

A motion to reconsider was laid on the table.

On February 13, 2003,⁽³¹⁾ the Senate agreed to the concurrent resolution:

CONSENT TO ASSEMBLE OUTSIDE THE SEAT OF GOVERNMENT

Mr. [William] FRIST [of Tennessee]. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 1, which is at the desk.

The PRESIDING OFFICER.⁽³²⁾ The clerk will report the concurrent resolution by title. The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 1) regarding consent to assemble outside the seat of government.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. Madam President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 1) was agreed to.

§ 11. Recall, Reassembly, and Emergency Convening

The House has, for many years, provided authority for the Speaker to recall the House during certain periods of adjournment.⁽¹⁾ These reconvening or reassembly authorities have evolved considerably in recent years.⁽²⁾ The various elements to such recall authority may be described as follows: first, the chamber (House or Senate, or both) to which the recall authority applies; second, the individuals vested with the authority to recall; and third, the time period covered by the recall authority. Recall authorities have varied over time with respect to all three elements.

Pursuant to the Constitution,⁽³⁾ resolutions of adjournment for more than three days must be adopted by both Houses of Congress, and such resolutions have often provided ad hoc authority for the Speaker of the House and

31. 147 CONG. REC. 4080, 107th Cong. 1st Sess.

32. John Cornyn (TX).

1. For a previous discussion of recall authorities in the context of adjournment, see Deschler's Precedents Ch. 40 §§ 13, 15.
2. *Parliamentarian's Note*: The authority to recall the Houses of Congress during a period of adjournment appears to have its origin in the years following the entry of the United States into the Second World War. The exigencies of the war apparently furnished the impetus for providing this authority on an ad hoc basis in adjournment resolutions, on the assumption that Congress may need to quickly convene in order to attend to war-related emergencies. See Deschler's Precedents Ch. 1 §§ 3.16, 3.17.
3. U.S. Const. art. I, § 5, cl. 4; *House Rules and Manual* § 84 (2017).

the Majority Leader of the Senate to recall their respective chambers during the period of adjournment contemplated by the resolution. Because such concurrent resolutions of adjournment typically provide for the adjournment of both Houses, recall authorities included therein will usually authorize either House (or both) to be recalled.⁽⁴⁾ Occasionally, Congress will adopt a concurrent resolution of adjournment for one House only (the other House choosing to remain in session), in which case the recall authorities provided by such resolution will apply only to the adjourning House.⁽⁵⁾ On one occasion, a concurrent resolution of adjournment contained separate sections authorizing: (1) joint recall of both Houses; and (2) separate recall of the House only.⁽⁶⁾ There have also been instances where the adjournment of both Houses was achieved by adopting two separate concurrent resolutions of adjournment—one for each House—with recall authorities in each resolution applicable to the House covered by that resolution.⁽⁷⁾

As noted, recall authority in modern practice is exercised by the Speaker of the House and the Majority Leader of the Senate.⁽⁸⁾ The concurrent resolution of adjournment authorizing reassembly may provide that such recall authorities be exercised jointly⁽⁹⁾ by the Speaker and Majority Leader, or separately.⁽¹⁰⁾ If the adjournment resolution provides for joint recall by the Speaker of the House and the Majority Leader of the Senate, then both Houses must reassemble on the same date.⁽¹¹⁾ By contrast, if the recall authorities are to be exercised separately, each official may determine the dates of reassembly for each House (which need not be the same). The role of the Minority Leader of the House and the Minority Leader of the Senate has generally been consultative only, *i.e.*, the Speaker of the House and the Majority Leader of the Senate are required to consult with the minority leaders of their respective bodies before issuing a recall notice.⁽¹²⁾

4. See §§ 11.1–11.3, *infra*.

5. See § 11.5, *infra*.

6. See § 11.6, *infra*.

7. See § 11.4, *infra*.

8. *Parliamentarian's Note*: Under earlier practice, exercise of recall authority in the Senate was vested in the President pro tempore of the Senate. See Deschler's Precedents Ch. 1 § 3.16.

9. See § 11.2, *infra*.

10. See § 11.1, *infra*.

11. For an example of an adjournment resolution contemplating joint recall but with the possibility that the Speaker of the House and the Majority Leader of the Senate could jointly authorize each House to reassemble on different dates, see § 11.3, *infra*.

