

The 4th First Day of a New Congress: A Guide to Proceedings on the House Floor

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Summary

Article 1, Section 2 of the Constitution sets a term of office of two years for all Members of the House. One House ends at the conclusion of each two-year Congress, and the newly elected Representatives must constitute a new House at the beginning of the next Congress. Consequently, the House must choose its Speaker and officers and adopt the chamber's rules of procedure every two years.

The Constitution mandates that Congress convene at noon on January 3, unless the preceding Congress by law designated a different day. P.L. 113-201 set January 6, 2015, as the convening date of the 114th Congress. Congressional leaders planned that the 115th Congress would convene January 3, 2017, obviating the need for a law to set the date. Although no officers will have been elected when the House first convenes, officers from the previous Congress perform certain functions, such as conducting the election of the Speaker.

The House follows a well-established first-day routine. The proceedings include—

- a call to order by the Clerk of the House;
- a prayer led by the chaplain and the Pledge of Allegiance led by the Clerk;
- a quorum call ordered by the Clerk;
- the election of the Speaker, ordered by the Clerk and conducted with the assistance of tellers;
- remarks by the Speaker-elect, followed by his or her swearing-in by the dean of the House;
- the oath of office for the newly elected and re-elected Members, administered by the Speaker;
- adoption of the rules of the House for the new Congress;
- adoption of various administrative resolutions and unanimous consent agreements; and
- announcement of the Speaker's policies on certain floor practices.

On opening day, the House often adopts resolutions assigning some or many of its Members to committees. This process regularly continues over several more weeks. The committee assignment process occurs primarily within the party groups—the Republican Conference and the Democratic Caucus. Other routine organizational business may also be taken up on the House floor on the first day, such as adoption of a resolution to allow a judge or a Member of Congress to administer the oath of office to one or more Members-elect who are absent.

Some resolutions on opening day are dependent on specific circumstances and do not occur at the beginning of each new Congress. At the outset of a new Congress following a presidential election, the House and Senate must adopt a resolution providing for the counting by the new Congress of electoral votes cast for President and Vice President.

For an explanation of proceedings occurring on the first day in the Senate, see the companion report: CRS Report RS20722, *The First Day of a New Congress: A Guide to Proceedings on the Senate Floor*, by Michael L. Koempel and Judy Schneider.

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Introduction

The House of Representatives follows a well-established routine on the opening day of a new Congress. The proceedings include electing and swearing in the Speaker, swearing in Members,¹ electing and swearing in House administrative officers, and adopting rules of procedure and various wettetwennouncements required by House rule or regulation.²

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This report was originally written by Mildred Amer, a CRS specialist on the Congress. Mrs. Amer has retired from the Congressional Research Service.

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² See, for example, the notice of receipt of a subpoena at “Communication from Chief of Staff of Hon. John M. Shimkus, Member of Congress,” *Congressional Record*, vol. 149, part 1 (January 7, 2003), p. 22.