

that the point being advocated reflects accurately the proceedings as they have transpired.

THE SPEAKER: The Chair will state that the previous question was ordered on the amendment and the resolution but not on the preamble.

§ 19. Relation to Other Matters

Privilege of Motion Over Recognition of Member of Debate

§ 19.1 The motion for the previous question is privileged and is in order before a Member is recognized for debate.

On Apr. 1, 1938,⁽³⁾ the House was considering S. 3331, a reorganization bill. Mr. John J. Cochran, of Missouri, spoke:

MR. COCHRAN: Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3331; pending that, I move that general debate in the Committee of the Whole House on the state of the Union on the bill (S. 3331) do now close, and on that motion I move the previous question.

MR. [JOHN J.] O'CONNOR of New York: Mr. Speaker, I ask recognition.

MR. COCHRAN: Mr. Speaker, on that motion I have moved the previous question.

3. 83 CONG. REC. 4616, 75th Cong. 3d Sess.

MR. O'CONNOR of New York: Mr. Speaker, I asked recognition before the previous question was moved.

THE SPEAKER:⁽⁴⁾ The gentleman from Missouri moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3331; pending that, the gentleman moves that general debate in the Committee of the Whole House on the state of the Union on the bill S. 3331 do now close, and on that motion he moves the previous question.

MR. O'CONNOR of New York: Mr. Speaker, before the gentleman moved the previous question I asked recognition.

THE SPEAKER: The gentleman from Missouri moved the previous question.

MR. O'CONNOR of New York: I asked recognition, Mr. Speaker, before the gentleman moved the previous question.

THE SPEAKER: The motion for the previous question takes precedence.

As Related to Amendment to Resolution

§ 19.2 An amendment to the body of a resolution reported by the Committee on Rules is properly offered before the previous question is moved.

On Feb. 28, 1949,⁽⁵⁾ Mr. John E. Lyle, Jr., of Texas, called up House Resolution 44 (relating to the Panama Canal) which had

4. William B. Bankhead (Ala.).

5. 95 CONG. REC. 1617, 1619, 81st Cong. 1st Sess.

been reported from the Committee on Rules. After he controlled a brief debate, Mr. Lyle stated that he had no further demands for time, and posed a parliamentary inquiry.

MR. LYLE: At what time would an amendment be proper? Now, or after the previous question has been ordered?

THE SPEAKER:⁽⁶⁾ An amendment to the body of the resolution should be offered now.

As Related to Administration of House Oath

§ 19.3 A question involving the swearing in of a Member-elect was permitted after the previous question had been ordered on the pending question.

On Oct. 3, 1969,⁽⁷⁾ the Committee of the Whole reported back to the House the bill H.R. 14000, the Military Procurement Act for fiscal 1970, and the Speaker, John W. McCormack, of Massachusetts, stated that under the rule the previous question was ordered. The following then occurred:

MR. [CARL] ALBERT [of Oklahoma]: Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts, Mr. Michael J. Harrington, be

permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

THE SPEAKER: Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. Harrington appeared at the bar of the House and took the oath of office.

As Related to Senate Messages

§ 19.4 A message from the Senate may be received by the House after the previous question has been ordered, pending the question of passage of the bill.

On Oct. 3, 1969,⁽⁸⁾ the Committee of the Whole having considered H.R. 14000, dealing with military procurement authorizations for fiscal 1970, reported the bill back to the House.

THE SPEAKER:⁽⁹⁾ Under the rule, the previous question is ordered.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2917. An act to improve the health and safety conditions of per-

6. Sam Rayburn (Tex.).

7. 115 CONG. REC. 28487, 91st Cong. 1st Sess.

8. 115 CONG. REC. 28487, 91st Cong. 1st Sess.

9. John W. McCormack (Mass.).

sons working in the coal mining industry of the United States.⁽¹⁰⁾

§ 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,⁽¹¹⁾ 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:⁽¹²⁾ 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.⁽¹³⁾

Relation to Motions to Amend

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

On Nov. 8, 1971,⁽¹⁴⁾ 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.