

RECONSIDERATION

Under the rules of the Senate when a question has been decided by the Senate, any Senator voting with the prevailing side or who did not vote may, on the day such action is taken or on either of the next two days of actual session thereafter, move to reconsider that vote, or enter a motion to reconsider that vote. After that time, it takes unanimous consent to make or enter such a motion.

Only one motion to reconsider a question may be made, unless upon reconsideration the first result is reversed. Therefore, if a bill is passed and that vote is reconsidered and the bill is then defeated, that action could be reconsidered. Also if the vote on the passage of a bill is reconsidered, and the bill is amended, then another motion to reconsider that bill would be in order.

When a motion to reconsider is made immediately after an action is taken, the motion to reconsider becomes the pending question and a motion to table the motion to reconsider would be in order by a Senator who gained recognition. If the motion to table the motion to reconsider is agreed to, that result is conclusive, unless by unanimous consent the Senate orders otherwise.

If after an action is taken other business has intervened and the matter is no longer before the Senate, or while other business is pending, a Senator may enter a motion to reconsider within the prescribed time. Under such circumstances, it would then require a motion to proceed to the consideration of the motion to reconsider before action thereon could be taken. If the Senate passes a bill and a motion to reconsider that action is entered before the bill is messaged to the House, the bill will not be sent to the House until the motion to reconsider is disposed of.

If a measure on which the Senate has taken action has gone out of its jurisdiction, say, for example, has been sent to the House, when a motion to reconsider is entered, an additional motion at that time to request the return of the bill is required because the Senate cannot take action on any proposition which is not in its possession.

Rule XIII

[Procedure on Motion To Reconsider]

1. When a question has been decided by the Senate, any Senator voting with the prevailing side or who has not voted may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider such a motion entered, or if such a motion is withdrawn by leave of the Senate, or if upon reconsideration the Senate shall affirm its first decision, no further motion to reconsider shall be in order unless by

unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

2. When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and, if determined in the negative shall be a final disposition of the motion to reconsider.

Rule XXXI, Paragraphs 3 and 4

[Reconsideration of Nomination]

3. When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual executive session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination, and shall be a final disposition of such motion.

4. Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending unless otherwise ordered by the Senate.

Adjournment Resolution:

A motion to reconsider an adjournment resolution, to be effective at a later date, is in order if done within the required time set forth in the rule. But if the concurrent resolution has gone back to the House at the time of entering the motion, a motion that the Secretary of the Senate be directed to request the House of Representatives to return the concurrent resolution to the Senate must be made.

The motion to reconsider having been entered would be held in abeyance until the House returns the concurrent resolution proposed to be reconsidered. The motion to request the return not only has to be made immediately

after entering the motion but action on it is not debatable.¹

Adoption of Motion:

The motion to reconsider a proposition having been agreed to, that proposition is then before the Senate again for disposition.²

Amendments Between Houses, Reconsideration of:

See also "Reconsider," p. 142.

Where the Senate passes a House bill with amendments and asks for a conference, a motion to reconsider the vote on the passage of the bill is in order, the papers being in possession of the Senate,³ and even after the House agrees to a conference requested by the Senate.⁴

Amendments to a Bill, Reconsideration of:

See also "Third Reading," pp. 245-247; "Entering of Motion To Reconsider," pp. 1132-1135.

A motion to reconsider amendments, including committee amendments,⁵ may be entered at any time even subsequent to the consideration of individual amendments,⁶ if within the defined limit of time,⁷ but the motion cannot be considered when another amendment is pending,⁸ nor does it come up for consideration automatically;⁹ a motion to reconsider an amendment already agreed to by the Senate would be in order at any time when no other matter is pending,¹⁰ if one such motion had not been acted on.

It is in order to move to reconsider the vote by which an amendment was rejected or adopted at any time another amendment is not pending until the third reading of the

¹ Aug. 2, 1977, 95-1, *Record*, pp. 26036-37.

² *See* Mar. 30, 1914, 63-2, *Record*, pp. 5773-74.

³ Jan. 10 and 11, 1934, 73-2, *Journal*, p. 34, *Record*, p. 417.

⁴ July 18, 1947, 80-1, *Record*, p. 9250-51.

⁵ *See* June 18, 1960, 86-2, *Record*, p. 13244.

⁶ Oct. 4, 1971, 92-1, *Record*, p. 34681; *see* May 9, 1924, 68-1, *Record*, p. 8200.

⁷ Rule XIII.

⁸ July 7, 1954, 83-2, *Record*, p. 9917; Oct. 4, 1971, 92-1, *Record*, p. 34681; Sept. 16, 1968, 90-2, *Record*, p. 26909; Feb. 26, 1973, 93-1, *Record*, pp. 5401-02; *see also* June 2, 1947, 80-1, *Record*, p. 6126; Nov. 29, 1943, 78-1, *Record*, pp. 10081-82.

⁹ Nov. 30, 1943, 78-1, *Record*, p. 10109.

¹⁰ Feb. 26, 1973, 93-1, *Record*, pp. 5401-02; *see* June 2, 1947, 80-1, *Record*, p. 6126.

said bill as long as the bill is before the Senate, and unanimous consent is not required.¹¹

A motion to reconsider a vote on the adoption of an amendment is not in order when another amendment is pending.¹²

It would take unanimous consent to make it in order to consider such a motion while the Senate has before it another amendment; such a motion could be entered if within the required time.¹³

A motion to reconsider the vote by which an amendment was adopted or defeated immediately after that vote is taken, is in order, if no other business has intervened and is pending; a motion to table the motion to reconsider would then be in order.¹⁴

The reconsideration of a vote agreeing to an amendment to a bill after its passage is not in order unless the vote on the final passage of the bill is first reconsidered.¹⁵ Likewise, after the third reading of the bill, a motion to reconsider the vote agreeing to an amendment is not in order until the vote ordering the engrossment and third reading has first been reconsidered.¹⁶ If the rejection of a joint resolution is reconsidered, an amendment to it is not in order unless the votes ordering the engrossment and third reading are also reconsidered.¹⁷

The vote on an amendment may be reconsidered, the amendment rejected, and a motion to reconsider that vote may be tabled;¹⁸ but if one such motion is entered and laid on the table, another is not in order except by unanimous consent.¹⁹

By unanimous consent an amendment or amendments may be reconsidered separately or en bloc after the time limit for entering the motion to reconsider has expired.²⁰

When an amendment is reconsidered it is before the Senate *de novo*.²¹

¹¹ Jan. 26, 1972, 92-2, *Record*, p. 1399.

¹² Aug. 8, 1966, 89-2, *Record*, p. 18584; Oct. 4, 1971, 92-1, *Record*, p. 34681.

¹³ Oct. 4, 1971, 92-1, *Record*, p. 34681; *see also* footnotes 5-8, above.

¹⁴ *See* June 29, 1965, 89-1, *Record*, p. 15108.

¹⁵ Apr. 21 and 22, 1926, 69-1, *Journal*, pp. 342, 345, *Record*, p. 7968.

¹⁶ Mar. 19, 1934, 73-2, *Record*, p. 4818.

¹⁷ May 22, 1934, 73-2, *Record*, p. 9241.

¹⁸ Mar. 21 and 22, 1939, 76-1, *Journal*, pp. 182-85.

¹⁹ *See* Mar. 7, 1940, 76-3, *Record*, p. 2474.

²⁰ Oct. 10, 1942, 77-2, *Record*, p. 8031; *see also* Apr. 17, 1950, 81-2, *Record*, pp. 5268, 5273.

²¹ July 14, 1942, 77-2, *Record*, pp. 6140-41.

The Senate having agreed to reconsider a resolution for an investigation, the Presiding Officer held in order an amendment in the nature of a substitute reversing the previous action of the Senate on a perfecting amendment authorizing the investigation to be made by a standing committee instead of a select committee.²²

For the effect of a motion to strike out an amendment already agreed to, together with other portions of the bill, without reconsidering the vote on the amendment agreed to, see "Amendments," "Strike Out, etc.," pp. 78-82.

