

117TH CONGRESS
1ST SESSION

S. RES. 38

Establishing procedures for access to the floor of the Senate and the Senate Wing of the Capitol during impeachment proceedings against Donald John Trump, former President of the United States.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 8, 2021

Mr. SCHUMER submitted the following resolution; which was considered and agreed to

RESOLUTION

Establishing procedures for access to the floor of the Senate and the Senate Wing of the Capitol during impeachment proceedings against Donald John Trump, former President of the United States.

1 *Resolved,*

2 **SECTION 1. SENATE FLOOR ACCESS.**

3 During impeachment proceedings against Donald
4 John Trump, former President of the United States, the
5 following procedures relating to access to the Senate floor
6 shall apply:

7 (1) IN GENERAL.—

1 (A) ENTRANCE THROUGH CLOAKROOMS.—

2 Individuals with privileges under rule XXIII of
3 the Standing Rules of the Senate (as limited by
4 paragraph (2) of this section), or with privileges
5 under paragraph (3) of this section, shall access
6 the floor of the Senate through the cloakrooms
7 only, unless otherwise directed by the Sergeant
8 at Arms and Doorkeeper of the Senate.

9 (B) GENERAL LIMITS ON ACCESS.—Access

10 to the floor of the Senate shall be limited to the
11 number of vacant seats available on the floor of
12 the Senate based on protocol considerations en-
13 forced by the Secretary for the Majority, the
14 Secretary for the Minority, and the Sergeant at
15 Arms and Doorkeeper of the Senate.

16 (C) SEATING REQUIREMENTS.—All individ-

17 uals with access to the floor of the Senate shall
18 remain seated at all times.

19 (2) LIMITED STAFF ACCESS.—Officers and em-

20 ployees of the Senate, including members of the
21 staffs of committees of the Senate or joint commit-
22 tees of the Congress and employees in the office of
23 a Senator, shall not have privileges under rule XXIII
24 of the Standing Rules of the Senate to access the
25 floor of the Senate, except as needed for official im-

1 peachment proceeding duties in accordance with the
2 following:

3 (A) The Majority Leader and the Minority
4 Leader shall each be limited to not more than
5 4 assistants.

6 (B) The Secretary of the Senate and the
7 Assistant Secretary of the Senate shall each
8 have access, and the legislative staff of the Sec-
9 retary of the Senate shall be permitted as need-
10 ed under the supervision of the Secretary of the
11 Senate.

12 (C) The Sergeant at Arms and Doorkeeper
13 of the Senate and the Deputy Sergeant at Arms
14 and Doorkeeper shall each have access, and
15 doorkeepers shall be permitted as needed under
16 the supervision of the Sergeant at Arms and
17 Doorkeeper of the Senate.

18 (D) The Secretary for the Majority (or a
19 replacement designated by such Secretary), the
20 Secretary for the Minority (or a replacement
21 designated by such Secretary), the Assistant
22 Secretary for the Majority, and the Assistant
23 Secretary for the Minority shall each have ac-
24 cess, and cloakroom employees shall be per-
25 mitted as needed under the supervision of the

1 Secretary for the Majority or the Secretary for
2 the Minority, as appropriate.

3 (E) The Senate Legal Counsel and the
4 Deputy Senate Legal Counsel shall have access
5 on an as-needed basis.

6 (F) The Parliamentarian of the Senate
7 and assistants to the Parliamentarian of the
8 Senate shall have access on an as-needed basis.

9 (G) Counsel for the Secretary of the Sen-
10 ate and the Sergeant at Arms and Doorkeeper
11 of the Senate shall have access on an as-needed
12 basis.

13 (H) The minimum number of chamber as-
14 sistants necessary to carry out their duties, as
15 determined by the Sergeant at Arms and Door-
16 keeper of the Senate and under the supervision
17 of the Secretary for the Majority or the Sec-
18 retary for the Minority, as appropriate, shall
19 have access.

20 (3) OTHER INDIVIDUALS WITH SENATE FLOOR
21 ACCESS.—The following individuals shall have privi-
22 leges of access to the floor of the Senate:

23 (A) Not more than 1 assistant to the
24 President pro tempore.

1 (B) Assistants to the managers of the im-
 2 peachment of the House of Representatives.

3 (C) Counsel and assistants to counsel for
 4 Donald John Trump, former President of the
 5 United States.

6 **SEC. 2. ACCESS TO THE SECOND FLOOR OF THE SENATE**
 7 **WING OF THE CAPITOL.**

8 (a) IN GENERAL.—During impeachment proceedings
 9 against Donald John Trump, former President of the
 10 United States, access to the second floor of the Senate
 11 Wing of the Capitol shall be limited to—

12 (1) Senators;

13 (2) officers and employees of the Senate with
 14 appropriate Senate-issued identification cards and
 15 appropriate credentials;

16 (3) employees of the Architect of the Capitol
 17 (as necessary and in accordance with subsection
 18 (b));

19 (4) individuals with privileges under rule XXIII
 20 of the Standing Rules of the Senate (as limited by
 21 section 1(2)) or with privileges under section 1(3);

22 (5) individuals with official business related to
 23 the impeachment proceedings; and

24 (6) members of the press with appropriate cre-
 25 dentials.

1 (b) ARCHITECT OF THE CAPITOL.—The Architect of
2 the Capitol shall advise the Sergeant at Arms and Door-
3 keeper of the Senate of all officers or employees of the
4 Architect of the Capitol who require access to the Senate
5 Wing of the Capitol during the impeachment proceedings.

6 **SEC. 3. ENFORCEMENT BY THE SERGEANT AT ARMS AND**
7 **DOORKEEPER.**

8 The Sergeant at Arms and Doorkeeper of the Senate
9 shall enforce this resolution and take such other actions
10 as necessary to fulfill the responsibilities of the Sergeant
11 at Arms and Doorkeeper of the Senate under this resolu-
12 tion, including the issuance of appropriate credentials as
13 required under paragraphs (2) and (6) of section 2(a).

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