

sons working in the coal mining industry of the United States.<sup>(10)</sup>

## § 20. Relation to Other Motions

### *Relation to Motion to Table*

**§ 20.1 The motion to lay on the table takes precedence over the motion for the previous question, and if the motion to table is rejected, the question recurs on the motion for the previous question which was pending when the motion to table was offered.**

On May 11, 1972,<sup>(11)</sup> the House was considering S. 659, the higher education amendments. Mr. Joe D. Waggoner, Jr., of Louisiana, offered a motion to instruct the House managers at the conference on the disagreeing votes of the two Houses, and was recognized for one hour, after which the following occurred:

MR. WAGGONER: . . . Mr. Speaker, I move the previous question and ask that we instruct the conferees.

MR. [SIDNEY R.] YATES [of Illinois]: Mr. Speaker, I move that the motion of the gentleman from Louisiana to instruct the conferees be laid on the table.

**10.** See also 107 CONG. REC. 7172, 87th Cong. 1st Sess., May 3, 1961.

**11.** 118 CONG. REC. 16838-42, 92d Cong. 2d Sess.

THE SPEAKER:<sup>(12)</sup> The question is on the motion to table offered by the gentleman from Illinois (Mr. Yates). . . .

The question was taken; and there were—yeas 126, nays 273, not voting 32. . . .

So the motion to table was rejected. . . .

The previous question was ordered.<sup>(13)</sup>

### *Relation to Motions to Amend*

**§ 20.2 The motion for the previous question takes precedence over a motion to amend.**

On Nov. 8, 1971,<sup>(14)</sup> the House was considering House Joint Resolution 191, proposing an amendment to the Constitution relating to nondenominational prayer in public buildings. Mr. Chalmers P. Wylie, of Ohio, was controlling the floor, having called up the joint resolution following a successful motion to discharge the Judiciary Committee, when the following occurred:

MR. WYLIE: Mr. Speaker, I yield to the gentleman from Alabama (Mr. Bu-

**12.** Carl Albert (Okla.).

**13.** See also 116 CONG. REC. 41372-74, 91st Cong. 2d Sess., Dec. 14, 1970; 111 CONG. REC. 23600, 23601, 89th Cong. 1st Sess., Sept. 13, 1965; and 107 CONG. REC. 14947, 14958, 15001, 87th Cong. 1st Sess., Aug. 8, 1961.

**14.** 117 CONG. REC. 39945, 92d Cong. 1st Sess.

chanan) for the purpose of offering an amendment.

MR. [JOHN H.] BUCHANAN [Jr.]: Mr. Speaker, I have an amendment at the desk.

THE SPEAKER:<sup>(15)</sup> Does the gentleman realize he will lose control of the time?

MR. WYLIE: The gentleman realizes he loses control of the time. I do yield to the gentleman from Alabama for the purpose of offering an amendment.

THE SPEAKER: The gentleman has yielded the floor.

MOTION OFFERED BY MR. CELLER

MR. [EMANUEL] CELLER [of New York]: Mr. Speaker, I move the previous question on House Joint Resolution 191.

The Speaker: The motion is completely and highly privileged and is in order.<sup>(16)</sup>

**§ 20.3 If the motion for the previous question on a resolution is voted down, the resolution is subject to amendment; but if the amendment is ruled out on a point of order, the previous question may again be moved and takes precedence over the of-**

15. Carl Albert (Okla.).

16. See also 113 CONG. REC. 5038, 5039, 90th Cong. 1st Sess., Mar. 1, 1967; 98 CONG. REC. 9697, 82d Cong. 2d Sess., July 5, 1952; 91 CONG. REC. 8377-465, 79th Cong. 1st Sess., Sept. 6-10, 1945; and 89 CONG. REC. 7516, 78th Cong. 1st Sess., July 8, 1943.

