

Chapter 1 : U.S. Senate - HISTORY

The Standing Rules of the Senate detail the rules of order of the United States Senate. The latest version was adopted on April 27, and comprises the following 43 rules. The latest version was adopted on April 27, and comprises the following 43 rules.

Indeed, the first Congress had wide-ranging powers that included the authority to declare war and sign and negotiate treaties. Other government functions, such as taxation and the collection thereof, were left to the states. This original Congress was made up of members elected by each of the states, which were represented equally. The 17th Amendment With the writing of the U. It was modeled after similar forms of government in Europe that dated back to the Middle Ages. Notably, from their perspective, England had a bicameral Parliament as fact back as the 17th century. The Constitution established the two houses of Congress, with the Senate featuring two members from each state, appointed to six-year terms, and the House of Representatives made up of varying members from each state, based on population, elected to two-year terms. Importantly, the Constitution originally stipulated that while members of the House of Representatives were elected by the citizens of each state meaning: This was the case until , with the passage of the 17th Amendment to the Constitution, which effectively changed the process to what it still is today, with Senators elected to six-year terms by the citizens of their respective states. The Role and Duties of the Senate Originally, the framers intended to have the House be focused on more pressing, everyday concerns, while the Senate would be the more deliberative, policy-centric body. However, these distinctions have generally blurred over the decades since, and now the two houses hold the same amount of power, and essentially have the same duties. That said, the Senate does play a unique role in the functioning of the U. While the House of Representatives initiates impeachment proceedings against government officials, including the President, it is the Senate that investigates the charges and tries the cases against the officials, effectively acting as a prosecutor and jury. Since , the Senate has tried 17 federal officials, including two presidents. Cabinet, Ambassadorial and Judicial Nominations: The President has the power to appoint members of his cabinet including secretaries to the various agencies of the federal government , U. However, the Senate holds the power to vet and approve these appointments. Appointees who fail to receive Senate approval cannot assume their posts. While the President holds the power to negotiate and make treaties with foreign governments, the Senate must ratify these agreements, and the body does hold the power to amend treaties as it deems necessary. Article 1, Section 5 of the U. The Senate, by a two-thirds majority, can also vote to expel a member for disorderly conduct, a far more severe punishment. Since , the Senate has censured nine members and expelled The procedure known as filibusterâ€”essentially open debate used to delay or block a vote on legislationâ€”has been employed numerous times throughout history. In , Senator Strom Thurmond famously filibustered for more than 24 hours in an attempt to delay a vote on the Civil Rights Act of that year. His filibuster included a full reading of the Declaration of Independence. Since , with the passage of Rule 22, the Senate can vote to end a debate with a two-thirds majority, in a procedure known as cloture. In , the Senate modified the cloture rule to enable enacting of the tactic on a three-fifths majority 60 of the members. One of the most famous Senate investigations involved the Watergate scandal, which led to the impeachment of President Richard M. In this case, the Vice President casts the vote to effectively break the tie. Since , no Vice President has had to perform this task more than 10 times during his term in office. The Majority Leader represents the party with the majority of seats in the Senate. The Majority Leader coordinates with committee chairs and their party members to schedule debate on the Senate floor.

Chapter 2 : Article I - The United States Constitution

[For the origin of various changes in Senate procedure between and , as set forth in rules changes, adopted resolutions, the Senate of the United States.

