

# CRS Report for Congress

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## The President's State of the Union Message: Frequently Asked Questions

Thomas H. Neale  
Analyst in American National Government  
Government and Finance Division

### Summary

The Constitution mandates that the President “shall from time to time give to the Congress Information on the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient.” The President’s State of the Union Message and address were known as the President’s Annual Message to Congress until well into the 20<sup>th</sup> century. Presidents Washington and Adams delivered their messages to Congress in person, but President Jefferson abandoned the practice as “monarchical” and time consuming, sending written messages instead. This precedent was followed until President Wilson personally appeared before Congress in 1913. President Franklin Roosevelt adopted Wilson’s practice of personal delivery, and it has since become a contemporary tradition. With the advent of radio (1923) and television (1947) coverage of the address, it gained great importance by providing a nationwide platform for the President.

Today, the annual State of the Union Message is usually delivered by the President at an evening joint session of Congress during the second, third, or fourth week of January. However, some Presidents have chosen not to deliver a State of the Union Message the year they were inaugurated, or, in some cases, in the January just prior to their departure from office. Now televised to a “prime time” national and international audience, the address serves several functions: as a report to Congress and the nation on national conditions; as a platform to announce and rally support for the President’s legislative agenda for the coming year; and as a unique opportunity for the chief executive to convey personally his vision for the nation to Congress and the American people. In order to ensure continuity of government, one cabinet officer and, as of 2003, selected Members of Congress, are absent from the Capitol during the address.

This report takes the format of answers to frequently asked questions about the State of the Union Message and address. It will be updated annually.

**What is the State of the Union Message?** The State of the Union Message is a communication from the President of the United States to Congress and the nation in which the chief executive reports on conditions in the United States and, sometimes, around the world, recommends a legislative program for the coming session of Congress, and frequently presents his views about and vision for the present and future.

**What section of the Constitution authorizes the message?** Article II, Section 3, clause 1 of the United States Constitution authorizes the State of the Union Message, stating:

He [the President] shall from time to time give to the Congress Information on the State of the Union, and recommend to their Consideration such measures as he shall judge necessary and expedient;

**When was the first State of the Union Message delivered, and by which President? What was the early practice?** President George Washington delivered the first regular annual message before a joint session of Congress, in New York, on January 8, 1790. During the administrations of Presidents Washington and John Adams, the President customarily appeared before a joint session of Congress to deliver the address personally. Each house subsequently debated and approved official replies to the President's message, which were then delivered personally to the President by delegations of Senators and Representatives.

**When did the President stop delivering the message personally, and why? How long did this practice persist?** President Thomas Jefferson changed the procedure followed by his predecessors with his first annual message (December 8, 1801). His private secretary delivered copies of the message to both houses of Congress, to be read by clerks in the House and Senate. Jefferson's change was intended to simplify a ceremony that he believed to be an aristocratic imitation of the British monarch's Speech from the Throne, and thus unsuitable to a republic. Further, preparing a response in Congress consumed valuable time during short legislative sessions.

**Who revived the tradition of personal presidential appearances?** Jefferson's precedent was followed until April 8, 1913, when President Woodrow Wilson appeared before Congress to deliver personally a special message on tariff and bank reform. President Wilson is also widely credited with expanding the scope of the annual message, transforming it from a report on the activities of the executive departments into a blueprint for the President's legislative program for the coming congressional session and year. Wilson subsequently delivered six of his annual messages in person (1913-1918); President Warren Harding, two (1921 and 1922); and President Calvin Coolidge, one (1923). President Herbert Hoover made no personal appearances before Congress. President Franklin Roosevelt established the personal appearance as a permanent tradition with his 1934 State of the Union Message, but he and several later chief executives also chose to deliver a written message in preference to a personal appearance on at least one occasion.