**fering of another amendment.**

On Jan. 3, 1969,<sup>(17)</sup> the House voted down the previous question on a resolution offered by Mr. Emanuel Celler, of New York. Mr. Clark MacGregor, of Minnesota, was then recognized to offer an amendment to the resolution, but that amendment was ruled out on a point of order. Mr. Celler once again moved the previous question on his resolution and Mr. Gerald R. Ford, of Michigan, rose with a parliamentary inquiry.

MR. GERALD R. FORD: . . . At the time the Chair recognized the gentleman from Minnesota, the gentleman from Minnesota (Mr. MacGregor), sought to offer a resolution, but the Chair has just now ruled against the germaneness of the resolution. I ask the question does the gentleman from Minnesota under this set of circumstances lose the right to offer a substitute and also to have 1 hour's time?

THE SPEAKER:<sup>(18)</sup> The Chair will state in response to the parliamentary inquiry that at this point the motion on the previous question takes precedence over the motion to amend, and if the House wants to consider further amendment, the House can vote down the previous question.

MR. CELLER: Mr. Speaker, I move the previous question. . . .

17. 115 CONG. REC. 25-27, 91st Cong. 1st Sess.

18. John W. McCormack (Mass.).

MR. [H. R. ] GROSS [of Iowa]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman from Iowa will state his parliamentary inquiry.

MR. GROSS: Mr. Speaker, is the Celler resolution now not subject to a substitute?

THE SPEAKER: Not if the previous question is ordered.

MR. GROSS: Mr. Speaker, I desire to offer a substitute which I have at the Clerk's desk.

THE SPEAKER: The gentleman from New York [MR. CELLER ] has moved the previous question and the question now pending is on ordering the previous question.

### ***Relation to Amendment to Motion to Recommit***

#### **§ 20.4 The motion for the previous question takes precedence over an amendment to a motion to recommit.**

On Aug. 11, 1969,<sup>(19)</sup> the House was considering H.R. 12982, the District of Columbia Revenue Act of 1969. After the bill was read for a third time, Mr. Alvin E. O'Konski, of Wisconsin, offered a motion to recommit the bill to the Committee on the District of Columbia.

MR. [BROCK] ADAMS [of Washington]: Mr. Speaker, I have an amendment to the motion to recommit.

19. 115 CONG. REC. 23143, 91st Cong. 1st Sess.

MR. [John L.] McMillan [of South Carolina]: Mr. Speaker, I move the previous question on the motion to recommit.

THE SPEAKER:<sup>(20)</sup> The question is on ordering the previous question on the motion to recommit.

The question was taken; and on a division (demanded by Mr. Adams) there were—ayes 104, noes 65.

So the previous question was ordered.

THE SPEAKER: The question is on the motion to recommit.

The motion to recommit was rejected.

THE SPEAKER: The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.<sup>(1)</sup>

### ***Relation to Amendment to Motion to Instruct Conferees***

#### **§ 20.5 The motion for the previous question takes precedence over an amendment to a motion to instruct conferees.**

On July 24, 1973,<sup>(2)</sup> the House was considering S. 1888, to amend and extend the Agricultural Act of 1970. Mr. Robert D. Price, of Texas, offered a motion to instruct the House conferees at the con-

20. John W. McCormack (Mass.).

1. See also 91 CONG. REC. 2725, 79th Cong. 1st Sess., Mar. 24, 1945.

2. 119 CONG. REC. 25539, 93d Cong. 1st Sess.

ference on disagreeing votes of the two Houses on the bill. The following then occurred:

MR. PRICE of Texas: . . . Mr. Speaker, I move the previous question on the motion.

THE SPEAKER: <sup>(3)</sup> . . . The question is on ordering the previous question.

MR. [SILVIO O.] CONTE [of Massachusetts]: Mr. Speaker, I have an amendment to the preferential motion.

THE SPEAKER: The Chair will state that ordering the previous question is the business before the House at this time.

The question is on ordering the previous question. . . .

The vote was taken by electronic device; and there were—yeas 244, nays 155, present 1, not voting 33. . . .

So the previous question was ordered.