A committee amendment may be reconsidered under a unanimous consent request for the specific purpose of offering a certain amendment only.²³

Amendments to Motion To Reconsider:

A motion to reconsider is not amendable and an amendment thereto providing that a bill shall be taken up at a certain time and proceeded with until disposed of is not in order,²⁴ nor is a substitute for a motion to reconsider in order.²⁵

Calendar Call, Motions To Reconsider During:

A motion to reconsider does not come up on a call of the Calendar²⁶ nor is a motion to proceed to the consideration of a motion to reconsider in order while the Senate is considering unobjected-to bills on the Calendar.²⁷

In 1954, it was held that a motion to reconsider the vote by which a joint resolution failed to pass is not subject to debate at the time it is entered when the Senate is considering a call of the Calendar, but a Senator could use the five minutes he is entitled to on a bill to discuss the same.²⁸

The consideration of a motion to reconsider the vote on the passage of a bill, which, at the time of such passage was not stricken from the Calendar, is not in order when such a bill is reached on the Calendar call.²⁹

²² Dec. 18 and 19, 1895, 54-1, *Record*, pp. 224, 248.

²³ See May 12, 1939, 76-1, *Record*, p. 5496.

²⁴ Apr. 2, 1930, 71-2, *Journal*, p. 250, *Record*, p. 6354.

²⁵ Dec. 14, 1932, 72-2, *Record*, p. 441.

²⁶ See June 13, 1938, 75-3, *Record*, p. 8974.

²⁷ See Mar. 2, 1954, 83-2, *Record*, pp. 2460-61; July 24, 1947, 80-1, *Record*, p. 9936.

²⁸ Mar. 2, 1954, 83-2, *Record*, p. 2460.

²⁹ May 5, 1924, 68-1, *Record*, pp. 7832-33.

Cloture:

See "Reconsideration of Proposition Acted on Under Cloture," p. 325.

Conference Reports, Reconsideration of:

See "Concur," pp. 133-134; "Reconsider," pp. 488-489.

Conference Requested—Bill Reconsidered:

See "Amendments Between Houses, Reconsideration of," p. 1126.

Consideration of Bill Reconsidered:

A motion to reconsider the vote taking up a bill having been agreed to, the question then recurs on the original motion to proceed to its consideration.³⁰

Consideration of Motion To Reconsider:

See also "Reconsider," p. 676.

The procedure to get a motion to reconsider before the Senate, where such motion was merely entered, is to move to take up or to proceed to the consideration of the motion to reconsider,³¹ which requires a majority vote;³² but before a motion to reconsider can be acted upon, it must first be before the Senate.³³

The question of consideration of a motion to reconsider is not privileged and is superseded at the expiration of the Morning Hour by the unfinished business;³⁴ a motion to proceed to its consideration at that time or at any appropriate time is in order.³⁵

While unfinished business is pending, a motion is in order to proceed to the consideration of a motion to reconsider.³⁶

A motion to take up a motion to reconsider may be made by any Senator obtaining recognition.³⁷

³⁰ Mar. 21, 1914, 63-2, *Record*, p. 5219.

³¹ Apr. 17, 1950, 81-2, *Record*, pp. 5240, 5250; see also June 13, 1938, 75-3, *Record*, p. 8974.

³² See Mar. 2, 1954, 83-2, *Record*, pp. 2460-61; see also Oct. 3, 1918, 65-2, *Record*, pp. 11037-40.

³³ Aug. 19, 1949, 81-1, *Record*, p. 11851; see also June 23, 1954, 83-2, *Record*, p. 8739.

³⁴ Feb. 22, 1895, 53-3, *Record*, p. 2538; see also June 14 and 21, 1886, 49-1, *Journal*, p. 945, *Record*, pp. 5660, 5944; Apr. 10, 1933, 73-1, *Record*, pp. 1424-25.

³⁵ July 25, 1939, 76-1, *Record*, p. 9922.

³⁶ May 28, 1930, 71-2, *Record*, pp. 9713-14.

³⁷ See Mar. 2, 1954, 83-2, *Record*, p. 2461.

While a motion to reconsider the vote on a matter pending before the Senate may be entered as a matter of privilege, a Senator who entered a motion to reconsider the vote whereby the Senate recommitted a bill after the Senate had proceeded to another matter, was informed by the Chair that he did not have the right to have that motion considered at that time.³⁸

It has been the uniform practice of the Senate that a motion to reconsider is entered for subsequent consideration.³⁹ It would be in order at any appropriate time to move to proceed to the consideration of a motion to reconsider any action taken by the Senate,⁴⁰ which if agreed to would displace any pending or unfinished business.⁴¹

Where objection is made to a request for reconsideration of a vote on the passage of a bill, for which a motion to reconsider had been previously entered, the first step is a motion to proceed to the consideration of such a motion to reconsider.⁴²

If such a motion has previously been entered or is entered during the consideration of the unfinished business, the Senate by a majority vote may take up such a motion, and if agreed to the unfinished business or any pending business⁴³ would be displaced.⁴⁴

It is in order for any Senator to make a motion that the Senate proceed to the consideration of a motion to reconsider previously entered by another Senator,⁴⁵ but a Senator cannot call it up as a matter of right; it must be taken upon motion.⁴⁶

Such a motion can be entered but its consideration is not in order while the Senate is considering unobjected-to bills on the Calendar,⁴⁷ or while a motion to take up a bill is pending,⁴⁸ and when a motion had been entered to

³⁸ See Oct. 4, 1951, 82-1, *Record*, p. 12580.

³⁹ Mar. 2, 1887, 49-2, *Record*, p. 2512.

⁴⁰ Apr. 17, 1950, 81-2, *Record*, pp. 5240, 5250; see also June 13, 1938, 75-3, *Record*, p. 8974.

⁴¹ See Mar. 4, 1938, 75-3, *Record*, p. 2826.

⁴² June 6, 1906, 59-1, *Record*, pp. 7915-16.

⁴³ Sept. 18, 1950, 81-2, *Record*, p. 14996.

⁴⁴ May 28, 1930, 71-2, *Record*, pp. 9713-14; see also Apr. 10, 1933, 73-1, *Record*, pp. 1424-25; July 25, 1939, 76-1, *Record*, p. 9922; Apr. 28, 1947, 80-1, *Record*, p. 4127; Aug. 9, 1949, 81-1, *Record*, p. 11098; Mar. 4, 1938, 75-3, *Record*, p. 2826; Mar. 2, 1954, 83-2, *Record*, p. 2460.

⁴⁵ Sept. 18, 1950, 81-2, *Record*, p. 14996; Apr. 28, 1947, 80-1, *Record*, p. 4127; May 28, 1930, 71-2, *Record*, pp. 9713-14; Mar. 2, 1954, 83-2, *Record*, p. 2461.

⁴⁶ May 23, 1930, 71-2, *Record*, p. 9414.

⁴⁷ See July 24, 1947, 80-1, *Record*, p. 9936.

⁴⁸ June 17, 1932, 72-1, *Journal*, p. 604; see also June 14, 1886, 49-1, *Record*, p. 5643; Mar. 3, 1952, 82-2, *Record*, pp. 1705-06.

reconsider the vote on certain amendments, such motion could not be put pending the consideration of another amendment.⁴⁹

On Calendar Monday, during a call of the Calendar, a motion to reconsider the vote on the passage of a bill can be taken up only by unanimous consent, and not upon motion;⁵⁰ the motion to reconsider can be entered for later consideration.

Under a unanimous consent agreement which provided for a vote on committee amendments or upon any motion made in relation to the same, a motion to reconsider the vote by which an amendment was agreed to is a motion in relation to the same and is in order.⁵¹

If a motion to proceed to the consideration of a motion to reconsider a proposition is rejected, the status of the motion entered to reconsider will not be changed;⁵² the motion to consider could be renewed later.

It is not in order to reconsider the vote on the passage of a bill which has been transmitted to the House of Representatives.⁵³

No action can be had on a motion for reconsideration of a matter which has gone out of the jurisdiction of the Senate and transmitted to the House until the papers are returned to the Senate.⁵⁴

A motion to reconsider the vote on agreeing to a concurrent resolution transmitted to the House of Representatives cannot be acted on until the resolution has been returned from the House.⁵⁵

In 1950, a motion was made to reconsider a division vote on the ground that an error had been made in the announcement of the result.⁵⁶

Debate of Motion To Reconsider:

See "Reconsideration, Debate of," pp. 770-771.

⁴⁹ Mar. 16, 1886, 49-1, *Record*, p. 2385.

⁵⁰ Dec. 15, 1930, 71-3, *Record*, p. 693.

⁵¹ Aug. 15, 1922, 67-2, *Record*, p. 11367.