12. *Parliamentarian's Note*: In some earlier examples of recall authority (prior to the 95th Congress), the minority leaders of each House were granted authority to exercise joint recall authority by filing written requests with the Secretary of the Senate and the

Following the terrorist attacks of September 11, 2001, the House and Senate recognized the danger of confining recall authority to the Speaker of the House and Majority Leader of the Senate, as the death or incapacity of such individuals would prevent recall authorities from being legitimately exercised. Thus, concurrent resolutions in the 107th Congress began to include authority for the Speaker of the House and Majority Leader of the Senate to designate alternate individuals to exercise recall authority should the need arise.⁽¹³⁾ The system for designating Members of the House to exercise recall authorities in the case of death or incapacity of the Speaker has gradually been regularized. Ad hoc authority for the Speaker to name recall designees⁽¹⁴⁾ was replaced by “durable” designations in the form of a letter filed with the Clerk and laid before the House.⁽¹⁵⁾ Designations contained in such letter remain applicable for the duration of the Congress.

With respect to the time period covered by recall authority, such authority is typically confined to the period of adjournment established by the concurrent resolution. For adjournment periods of not more than three days, the Speaker has authority under clause 12(e) of rule I to reconvene the House at a time other than that previously appointed, should the public interest warrant such reassembly.⁽¹⁶⁾ For adjournment periods longer than three days, the recall authority extends to the entire adjournment period. Adjournments *sine die*, which bring a session of a Congress to a close, previously did not regularly provide recall authority, as the possibility of reconvening for further legislative business is in tension with the declaration that the House has completed its work for the session and is ready to adjourn *sine die*. Nevertheless, recall authority has been included in *sine die* adjournment resolutions in the past, and such language is now commonplace.⁽¹⁷⁾

In addition to authorizing reassembly from periods of adjournment, Congress has also passed joint resolutions that contemplate convening the House (or Senate) earlier than otherwise scheduled at the beginning of a second session of Congress. Such authority is sometimes referred to as

Clerk of the House. See, e.g., 121 CONG. REC. 41973, 94th Cong. 1st Sess. (Dec. 19, 1975).

13. See § 11.5, *infra*.

14. See, e.g., 148 CONG. REC. 15138, 15139, 107th Cong. 2d Sess. (July 26, 2002). See also Deschler's Precedents Ch. 40 § 13.5.

15. For the first example of such a letter, see 149 CONG. REC. 6123, 108th Cong. 1st Sess. (Mar. 13, 2003).

16. *House Rules and Manual* § 639 (2017).

17. See, e.g., 161 CONG. REC. H10707, H10708 [Daily Ed.], 114th Cong. 1st Sess. (Dec. 18, 2015).

“precall” authority because the House (or Senate) is not being recalled to continue an existing session, but is instead accelerating the convening of a subsequent session. Thus, the joint resolution will provide for a change to the convening date of the new session (*i.e.* a later convening date than the default January 3 commencement) and also provide for the Speaker of the House and the Majority Leader of the Senate to convene their respective chambers earlier than this established date of assembly, should the public interest warrant it.⁽¹⁸⁾

As noted above,⁽¹⁹⁾ the House and Senate may be recalled to a different place (other than the seat of government) when the resolution of adjournment permits such reassembly.⁽²⁰⁾ This language regarding recall to an alternate location has become standard in adjournment resolutions since the 107th Congress.

Since the 105th Congress, Congress has been recalled from a period of adjournment on seven separate occasions. In some cases, both the House and the Senate were recalled.⁽²¹⁾ In other cases, only one House was recalled—either because the other House was still in session⁽²²⁾ or because the other House had already adjourned *sine die*.⁽²³⁾

In addition to providing recall authority in resolutions of adjournment, the House has also adopted standing rules that provide special convening authority in emergency circumstances. Under clause 12(c) of rule I⁽²⁴⁾ (first adopted in the 108th Congress), during periods of adjournment of not more than three days, the Sergeant-at-Arms notifies the Speaker if there is “an imminent impairment” to reconvening at the time previously appointed. When notified of this impairment to convening, the Speaker may either delay reconvening (within the three-day constitutional limit) or reconvene the House earlier than the previously appointed time solely to declare a recess (again, within the limits imposed by the Constitution). The Speaker has exercised the authority under this rule both to postpone⁽²⁵⁾ and to accelerate⁽²⁶⁾ the time of reconvening. The Speaker has also exercised this authority to dispense with morning-hour debate and convene the House at the regular time for legislative business (the impairment to convening having

18. See § 11.9, *infra*.

19. See § 10, *supra*.

20. See § 11.7, *infra*.

21. See §§ 11.11, 11.13, *infra*; and Deschler’s Precedents Ch. 40 §§ 13.12, 13.13.

22. See § 11.10, *infra*; and Deschler’s Precedents Ch. 40 §§ 13.8–13.11.

23. See Deschler’s Precedents Ch. 40 § 15.2.

24. *House Rules and Manual* § 639 (2017).

25. See §§ 11.12, 11.17, *infra*.

26. See §§ 11.14, 11.15, *infra*.

been resolved in the interim).⁽²⁷⁾ Under clause 12(e) of rule I,⁽²⁸⁾ if the public interest warrants, the Speaker may reconvene the House during any recess or adjournment of not more than three days, at a time other than that previously appointed, within the limits of the Constitution and after consultation with the Minority Leader.