The stricter rules are often waived by unanimous consent. The Constitution provides that a majority of the Senate constitutes a quorum to do business. Under the rules and customs of the Senate, a quorum is always assumed to be present unless a quorum call explicitly demonstrates otherwise. Any senator may request a quorum call by "suggesting the absence of a quorum"; a clerk then calls the roll of the Senate and notes which members are present. In practice, senators almost always request quorum calls not to establish the presence of a quorum, but to temporarily delay proceedings without having to adjourn the session. Such a delay may serve one of many purposes; often, it allows Senate leaders to negotiate compromises off the floor or to allow Senators time to come to the Senate floor to make speeches without having to constantly be present in the chamber while waiting for the opportunity. Once the need for a delay has ended, any senator may request unanimous consent to rescind the quorum call. During debates, senators may only speak if called upon by the presiding officer. The presiding officer is, however, required to recognize the first senator who rises to speak. Thus, the presiding officer has little control over the course of debate. Customarily, the Majority Leader and Minority Leader are accorded priority during debates, even if another senator rises first. All speeches must be addressed to the presiding officer, using the words "Mr. President" or "Madam President. In most cases, senators do not refer to each other by name, but by state, using forms such as "the senior senator from Virginia" or "the junior senator from California. The Standing Rules of the United States Senate provide that no senator may make more than two speeches on a motion or bill on the same legislative day. A legislative day begins when the Senate convenes and ends with adjournment; hence, it does not necessarily coincide with the calendar day. The length of these speeches is not limited by the rules; thus, in most cases, senators may speak for as long as they please. Often, the Senate adopts unanimous consent agreements imposing time limits. In other cases for example, for the Budget process , limits are imposed by statute. In general, however, the right to unlimited debate is preserved. The filibuster is an obstructionary tactic used to defeat bills and motions by prolonging debate indefinitely. A filibuster may entail, but does not actually require, long speeches, dilatory motions, and an extensive series of proposed amendments. The longest filibuster speech in the history of the Senate was delivered by Strom Thurmond , who spoke for over twenty-four hours in an unsuccessful attempt to block the passage of the Civil Rights Act of The Senate may end a filibuster by invoking cloture. In most cases, cloture requires the support of three-fifths of the Senate; however, if the matter before the Senate involves changing the rules of the body, a two-thirds majority is required. Cloture is invoked very rarely, particularly because bipartisan support is usually necessary to obtain the required supermajority. If the Senate does invoke cloture, debate does not end immediately; instead, further debate is limited to thirty additional hours unless increased by another three-fifths vote. When debate concludes, the motion in question is put to a vote. In many cases, the Senate votes by voice vote ; the presiding officer puts the question, and Members respond either "Aye! The presiding officer then announces the result of the voice vote. The request may be granted only if it is seconded by one-fifth of the senators present. In practice, however, senators second requests for recorded votes as a matter of courtesy. When a recorded vote is held, the clerk calls the roll of the Senate in alphabetical order; each senator responds when his or her name is called. Senators who miss the roll call may still cast a vote as long as the recorded vote remains open. The vote is closed at the discretion of the presiding officer, but must remain open for a minimum of 15 minutes. If the vote is tied, the Vice President, if present, is entitled to a casting vote. If the Vice President is not present, however, the motion is resolved in the negative. On occasion, the Senate may go into what is called a secret, or closed session. During a closed session, the chamber doors are closed, and the galleries are completely cleared of anyone not sworn to secrecy, not instructed in the rules of the closed session, or not essential to the session. Closed sessions are quite rare, and are usually held only under certain circumstances where the Senate is discussing sensitive subject-matter such as information critical to national security, private communications

from the President, or even to discuss Senate deliberations during impeachment trials. Any Senator has the right to call a closed session as long as the motion is seconded. Budget bills are governed under a special rule process called " Reconciliation " that disallows filibusters. Reconciliation was devised in but came into use in the early s. The latest version was adopted on April 27, and comprises the following 43 rules. The Legislative Transparency and Accountability Act of introduces a 44th rule on earmarks. Presentation of Credentials and Questions of Privilege.

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___.