⁵² May 28, 1930, 71-2, *Record*, pp. 9713-14.

⁵³ See June 8, 1938, 75-3, *Record*, p. 8484.

⁵⁴ May 14, 1926, 69-1, *Record*, pp. 9436-37; Feb. 18, 1926, 69-1, *Record*, p. 4202; Apr. 25, 1928, 70-1, *Record*, p. 7181; July 27, 1942, 77-2, *Record*, p. 6640; see also July 14, 1932, 72-1, *Record*, pp. 15299-300; Apr. 17, 1939, 76-1, *Journal*, p. 239, *Record*, p. 4302.

⁵⁵ July 14, 1897, 55-1, *Record*, p. 2605.

⁵⁶ Apr. 5, 1950, 81-2, *Record*, p. 4781.

Eligibility of Senators To Enter Motion To Reconsider:

See "Senators Eligible To Enter Motion To Reconsider," pp. 1143-1144.

En Bloc Reconsideration:

A motion to reconsider several separate actions at one time is not in order. It would take unanimous consent that it be in order to request the reconsideration of various propositions en bloc.⁵⁷

Enrolled Bills, Reconsideration of:

See "Reconsideration of," pp. 828-829; "Signatures on Enrolled-Bills Rescinded," pp. 829-830.

Entering of Motion To Reconsider:

See also "Amendments to a Bill, Reconsideration of," pp. 1126-1128; "Notice of Intention To Offer Motion To Reconsider Not Binding," p. 1138; "Reconsider," p. 676; "Motions in Order, and Number of," pp. 1135-1137.

A Senator who voted on the prevailing side or who did not vote on a question may "move a reconsideration" of that question on the same day or either of the next two days of actual session thereafter.⁵⁸ In 1887 the President *pro tempore* stated, "it has been the uniform practice in the Senate that a motion to reconsider is entered for subsequent consideration,⁵⁹ but in current practice the motion is generally made for immediate disposition.

A motion to reconsider may be entered at any time,⁶⁰ and on one occasion the Chair permitted a Senator to enter a motion to reconsider the vote on an amendment while a subsequent amendment was being read, after which the Chair then stated that the motion could not be considered unless the Senator who had offered the subsequent amendment (and who in the opinion of the Chair had retained the floor) yielded for that purpose.⁶¹ It is a

⁵⁷ May 22, 1975, 94-1, *Record*, p. 16129.

⁵⁸ Rule XIII.

⁵⁹ Mar. 2, 1887, 49-2, *Record*, p. 2512.

⁶⁰ Nov. 29, 1943, 78-1, *Record*, pp. 10081-82.

⁶¹ Feb. 25, 1861, 36-2, *Globe*, pp. 1176-77.

privileged matter ⁶² on either of the next 2 days of actual session of the Senate following the day on which action was taken,⁶³ which is within 3 days of actual session, including the day on which that action on the proposition was taken,⁶⁴ and is not subject to a motion that it be laid on the table when other business, including a motion to consider, is pending before the Senate.⁶⁵

A motion to reconsider is not in order after the expiration of a period of 2 days of actual session of the Senate following the day on which the action was taken;⁶⁶ and can only be entered after that time by unanimous consent.⁶⁷

A motion to reconsider may be entered while another matter is pending before the Senate,⁶⁸ including the unfinished business,⁶⁹ or a motion to take up a bill,⁷⁰ but the motion to reconsider could not be made for consideration at that time,⁷¹ and a pending bill is not displaced by the entering of a motion to reconsider.⁷² A motion to reconsider may be entered at any time within the prescribed time by a Senator who has been recognized, but a motion to reconsider the vote on an amendment may not be made and considered while another amendment is pending, except by unanimous consent.⁷³

⁶² Oct. 4, 1951, 82-1, *Record*, p. 12580; May 11, 1949, 81-1, *Record*, p. 6041; Apr. 2, 1884, 48-1, *Record*, p. 2505; June 6, 1949, 81-1, *Record*, p. 7248; July 23, 1917, 65-1, *Record*, p. 5381; see also June 22, 1956, 84-2, *Record*, p. 10825; Mar. 2, 1954, 83-2, *Record*, p. 2460; Sept. 12, 1950, 81-2, *Record*, pp. 14594-95; Aug. 3, 1950, 81-2, *Record*, p. 11687; June 15, 1948, 80-2, *Record*, p. 8241; July 19, 1939, 76-1, *Record*, pp. 9466-67; July 21, 1939, 76-1, *Record*, p. 9669; May 19, 1949, 81-1, *Record*, p. 6457.

⁶³ Mar. 26, 1952, 82-2, *Record*, p. 2888; Apr. 17, 1950, 81-2, *Record*, pp. 5240, 5250; June 9, 1948, 80-2, *Record*, p. 7594; Mar. 19, 1935, 74-1, *Record*, p. 3970; Mar. 19, 1935, 74-1, *Journal*, p. 206; Aug. 9, 1935, 74-4, *Journal*, p. 587; see also Feb. 27, 1952, 82-2, *Record*, p. 1597; Apr. 23, 1951, 82-1, *Record*, p. 4177; Apr. 2, 1952, 82-2, *Record*, p. 3369; May 19, 1949, 81-1, *Record*, p. 6457; June 6, 1949, 81-1, *Record*, p. 7248; Apr. 14, 1950, 81-2, *Record*, p. 5214; Apr. 17, 1950, 81-2, *Record*, p. 5240; Mar. 3, 1952, 82-2, *Record*, pp. 1705-06; Oct. 15, 1951, 82-1, *Record*, p. 13141.

⁶⁴ Mar. 26, 1952, 82-2, *Record*, p. 2888.

⁶⁵ May 11, 1949, 81-1, *Record*, p. 6041; Apr. 4, 1951, 82-1, *Record*, p. 3295; see also Sept. 12, 1950, 81-2, *Record*, pp. 14594-95; Aug. 3, 1950, 81-2, *Record*, p. 11687; Mar. 7, 1951, 82-1, *Record*, p. 2066; June 16, 1938, 75-3, *Record*, pp. 9585-86; Mar. 31, 1952, 82-2, *Record*, pp. 3175-76; July 19, 1939, 76-1, *Record*, pp. 9466-67; July 21, 1939, 76-1, *Record*, p. 9669.

⁶⁶ Sept. 27, 1972, 92-2, *Record*, pp. 32430-31, 32529; see Oct. 24, 1939, 76-2, *Record*, p. 806.

⁶⁷ See Apr. 14, 1950, 81-2, *Record*, p. 5214.

⁶⁸ July 23, 1917, 65-1, *Record*, p. 5381; June 17, 1932, 72-1, *Journal*, p. 604; see also Mar. 31, 1952, 82-2, *Record*, pp. 3175-76; Mar. 16, 1886, 49-1, *Record*, p. 2385; Mar. 7, 1951, 82-1, *Record*, p. 2066.

⁶⁹ Apr. 4, 1951, 82-1, *Record*, p. 3295.

⁷⁰ See June 16, 1938, 75-3, *Record*, pp. 9585-86.

⁷¹ June 17, 1932, 72-1, *Journal*, p. 604; see also Mar. 16, 1886, 49-1, *Record*, p. 2385; Mar. 7, 1951, 82-1, *Record*, p. 2066.

⁷² July 23, 1917, 65-1, *Record*, p. 5381.

⁷³ Aug. 2, 1976, 94-2, *Record*, p. 24942.

When a motion is entered to reconsider a vote, it is not in order to make a motion to reconsider that vote, since only one motion to reconsider a vote is in order.⁷⁴

When a Senator enters a motion to reconsider a vote, it is not in order to move to table that motion, since it is not then pending before the Senate.⁷⁵

It is the order to reconsider (or enter a motion to reconsider) the vote whereby cloture was not invoked, and when such a motion has been entered the procedure that brings a motion before the Senate is a motion to proceed to its consideration.⁷⁶

A motion to reconsider a question (the rejection of a cloture motion on an amendment) may be entered while a different bill is pending before the Senate.⁷⁷

A Senator may enter a motion to reconsider the vote on a question (whereby cloture was not invoked) after the Senate had proceeded to another measure.⁷⁸

The entering of a motion to reconsider a vote whereby a measure was to be recommitted to committee with instructions that it be reported back forthwith with an amendment does not stay that action, and the measure is recommitted and reported back immediately pursuant to the instructions.⁷⁹

The entering of a motion to reconsider the action of the Senate in sending a bill to conference⁸⁰ or the vote on the passage of a measure⁸¹ prevents the transmittal of the papers thereon to the House of Representatives until the motion to reconsider has been disposed of. In fact, the entering of such motion holds up further action on a bill until the motion is disposed of.⁸²

Under Senate practice, the Secretary, upon the request of a Senator may withhold temporarily the transmittal to the House of a bill passed by the Senate for the purpose of permitting the entering of a motion to reconsider.⁸³

Pending a request to send a bill to conference, while another bill is before the Senate, a motion to reconsider

⁷⁴ Feb. 20, 1986, 99-2, *Record*, pp. 2520-21.

