

pursuant to the provisions of a Senate concurrent resolution⁽⁸⁾ to carry out Congress' constitutional and statutory responsibilities relative to opening the certificates and ascertaining and counting the votes of the electors of the several states for President and Vice President.

Presiding Officer

§ 2.5 In the absence of the President of the Senate, the President pro tempore of the Senate presides over the joint session to count the electoral votes for President and Vice President.

On Jan. 6, 1969,⁽⁹⁾ in the absence of the President of the Senate,⁽¹⁰⁾

8. S. Con. Res. 1, agreed to by the House at 119 CONG. REC. 30, 93d Cong. 1st Sess., Jan. 3, 1973. For additional examples of House agreement to concurrent resolutions providing for joint sessions to count electoral votes, see 115 CONG. REC. 36, 91st Cong. 1st Sess., Jan. 3, 1969; 111 CONG. REC. 26, 89th Cong. 1st Sess., Jan. 4, 1965; and 107 CONG. REC. 26, 87th Cong. 1st Sess., Jan. 3, 1961.
9. 115 CONG. REC. 145, 91st Cong. 1st Sess. See also 111 CONG. REC. 136, 89th Cong. 1st Sess., Jan. 6, 1965.
10. On Jan. 6, 1969, the President of the Senate, Hubert H. Humphrey, (Minn.), who was the incumbent Vice President and the losing candidate for President in the 1968 election, declined to preside over the joint

the President pro tempore of the Senate⁽¹¹⁾ presided over the joint session to count the electoral votes for President and Vice President of the United States.

Procedure

§ 2.6 Where the two Houses meet to count the electoral vote, a joint session is convened pursuant to a concurrent resolution of the two Houses which incorporates by reference the applicable provisions of the United States Code; and the procedures set forth in those provisions are in effect constituted as a joint rule of the two Houses for the occasion and govern the procedures in the joint session and in both Houses in the event they divide to consider an objection.

On Jan. 6, 1969,⁽¹²⁾ the two Houses convened in joint session to count the electoral vote. The joint session was convened pursuant to a Senate concurrent resolution⁽¹³⁾

session to count the electoral votes. On Jan. 6, 1965, the office of the President of the Senate was vacant, the former Vice President, Lyndon B. Johnson (Tex.), having ascended to the Presidency upon the death of his predecessor, Nov. 22, 1963.

11. Richard B. Russell (Ga.).
12. 115 CONG. REC. 145-47, 169-72, 91st Cong. 1st Sess.
13. S. Con. Res. 1.