

## **TABLE**

*See also* "Lie On Table," pp. 910-911.

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Under Rule XXII the motion to table is applicable "when a question is pending before the Senate." This motion is in order when a proposition is before the Senate, unless that proposition is more privileged, as is a motion to adjourn. If a motion to table a matter is agreed to that is considered a final disposition of that question. The motion to table requires only a majority vote to prevail and is not debatable.

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### **Rule XIII, Paragraph 1**

#### **[Reconsideration May Be Tabled]**

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move a reconsideration; and if the Senate shall refuse to reconsider such a motion entered or if such a motion is withdrawn by leave of the Senate, or if upon reconsideration the Senate shall affirm its first decision, no further motion to reconsider shall be in order unless by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.

### **Rule XVI, Paragraph 4**

#### **[Amendments to Appropriations Bills May Be Tabled]**

In the case of appropriations: \* \* \* and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any such amendment or restriction to a general appropriation bill may be laid on the table without prejudice to the bill.

### **Rule XX, Paragraph 1**

#### **[Appeals May Be Tabled]**

A question of order may be raised at any stage of the proceedings, except when the Senate is voting or ascertaining the presence of a quorum, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate.

When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer.

## **Rule XXII, Paragraph 1**

### **[Precedence of Motions]**

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

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

## **Rule XIV, Paragraph 8**

### **[Preambles May Be Tabled]**

When a bill or resolution is accompanied by a preamble, the question shall first be put on the bill or resolution and then on the preamble, which may be withdrawn by a mover before an amendment of the same, or ordering of the yeas and nays; or it may be laid on the table without prejudice to the bill or resolution, and shall be a final disposition of such preamble.

### **Adjourn:**

The motion to adjourn is in order after a motion to table has been made but before a vote thereon begins.<sup>1</sup>

### **Amendment, Tabling of:**

*See also* "Withdrawal of Amendments," pp. 119-123; "Table, Reconsider Vote To," p. 1145; "Tabling of Motion to Reconsider," pp. 1145-1147; "Tabling, Motion Carries With It," p. 1284.

<sup>1</sup> Rule XXII; *see also* Mar. 14, 1972, 92-2, *Record*, pp. 8304-10.

An amendment to a bill may be laid on the table without prejudice to that bill; <sup>2</sup> an amendment to which an amendment has been proposed and is pending, may be laid on the table, and if such a motion is agreed to, the amendment proposed thereto is carried with it. <sup>3</sup>

A motion to table an amendment which has been agreed to and then reconsidered is in order. <sup>4</sup>

The tabling of a motion to strike does not carry to the table an amendment which is pending to the language proposed to be stricken by the motion to strike. <sup>5</sup> Likewise, the tabling of a substitute for a bill does not affect the pendency of a perfecting amendment to the underlying language of the bill proposed to be stricken by the substitute. <sup>6</sup>

When an amendment to an amendment is pending, a motion to table the underlying amendment is in order and not debatable. If it carries, the motion carries with it the amendment to the amendment being tabled. <sup>7</sup>

An amendment to an amendment may be laid on the table and would not carry the original amendment with it. <sup>8</sup>

A motion to table an amendment as amended by a substitute would be in order even though a motion to table the original amendment and a motion to table the substitute amendment had been previously offered and rejected before the original amendment had been amended. <sup>9</sup>

A motion to table an amendment after it has been amended is in order, even though a motion to table the original amendment had been offered and rejected.

A motion to table an amendment, as amended, takes precedence over another amendment to the original amendment, and if agreed to, would take with it the amendment to the amendment. <sup>10</sup>

<sup>2</sup> See Apr. 6, 1942, 77-2, *Record*, p. 3356.

<sup>3</sup> Aug. 4, 1980, 96-2, *Record*, p. 21189; Oct. 9, 1929, 71-1, *Journal*, p. 161; July 24, 1978, 95-2, *Record*, p. 22385; April 1, 1977, 95-1, *Record*, pp. 10050-51; Jan. 16, 1891, 51-2, *Journal*, p. 80, *Record*, pp. 1431, 1432; Nov. 14, 1963, 88-1, *Record*, pp. 21892-93; Feb. 8, 1923, 67-4, *Journal*, p. 145, *Record*, pp. 3259-60; Jan. 24, 1933, 72-2, *Record*, p. 2392; Oct. 9, 1929, 71-1, *Journal*, p. 160, *Record*, pp. 4389-91; Apr. 19, 1897, 55-1, *Record*, p. 753; Mar. 12, 1872, 42-2, *Record*, p. 1601; Nov. 15, 1971, 92-1, *Record*, pp. 41262-63; see also Apr. 27, 1953, 83-1, *Record*, p. 3949; Feb. 7, 1891, 51-2, *Record*, p. 2332; Oct. 3, 1972, 92-2, *Record*, pp. 33458-59; Mar. 7, 1974, 93-2, *Record*, p. 5715.