⁷⁵ Mar. 8, 1983, 98-1, *Record*, p. 4251.

⁷⁶ Dec. 20, 1982, 97-2, *Record*, pp. 32648-49.

⁷⁷ Dec. 18, 1982, 97-2, *Record*, p. 32324.

⁷⁸ Dec. 18, 1982, 97-2, *Record*, p. 32289.

⁷⁹ Feb. 20, 1986, 99-2, *Record*, p. 2523.

⁸⁰ See Sept. 14, 1950, 81-2, *Record*, pp. 14814, 14826.

⁸¹ Aug. 1, 1953, 83-1, *Record*, p. 10797; see also June 16, 1938, 75-3, *Record*, pp. 9585-86; June 27, 1961, 87-1, *Record*, p. 11355.

⁸² See July 24, 1947, 80-1, *Record*, p. 9936; June 16, 1938, 75-3, *Record*, pp. 9585-86.

⁸³ See Mar. 15, 1933, 73-1, *Record*, pp. 422-23.

the vote on the passage of the former bill may be entered as a privileged motion.⁸⁴

On one occasion, the Majority Leader entered a motion to reconsider the vote whereby a sequester resolution, the vote on passage of which was required by statute to occur by the end of a certain calendar day, failed of passage.⁸⁵

Entering of Motions To Reconsider—When They Must Be Accompanied by Requests To Return Papers:

See "Recall of Papers," pp. 1139-1141.

Filing of Motion:

See "Entering of Motion To Reconsider," pp. 1132-1135.

House Amendments, Reconsideration of:

In 1953, when a motion was entered to reconsider the vote agreeing to a House amendment to a Senate bill, the action of the Speaker of the House of Representatives in signing the bill was rescinded by a concurrent resolution, and the bill was subsequently sent to conference.⁸⁶

Motions in Order, and Number of:

Only one motion to reconsider the same proposition is in order,⁸⁷ except by unanimous consent⁸⁸ and if one motion is rejected, another is not in order,⁸⁹ but if an amendment is agreed to, and that vote is reconsidered and then the amendment is rejected, a motion to reconsider that latter vote would be in order;⁹⁰ or if an amendment or any proposal is defeated and the vote is reconsidered, and the amendment or any proposal is then adopted,

⁸⁴ See Oct. 11, 1951, 82-1, *Record*, p. 12947.

⁸⁵ Sept. 19, 1986, 99-2, *Record*, p. 24951.

⁸⁶ June 2 and 4, 1953, 83-1, *Record*, pp. 5900, 6053.

⁸⁷ July 28, 1939, 76-1, *Record*, p. 10298; Dec. 16, 1941, 77-1, *Record*, pp. 9836-37; Sept. 27, 1972, 92-2, *Record*, pp. 32430-31, 32529; Sept. 28, 1973, 93-1, *Record*, p. 32004; May 20, 1949, 81-1, *Record*, p. 6528; Sept. 24, 1971, 92-1, *Record*, pp. 33317-18; Sept. 19, 1968, 90-2, *Record*, pp. 27611-13; see also June 15, 1940, 76-3, *Record*, p. 8321; June 7, 1948, 80-2, *Record*, p. 7275; Sept. 30, 1971, 92-1, *Record*, p. 35255; Sept. 26, 1973, 93-1, *Record*, pp. 5401-02; Mar. 22, 1968, 90-2, *Record*, p. 7402.

⁸⁸ Aug. 16, 1856, 34-1, *Journal*, p. 606; Sept. 27, 1972, 92-2, *Record*, pp. 32430-31, 32529; June 27, 1972, 92-2, *Record*, p. 22686.

⁸⁹ May 20, 1949, 81-1, *Record*, p. 6528; see also June 7, 1948, 80-2, *Record*, p. 7275.

⁹⁰ Sept. 30 and Oct. 6, 1971, 92-1, *Record*, pp. 34258, 35255; June 7, 1976, 94-2, *Record*, pp. 16838-44, 16921.

a motion to reconsider that vote is also in order;⁹¹ or if a bill or amendment when reconsidered should be amended, another motion to reconsider the latter vote would be in order.⁹²

When a question has been reconsidered and the first vote reversed, a motion is in order to reconsider that vote.⁹³

Therefore, if the Senate agrees to a motion to reconsider the vote whereby a motion to table was not agreed to, and upon reconsideration the motion to table is then agreed to, another motion to reconsider is in order.⁹⁴

When a motion is entered to reconsider a vote, it is not in order to make a motion to reconsider that vote, since only one motion to reconsider a vote is in order.⁹⁵

A vote on an amendment having been reconsidered, and the first decision then affirmed, a further motion to reconsider is not in order.⁹⁶

If a motion is entered and withdrawn by unanimous consent, or on leave of the Senate, another motion to reconsider the same vote would not be in order, except by unanimous consent.⁹⁷

Once a motion to reconsider has been laid on the table, another motion to reconsider is not in order; it would take unanimous consent.⁹⁸

When a question has been reconsidered and the first decision affirmed, a second motion is not in order,⁹⁹ but if the first decision were reversed (for example, if an amendment to a bill were adopted and the bill passed, then the bill and amendment were reconsidered and the amendment rejected) a motion to reconsider that vote is in order.¹⁰⁰

If a motion to reconsider the vote on the passage of a bill has been determined in the negative, a motion to recon-

⁹¹ Aug. 7, 1978, 95-2, *Record*, pp. 24640-42; July 18, 1979, 96-1, *Record*, pp. 19168-70; Nov. 22, 1974, 93-2, *Record*, p. 37083.

⁹² Dec. 10, 1969, 91-1, *Record*, p. 38289; Mar. 10, 1970, 91-2, *Record*, pp. 6658-62.

⁹³ Sept. 26, 1980, 96-2, *Record*, p. 27545.

⁹⁴ Mar. 18, 1988, 100-2, *Record*, p. S 2555.

⁹⁵ Feb. 20, 1986, 99-2, *Record*, pp. 2520-21.

⁹⁶ May 6, 1964, 88-2, *Record*, pp. 10200-03.

⁹⁷ Sept. 24, 1971, 92-1, *Record*, pp. 33317-18; Sept. 27, 1972, 92-2; *Record*, pp. 32430-31; 32529.

⁹⁸ June 27, 1972, 92-2, *Record*, p. 22686.

⁹⁹ Mar. 22, 1968, 90-2, *Record*, p. 7402.

¹⁰⁰ Sept. 26, 1980, 96-2, *Record*, p. 27545; July 14, 1942, 77-2, *Record*, p. 6142; June 1, 3 and 4, 1953, 83-1, *Record*, p. 6059; Apr. 2, 1951, 82-1, *Record*, p. 3096; Mar. 10, 1970, 91-2, *Record*, pp. 6658-62; see also July 1, 1958, 85-2, *Record*, p. 12821; May 20 and 21, 1947, 80-1, *Record*, pp. 5509-10, 5565.

sider that vote is not in order;¹⁰¹ if determined in the affirmative, the question will recur on the passage of the bill.

It is in order for a Senator voting in the negative to move to reconsider a vote where, in the case of a tie, the Vice President did not vote,¹⁰² since an issue loses in the case of a tie vote.