Recall Authority in Adjournment Resolutions

§ 11.1 The House and Senate agreed to a concurrent resolution of adjournment, providing, *inter alia*, separate recall authorities to be exercised by the Speaker of the House or Majority Leader of the Senate (or their designees) independently, after consultation with the minority leaders of their respective chambers.

On December 26, 2013,⁽²⁹⁾ the following adjournment resolution was agreed to:

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE
SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution (S. Con. Res. 30) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

The Clerk read the concurrent resolution, as follows:

S. CON. RES. 30

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, December 20, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:45 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Monday, December 23, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:00 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by the Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

27. See § 11.18, *infra*. For more on convening for morning-hour debate, see § 10.1, *supra*.

28. *House Rules and Manual* § 639 (2017).

29. 159 CONG. REC. H8133, H8134 [Daily Ed.], 113th Cong. 1st Sess. For previous instances of separate recall authorities for the House and the Senate, see 137 CONG. REC. 12256, 102d Cong. 1st Sess. (May 23, 1991) and 157 CONG. REC. 106, 112th Cong. 1st Sess. (Jan. 5, 2011). For an example of a *sine die* adjournment resolution with separate recall authorities, see 161 CONG. REC. H10707, H10708 [Daily Ed.], 114th Cong. 1st Sess. (Dec. 18, 2015).

SEC. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by the Speaker or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The SPEAKER pro tempore.⁽³⁰⁾ Without objection, the concurrent resolution is concurred in.

Mr. [Steny] HOYER [of Maryland]. Mr. Speaker, reserving the right to object . . . , Therefore, Mr. Speaker, sadly, I withdraw my reservation.

The SPEAKER pro tempore. Without objection, the concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid on the table. . . .

§ 11.2 The House has adopted a concurrent resolution providing for an adjournment of both Houses of Congress, and further authorizing the Speaker of the House and the Majority Leader of the Senate, acting jointly and after consultation with the minority leaders of each body, to reassemble Congress should the public interest warrant it.

On November 22, 2013,⁽³¹⁾ a concurrent resolution of adjournment with joint recall authority was agreed to as follows:

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 21, 2013.

Hon. JOHN A. BOEHNER,
THE SPEAKER, HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 21, 2013 at 5:39 p.m.:

That the Senate agreed to S. Con. Res. 28.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

³⁰. Fred Upton (MI).

³¹. 159 CONG. REC. H7340, H7359 [Daily Ed.], 113th Cong. 1st Sess. For concurrent resolutions providing for *sine die* adjournment but also authorizing joint recall, see 136 CONG. REC. 36850, 101st Cong. 2d Sess. (Oct. 27, 1990) and 152 CONG. REC. 23281, 109th Cong. 2d Sess. (Dec. 8, 2006). See also Deschler's Precedents Ch. 40 § 15.7.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE
SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 28

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, November 21, 2013, through Friday, December 6, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, December 9, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 or section 3 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, November 21, 2013, through Tuesday, November 26, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, December 2, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

SEC. 3. After the House reassembles pursuant to the first section of this concurrent resolution, the Majority Leader of the Senate after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble whenever, in his opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.
A motion to reconsider was laid on the table.

ADJOURNMENT

The SPEAKER pro tempore.⁽³²⁾ Without objection, pursuant to Senate Concurrent Resolution 28, 113th Congress, the House stands adjourned until 2 p.m. on Monday, December 2, 2013.

There was no objection.

Thereupon (at 10 o'clock and 5 minutes a.m.), the House adjourned until Monday, December 2, 2013, at 2 p.m.

§ 11.3 The House adopted a concurrent resolution of adjournment (as amended by the Senate) containing authority for the Speaker of the House and the Majority Leader of the Senate (or their designees), acting jointly and after consultation with the minority leaders of each body, to recall the House or Senate (or both) during the period of adjournment.⁽³³⁾

32. Thomas Petri (WI).

33. *Parliamentarian's Note*: The Senate's amendment inserted the word "respective" before "time," thus allowing each House to reconvene on different dates. In prior iterations of such recall authority, the language provided only for joint recall to the same time, requiring each House to reassemble on the same date.

On October 2, 2008,⁽³⁴⁾ the House agreed to Senate amendments to a concurrent resolution of adjournment as follows:

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

The SPEAKER pro tempore.⁽³⁵⁾ The Chair lays before the House a privileged message from the Senate.

The Clerk read as follows:

In the Senate of the United States, October 2 (legislative day, September 17), 2008.

