

veto message and to participate in what I think is a highly important matter.

Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

THE SPEAKER: The question is on the motion offered by the gentleman from West Virginia (Mr. Staggers).

The motion was agreed to.

A motion to reconsider was laid on the table.

Postponement of Resolution of Disapproval

§ 6.3 A resolution disapproving a President's alternative pay plan is subject to a motion in the House to postpone consideration thereof.

Parliamentarian's Note: 5 USC § 5305(j) makes in order motions to postpone consideration of such disapproval resolutions, either to a day certain or indefinitely. A motion to postpone would be in order either (1) pending the initial motion to consider the disapproval resolution; (2) upon adoption of a motion that the Committee of the Whole rise; or (3) after the Committee had risen and reported the resolution back to the House.

Postponement of Motion to Discharge

§ 6.4 When a motion to discharge a committee under

Rule XXVII clause 4 is called up a motion to postpone consideration thereof to a day certain is not in order.

On Dec. 18, 1937,⁽⁵⁾ the House was considering the petitions on the Discharge Calendar. The following took place:

MR. [SAMUEL B.] PETTENGILL [of Indiana]: Assuming that the gentleman from Indiana, or some other signer of the petition, were to call it up, would a motion to postpone to a day certain, being a second or fourth Monday, be in order?

THE SPEAKER:⁽⁶⁾ Under the rules, it would not. The Chair directs the attention of the gentleman from Indiana to the discharge rule which clearly sets out that no intervening motion may take place except one motion to adjourn.

§ 7. Postponement to a Day Certain

Postponement of Veto Messages to a Day Certain

§ 7.1 The debatable motion to postpone further consideration of a veto message to a day certain is privileged and takes precedence over the pending question of passing the bill notwithstanding the objections of the President.

5. 82 CONG. REC. 1847, 75th Cong. 2d Sess.

6. William B. Bankhead (Ala.).

On Jan. 27, 1970,⁽⁷⁾ the House was considering the veto message on H.R. 13111, the Labor and HEW appropriations for fiscal 1970. The following then took place:

THE SPEAKER PRO TEMPORE:⁽⁸⁾ The objections of the President will be spread at large upon the Journal, and the message and bill will be printed as a House document.

The question is: Will the House, on reconsideration, pass the bill H.R. 13111, the objections of the President to the contrary notwithstanding?

THE SPEAKER: The Chair recognizes the gentleman from Texas (Mr. Mahon).

MOTION OFFERED BY MR. MAHON

MR. [GEORGE H.] MAHON [of Texas]: Mr. Speaker, I move that further consideration of the veto message from the President be postponed until tomorrow.

THE SPEAKER PRO TEMPORE: The gentleman from Texas (Mr. Mahon) is recognized on his motion.

§ 7.2 A Member offering a motion to postpone further consideration of a veto message to a day certain may seek recognition to move the previous question thereon.

On June 23, 1970,⁽⁹⁾ the House was considering the veto message

7. 116 CONG. REC. 1367, 1368, 91st Cong. 2d Sess.

8. Carl Albert (Okla.).

9. 116 CONG. REC. 20877, 91st Cong. 2d Sess.

on H.R. 11102, the medical facilities construction and modernization amendments of 1970, when a motion to postpone was offered:

THE SPEAKER:⁽¹⁰⁾ The objections of the President will be spread at large upon the Journal and the message and bill will be printed as a House document.

MR. [HARLEY O.] STAGGERS [of West Virginia]: Mr. Speaker, I move that further consideration of the veto message of the President be postponed until Thursday, June 25, 1970.

Mr. Speaker, the reason I ask for this postponement is to serve notice on all Members of the House and to give everyone an opportunity to study the veto message and to participate in what I think is a highly important matter.

Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

THE SPEAKER: The question is on the motion offered by the gentleman from West Virginia (Mr. Staggers).

The motion was agreed to.

§ 7.3 A veto message postponed to a day certain is the unfinished business on that day.

On Apr. 14, 1948,⁽¹¹⁾ the House resumed consideration of the veto message on H.R. 5052, dealing with the Social Security Act and the Internal Revenue Code. The

10. John W. McCormack (Mass.).

11. 94 CONG. REC. 4427, 80th Cong. 2d Sess.

proper order of business was announced by the Speaker:

THE SPEAKER:⁽¹²⁾ The Chair wishes to state the order of business.

The unfinished business is the further consideration of the veto message of the President of the United States on the bill (H.R. 5052) to exclude certain vendors of newspapers or magazines from certain provisions of the Social Security Act and the Internal Revenue Code.

The Speaker also indicated that when a veto message postponed to a day certain is announced as the unfinished business on that day, no motion is required from the floor for the consideration of such veto; the question "Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding" is the pending business:⁽¹³⁾

THE SPEAKER: The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding? . . .

THE SPEAKER: The gentleman from California [Mr. Gearhart] is recognized.

MR. [HERMAN P.] EBERHARTER [of Pennsylvania]: Mr. Speaker, will the gentleman yield?

MR. [BERTRAND W.] GEARHART: I yield to the gentleman from Pennsylvania.

MR. EBERHARTER: Has the gentleman made a motion to call up the bill?

MR. GEARHART: The Parliamentarian advises me that is not necessary. The Speaker has already stated the issue.

MR. EBERHARTER: I just wanted the record to be certain. I did not hear the gentleman make a motion to call up the bill.

MR. GEARHART: I believe the gentleman's question has already been answered.

MR. [JOHN E.] RANKIN [of Mississippi]: Mr. Speaker, if the gentleman will yield, the bill is before the House now automatically.

MR. EBERHARTER: Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

MR. GEARHART: Gladly.

THE SPEAKER: The Chair will state that he has already put the question, but he will repeat it if the gentleman desires.

MR. EBERHARTER: No. I just want to have the record straight.

THE SPEAKER: The veto message was originally read on April 6, and the request of the gentleman from California was that it be reread for the information of the House. Previous to that request the Chair had stated that the question before the House was, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

The gentleman will proceed.

12. Joseph W. Martin, Jr. (Mass.).

13. 94 CONG. REC. 4427, 4428, 80th Cong. 2d Sess.

§8. Postponement for Indefinite Period