

The original documents are located in Box C16, folder “Presidential Presidential Handwriting, 3/20/1975” of the Presidential Handwriting File at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

THE PRESIDENT HAS SEEN. *f.*

THE WHITE HOUSE
WASHINGTON

Tnb

March 20, 1975

MEMORANDUM FOR: DON RUMSFELD

FROM: PHILIP BUCHEN *P.*

Attached is a memorandum covering the points you discussed with the President recently.

Attachment

[Handwritten signature]

THE WHITE HOUSE

WASHINGTON

March 19, 1975

MEMORANDUM FOR: PHIL BUCHEN
FROM: KEN LAZARUS *KL*
SUBJECT: Special Sessions of Congress:
A follow-up to our Phone Conversation

This is to provide you with some background information on the referenced subject and to outline the procedure for calling a special session.

Article II, Section 3 of the Constitution in pertinent part provides that the President

"may on extraordinary occasions,
convene both Houses [of Congress],
or either of them...."

Sessions of the Congress, or of either House, convened pursuant to the power are generally referred to as Special Sessions.

In the earliest days of our Republic, the power was routinely used to convene the Senate in order to obtain "advice and consent" to the appointment of officers requiring confirmation. The first such instance occurred under President Washington in 1791. Thereafter Presidents called the Senate alone into Special Session nearly fifty times. The last time this power was invoked over the Senate was in 1933 under President Hoover. The Twentieth Amendment (effective date: October 15, 1955) setting new dates for the term of the President and Member of Congress eliminated the necessity for using the power to obtain confirmation of Presidential appointees.

The first Special Session convening both Houses of Congress was called by President John Adams on May 15, 1797. In 1877, President

Hays convened the Forty-Fifth Congress for the extraordinary purpose of passing the usual appropriation for the support of the Army.

President Truman convened Special Sessions of both Houses on two occasions: Proclamation No. 2751, October 23, 1947; and Proclamation No. 2796, July 15, 1948. The latter instance represents the last proclamation of this kind.

There is no specific time requirement for the calling of a Special Session. Thus, a proclamation may issue during a recess or an "adjournment" in the Constitutional sense.

The interval between the assertion of the power and the date of the convening of Congress has depended on the circumstances and urgency of the legislation. Notice has ranged from two months to a few days.

Although Special Sessions have also been convened by way of "Summons" or "circular", traditionally the power has been exercised by way of proclamation. A specimen of Proclamation No. 2751 referred to above is attached for your information.

A P P E N D I X

PROCLAMATION 2751

CONVENING THE CONGRESS

WHEREAS the public interest requires that the Congress of the United States should be convened at twelve o'clock, noon, on Monday, the Seventeenth day of November, 1947, to receive such communication as may be made by the Executive:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene at the Capitol in the City of Washington on Monday, the Seventeenth day of November, 1947, at twelve o'clock, noon, of which all persons who shall at that time be entitled to act as members thereof are hereby required to take notice.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the great seal of the United States.

DONE at the City of Washington this twenty-third day of October, in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S. TRUMAN

By the President:

ROBERT A. LOVETT,
Acting Secretary of State.

THE WHITE HOUSE
WASHINGTON

Date 3/22/75

TO: DON RUMSFELD
FROM: JERRY H. JONES

The attached is forwarded for your
information. *and reference -*