<sup>4</sup> Nov. 30, 1976, 92-1, *Record*, p. 43520.

<sup>5</sup> May 13, 1982, 97-2, *Record*, pp. 10023-31.

<sup>6</sup> See May 3, 1990, 101-2, *Record*, pp. S 5634-38.

<sup>7</sup> Dec. 3, 1981, 97-1, *Record*, p. 29452.

<sup>8</sup> Feb. 22, 1875, 43-2, *Journal*, p. 321.

<sup>9</sup> May 16, 1974, 93-2, *Record*, pp. 15076-80.

<sup>10</sup> See July 25, 1973, 93-1, *Record*, p. 25973.

Likewise, a motion to lay on the table a reservation to a treaty, to which an amendment had been proposed, and to which amendment an amendment was pending, would be in order; and if agreed to, it would carry with it the two amendments.<sup>11</sup> A motion proposed as a substitute to lay the latter amendment on the table would not be in order.<sup>12</sup>

A motion to table is in order in each instance, even if the yeas and nays have been ordered on the adoption of the amendment,<sup>13</sup> on adoption of a motion to recommit,<sup>14</sup> on adoption of a motion to refer to a committee, House amendments to Senate amendments to a House bill,<sup>15</sup> or on a motion to postpone to a day certain the further consideration of a conference report.<sup>16</sup>

A motion to table a substitute amendment, to which an amendment is pending, is in order.<sup>17</sup>

When a motion to table an amendment in the first degree is made to which an amendment in the second degree is pending but on which no action has been taken, a Senator may withdraw his amendment in the second degree even though the yeas and nays had been ordered on the motion to table the amendment in the first degree, because no action had been taken on the amendment in the second degree.<sup>18</sup>

While a second degree amendment to an amendment is pending, a motion to table the first degree amendment is in order.<sup>19</sup>

When amendments are pending both to a bill and substitute therefor, it is in order to move to table any of the amendments. When an amendment to a committee substitute is tabled while amendments to the text of the bill to be stricken are pending, it is not in order to offer another amendment to the substitute until the pending amendments to the language of the bill proposed to be stricken are disposed of.<sup>20</sup>

<sup>11</sup> Mar. 17, 1920, 66-2, *Record*, p. 4443.

<sup>12</sup> See *Ibid.*

<sup>13</sup> Feb. 17, 1923, 67-4, *Record*, p. 3833; Aug. 19, 1959, 86-1, *Record*, p. 16382; see Dec. 2, 1969, 91-1, *Record*, p. 36442; Oct. 12, 1979, 96-1, *Record*, pp. 28027-32.

<sup>14</sup> See Dec. 2, 1954, 83-2, *Record*, p. 16385.

<sup>15</sup> See Aug. 27, 1957, 85-1, *Record*, pp. 16075-76.

<sup>16</sup> See Aug. 21, 1957, 85-1, *Record*, p. 15457.

<sup>17</sup> Apr. 19, 1897, 55-1, *Record*, p. 753; Jan. 18, 1899, 55-3, *Record*, p. 749.

<sup>18</sup> Oct. 6, 1971, 92-1, *Record*, pp. 35261-62.

<sup>19</sup> Aug. 4, 1980, 96-2, *Record*, p. 21189.

<sup>20</sup> See Sept. 15, 1982, 97-2, *Record*, pp. 23617-18.

A motion to lay an amendment on the table has precedence over a question of amending or agreeing to such amendment.<sup>21</sup> An amendment to an amendment would not be in order while a motion to table the first amendment is pending.<sup>22</sup>

In the event of the rejection of a motion to lay an amendment on the table, an amendment to the amendment would then be in order.<sup>23</sup>

If a motion to table an amendment has failed, another motion to table that amendment would be in order if the amendment has been amended in the interim.<sup>24</sup>

A motion to lay an amendment on the table is not in order when the Senate is operating under a unanimous consent agreement to vote upon the adoption of that amendment at the end of 1 hour's debate thereon.<sup>25</sup>

#### **Amendments Tabled—Reoffer:**

An amendment carried to the table with a reservation to a treaty, to which it was pending, may be reoffered as an independent question.<sup>26</sup>

#### **Appeals Relative to the Motion To Table:**

*See also* "Table," p. 148.

The motion to table is not debatable, hence an appeal from the decision of the Chair holding such a motion in order is not debatable.<sup>27</sup>

An appeal from the decision of the Chair having been taken, the Chair may recognize another Senator to move to lay the appeal on the table.<sup>28</sup>

#### **Cloture, Motion Pending:**

It is in order to move to table an amendment upon which a cloture motion has been filed.<sup>29</sup>

<sup>21</sup> Rule XXII; *see* Dec. 2, 1954, 83-2, *Record*, p. 16360.

