

lowing privileged resolution (H. Res. 176):

Resolved, That Senate Joint Resolution 52, making an appropriation out of the general fund of the District of Columbia, in the opinion of the House, contravenes the first clause of the seventh section of the first article of the Constitution and is an infringement of the privileges of this House, and that the said joint resolution be taken from the Speaker's table and be respectfully returned to the Senate with a message communicating this resolution.

Again, on July 2, 1960,⁽²⁾ the House considered and agreed to the following resolution (H. Res. 598):

That Senate Joint Resolution 217 [extending Sugar Act of 1948] in the opinion of this House contravenes the first clause of the seventh section of the first article of the Constitution of the United States, and is an infringement of the privileges of this House, and that the said resolution be respectfully returned to the Senate with a message communicating this resolution.

Similarly, on Oct. 10, 1962,⁽³⁾ the House considered and agreed to the following resolution (H. Res. 831):

Resolved, That Senate Joint Resolution 234, making appropriations for the Department of Agriculture and the

2. 106 CONG. REC. 15818, 15819, 86th Cong. 2d Sess.
3. 108 CONG. REC. 23014, 23015, 87th Cong. 2d Sess.

Farm Credit Administration for the fiscal year 1963, in the opinion of the House, contravenes the first clause of the seventh section of the first article of the Constitution and is an infringement of the privileges of this House, and that the said joint resolution be taken from the Speaker's table and be respectfully returned to the Senate with a message communicating this resolution.

The jurisdiction and authority of the House over revenue bills is treated more extensively in the chapter on the general powers and prerogatives of the House. See chapter 13, *supra*.

§ 14. Enrollment; Correcting Bills in Enrollment

Enrollment Procedure

§ 14.1 A bill is enrolled by the House in which it originated. Under the enrollment procedure, the bill is printed at the Government Printing Office on distinctive paper under special supervision.⁽⁴⁾

§ 14.2 Under Rule X clause 4(d)(1),⁽⁵⁾ the Committee on

4. *Procedure in the U.S. House of Representatives* (97th Cong.), Ch. 24 § 6.1.
5. *House Rules and Manual* § 697b (1981).

House Administration has the function of “examining all bills, amendments, and joint resolutions after passage by the House and, in cooperation with the Senate, examining all bills and joint resolutions which shall have passed both Houses to see that they are correctly enrolled, forthwith presenting those which originated in the House to the President of the United States in person after their signature by the Speaker of the House and the President of the Senate and reporting the fact and date of such presentation to the House.”

§ 14.3 The Committee on House Administration reports to the House when it carries out its functions of certifying the correct enrollment of bills and joint resolutions.

On Mar. 24, 1947,⁽⁶⁾ Mr. Karl M. Le Compte, of Iowa, from the Committee on House Administration reported that that committee had examined and found truly enrolled and signed by the Speaker the joint resolution of the House (H.J. Res. 27) proposing an

6. 93 CONG. REC. 2482, 80th Cong. 1st Sess.

amendment to the Constitution of the United States relating to the terms of office of the President. Mr. Le Compte announced further that that committee had presented to and filed with the Secretary of State such joint resolution.

Parliamentarian's Note: Constitutional amendments, having passed both Houses of Congress, are now presented to the Administrator of General Services for transmission to the several states for ratification. See 1 USC Sec. 106b; 1 USC Sec. 112.

§ 14.4 In the Senate, the responsibility for the correct enrollment of bills and joint resolutions is vested in the Secretary of the Senate.

On Jan. 30, 1945,⁽⁷⁾ the Senate considered and agreed to the following resolution (S. Res. 64):

Resolved, That the Secretary of the Senate shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and shall examine all bills and joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and the President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to

7. 91 CONG. REC. 591, 592, 79th Cong. 1st Sess.

the President of the United States, and report the fact and date of such presentation to the Senate.

Parliamentarian's Note: The provisions of this resolution are now part of the standing rules of the Senate. See Rule XIV, paragraph 5, Senate Manual §14.5 (1975).