Resolved, That the resolution from the House of Representatives (H. Con. Res. 440) entitled “Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.”, do pass with the following amendments:

1. On page 1, line 3, strike “from Monday, September 29, 2008, through Friday, October 3, 2008,”
2. On page 2, line 2, strike “that” and all that follows through line 9 and insert “the Senate may adjourn or recess at any time from Thursday, October 2, 2008, through January 3, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee until such time as specified in that motion, but not beyond noon on January 3, 2009, and it may reassemble pursuant to section 2 of this concurrent resolution.”
3. On page 2, line 15, strike “time” and insert “respective time”

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

§ 11.4 The House adopted two concurrent resolutions of adjournment (one for the House only and one for the Senate only) each containing recall authority, which, in the case of the adjournment resolution for the House, authorized the Speaker of the House (or a designee), after consultation with the Minority Leader, to recall the House during the period of adjournment.

On March 26, 2015,⁽³⁶⁾ the House agreed to two concurrent resolutions of adjournment, each providing for the adjournment of one House only, and each providing recall authority for that House, as follows:

PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I send to the desk a privileged concurrent resolution.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore.⁽³⁷⁾ Is there objection to the request of the gentleman from Illinois?

There was no objection.

34. 154 CONG. REC. 23766, 110th Cong. 2d Sess.

35. Yvette Clarke (NY).

36. 161 CONG. REC. H2092 [Daily Ed.], 114th Cong. 1st Sess. For similar consideration of complementary single-House adjournment resolutions, see 156 CONG. REC. 14604, 111th Cong. 2d Sess. (July 29, 2010).

37. Ted Poe (TX).

The text of the concurrent resolution is as follows:

H. CON. RES. 31

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, March 26, 2015, through Friday, April 10, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, April 13, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The concurrent resolution was agreed to.
A motion to reconsider was laid on the table.

PROVIDING FOR AN ADJOURNMENT OF THE SENATE

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I send to the desk a privileged concurrent resolution.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 32

Resolved by the House of Representatives (the Senate concurring), That when the Senate recesses or adjourns on any day from Friday, March 27, 2015, through Monday, March 30, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 13, 2015, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate recesses or adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand recessed or adjourned pursuant to the first section of this concurrent resolution.

The concurrent resolution was agreed to.
A motion to reconsider was laid on the table.

§ 11.5 The House and Senate may agree to a concurrent resolution providing for an adjournment for the House only, and further providing for unilateral recall of the House during the period of adjournment by the Speaker of the House (or designee), after consultation with the Minority Leader.

On May 12, 2011,⁽³⁸⁾ a concurrent resolution of adjournment was agreed to as follows:

³⁸. 157 CONG. REC. 7204, 112th Cong. 1st Sess.

PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

Mr. [Pete] SESSIONS [of Texas]. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 50

Resolved by the House of Representatives (the Senate concurring),

That when the House adjourns on the legislative day of Friday, May 13, 2011, or Saturday, May 14, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, May 23, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader, shall notify the Members to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The SPEAKER pro tempore (Mr. [Richard] NUGENT [of Florida]). The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. [Alcee] HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

§ 11.6 The House has adopted a concurrent resolution providing for *sine die* adjournment of Congress, and further authorizing the Speaker of the House, after consultation with the Minority Leader of the House, to reassemble the House should the public interest warrant it.

On October 20, 1998,⁽³⁹⁾ a concurrent resolution providing for *sine die* adjournment, but also authorizing a recall of the House, was agreed to as follows:

PROVIDING FOR ADJOURNMENT SINE DIE OF THE CONGRESS ON WEDNESDAY, OCTOBER 21, 1998, OR THURSDAY, OCTOBER 22, 1998

Mr. [Gerald] SOLOMON [of New York]. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 353) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 353

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Wednesday, October 21, 1998, or Thursday, October 22, 1998, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, or until a time designated pursuant to section 3 of this resolution; and that when the Senate

³⁹ 144 CONG. REC. 27348, 105th Cong. 2d Sess. See also Deschler's Precedents Ch. 40 § 15.3.

adjourns on Wednesday, October 21, 1998, or Thursday, October 22, 1998, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

SEC. 3. During any adjournment of the House pursuant to this concurrent resolution, the Speaker, acting after consultation with the Minority Leader, may notify the Members of the House to reassemble whenever, in his opinion, the public interest shall warrant it. After reassembling pursuant to this section, when the House adjourns on any day on a motion offered pursuant to this section by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

§ 11.7 The House has adopted a concurrent resolution of adjournment providing authority for the Speaker of the House and the Majority Leader of the Senate, acting jointly and after consultation with the minority leaders of each body, to reassemble Congress at a place other than the seat of government, should the public interest warrant.

On October 17, 2001,⁽⁴⁰⁾ the House agreed to a concurrent resolution of adjournment that, for the first time, contemplated reassembly at a location outside the seat of government (authority that has now become standard in adjournment resolutions). For the text of such House concurrent resolution (House Concurrent Resolution 251), see § 10.1, *supra*.

