

## POSTPONE, MOTION TO

Under Rule XXII the motions "to postpone indefinitely," or "to postpone to a day certain," are privileged after the motion to lay on the table, and take precedence over motions to commit or refer, as well as over any amendments offered.

Both motions are debatable and a motion to postpone indefinitely for all practical purposes, when agreed to, is deemed to be a final disposition of the particular proposition so postponed. A motion to postpone action on a matter to a day certain anticipates further action on that date; for example, if the Senate should be considering a bill and moved to postpone further consideration of that bill until a specific day, when that day arrives it would be assumed that the Senate would return to its consideration.

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### Rule XXII, Paragraph 1

#### [Precedence of Motions]

When a question is pending, no motion shall be received but—  
To adjourn.  
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.  
To take a recess.  
To proceed to the consideration of executive business.  
To lay on the table.  
To postpone indefinitely.  
To postpone to a day certain.  
To commit.  
To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

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#### Amendments Between Houses:

See "Postpone," pp. 140-141.

#### Amendments to Bill:

A motion to postpone an amendment to a day certain, or to postpone indefinitely, is in order under Rule XXII;<sup>1</sup>

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<sup>1</sup> Sept. 23, 1919, 66-1, *Record*, pp. 5779-80; June 19, 1911, 62-1, *Record*, pp. 2279-81.

the consideration of a committee amendment, being a total, may be postponed until amendments to items comprising such total have been acted upon, and carries with it a proposed amendment to the committee amendment.<sup>2</sup>

An amendment to a joint resolution or bill cannot be received while a motion that such a measure be postponed indefinitely is pending.<sup>3</sup>

If a Senator who has the floor will yield to another Senator for the purpose, a motion to defer action on an amendment until it has been printed is in order.<sup>4</sup>

One particular amendment to a bill having been postponed, other amendments to the same bill are in order for consideration.<sup>5</sup>

### **Amendments to Motion:**

A motion to postpone until a day certain is amendable.<sup>6</sup>

### **Bills, Motion To Postpone:**

Under Rule XXII, when a bill is under consideration, a motion to postpone indefinitely or to postpone to a day certain,<sup>7</sup> is in order, but the adoption of a motion to postpone a bill to a day certain does not change its status and when the bill is again considered, it may be displaced by a majority vote.<sup>8</sup>

A motion to lay aside a bill until printed copies of the bill and report are available is not in order.<sup>9</sup>

Bills are indefinitely postponed instead of being withdrawn.<sup>10</sup>

A motion to postpone to a day certain the further consideration of a part of a bill is not in order.<sup>11</sup>

### **Bills Must Be Before Senate:**

*See also* "Postpone Motion To Consider," pp. 674-675.

<sup>2</sup> See May 31, 1988, 75-3, *Record*, p. 7728.

<sup>3</sup> Feb. 13, 1884, 48-1, *Record*, p. 1077.

<sup>4</sup> See Apr. 23, 1959, 86-1, *Record*, p. 6553.

<sup>5</sup> Feb. 7, 1944, 78-2, *Record*, p. 1296.

<sup>6</sup> See July 24, 1947, 80-1, *Record*, pp. 9982-85; Dec. 10, 1971, 92-1, *Record*, p. 46120.

<sup>7</sup> See June 12, 1952, 82-2, *Record*, pp. 7115-16.

<sup>8</sup> See Dec. 20, 1937, 75-2, *Record*, pp. 1932, 1934.

<sup>9</sup> See June 12, 1952, 82-2, *Record*, pp. 7115-16.

<sup>10</sup> Jan. 25, 1943, 78-1, *Record*, p. 337; Mar. 6, 1952, 82-2, *Record*, p. 1902.

<sup>11</sup> See Aug. 20, 1959, 86-1, *Record*, pp. 16502-04.

