

114TH CONGRESS
1ST SESSION

S. RES. 118

Amending rule XXXI of the Standing Rules of the Senate, to provide for timely consideration of nominations.

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2015

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

RESOLUTION

Amending rule XXXI of the Standing Rules of the Senate,
to provide for timely consideration of nominations.

1 *Resolved,*

2 **SECTION 1. TIMELY CONSIDERATION OF NOMINATIONS.**

3 Rule XXXI of the Standing Rules of the Senate is
4 amended—

5 (1) by redesignating paragraphs 3 through 7 as
6 paragraphs 4 through 8, respectively; and

7 (2) by inserting after paragraph 2 the fol-
8 lowing:

9 “3. (a) In this paragraph, the term ‘covered nomina-
10 tion’ means a nomination other than a nomination—

1 “(1) of an individual to serve as a justice of the
2 Supreme Court of the United States or as Chief
3 Justice of the United States; or

4 “(2) to a position entitled to expedited proce-
5 dures under S. Res. 116 (112th Congress).

6 “(b) Subject to subparagraph (c), if a covered nomi-
7 nation has been on the Executive Calendar for more than
8 14 calendar days, the covered nomination shall be eligible
9 for expedited consideration in accordance with subpara-
10 graph (d).

11 “(c)(1) For a covered nomination described in clause
12 (3), unless not less than 10 Senators have submitted writ-
13 ten requests for the record that the covered nomination
14 be considered by the full Senate in executive session before
15 the end of the 14 calendar day period described in sub-
16 paragraph (b)—

17 “(A) the nomination shall be deemed to be con-
18 firmed by the Senate; and

19 “(B) the Secretary shall send to the President
20 a notification of the confirmation.

21 “(2) If not less than 10 Senators submit a written
22 request in accordance with clause (1) with respect to a
23 covered nomination described in clause (3), the covered
24 nomination shall be eligible for expedited consideration in
25 accordance with subparagraph (d).

1 “(3) A covered nomination described in this clause
2 is a covered nomination other than the nomination of an
3 individual—

4 “(A) to serve as a judge or justice appointed to
5 hold office during good behavior; or

6 “(B) to a position at level I of the Executive
7 Schedule under section 5312 of title 5, United
8 States Code.

9 “(d)(1) The majority leader may provide notice that
10 a covered nomination that is eligible for expedited consid-
11 eration in accordance with this subparagraph shall be con-
12 sidered on an expedited basis.

13 “(2) Except as provided in clauses (3) and (4), 24
14 hours after the majority leader provides notice under
15 clause (1) with respect to a covered nomination, the Sen-
16 ate shall proceed to executive session and begin consider-
17 ation of the covered nomination.

18 “(3) Forty-eight hours after the majority leader pro-
19 vides notice under clause (1) with respect to a covered
20 nomination to serve as a judge appointed to hold office
21 during good behavior or a nomination to a position at level
22 I of the Executive Schedule under section 5312 of title
23 5, United States Code, the Senate shall proceed to execu-
24 tive session and begin consideration of the nomination.

1 “(4) If the majority leader provides notice with re-
2 spect to more than 1 covered nomination during any 24
3 hour period, the covered nominations shall be considered
4 in accordance with clause (5) in the order in which notice
5 was provided.

6 “(5) Notwithstanding rule XXII, expedited consider-
7 ation of a covered nomination under this subparagraph,
8 including consideration of any debatable motion or appeal
9 in connection therewith—

10 “(A) shall be limited to 4 hours, evenly divided
11 in the usual form, in the case of a nomination to
12 serve as a judge of a circuit court of the United
13 States or a nomination to a position at level I of the
14 Executive Schedule under section 5312 of title 5,
15 United States Code; and

16 “(B) shall be limited to 2 hours, evenly divided
17 in the usual form, in the case of any other covered
18 nomination.”.

○