that a motion to reconsider was laid on the table and that a motion to reconsider at this point is not in order.

§ 39.16 After one motion to reconsider has been acted on, a second motion to reconsider is not in order.

On May 6, 1964,[4] the Senate rejected amendments proposed by Senator Thruston B. Morton, of Kentucky, to amendments offered by Senator Herman E. Talmadge, of Georgia, to H.R. 7152, the Civil Rights Act of 1963. Senator Everett M. Dirksen, of Illinois, moved to reconsider the vote on the Morton amendments, with the following results:

THE ACTING PRESIDENT PRO TEMPORE:[5] The question is on agreeing to the motion to reconsider the vote by which the Morton amendments to the Talmadge amendments were rejected. . . .

The results was announced—yeas 46, nays 45, as follows: . . .

So the motion to reconsider the vote by which the Morton amendments to the Talmadge amendments were rejected was agreed to.

THE ACTING PRESIDENT PRO TEMPORE: The question now is on agreeing to the amendments, of the Senator from Kentucky [Mr. Morton] to the Talmadge amendments. . . .

The legislative clerk proceeded to call the roll. . . .

The result was announced—yeas 45, nays 46, as follows: . . .

So Mr. Morton's amendments to the amendments of Mr. Talmadge were rejected.

MR. DIRKSEN: Mr. President, I move to reconsider the vote.

THE ACTING PRESIDENT PRO TEMPORE: The motion is not in order.

§ 40. Precedence of Motion

Vote Recapitulation and Motion to Reconsider

§ 40.1 A demand for recapitulation takes precedence over a motion to reconsider.

On May 6, 1964,[6] the Senate defeated by a tie vote several amendments to H.R. 7152, the Civil Rights Act of 1963. Mr. Everett M. Dirksen, of Illinois, sought to have this vote reconsidered.

THE ACTING PRESIDENT PRO TEMPORE:[7] The vote being 45 yeas and 45 nays, the Morton amendments to the Talmadge amendments are rejected.

SEVERAL SENATORS: No, no, no.

MR. DIRKSEN: Mr. President, I move that the Senate reconsider the vote by which the Morton amendments to the Talmadge amendments were rejected.

THE ACTING PRESIDENT PRO TEMPORE: The question is on agreeing to the motion to reconsider.

4. 110 CONG. REC. 10201–03, 88th Cong. 2d Sess.
5. Lee Metcalf (Mont.).
6. 110 CONG. REC. 10200, 10201, 88th Cong. 2d Sess.
7. Lee Metcalf (Mont.).

MR. [RICHARD B.] RUSSELL [of Georgia]: Mr. President, I demand a recapitulation of the vote.

THE ACTING PRESIDENT PRO TEMPORE: The Senator is entitled to have that done, and there will be a recapitulation. The clerk will call the names for the recapitulation.

The legislative clerk recapitulated the vote.

§ 41. Debate on Motion

When Motion is Debatable

§ 41.1 The motion to reconsider is debatable if the motion proposed to be reconsidered was debatable.

On Sept. 13, 1965,[8] the House adopted House Resolution 506, providing for consideration of H.R. 10065, the Equal Employment Opportunity Act of 1965. There then occurred the discussion below, which suggests the circumstances under which a motion to reconsider may be debated:

MR. [WILLIAM M.] MCCULLOCH [of Ohio]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER:[9] The gentleman will state it.

MR. MCCULLOCH: Mr. Speaker, was the previous question ordered on the question to adopt the resolution that has just been voted on?

THE SPEAKER: It was not.

MR. MCCULLOCH: Mr. Speaker, having voted in the affirmative. I now move that the vote by which House Resolution 506 was adopted be now reconsidered.

MR. [CARL] ALBERT [of Oklahoma]: Mr. Speaker, I move that that motion be laid upon the table.

MR. MCCULLOCH: Mr. Speaker, I ask for the yeas and nays.

THE SPEAKER: The question is on the motion offered by the gentleman from Oklahoma [Mr. Albert].

MR. [MELVIN R.] LAIRD [of Wisconsin]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The Chair is in the process of counting.

Evidently a sufficient number have risen, and the yeas and nays are ordered.

MR. LAIRD: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state has parliamentary inquiry.

MR. LAIRD: Mr. Speaker, on the resolution just passed no one was allowed to debate that resolution on behalf of the minority or the majority. If this motion to table, offered by the gentlemen from Oklahoma [Mr. Albert] is defeated, then there will be time to debate the resolution just passed.

The question of reconsideration is debatable, and it can be debated on the merits of the legislation which has not been debated by the House.

THE SPEAKER: What part of the gentleman's statement does he make as a parliamentary inquiry?

MR. LAIRD: Mr. Speaker, if the motion to table is defeated, the motion to reconsider will give us an opportunity

8. 111 CONG. REC. 23608, 89th Cong. 1st Sess.

9. John W. McCormack (Mass.).