Pending a motion to proceed to the consideration of a bill, a motion to postpone the bill is not in order.<sup>12</sup>

### **Cloture:**

A motion to postpone the consideration of a nomination is in order in spite of the fact that a motion to invoke cloture has been filed.<sup>13</sup>

When the Senate has invoked cloture on a measure, it is not in order to move to postpone that measure to a time certain, since the invocation of cloture requires that the Senate remain on that measure until it is disposed of.<sup>14</sup> However, a motion to postpone consideration of a measure until a certain hour on a day certain is in order, where a cloture motion has been filed on that measure.<sup>15</sup>

While a debatable motion to proceed to the consideration of a measure (on which a cloture motion has been filed) is pending, it is in order to move to postpone that motion to a date certain.<sup>16</sup>

When the Senate is operating under cloture, it is in order to move to postpone indefinitely the clotured matter.<sup>17</sup>

### **Concurrent Resolutions Used To Postpone Bills:**

See "Concurrent Resolutions," pp. 442-448.

### **Conference Report, Motion To Postpone:**

See "Points of Order Against a Conference Report," pp. 483-485.

### **Coupling of Motions, Out of Order:**

A substitute motion for a motion to postpone further consideration of a nomination until a date certain may not include a proposition to vote at an hour certain on the confirmation of the nomination; that would be tantamount to a unanimous consent agreement fixing the time to vote.<sup>18</sup>

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<sup>12</sup> July 20, 1945, 79-1, *Record*, p. 7853.

<sup>13</sup> Dec. 10, 1971, 92-1, *Record*, p. 46120.

<sup>14</sup> Dec. 20, 1982, 97-2, *Record*, p. 32669.

<sup>15</sup> See Sept. 30, 1988, 100-2, *Record*, p. S 13773.

<sup>16</sup> Dec. 10, 1982, 97-2, *Record*, p. 29938.

<sup>17</sup> See Dec. 20, 1982, 97-2, *Record*, pp. 32676-77.

<sup>18</sup> See Dec. 10, 1971, 92-1, *Record*, p. 46120.

### Debate of Motion To Postpone:

See "Postpone, Debate of Motion To," p. 766.

### Dies With Adjournment:

A motion to postpone a matter for one legislative day dies with an adjournment of the Senate. Since the Senate would then be in a new legislative day such a motion would have to be renewed in order to be considered.<sup>19</sup>

### Engrossed Bill Postponed Indefinitely:

On one occasion in 1952, after a Senate bill had been passed by both Houses, it was discovered that the beneficiary had died, and a concurrent resolution to rescind all action on the bill and to postpone the bill indefinitely was adopted by both Houses.<sup>20</sup>

### Gentlemen's Agreement To Postpone:

A gentlemen's agreement to postpone consideration of a motion to a particular day does not automatically come before the Senate on that day.<sup>21</sup>

### Motions in Order:

For other motions in order *see also* "Postpone," p. 485; "Postpone, Recommit Motion To," p. 1119; "Postpone, Unfinished Business," p. 1378; "Postponement of Veto Message," p. 1385.

The following motions to postpone are in order at the proper time:

- (1) To postpone indefinitely or to a day certain;<sup>22</sup>
- (2) To lay aside to a day certain;<sup>23</sup>
- (3) To postpone consideration of a motion to a day certain;<sup>24</sup> and

<sup>19</sup> June 18, 1974, 93-2, *Record*, pp. 19630-31.

<sup>20</sup> Feb. 6 and 7, 1952, 82-2, *Record*, pp. 886, 907.

<sup>21</sup> *See* Oct. 4 and 6, 1939, 76-2, *Record*, pp. 245-46, 350-51.

<sup>22</sup> Aug. 5, 1886, 49-1, *Record*, p. 8012; June 19, 1911, 62-1, *Record*, pp. 2279-81; Sept. 23, 1919, 66-1, *Record*, pp. 5779-80; *see also* Sept. 23, 1919, 66-1, *Record*, pp. 5779-80; July 22, 1947, 80-1, *Record*, p. 9673; Mar. 2, 1905, 58-3, *Record*, p. 3845; Apr. 19, 1946, 79-2, *Record*, p. 4034.