A motion to reconsider a vote is not precluded by intervening business; and under cloture, the Chair sustained a point of order that it was dilatory to reconsider a vote of 63 yeas to 30 nays.¹⁰³

The rejection of a motion requesting the House to return to the Senate a bill on which a motion to reconsider the passage thereof has been entered is a final disposition of that motion to reconsider,¹⁰⁴ and a subsequent one is not in order.¹⁰⁵

On one occasion, a motion to reconsider the vote whereby the Senate tabled an appeal from a ruling of the Chair that an amendment was non-germane, was made while an appeal from a similar ruling on another amendment was pending.¹⁰⁶

Only one Senator can make a motion to reconsider a specific question, and it is not necessary that another Senator join him.¹⁰⁷

Motions Not in Order:

Various matters are not eligible for reconsideration. For example, a motion to reconsider a resolution to disapprove an alternative plan of the President for pay adjustment for Federal employees is not in order, as stipulated in 5 U.S.C. 5305.¹⁰⁸

Motions To Reconsider Must Be Accompanied by a Request for Return of Papers:

See "Recall of Papers," pp. 1139-1141.

¹⁰¹ Aug. 2, 1955, 84-1, *Record*, p. 12842.

¹⁰² May 8, 1928, 70-1, *Journal*, p. 419, *Record*, pp. 8064-65.

¹⁰³ Feb. 24, 1982, 97-2, *Record*, p. 2245.

¹⁰⁴ Dec. 18, 1917, 65-2, *Record*, p. 479; see also June 7, 1950, 81-2, *Record*, p. 8214.

¹⁰⁵ June 15 and 16, 1934, 73-2, *Journal*, pp. 585, 591, *Record*, pp. 11676, 11678, 11998.

¹⁰⁶ Sept. 29, 1984, 98-2, *Record*, pp. 27826-34.

¹⁰⁷ Oct. 4, 1949, 81-1, *Record*, pp. 13772-73.

¹⁰⁸ Sept. 28, 1973, 93-1, *Record*, p. 32003.

Nominations, Reconsideration of:

See "Reconsider," p. 948.

Notice of Intention To Offer Motion To Reconsider Not Binding:

See also "Entering of Motion To Reconsider," pp. 1132-1135.

The giving of notice of an intention to enter a motion to reconsider a proposition is not the entering of the motion,¹⁰⁹ and such a notice has no parliamentary status.¹¹⁰

A notice by a Senator that he will subsequently move to reconsider a vote does not preclude a motion at that time or subsequent thereto by another Senator to reconsider such vote,¹¹¹ which would exclude the Senator giving the notice from subsequently making such motion, inasmuch as there can be only one motion to reconsider made.¹¹²

A notice given by a Senator of his intention to enter a motion to reconsider is not subject to a motion to lay it on the table.¹¹³

Number of Motions in Order:

See "Motions in Order, and Number of," pp. 1135-1137.

One Motion Only, in Order:

See "Motions in Order, and Number of," pp. 1135-1137.

Precedence and Privilege of Motion To Reconsider:

See also "Consideration of Motion To Reconsider," pp. 1129-1131; "Entering of Motion To Reconsider," pp. 1132-1135.

A motion to reconsider a vote affecting a pending bill is privileged¹¹⁴ and takes precedence, from the necessity of the case, of other motions connected with the same bill.¹¹⁵

¹⁰⁹ June 17, 1932, 72-1, *Journal*, p. 604, *Record*, p. 13276.

¹¹⁰ July 2, 1935, 74-1, *Record*, p. 10619.

¹¹¹ June 17, 1932, 72-1, *Journal*, p. 604, *Record*, p. 13276; Mar. 19, 1930, 71-2, *Record*, p. 5571; see also May 7 and 8, 1935, 74-1, *Record*, pp. 7068, 7108.

¹¹² Mar. 19, 1930, 71-2, *Record*, p. 5571.

¹¹³ June 11, 1935, 74-1, *Record*, p. 9068.

¹¹⁴ See Mar. 2, 1954, 83-2, *Record*, p. 2460.

¹¹⁵ See May 13, 1884, 48-1, *Record*, p. 4105.

A motion to reconsider the vote whereby the Senate proceeded to the consideration of a bill was held to have precedence over a motion to make such a bill a special order.¹¹⁶

In 1917, the Senate, on appeal, decided that a motion to reconsider the vote on the passage of a bill, and requesting the House to return the same, was not in order during the consideration of another bill under a unanimous consent agreement limiting debate.¹¹⁷

Quorum:

A motion to reconsider is not in order when made in the absence of a quorum,¹¹⁸ and no debate is in order under such circumstances.

A motion, in the absence of a quorum, to reconsider a vote agreeing to an order directing the Sergeant at Arms to use all necessary means to compel the attendance of absent Senators, is not in order, and the decision on appeal was announced as sustained with less than a quorum voting. The Presiding Officer then declined to entertain a point of order, and after the appearance of a quorum a point of order that the Senate was not empowered to make such an order was overruled as having been made too late.¹¹⁹

Recall of Papers:

See also "Reconsideration of," pp. 828-829; "Reconsideration of Engrossed Bill," p. 821; "Signatures on Enrolled Bills Rescinded," pp. 829-830; "Usages of Concurrent Resolutions," pp. 446-448.

If the papers of the matter proposed to be reconsidered have gone out of the possession of the Senate, action on the motion for the return of the papers is privileged, and does not disturb the pending or unfinished business,¹²⁰ provided it is submitted before the time for reconsideration under the rule expires.¹²¹ While unfinished busi-

¹¹⁶ Apr. 2, 1930, 71-2, *Journal*, p. 250, *Record*, p. 6354.

¹¹⁷ May 9 and 11, 1917, 65-1, *Journal*, pp. 83, 92, *Record*, pp. 1998, 2103-06.

¹¹⁸ Feb. 25, 1929, 70-2, *Journal*, p. 212, *Record*, p. 4248; Feb. 20, 1923, 67-4, *Journal*, p. 177, *Record*, pp. 4109-10.

¹¹⁹ Jan. 21, 1891, 51-2, *Journal*, pp. 88-89, *Record*, pp. 1624-26.

¹²⁰ June 6, 1949, 81-1, *Record*, p. 7248; July 23, 1917, 65-1, *Record*, p. 5381; Oct. 15, 1951, 82-1, *Record*, p. 13141; Aug. 9, 1935, 74-1, *Journal*, p. 587, *Record*, pp. 12773-74; *see also* May 19, 1949, 81-1, *Record*, p. 6457.

¹²¹ Aug. 9, 1935, 74-1, *Journal*, p. 587, *Record*, pp. 12773-74; Oct. 15, 1951, 82-1, *Record*, p. 13141; July 23, 1917, 65-1, *Record*, p. 5381.

ness is pending, a motion to request the House to return a bill to the Senate is in order.¹²²

A motion to request the House of Representatives to return a bill to the Senate is a privileged question,¹²³ and a pending bill is not displaced by acting on such a motion to recall papers on a matter proposed to be reconsidered.¹²⁴

A motion to reconsider the vote on the passage of a bill which has been transmitted to the House of Representatives must be accompanied by a motion to request the House to return to the Senate¹²⁵ the bill with accompanying papers, and the rule requires that there shall be an immediate vote on the question of returning the matter to the Senate,¹²⁶ and the motion to request the House of Representatives to return such papers is not debatable.¹²⁷ This action must be taken prior to action on the motion to reconsider.¹²⁸

A motion to reconsider a vote on a conference report that has been sent to the House must be accompanied by a motion requesting the House to return the same.¹²⁹

Where it is desired to reconsider the vote on agreeing to a concurrent resolution which has been transmitted to the House of Representatives, the first step is to enter a motion to reconsider and then move that the House be requested to return such resolution to the Senate.¹³⁰

In 1950, the Senate by resolution requested the House to return a House bill passed by the Senate with amendments, upon which a motion to reconsider had been made, but which bill by inadvertence had been messaged to the House.¹³¹

A resolution requesting the House of Representatives to return to the Senate a concurrent resolution providing for

¹²² Aug. 9, 1935, 74-1, *Journal*, p. 587, *Record*, pp. 12773-74.

¹²³ July 23, 1917, 65-1, *Record*, p. 5381.

¹²⁴ July 23, 1917, 65-1, *Record*, p. 5381. See *Record* for May 24, 1940, for a discussion of the question that a motion to request the House to return papers to the Senate must be preceded by a motion to reconsider (May 24, 1940, 76-3, *Record*, pp. 6801-04).

¹²⁵ May 14, 1926, 69-1, *Record*, pp. 9436-37; Oct. 19, 1951, 82-1, *Record*, p. 13527; see also July 14, 1932, 72-1, *Record*, pp. 15299-300, 15337-38; May 19, 1949, 81-1, *Record*, p. 6457; June 6, 1949, 81-1, *Record*, p. 7248.

