

Adjournment

A. Generally; Adjournments of Three Days or Less

§ 1. In General

Art. I, § 5 of the United States Constitution, together with clause 4 of Rule XVI of the rules of the House,⁽¹⁾ establish the fundamental precedence in parliamentary procedure of the House of Representatives of the motion to adjourn. Under the Constitution, the motion to adjourn is given such primacy that it is one of only two motions (the other being the motion to compel the attendance of absentees) which can be adopted in the absence of a quorum. *Jefferson's Manual* states "A motion to adjourn simply takes place of all others; for otherwise the House might be kept sitting against its will, and indefinitely. Yet this motion cannot be received after another question is actually put and while the House is engaged in voting."⁽²⁾

Adjournments in the House include: (1) adjournments of three days or less, which are taken pursuant to motion (or by unanimous

consent during pro forma sessions when only the Chair is in the Chamber);⁽³⁾ (2) adjournments for more than three days, which require the consent of the Senate;⁽⁴⁾ and (3) an adjournment *sine die*, which ends each session of a Congress, and requires the consent of the Senate or the arrival of the constitutionally prescribed end of session on Jan. 3, and which may be combined with either single-House or two-House majority leadership recall authority (converting a *sine die* adjournment to adjournment to a day certain specified in (or pursuant to) the recall).⁽⁵⁾

Adjournment is to be distinguished from recess.⁽⁶⁾ Adjournments are normally taken from day to day or to a day certain and terminate a legislative day, whereas recesses are taken during a legislative day. Following an adjournment, the Mace is removed from the upper pedestal at the rostrum in the custody of the Sergeant at Arms (rather than remain on the rostrum) and the

1. *House Rules and Manual* §§ 911–913 (2007).

2. *Id.* at § 439.

3. See Division A, *infra*.

4. See Division B, *infra*.

5. See Division C, *infra*.

6. See Ch. 39, *infra*.

House is no longer in a receptive mode for business. The hopper is removed and bills may not be introduced nor reports filed through the hopper. Restrictions on access to the floor are relaxed for invited visitors in periods of adjournment as provided in clause 3 of Rule IV,⁽⁷⁾ but not during recesses. While under clause 4 of Rule XVI the motion to adjourn is of the highest privilege, the declaration of a recess for a “short time” under clause 12(a) of Rule I⁽⁸⁾ is in order when no question is pending, such as when a Member indicates his desire to offer a motion to adjourn but has not yet been recognized by the Chair for that purpose.⁽⁹⁾

Beginning in the 108th Congress, declarations of emergency recesses pursuant to clause 12(b) of Rule I⁽¹⁰⁾ are in order whenever the Speaker is notified of an imminent danger to the safety of the House. Such declarations take precedence over pending business and could even interrupt a pending motion to adjourn.

In the 108th Congress, the rules were amended to permit the

7. *House Rules and Manual* § 679 (2007).
8. *Id.* at § 638.
9. See Ch. 39 § 2.22, *supra*.
10. *House Rules and Manual* § 639 (2007).

Speaker to alter the time for reconvening during an adjournment period of three days or less, if notified by the Sergeant at Arms of the imminent impairment of the place of reconvening and after consultation with the Minority Leader, either by postponing or advancing the established time for reconvening for a duration within the established three-day period, and in an advanced reconvening solely to declare a recess within the three-day limit.⁽¹¹⁾

§ 2. Adjournment to Another Place

While an adjournment normally implies a reconvening in the Chamber from which the House adjourned, under clause 12(d) of Rule I⁽¹⁾ adopted in the 108th

11. Compare this formal authority for early reconvening following overnight adjournment with the twice-used Senate practice of unauthorized early reconvening followed by ratification by unanimous consent. See 109 CONG. REC. 22697–99, 88th Cong. 1st Sess., Nov. 25, 1963; and 147 CONG. REC. 16865, 107th Cong. 1st Sess., Sept. 12, 2001. The Senate felt that it had no other option in this circumstance than to “convene and ratify.”
1. *House Rules and Manual* § 639 (2007). The seat of government was transferred to the District of Columbia by the Act of July 16, 1790 (1