Since American Indians are now taxed, they are counted for purposes of apportionment. The 17th Amendment provided for the direct popular election of Senators. The filling of vacancies was altered by the 17th amendment. The 20th Amendment changed the starting date for a session of Congress to noon on the 3d day of January This obsolete provision was designed to protect the slave trade from congressional restriction for a period of time. Section 2 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. 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. 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 subsequent 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. When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies. The House of Representatives shall chuse their Speaker and other Officers;and shall have the sole Power of Impeachment. 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. 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. The Senate shall chuse 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. The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. And no Person shall be convicted without the Concurrence of two thirds of the Members present. 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: Section 4 The Times, 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 chusing Senators. 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. Section 5 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. Each House may determine the Rules of its Proceedings,

punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member. 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 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. 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. Section 6 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. 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 increased 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. Section 7 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. 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. 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. No Bill of Attainder or ex post facto Law shall be passed. No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken. No Tax or Duty shall be laid on Articles exported from any State. No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: 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. 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. 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. Although the form of each government differed, most tended to elevate the legislature above the executive and judiciary, and made the legislature as responsive to majoritarian sentiments as possible. State legislatures began enacting laws to relieve debtors who were numerous of their debts, which undermined the rights of creditors who were few and the credit market. States also erected an assortment of trade barriers to protect their own businesses from competing firms in neighboring states. And, because state legislatures controlled their own commerce, the federal Congress was unable to enter into credible trade agreements with foreign powers to open markets for American goods, in part, by threatening to restrict foreign access to the American market. The result of all this was a nationwide economic downturn that, rightly or not, was blamed on ruinous policies enacted by

democratically-elected legislatures. In 1787, political dissatisfaction with the economic situation led to a convention convened in Philadelphia to remedy this state of affairs. The new Constitution it proposed, addressed debtor relief laws with the Contracts Clause of Article I, Section 10, which barred states from "impairing the obligation of contracts. The international commerce power also gave Congress the power to abolish the slave trade with other nations, which it did effective on January 1, 1793, the very earliest date allowed by the Constitution. But, in the words of Chief Justice John Marshall, the "enumeration" of three distinct commerce powers in the Commerce Clause "presupposes something not enumerated, and that something, if we regard the language or the subject of the sentence, must be the exclusively internal commerce of a State. Ogden Marshall, C. So, for example, even when combined with the Necessary and Proper Clause giving Congress power to make all laws which shall be necessary and proper for carrying into execution its enumerated powers, the Commerce Clause did not give Congress power to touch slavery that was allowed by state governments within their borders. The text of the Commerce Clause raises at least three questions of interpretation: What is the meaning of "commerce"? What is the meaning of "among the several states"? And what is the meaning of "to regulate"? Some have claimed that each of these terms of the Commerce Power had, at the time of the founding, an expansive meaning in common discourse, while others claim the meaning was more limited. In addition to other pervasive evidence of the public meaning of these terms, the slavery issue helps clarify the original public meaning of these terms at the time of their enactment. Among the several states meant between one state and others, not within a state, where slavery existed as an economic activity. From the founding until today, the meaning of "commerce" has not been much changed. Perhaps its only expansion by the Supreme Court came in when the Court held that commerce included "a business such as insurance," which for a hundred years had been held to be solely a subject of internal state regulation. Darby, the "power of Congress over interstate commerce is not confined to the regulation of commerce among the states. But in McCulloch, Chief Justice Marshall insisted that "should Congress, under the pretext of executing its powers, pass laws for the accomplishment of objects not entrusted to the government; it would become the painful duty of this tribunal. Thus, the Court expanded Congress power over interstate commerce in a way that gave it power over the national economy. In the 1930s, the Rehnquist Court treated these New Deal cases as the high water mark of congressional power. In the cases of U. Lopez and U. Morrison, the Court confined this regulatory authority to intrastate economic activity. In addition, in a concurring opinion in Gonzales v. Raich, Justice Scalia maintained that, under Lopez, "Congress may regulate even noneconomic local activity if that regulation is a necessary part of a more general regulation of interstate commerce. Sebelius, in 2012, a majority of the justices found that a mandate to compel a person to engage in the economic activity of buying health insurance was beyond the powers of Congress under both the Commerce and Necessary and Proper Clauses. The dispute over the breadth of the meaning of "commerce" turns, in large part, on the purposes one attributes to the clause, and to the Constitution as a whole, and what one thinks is the relevance of such purposes to the meaning of the text. At Philadelphia in 1787, the Convention resolved that Congress could "legislate in all cases. Convention 21 Max Farrand ed. This was then translated by the Committee of Detail into the present enumeration of powers in Article I, Section 8, which was accepted as a functional equivalent by the Convention without much discussion. Proponents of an expansive reading claim that the power to regulate commerce should extend to any problem the states cannot separately solve. Those who support a narrower reading observe that the Constitution aims to constrain, as well as to empower, Congress, and the broadest reading of the Commerce power extends well beyond anything the framers imagined. As the dissenters in the health care case observed, "Article I contains no whatever-it-takes-to-solve-a-national-problem power. For contrasting views of evidence on the original public meaning of the terms in the Commerce Clause, compare Randy E. Balkin, Living Originalism; Randy E. Barnett As Professor Koppelman and my jointly-authored essay shows, abundant evidence—including what we know about slavery at the time of the Founding—tells us that the original meaning of the Commerce Clause gave Congress the power to make regular, and even to prohibit, the trade, transportation or movement of persons and goods from one state to a foreign nation, to another state, or to an Indian tribe. It did not originally include the power to regulate the economic activities, like manufacturing or agriculture, that