§ 11.8 The Chair laid before the House the Speaker's letter to the Clerk designating a Member as an alternate individual authorized to recall the House pursuant to authority provided in a resolution of adjournment.

On January 6, 2015,⁽⁴¹⁾ the following communication was laid before the House:

RECALL DESIGNEE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 6, 2015.

⁴⁰. 147 CONG. REC. 20210–11, 107th Cong. 1st Sess.

⁴¹. 161 CONG. REC. H35 [Daily Ed.], 114th Cong. 1st Sess. For an earlier example of a similar letter providing an ad hoc designation applicable to a single period of adjournment, see 148 CONG. REC. 15138–39, 107th Cong. 2d Sess. (July 26, 2002). See also Deschler's Precedents Ch. 40 § 13.5.

Hon. KAREN L. HAAS,
Clerk of the House of Representatives, The Capitol, Washington, DC.

DEAR MADAM CLERK: I hereby designate Representative Kevin McCarthy of California to exercise any authority regarding assembly, reassembly, convening, or reconvening of the House pursuant to House Concurrent Resolution 1, clause 12 of rule I, and any concurrent resolutions of the current Congress as may contemplate my designation of Members to exercise similar authority.

In the event of the death or inability of that designee, the alternate Members of the House listed in the letter bearing this date that I have placed with the Clerk are designated, in turn, for the same purposes.

Sincerely,
 JOHN A. BOEHNER,
Speaker.

§ 11.9 The House passed a joint resolution appointing a day for the convening of the next session of Congress, and further providing for possible earlier assembly by direction of the Speaker of the House and the Majority Leader of the Senate (or their designees), acting jointly and after consultation with the minority leaders of each body.

On November 21, 2003,⁽⁴²⁾ the following joint resolution was agreed to:

APPOINTING DAY FOR THE CONVENING OF THE SECOND SESSION OF THE
 108TH CONGRESS

Mr. [Thomas] DELAY [of Texas]. Mr. Speaker, I offer a joint resolution (H.J. Res. 80), and ask unanimous consent for its immediate consideration.

The SPEAKER pro tempore.⁽⁴³⁾ The Clerk will report the joint resolution.

The Clerk read as follows:

H.J. RES. 80

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DAY FOR CONVENING OF SECOND REGULAR SESSION OF ONE HUNDRED EIGHTH CONGRESS.

The second regular session of the One Hundred Eighth Congress shall begin at noon on Tuesday, January 20, 2004.

SEC. 2. AUTHORITY FOR CALLING SPECIAL SESSION BEFORE CONVENING OF SECOND REGULAR SESSION.

If the Speaker of the House of Representatives (or the designee of the Speaker) and the Majority Leader of the Senate (or the designee of the Majority Leader), acting jointly after consultation with the Minority Leader of the House of Representatives and the Minority Leader of the Senate, determine it is in the public interest for Congress to assemble during the period between the end of the first regular session of the One Hundred Eighth Congress at noon on January 3, 2004, and the convening of the second regular session of the One Hundred Eighth Congress as provided in section 1—

(1) the Speaker and Majority Leader, or their respective designees, shall notify the Members of the House and Senate, respectively, of such determination and of the place and time for Congress to so assemble; and

(2) Congress shall assemble in accordance with that notification.

42. 149 CONG. REC. 30856–57, 108th Cong. 1st Sess.

43. Doc Hastings (WA).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

Exercising Recall Authorities

§ 11.10 Pursuant to notice issued by the Speaker and the Majority Leader of the Senate under the authority conferred in a concurrent resolution of adjournment, the House reassembled (twice) from an adjournment pursuant to that concurrent resolution (the Senate having yet to adjourn thereunder).⁽⁴⁴⁾

On November 19, 2008,⁽⁴⁵⁾ the House reassembled from an adjournment pursuant to authority provided in a concurrent resolution as follows:

Pursuant to section 2 of House Concurrent Resolution 440, 110th Congress, the House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. McNULTY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 19, 2008.

I hereby appoint the Honorable MICHAEL R. McNULTY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

NOTICE OF REASSEMBLY

The SPEAKER pro tempore.⁽⁴⁶⁾ The Chair lays before the House the text of the formal notice of reassembly that was sent to Members on Friday, November 14, 2008.

CONGRESS OF THE UNITED STATES,
Washington, DC, November 13, 2008.

*House of Representatives,
Washington, DC.*

44. *Parliamentarian's Note:* The Senate was still in session as it had not yet adjourned pursuant to the concurrent resolution. Thus, only the House was recalled in this instance.

45. 154 CONG. REC. 24146, 110th Cong. 2d Sess.

