

## Reconsideration

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### Research References

- 5 Hinds §§ 5605–5705
- 8 Cannon §§ 2774–2795
- 7 Deschler Ch 23 §§ 33–41
- Manual §§ 812–820

### § 1. Generally; Use of Motion

#### In General

By long tradition, the vote of the House on a proposition is not final and conclusive until there has been an opportunity to reconsider it. A proposition is not regarded as passed until a motion to reconsider it is disposed of or precluded. The motion to reconsider is thus the procedural device which permits the House, under Rule XVIII, to review its action on a given proposal. Its purpose is to allow the House to reflect on the wisdom of its action on the proposition. Deschler Ch 23 § 33.

#### Historical Background

Although not mentioned in the first rules of the House, adopted in 1789, the motion to reconsider was at that time well known in parliamentary

practice. 5 Hinds § 5605. The motion was used in the Continental Congress and in the House from its first organization. It was made the subject of a rule of the House in 1802. *Manual* § 812. In 1811, the rule of 1802 was modified by limiting the time during which the motion might be made to “the same or succeeding day” as the vote to be reconsidered. 12–1, Dec. 23, 1811, H. Rept. No. 38. The rule was further revised in 1880, but has existed in the rules since then with only minor changes. 5 Hinds § 5605. It is today found in Rule XVIII clause 1. *Manual* § 812.

### **Use in Committee of the Whole**

The motion to reconsider is in order in the House and in the House *as in* Committee of the Whole (8 Cannon § 2793; Deschler Ch 23 § 33), but not in the Committee of the Whole (4 Hinds §§ 4716–4718; 8 Cannon §§ 2324, 2325; Deschler Ch 23 § 39.10; 97–1, Oct. 5, 1981, p 23154). Indeed, a request to reconsider a vote is not in order in the Committee even by unanimous consent. Deschler Ch 23 § 39.12. However, on one occasion, in lieu of a motion to reconsider, the Chairman allowed a unanimous-consent request to vacate the proceedings whereby an amendment had been adopted. Deschler Ch 23 § 39.13.

### **Entering and Calling Up Distinguished**

A distinction should be made at the outset between *entering* the motion and making or calling up the motion. Entering the motion and consideration of the motion are separate propositions. 8 Cannon § 2785. One Member may enter the motion and another Member may call up the motion. § 4, *infra*. The motion must be made or entered within the two-day period allowed by the rule, but, once entered, remains pending indefinitely. §§ 5, 8, *infra*.

## **§ 2. Pro Forma Motions Distinguished**

The motion to reconsider is sometimes used in a strictly pro forma manner. When so used, the motion is followed by a motion or unanimous-consent request to table the motion to reconsider. Deschler Ch 23 § 33. The effect of this procedural device is to preclude subsequent motions to reconsider (Deschler Ch 23 § 34.5), and is the accepted parliamentary mode of making the vote in question final (Deschler Ch 23 § 34). Thereafter, the proposition may be taken up again only by unanimous consent or suspension of the rules. 5 Hinds § 5640. See also Deschler Ch 23 § 38.5.

Under this pro forma procedure, which has been in common usage in the House since 1846 (5 Hinds § 5637), one Member may move to reconsider and another Member may immediately move to table that motion. Deschler Ch 23 § 34. In practice, the motion to table immediately follows

the motion to reconsider or is made simultaneously therewith. 8 Cannon § 2784. The Speaker himself often performs this perfunctory role, as when he declares, after the announcement of a vote, “without objection, a motion to reconsider is laid on the table.” Deschler Ch 23 § 34.

The pro forma use of the motion is generally proposed by Members who agree with the decision reflected in the vote that is the subject of the motion. A Member who is opposed to the vote must object to the pro forma motion in a timely manner and is well advised to notify the Speaker in advance of his intention to seek genuine reconsideration. Deschler Ch 23 § 34.

The pro forma use of the motion is permitted while the previous question is operating. 8 Cannon § 2784.

