This day will be known as "Constitution Day" to honor the signing of the Constitution on September 17, 1787.

The legislation authorizing this Day states, "Each educational institution that receives Federal funds for a fiscal year should hold an educational program on the United States Constitution on September 17, of such year for the students served by the educational institution." Should September 17 fall on a Saturday, Sunday, or Holiday, educational institutions should celebrate "Constitution Day" the preceding or following week.

Senator Robert C. Byrd (D-WV) inserted language into the 2005 federal spending bill that requires all educational institutions, including colleges and universities, which receive federal funds from any agency to have programming for "Constitution Day." The full text of this legislation can be found in Section III of Division J of Pub. L. 108-447, the "Consolidated Appropriations Act, 2005." Dec. 8, 2004; 118 Stat, 3344-45 (Section 111).