46. Michael McMulty (NY).

DEAR REPRESENTATIVE: Pursuant to section 2 of House Concurrent Resolution 440, after consultation with the Minority Leader of the House and the Minority Leader of the Senate, we determine that the public interest requires that the House reassemble at 1 p.m. on Wednesday, November 19, 2008, the Senate already being in session.

The Sergeant at Arms is directed to notify all Members of the reassembly of the House of Representatives for additional legislative business during the second session of the One Hundred Tenth Congress.

Thank you for your attention to this urgent matter.

Best Regards,

NANCY PELOSI,
Speaker of the House.
HARRY REID,
Majority Leader of the Senate.

On December 9, 2008,⁽⁴⁷⁾ the House once again reassembled pursuant to authority provided in the concurrent resolution as follows:

Pursuant to section 2 of House Concurrent Resolution 440, 110th Congress, the House met at 11 a.m.

NOTICE OF REASSEMBLY

The SPEAKER.⁽⁴⁸⁾ The Chair lays before the House the text of the formal notice of reassembly that was sent to Members on Friday, December 5, 2008.

CONGRESS OF THE UNITED STATES,
Washington, DC, December 5, 2008.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: Pursuant to section 2 of House Concurrent Resolution 440, after consultation with the Minority Leader of the House and the Minority Leader of the Senate, we determine that the public interest requires that the House reassemble at 11 a.m. on Tuesday, December 9, 2008, the Senate already being in session.

The Sergeant-at-Arms is directed to notify all Members of the reassembly of the House of Representatives for additional legislative business during the second session of the One Hundred Tenth Congress.

Thank you for your attention to this urgent matter.

Best Regards,

NANCY PELOSI,
Speaker of the House.
HARRY REID,
Majority Leader of the Senate.

47. 154 CONG. REC. 24496, 110th Cong. 2d Sess.

48. Nancy Pelosi (CA).

§ 11.11 Pursuant to notice issued by the Speaker under the authority conferred in a House-only concurrent resolution of adjournment, the House reassembled from an adjournment pursuant to that concurrent resolution.⁽⁴⁹⁾

On August 9, 2010,⁽⁵⁰⁾ the House reassembled from an adjournment pursuant to authority provided in a concurrent resolution as follows:

Pursuant to section 2 of House Concurrent Resolution 308, 111th Congress, the House met at 7 p.m. and was called to order by the Speaker pro tempore (Ms. PINGREE of Maine).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 9, 2010.

I hereby appoint the Honorable CHELLIE PINGREE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

NOTICE OF REASSEMBLY

The SPEAKER pro tempore laid before the House the text of the formal notification sent to Members on Wednesday, August 4, 2010, of the reassembly of the House.

U.S. HOUSE OF REPRESENTATIVES,
OFFICE OF THE SPEAKER,
August 4, 2010.

DEAR COLLEAGUE: Pursuant to section 2(a) of House Concurrent Resolution 308, and after consultation with the Minority Leader of the House, I have determined that the public interest requires that the House reassemble at 7:00 p.m. on Monday, August 9, 2010. The expectation is that Monday will be a pro forma session and that votes will occur on Tuesday. Further announcements will be provided by the Majority Leader's office.

Thank you for your attention to this urgent matter.

Best regards,

NANCY PELOSI,
Speaker of the House.

49. *Parliamentarian's Note:* The applicable concurrent resolution of adjournment provided only for House adjournment. Thus, the recall authorities contained in said resolution applied only to the House. A separate concurrent resolution provided for the adjournment (and possible reassembly) of the Senate.

50. 156 CONG. REC. 15413, 111th Cong. 2d Sess.

§ 11.12 Pursuant to notice issued by the Speaker under the authority conferred by a special order of business, the House reconvened from an adjournment of less than three days pursuant to that special order of business.

On December 30, 2012,⁽⁵¹⁾ the House was recalled from an adjournment pursuant to authority contained in a special order of business (such authority being limited to adjournments of not more than three days, but applicable for the remainder of the Congress):⁽⁵²⁾

Pursuant to section 2 of House Resolution 479, 112th Congress, the House met at 2 p.m. and was called to order by the Speaker.

NOTICE OF REASSEMBLY

The SPEAKER laid before the House the text of the formal notification sent to Members on Thursday, December 27, 2012, of the reassembly of the House.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 27, 2012.

DEAR COLLEAGUE: Pursuant to section 2 of House Resolution 479, and after consultation with the Minority Leader of the House, I have determined that the public interest requires that the House reassemble at 2:00 PM on Sunday, December 30, 2012. Further announcements will be provided by the Majority Leader's office.

Thank you for your attention to this urgent matter.

Sincerely,

JOHN A. BOEHNER.

§ 11.13 Pursuant to notice issued by the Speaker and the Majority Leader of the Senate under the authority conferred in a concurrent resolution of adjournment, the House (and Senate) reassembled from an adjournment pursuant to that concurrent resolution.