### **§ 3. Effect of Motion**

#### **Effect When Motion is Made**

After the House has voted on a proposition and a motion to reconsider it is made, the effect is to suspend the proposition. 5 Hinds § 5704; Deschler Ch 23 § 33; *Manual* § 816. The motion is thereafter considered as pending, and if not acted on, will remain pending, even to succeeding sessions of the same Congress. 5 Hinds § 5684. But when a Congress expires without the House having acted on the motion, the motion fails, and the original proposition stands or falls according to the original vote. 5 Hinds § 5604 (footnote).

A motion to reconsider a bill having been made, the Speaker will normally decline to sign it until the motion is disposed of. 5 Hinds § 5705. But where a bill has been signed by the Speaker and the Vice President and has received the approval of the President it cannot be impeached on the ground that a motion to reconsider it is still pending. 5 Hinds § 5705.

#### **Effect of Agreement to Motion**

When a motion to reconsider is agreed to, the question immediately recurs on the proposition to be reconsidered. 5 Hinds § 5703; Deschler Ch 23 § 33. Thus, when the House agrees to a motion to reconsider a vote on an amendment, the amendment is again pending and the Chair may put it to a vote *de novo*. 5 Hinds § 5704. Likewise, when the House agrees to reconsider a vote ordering the yeas and nays, the question immediately recurs on ordering the yeas and nays. 5 Hinds §§ 5689–5691. However, if the proposition originally voted on was a motion for the previous question, that motion may be withdrawn after the House has voted to reconsider it, on the theory that the action of the House has effectively “nullified” the vote on the previous question. 5 Hinds § 5357.

### As Precluding Repetition of Motion

When a motion to reconsider has been made and acted upon, a second motion to reconsider is not ordinarily in order. Deschler Ch 23 § 39.16. Otherwise, it is reasoned, motions to reconsider could be made interminably. 5 Hinds § 5689. Thus, a vote ordering the previous question may be reconsidered only once. 5 Hinds § 5655; *Manual* § 815. And one motion to reconsider the yeas and nays having been acted on, another motion to reconsider is not in order. 5 Hinds § 6037. Similarly, the motion to reconsider a vote on a proposition having been once agreed to, and that vote having again been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendment. 5 Hinds §§ 5685–5688; 8 Cannon § 2788. The general rule that precludes the repetition of the motion is applied even where the House rejects the first motion by laying it on the table. 5 Hinds §§ 5632 *et seq.*; Deschler Ch 23 § 39.15. But the tabling of a motion to reconsider the vote whereby the House has amended a Senate amendment does not preclude the House from acting on a subsequent Senate amendment to that House amendment, or considering any other proper motion to dispose of an amendment which might remain in disagreement after further Senate action. 98–1, Oct. 5, 1983, p 27323.

### § 4. Who May Offer Motion

The rule authorizing the motion to reconsider requires the Member making the motion to be a “member of the majority,” but permits the motion to be called up by “any Member.” Rule XVIII clause 1. *Manual* § 812. Under this rule, the *entering* of the motion and the *consideration* of the motion are regarded as separate propositions. 8 Cannon § 2785. Although the rule permits one Member who qualifies to enter or to make the motion and another Member to call up the motion, under the modern practice the motion is rarely “entered” but is considered pending when made. The mover and the maker are one and the same and thus must qualify as being on the prevailing side of the issue to be reconsidered. Deschler Ch 23 § 35.5. The proponent of the proposition voted on is entitled to prior recognition to move for its reconsideration. 2 Hinds § 1454.

The requirement of the rule that the one making the motion must be a “member of the majority” (*Manual* § 812) is construed to mean a Member who voted on the prevailing side of the question (103–1, Mar. 24, 1993, p \_\_\_\_); those voting with the losing side are considered not qualified. 92–1, Dec. 9, 1971, p 45475; 95–2, Apr. 20, 1978, p 10990; 96–1, Sept. 20, 1979, pp 25512, 25513. A similar rule is followed with respect to pro forma motions to reconsider. Any Member may object to the Chair’s statement that

“without objection” a motion to reconsider a vote just taken be laid on the table, and need not have voted on the prevailing side to make such an objection; but if objection is made, the Chair’s statement is of no effect, and only a Member who voted on the prevailing side on a record vote may offer the motion to reconsider the vote. 99–2, Aug. 15, 1986, p 22139.

