

insights

TYPES NOT MAPPED YET September 07, 2023 | TTR not mapped yet | Christopher T. Murray

Executive Session

A special parliamentary period when the Senate provides its prerogative on treaties, nominations, and other business.

Executive Time

The Founders established Executive Session in Article II, Section II of the [Constitution](#), and it is a process that is unique to the Senate. Guidelines for the different categories of Executive Sessions are authorized in [Senate Rule XXIX](#) and vary based on the business under consideration. These special sessions were private until 1929 and thus remained behind closed doors for nearly 150 years. The only closed versions of these sessions today are on sensitive national security matters. Most of these special parliamentary periods are not newsworthy on their own, but senators can use political maneuvers during these sessions to create headwinds.

Executive Dysfunction

Senator Tuberville (R-AL) has made [headlines](#) in recent months for stalling military nominations and promotions due to his opposition to the Pentagon's policy of paying for the travel costs of members of the armed forces seeking abortions. His blockade has left nearly 300 nominees stuck in limbo awaiting Senate action, and he has been joined in his crusade by Senator Vance (R-OH). This process is affecting both conventional military leaders, such as the Joint Chiefs of Staff, as well as civilian-military leaders. Defense Secretary Austin has made clear the dangers of this many vacancies on military readiness.

Executive Decision

This leaves Senate Democrats with a difficult decision: should they change the chamber's rules or rely on Senate GOP leadership to convince their two senators to halt their opposition? Senate Majority Leader Schumer (D-NY) has so far held out on calling for a rule change, and Minority Leader McConnell (R-KY) has reiterated his disagreement with Tuberville's tactics but has taken no concrete action to end the blockade.

As Congress returns to Washington after their summer recess with most attention focused on whether there will be a [government shutdown](#) on October 1, there is no end in sight to this ongoing and lengthy disruption to the Senate's Executive Session. Meanwhile, Tuberville remains steadfast. But support for the military and national security threats may get increased attention as a presidential election year looms in 2024.

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