**How many annual or State of the Union Messages have been delivered? When and where does the ceremony take place? Has the message always been known by this name?** As of January 29, 2003, 214 annual messages and State of the Union Messages had been delivered by Presidents; of these, 70 were delivered in person by the chief executive.

Until the 20<sup>th</sup> amendment changed the opening time for congressional sessions, the annual message was delivered in December. Since 1934, messages have been delivered on a range of dates, between January 3 and February 2 of each year. The State of the Union Message is now customarily delivered at the Capitol, in the chamber of the House of Representatives, before a joint session of both houses of Congress.

The message was generally known as “the President’s Annual Message to Congress” until well into the 20<sup>th</sup> century. Although some historians suggest that the phrase “State of the Union” emerged only after World War II, President Franklin Roosevelt’s 1934 message is identified in his papers as his “Annual Message to Congress on the State of the Union.” According to the Office of the Clerk of the House of Representatives, it was known informally as the State of the Union Address from 1942 to 1946, and has been known “generally” by the same name since 1947.<sup>1</sup>

**Which was the shortest message? The longest? What is the average length of messages in modern times?** Most evidence on the length of State of the Union Messages is anecdotal, as comprehensive information has not been collected; for the record, however, President Washington’s first annual message was surely one of the shortest, comprising only 833 words. If contemporary speech delivery guidelines (which range from 115 to 175 words per minute) are used to calculate the length of time he spoke, Washington would have taken between four and seven minutes to deliver his first message. This estimate does not account for interruptions for any applause he may have received, although this was perhaps unlikely, given the solemnity attached to the proceedings at that time. According to various sources, President Harry Truman’s 1946 message was the longest to date, at over 25,000 words. This was a unique effort, however, as it combined both the State of the Union and Annual Budget Messages, and was not delivered personally by the President.<sup>2</sup> Following Jefferson’s abandonment of personal delivery, annual messages tended to grow in length throughout the 19<sup>th</sup> century, often reaching more than 10,000 words, and became, in effect, an annual report from the executive branch to Congress. This trend was reversed by Wilson and Franklin Roosevelt’s return to the practice of personal delivery. Today, the message tends to be measured in delivery time, rather than in the number of words it contains.<sup>3</sup> For instance,

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<sup>1</sup> “State of the Union,” available at [ <http://clerk.house.gov/histHigh/stateoftheunion.pdf> ], visited Jan. 30, 2003.

<sup>2</sup> Seymour H. Ferish, *The View from the White House: A Study of the Presidential State of the Union Messages* (Washington: Public Affairs Press, 1961) pp. 110-111.

<sup>3</sup> President George W. Bush’s 2003 address included 5,400 words, according to: Dana Milbank and Mike Allen, “Bush Stiffens Warning of War With Iraq, Says Hussein Missed His Chance,” *Washington Post*, Jan. 29, 2003, p. A9.

President George W. Bush's 2003 message took 59 minutes and 40 seconds to deliver, and was interrupted by applause 77 times.<sup>4</sup>

**Which President delivered the most messages? Which the fewest? Has any President *not* delivered a message?** The longest serving President, Franklin Roosevelt, holds the record for the most State of the Union Messages delivered—12—of which 10 were personal appearances before Congress. President Zachary Taylor submitted only one written annual message, in 1849. Two Presidents did not serve long enough to submit an annual message: William Henry Harrison, who died in 1841, 32 days after his inauguration, and James A. Garfield, who was assassinated in 1881 and served only 199 days.<sup>5</sup>