Likewise ineligible to move the reconsideration of a vote are Members who were absent at the time of the vote (5 Hinds § 5615) or who failed to vote (8 Cannon § 2774) or who were paired on the vote with another Member (5 Hinds § 5614).

The provision of the rule that the motion be made “by any member of the majority” is construed, in the case of a tie vote, to mean any Member of the prevailing side—that is, a Member voting in the negative (a tie vote resulting in the defeat of the proposition). 5 Hinds § 5616; Deschler Ch 23 § 35.2. There is authority to the contrary, however. 5 Hinds § 5615. “Majority” has also been construed to mean the prevailing side, though a minority, whose votes defeated a proposition that required a two-thirds vote for approval. 5 Hinds §§ 5617, 5618. However, when a vote is not recorded, any Member, regardless of how he voted, may enter the motion. Deschler Ch 23 § 33; 102–2, Sept. 23, 1992, p \_\_\_\_\_. See also 8 Cannon § 2775. Any point of order relating to the eligibility of the Member to offer the motion should be raised before the ordering of the vote on the motion. Deschler Ch 23 § 35.4.

### **§ 5. When Motion is in Order**

During the Continental Congress, there was no time limit on when the motion to reconsider could be made, and the Congress often reconsidered matters passed on a preceding day or even several days or months before. 5 Hinds § 5605. Today, the rule authorizing the reconsideration of a vote provides that the motion is in order “on the same or succeeding day” as that vote, and that “thereafter” any Member may call it up. Rule XVIII clause 1. This means that the motion to reconsider may be made or entered at any time during the day on which the vote sought to be reconsidered is taken (5 Hinds § 5674) or on the next legislative day after the question to be reconsidered was voted on (96–1, Sept. 20, 1979, pp 25512, 25513). The entry of the motion during the two days prescribed by the rule is in order even after the previous question is ordered or when a question of the highest privilege is pending. 5 Hinds § 5673; 8 Cannon § 2785. And once the motion has been entered within the two-day period, it remains pending indefinitely. See § 8, *infra*.

## § 6

## HOUSE PRACTICE

In accordance with the general rule that the motion to reconsider is in order at any time during the two days prescribed by the rule, the motion has been held in order:

- After a demand for the previous question on a related matter (5 Hinds § 5656) or while the previous question is operating (5 Hinds §§ 5657–5672).
- Pending a motion to go into the Committee of the Whole (8 Cannon § 2785).
- In time set apart for other business if the matter sought to be reconsidered is entertained during such time by unanimous consent (5 Hinds § 5683).
- After the bill to be reconsidered has gone to the Senate (5 Hinds §§ 5666, 5667).
- After the Senate has been informed of agreement by the House to a Senate amendment (5 Hinds § 5672).
- After the bill has gone to the President (5 Hinds § 5668).

The motion to reconsider is not in order:

- In Committee of the Whole (§ 1, *supra*).
- When dilatory and manifestly for the purpose of delay (5 Hinds §§ 5731–5733, 5735, 5739; 8 Cannon §§ 2797, 2815, 2822).
- When a special order prohibits “intervening motions” (4 Hinds § 3203).
- While another Member has the floor (8 Cannon § 2785).
- While the House is dividing on a motion (8 Cannon § 2791).

### § 6. Use in Standing Committees

The motion to reconsider is in order in the procedure of standing committees, and in the absence of a committee rule governing the motion, the committee will be governed by the analagous House rule. 8 Cannon § 2213. Thus the motion to reconsider may be entered in a committee on the same day as the vote to be reconsidered, or on the next day thereafter, provided the committee convenes with a quorum present at a properly scheduled meeting at which business of that class is in order. 8 Cannon § 2793; Deschler Ch 23 § 33; *Manual* § 814. Sometimes the motion must be applied to a series of propositions to achieve a desired result. In a committee, reconsideration of an amendment may require that the motion to report be first reconsidered, then the ordering of the previous question, before a motion can be made to reconsider the amendment.

