

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. —).

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.

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

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being given, on the question, a committee is appointed to prepare and bring in the bill. The mover and seconder are always appointed of this committee, and one or more in addition. *Hakew.*, 132; *Scob.*, 40. It is to be presented fairly written, without any erasure or interlineation, or the Speaker may refuse it. *Scob.*, 41; *1 Grey*, 82, 84.

This provision is obsolete, clauses 1–4 of rule XXII providing an entirely different method of introducing bills. The introduction of bills by leave was gradually dropped by the practice of the House, and after 1850 the present free system of permitting Members to introduce at will bills for printing and reference began to develop (IV, 3365).

SEC. XXIV.—BILLS, FIRST READING.

When a bill is first presented, the Clerk reads it at the table, and hands it to the Speaker, who, rising, states to the House the title of the bill; that this is the first time of reading it; and the question will be, whether it shall be read a second time? then sitting down to give an opening for objections. If none be made, he rises again, and puts the question, whether it shall be read a second time? *Hakew.*, 137, 141. A bill cannot be amended on the first reading, *6 Grey*, 286; nor is it usual for it to be opposed then, but it may be done, and rejected. *D'Ewes*, 335, col. 1; *3 Hats.*, 198.

This provision is obsolete, the practice under clause 1 of rule XXI now governing the procedure of the House of Representatives.

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