produced the goods to be traded or transported. We should follow the original meaning of this provision for the same reason we limit California to the same number of Senators as Delaware, notwithstanding the vast disparity between their populations, or limit the president to a person who is at least thirty-five years old, though some who are younger than thirty-five might make excellent presidents. A written constitution is the law that governs those who govern us. And those who govern us—whether the Congress, the president, or the courts—can no more properly change the law that governs them without going through the amendment process of Article V, than can the people change the speed limits imposed on them without going through the legislative process. But such an oath would be meaningless if it was merely promising to obey whatever meaning a government official later wants the Constitution to mean. I agree with Professor Koppelman that the Founders attempted to distinguish the problems that were best handled at the national level from those best handled by the states. But they did so by drafting a specific list of such powers, rather than leave it to the national authority to decide the scope of its own power. Where later developments justify adding to these national powers, such expansion is properly handled by an Article V constitutional amendment, as the Constitution was once amended to give Congress the power to prohibit the intrastate economic activity of producing and selling alcohol. See the Eighteenth Amendment. Enforcing the original meaning of the Commerce Clause does not mean that other economic activities are free from any government regulation. It merely means that the power to regulate all intrastate economic activities resides with each of the fifty states. Where national uniformity and coordination between states are desirable, these goals can be achieved by the Interstate Compacts Clause of Article I, Section 8, by which states may enter into agreements or compacts with another state or states, provided they have the consent of Congress. Many such compacts exist. Read the full discussion here. I identify some of the key advantages of decentralizing most law-making at the state level in my statement on Federalism. Here is a summary of my analysis there: [Federalism Makes Regulatory Diversity Possible](#).

Chapter 4 : Vacancies in the United States Senate

Links to biographical information, Senate service accomplishments, military service, awards and honors, and more for current and former senators. States in the Senate Lists of all senators from each state and facts about each state's history in the U.S. Senate.