<sup>22</sup> Nov. 30, 1971, 92-1, *Record*, p. 43520.

<sup>23</sup> *See* Dec. 2, 1954, 83-2, *Record*, pp. 16367-68.

<sup>24</sup> Mar. 31, 1982, 97-2, *Record*, pp. 6167-70.

<sup>25</sup> *See* July 25, 1939, 76-1, *Record*, pp. 9925-26.

<sup>26</sup> Mar. 18, 1920, 66-2, *Record*, pp. 4499, 4500.

<sup>27</sup> Jan. 16, 1891, 51-2, *Journal*, p. 80 *Record*, pp. 1431-32.

<sup>28</sup> Nov. 17, 1942, 77-2, *Record*, pp. 8897-98.

<sup>29</sup> Apr. 18, 1983, 98-1, *Record*, p. 8801.

**Consideration, Motion To Table:**

*See* "Consideration," "Table," p. 680.

**Debate of Motion To Table:**

*See also* "Table, Motion To, Not Debatable," pp. 785-786.

A motion to table is not debatable.<sup>30</sup>

**Defeat of—Question Recurs on Motion:**

If a point of order is made against a motion and the point of order is tabled, the motion against which the point of order was made would be the pending question left before the Senate.<sup>31</sup>

**Divided Amendment:**

*See also* "Division of Question," pp. 807-812.

Once an amendment has been divided, a motion to table both parts at the same time would not be in order except by unanimous consent.<sup>32</sup>

**Effect of—Final Disposition:**

A motion to table, if agreed to, is a final disposition of the matter proposed to be tabled.<sup>33</sup>

**Effect of Motion To Table on Motion To Reconsider:**

A motion to table a motion to reconsider, if adopted, defeats the motion to reconsider.<sup>34</sup>

**En Bloc Procedure:**

*See also* "En Bloc Consideration and Adoption," pp. 59-61.

Where several amendments to a bill were considered en bloc, by unanimous consent, the Chair ruled that a motion to lay on the table the amendments en bloc would be in order.<sup>35</sup>

<sup>30</sup> July 16, 1983, 98-1, *Record*, p. 19501.

<sup>31</sup> *See* Jan. 18, 1967, 90-1, *Record*, pp. 918-19.

<sup>32</sup> *See* Mar. 30, 1977, 95-1, *Record*, p. 9663.

<sup>33</sup> Feb. 2, 1965, 89-1, *Record*, p. 1825.

<sup>34</sup> *See* Oct. 4, 1949, 81-1, *Record*, pp. 13772-73.

<sup>35</sup> *See* Apr. 7, 1960, 86-2, *Record*, p. 7547.

### Executive Session:

A motion to table a motion to go into executive session is not in order since under Rule XXII a motion to go into executive session takes precedence over a motion to table.<sup>36</sup>

### Motions To Table—In Order:

Precedents of the Senate have established that it is in order to move to table:

- (1) A motion to proceed to the consideration of a bill;<sup>37</sup>
- (2) A motion to amend the *Journal* by requiring the name of one Senator to be so recorded;<sup>38</sup>
- (3) An appeal from the decision of the Chair, as soon as another Senator takes that appeal;<sup>39</sup>
- (4) Substitute amendment, to which an amendment is pending, is in order;<sup>40</sup>
- (5) To lay on table a resolution as modified, after debate has proceeded;<sup>41</sup>
- (6) A motion to refer a message from the President of the United States;<sup>42</sup>
- (7) A motion to reconsider the vote on the passage of a bill,<sup>43</sup> or other motions to reconsider;<sup>44</sup>
- (8) A point of order made against a bill as revenue raising, which question had been submitted to the Senate for decision;<sup>45</sup>
- (9) A motion to table an amendment which has been agreed to and then reconsidered;<sup>46</sup>
- (10) A motion to table the credentials of a Senator-elect;<sup>47</sup>
- (11) A motion to table a preamble;<sup>48</sup>
- (12) A motion to table a matter is in order even though the yeas and nays have been ordered on it;<sup>49</sup> and

<sup>36</sup> July 28, 1980, 96-2, *Record* p. 19967; Sept. 30, 1976, 94-2, *Record*, p. 33887.

<sup>37</sup> Feb. 23, 1887, 49-2, *Record*, p. 2122; Jan. 22, 1891, 51-2, *Record*, p. 1664.

<sup>38</sup> Oct. 16, 17, 18, and 19, 1893, 53-1, *Journal*, p. 74, *Record*, pp. 2544-49, 2575, 2628.

<sup>39</sup> Rule XX; Nov. 17, 1942, 77-2, *Record*, pp. 8897-98.

