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but in other respects the principles of this paragraph of the law of Parliament are in force.

## SEC. XXI.—RESOLUTIONS.

**§ 395. Orders and resolutions of the House.**

When the House commands, it is by an "order." But fact, principles, and their own opinions and purposes, are expressed in the form of resolutions.

A resolution for an allowance of money to the clerks being moved, it was objected to as not in order, and so ruled by the Chair; but on appeal to the Senate (*i.e.*, a call for their sense by the President, on account of doubt in his mind, according to clause 2 of rule XX) the decision was overruled. *Jour., Senate, June 1, 1796.* I presume the doubt was, whether an allowance of money could be made otherwise than by bill.

**§ 396. Concurrent resolutions of the two Houses.**

In the modern practice concurrent resolutions have been developed as a means of expressing fact, principles, opinions, and purposes of the two Houses (II, 1566, 1567). Joint committees are authorized by resolutions of this form (III, 1998, 1999), and they are used in authorizing correction of bills agreed to by both Houses (VII, 1042), amendment of enrolled bills (VII, 1041), amendment of conference reports (VIII, 3308), requests for return of bills sent to the President (VII, 1090, 1091), authorizing the printing of certain enrolled bills by hand in the remaining days of a session (H. Con. Res. 436, Dec. 20, 1982, p. 32875), providing for joint session to receive message from the President (VIII, 3335, 3336), authorizing the printing of congressional documents (H. Con. Res. 66, July 1, 1969, p. 17948); paying a birthday tribute to former President Truman (H. Con. Res. 216, Apr. 24, 1969, p. 10213); calling for the humane treatment of prisoners of war in Vietnam (H. Con. Res. 454, Dec. 15, 1969, p. 39037), and fixing time for final adjournment (VIII, 3365). The Congressional Budget Act of 1974 (P.L. 93–344) provides for the adoption by both Houses of concurrent resolutions on the budget which become binding on both Houses with respect to congressional budget procedures (see § 1007, *infra*). A concurrent resolution is binding on neither House until agreed to by both (IV, 3379), and, since not legislative in nature, is not sent to the President for approval (IV, 3483). A concurrent resolution is not a bill

or joint resolution within the meaning of clause 5(c) of rule XXI (requiring a three-fifths vote for approval of such a measure if carrying an increase in a rate of tax on income) (Speaker Gingrich, May 18, 1995, p. ——).

**§ 397. Joint resolutions.**

Another development of the modern practice is the joint resolution, which is a bill so far as the processes of the Congress in relation to it are concerned (IV, 3375; VII, 1036). With the exception of joint resolutions proposing amendments to the Constitution (V, 7029), all these resolutions are sent to the President for approval and have the full force of law. They are used for what may be called the incidental, unusual, or inferior purposes of legislating (IV, 3372), as extending the national thanks to individuals (IV, 3370), the invitation to La Fayette to visit America (V, 7082, footnote), the welcome to Kossuth (V, 7083), notice to a foreign government of the abrogation of a treaty (V, 6270), declaration of intervention in Cuba (V, 6321), correction of an error in an existing act of legislation (IV, 3519; VII, 1092), enlargement of scope of inquiries provided by law (VII, 1040), election of managers for National Soldiers' Homes (V, 7336), special appropriations for minor and incidental purposes (V, 7319), continuing appropriations (H.J. Res. 790, P.L. 91–33, p. 17015); establishing the date for convening of Congress (H.J. Res. 1041, P.L. 91–182, p. 40982); extending the submission date under law for transmittal of the Budget and Economic Report to Congress by the President (H.J. Res. 635, P.L. 97–469, p. 32936); and extending the termination date for a law (H.J. Res. 864, P.L. 91–59, p. 22546). At one time they were used for purposes of general legislation; but the two Houses finally concluded that a bill was the proper instrumentality for this purpose (IV, 3370–3373). A joint resolution has been changed to a bill by amendment (IV, 3374), but in the later practice it has become impracticable to do so.

Where a choice between a concurrent resolution and a joint resolution is not dictated by law, the House by its votes on consideration of a measure decides which is the appropriate vehicle (and a point of order does not lie that a concurrent rather than a joint resolution would be more appropriate to express the sense of the Congress on an issue) (Mar. 16, 1983, p. 5669).

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## SEC. XXIII.—BILLS, LEAVE TO BRING IN.

**§ 398. Obsolete provisions as to introduction of bills.**

When a Member desires to bring in a bill on any subject, he states to the House in general terms the causes for doing it, and concludes by moving for leave to bring in a bill, entitled, &c. Leave