A motion to reconsider is sometimes used in a committee when it has obtained a quorum, to report out from that committee bills approved earlier in the day in the absence of a quorum. Deschler Ch 23 § 39.1. Any point of order against the use in a committee of such a motion to report out mul-

multiple bills originally adopted in the absence of a quorum should be made in the committee and not in the House. Deschler Ch 23 § 39.2.

### § 7. Forms

Set out below are the forms for entering the motion to reconsider, for subsequently calling it up and bringing it to a vote, and for offering the so-called pro forma motion.

#### Entering the Motion; Calling Up

MEMBER: I desire to enter a motion to reconsider the vote by which the bill H.R. \_\_\_\_ [*or motion, conference report, or other proposition*] passed the House [*or was agreed to, sent to conference, rejected, or other action*].

SPEAKER: The gentleman enters a motion to reconsider the vote on the bill H.R. \_\_\_\_, which will be considered as pending.

*Note:* Although the motion must be made or entered within the two-day period prescribed by the rule, it may be called up on any subsequent day unless another question is pending before the House. § 8, *infra*.

MEMBER: I call up the pending motion to reconsider the vote on the bill H.R. \_\_\_\_.

*Note:* Where a question has been divided for the vote, a separate motion to reconsider is necessary for each vote, and should be first made as to the first portion of the divided proposition. 5 Hinds § 5609.

#### Making the Motion

MEMBER: I move to reconsider the vote by which the bill H.R. \_\_\_\_ was adopted [*or rejected*].

SPEAKER: The gentleman moves to reconsider the vote on H.R. \_\_\_\_.  
As many as are in favor of the motion say "aye."

*Note:* The vote on a motion to reconsider may be taken by various methods, including a voice vote or a roll call vote. 96-1, Sept. 20, 1979, p 22512.

#### The Pro Forma Motion—By a Member

MEMBER: I move to reconsider the vote by which the bill H.R. \_\_\_\_ passed the House, and ask unanimous consent that the motion be laid on the table.

SPEAKER: The gentleman moves to reconsider the vote by which the bill H.R. \_\_\_\_ passed the House, and asks to lay that motion on the table. Without objection it is so ordered.

#### Pro Forma Motion—By the Speaker

SPEAKER: Without objection, the motion to reconsider is laid on the table.

*Note:* Any Member may object to the Chair's statement that "without objection" a motion to reconsider a vote just taken be laid on the table; if objection is made, the Chair's statement is then of no effect, and a qualified Member may call for the reconsideration of the vote. 99–2, Aug. 15, 1986, p 22139; 103–1, Feb. 17, 1993, p \_\_\_\_.

### § 8. When to Call Up Motion

While a motion to reconsider must be made or entered within the two-day period prescribed by the applicable rule (§ 5, *supra*), no time limit is imposed as to when the motion may be called up for consideration and debate. In theory, it may be called up at pleasure. 8 Cannon § 2787. When once entered, the motion remains pending indefinitely, even into a succeeding session of the same Congress. 5 Hinds § 5684.

While the motion to reconsider may be entered at any time during the prescribed period, even when a question of the highest privilege is pending (§ 5, *supra*), it may not be considered while another question is pending before the House (5 Hinds § 5673; 8 Cannon § 2785). And when a motion to reconsider relates to a bill belonging to a particular class of business, the consideration of the motion is in order only when that class of business is again in order. 5 Hinds § 5677; 8 Cannon §§ 2785, 2786. A motion to reconsider the vote on a bill on the Private Calendar, for example, may be entered on any day on which recognition is had for that purpose, but the motion may be taken up for consideration only on a Private Calendar day. 8 Cannon § 2786.