¹²⁶ May 17, 1926, 69-1, *Record*, pp. 9502-03.

¹²⁷ July 23, 1917, 65-1, *Record*, p. 5381; July 14, 1932, 72-1, *Record*, pp. 15299-300, 15337-38; July 14, 1897, 55-1, *Record*, p. 2605; June 28, 1932, 72-1, *Record*, p. 14104; Apr. 29, 1914, 63-2, *Record*, pp. 7421-24; Aug. 26, 1935, 74-1, *Record*, p. 14692; see also Apr. 17, 1939, 76-1, *Journal*, p. 239, *Record*, p. 4302; see also footnote 116 above.

¹²⁸ June 28, 1932, 72-1, *Record*, p. 14104.

¹²⁹ See Mar. 18, 1930, 71-2, *Journal*, p. 222.

¹³⁰ Aug. 24, 1935, 74-1, *Record*, p. 14518.

¹³¹ Dec. 20, 1950, 81-2, *Record*, p. 16764.

a recess of the two Houses, submitted after the time for reconsideration had passed, is not privileged and not in order.¹³²

Motions to recall papers, under Rule XIII, are limited to instances where papers have been transmitted to the House of Representatives; Departments and Commissions are not within the rule.¹³³

Where a motion has been made to reconsider the vote on a resolution directing a Government agency to make an investigation, a motion requesting the return of such resolution is not required under the rules.¹³⁴ The Senate may determine whether it will first order papers on a measure returned by a Government agency or vote on the motion to reconsider.¹³⁵

In 1935, a motion was made to reconsider the vote on a motion requesting the House of Representatives to return a bill to the Senate.¹³⁶

Where the House, on motion, is requested to return a bill to the Senate, without a formal motion to reconsider the vote on its passage being entered, the bill will be returned to the House after the time for making a motion to reconsider has expired under the rule.¹³⁷

On different occasions the House has refused to comply with a request of the Senate for the return of a conference report agreed to by the Senate,¹³⁸ or to return a House bill¹³⁹ upon which a motion to reconsider had been entered in the Senate.

Recognition After Motion To Reconsider Offered:

When a motion to reconsider is made by a Senator, the Chair has a right to recognize some other Senator for debate.¹⁴⁰

If a Senator has been recognized and yields to another Senator to enter a motion to reconsider and no one calls for the regular order or makes a point of order, the Chair customarily lets the first Senator retain the floor.

¹³² Aug. 24, 1921, 67-1, *Journal*, p. 253, *Record*, pp. 5602-03.

¹³³ Jan. 20, 1932, 72-1, *Journal*, p. 162, *Record*, pp. 2305-07.

¹³⁴ *Ibid.*

¹³⁵ *Ibid.*

¹³⁶ May 29, 1935, 74-1, *Journal*, p. 396, *Record*, p. 8363.

¹³⁷ June 7, 9, and 10, 1938, 75-3, *Record*, p. 8729.

¹³⁸ Oct. 1 and 6, 1917, 65-1, *Journal*, p. 277, *Record*, pp. 7545, 7876.

¹³⁹ Feb. 19 and 25, 1925, 68-2, *Journal*, p. 241, *Record*, p. 4625.

¹⁴⁰ See Sept. 25, 1940, 76-3, *Record*, p. 12587.

When a motion to reconsider is made, it is the normal practice to allow another Senator to make a motion immediately to table the motion to reconsider even without recognition before voting on reconsideration.¹⁴¹

Recommit, Reconsideration of Motion To:

See "Reconsideration of Motion To Recommit," pp. 1120-1121.

References, Reconsideration of:

See also "References and Motion To Refer, Debate of," pp. 771-772.

A resolution providing for an investigation of methods to protect civilians against enemy warfare having been referred to the Committee on Armed Services, a motion was subsequently made to reconsider the reference.¹⁴²

A bill having been referred to two committees jointly, objection was subsequently made to such action as tending to confusion in its consideration, whereupon the vote was reconsidered and the bill referred to one committee.¹⁴³

Report by Committee, Extension of Time for, Not by Reconsideration:

A motion to extend the time for a report by a committee is a resolution and upon objection must lie over 1 day. It would not be in order to act again on the original resolution so as to extend the time for such report, as that could only be done by reconsidering the vote by which the resolution was adopted.¹⁴⁴

Resolution on Expenditures for an Investigation, Reconsideration and Reference:

In 1939, a resolution providing funds for an investigation was agreed to upon being reported by the committee of origin (Committee on Military Affairs); the resolution was then reconsidered and referred to the Committee To Audit and Control the Contingent Expenses of the Senate (now the Committee on Rules and Administration),

¹⁴¹ Dec. 4, 1967, 90-1, *Record*, p. 34978.

¹⁴² Apr. 13, 1950, 81-2, *Record*, p. 5153.

¹⁴³ May 23 and June 3, 1919, 66-1, *Journal*, p. 49, *Record*, pp. 154-55, 557.

¹⁴⁴ June 5, 1913, 63-1, *Record*, p. 1900.

which, under the rule, must pass upon such resolutions before they are ready for Senate consideration.¹⁴⁵

Senators Eligible To Enter Motion To Reconsider:

A Senator must vote with the prevailing side to be eligible to enter a motion to reconsider,¹⁴⁶ unless he did not vote.¹⁴⁷

Any Senator who voted with the prevailing side or who did not vote,¹⁴⁸ or who responded "present" and therefore did not vote¹⁴⁹ on a question, under Rule XIII, may file or enter a motion to reconsider any action taken by the Senate if done within the prescribed time.¹⁵⁰

In the case of a tie vote on an amendment, a Senator who voted against the amendment voted with the prevailing side.¹⁵¹ When an amendment fails on a tie vote a Senator who voted in the affirmative is not eligible to move to reconsider that vote.¹⁵²

A Senator who is paired is eligible to enter a motion to reconsider since a pair does not count as a vote.¹⁵³

Any Senator who voted with the losing side of a question decided by a yea and nay vote, is not qualified to

¹⁴⁵ Aug. 5, 1939, 76-1, *Record*, pp. 10924, 10928; Dec. 4, 1967, 90-1, *Record*, p. 34978; May 21, 1971, 92-1, *Record*, p. 16441.

¹⁴⁶ Aug. 5, 1982, 97-2, *Record*, p. 19956; July 1, 1977, 95-1, *Record*, p. 22010; May 13, 1969, 91-1, *Record*, p. 12319; Jan. 24, 1972, 92-2, *Record*, pp. 945-46, 949-50; Oct. 2, 1973, 93-1, *Record*, p. 32548; Nov. 22, 1974, 93-2, *Record*, pp. 37080-81; Sept. 1, 1976, 94-2, *Record*, p. 28793; Aug. 18, 1966, 89-2, *Record*, p. 19840; see Aug. 26, 1966, 89-2, *Record*, p. 20802.

¹⁴⁷ Jan. 24, 1972, 92-2, *Record*, pp. 945-46, 949-50; Aug. 2, 1972, 92-2, *Record*, pp. 26399-400.

¹⁴⁸ Nov. 20, 1963, 88-1, *Record*, p. 22456; Dec. 12, 1967, 90-1, *Record*, p. 36125; May 21, 1971, 92-1, *Record*, p. 16441; Jan. 24, 1972, 92-2, *Record*, pp. 945, 949; June 30, 1970, 91-2, *Record*, pp. 22240-41; see Mar. 15, 1956, 84-2, *Record*, p. 4836; Dec. 4, 1967, 90-1, *Record*, p. 34978; Mar. 10, 1970, 91-2, *Record*, pp. 6658-62.

¹⁴⁹ Aug. 2, 1972, 92-2, *Record*, pp. 26399-400.

¹⁵⁰ June 7, 1976, 94-2, *Record*, pp. 16838-44, 16921; Oct. 4, 1949, 81-1, *Record*, pp. 13772-73; Apr. 2, 1951, 82-1, *Record*, p. 3095; Aug. 31, 1951, 82-1, *Record*, p. 10953; see also Mar. 3, 1952, 82-2, *Record*, pp. 1705, 1706.

¹⁵¹ May 3, 1976, 94-2, *Record*, p. 12185; Dec. 4, 1967, 90-1, *Record*, p. 34978; Aug. 15, 1963, 88-1, *Record*, p. 15201; Aug. 18, 1966, 89-2, *Record*, p. 19840; see Aug. 26, 1966, 89-2, *Record*, p. 20802.