<sup>40</sup> Apr. 19, 1897, 55-1, *Record*, p. 753.

<sup>41</sup> Mar. 17, 1913, 63-Special Session, *Record*, p. 27.

<sup>42</sup> June 16, 1909, 61-1, *Record*, pp. 3345-46.

<sup>43</sup> Apr. 23, 1951, 82-1 *Record*, p. 4177; Apr. 13, 1933, 73-1, *Record*, p. 1637; Jan. 18, 1944, 78-1, *Record*, p. 305.

<sup>44</sup> Mar. 1, 1858, 35-1, *Journal*, p. 224.

<sup>45</sup> Mar. 2, 1931, 71-3, *Journal*, p. 317.

<sup>46</sup> Nov. 30, 1971, 92-1, *Record*, p. 43520.

<sup>47</sup> Feb. 17, 1865, 38-2, *Journal*, pp. 186-87.

<sup>48</sup> Feb. 29, 1872, 42-2, *Journal*, p. 303.

<sup>49</sup> July 30, 1980, 96-2, *Record*, p. 20391.

(13) Where by unanimous consent a separate vote has been ordered on a section of a substitute amendment for a bill, to which section an amendment is pending, a motion to table such a section is in order.<sup>50</sup>

While a point of order that had been submitted to the Senate is pending, a motion to table the amendment against which the point of order was made is in order.<sup>51</sup>

A motion to table an amendment to an amendment or a motion to table an amendment to which an amendment has been offered is in order.<sup>52</sup>

The giving of notice of intention of entering a motion to reconsider a proposition is not the entering of the motion and it cannot be tabled.<sup>53</sup>

A motion to lay an amendment on the table has been held to be in order when the Senate was operating under unanimous consent agreements of such amendments, as follows:

(1) Limiting debate on amendments proposed to a bill at the appropriate time;<sup>54</sup>

(2) Precluding further debate after a specified hour on any amendment to a bill;<sup>55</sup>

(3) Providing that amendments be considered under a 15 minute limitation of debate and disposed of when the discussion was concluded.<sup>56</sup>

Under a unanimous consent agreement limiting debate and providing for a vote on all amendments or motions and upon the bill itself, motion to lay the bill on the table was held to be in order.<sup>57</sup>

### Motions To Table—Not in Order:

See also "Attendance of Senators," "Table—Motions To Get Attendance—Not in Order," p. 222.

A motion to reconsider the vote on tabling a motion to reconsider is not in order.<sup>58</sup>

<sup>50</sup> See Mar. 11, 1960, 86-2, *Record*, pp. 5280-81.

<sup>51</sup> Oct. 7, 1983, 97-2, *Record*, pp. 27781-83.

<sup>52</sup> Mar. 12, 1872, 42-2, *Record*, pp. 1601-02.

<sup>53</sup> June 17, 1932, 72-1, *Journal*, p. 604, *Record*, p. 13276.

<sup>54</sup> Jan. 31, 1922, 67-2, *Journal*, p. 72, *Record*, p. 1972.

<sup>55</sup> See Mar. 21, 1947, 80-1, *Record*, p. 2368.

<sup>56</sup> May 4, 8, 14, and 15, 1906, 59-1, *Journal*, p. 496, *Record*, pp. 6369, 6511-12, 6807, 6886.

<sup>57</sup> Apr. 22, 1947, 80-1, *Record*, pp. 3789, 3792.

<sup>58</sup> June 18, 1953, 83-1, *Record*, p. 6802.



In the absence of a quorum it is not in order to move to table a motion to instruct the Sergeant at Arms to request the attendance of absent Senators.<sup>59</sup>

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.<sup>60</sup>

After a motion to table an amendment has been made, it is not in order to propose an amendment to the amendment and the Chair enforced this without a point of order being necessary.<sup>61</sup>

### Point of Order:

See "Points of Order," pp. 987-996.

### Precedence of Motion To Table:

When a question is pending, under Rule XXII, no motion shall be received but:

To adjourn.

To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

To take a recess.

To proceed to the consideration of executive business.

To lay on the table.

To postpone indefinitely.

To postpone to a day certain.

To commit.

To amend.

Decisions have been made that:

(1) A motion to lay a resolution on the table takes precedence over amendments thereto and a motion to refer the same to a committee;<sup>62</sup>

(2) A motion to table an amendment to a motion to recommit with instructions takes precedence over a motion to indefinitely postpone the motion to recommit.<sup>63</sup>

(3) A motion to recess takes precedence over a motion to lay on the table, and is not subject to a motion to lay the

<sup>59</sup> July 20, 1983, 98-1, *Record*, p. 19914.

<sup>60</sup> See June 11, 1935, 74-1, *Record*, p. 9068.