Preface THE Constitution of the United States establishing a legislature for the Union, under certain forms, authorises each branch of it "to determine the rules of its own proceedings. This places under the discretion of the President a very extensive field of decision, and one which, irregularly exercised, would have a powerful effect on the proceedings and determinations of the House. The President must feel weightily and seriously this confidence in his discretion; and the necessity of recurring, for its government, to some known system of rules, that he may neither leave himself free to indulge caprice or passion, nor open to the imputation of them. But to what system of rules is he to recur, as supplementary to those of the Senate? To this there can be but one answer; to the system of regulations adopted for the government of some one of the Parliamentary bodies within these states, or of that which has served as a prototype to most of them. This last is the model which we have all studied, while we are little acquainted with the modifications of it in our several states. It is deposited too in publications possessed by many and open to all. Its rules are probably as wisely constructed for governing the debates of a deliberative body, and obtaining its true sense, as any which can become known to us; and the acquiescence of the Senate, hitherto, under the references to them, has given them the sanction of their approbation. Considering therefore the law of proceedings in the Senate as composed of the precepts of the Constitution, the regulations of the Senate, and, where these are silent, of the rules of Parliament, I have here endeavored to collect and digest so much of these as is called for in ordinary practice, collating the Parliamentary with the Senatorial rules, both where they agree and where they vary. I have done this, as well to have them at hand for my own government, as to deposit with the Senate the standard by which I judge and am willing to be judged. I could not doubt the necessity of quoting the sources of my information; among which Mr. Sometimes each authority cited supports the whole passage. Sometimes it rests on all taken together. Sometimes the authority goes only to a part of the text, the residue being inferred from known rules and principles. For some of the most familiar forms, no written authority is, or can be quoted; no writer having supposed it necessary to repeat what all were presumed to know. The statement of these must rest on their notoriety. I am aware that authorities can often be produced in opposition to the rules which I lay down as Parliamentary. An attention to dates will generally remove their weight. The proceedings of Parliament in antient times, and for a long while, were crude, multiform and embarrassing. They have been, however, constantly advancing towards uniformity and accuracy; and have now attained a degree of aptitude to their object, beyond which, little is to be desired or expected. Yet I am far from the presumption of believing that I may not have mistaken the Parliamentary practice in some cases; and especially in those minor forms, which, being practised daily, are supposed known to every body, and therefore have not been committed to writing. Our resources, in this quarter of the globe, for obtaining information on that part of the subject, are not perfect. But I have begun a sketch, which those who come after me will successively correct and fill up, till a code of rules shall be formed for the use of the Senate, the effects of which may be, accuracy in business, economy of time, order, uniformity, and impartiality. The rules and practices peculiar to the Senate are printed in Italic. Those of Parliament are in the Roman letter.

The United States Senate is the upper chamber of the United States Congress, which along with the United States House of Representatives "the lower chamber" comprises the legislature of the United States.

So help me God. Under FERS, senators contribute 1. Far more senators have been nominees for the presidency than representatives. Furthermore, three senators Warren Harding , John F. Kennedy , and Barack Obama have been elected president while serving in the Senate, while only one Representative James Garfield has been elected president while serving in the House, though Garfield was also a Senator-designate at the time of his election to the Presidency, having been chosen by the Ohio Legislature to fill a Senate vacancy. Seniority in the United States Senate According to the convention of Senate seniority, the senator with the longer tenure in each state is known as the "senior senator"; the other is the "junior senator". This convention does not have official significance, though seniority generally is a factor in the selection of physical offices. The most-junior "senior senator" is Bill Cassidy of Louisiana , who was sworn in January 3, , and is currently 79th in seniority, ahead of senator John Neely Kennedy who was sworn in January 3, , and is currently 95th in seniority. Expulsion and other disciplinary actions[edit] The Senate may expel a senator by a two-thirds vote. William Blount , for treason, in , and fourteen in and for supporting the Confederate secession. The Senate has also censured and condemned senators; censure requires only a simple majority and does not remove a senator from office. Some senators have opted to withdraw from their re-election races rather than face certain censure or expulsion, such as Robert Torricelli in The next-largest party is known as the minority party. The president pro tempore, committee chairs, and some other officials are generally from the majority party; they have counterparts for instance, the "ranking members" of committees in the minority party. Independents and members of third parties so long as they do not caucus with or support either of the larger parties are not considered in determining which is the majority party. Seating[edit] A typical Senate desk At one end of the chamber of the Senate is a dais from which the presiding officer presides. The lower tier of the dais is used by clerks and other officials. One hundred desks are arranged in the chamber in a semicircular pattern and are divided by a wide central aisle. Each senator chooses a desk based on seniority within the party. By custom, the leader of each party sits in the front row along the center aisle. Forty-eight of the desks date back to , when the Senate chamber was reconstructed after the original contents were destroyed in the Burning of Washington. Further desks of similar design were added as new states entered the Union. Many non-member officers are also hired to run various day-to-day functions of the Senate. He or she may vote in the Senate ex officio , for he or she is not an elected member of the Senate in the case of a tie, but is not required to. Since the s, Vice Presidents have presided over few Senate debates. Instead, they have usually presided only on ceremonial occasions, such as swearing in new senators, joint sessions, or at times to announce the result of significant legislation or nomination, or when a tie vote on an important issue is anticipated. Frequently, freshmen senators newly elected members are asked to preside so that they may become accustomed to the rules and procedures of the body. The powers of the presiding officer of the Senate are far less extensive than those of the Speaker of the House. The presiding officer calls on senators to speak by the rules of the Senate, the first senator who rises is recognized ; ruling on points of order objections by senators that a rule has been breached, subject to appeal to the whole chamber ; and announcing the results of votes. Party leaders[edit] Each party elects Senate party leaders. Floor leaders act as the party chief spokesmen. The Senate Majority Leader is responsible for controlling the agenda of the chamber by scheduling debates and votes. Non-member officers[edit] In addition to the Vice President, the Senate has several officers who are not members.