On September 6, 2013,⁽⁵³⁾ the House reassembled from an adjournment as follows:

Pursuant to section 2 of Senate Concurrent Resolution 22, 113th Congress, the House met at noon and was called to order by the Speaker pro tempore (Mr. DENHAM). . . .

51. 158 CONG. REC. 18381, 112th Cong. 2d Sess.

52. *Parliamentarian's Note*: In the 114th Congress, clause 12(e) was added to rule I, which provides authority for the Speaker to reconvene the House during *any* period of adjournment of not more than three days—essentially codifying the ad hoc authority provided here. See *House Rules and Manual* § 639 (2017).

53. 159 CONG. REC. H5407 [Daily Ed.], 113th Cong. 1st Sess.

NOTICE OF REASSEMBLY

The SPEAKER pro tempore⁽⁵⁴⁾ laid before the House the text of the formal notification sent to Members on Thursday, September 6, 2013, of the reassembly of the House.

U.S. SENATE,
Washington, DC, September 5, 2013.

DEAR COLLEAGUE: Pursuant to section 2 of Senate Concurrent Resolution 22 of the 113th Congress, after consultation with the Minority Leader of the Senate and the Minority Leader of the House of Representatives, we hereby notify the Members of the Senate to reassemble at 12:00 noon on Friday, September 6, 2013, and the Members of the House of Representatives to reassemble at 12:00 noon on Friday, September 6, 2013.

Sincerely,

HARRY REID,
Majority Leader of the Senate.
JOHN A. BOEHNER,
Speaker of the House of Representatives.

Emergency Convening Authorities—Earlier Than Appointed Time

§ 11.14 When the Speaker is informed by the Sergeant-at-Arms of an imminent impairment to convening, the Speaker may exercise authority under clause 12(c) of rule I⁽⁵⁵⁾ to reconvene the House earlier than the appointed time (within the three-day limit imposed by the Constitution).

On December 19, 2009,⁽⁵⁶⁾ the Speaker was informed that the originally-established convening time for the House would likely occur during a severe weather event. Thus, the House assembled earlier than the previously-appointed time so that the Chair could declare a recess for the duration of the impending snowstorm:

The House met at noon and was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore⁽⁵⁷⁾ laid before the House the following communication from the Speaker:

WASHINGTON, DC.
December 19, 2009.

54. Jeff Denham (CA).

55. *House Rules and Manual* § 639 (2017).

56. 155 CONG. REC. 32729, 111th Cong. 1st Sess.

57. Donna Edwards (MD).

I hereby appoint the Honorable DONNA F. EDWARDS to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

COMMUNICATION FROM THE SERGEANT AT ARMS OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Sergeant at Arms of the House of Representatives:

OFFICE OF THE SERGEANT AT ARMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 2009.

Hon. NANCY PELOSI,
The Speaker,
Washington, DC.

DEAR MADAM SPEAKER, As you are aware, the time previously appointed for the next meeting of the House is 6 p.m. on Saturday, December 19, 2009. This is to notify you, pursuant to clause 12(c) of rule I, of an imminent impairment of the place of reconvening at that time. The impairment is due to the weather.

Respectfully,

WILSON LIVINGOOD,
Sergeant at Arms.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 12(c) of rule I, the Speaker established this time for reconvening and notified Members accordingly.

§ 11.15 When the Speaker is informed by the Sergeant-at-Arms of an imminent impairment to convening, the Speaker may exercise authority under clause 12(c) of rule I⁽⁵⁸⁾ to reconvene the House earlier than the appointed time (within the three-day limit imposed by the Constitution).

On January 21, 2014,⁽⁵⁹⁾ the House assembled earlier than the previously-appointed time in order to avoid a severe weather event:

The House met at 11:30 a.m. and was called to order by the Speaker pro tempore (Mr. MESSER).

58. *House Rules and Manual* § 639 (2017).

59. 160 CONG. REC. H1247 [Daily Ed.], 113th Cong. 2d Sess.

COMMUNICATION FROM THE SERGEANT AT ARMS OF THE HOUSE

The SPEAKER pro tempore⁽⁶⁰⁾ laid before the House the following communication from the Sergeant at Arms of the House of Representatives:

OFFICE OF THE SERGEANT AT ARMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 21, 2014.

DEAR MR. SPEAKER, As you are aware, the time previously appointed for the next meeting of the House is 1 p.m. on Tuesday, January 21, 2014. This is to notify you, pursuant to clause 12(c) of rule I, of an imminent impairment of the place of reconvening at that time. The impairment is due to the weather.

Sincerely,

PAUL D. IRVING,
Sergeant at Arms.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 12(c) of rule I, the Speaker established this time for reconvening and notified Members accordingly.