<sup>61</sup> June 3, 1986, 99-2, *Record*, p. 12190.

<sup>62</sup> Feb. 19, 1915, 63-3, *Record*, p. 4092; see also Aug. 2, 1954, 83-2, *Record*, 12977.

<sup>63</sup> July 14, 1987, 100-1, *Record*, p. S 9863.

same on the table;<sup>64</sup> or a motion to recess is not subject to a motion to table, since a motion to recess takes precedence over a motion to table.<sup>65</sup> A motion to recess is in order pending the vote on a motion to table, but such motion to recess is not subject to a motion to table.<sup>66</sup>

(4) A motion to table takes precedence over a point of order,<sup>67</sup> and takes precedence over the making of a point of order as to the constitutionality of an amendment.<sup>68</sup>

If a motion to table is defeated, it would then be in order to raise a point of order against the amendment as being unconstitutional;<sup>69</sup>

(5) A motion to lay an amendment or matter on the table is in order notwithstanding the yeas and nays have been ordered on the question of agreeing to the same,<sup>70</sup> and takes precedence over a question of amending or agreeing to such amendment.<sup>71</sup>

While a point of order is pending, a motion to table the amendment against which the point of order was made is in order.<sup>72</sup>

After a motion to table an amendment has been made, it is not in order to propose an amendment to the amendment and the Chair enforced this without a point of order being necessary.<sup>73</sup>

An amendment to an amendment would not be in order while a motion to table the first amendment is pending.<sup>74</sup>

### **Presiding Officer, Moves To Table:**

On one occasion, the Presiding Officer in his capacity as a Senator moved to table a motion to reconsider.<sup>75</sup>

### **Quorum:**

See "Table," pp. 1065-1066.

<sup>64</sup> Mar. 2, 1929, 70-2, *Journal*, pp. 270-71, *Record*, pp. 5062-64.

<sup>65</sup> Nov. 25, 1980, 96-2, *Record*, pp. 31106-07.

<sup>66</sup> July 15, 1983, 98-1, *Record*, p. 19484.

<sup>67</sup> June 16, 1966, 89-2, *Record*, pp. 13548-49.

<sup>68</sup> *Ibid.*

<sup>69</sup> *Ibid.*

<sup>70</sup> Feb. 17, 1923, 67-4, *Record*, p. 3833-34.

<sup>71</sup> Rule XXII; see also Dec. 2, 1954, 83-2, *Record*, p. 16360.

<sup>72</sup> Oct. 7, 1983, 97-2, *Record*, pp. 27781-83.

<sup>73</sup> June 3, 1986, 99-2, *Record*, p. 12190.

<sup>74</sup> Nov. 30, 1971, 92-1, *Record*, p. 43520.

<sup>75</sup> Feb. 28, 1984, 98-2, *Record*, p. 3655.

In the absence of a quorum it is not in order to move to table a motion to instruct the Sergeant at Arms to request attendance of absent Senators.<sup>76</sup>

### **Recognition To Offer:**

*See* "When Motion To Table Is Not in Order," pp. 1286-1288.

In order to make a motion to table, a Senator must first be recognized.<sup>77</sup>

A Senator once recognized does not have to yield to another Senator to make a motion to table.<sup>78</sup>

### **Recommit, Table Motion To:**

*See* "Tabling of Motion To Recommit," pp. 1121-1122.

### **Reconsider, Table Motion To:**

*See* "Tabling of Motion To Reconsider," pp. 1145-1147.

A motion to reconsider the vote on a motion to table a bill is not debatable since the original question is not debatable.<sup>79</sup>

### **Reference, Motion To Table:**

*See* "Motions To Refer," pp. 1162-1164; "Tabling of Motion To Refer," p. 1168.

### **Reoffer:**

*See* "Renewal," below.

### **Renewal of Motion To Table:**

The Senate, on appeal, in 1915, decided that the renewal of a motion to lay a matter on the table, made on the third day after the rejection of the prior motion, was in order, although no amendment had been made.<sup>80</sup> In 1980, when 3 days of session and a 5 week recess had intervened after a motion to table had been rejected, the Chair stated

<sup>76</sup> July 20, 1983, 98-1, *Record*, p. 19914.

<sup>77</sup> Dec. 4, 1967, 90-1, *Record*, p. 34978; *See* Mar. 8, 1966, 89-2, *Record*, pp. 5298-99.

<sup>78</sup> *See* Mar. 8, 1966, 89-2, *Record*, pp. 5298-99.

<sup>79</sup> May 5, 1983, 98-1, *Record*, p. 11272; May 1, 1974, 83-2, *Record*, pp. 12622-23.