### § 9. Precedence and Privilege of Motion

By House rule, the motion to reconsider takes precedence of all other questions except the consideration of a conference report or a motion to adjourn. Rule XVIII clause 1. *Manual* § 812. Accordingly, when the motion to reconsider is in order and no other question is pending (§ 5, *supra*) the motion is highly privileged for consideration (8 Cannon § 2787; 103–1, Mar. 24, 1993, p \_\_\_\_). The high privilege given the motion by the rule gives it precedence, with certain exceptions, over any motion relative to the subject to which the motion to reconsider refers. 5 Hinds § 5673. The precedence given the motion by the rule permits it to be made even after the previous question has been moved (5 Hinds § 5656) or while it is operating (5 Hinds §§ 5657–5662; 8 Cannon § 2784). It also takes precedence of a motion to go into the Committee of the Whole. 8 Cannon § 2785. A motion to reconsider a secondary motion (such as a motion to postpone) which has been previously offered is ordinarily also highly privileged, and may even



be entertained by the Chair after the manager of the pending proposition has yielded time to another Member and before that Member has begun his remarks. 96–2, May 29, 1980, p 12663.

Although generally of high privilege, the motion to reconsider yields or is subject to:

- The question of consideration (8 Cannon § 2437).
- The consideration of conference reports (*Manual* § 812).
- The motion to lay on the table (8 Cannon § 2652; Deschler Ch 23 § 38.1) unless the Chair has put the question on the motion to reconsider (96–1, Sept. 20, 1979, p 25512; *Manual* § 818).
- A motion to adjourn (*Manual* § 812).

### § 10. Quorum Requirements

In general, the motion to reconsider cannot be agreed to in the House in the absence of a quorum when the vote to be reconsidered required a quorum. 5 Hinds § 5606. A quorum is not necessary on a motion to reconsider the vote whereby the yeas and nays were ordered, since the yeas and nays may be ordered by one-fifth of the Members present. 5 Hinds § 5693. And on votes incident to a call of the House, the motion to reconsider may be entertained, although a quorum may not be present. 5 Hinds §§ 5607, 5608.

### § 11. Debate and Voting; Withdrawal

#### Debate

The motion to reconsider is debatable for one hour, under the control of the Member making the motion (89–1, Sept. 13, 1965, p 23068), if the proposition proposed to be reconsidered was debatable. 5 Hinds § 5696; 8 Cannon § 2792; Deschler Ch 23 § 41.1. If the proposition proposed to be reconsidered was not debatable, then the motion calling for reconsideration is itself not debatable. 5 Hinds §§ 5694, 5698; Deschler Ch 23 § 33. Thus, the motion to reconsider a vote ordering the previous question is not debatable. 101–2, Sept. 25, 1990, p \_\_\_\_.

The view has been taken that a motion to reconsider a vote may be debatable even if the previous question was operating at the time of such vote, on the theory that the vote of the House “exhausted the previous question so as to open up the motion to debate.” 5 Hinds §§ 5694, 5700. But the greater weight of authority holds that if the proposition to be reconsidered was voted on under the operation of the previous question, the motion to reconsider is not debatable, a primary function of the previous question being to terminate debate. 5 Hinds §§ 5656, 5701; Deschler Ch 23 § 38.7;

*Manual* § 819; 96–1, Sept. 20, 1979, p 25512. And if the motion is agreed to, and if that proposition is again taken up, it is voted on without debate (96–2, May 29, 1980, pp 12663–66) unless the ordering of the previous question is itself reconsidered.

### **Voting**

A simple majority vote is sufficient to adopt a motion to reconsider, even when the vote reconsidered requires two-thirds for affirmative action. 5 Hinds §§ 5617, 5618; 8 Cannon § 2795; *Manual* § 817. A majority vote is also required to reconsider a vote ordering the yeas and nays, although one-fifth is sufficient to order the yeas and nays. 5 Hinds §§ 5689–5692; 8 Cannon § 2790. And if the House votes to reconsider, the yeas and nays may again be ordered by one-fifth. 5 Hinds § 5689.