**How have advances in communications technology affected the message?** President Coolidge delivered the first annual message to be broadcast by radio, in 1923. President Truman's 1947 State of the Union Message was the first to be broadcast by television. Free air time for the President's message and the opposition response is currently provided as a public service by commercial, public broadcast, and cable networks. In a recent development, President George W. Bush's 2002 address was the first to be made available as a live web cast on the world wide web from the White House web site. The advent of mass electronic communications dramatically affected the format, audience, and impact of the message. Commanding a steadily-growing audience of listeners and viewers, successive Presidents learned to use the occasion as an appeal to the nation: the message evolved from being a report to Congress to a direct address to the American people, a platform from which the President announced, explained, and promoted his legislative agenda for the coming year. President Lyndon Johnson recognized the importance of the national audience in 1965, when he changed the time for his State of the Union Message from the traditional mid-afternoon to 9:00 P.M., the better to attract the largest number of television viewers, a practice all his successors have continued. The message traditionally draws a large audience: President George W. Bush's 2003 address was viewed by an estimated 62.1 million people (according to Nielsen Media Research), up from 2002's estimated 51.8 million.<sup>6</sup> The largest audience recorded in recent years was 66.9 million, for President William Clinton's 1993 speech on Administration goals (not a State of the Union Address), while President Clinton's 2000 address attracted the fewest viewers in recent times, 31.5 million.<sup>7</sup>

**What procedures are currently followed when the President delivers the message?** A House concurrent resolution, agreed to by both chambers, sets aside a certain date and time for a joint session of the House of Representatives and the Senate "for receiving such communication as the President of the United States shall be pleased to make to them."<sup>8</sup> At the appointed time, the Senators cross the Capitol to the House chamber, where seats are reserved for them at the front of the chamber. The Speaker and

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<sup>4</sup> Fox News, Jan. 28, 2003.

<sup>5</sup> As noted previously, prior to the 20<sup>th</sup> amendment, Congress did not assemble until December in most years, by which time both Harrison and Garfield had died.

<sup>6</sup> Tom Dorsey, "Bush's State of Union," *Daily Variety*, Jan. 30, 2003, p.2.

<sup>7</sup> "Briefly Noted," *Electronic Media*, Feb. 3, 2003, p. 14.

<sup>8</sup> H.Con.Res. 12, 108<sup>th</sup> Cong., 1<sup>st</sup> sess.

the Vice President (in his capacity as President of the Senate) occupy seats at the dais, and the Speaker presides. Aside from reserved places for leadership, seats in the chamber are not assigned to particular Members.<sup>9</sup> The President is then escorted to the chamber by a specially-appointed committee of Members from both houses; upon entering the chamber, he is announced by the Sergeant-at-Arms of the House of Representatives. The Speaker then introduces the President, who then delivers his address.

One late 20<sup>th</sup> century innovation was the opposition response to the State of the Union Message.<sup>10</sup> In 1966, Senator Everett Dirksen and Representative Gerald Ford made a televised joint Republican response to President Johnson's message, a practice that has since become a regular feature, and is usually broadcast shortly after the President has completed his remarks. The format for the opposition response varies, but it usually includes remarks by one or more party leaders (almost always Senators, Representatives, or state governors), who are nationally known, or are considered to be promising emerging political figures. In a more recent innovation, initiated by President Ronald Reagan, the chief executive will frequently invite citizens who have distinguished themselves in some field of service or endeavor to be his personal guests in the gallery. Usually, the achievements or programs for which the President publicly salutes them also serve to underscore some major element of his message.

**What precautions are taken at the Address to assure continuity of government?** Customarily, one member of the President's Cabinet does not attend. This precaution is taken in order to provide continuity in the presidency in the event a catastrophe were to result in the death or disablement of the President, the Vice President, and other officials in the line of presidential succession gathered in the House chamber. For example, Attorney General John Ashcroft did not attend President George W. Bush's January 28, 2003 State of the Union Address.<sup>11</sup> In a post-September 11, 2001, development, congressional leadership responded to increased concern over security at the 2003 State of the Union Address by designating Senate President Pro Tempore Stevens, Senators Bayh and Fitzgerald, and Representative Blunt to be absent from the Capitol during the President's speech.<sup>12</sup>

**In contemporary practice, is there a State of the Union Message every year?** There have been occasional variations in presidential practices concerning the State of the Union Message since World War II. For instance, the past four Presidents (Ronald Reagan in 1981, George H. W. Bush in 1989, William Clinton in 1993, and

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<sup>9</sup> Seats in the well of the House chamber are also reserved for the President's Cabinet, the Justices of the Supreme Court, and the Joint Chiefs of Staff. Members of the diplomatic corps, who are seated in the gallery, also frequently attend.