<sup>80</sup> Feb. 15, 1915, 63-3, *Journal*, p. 112, *Record*, pp. 3779-81.

that the motion to table could be renewed "3 days having elapsed."<sup>81</sup>

It is in order to re-offer a motion to table a proposition pending before the Senate, the first motion having been defeated, after a reasonable length of time and 3 days under the precedents have been deemed a reasonable length of time.<sup>82</sup>

A motion to table an amendment may rightly be reoffered after that amendment has been amended.<sup>83</sup>

### Tabling Motion Carries With It:

The adoption of a motion to lay on the table an amendment proposed to a bill does not carry the bill with it nor prejudice the bill.<sup>84</sup>

An amendment to which an amendment has been proposed and is pending may be laid on the table; and if such a motion to table is agreed to, the amendment proposed thereto is carried with it.<sup>85</sup>

If an amendment proposed to a pending amendment is laid on the table, it does not carry with it the original amendment.<sup>86</sup>

A reservation proposed to a treaty, if laid on the table, will not carry with it the treaty.<sup>87</sup>

The laying on the table of a motion that the Senate recede from its disagreement to a House amendment does not carry with it the bill and all amendments, but such a motion is within the applicability of the rule governing the laying of amendments on the table.<sup>88</sup>

A substitute motion of instructions for a motion to recommit a bill with instructions may be laid on the table without affecting the original motion.<sup>89</sup>

<sup>81</sup> See Nov. 12, 1980, 96-2, *Record*, p. 29340.

<sup>82</sup> April 9, 1979, 96-1, *Record*, pp. 7651-57; June 3, 1976, 94-2, *Record*, pp. 16472-73; see also Mar. 14, 1972, 92-2, *Record*, pp. 8288-89.

<sup>83</sup> See May 9, 1974, 93-2, *Record*, pp. 14114-15.

<sup>84</sup> See Apr. 19, 1933, 73-1, *Record*, p. 1944; Apr. 6, 1942, 77-2, *Record*, p. 3356.

<sup>85</sup> Jan. 16, 1891, 51-2, *Journal*, p. 80, *Record*, pp. 1431-32; Oct. 9, 1929, 71-1, *Journal*, pp. 160-61, *Record*, pp. 4389-91; Feb. 8, 1923, 67-4, *Journal*, p. 145, *Record*, pp. 3259-60; Jan. 24, 1933, 72-2, *Record*, p. 2392; Oct. 6, 1971, 92-1, *Record*, pp. 35261-82; see also Feb. 7, 1891, 51-2, *Record*, p. 2332; Aug. 16, 1890, 51-1, *Record*, p. 8666; Aug. 31, 1960, 86-2, *Record*, pp. 18641-42; Apr. 4, 1960, 86-2, *Record*, p. 7217; Mar. 11, 1960, 86-2, *Record*, pp. 5280-81; Aug. 2, 1954, 83-2, *Record*, p. 12977, Dec. 4, 1973, 93-1, *Record*, p. 39525.

<sup>86</sup> May 11, 1894, 53-2, *Journal*, pp. 184, 185, *Record*, pp. 4602, 4606.

<sup>87</sup> Mar. 18, 1920, 66-2, *Record*, p. 4502.

<sup>88</sup> Feb. 28, 1889, 50-2, *Record*, p. 2441.

<sup>89</sup> See May 20, 1949, 81-1, *Record*, p. 6524.

### Unanimous Consent:

See also "Table," pp. 1273-1289; "Unanimous Consent Agreements," pp. 1311-1369.

A motion to table an amendment considered under a time limitation is not in order if time remains to the sponsor of the amendment. When a Senator controlling time in opposition to an amendment attempted to yield back his time and move to table the amendment, he reclaimed his time when informed by the Chair that a motion to table was not then in order.<sup>90</sup>

It is premature to move to table a motion on which time for debate remains.<sup>91</sup>

A unanimous consent agreement that provides for a vote on an amendment waives the right of any Senator to move to table that amendment.<sup>92</sup>

### Vote Required for Tabling a Proposition:

A motion to table requires a majority vote;<sup>93</sup> in the case of a tie vote the motion to table loses.<sup>94</sup>

### Vote Required To Table Motion Relative to Veto:

A motion to take up a vetoed bill may be laid on the table by a majority vote only, and does not require a two-thirds vote;<sup>95</sup> also a majority vote only is required to lay on the table a motion to proceed to the reconsideration of a vetoed bill.<sup>96</sup>

### When Motion To Table Is in Order:

A motion to lay a pending proposition on the table is in order at any time in the absence of an agreement on that matter.<sup>97</sup>

A Senator when he has been recognized may make a motion to lay on the table a pending proposition.<sup>98</sup>

It is in order for one Senator to make a motion to reconsider and then for another who obtains recognition or the

<sup>90</sup> Dec. 3, 1985, 99-1, *Record*, pp. 33899, 33902.