<sup>23</sup> *See* June 12, 1952, 52-2, *Record*, pp. 7115-16.

<sup>24</sup> July 24, 1947, 80-1, *Record*, pp. 9982-83; July 25, 1947, 80-1, *Record*, pp. 10134-35; *see also* July 19, 1947, 80-1, *Record*, p. 9351.

(4) To postpone the consideration of House amendments to a Senate bill to a day certain<sup>25</sup> or until the first legislative day after the Christmas holidays.<sup>26</sup>

A motion to postpone a motion to reconsider is in order.<sup>27</sup>

In 1892, a motion to, postpone the consideration of a vetoed bill to a day certain was entertained and voted upon.<sup>28</sup>

On one occasion, a Senator moved to postpone a measure until the submission by the President of a written report to Congress.<sup>29</sup>

Where, during the consideration of a Senate bill, a similar House bill was taken up on motion, it was held that the Senate bill could be postponed indefinitely prior to action on the House bill.<sup>30</sup>

A resolution coming over from a previous day, if postponed to a day certain, will be laid before the Senate when that time arrives.<sup>31</sup>

A motion to postpone indefinitely a resolution for which unanimous consent for its consideration has been asked, while unfinished business is pending can be entertained only by unanimous consent.<sup>32</sup>

### Motions Out of Order:

For other motions on postponement out of order, *see also* "Lay Aside Temporarily," pp. 902-904; "Postpone Motion To Consider," pp. 674-675.

The following motions to postpone have been held not to be in order:

To postpone a matter to an indefinite date;<sup>33</sup>

To postpone temporarily the consideration of a pending amendment to a treaty;<sup>34</sup>

To postpone to a day certain the further consideration of a part of a bill;<sup>35</sup>

<sup>25</sup> Dec. 19, 1928, 70-2, *Journal*, p. 51; *see also* Feb. 7, 1944, 78-1, *Record*, pp. 1295-96.

<sup>26</sup> Dec. 19, 1928, 70-2, *Journal*, p. 51, *Record*, p. 863.

<sup>27</sup> Apr. 1, 1987, 100-1, *Record*, pp. S 4357-61, S 4397.

<sup>28</sup> July 29, 1892, 52-1, *Record*, p. 6930.

<sup>29</sup> May 24, 1983, 98-1, *Record*, p. 13462.

<sup>30</sup> *See* June 6, 1924, 68-1, *Record*, p. 10958.

<sup>31</sup> *See* Feb. 15, 1943, 78-1, *Record*, p. 909.

<sup>32</sup> *See* May 6, 1924, 68-1, *Record*, p. 7935.

<sup>33</sup> July 18, 1945, 79-1, *Record*, p. 7669.

<sup>34</sup> June 19, 1911, 62-1, *Record*, pp. 2279-81; *see also* Sept. 23, 1919, 66-1, *Record*, pp. 5779-80.

<sup>35</sup> *See* Aug. 20, 1959, 86-1, *Record*, pp. 16502-04.

To lay aside a bill until printed copies of the bill and report are available;<sup>36</sup> and

To lay aside informally a pending matter, without a time named.<sup>37</sup>

A motion to lay aside temporarily the unfinished business for the purpose of taking up an appropriation bill is not in order, the proper motion being to proceed to the consideration of such appropriation bill, which, if agreed to, displaces the unfinished business.<sup>38</sup>

Motions to postpone a bill "for the present" is not one of the motions enumerated in Rule XXII, but the motion should be to postpone to a specific time.<sup>39</sup>

To consider a bill which has been postponed to a day certain, prior to that date is not in order.<sup>40</sup>

Pending a motion to proceed to the consideration of a bill, a motion to postpone consideration of the bill is not in order.<sup>41</sup>

### **Over Under the Rule, Postponement of:**

See "Over Under the Rule," pp. 957-967.

