

[Table 3-2]

## EXTRAORDINARY SESSIONS OF CONGRESS

### --A Brief History--

The Twentieth Amendment to the Constitution marked a watershed in the history of "extraordinary" or special sessions of Congress. Prior to that amendment's ratification in 1933, Congress did not meet until the first Monday in December. Therefore presidents, when they deemed it necessary, called Congress into extraordinary session before the regularly scheduled session. Since 1933, such sessions have been held after the regular session.

The Constitution provided that the president "may, on extraordinary occasions, convene both Houses, or either of them." On forty-six occasions between 1791 and 1933, presidents called the Senate alone into special session (see Table V-L). Most of these special sessions met in March (since presidents were inaugurated on March 4) to confirm the president's nominations to the cabinet. Four times presidents called the Senate back to consent to the ratification of a treaty.

On twenty-seven additional occasions, presidents have called both the Senate and House into extraordinary session to deal with such matters of great urgency as war, economic crisis, and critical legislation. Twenty-three of these sessions took place before the Twentieth Amendment, when Congress was routinely out of session between March and December. These extraordinary sessions included James Madison's calling upon Congress to convene during the War of 1812, Abraham Lincoln's calling Congress into session to deal with the secession of the southern states, and Franklin Roosevelt's calling of Congress for what became known as the "First Hundred Days" of the New Deal.

**Since 1933**, presidents have exercised this option only four times. Franklin Roosevelt called the 75th Congress back in **October 1937** in an unsuccessful attempt to enact wages and hours legislation, and again he summoned the 76th Congress in **September 1939** to pass neutrality legislation in response to the outbreak of war in Europe. During both sessions of the 80th Congress, in **October 1947** and **July 1948**, President Harry Truman called Congress back in extraordinary session to enact domestic legislation. Roosevelt's special sessions took place after the Congress had adjourned sine die and therefore both the 75th and 76th Congresses had three sessions. But during the 80th Congress, when the White House and Congress were controlled by different parties, and during a period when there was no vice president, Congress did not adjourn sine die. Instead, it stood adjourned until December 31 of each year and empowered the president pro tempore and majority leader of the Senate and the Speaker and majority leader of the House to "notify the Members of the Senate and the House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it," a precaution taken in the event something happened to the president. Therefore, both of Truman's special sessions were counted simply as extensions of the first and second session of the 80th Congress.

Congress did not routinely employ such "call-back" provisions in its adjournment resolutions until the Watergate scandal caused a Constitutional crisis between the executive and legislative branches. From 1973 to 1975, Congress again authorized the leadership to reassemble the members, also providing that the minority leaders of the Senate and House could "file a written request with the Secretary of the Senate and the Clerk of the House that Congress reassemble for the consideration of legislation." Such language

was not used during the Carter administration, but was again employed in 1983, 1985, 1989, and 1990.

### **EXTRAORDINARY SESSIONS OF CONGRESS**

Article II, section 3 of the Constitution provides that the president "may, on extraordinary occasions, convene both Houses, or either of them." This procedure occurs only if the Congress is convened by presidential proclamation; it does not include the many special sessions of the Senate called, also by presidential proclamation, solely to confirm nominations prior to the 20th Amendment.

<u>Congress</u> <u>President</u>	<u>Session</u>	<u>Date of Proclamation</u>	<u>Date Convened</u>	<u>R e a s o n</u>
5th Adams	1st	March 25, 1797	May 15, 1797	Suspension of relations with
8th Jefferson	1st	July 16, 1803	October 17, 1803	Louisiana ceded Spain to
10th Jefferson	1st	July 30, 1807	October 26, 1807	Relations with Great Britain
12th Madison	1st	July 24, 1811	November 4, 1811	Relations with Great Britain
13th Madison	3rd	August 8, 1814	September 19, 1814	War with Great Britain
25th payments	1st Van Buren	May 15, 1837	September 4, 1837	Suspension of specie
27th revenue	1st Harrison	March 17, 1841	May 31, 1841	Condition of finances and
34th Pierce	2nd	August 18, 1856	August 21, 1856	Army appropriations
37th	1st	April 17, 1861	July 4, 1861	Insurrection of southern states

<u>Congress President</u>	<u>Session</u>	<u>Date of Proclamation</u>	<u>Date Convened</u>	<u>Reason</u>
Lincoln				
45th Hayes	1st	May 5, 1877	October 15, 1877	Army appropriations
46th Hayes	1st	March 4, 1879	March 18, 1879	A p p r o p r i a t i o n s
53rd Cleveland	1st	June 30, 1893	August 7, 1893	Repeal Silver Purchase Act
55th McKinley	1st	March 6, 1897	March 15, 1897	D i n g l e y T a r i f f
58th T. Roosevelt	1st	October 20, 1903	November 9, 1903	Cuban Reciprocity Treaty
61st Taft	1st	March 6, 1909	March 15, 1909	Payne-Aldrich Tariff
62nd Taft	1st	March 4, 1911	April 4, 1911	Canadian Reciprocity
63rd Wilson	1st	March 17, 1913	April 7, 1913	Federal Reserve Act
65th Wilson	1st	March 17, 1917	April 2, 1917	W o r l d W a r I
66th Wilson	1st	May 7, 1919	May 19, 1919	High cost of living
67th Harding	1st	March 22, 1921	April 11, 1921	Emergency Agricultural Tariff
67th	3rd	November 9, 1922	November 20, 1922	Independent Merchant

<u>Congress President</u>	<u>Session</u>	<u>Date of Proclamation</u>	<u>Date Convened</u>	<u>Reason</u>
<del>Manding</del>				
71st Hoover	1st	March 7, 1929	April 15, 1929	Smoot-Hawley Tariff
73rd D. Roosevelt	1st	March 5, 1933	March 9, 1933	Recovery legislation
75th D. Roosevelt	2nd	October 12, 1937	November 15, 1937	Wages and Hours Act
76th D. Roosevelt	2nd	September 13, 1939	September 21, 1939	Neutrality legislation
80th Truman	1st	October 23, 1947	November 17, 1947	Domestic legislation
80th Truman	2nd	July 15, 1948	July 26, 1948	Domestic legislation

**TOTAL = 27**

**Source:** Senate Historical Office  
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