<sup>91</sup> July 28, 1983, 98-1, *Record*, p. 21333.

<sup>92</sup> Apr. 23, 1986, 99-2, *Record*, p. 8529.

<sup>93</sup> See Jan. 18, 1967, 90-1, *Record*, pp. 918-19.

<sup>94</sup> Sept. 26, 1978, 95-2, *Record*, pp. 31523-24.

<sup>95</sup> Mar. 4, 1927, 69-2, *Journal*, p. 278, *Record*, pp. 5887-88.

<sup>96</sup> *Ibid.*

<sup>97</sup> See Feb. 3, 1948, 80-2, *Record*, p. 969.

<sup>98</sup> Sept. 20 and 21, 1950, 81-2, *Record*, p. 15345.

same Senator to move to lay that motion on the table if no other business is pending,<sup>99</sup> but a Senator must obtain recognition to offer a motion to table.<sup>100</sup>

A motion to table a matter is in order even though the yeas and nays have been ordered on it.<sup>101</sup>

### When Motion To Table Is Not in Order:

*See also* "Recognition to Offer," p. 1283; "Table, Motions Under Unanimous Consent Agreements," pp. 1364-1366; "Unanimous Consent," p. 1285.

A motion to lay on the table a pending proposition is not in order by one Senator when another has the floor,<sup>102</sup> or has a right to the floor;<sup>103</sup> nor is it in order to move to lay on the table a motion by another Senator to take up a bill after the latter Senator has been again recognized.<sup>104</sup>

Where a Senator in possession of the floor yields to another for a question only, the Senator yielded to cannot make a motion to lay on the table a motion to reconsider.<sup>105</sup>

When a motion to reconsider the vote by which the Senate took an action is entered while other business is pending before the Senate, including a motion to consider a bill, or after other business intervenes after the Senate takes such action, a motion to lay on the table the motion to reconsider that action at that time is not in order.<sup>106</sup>

A motion to lay on the table a motion to reconsider the vote on the passage of a bill is not in order where such motion to reconsider is not before the Senate for consideration,<sup>107</sup> unless unanimous consent is granted for that

<sup>99</sup> 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.

<sup>100</sup> Feb. 28, 1947, 80-1, *Record*, p. 1553.

<sup>101</sup> July 30, 1980, 96-2, *Record*, p. 20391.

<sup>102</sup> June 5, 1986, 99-2, *Record*, pp. 12725-27; Sept. 18, 1914, 63-2, *Record*, p. 15258; Feb. 17, 1923, 67-4, *Record*, p. 3829; Dec. 4, 1967, 90-1, *Record*, p. 34978.

<sup>103</sup> July 24, 1886, 49-1, *Record*, p. 7457.

<sup>104</sup> June 12, 1935, 74-1, *Journal*, p. 435, *Record*, p. 9186; *see also* July 26, 1937, 75-1, *Record*, p. 7582.

<sup>105</sup> Sept. 20, 1950, 81-2, *Record*, p. 15264.

<sup>106</sup> 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; Mar. 31, 1952, 82-2, *Record*, pp. 3175-76; June 16, 1938, 75-3, *Record*, pp. 9585-86; Mar. 31, 1952, 82-2, *Record*, p. 3176; July 19, 1939, 76-1, *Record*, pp. 9466-67; July 21, 1939, 76-1, *Record*, p. 9669.

<sup>107</sup> Apr. 17, 1951, 82-1, *Record*, p. 3959; *see also* Oct. 8, 1951, 82-1, *Record*, p. 12786.

purpose;<sup>108</sup> nor is such a motion in order while another matter or business is pending.<sup>109</sup>

A motion to lay an amendment on the table is not in order while a *viva voce* vote is being taken thereon.<sup>110</sup>

Pending a request for unanimous consent, when the question on reference of a bill was pending, to which a reservation of objection had been lodged, a question having been raised under Rule XIV that the motion to table the bill was not in order, the Presiding Officer held that the motion was made under Rule XXII, paragraph 1, and not under Rule XIV, and was therefore in order.<sup>111</sup>

In 1914, under a unanimous consent agreement limiting debate to 15 minutes to each Senator on each amendment to a bill, a motion to lay an amendment on the table was held to be out of order since each Senator was entitled to 15 minutes on each amendment, and that a Senator had no right to cut off that 15 minutes by moving to table;<sup>112</sup> likewise, in 1916, under a unanimous consent agreement limiting debate upon the part of each Senator to one speech of not exceeding 5 minutes on any amendment, a motion to lay all of the proposed amendments on the table is not in order.<sup>113</sup>

Under a unanimous consent agreement providing for a vote on a specified day upon a bill through the regular parliamentary stages to its final disposition, a motion to lay such bill upon the table is not in order as not being a final disposition thereof.<sup>114</sup> Such an agreement operates as an order of the Senate.<sup>115</sup>

Under current practices during the consideration of a measure under a unanimous consent agreement limiting debate on the bill and amendments thereto, and placing the control of such time under the charge of specified persons, a motion to lay on the table the pending question would not be in order until all time allowed on the amendment, motion, or bill, as the case might be, had expired or was yielded back.<sup>116</sup>

<sup>108</sup> Mar. 16, 1956, 84-2, *Record*, p. 4962; May 7, 1947, 80-2, *Record*, p. 4681.