### **Precedence of Motions:**

A motion to postpone the further consideration of a bill to a day certain has precedence over: (1) the consideration of an amendment thereto,<sup>42</sup> (2) a motion to recommit the said bill,<sup>43</sup> (3) a motion to refer,<sup>44</sup> or (4) a motion to proceed to the consideration of a certain schedule to the said bill.<sup>45</sup>

A motion to take up another bill while unfinished business is pending has precedence over a motion to postpone the latter to a day certain.<sup>46</sup>

An amendment cannot be received to a joint resolution while a motion to postpone is pending.<sup>47</sup>

<sup>36</sup> See June 12, 1952, 82-2, *Record*, pp. 7115-16.

<sup>37</sup> Aug. 5, 1886, 49-1, *Record*, p. 8012.

<sup>38</sup> Feb. 7, 1895, 53-3, *Record*, p. 1887.

<sup>39</sup> Jan. 27, 1887, 49-2, *Record*, p. 1065.

<sup>40</sup> See July 18, 1945, 79-1, *Record*, p. 7674.

<sup>41</sup> See July 20, 1945, 79-1, *Record*, p. 7853.

<sup>42</sup> See Feb. 24, 1947, 80-2, *Record*, p. 1352; May 23, 1947, 80-1, *Record*, pp. 5720-21.

<sup>43</sup> See Aug. 20, 1959, 86-1, *Record*, pp. 16502-504.

<sup>44</sup> Feb. 15, 1943, 78-1, *Record*, p. 909.

<sup>45</sup> See Nov. 14, 1929, 71-1, *Record*, p. 5551.

<sup>46</sup> Feb. 21, 1938, 75-3, *Record*, p. 2202.

<sup>47</sup> Feb. 13, 1884, 48-1, *Record*, p. 1077.

A motion to table an amendment to a motion to recommit with instructions takes precedence over a motion to indefinitely postpone the motion to recommit.<sup>48</sup>

### **Status of Measure Postponed:**

A resolution coming over from a previous day, if postponed to a day certain, will be laid before the Senate when that time arrives.<sup>49</sup>

A motion or request to postpone a bill to a day certain does not change its status if adopted, and when again considered may be displaced by a majority vote.<sup>50</sup>

Postponement of a motion to a day certain will not interfere with the transaction of ordinary business in the meantime.<sup>51</sup>

### **Unanimous Consent Agreements:**

*See also* "Unanimous Consent Agreements," pp. 1311-1369.

Under a unanimous consent agreement for a final vote upon the passage of a bill, a motion to postpone indefinitely such a bill is in order as being a final disposition thereof.<sup>52</sup>

Under a unanimous consent agreement for a final vote on a bill on a specified day, subject to a motion to postpone to a day certain, a motion to postpone to a different day and that in the meantime the bill be recommitted to the committee with certain instructions is not in order.<sup>53</sup>

### **Veto, Motion To Postpone:**

*See* "Postponement of Veto Message," p. 1385.

### **Vote Required:**

A motion to postpone to a day certain a bill under consideration requires a majority vote only, while a two-thirds vote is required to make a bill a special order.<sup>54</sup>

<sup>48</sup> July 14, 1987, 100-1, *Record*, p. S9863.

<sup>49</sup> *See* Feb. 15, 1943, 78-1, *Record*, p. 909.

<sup>50</sup> *See* Dec. 20, 1937, 75-2, *Record*, pp. 1932, 1934.

<sup>51</sup> *See* Apr. 20, 1942, 77-2, *Record*, pp. 3531-32.

<sup>52</sup> Oct. 17, 1914, 63-2, *Record*, pp. 16794, 16799.

<sup>53</sup> May 2, 1912, 62-2, *Journal*, p. 315, *Record*, pp. 5739-40.

<sup>54</sup> *See* Apr. 1, 1884, 48-1, *Record*, p. 2456.