¹⁵² May 3, 1985, 99-1, *Record*, p. 10444.

¹⁵³ Jan. 24, 1972, 92-2, *Record*, pp. 945-46, 949-50; Jan. 25, 1978, 95-2, *Record*, p. 780.

make a motion to reconsider,¹⁵⁴ but if he did not vote, he can.¹⁵⁵

A Senator who was present on the occasion of a rollcall vote, but withheld his vote because of a pair, has a right, under the rule, as amended, relating to reconsideration, to move to reconsider that vote;¹⁵⁶ or in any case where no yeas and nays vote is had, any Senator, under the uniform practices and custom of the Senate, may make or enter such a motion.¹⁵⁷

If a motion to reconsider is made by a Senator who voted with the losing side and a motion to table has been made and a vote taken thereon, a point of order would come too late.¹⁵⁸

Where a motion to reconsider the vote on an amendment was made by a Senator who voted on the losing side (which was not then challenged), and a motion to lay the motion on the table was rejected, a point of order, subsequently made during a rollcall on the motion to reconsider, challenging the right of the Senator to make such motion, was overruled by the Presiding Officer on the ground that it was made too late.¹⁵⁹

Several Separate Actions:

See "En Bloc Reconsideration," p. 1132.

¹⁵⁴ Mar. 10, 1933, 98-1, *Record*, p. 4729; Aug. 15, 1963, 88-1, *Record*, p. 15201; Feb. 4, 1964, 88-2, *Record*, p. 1854; Apr. 19, 1933, 73-1, *Record*, p. 1933; Nov. 4, 1921, 67-1, *Journal*, p. 313, *Record*, p. 7309; June 29, 1926, 69-1, *Journal*, p. 544, *Record*, p. 12218; Sept. 15, 1944, 78-2, *Record*, p. 7803; July 15, 1942, 77-2, *Record*, p. 6185; June 26, 1942, 77-2, *Record*, p. 5612; May 8, 1928, 70-1, *Journal*, p. 419, *Record*, pp. 8064-65; Aug. 23, 1958, 85-2, *Record*, p. 19539; June 2, 1953, 83-1, *Record*, p. 5892; see also Mar. 3, 1952, 82-2, *Record*, pp. 1705-06.

¹⁵⁵ Oct. 4, 1949, 81-1, *Record*, pp. 13772-73; June 27, 1930, 71-2, *Journal*, p. 514; June 8, 1932, 72-1, *Journal*, p. 572; July 3, 1946, 79-2, *Record*, p. 8229; June 27, 1930, 71-2, *Record*, p. 11895; Apr. 21, 1933, 73-1, *Journal*, p. 109, *Record*, p. 2099; see also Sept. 12, 1950, 81-2, *Record*, pp. 14594-95.

¹⁵⁶ June 8, 1932, 72-1, *Journal*, p. 574, *Record*, p. 12329.

¹⁵⁷ Mar. 21, 1930, 71-2, *Journal*, p. 231, *Record*, p. 5810; Jan. 20, 1932, 72-1, *Journal*, p. 162, *Record*, pp. 2305-07; Apr. 19, 1933, 73-1, *Journal*, p. 103, *Record*, pp. 1942-43; Aug. 3, 1950, 81-2, *Record*, p. 11715; Mar. 6 and 7, 1940, 76-3, *Record*, pp. 2441, 2466-67; June 9, 1922, 67-2, *Record*, p. 8466; Mar. 22, 1916, 64-1, *Record*, p. 4606; Feb. 27, 1915, 63-3, *Journal*, p. 156, *Record*, pp. 4812-14; Mar. 20, 1914, 63-2, *Record*, pp. 5175-76; Mar. 31, 1908, 60-1, *Record*, p. 4167; Feb. 18, 1889, 50-2, *Journal*, p. 340, *Record*, p. 2000; see also May 8, 1950, 81-2, *Record*, pp. 6633-34; Oct. 11, 1949, 81-1, *Record*, p. 14195; June 25, 1946, 79-2, *Record*, p. 7441; Dec. 14, 1945, 79-1, *Record*, p. 12039; May 27, 1940, 76-3, *Record*, p. 6890.

¹⁵⁸ June 30, 1970, 91-2, *Record*, pp. 22240-41.

¹⁵⁹ July 23, 1964, 88-2, *Record*, pp. 16722-23.

Signatures Rescinded for Reconsideration:

See "Postponed Indefinitely," p. 827; "Reconsideration of," pp. 828-829; "Usages of Concurrent Resolutions," pp. 446-448.

Suspension of Rules, Reconsideration of:

A vote suspending a rule to offer an amendment may be reconsidered,¹⁶⁰ by a majority vote,¹⁶¹ and such a motion may be made by any Senator voting in the affirmative¹⁶² or who did not vote.

Table, Reconsider Vote To:

It is in order to reconsider the vote on a motion to table an amendment.¹⁶³

Tabling of Motion To Reconsider:

See also "Table," pp. 1273-1289; "Reconsider, Table Motion To," p. 1283.

A motion to reconsider the vote on a motion to table is not debatable, since the motion to table is not debatable.¹⁶⁴

A motion to reconsider may be laid on the table,¹⁶⁵ but it cannot be laid on the table unless it is before the Senate for consideration,¹⁶⁶ except by unanimous consent.¹⁶⁷

When a Senator enters a motion to reconsider a vote, it is not in order to move to table that motion, since it is not then pending before the Senate.¹⁶⁸

If a motion to table a motion to reconsider fails, the question recurs on the motion to reconsider.¹⁶⁹

It is in order for one Senator to make a motion to reconsider and then for another who obtains recognition to move to lay that motion on the table if no other business is

¹⁶⁰ See Apr. 7, 1942, 77-2, *Record*, p. 3389.

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

¹⁶³ Aug. 2, 1972, 92-2, *Record*, pp. 26398-99.

¹⁶⁴ May 5, 1983, 98-1, *Record*, p. 11272.

¹⁶⁵ Mar. 1, 1858, 35-1, *Journal*, p. 224.

¹⁶⁶ Apr. 10, 1933, 73-1, *Record*, pp. 1424-25; see also Oct. 8, 1951, 82-1, *Record*, p. 12786; Apr. 17, 1951, 82-1, *Record*, p. 3959.

¹⁶⁷ May 7, 1947, 80-2, *Record*, p. 4681.

¹⁶⁸ Mar. 8, 1983, 98-1, *Record*, p. 4251.

¹⁶⁹ Aug. 17, 1965, 89-1, *Record*, p. 20665; Nov. 14, 1975, 94-1, *Record*, pp. 36762-76.

pending,¹⁷⁰ but a Senator must obtain recognition to offer a motion to table.¹⁷¹

While a motion to proceed to the consideration of a matter is pending before the Senate, it is not in order to move to lay on the table a motion to reconsider the vote on a bill entered as a privileged matter.¹⁷²

A motion to lay on the table a motion to reconsider made while another matter or business is pending before the Senate is not in order.¹⁷³

If a motion to reconsider the passage of a bill is made as soon as a bill passes or before other business intervenes, a motion to lay on the table that motion to reconsider is in order; but if other business intervenes or is pending after such a bill passes, a motion to lay on the table a motion to reconsider is not in order.¹⁷⁴ In such case, a motion to reconsider the vote on agreeing to a question, made after business has intervened, is not subject to a motion to lay it on the table.¹⁷⁵

A motion to reconsider the vote on tabling a motion to reconsider is not in order;¹⁷⁶ but a motion to reconsider the vote by which an amendment to a bill was laid on the table is in order.¹⁷⁷

A Senator who moved to reconsider may move to table that motion.¹⁷⁸

A motion to lay on the table an amendment to a bill having been disagreed to, the Vice President held that a motion to lay on the table a motion to reconsider such vote was in order.¹⁷⁹

The adoption of a motion to lay on the table a motion to reconsider defeats the motion to reconsider,¹⁸⁰ which motion is not debatable.¹⁸¹

¹⁷⁰ Jan. 18, 1944, 78-1, *Record*, p. 305; June 11, 1945, 79-1, *Record*, pp. 5887-88; see also Apr. 13, 1933, 73-1, *Record*, p. 1637.

¹⁷¹ Feb. 28, 1947, 80-1, *Record*, p. 1553.

