



S. Res 4 Rules Reform Package

Proposal from Sens. Tom Udall, Merkley, Harkin

The four proposals in S. Res 4 are designed to protect the voice and power of the minority, while expediting the consideration of legislation and nominations. The most significant reform is replacing the current “silent” filibuster with the “talking” filibuster, so that when the Senate votes for continued debate, there is a debate, but the period of debate ends when all comments are exhausted. This will increase accountability by making the filibuster a public exercise and discouraging frivolous filibusters.

Here are the four components of the package:

1. **Clear Path to Debate: Eliminate the Filibuster on Motions to Proceed**

Makes motions to proceed not subject to a filibuster, but provides two hours of debate.

2. **Talking Filibuster: Ensures Real Debate**

Creates a “talking filibuster.” If a majority of the Senate votes for cloture, but not the 60 Senators required to invoke it – which means 41 Senators have voted to continue debate – then the majority leader can initiate a period of extended debate. This period ends, and cloture can be invoked by a majority, if at any point no Senator seeks to continue debating. This forces Senators who filibuster to actually speak on the floor, greatly increasing public accountability and requiring time and energy if the minority wants to use this tool to obstruct the Senate.

3. **Expedite Nominations: Reduce Post-Cloture Time**

Reduces post-cloture debate on nominations to 2 hours, except for Supreme Court Justices (for whom the current 30 hours would remain intact)

4. **Restore the Conference Process: Eliminate the Filibuster on Motions to Establish a Conference Committee**

The Senate has to take three steps in order to start the conference committee process: adopt a motion to reject a House amendment or insist on a Senate amendment, adopt a motion to request a conference committee or agree to a request by the House for a conference committee, and, by unanimous consent, authorize the chair to appoint conferees. These steps represent three opportunities to filibuster a bill the Senate has already agreed to.

The proposed rules change would establish a single non-divisible motion to accomplish all three steps, and limit debate the consolidated motion to 2 hours.