tion to recommit? Is my understanding correct?

THE SPEAKER:[6] If the motion for the previous question is not adopted, an amendment to the motion would be in order.

Renewing Rejected Motion

§ 22.17 The previous question, although moved and rejected, may be renewed after intervening business.

On Jan. 3, 1969,[7] the House was considering House Resolution 1, relating to Representative-elect Adam C. Powell, Jr., of New York, taking the oath of office. Mr. Emanuel Celler, of New York, the proponent of the resolution, had earlier moved the previous question on the resolution, but the previous question was rejected. At that time Mr. Clark MacGregor, of Minnesota, offered a substitute for the resolution, but the substitute was ruled out on the point of order. The following then occurred:

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

MR. GERALD R. FORD [of Michigan]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER:[8] The gentleman from Michigan will state his parliamentary inquiry.

MR. GERALD R. FORD: Mr. Speaker, the House just a few moments ago defeated the previous question on the resolution offered by the gentleman from New York, and under the rules of the House and under the discretion given to the Speaker, the Speaker has the right to recognize the principal opponent of the resolution for 1 hour.

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: 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.

§ 23. Rejection of Motion as Affecting Recognition

Opponents of Resolution

§ 23.1 If the previous question is voted down on a resolution before the House, recognition passes to the opponents of the resolution, and the Chair recognizes one of the leaders of the opposition and gives preference to a member of the minority if he ac-

6. Sam Rayburn (Tex.).
7. 115 CONG. REC. 25, 91st Cong. 1st Sess.
8. John W. McCormack (Mass.).

tively opposed ordering the previous question.

On July 20, 1939,[9] the House was considering House Resolution 258, providing for an investigation of the National Labor Relations Board. Mr. Howard W. Smith, of Virginia, moved the previous question on the resolution and then posed a parliamentary inquiry:

> MR. SMITH of Virginia: If I understand the situation correctly, if the previous question is voted down, the control of the measure would pass to the gentleman from Illinois [Mr. Keller]; and the resolution would not be open to amendment generally, but only to such amendments as the gentleman from Illinois might yield for. Is my understanding correct, Mr. Speaker?
>
> THE SPEAKER:[10] If the previous question is voted down, it would not necessarily pass to the gentleman from Illinois; it would pass to the opponents of the resolution. Of course, a representative of the minority would have the first right of recognition.

§ 23.2 The previous question on a resolution being voted down, the Speaker recognized a Member opposed to the resolution to offer an amendment.

On Sept. 15, 1961,[11] the House was considering House Resolution 464, providing for consideration of H.R. 7927, providing for an adjustment of the postal rates. The following then occurred:

> MR. [WILLIAM M.] COLMER [of Mississippi]: Mr. Speaker, I find myself in somewhat of a dilemma. I am for this bill; but I am against the rule. . . .
>
> Mr. Speaker, will the gentleman yield for the purpose of offering an amendment to make this an open rule?
>
> MR. [B. F.] SISK [of California]: I do not yield for that purpose.
>
> MR. SPEAKER, I MOVE THE PREVIOUS QUESTION. . . .
>
> THE SPEAKER PRO TEMPORE:[12] . . . The question is on ordering the previous question.
>
> The question was taken; and there were—yeas 142, nays 222, answered "present" 2, not voting 71. . . .
>
> So the motion to order the previous question was rejected. . . .
>
> MR. COLMER: Mr. Speaker, I offer an amendment.

§ 23.3 The motion for the previous question having been rejected, the Speaker recognized the Minority Leader to offer an amendment to the pending resolution.

On Jan. 10, 1967,[13] the House was considering House Resolution 1, relating to the right of Representative-elect Adam C. Powell, Jr., of New York, to take the oath

9. 84 CONG. REC. 9591, 9592, 76th Cong. 1st Sess.
10. William B. Bankhead (Ala.).
11. 107 CONG. REC. 19750, 19751, 19755, 19758, 19759, 87th Cong. 1st Sess.
12. John W. McCormack (Mass.).
13. 113 CONG. REC. 24–26, 90th Cong. 1st Sess.

of office. After Mr. Morris K. Udall, of Arizona, moved the previous question on the resolution the following occurred:

