

CONGRESS

Legislation Out of Order in Special Session of One House:

See also Senate, pp. 1233-1234.

In a special session of either House (the other House not being in session), petitions and memorials praying for special legislation have been held not to be in order and may not be presented.¹

New Congress:

See also "Special Sessions of Senate," pp. 1233-1234.

A new Congress is not assembled until a quorum of each House appears, and consequently no business can be transacted until the new Congress is assembled.²

The 76th Congress expired by limitation of law on January 3, 1941, at 12 o'clock noon, and the Vice President made no announcement of the fact, but called the Senate to order for the 77th Congress.³

New Session:

See also pp. 1009-1010.

Under the Constitution, Congress meets on January 3, of each year unless Congress by law determines otherwise.⁴

It is the custom of the Senate at the beginning of a regular session of Congress not to proceed with the transaction of ordinary business, including morning business, until after the President of the United States has been informed that the two Houses are in session and he has

¹ Mar. 13, 1873, 42-3, *Journal*, p. 612.

² Dec. 1, 1913, 63-2, *Record*, p. 3.

³ Jan. 3, 1941, 76-3, *Record*, pp. 14058-59; 77-1, *Record*, p. 3.

⁴ *See* Dec. 14, 1973, 93-1, *Record*, pp. 41640-41.

had an opportunity to communicate ⁵ with or has transmitted his annual message to the two Houses.⁶

Business is permitted on reassembling of the two Houses pursuant to a call of the President during a recess of the Congress for a definite time.⁷

At the beginning of the third session of the 63d Congress, routine morning business was transacted prior to the receipt of the annual message of the President of the United States.⁸

At the beginning of the second session of the 91st Congress on January 19, 1970, the Senate ignored the custom and precedent not to transact business on the opening day—the Senate having been assured the State of the Union message would be unusually late.⁹

Special Session of Congress:

See also "Special Sessions of Senate," pp. 1233-1234.

A majority of the Senate can transact any business it chooses at a special session of the Congress called by the President,¹⁰ but in 1909, an order was adopted by the Senate limiting the business of that special session.¹¹

⁵ Dec. 2, 1901, 57-1, *Record*, p. 42; Apr. 11, 1921, 67-1, *Record*, p. 76; Apr. 7, 1913, 63-1, *Record*, pp. 40-41; Dec. 7, 1903, 58-2, *Record*, p. 2.

⁶ Jan. 19, 1970, 91-2, *Record*, p. 4; Dec. 6, 1887, 50-1, *Record*, p. 8; Dec. 2, 1901, 57-1, *Record*, p. 42; Dec. 7, 1903, 58-2, *Record*, p. 2; Dec. 1, 1919, 66-2, *Record*, p. 3; Apr. 11, 1921, 67-1, *Record*, p. 76; *see also* Jan. 4, 1961, 87-1, *Record*, pp. 72-74; Jan. 10, 1962, 87-2, *Record*, p. 4.

⁷ Nov. 17, 1947, 80-1, *Record*, p. 10575.

⁸ Dec. 7, 1914, 63-3, *Journal*, pp. 1-7, *Record*, pp. 2-9.

⁹ Jan. 19, 1970, 91-2, *Record*, p. 4.

¹⁰ May 16, 1929, 71-1, *Record*, p. 1390.

¹¹ Apr. 1, 1909, 61-1, *Journal*, p. 28, *Record*, pp. 717-20.