Authorizing Numerical Corrections

§ 14.5 The House agreed to a concurrent resolution providing that in the enrollment of general appropriation bills enacted during the remainder of a session, the Clerk of the House could correct chapter, title, and section numbers.

On July 4, 1952,⁽⁸⁾ the House, by unanimous consent, considered and agreed to the following concurrent resolution (H. Con. Res. 239):

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of general appropriation bills enacted during the remainder of the second session of the Eighty-second Congress the Clerk of the House may correct chapter, title, and section numbers.

The Senate also agreed to this resolution (see H. Jour. 761, 82d Cong. 2d Sess., July 5, 1952).

8. 98 CONG. REC. 9440, 82d Cong. 2d Sess.

Changing Items in Appropriation Bill

§ 14.6 Items in an appropriation bill not in disagreement between the two Houses, and hence not committed to the conferees, were, by unanimous consent, changed through adoption of a concurrent resolution directing the changes in the enrollment of the bill.

On July 23, 1962,⁽⁹⁾ Mr. Albert Thomas, of Texas, called up for consideration under a previous unanimous-consent agreement a concurrent resolution (H. Con. Res. 505) making 29 changes in a supplemental appropriation bill (H.R. 11038). Had the items been included in the conference agreement, the report would have been subject to a point of order. In explanation of the concurrent resolution Mr. Thomas stated:

Mr. Speaker, it will be recalled this deals with what we call the second supplemental appropriation bill for 1962. When the supplemental left the House it had 55 items carrying about \$447 million, which was a reduction, in round figures, of \$100 million under the budget, a reduction of about 20 percent.

It went to the other body and that body added some 29 items, increasing

9. 108 CONG. REC. 14400, 87th Cong. 2d Sess.

the amount over the House by \$112 million, which made a round figure of about \$560 million.

We bring to you two items, one a concurrent resolution and the other a conference report. First, why the concurrent resolution? We put in the concurrent resolution some 29 items which were originally in the supplemental, but those 29 items are a reduction—follow me now—below the figure that was in the supplemental when it left the House and the figure when it left the Senate.

It is a complete reduction and a change. It is in the concurrent resolution because it could not be in the conference report, and the reason it could not be in the conference report is because it is a reduction in those amounts.

The concurrent resolution was agreed to.⁽¹⁰⁾

Correcting Printing Errors

§ 14.7 The House agreed to a concurrent resolution authorizing the Clerk of the House, in the enrollment of a House bill, to correct certain printing errors in the bill as reported from conference to reflect the true intention of the conferees and the two Houses.

On Oct. 17, 1966,⁽¹¹⁾ the House, by unanimous consent, considered

10. *Id.* at p. 14403.

11. 112 CONG. REC. 27152, 89th Cong. 2d Sess.

and agreed to the following concurrent resolution (H. Con. Res. 1039):

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives in the enrollment of the bill (H.R. 15857) to amend the District of Columbia Police and Fireman's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes, is authorized and directed to make the following corrections in the salary schedule for teachers, school officers, and certain other employees of the District of Columbia Board of Education, which is provided in section 202(1) of the bill:

(1) In class 3, step 2, strike out "\$16,856" and insert in lieu thereof "\$16,865".

(2) In class 3, step 6, strike out "18,115" and insert in lieu thereof "18,105".

(3) In class 6, group C, principal level III, step 5, strike out "14,905" and insert "14,095".⁽¹²⁾

Return of Original Papers to Senate

§ 14.8 By concurrent resolution the Senate requested return of a House bill erro-

12. *Parliamentarian's Note:* Printing errors in the conference report were not discovered until after the Senate had acted on the report. These errors could have been corrected by a star print had they been caught before the two Houses had acted.

neously messaged to the House as having passed the Senate without amendment; the Secretary of the Senate was authorized, upon its return, to transmit the bill to the House with a Senate amendment, and provided for the return to the House of an incorrectly enrolled bill, signed by the Speaker, and that the Speaker's signature be rescinded.