> MR. GERALD R. FORD [of Michigan]: Mr. Speaker, on the vote on the previous question I demand the yeas and nays.
>
> The yeas and nays were ordered.
>
> The question was taken; and there were—yeas 126, nays 305, not voting 0. . . .
>
> So the motion was rejected. . . .
>
> THE SPEAKER:[14] The Chair recognizes the gentleman from Michigan [Mr. Gerald R. Ford].
>
> AMENDMENT OFFERED BY MR. GERALD R. FORD
>
> MR. GERALD R. FORD: Mr. Speaker, I offer a substitute for House Resolution 1.[15]

§ 23.4 Where the previous question is rejected on a pending resolution, the Speaker recognizes a Member opposed to the resolution who may offer an amendment; and the recognition of the Member is not precluded by the fact that he has been previously recognized and offered an amendment which was ruled out on a point of order.

On Jan. 3, 1969,[16] the House was considering House Resolution 1, authorizing the Speaker to administer the oath of office to Representative-elect Adam C. Powell, Jr., of New York. Mr. Clark Mac Gregor, of Minnesota, had offered an amendment to the resolution, but that amendment was ruled out on a point of order. Mr. Emanuel Celler, of New York, the proponent of the original resolution, then moved the previous question on his resolution. The following occurred:

> MR. CELLER: Mr. Speaker, I move the previous question and insist upon the previous question. . . .
>
> The question was taken; and there were—yeas 172, nays 252, not voting 4, not sworn 6. . . .
>
> So the previous question was not ordered. . . .
>
> MR. MACGREGOR: Mr. Speaker, I have pending at the Clerk's desk a resolution which I offer as a substitute for the resolution ruled out on the point of order, as an amendment to House Resolution 1.

After the Clerk read the substitute offered by Mr. MacGregor, the Speaker[17] stated, "The gentleman from Minnesota is recognized for one hour."

§ 23.5 Recognition to offer an amendment to a resolution

14. John W. McCormack (Mass.).
15. See also 113 CONG. REC. 5019, 5029, 5036–38, 90th Cong. 1st Sess., Mar. 1, 1967.
16. 115. CONG. REC. 25–29, 91st Cong. 1st Sess.
17. John W. McCormack (Mass.).

called up prior to the adoption of the rules passes to a Member opposed to the resolution if the previous question is rejected.

On Jan. 10, 1967,[18] the House was considering House Resolution 1, relating to the right of Representative-elect Adam C. Powell, Jr., of New York, to take the oath of office. Mr. Joe D. Waggonner, Jr., of Louisiana, rose with a series of parliamentary inquiries.

MR. WAGGONNER: Mr. Speaker, if the previous question is voted down would, then, under the rules of the House, amendments or substitutes be in order to the resolution offered by the gentleman from Arizona [Mr. Udall]?

THE SPEAKER:[19] The Chair will state to the gentleman from Louisiana [Mr. Waggonner] that any germane amendment may be in order to that particular amendment.

MR. WAGGONNER: Mr. Speaker, one further parliamentary inquiry.

THE SPEAKER: The gentleman from Louisiana [Mr. Waggonner] will state his parliamentary inquiry.

MR. WAGGONNER: Mr. Speaker, under the rules of the House would the option or priority or a subsequent amendment or a substitute motion lie with the minority?

THE SPEAKER: The Chair will pass upon that question based upon the rules of the House. That would be a question that would present itself to the Chair at that particular time.

A direct answer to the question which has been posed by the gentleman from Louisiana [Mr. Waggonner] would be this: Until the situation arises an answer to the question which has been propounded by the gentleman from Louisiana [Mr. Waggonner] cannot be given by the Chair at this time. However, the usual procedure of the Chair has been to the effect that the Member who led the fight against the resolution will be recognized.[20]

Opponents of Rules Committee Resolution

§ 23.6 In response to a parliamentary inquiry the Speaker advised that if the previous question on a privileged resolution reported by the Committee on Rules were voted down, the Chair would recognize the Member who appeared to be leading the opposition to the resolution.

On Oct. 19, 1966,[1] the House was considering House Resolution 1013, establishing a Select Committee on Standards and Conduct. The following occurred:

MR. [JAMES G.] FULTON of Pennsylvania: Mr. Speaker, if the previous

18. 113 CONG. REC. 14, 15, 90th Cong. 1st Sess.