<sup>109</sup> May 11, 1949, 81-1, *Record*, p. 6041; see also Mar. 31, 1952, 82-2, *Record*, pp. 3175-76.

<sup>110</sup> June 19, 1914, 63-2, *Record*, p. 10728.

<sup>111</sup> See Aug. 9, 1960, 86-2, *Record*, pp. 16009-19.

<sup>112</sup> Jan. 23, 1914, 63-2, *Record*, p. 2177.

<sup>113</sup> Mar. 21, 1916, 64-1, *Record*, p. 4545.

<sup>114</sup> Oct. 17, 1914, 63-2, *Journal*, p. 555, *Record*, p. 16794.

<sup>115</sup> *Ibid.*

<sup>116</sup> Dec. 3, 1985, 99-1, *Record*, pp. 33899, 33902; Mar. 27, 1956, 84-2, *Record*, p. 5653; June 8, 1961, 87-1, *Record*, p. 9914.



It is premature to move to table a motion on which time for debate remains.<sup>117</sup>

### **Withdrawal of Motion To Table:**

A motion to lay a matter on the table may be withdrawn by the proposer in his own right,<sup>118</sup> unless some action has been taken on the motion by the Senate; for example, that right is lost and the motion cannot be withdrawn by a Senator after the yeas and nays have been ordered thereon, except by unanimous consent.<sup>119</sup>

A motion to table may be withheld by its sponsor if no action has occurred thereon, and may be withdrawn by its sponsor even after the yeas and nays thereon have been denied.<sup>120</sup>

A motion to table on which the yeas and nays were requested but not obtained may be withdrawn by the mover thereof.<sup>121</sup>

### **Written on Demand:**

A motion to table on demand must be submitted in writing.<sup>122</sup>

### **Yeas and Nays and the Motion To Table:**

A Senator has a right to ask for the yeas and nays on a motion to lay an amendment on the table.<sup>123</sup>

If an amendment is pending, it is not in order to request the yeas and nays on a motion to table that amendment until the motion has been made.<sup>124</sup>

The ordering of the yeas and nays on an amendment has no effect on tabling that amendment and if the yeas and nays are ordered on an amendment that action would not apply to a subsequent motion to lay that amendment on the table; the latter motion would require a separate order for the yeas and nays to have a roll call vote thereon.<sup>125</sup>

<sup>117</sup> July 28, 1983, 98-1, *Record*, p. 21333.

<sup>118</sup> See May 20, 1942, 77-2, *Record*, p. 4393; Feb. 8, 1949, 81-1, *Record*, p. 962.

<sup>119</sup> Nov. 16, 1967, 90-1, *Record*, p. 32843; Apr. 3, 1951, 82-1, *Record*, p. 3190; July 1, 1953, 83-1, *Record*, p. 7793; see also Apr. 25, 1949, 81-1, *Record*, p. 4980.

<sup>120</sup> Mar. 27, 1984, 98-2, *Record*, pp. 6676-77.

<sup>121</sup> July 10, 1982, 97-2, *Record*, p. 16815.

<sup>122</sup> Jan. 26, 1966, 89-2, *Record*, p. 1168.

<sup>123</sup> See July 26, 1937, 75-1, *Record*, p. 7584.

<sup>124</sup> Dec. 7, 1970, 91-2, *Record*, p. 40086.

<sup>125</sup> See June 3, 1938, 75-3, *Record*, p. 8097; May 1, 1974, 93-2, *Record*, pp. 12615-16.



Notwithstanding the fact that the yeas and nays are ordered on a motion to proceed to the consideration of a matter, a motion to lay such motion on the table is in order under Rule XXII; but the ordering of the yeas and nays does not preclude debate thereafter.<sup>126</sup>

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## TEMPORARILY LAY ASIDE

*See* "Lay Aside Temporarily," pp. 902-904.

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## TESTIMONY BEFORE COURTS BY SENATORS AND EMPLOYEES

*See* "Contempts," pp. 687-691.

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## THIRD READING OF BILL

*See* "Third Reading," pp. 245-247.

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<sup>126</sup> Jan. 19, 1915, 63-3, *Record*, p. 1815.