

LEGISLATIVE REORGANIZATION ACTS

PROVISIONS OF THE LEGISLATIVE REORGANIZATION ACTS OF
1946 AND 1970 APPLICABLE TO BOTH HOUSES

SECTION 132 OF THE LEGISLATIVE REORGANIZATION ACT OF 1946, AS AMENDED BY SECTION 461 OF THE LEGISLATIVE REORGANIZATION ACT OF 1970 (2 U.S.C. 198)

Sec. 132. (a) Unless otherwise provided by the Congress, the two Houses shall—

§ 1105. Congressional adjournment.

(1) adjourn sine die not later than July 31 of each year; or

(2) in the case of an odd-numbered year, provide, not later than July 31 of such year, by concurrent resolution adopted in each House by rollcall vote, for the adjournment of the two Houses from that Friday in August which occurs at least thirty days before the first Monday in September (Labor Day) of such year to the second day after Labor Day.

(b) This section shall not be applicable in any year if on July 31 of such year a state of war exists pursuant to a declaration of war by the Congress.

The present form of this section is derived from the Legislative Reorganization Act of 1970 (sec. 461; 84 Stat. 1140). Prior to that revision, the 1946 Act (60 Stat. 812) provided for adjournment sine die of the two Houses not later than the last day of July each year except during time of war or a national emergency proclaimed by the President. Presidentially declared emergencies of May 8, 1939, May 27, 1941, and December 16, 1950, negated operation of the provision (see Speaker Rayburn, Aug. 1, 1949, p. 10486; Aug. 2, 1949, p. 10591; and Aug. 4, 1949, p. 10778).

The Committee on Rules has jurisdiction of matters relative to recesses and final adjournment of Congress (clause 1(m)(2) of rule X).

Under this provision of law, a concurrent resolution providing in an odd-numbered year for an adjournment of the two Houses from the first Friday in August until the second day after Labor Day or until notified to reassemble pursuant to a joint agreement of the Leadership of the two Houses is called up as privileged and requires a ye and nay vote for adoption (July 30, 1973, p. 26657), and is not debatable (July 31, 1991, p. 20675); but the House may adjourn by simple motion on July 31 to meet on August 1 (July 31, 1991, p. 20677). In even-numbered years, and some odd-numbered years, the House has agreed to concurrent resolutions waiving the provisions of this law to provide that the two Houses shall not adjourn for more

§ 1106. Not a statutory adjournment sine die.

LEGISLATIVE REORGANIZATION ACTS

§ 1107

than three days or sine die until they have adopted a concurrent resolution to that effect (July 25, 1972, p. 25145; July 24, 1974, p. 25008; July 29, 1982, pp. 18562, 18563; July 30, 1986, p. 18146; July 29, 1994, p. 18615; July 31, 1999, p. —). To obviate the necessity to adopt a concurrent resolution waiving the requirement in section 132 of Legislative Reorganization Act of 1946, the House has included the language “in consonance with section 132(a)” in its concurrent resolutions providing for an August recess (*e.g.*, July 31, 1997, p. —).

SECTION 141 OF THE LEGISLATIVE REORGANIZATION ACT OF 1946 (2 U.S.C.
145a)

§ 1107. Preservation of committee hearings. Sec. 141. The Librarian of the Library of Congress is authorized and directed to have bound at the end of each session of Congress the printed hearings of testimony taken by each committee of the Congress at the preceding session.

This provision became effective on August 2, 1946.