19. John W. McCormack (Mass.).

20. See also 115 CONG. REC. 27–29, 91st Cong. 1st Sess., Jan 3, 1969.

1. 112 CONG. REC. 27725, 89th Cong. 2d Sess.

question is refused and the resolution is then open for amendment, under what parliamentary procedure will the debate continue? Or what would be the time limit?

THE SPEAKER:[2] The Chair would recognize whoever appeared to be the leading Member in opposition to the resolution.[3]

Motion to Instruct Conferees

§ 23.7 If the previous question is voted down on a motion to instruct the managers on the part of the House, the motion is open to amendment, and the Speaker would recognize a Member opposed to ordering the previous question to control the time and offer an amendment.

On May 29, 1968,[4] the House was considering H.R. 15414, the Revenue and Expenditure Act of 1968. Mr. James A. Burke, of Massachusetts, offered a motion to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill. The previous question was then ordered on the motion. Mr. Joe D. Waggonner, Jr., of Louisiana, rose with a parliamentary inquiry.

MR. WAGGONNER: Mr. Speaker, should the previous question be voted down would the motion be open to a preferential motion to amend and would of necessity the time be controlled by those in opposition to the previous question?

THE SPEAKER:[5] . . . The answer to the parliamentary inquiry of the gentleman from Louisiana would be in the affirmative.

Recognition of Member of Majority

§ 23.8 A majority member who had led the opposition to the previous question on the resolution adopting the rules was recognized, upon rejection of the previous question, to offer an amendment, where no minority member who had been opposed to the previous question sought recognition.

On Jan. 22, 1971,[6] the House was considering House Resolution 5, adopting the rules of the House for the 92d Congress. Mr. William M. Colmer, of Mississippi, moved the previous question on the resolution and the following occurred:

MR. COLMER: . . . Mr. Speaker, I move the previous question on the res-

2. John W. McCormack (Mass.).
3. See also 116 CONG. REC. 19837, 19840, 19843, 19844, 91st Cong. 2d Sess., June 16, 1970; and 84 CONG. REC. 2663, 2670, 2671, 2673, 76th Cong. 1st Sess., Mar. 13, 1939.
4. 114 CONG. REC. 15499, 15500, 15511, 15512, 90th Cong. 2d Sess.
5. John W. McCormack (Mass.).
6. 117 CONG. REC. 140, 142–44, 92d Cong. 1st Sess.

olution, as I am bound to do by the caucus.

THE SPEAKER:[7] The question is on ordering the previous question.

MR. [B.F.] SISK [of California]: Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 134, nays 254, not voting 46. . . .

THE SPEAKER: The Chair recognizes the gentleman from California (Mr. Sisk).

MR. SISK: Mr. Speaker, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Sisk: On page 2, strike out lines 1 through 25, and on page 3, strike out lines 1 through 18.

THE SPEAKER: The gentleman from California is recognized for 1 hour.

§ 24. Effect of Adjournment

Adjournment After Motion for Previous Question

§ 24.1 Where a quorum failed on ordering the previous question on a bill under consideration on a Calendar Wednesday, and the House adjourned, the vote went over until the next Calendar Wednesday.

7. Carl Albert (Okla.).

On Mar. 7, 1935,[8] the following occurred on the floor of the House:

MR. [FREDERICK R.] LEHLBACH [of New Jersey]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER:[9] The gentleman will state it.

MR. LEHLBACH: Yesterday the previous question was moved on a bill then pending, and upon a division the vote was 36 to 16, whereupon a point of no quorum was made. Under the rules of the House there would follow an automatic roll call on the question of ordering the previous question, but before proceedings could be had the gentleman from New York [Mr. O'Connor] moved that the House adjourn, and the House accordingly adjourned. My inquiry is, Is the motion for the previous question still pending?

THE SPEAKER: The motion is pending and the vote will again be taken the next time the committee is called under the Calendar Wednesday rule; that will be the first business in order when the Judiciary Committee is again called on Calendar Wednesday.

§ 24.2 If the previous question is ordered on a bill and amendments thereto, and the House adjourns, the bill becomes the unfinished business the following day and separate votes may be demanded on the amendments at that time.

8. 79 CONG. REC. 3121, 74th Cong. 1st Sess.

9. Joseph W. Byrns (Tenn.).