



**In the spring of 1789**, the first Congress faced a daunting task. Although the newly adopted Constitution provided a blueprint for the new government, Congress needed to enact legislation that would ensure a smooth transition from the Articles of Confederation and lay the groundwork for a strong national government, while simultaneously protecting individual liberties.

Between March (actually April, when they reached a quorum) and late September, the first session of the first Congress met in New York City. The Congress proposed and debated numerous bills, and ultimately passed twenty-six acts. One established the judicial courts; three dealt with compensating members of Congress, judges, the president, and vice president; and two acts imposed duties on imported merchandise. In addition, three acts established the Departments of War, Foreign Affairs, and the Treasury; and one well-known act, the Northwest Territory Act, followed the 1787 Northwest Ordinance and established the region that includes present-day Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin. But the very first act, signed into law by President George Washington on June 1, 1789, was “An Act to regulate the Time and Manner of administering certain Oaths.”

The Constitution contained an oath of office only for the president. Article II, Section 1, directed the president to take the following oath before entering office: “I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.” This is the same oath that every president since George Washington has taken.

Article VI, however, specified only that other officials be “bound by Oath or Affirmation to support this Constitution,” but it did not offer the exact wording. Congress filled this void through its first act, by mandating that all members of Congress, all federal officials, all members of state legislatures, judiciaries, and executives take a simple fourteen-word oath: “I do solemnly swear (or affirm) that I will support the

Constitution of the United States.” The act also required officials to take the oath within three days of the act’s passage, or upon appointment to the new position.

This act was in effect for nearly seventy-five years, but during the Civil War Congress passed legislation that changed the oath. The change required civil servants and military officers to swear not only future loyalty, but also to affirm that they had never previously engaged in disloyal or criminal conduct. This was prompted by fears about the damage Confederate sympathizers could inflict upon the Union. In 1884, this additional affirmation was repealed.

Today, prior to assuming their offi-

cial duties, government officials take the following oath: “I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.”

### Teaching Activities

#### 1. Brainstorming Activity

Remind students that Congress met for the first time under the Constitution in the spring of 1789. Ask them to brainstorm a list of acts they think Congress might



Retired U.S. Naval Commander Thomas A. Gaylord administers the oath to five new Navy nurses, March 8, 1945.



President Ronald Reagan is sworn in, January 20, 1981.

# *Congress of the United States*

*begun and held at the City of New York on Wednesday, March 4, 1789*

## *An Act to regulate the Time and Manner of administering certain Oaths.*

Be it enacted by the Senate and [House of] Representatives of the United States of America in Congress assembled, That the oath or affirmation required by the sixth article of the Constitution of the United States, shall be administered in the form following to wit: "I, A.B. do solemnly swear or affirm (as the case may be) that I will support the Constitution of the United States." The said oath or affirmation shall be administered within three days after the passing of this act, by any one member of the Senate, to the President, and by him to all the members and to the secretary; and by the Speaker of the House of Representatives, to all the members who have not taken a similar oath, by virtue of a particular resolution of the said House, and to the clerk: and in case of the absence of any member from the service of either House, at the time prescribed for taking the said oath or affirmation, the same shall be administered to such member, when he shall appear to take his seat.

And be it further enacted, That at the first session of Congress after every general election of Representatives, the oath or affirmation aforesaid, shall be administered by any one member of the House of Representatives to the Speaker; and by him to all the members present, and to the clerk, previous to entering on any other business; and to the members who shall afterwards appear, previous to taking their seats. The President of the Senate for the time being, shall also administer the said oath or affirmation to each Senator who shall hereafter be elected, previous to taking his seat: and in any future case of a President of the Senate, who shall not have taken the said oath or affirmation, the same shall be administered to him by any one of the members of the Senate.

And be it further enacted, That the members of the several State legislatures, at the next sessions of the said legislatures, respectively, and all executive and judicial officers of the several States, who have been heretofore chosen or appointed, or who shall be chosen or appointed before the first day of August next, and who shall then be in office, shall, within one month thereafter, take the same oath or affirmation, except where they shall have taken it before; which may be administered by any person authorized by the law of the State, in which such office shall be holden, to administer oaths. And the members of the several State legislatures, and all executive and judicial officers of the several States, who shall be chosen or appointed after the said first day of August, shall, before they proceed to execute the duties of their respective offices, take the foregoing oath or affirmation, which shall be administered by the person or persons, who by the law of the State shall be authorized to administer the oath of office; and the person or persons so administering the oath hereby required to be taken, shall cause a record or certificate thereof to be made, in the same manner, as, by the law of the State, he or they shall be directed to record or certify the oath of office.

