25 by the Majority Leader (or his or her designee).

1 “During a period of extended debate it shall not be
2 in order for a Senator other than the Majority Leader (or
3 his or her designee) to raise a question as to the presence
4 of a quorum, except immediately prior to a vote or when
5 it has been more than forty-eight hours since a quorum
6 was demonstrated. If upon a roll call it shall be ascer-
7 tained that a quorum is not present, then the Senate shall
8 adjourn to a time previously decided by order of the Sen-
9 ate or, if no such time has been established, then to a
10 time certain determined by the Majority Leader, after con-
11 sultation with the Minority Leader.

12 “During a period of extended debate a motion to ad-
13 journ or recess shall not be in order, unless made by the
14 Majority Leader (or his or her designee) or if the absence
15 of a quorum has been demonstrated. Notwithstanding
16 paragraph 1 of rule XIX, there shall be no limit to the
17 number of times a Senator may speak upon any question
18 during a period of extended debate.

19 “If, during the course of extended debate, the Pre-
20 siding Officer puts any question to a vote, the Majority
21 Leader (or his or her designee) may postpone any such
22 vote, which shall occur at a time determined by the Major-
23 ity Leader, after consultation with the Minority Leader,
24 but not later than the time at which a quorum is next
25 demonstrated.

1 “If at any time during a period of extended debate
2 no Senator seeks recognition, then the Presiding Officer
3 shall inquire as to whether any Senator seeks recognition.
4 If no Senator seeks recognition, then the Presiding Officer
5 shall again put the question as to bringing debate to a
6 close (and the Majority Leader or his or her designee may
7 postpone such vote in accordance with the preceding para-
8 graph), which shall be decided without further debate or
9 intervening motion. If that question shall be decided in
10 the affirmative by a majority of Senators voting, a quorum
11 being present, then cloture has been invoked and the pe-
12 riod of extended debate has ended. If that question shall
13 be decided in the negative by a majority of Senators vot-
14 ing, a quorum being present, then the period of extended
15 debate has ended.

16 “If cloture is invoked, then the measure, motion,
17 other matter pending before the Senate, or the unfinished
18 business, in relation to which the motion to close debate
19 was offered, shall remain the unfinished business to the
20 exclusion of all other business until disposed of.”.