### **Withdrawal of Motion**

The motion to reconsider having been made within the time specified by the rules—that is, on the same or succeeding day as the vote on the proposition to be reconsidered—it may not be withdrawn without the consent of the House thereafter. Rule XVIII clause 1. *Manual* § 812.

## **§ 12. Application to Particular Propositions**

### **Generally**

The rule authorizing reconsideration applies whenever “a motion has been made and carried or lost. . . .” Rule XVIII clause 1. *Manual* § 812. The term “motion” in this rule has been construed so as to permit reconsideration of a wide variety of propositions, including bills and resolutions and amendments thereto (§ 14, *infra*), various motions and requests (§ 13, *infra*), and amendments pending between the two Houses and conference reports thereon (§ 15, *infra*). The motion is applicable whether the passage of the proposition required a simple majority or a two-thirds vote. 8 Cannon § 2778.

### **House Orders**

The motion to reconsider applies to the vote on a House order, although the execution of that order has begun. 3 Hinds § 2028; 5 Hinds § 5665. The motion may be applied to a vote ordering the yeas and nays (5 Hinds § 6029; 8 Cannon § 2790) or to a vote refusing the yeas and nays (5 Hinds § 5692) or to the vote by which the House refuses to order a third reading of a bill (5 Hinds § 5656; 8 Cannon § 2777). The motion to reconsider may also be used to reopen the proceedings whereby the House has voted to expunge certain matter from the *Congressional Record*. Deschler Ch 23 § 39.7.

The motion may not be applied to the vote by which the House has decided a question of parliamentary procedure submitted by the Speaker for the decision of the House. 8 Cannon § 2776; Deschler Ch 23 § 33; *Manual* § 815. But the motion may be applied to a vote laying an appeal on the table. 5 Hinds § 5630. Compare 5 Hinds § 5631.

### Referrals

By House rule, measures referred to a committee may not be brought back into the House on a motion to reconsider. Rule XVIII clause 2. *Manual* § 820. This rule, which was adopted in its present form in 1880, was intended to prevent a Member from bringing back into the House, on a motion to reconsider, any matter which he had obtained unanimous consent to introduce or submit for reference. 5 Hinds § 5647. The rule was intended to apply to the initial formal reference to a committee, and not where the measure has been reported back from committee for House consideration. 5 Hinds § 5649. Thus, while the motion may not be applied to a House vote on a simple referral to a committee (8 Cannon § 2782), it is in order to reconsider the vote whereby the House has recommitted a measure to a committee (Deschler Ch 23 § 39.6). However, it is too late to reconsider such a vote after the committee report has been made. 5 Hinds § 5651.

## § 13. — Other Motions and Requests

### Generally

The motion to reconsider is applied to permit the House to review its vote on certain motions, including:

- An affirmative vote on a motion for the previous question (5 Hinds § 5655), unless the previous question has been partially executed, as by a vote on certain amendments (5 Hinds §§ 5653, 5654; Deschler Ch 23 § 33).
- A vote on the motion to lay on the table, whether decided in the affirmative (5 Hinds §§ 5628, 5695, 6288; 8 Cannon § 2785) or in the negative (5 Hinds § 5629). See also Deschler Ch 23 § 38.1.
- An affirmative vote on a motion to go into the Committee of the Whole. 5 Hinds § 5638; Deschler Ch 23 § 33; 95–2, Apr. 20, 1978, p 10990.
- An affirmative vote on the question of consideration. 103–2, Oct. 4, 1994, p \_\_\_\_.
- An agreement by the House to a unanimous-consent request. 8 Cannon § 2794; Deschler Ch 23 § 33.

**When Not Applicable**

The motion to reconsider may not be applied to votes rejecting certain motions, such as:

- A vote rejecting a motion to go into the Committee of the Whole. 5 Hinds § 5641.
- A vote rejecting the question of consideration. 5 Hinds §§ 5626, 5627; Deschler Ch 23 § 39.14.
- A vote rejecting the motion to suspend the rules. 5 Hinds § 5645; 8 Cannon § 2781; Deschler Ch 23 § 33.
- A vote rejecting a motion to recess. 5 Hinds § 5625.
- A vote rejecting a motion to adjourn. 5 Hinds §§ 5620–5622.
- A vote rejecting a motion to adjourn to a day certain. 5 Hinds § 5624. But see 5 Hinds § 5623.

