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§ 571. Messages from the President to the two Houses.

Where the subject of a message is of a nature that it can properly be communicated to both Houses of Parliament, it is expected that this communication should be made to both on the same day. But where a message was accompanied with an original declaration, signed by the party to which the message referred, its being sent to one House was not noticed by the other, because the declaration being original, could not possibly be sent to both Houses at the same time. *2 Hats., 260, 261, 262.*

The King having sent original letters to the Commons afterward desires they may be returned, that he may communicate them to the Lords. *1 Chandler, 303.*

A message of the President of the United States is usually communicated to both Houses on the same day when its nature permits (V, 6590); but an original document accompanying can, of course, be sent to but one House (V, 6616, 6617). The President having by inadvertence included certain papers in a message, was allowed to withdraw them (V, 6651). In the House the Speaker has the discretion, which he rarely exercises, to suspend a roll call in order to receive a message from the President.

SEC. XLVIII—ASSENT

§ 572. Parliamentary law as to presenting a bill for the King's assent.

The House which has received a bill and passed it may present it for the King's assent, and ought to do it, though they have not by message notified to the other their passage of it. Yet the notifying by message is a form which ought to be observed between the two Houses from motives of respect and good understanding. *2 Hats., 242.* Were the bill to be withheld from being pre-

sented to the King, it would be an infringement of the rules of Parliament. *Ib.*

In the House it was held that where there had been no unreasonable delay in transmitting an enrolled bill to the President, a resolution relating thereto did not present a question of privilege (III, 2601).

§ 573. Parliamentary law as to enrollment of bills.

When a bill has passed both Houses of Congress, the House last acting on it notifies its passage to the other, and delivers the bill to the Joint Committee on Enrollment, who sees that it is truly enrolled in parchment. When the bill is enrolled it is not to be written in paragraphs, but solidly, and all of a piece, that the blanks between the paragraphs may not give room for forgery. *9 Grey, 143.* * * *

§ 574. Practice of the two Houses of Congress as to enrollment of bills.

Formerly the enrollment in the House and the Senate was in writing (IV, 3436, 3437); but in 1893 the two Houses, by concurrent resolution, provided that bills should be enrolled on parchment by printing instead of by writing, and also that the engrossment of bills prior to sending them to the other House for action should be in printing (IV, 3433), and in 1895 this concurrent resolution was approved by statute (IV, 3435; 1 U.S.C. 106). In the last six days of a session of Congress the two Houses, by concurrent resolution, may permit the enrolling and engrossing to be done by hand (IV, 3435, 3438; H. Con. Res. 436, Dec. 20, 1982, p. 32875; H. Con. Res. 375, Oct. 11, 1984, p. 32149), and such a concurrent resolution is privileged for consideration in the House during the last six days of the session (see 1 U.S.C. 106 for authority to waive ordinary printing requirements at the end of a session), but prior to the last six days, a joint resolution changing the law to permit hand enrollments is required and may be considered in the House by unanimous consent (Dec. 10, 1985, p. 35741) or by special order of business (H. Res. 580, Oct. 8, 1998, p. ——). The two Houses have by joint resolution authorized not only a "hand enrollment" of a time-sensitive bill but also a parchment enrollment of the same measure, to be prepared at a later time for deposit in the National Archives with the original (P.L. 100–199, Dec. 21, 1987; P.L. 100–454, Sept. 29, 1988). Where an enrolled bill enacts another numbered bill by reference, that same law may require the Archivist to include as an appendix to that law the text of the referenced bill (see, *e.g.,* 106–554). Only in a very exceptional case have the two Houses waived the

requirement that bills shall be enrolled (IV, 3442). The enrolling clerk should make no change, however unimportant, in the text of a bill to which the House has agreed (III, 2598); but the two Houses may by concurrent resolution authorize the correction of an error when enrollment is made (IV, 3446–3450), and this seems a better practice than earlier methods by authority of the Committee on Enrolled Bills (IV, 3444, 3445).

§ 575. Signing of enrolled bills for presentation to the President.

* * * It is then put into the hands of the Clerk of the House to have it signed by the Speaker. The Clerk then brings it by way of message to the Senate to be signed by their President. The Secretary of the Senate returns it to the Committee of Enrollment, who present it to the President of the United States. * * *

The practice of the two Houses of Congress for the signing of enrolled bills was formerly governed by joint rules, and has continued since those rules were abrogated in 1876 (IV, 3430). The bills are signed first by the Speaker, then by the President of the Senate (IV, 3429). By unanimous consent where errors are found in enrolled bills that have been signed, the two Houses by concurrent action may authorize the cancellation of the signatures and a reenrollment (IV, 3453–3459), and in the same way the signatures may be cancelled on a bill prematurely enrolled (IV, 3454).

§ 576. Authority of pro tempore presiding officers to sign enrolled bills.

A Speaker pro tempore elected by the House (II, 1401), or whose designation has received the approval of the House (II, 1404; VI, 277), signs enrolled bills (see clause 4 of rule I); but a Member merely called to the chair during the day (II, 1399, 1400; VI, 276), or designated in writing by the Speaker, does not exercise this function (II, 1401).

The Senate, by rule, has empowered a presiding officer by written designation to sign enrolled bills (II, 1403).

§ 577. Presentation of enrolled bills to the President.

In early days a joint committee took enrolled bills to the President (IV, 3432); but in the later practice the chairman of the committee in each House that had responsibility for the enrollment of bills also had the responsibility of presenting the bills from that House, and submitted from his committee daily a report of the bills presented for entry in the Journal (IV, 3431). In the 107th Congress the responsibility in the House for enrolled bills was transferred from the Committee on House Administration to the Clerk (sec. 2(b), H. Res. 5, Jan. 3, 2001, p. ——). Enrolled bills pending at the close of a session have, at the next session of the same Congress, been ordered to be treated as if no adjournment had taken place

(IV, 3487–3488). Enrolled bills signed by the presiding officers at one session have been sent to the President and approved at the next session of the same Congress (IV, 3486). At the close of the 97th Congress, some enrollments were presented to the President, and were signed by him, after the convening of the 98th Congress.

SEC. XLIX—JOURNALS

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§ 578. Obsolete provisions as to entry of motions in the journal.

If a question is interrupted by a vote to adjourn, or to proceed to the orders of the day, the original question is never printed in the journal, it never having been a vote, nor introductory to any vote; but when suppressed by the previous question, the first question must be stated, in order to introduce and make intelligible the second. *2 Hats., 83.*

This provision of the parliamentary law is superseded by clause 1 of rule XVI, which requires every motion entertained by the Speaker to be entered on the Journal.

§ 579. Journal entries of questions postponed or laid on the table.

So also when a question is postponed, adjourned, or laid on the table, the original question, though not yet a vote, must be expressed in the journals, because it makes part of the vote of postponement, adjourning, or laying it on the table.

In the House a question is not adjourned, except in the sense that it may be left to go over as unfinished business by reason of a vote to adjourn.

§ 580. Entry of amendments in the Journal.

Where amendments are made to a question, those amendments are not printed in the journals, separated from the question; but only the question as finally agreed to by the House. The rule of entering in the journals only what the House has agreed to, is founded in great prudence and good