¹⁷² June 16, 1938, 75-3, *Record*, pp. 9585-86.

¹⁷³ May 11, 1949, 81-1, *Record*, p. 6041; see also Mar. 31, 1952, 82-2, *Record*, pp. 3175-76.

¹⁷⁴ Jan. 18, 1944, 78-1, *Record*, p. 305; see also Apr. 23, 1951, 82-1, *Record*, p. 4177; Apr. 13, 1933, 73-1, *Record*, p. 1637; Apr. 19, 1933, 73-1, *Record*, p. 1934.

¹⁷⁵ June 15, 1960, 86-2, *Record*, pp. 12689-90.

¹⁷⁶ Dec. 16, 1982, 97-2, *Record*, p. 31398; June 18, 1953, 83-1, *Record*, p. 6802; June 10, 1977, 95-1, *Record*, pp. 18498-98; July 16, 1979, 96-1, *Record*, pp. 18675-76.

¹⁷⁷ Aug. 20, 1958, 85-2, *Record*, pp. 18688-90; June 19, 1969, 91-1, *Record*, p. 16595.

¹⁷⁸ See Dec. 11, 1980, 96-2, *Record*, pp. 33557-58.

¹⁷⁹ Aug. 20, 1958, 85-2, *Record*, pp. 18747-49.

¹⁸⁰ See Oct. 4, 1949, 81-1, *Record*, pp. 13772-73.

¹⁸¹ June 19 and 20, 1914, 63-2, *Record*, pp. 10730, 10762; see also Mar. 31, 1952, 82-2, *Record*, pp. 3175-76.

The adoption of a motion to table a motion to reconsider the vote by which a bill was passed does not carry the bill with it;¹⁸² nor would a motion to table the preamble of a resolution carry the resolution with it, if agreed to.¹⁸³

Third Reading and Reconsideration:

Amendments to bills or resolutions are not in order after their third reading unless that action is reconsidered. See "Third Reading," pp. 245-247.

The Senate having refused to order the third reading of a bill, the vote was subsequently reconsidered and the bill recommitted.¹⁸⁴

Unanimous Consent and Reconsideration:

In 1912 the vote on the passage of an Indian appropriation bill was reconsidered by unanimous consent for the sole purpose of again acting on two committee amendments previously disagreed to.¹⁸⁵

A committee amendment may be reconsidered under a unanimous consent request for the specific purpose of offering a certain amendment only.¹⁸⁶

When the Senate was operating under a unanimous consent agreement which provided for a vote on an amendment, to be followed immediately by third reading and passage of the bill without intervening motions, the Chair in response to an inquiry indicated that a motion to reconsider a vote on the amendment would not be in order.¹⁸⁷

Unfinished Business, Reconsideration of:

See "Unfinished Business," pp. 1370-1380.

Veto, Reconsideration of Veto:

A Senator may, within the prescribed time limits, enter a motion to reconsider the vote by which the Senate failed to override a veto.¹⁸⁸ However, a successful vote of the

¹⁸² May 21, 1872, 42-2, *Journal*, p. 809.

¹⁸³ Feb. 29, 1872, 42-2, *Journal*, p. 303.

¹⁸⁴ May 4 and 5, 1910, 61-2, *Journal*, pp. 338, 342, *Record*, pp. 5768, 5820.

¹⁸⁵ July 5 and 17, 1912, 62-2, *Record*, pp. 8635, 8664, 9167.

¹⁸⁶ See May 12, 1939, 76-1, *Record*, p. 5496.

¹⁸⁷ See Nov. 5, 1981, 97-1, *Record*, p. 26782.

¹⁸⁸ June 8, 1988, 100-2, *Record*, p. S 7385.

Senate to override a Presidential veto was held by the Chair to be out of order.¹⁸⁹

Vice President, Reconsideration of Tie Vote When He Failed To Vote:

See "Motions in Order, and Number of," pp. 1135-1137.

Vote Required for Reconsideration:

A majority vote only is required to reconsider a vote, even if the original approval, adoption, or passage required a two-thirds vote.¹⁹⁰

When Not in Order:

See "Amendments to a Bill, Reconsideration of," pp. 1126-1128; "Entering of a Motion To Reconsider," pp. 1132-1135; "Motions Not in Order," p. 1137.

Withdrawal of Motion To Reconsider:

A motion to reconsider cannot be withdrawn by a Senator as a matter of right under the rule,¹⁹¹ nor without the consent or approval of the Senate.¹⁹²

A motion may be withdrawn by unanimous consent,¹⁹³ or, if objection is made, by leave of the Senate by a majority vote.¹⁹⁴

If a motion is entered and withdrawn by unanimous consent, another motion to reconsider the same proposition (or vote) would not be in order¹⁹⁵ except by unanimous consent.¹⁹⁶

The proponent of a motion to reconsider is not entitled to preferential recognition for the purpose of withdrawing the motion.¹⁹⁷

¹⁸⁹ Feb. 4, 1987, 100-1, *Record*, p. S 1708.

¹⁹⁰ Oct. 3, 1918, 65-2, *Record*, pp. 11037-40; Mar. 2, 1952, 83-2, *Record*, p. 2461.

¹⁹¹ See Aug. 3, 1950, 81-2, *Record*, p. 11720.

¹⁹² Mar. 22, 1939, 76-1, *Journal*, p. 184, *Record*, p. 3084.

¹⁹³ June 17, 1986, 99-2, *Record*, p. 14146; Apr. 17 and 19, 1939, 76-1, *Record*, pp. 4302-03, 4424; Mar. 21 and 22, 1939, 76-1, *Record*, pp. 3052, 3084; Mar. 18, 1976, 94-2, *Record*, pp. 7189-90; see also June 12, 1935, 74-1, *Journal*, p. 435; Jan. 18, 1949, 81-1, *Record*, p. 458; Mar. 1, 1932, 72-1, *Record*, p. 4988; June 12, 1935, 74-1, *Journal*, p. 435, *Record*, p. 9172; July 21, 1967, 90-1, *Record*, p. 19625.

¹⁹⁴ *Ibid.*; Feb. 21, 1951, 82-1, *Record*, pp. 1433-36; see also Aug. 3, 1950, 81-2, *Record*, p. 11720.

¹⁹⁵ Sept. 24, 1971, 92-1, *Record*, pp. 33317-18.

¹⁹⁶ *Ibid.*; June 17, 1986, 99-2, *Record*, p. 14147.

¹⁹⁷ See Mar. 21, 1939, 76-1, *Record*, pp. 3050-51.

Writing, Motion To Reconsider Reduced to:

Any motion to reconsider a proposition, upon demand, must be reduced to writing.¹⁹⁸

Yeas and Nays:

Where the yeas and nays are ordered on a motion to reconsider, a motion to lay such motion on the table is in order without action to dispense with the order for the yeas and nays.¹⁹⁹

When a question on which the yeas and nays were taken is reconsidered, the order for the yeas and nays will apply automatically to the second vote on that question upon reconsideration.²⁰⁰

When the yeas and nays are taken on the adoption of a conference report, and the report is defeated and then that vote is reconsidered, the next vote on the adoption of the report will be by yeas and nays automatically.²⁰¹

Yeas and Nays, Reconsideration of Order for:

An order for the yeas and nays can be reconsidered or rescinded only by unanimous consent,²⁰² since one-fifth of the Members present have a constitutional right to demand the yeas and nays.²⁰³

¹⁹⁸ Feb. 27, 1915, 63-3, *Journal*, p. 156, *Record*, pp. 4812-14.

¹⁹⁹ Apr. 30, 1914, 63-2, *Record*, p. 7493.

²⁰⁰ Aug. 15, 1986, 99-2, *Record*, p. 21891; Sept. 26, 1980, 96-2, *Record*, p. 27545; July 1, 1958, 85-2, *Record*, p. 12814; see Aug. 7, 1978, 95-2, *Record*, pp. 24640-42.

²⁰¹ Oct. 12, 1979, 96-1, *Record*, pp. 28021-26.

²⁰² Mar. 27, 1942, 77-2, *Record*, p. 3053; July 1, 1954, 83-2, *Record*, pp. 9465-67; Aug. 4, 1886, 49-1, *Record*, p. 7956; see also May 4, 1950, 81-2, *Record*, pp. 6331-32.

²⁰³ Aug. 4, 1886, 49-1, *Record*, p. 7956.