Chapter 6 : Thomas Jefferson: A Manual of Parliamentary Practice

United States Senate, one of the two houses of the legislature of the United States, established in under the Constitution. Each state elects two senators for six-year terms. Each state elects two senators for six-year terms.

Vacancies Filled by Special Election In contrast to the states above which wait until the next regularly scheduled statewide general election to fill a vacancy in the office of U. Code et seq. Yes On such a day as the governor may direct, unless vacancy occurs between 2 and 4 months before the next regularly-scheduled general election, in which case it is held at that election. If vacancy occurs within 60 days of the next regularly-scheduled general election, a special election must be held on the first Tuesday after 60 days have elapsed since the vacancy occurred. If the vacancy occurs days before the primary election, the special election shall be held on the date of the primary election. Governor may make a temporary appointment only in cases where a vacancy occurs after the municipal election in the year preceding the last year of the term or in the last year of the term of a senator. Approval of such nomination requires an affirmative vote of two-thirds of the membership of each chamber of the General Assembly. If the unexpired term is more than one year, an appointment to fill the vacancy shall be temporary. Any senator so appointed shall serve until his successor is elected at a special election and takes office. If the unexpired term is one year or less, no special election is called but the successor is chosen at the next regular election. If a vacancy occurs after April 10 but on or before the 70th day before the regular state primary, the office shall appear on the regular state primary ballot. If a vacancy occurs after that time, the office shall appear on the state election ballot that November. If the vacancy occurs within ninety-five days of the expiration of the term of office for that office, no election may be held to fill the vacancy. No special election is held if the vacancy occurs in an even-numbered year and the term expires the following year. In that case, the candidate is elected in the regular general election. Laws No At as early a date as is in compliance with the provisions of law. If vacancy occurs between July 1 and October 1 in an even-numbered year, the special election to fill the vacancy is held concurrently with the regularly-scheduled general election. In , Maryland enacted HB , which requires the individual appointed by the governor to fill the vacancy to be of the same political party of the vacating senator. Hawaii enacted SB which made changes to the timeline of when an election to fill a vacancy is held. If a vacancy occurs not later than the 21st day, rather than the 60th day, before the close of filing nomination papers for regularly scheduled elections, the vacancy is filled at the following state general election. In , five states considered but did not pass legislation dealing with U. In , three states considered but did not pass legislation dealing with U. In , seven states considered legislation to change the way vacancies in the U. Senate are filled; none of that legislation passed. In , 12 of the states that currently permit the governor to fill U. Senate vacancies by appointment considered legislation to take away that authority and require a special election instead. In Massachusetts a bill was passed in response to the death of Senator Edward Kennedy and his request that the current law be changed. The new law retains the special election, but permits the governor to appoint a temporary successor in the interim. In , bills addressing U. Senate vacancies were introduced but failed to pass in Massachusetts, Minnesota and Rhode Island. Senator, but it was vetoed by the governor. Code relate directly to how states may fill vacancies in the U.