And be it further enacted, That all officers appointed, or hereafter to be appointed under the authority of the United States, shall, before they act in their respective offices, take the same oath or affirmation, which shall be administered by the person or persons who shall be authorized by law to administer such officers their respective oaths of office; and such officers shall incur the same penalties in case of failure, as shall be imposed by law in case of failure in taking their respective oaths of office.

And be it further enacted, That the secretary of the Senate, and the clerk of the House of Representatives for the time being, shall, at the time of taking the oath or affirmation aforesaid, each take an oath or affirmation in the words following, to wit: "I, A.B. secretary of the Senate, or clerk of the House of Representatives (as the case may be) of the United States of America, do solemnly swear or affirm, that I will truly and faithfully discharge the duties of my said office, to the best of my knowledge and abilities."

*George Washington, President of the United States*

*Frederick Augustus Muhlenberg, Speaker of the House of Representatives*

*John Adams, Vice President of the United States, and President of the Senate,*

*(Approved, June 1, 1789)*

11 speeches in inaugural address

Date January 20, 1965

The White House  
 PRESIDENT LYNDON B. JOHNSON  
 DAILY DIARY

The President began his day at (Place) White House Day Wed

Entry No.	Time		Telephone		Activity (include visited by)	Expenditure Code
	In	Out	In	Out		
	11:40a				Arrived Platform, program began. President was escorted to the Inaugural Platform by Senator Jordan and Speaker McCormack; Senator Sparkman and Representative Albert; Senator Saltonstall and Representative Halleck. Diagram of platform seating sent to DT	
					Temperature <u>38 degrees</u> Precipitation <u>clear</u> Humidity <u>condensation</u> No report	
					Introductions made by Senator B. Everett Jordan, Chairman of Joint Congressional Inaugural Committee	
					Selection by the United States Marine Band	
					Invocation by the Most Reverend Robert E. Lucas	
					Solo by Miss Leontyne Price -- "America." President shook hands w/ Miss Price and	
					Prayer by Rabbi Hyman Judah Schachtel	
					OATH of office administered to the Vice President by the Honorable John W. McCormack.	
					Prayer by the Reverend George R. Davis	
	12:03p				OATH of office administered to the President by the Chief Justice of the United States. The President's left hand was on a Bible given to him by his mother; right held by Mrs. Johnson. His voice was soft, but entirely audible.	
					INAUGURAL ADDRESS by the President	
					Selection by the Mormon Tabernacle Choir -- "There are your friends, you know"	
					Benediction by His Eminence Archbishop Iakovos of NY, primate of the Greek Catholic Church of North and South America.	
					The Star Spangled Banner played by the U. S. Marine Band	
					President and VP escorted from the President's Platform in the following order: President and Vice President; Senator Jordan and Speaker McCormack; Senator Sparkman and Representative Albert; Senator Saltonstall and Rep. Halleck.	

SEE TRAVEL RECORD FOR TRAVEL ACTIVITY

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This January 20, 1965 entry from the diary of Lyndon B. Johnson describes the details of his inauguration, including taking the oath of office.

## National Archives To Open Major New Permanent Exhibition This Fall

The original first act of Congress will be featured in a major new permanent exhibition, the "Public Vaults," at the National Archives Building in Washington, D.C., beginning November 12, 2004.

Nearly one million people come to the National Archives every year to see the founding documents of American democracy—the Declaration of Independence, the Constitution, and the Bill of Rights. Few realize that behind the wall where the Charters of Freedom are displayed are billions of records that trace the story of our nation and the history of the American people. The "Public Vaults" exhibition will give visitors the sensation of walking past that wall and into the behind-the-scenes vaults and stacks. Visitors will be able to listen in on the deliberations of presidents as they faced some of the country's greatest challenges, explore newly declassified top secret documents, step into the boots of ordinary soldiers on the front lines of World War II, follow the original investigation into the sinking of the Titanic, read a teenager's plea to keep Elvis out of the army, and experience many other of the extraordinary events of our history.