Certain motions or questions are not subject to the motion to reconsider because of the adoption of “expedited procedures” prescribed by statute and intended to bring a legislative matter to a final conclusion without all the procedural protections normally accorded. See *Manual* § 1013, for examples of such laws. The Congressional Budget Act, § 305(a), precludes the motion to reconsider the vote by which a concurrent resolution on the budget is agreed to or disagreed to. The vote on adoption of a conference report on such a resolution is also protected from the motion to reconsider.

**§ 14. — Bills and Resolutions; Amendments**

The motion to reconsider may be applied to the vote by which a bill was passed in the House (5 Hinds § 5666), including a private bill (4 Hinds §§ 3468, 3469), to a vote on the engrossment of the bill (5 Hinds § 5663), or to a vote refusing to order a third reading of the bill (8 Cannon § 2777). The motion is also applied to permit reconsideration of a vote on a simple resolution (5 Hinds § 5609), such as a special-order resolution from the Committee on Rules (101–2, Sept. 25, 1990, p \_\_\_\_), or on a joint resolution (96–1, Sept. 20, 1979, p 25512).

The motion to reconsider may be applied to permit reconsideration of a vote on an amendment, but if the motion is not made until after the passage of the amended bill, such reconsideration can be secured only by a motion to reconsider the vote on the passage of the bill. 8 Cannon § 2789. Similarly, to entertain a motion to reconsider a vote on an amendment to an amendment, it is first necessary to vote to reconsider the vote by which the original amendment, as amended, was disposed of. Deschler Ch 23 § 33.

**§ 15. — Amendments Between the Houses; Conference Reports**

A motion to reconsider may be applied to a vote on a Senate amendment to a House bill. And the fact that the House has informed the Senate that it has voted to agree to such an amendment does not prevent a motion to reconsider that vote. 5 Hinds § 5672. But such a motion must be timely made. After a conference has been agreed to and the managers for the House appointed, it is too late to move to reconsider the vote whereby the House acted on an amendment in disagreement. 5 Hinds § 5664.

The motion to reconsider may be applied to a vote on a conference report (Deschler Ch 23 § 39.4) or to a vote recommitting a conference report (Deschler Ch 23 § 39.5). And after disposition of a conference report and amendments reported therefrom in disagreement, it is in order to move to reconsider the vote on a motion disposing of one of the amendments. 98-1, Oct. 5, 1983, p 27323.

Although the tabling of a motion to reconsider ordinarily prevents the House from reconsideration of the vote in question (§ 2, *supra*), the laying on the table of a motion to reconsider the vote whereby the House has amended a Senate amendment does not preclude the House from acting on a subsequent Senate amendment to that House amendment, or considering any other proper motion to dispose of an amendment which might remain in disagreement after further Senate action. *Manual* § 815.

**§ 16. — Measures Sent to the Senate or the President**

The motion to reconsider may be applied to a measure which has been sent to the Senate (5 Hinds §§ 5666, 5667), and if that motion is agreed to, a motion to recall the measure is privileged (5 Hinds § 5669). Reconsideration of the vote on the measure is permitted even if the measure has passed both Houses (4 Hinds §§ 3466-3469), and even if the measure has been sent to the President (5 Hinds § 5668). It would appear, however, that once the bill has been sent to the President *and* signed by him, it could not be called into question pursuant to a pending motion to reconsider the measure. 5 Hinds § 5704. And if the President returns the bill to the House with his objections, and the House votes on the passage of the bill notwithstanding the objections of the President, that vote is not subject to the motion to reconsider because the U.S. Constitution (art. I section 7) expressly provides for the manner in which such bills are to be reconsidered. 5 Hinds § 5644; 8 Cannon § 2778.