<sup>10</sup> "Opposition" in this case refers to the party that does *not* control the presidency.

<sup>11</sup> "Ashcroft in Secret Spot During Bush Address," *New York Times*, Jan. 29, 2003, p. A14. Secretary of Transportation Norman Mineta was also absent while recuperating from surgery. For further information on presidential succession, please consult CRS Report RL31761, *Presidential and Vice Presidential Succession*, by Thomas H. Neale.

<sup>12</sup> "Blunt Designated to Sit Out of Bush Address," Associated Press State and Local Wire, Jan. 28, 2003. For further information on the issue of continuity in government, please consult CRS Report RS21089, *Continuity of Government: Current Federal Arrangements and the Future*, by Harold C. Relyea.

George W. Bush in 2001) have chosen not to give an official State of the Union Message the year they were first inaugurated as President, having just previously delivered a keynote inaugural address. In each instance their first speech to a joint session of Congress closely followed their inauguration, but was not officially categorized as a “State of the Union Message.”<sup>13</sup> One observer noted in 1993 that by *not* calling such an address “State of the Union,” the President could present a more focused message, while still deriving “the benefits of a joint session; nothing competes with the pomp and circumstances of the evening ....”<sup>14</sup> Some recent Presidents have also preferred not to deliver a State of the Union Message immediately prior to their departure from office, although several have given farewell addresses in the last days of their presidencies. President Dwight Eisenhower’s farewell message, broadcast to the nation on January 17, 1961, became famous for its warnings against the “military-industrial complex.” President Reagan delivered a televised farewell address to the nation from the Oval Office on January 8, 1989, a practice followed by President Clinton on January 18, 2001.

Conversely, outgoing and incoming Presidents have occasionally given successive State of the Union Messages within weeks of each other. For instance, President Truman’s final message (1953), delivered in printed form to Congress on January 7, 1953, was closely followed by President Eisenhower’s first message, delivered in person at the Capitol on February 2 of the same year. President Eisenhower’s last message was delivered in printed form to Congress on January 12, 1961, and was similarly closely followed by President John Kennedy’s first State of the Union address, which he delivered personally before Congress on January 30.

**Does the President always deliver the State of the Union Message personally?** Since World War II, Presidents have occasionally chosen not to deliver a State of the Union Message in person. As noted previously, President Truman sent his last message only in printed form, a practice subsequently followed by Presidents Eisenhower (1961) and Jimmy Carter (1981). In 1956, President Eisenhower was recuperating from a heart attack, and was unable to deliver his message personally. From his Key West, Florida, retreat, he prepared a seven-minute filmed summary of the message that was subsequently broadcast nationwide.<sup>15</sup> When President Richard Nixon sent a multi-part printed message to Congress in 1973, his staff explained that “no oral message was planned because it would follow closely on the heels of Nixon’s second inaugural address.”<sup>16</sup>

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<sup>13</sup> For instance, President Clinton’s joint session appearance (Feb. 17, 1993) was styled “Address ... on Administration Goals,” while that of President George W. Bush (Feb. 27, 2001) was identified as an address “to the Joint Session of Congress.”

<sup>14</sup> Chuck Alston, “To Make That First Big Splash, Presidents Head for the Hill,” *Congressional Quarterly Weekly Report*, vol. 51, Feb. 13, 1993, p. 301.

<sup>15</sup> Fersh, *The View From the White House*, p. 117.

<sup>16</sup> “State of the Union,” *Congressional Quarterly Weekly Report*, vol. 31, Jan. 13, 1973, p. 36.