

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.

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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

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## 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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