"The National Archives preserves and shares with the public the documents of our nation, from the Declaration of Independence and the Emancipation Proclamation to records that mark the lives of average Americans, among them early homesteaders, civil war soldiers, and our nation's newest citizens," said Archivist John W. Carlin. "These records directly touch the lives of millions of people—they are the heart of the American experiment. In the 'Public Vaults' exhibition we will display some of the most surprising and inspiring of the billions of documents, photographs, films, videos, maps, and sound recordings we hold. These records not only trace our past, they point to our future. They reveal the evolving story of what it means to be American."

The "Public Vaults" exhibition will mix interactive elements and original materials from the Archives, exploring not only well-known people and historic turning points, but also little-known events that provide surprising perspectives and insights.

have considered in its first session. Posing a question such as “What issues might a brand new government face?” may be helpful. Record student answers on the board.

## 2. Document Analysis

Provide students with a copy of the featured document and its transcription. Ask a volunteer to read it aloud while the others follow along. Lead a class discussion with the following questions:

- What type of document is this?
- When was it created?
- Who created it?
- What was the purpose of the document?

Also, refer them to the list they generated in activity #1, and ask them whether any of their suggestions were similar to this act. Provide them with information from the background essay about other acts of the first Congress. (Note: a list of the acts passed by the first Congress, and their complete text, are available as PDF files in the Statutes at Large from the Library of Congress’s Century of Lawmaking for a New Nation website at [lcweb2.loc.gov/ammem/amlaw/lwslink.html](http://lcweb2.loc.gov/ammem/amlaw/lwslink.html).)

## 3. Independent Writing Assignment

Inform students that the featured document was the very first act of Congress. Take an informal survey of students as to why they think swearing to support the Constitution was chosen to be the subject of the first act. Ask students to write a one-page essay in which they consider the meaning and significance of loyalty to a cause.

## 4. Large Group Research

Remind students how a bill becomes a law, and then divide the class into two groups. Assign one group to read the pages from the Senate Journal and the other to read the pages from the House Journal that dealt with the period when the first act was being considered (April–May). Ask students to identify who introduced the bill in each House and its approval process. (Note: The Senate and House Journals are available online from the Library of Congress’s Century of Lawmaking for a New Nation website at [lcweb2.loc.gov/ammem/amlaw/lawhome.html](http://lcweb2.loc.gov/ammem/amlaw/lawhome.html)).

## 5. Personal Opinion Essay

Inform students that today, government officials (military, civilian, elected, and appointed) continue to take an oath to support the Constitution. Ask them to pretend that they have just been elected or hired into a government position, and have just signed the oath (Standard Form 61, Appointment Affidavits, may be downloaded from OPM’s website under Forms at [www.opm.gov/Forms/html/sf.asp](http://www.opm.gov/Forms/html/sf.asp)). Assign students to write a one-page description of how they felt signing the oath.

## 6. Small Group Activity

Divide students into five or six smaller groups and ask them to select a country other than the United States and conduct research into whether government officials in their chosen country swear an oath before taking office. Direct students

to locate a copy of the oath and compare it to that of the United States. Ask one volunteer from each group to share their findings with the class.

## 7. Extended Research Activity

Encourage student volunteers to conduct research about the history of the oath, identify legislation that altered it and note the historical context of the changes.

## 8. Event

In January, newly elected officials in your community will be taking office. Investigate whether any inaugural events will take place that your students might attend or, encourage your school to host such an event. 📺

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*The document featured in this article comes from the General Records of the United States, Record Group 11, and is in the holdings of the National Archives. All of the images that accompany this article also come from the holdings of the National Archives. All are available online in the National Archives ARC Database at [arcweb.archives.gov/arc/basic\\_search.jsp](http://arcweb.archives.gov/arc/basic_search.jsp). The easiest way to locate them is by their “ARC identifier number.” The numbers include: President’s Daily Diary Entry, January 20, 1965, ARC Identifier 192449; Photograph of President Reagan being sworn in, ARC Identifier 198506; Cmdr. Thomas A. Gaylor, USN (Ret’d), administers oath, ARC Identifier 520618.*