On Aug. 8, 1957,⁽¹³⁾ the Speaker, Sam Rayburn, of Texas, laid before the House the following concurrent resolution (S. Con. Res. 46):

Resolved by the Senate (the House of Representatives concurring), That the House of Representatives return to the Senate the engrossed bill (H.R. 5707) for the relief of the A. C. Israel Commodity Co., Inc., erroneously messaged to the House on August 6, 1957, as having passed the Senate on the preceding day without amendment; that upon its return to the Senate the Secretary shall transmit to the House the said bill, together with the amendment made by the Senate thereto; that the enrolled bill, signed by the Speaker of the House and transmitted to the Senate on yesterday, be returned to the House, and that the action of the Speaker in signing said enrolled bill be thereupon rescinded.

13. 103 CONG. REC. 14102, 85th Cong. 1st Sess.

Rescinding Enrollment

§ 14.9 The House, by unanimous consent, agreed to a concurrent resolution rescinding the action of the Speaker and President of the Senate in signing an enrolled bill and directing the Clerk of the House to reenroll the bill with certain changes.

On Apr. 21, 1938,⁽¹⁴⁾ the House agreed to the following concurrent resolution (S. Con. Res. 30) which had passed the Senate on Mar. 30, 1938:

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and the President of the Senate in signing the enrolled bill (H.R. 5793) for the relief of Josephine Fontana be, and it is hereby, rescinded, and the Clerk of the House be, and he is hereby, authorized and directed to reenroll the bill with the following amendments, viz: . . . strike out "Josephine Fontana, . . . \$600 in full satisfaction of her claim" and . . . insert . . . "Nathaniel M. Harvey, as administrator of the estate of Josephine Fontana. . . ."

§ 14.10 The House, by unanimous consent, agreed to a Senate concurrent resolution rescinding the signatures of the two presiding officers on

14. 83 CONG. REC. 5640, 75th Cong. 3d Sess.

an enrolled bill and providing for its return to the Senate.

On May 24, 1956,⁽¹⁵⁾ the House considered and agreed to the following concurrent resolution (S. Con. Res. 80):

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker pro tempore of the House of Representatives and of the President of the Senate in signing the enrolled bill (H.R. 4656) relating to the Lumbee Indians of North Carolina be, and it is hereby, rescinded, and that the engrossed bill be returned to the Senate.

§ 14.11 The House, by unanimous consent, agreed to a Senate concurrent resolution rescinding the action of the Speaker and President of the Senate in signing an enrolled bill and requesting the House to return the engrossed copy to the Senate.

On Apr. 5, 1938,⁽¹⁶⁾ the House considered and agreed to the following concurrent resolution (S. Con. Res. 29):

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and of the President of

15. 102 CONG. REC. 8945, 84th Cong. 2d Sess.

16. 83 CONG. REC. 4775, 75th Cong. 3d Sess.

the Senate in signing the enrolled bill (H.R. 7158) to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended, be, and it is hereby, rescinded; and that the House of Representatives be, and it is hereby, requested to return to the Senate the engrossed bill.

§ 14.12 The House, by unanimous consent, agreed to a concurrent resolution rescinding the action of the Speaker and Vice President in signing an enrolled bill and requesting the House to return to the Senate its message announcing its agreement to an amendment of the House.

On June 4, 1935,⁽¹⁷⁾ the House considered the following concurrent resolution (S. Con. Res. 16):

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and the Vice President of the United States, respectively, in signing the enrolled bill (S. 2105) to provide for an additional number of cadets at the United States Military Academy, and for other purposes, be, and the same is hereby, rescinded; and that the House of Representatives be, and it is hereby, requested to return to the Senate the message announcing its agreement to the amendments of the House to the said bill.

17. 79 CONG. REC. 8645, 74th Cong. 1st Sess.