Chapter 7 : United States Senate - Simple English Wikipedia, the free encyclopedia

The Senate of the United States shall be composed of two Senators from each State. [U.S. Constitution, Article I, section 3, clause 1] During the summer of , the delegates to the Constitutional Convention in Philadelphia established equal representation in the Senate and proportional representation in the House of Representatives.

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 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. 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. The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided. 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. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. And no person shall be convicted without the concurrence of two thirds of the members present. 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: The times, 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. 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. 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. 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. 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 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. 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. 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. 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 increased during such time: 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. 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. 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. 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. 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. No bill of attainder or ex post facto Law shall be passed. No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken. No tax or duty shall be laid on articles exported from any state. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another: No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of receipts and expenditures of all public money shall be published from time to time. No title of nobility shall be granted by the United States: No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything 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. 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.

Chapter 8 : Standing Rules of the United States Senate - Wikipedia

*Rules of the Senate of the United States, and Joint Rules of the Two Houses: Also Rules of Practice and Procedure in the Senate When Sitting for the T [States Co United States Congress Senate, United States Congress Senate] on theinnatdunvilla.com *FREE* shipping on qualifying offers.*

Each state elects two senators for six-year terms. Capitol, the meeting place of Congress, Washington, D. Thus, each state, regardless of size or population, is equally represented. Further, until the Seventeenth Amendment of the Constitution, election to the Senate was indirect, by the state legislatures. They are now elected directly by voters of each state. The Senate shares with the House of Representatives responsibility for all lawmaking within the United States. For an act of Congress to be valid, both houses must approve an identical document. The Senate also adjudicates impeachment proceedings initiated in the House of Representatives, a two-thirds majority being necessary for conviction. Library of Congress, Washington, D. Each party elects a leader, generally a senator of considerable influence in his or her own right, to coordinate Senate activities. The leader of the largest party is known as the majority leader, while the opposition leader is known as the minority leader. The Senate leaders also play an important role in appointing members of their party to the Senate committees, which consider and process legislation and exercise general control over government agencies and departments. The vice president of the United States serves as the president of the Senate but can vote only in instances where there is a tie. Senate bearing the signature of Hubert H. Courtesy of Michael Levy Sixteen standing committees are grouped mainly around major policy areas, each having staffs, budgets, and various subcommittees. The chair of each committee is a member of the majority party. Among important standing committees are those on appropriations, finance, government operations, foreign relations, and the judiciary. Thousands of bills are referred to the committees during each session of Congress, though the committees take up only a fraction of these bills. The committees hold hearings and call witnesses to testify about the legislation before them. Select and special committees are also created to make studies or to conduct investigations and report to the Senate; these committees cover aging, ethics, Indian affairs, and intelligence. The smaller membership of the Senate permits more extended debate than is common in the House of Representatives. To check a filibuster—endless debate obstructing legislative action—three-fifths of the membership (60 senators) must vote for cloture. In the Senate rule for invoking cloture was reinterpreted to permit cloture by majority vote for debate regarding all presidential nominations except those to the Supreme Court, and in the rule was similarly reinterpreted for Supreme Court nominations. There is a less elaborate structure of party control in the Senate; the position taken by influential senators may be more significant than the position if any taken by the party. The constitutional provisions regarding qualifications for membership of the Senate specify a minimum age of 30, citizenship of the United States for nine years, and residence in the state from which elected.

Chapter 9 : United States Senate - Wikipedia

In the following 36 states, the governor makes an appointment to fill a U.S. Senate vacancy, and the appointee serves until the next regularly-scheduled, statewide general election. The person elected at that next regularly-held general election serves for the remainder of the unexpired term, if any.