Emergency Convening Authorities—Later Than Appointed Time

§ 11.16 When the Speaker is informed by the Sergeant-at-Arms of an imminent impairment to convening, the Speaker may exercise authority under clause 12(c) of rule I⁽⁶¹⁾ to reconvene the House later than the appointed time (within the three-day limit imposed by the Constitution).

On October 30, 2012,⁽⁶²⁾ the House assembled later than the previously-appointed time due to a severe weather event:

The House met at 4 p.m. and was called to order by the Speaker pro tempore (Mr. LATOURETTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore⁽⁶³⁾ laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 30, 2012.

60. Luke Messer (IN).

61. *House Rules and Manual* § 639 (2017).

62. 158 CONG. REC. 15037, 112th Cong. 2d Sess.

63. Steven LaTourette (OH).

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

COMMUNICATION FROM THE SERGEANT AT ARMS OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Sergeant at Arms of the House of Representatives:

Hon. JOHN A. BOEHNER,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: As you are aware, the time previously appointed for the next meeting of the House is 10 a.m. on Tuesday, October 30, 2012. This is to notify you, pursuant to clause 12(c) of rule I, of an imminent impairment of the place of reconvening at that time. The impairment is due to the weather.

Respectfully,

PAUL D. IRVING,
Sergeant at Arms.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 12(c) of rule I, the Speaker established this time for reconvening and notified Members accordingly.

§ 11.17 When the Speaker is informed by the Sergeant-at-Arms of an imminent impairment to convening, the Speaker may exercise authority under clause 12(c) of rule I⁽⁶⁴⁾ to reconvene the House later than the appointed time (within the three-day limit imposed by the Constitution).

On March 4, 2014,⁽⁶⁵⁾ the House assembled later than the previously-appointed time due to a serious weather event:

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. DENHAM). . . .

COMMUNICATION FROM THE SERGEANT AT ARMS OF THE HOUSE

The SPEAKER pro tempore⁽⁶⁶⁾ laid before the House the following communication from the Sergeant at Arms of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE SERGEANT AT ARMS,
Washington, DC, March 2, 2014.

64. *House Rules and Manual* § 639 (2017).

65. 160 CONG. REC. H2101 [Daily Ed.], 113th Cong. 2d Sess.

66. Jeff Denham (CA).

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER, As you are aware, the time previously appointed for the next meeting of the House is noon on Monday March 3, 2014. This is to notify you, pursuant to clause 12(c) of rule I, of an imminent impairment of the place of reconvening at that time. The impairment is due to the weather.

Sincerely,

PAUL D. IRVING,
Sergeant at Arms.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 12(c) of rule I, the Speaker established this time for reconvening and notified Members accordingly.

Dispensing With Morning–Hour Debate

§ 11.18 When the Speaker is informed by the Sergeant-at-Arms of an imminent impairment to convening, the Speaker may exercise authority under clause 12(c) of rule I⁽⁶⁷⁾ to reconvene the House either earlier or later than the appointed time (within the three-day limit imposed by the Constitution), and, pursuant to a separate order of the House, dispense with morning–hour debate.⁽⁶⁸⁾

On July 10, 2014,⁽⁶⁹⁾ the House dispensed with morning–hour debate and convened at the previously–appointed time for legislative business as follows:

The House met at noon and was called to order by the Speaker.

COMMUNICATION FROM THE SERGEANT AT ARMS OF THE HOUSE

The SPEAKER laid before the House the following communication from the Sergeant at Arms of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 10, 2014.

67. *House Rules and Manual* § 639 (2017).

68. *Parliamentarian’s Note*: The impairment to convening (an asbestos spill within the Capitol) prevented the House from convening for morning–hour debate at 10:00 a.m. However, the incident was resolved by noon—the time the House was scheduled to convene for regular legislative business.

69. 160 CONG. REC. H6039 [Daily Ed.], 113th Cong. 2d Sess.

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PRECEDENTS OF THE HOUSE

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: As you are aware, the time previously appointed for the next meeting of the House is 10 a.m. today for morning hour debate. This is to notify you, pursuant to clause 12(c) of rule I, of an imminent impairment of the place of reconvening at that time. The impairment is due to an industrial accident.

Sincerely,

PAUL D. IRVING,
Sergeant at Arms.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER.⁽⁷⁰⁾ Under clause 12(c) of rule I, and the order of the House of January 7, 2014,⁽⁷¹⁾ the Speaker dispensed with morning-hour debate today and notified Members accordingly.

70. John Boehner (OH).

71. *Parliamentarian's Note:* The order provided that, "...the Speaker may dispense with morning-hour debate upon receipt of a notification described in clause 12(c) of rule I and notify Members accordingly." 160 CONG. REC. H5 [Daily Ed.], 113th Cong. 1st Sess. (Jan. 7, 2014).