Reenrollment With a Correction

§ 14.13 The House, by unanimous consent, agreed to a concurrent resolution rescinding the action of the Speaker in signing an enrolled bill and authorizing the Clerk to reenroll it with a correction.

On Aug. 17, 1954,⁽¹⁾ the House considered and passed the following concurrent resolution (S. Con. Res. 106):

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives in signing the enrolled bill (H.R. 1975) to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska, be rescinded, and that the Clerk of the House be, and he is hereby authorized and directed, in the reenrollment of the bill, to make the following correction:

On page 1, line 6 of the engrossed House bill, strike out the word "section" and in lieu thereof insert the word "sentence."

§ 14.14 The House, by unanimous consent, agreed to a Senate concurrent resolution authorizing and directing the Clerk of the House to re-

1. 100 CONG. REC. 14877, 83d Cong. 2d Sess.

enroll a House bill with a correction.

On Oct. 13, 1966,⁽²⁾ the House considered and agreed to the following concurrent resolution (S. Con. Res. 113):

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives of the United States be authorized to correct an enrolling error in H.R. 698, to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes, and that section 3(a) of H.R. 698, shall when corrected read as follows:

"When title to all privately owned land within the boundary of the park, subject to such outstanding interests, rights, and easements as the Secretary determines are not objectionable. . . ." ⁽³⁾

Reenrollment With a Change

§ 14.15 The House agreed to a concurrent resolution rescinding the action of the Speaker in signing an enrolled bill and authorizing the Secretary of the Senate to reenroll the bill with a change.

2. 112 CONG. REC. 26639, 26640, 89th Cong. 2d Sess.

3. *Parliamentarian's Note:* The Senate originated this concurrent resolution since the error in the enrollment was in reality a Senate error reflecting a mistake in the engrossment of the Senate amendment to the House bill.

On June 16, 1954,⁽⁴⁾ Speaker Joseph W. Martin, of Massachusetts, laid before the House a concurrent resolution (S. Con. Res. 87) which the House considered and agreed to:

Resolved by the Senate (the House of Representatives concurring). That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 2657), to amend the act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," be, and the same is hereby, rescinded; and that the Secretary of the Senate be, and he is hereby, authorized and directed to reenroll the bill with the following change, namely: On page 2, line 6, after the word "or", insert the word "by".

§ 14.16 The House, by unanimous consent, agreed to a concurrent resolution authorizing and directing the Secretary of the Senate to make certain corrections in the enrollment of a Senate bill.

On Aug. 25, 1966,⁽⁵⁾ the House considered and agreed to the following concurrent resolution (H. Con. Res. 990):

Resolved, That in the enrollment of the bill (S. 3105) to authorize certain

4. 100 CONG. REC. 8360, 83d Cong. 2d Sess.
5. 112 CONG. REC. 20688, 89th Cong. 2d Sess.

construction at military installations, and for other purposes, the Secretary of the Senate is authorized and directed to make the following correction:

In section 612, strike out "\$50,000" and insert "\$150,000".

§ 14.17 The House, by unanimous consent, agreed to a concurrent resolution authorizing the Secretary of the Senate to make such corrections in title and section numbers and cross references as may be necessary by reason of the omission of a title in an enrolled bill.

On Mar. 23, 1942,⁽⁶⁾ the House considered and agreed to the following concurrent resolution (S. Con. Res. 27):

Resolved by the Senate (the House of Representatives concurring), That in enrolling the bill (S. 2208) to further expedite the prosecution of the war, the Secretary of the Senate is authorized and directed to make all necessary corrections in title and section numbers and cross references as may be necessary by reason of the omission from the enrolled bill of title VIII.

§ 14.18 By unanimous consent, the House adopted a concurrent resolution authorizing and directing the Secretary of the Senate, in the enrollment of a bill, to make cer-

6. 88 CONG. REC. 2808, 77th Cong. 2d Sess.

tain conforming changes to the title of the bill, changes designed to make the title conform to amendments made to the text thereof.

