

112TH CONGRESS  
1ST SESSION

# S. RES. 24

To propose a standing order to govern extended debate.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mr. MERKLEY (for himself and Mr. UDALL of New Mexico) submitted the following resolution; which was ordered to lie over under the rule

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## RESOLUTION

To propose a standing order to govern extended debate.

1       *Resolved,*

2       **SECTION 1. STANDING ORDER FOR EXTENDED DEBATE.**

3       (a) **STANDING ORDER.**—This section shall be a  
4 standing order of the Senate.

5       (b) **RULES FOR EXTENDED DEBATE.**—

6           (1) **IN GENERAL.**—If a question to close debate  
7 on a measure, motion, or other matter is decided in  
8 the negative and a majority of senators present and  
9 voting have voted to bring debate to a close, the ex-  
10 tended debate procedures under this section shall be  
11 in order at any time if that measure, motion or

1 other matter has continued as the only pending busi-  
2 ness subsequent to the vote against closing debate.

3 (2) CLOSING DEBATE.—Under the cir-  
4 cumstances described in paragraph (1), it shall be in  
5 order for the Majority Leader or his designee to  
6 move to bring debate on the pending measure, mo-  
7 tion, or other matter to a close on the grounds that  
8 no Senator seeks recognition to debate the matter.  
9 Immediately after the motion is made and before  
10 putting the question thereon, the Presiding Officer  
11 shall immediately inquire whether any Senator seeks  
12 recognition for the purpose of debating the matter  
13 on which the Senate had previously voted against  
14 closing debate. If a Senator seeks recognition for  
15 that purpose, the Presiding Officer shall announce  
16 that the Senate is proceeding under extended debate  
17 and shall recognize a Senator who seeks recognition  
18 for debate. After the Presiding Officer's announce-  
19 ment under the preceding sentence the Senate shall  
20 continue to proceed under extended debate subject to  
21 paragraph (3).

22 (3) EXTENDED DEBATE.—

23 (A) IN GENERAL.—If the Senate enters  
24 into extended debate under this paragraph, no  
25 dilatory motions, motions to suspend any rule

1 or any part thereof, nor dilatory quorum calls  
2 shall be entertained.

3 (B) CONDITIONS FOR ENDING DEBATE.—

4 If during extended debate the proceedings de-  
5 scribed in either subparagraph (C), (D), or (E)  
6 occur and unless the Majority Leader or his  
7 designee withdraws the motion made under  
8 paragraph (2), the Senate shall proceed imme-  
9 diately to vote on that motion or to vote at a  
10 time designated by the Majority Leader or his  
11 designee within the next four calendar days of  
12 Senate session. When voted on, that motion  
13 shall be decided by a majority of Senators cho-  
14 sen and sworn.

15 (C) DEBATE ENDS.—If, at any point dur-  
16 ing extended debate when no Senator is recog-  
17 nized, no Senator seeks recognition, the Pre-  
18 siding Officer shall renew the inquiry as to  
19 whether a Senator seeks recognition and shall  
20 recognize a Senator who seeks recognition for  
21 the purpose of debate. If no Senator then seeks  
22 recognition (or if no Senator sought recognition  
23 in response to the Presiding Officer's inquiry  
24 under paragraph (2)), the Senate shall dispose  
25 of the motion of the Majority Leader (or his

1           designee) to bring debate to a close pursuant to  
2           paragraph (2), in the manner specified in sub-  
3           paragraph (B).

4           (D) QUORUM CALLS.—

5           (i) QUESTION.—If, at any point dur-  
6           ing extended debate, a Senator having  
7           been recognized raises a question of the  
8           presence of a quorum, the Presiding Offi-  
9           cer shall renew the inquiry as to whether  
10          a Senator seeks recognition, and shall rec-  
11          ognize a Senator who seeks recognition for  
12          debate.

13          (ii) DISPOSITION.—If no Senator then  
14          seeks recognition for debate under clause

15          (i)—

16               (I) the Presiding Officer shall di-  
17               rect the Clerk to call the roll;

18               (II) upon the establishment of a  
19               quorum, the Senate shall dispose of  
20               the motion of the Majority Leader (or  
21               his designee) to bring debate to a  
22               close pursuant to paragraph 1 in the  
23               manner specified in subparagraph  
24               (B); and

1 (III) if the Senate adjourns for  
2 lack of a quorum, then when the Sen-  
3 ate next convenes and the morning  
4 hour or any period for morning busi-  
5 ness is expired or is deemed to be ex-  
6 pired, the Senate shall dispose of the  
7 motion of the Majority Leader (or his  
8 designee) made to bring debate to a  
9 close pursuant to paragraph (2) in the  
10 manner specified in subparagraph  
11 (B).

12 (E) MOTIONS.—

13 (i) IN GENERAL.—If at any point dur-  
14 ing extended debate a Senator having been  
15 recognized moves to adjourn, recess, post-  
16 pone the pending matter, or proceed to  
17 other business and unless the motion is  
18 made or seconded by the Majority Leader  
19 or his designee, the Presiding Officer shall  
20 renew the inquiry as to whether a Senator  
21 seeks recognition, and shall recognize a  
22 Senator who seeks recognition for debate,  
23 and said motion shall be considered with-  
24 drawn. If no Senator then seeks recogni-  
25 tion for debate, then the Presiding Officer

1 shall immediately put the question on the  
2 motion offered, unless the vote is delayed  
3 as provided in clause (ii).

4 (ii) RECONVENING.—If the Senate  
5 agrees to a motion to adjourn or recess it  
6 shall resume consideration of the pending  
7 measure, motion or other matter pending  
8 at the time of adjournment or recess when  
9 it first takes up business after it next re-  
10 convenes, and the Senate shall still be in a  
11 period of extended debate. Upon the nega-  
12 tive disposition of the motion to adjourn,  
13 recess, postpone, or proceed to other busi-  
14 ness and unless such motion was made by  
15 the Majority Leader or his designee, the  
16 Senate shall dispose of the motion of the  
17 Majority Leader (or his designee) to bring  
18 debate to a close pursuant to paragraph  
19 (2) in the manner specified in subpara-  
20 graph (B).

21 (iii) DELAY.—During a period of ex-  
22 tended debate, the Majority Leader or his  
23 designee may delay any vote until a des-  
24 ignated time within the next 4 calendar  
25 days of Senate session, and any votes or-

1                   dered or occurring thereafter shall likewise  
2                   be delayed.

3                   (4) FINAL DISPOSITION.—If the motion of the  
4                   Majority Leader to bring debate to a close pursuant  
5                   to paragraph (2) is agreed to by a majority of Sen-  
6                   ators chosen and sworn, the Presiding Officer shall  
7                   announce that extended debate is ended and that the  
8                   measure, motion, or other matter pending before the  
9                   Senate shall be the unfinished business to the exclu-  
10                  sion of all other business until disposed of and fur-  
11                  ther proceedings on the measure, motion or other  
12                  matter shall occur as if the Senate had decided to  
13                  invoke cloture. If the Majority Leader withdraws the  
14                  motion to bring debate to a close pursuant to para-  
15                  graph (2) or that motion is not agreed to by a ma-  
16                  jority of Senators chosen and sworn the Presiding  
17                  Officer shall announce that extended debate is  
18                  ended.

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