### ***Relation to Motion to Amend Journal***

**§ 20.6 The motion to amend the Journal may not be admitted after the previous question is demanded on the motion to approve.**

On Sept. 13, 1965,<sup>(4)</sup> after the Clerk concluded the reading of the Journal, a motion was made that the Journal be approved as read:

MR. [CARL] ALBERT [of Oklahoma]: Mr. Speaker, I move that the Journal

3. Carl Albert (Okla.).

4. 111 CONG. REC. 23600, 23601, 89th Cong. 1st. Sess.

be approved as read; and on that I move the previous question.

MR. [DURWARD G.] HALL [of Missouri]: Mr. Speaker, I move that that motion be laid on the table; and I offer an amendment to the Journal.

THE SPEAKER: <sup>(5)</sup> The Chair will state that the motion to lay on the table is in order, but the amendment is not in order.

### ***Relation to Member Recognized for Debate***

**§ 20.7 While the motion for the previous question takes precedence over the offering of an amendment, a Member recognized to debate an amendment may not be taken from the floor by the motion for the previous question.**

On May 18, 1972,<sup>(6)</sup> the House was considering H.R. 14718, to provide public assistance to the mass transit bus companies in the District of Columbia. Speaker Carl Albert, of Oklahoma, recognized Mr. Thomas G. Abernethy, of Mississippi:

MR. ABERNETHY: Mr. Speaker, I move to strike the last word.

THE SPEAKER: The gentleman from Mississippi is recognized for 5 minutes.

MR. [EARLE] CABELL [of Texas]: Mr. Speaker, would a motion be in order to

5. John W. McCormack (Mass.).

6. 118 CONG. REC. 16154, 16157, 92d Cong. 2d Sess.

move the previous question on the amendment at this time in order to dispose of it?

THE SPEAKER: The Chair will state to the gentleman that the gentleman from Mississippi has been recognized.

MR. CABELL: Mr. Speaker, would a motion to vote on the pending amendment be in order, since the discussion is not on the amendment?

THE SPEAKER: The Chair has control of the House and the Chair has recognized the gentleman from Mississippi (Mr. Abernethy).<sup>(7)</sup>

### ***Relation to Motion to Strike Out Enacting Clause***

#### **§ 20.8 A motion for the previous question takes precedence over a motion to strike out the enacting clause.**

On May 28, 1934,<sup>(8)</sup> the House was considering H.R. 5043, the District of Columbia taxicab insurance bill, and the following occurred:

MR. [VINCENT L.] PALMISANO [of Maryland]: Mr. Speaker, I move the previous question on the bill and amendment thereto to final passage.

MR. [WRIGHT] PATMAN [of Texas]: Mr. Speaker, would a motion to strike out the enacting clause now be in order?

THE SPEAKER:<sup>(9)</sup> Such a motion is not now in order.

7. See also 114 CONG. REC. 12262, 12263, 90th Cong. 2d Sess., May 8, 1968.

8. 78 CONG. REC. 9743, 73d Cong. 2d Sess.

9. Henry T. Rainey (Ill.).

MR. PATMAN: Mr. Speaker, is not a motion to strike out the enacting clause a privileged motion?

THE SPEAKER: It does not have preference over a motion for the previous question.

MR. [THOMAS L.] BLANTON [of Texas]: We can vote down the previous question.

THE SPEAKER: The question is on ordering the previous question.

### ***Relation to Motion to Adjourn***

#### **§ 20.9 The Speaker has refused to recognize for a motion to adjourn after the previous question has been ordered on a bill to final passage under a special rule prohibiting any intervening motion (see 4 Hinds' Precedents §§ 3211–3213).**

### **§ 21. Debate**

#### ***Debate on Motion for Previous Question***

#### **§ 21.1 A motion for the previous question is not debatable.**

On Sept. 13, 1965,<sup>(10)</sup> after the Clerk finished reading the Journal the following occurred:

THE SPEAKER:<sup>(11)</sup> The question is on ordering the previous question.

10. 111 CONG. REC. 23601, 89th Cong. 1st Sess.

11. John W. McCormack (Mass.).