On Oct. 1, 1968⁽⁷⁾ the House considered and agreed to the following concurrent resolution (H. Con. Res. 838):

CORRECTION OF TITLE OF THE BILL S. 698, INTERGOVERNMENTAL COOPERATION ACT OF 1968

MR. [CHET] HOLIFIELD [of California]: Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 838) and ask unanimous consent for its immediate consideration.

The Clerk read the concurrent resolution as follows:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of the Senate in the enrollment of the bill (S. 698) to achieve the fullest cooperation and coordination of activities among the levels of government . . . and for other purposes, is authorized and directed to correct the title of the bill so as to read: "An Act to achieve the fullest cooperation and coordination of activities among the levels of government . . . and for other purposes."

THE SPEAKER PRO TEMPORE:⁽⁸⁾ Is there objection to the request of the gentleman from California?

There was no objection.

The concurrent resolution was agreed to.

7. 114 CONG. REC. 28863, 90th Cong. 2d Sess.

8. Carl Albert (Okla.).

Incomplete Enrollment

§ 14.19 Where in the enrollment of a bill a section thereof was omitted and the President signed the bill as presented to him, the Congress, by unanimous consent, immediately enacted an amendment to the law inserting the omitted section.

On July 1, 1954,⁽⁹⁾ the House considered and agreed to a joint resolution (H.J. Res. 553) amending a law (Priv. L. No. 495) to include a section that had been inadvertently omitted from the enrolled bill sent to the President.⁽¹⁰⁾

Providing for Duplicate Enrollment

§ 14.20 Pursuant to a concurrent resolution brought up

9. 100 CONG. REC. 9566, 83d Cong. 2d Sess.

10. *Parliamentarian's Note:* In the enrollment of H.R. 7258, a private bill for the relief of the Willmore Engineering Company, a portion of the bill, section 2, which had been in the bill when it was passed by both the House and the Senate, was erroneously omitted. The erroneously enrolled bill was signed by the presiding officers of the two Houses and approved by the President on June 30, 1954. The omission of section 2 was discovered only after the bill had been approved by the President.

and agreed to by unanimous consent, the Clerk presented the duplicate copy of an enrolled bill to the President after the original copy had been lost.

On May 15, 1935,⁽¹¹⁾ the Speaker⁽¹²⁾ laid before the House the following communication:

MAY 15, 1935.

THE SPEAKER,
House of Representatives,
Washington, D.C.

SIR: Pursuant to the provisions of House Concurrent Resolution 21, Seventy-fourth Congress, I have this day presented to the President of the United States the signed duplicate copy of the enrolled bill, H.R. 6084. . . .

Very truly yours,
SOUTH TRIMBLE,
Clerk of the
House of Representatives.

Parliamentarian's Note: For circumstances which required this duplicate enrollment, see §15.16, *infra*.

§ 15 Signing

The practice of the two Houses of Congress in the signing of enrolled bills was formerly governed by joint rules, and has continued

11. 79 CONG. REC. 7633, 74th Cong. 1st Sess.
12. Joseph W. Byrns (Tenn.).

since those rules were abrogated in 1876.⁽¹³⁾ A House-enrolled bill, having been approved as to form by the Committee on House Administration, and certified by the Clerk as having originated in the House, is reported to the House. Senate enrollments are delivered to the House after examination and certification by the Secretary of the Senate. All enrollments are signed first by the Speaker and then by the Vice President or President pro tempore of the Senate.⁽¹⁴⁾

Where the Record and Journal, through oversight, fail to indicate that the Speaker has signed a particular bill, the Speaker announces to the House the date on which he has signed the bill and asks that the permanent record and Journal be corrected accordingly.⁽¹⁵⁾

Authorization to Sign During Adjournments

§ 15.1 The House agreed to a concurrent resolution au-

13. *House Rules and Manual* §575 (1981).
14. *Procedure in the U.S. House of Representatives* (97th Cong.), Ch. 24 §11.1.
15. *Procedure in the U.S. House of Representatives* (97th Cong.), Ch. 24 §11.2.