

An hourglass-shaped graphic with a globe inside. The top bulb is dark blue, and the bottom bulb is light blue. The globe is a light blue color. The hourglass is centered on the page.

WikiLeaks Document Release

<http://wikileaks.org/wiki/CRS-98-706>

February 2, 2009

Congressional Research Service

Report 98-706

Bills and Resolutions: Examples of How Each Kind is Used

Richard S. Beth, Government and Finance Division

November 26, 2008

Abstract. When Congress seeks to pass a law, it uses a bill or joint resolution that must be passed by both houses in identical form and then presented to the President for his approval or disapproval. To regulate its own internal affairs, or for other purposes where authority of law is not necessary, Congress uses a concurrent resolution (requiring adoption by both houses) or a simple resolution (requiring action only in the house of origin). Each of these four forms of legislative measures may be used for a variety of congressional actions. The most prevalent uses of each type of measure, together with a brief explanation or common term for the action involved, are identified in this report.

WikiLeaks



CRS Report for Congress

Bills and Resolutions: Examples of How Each Kind Is Used

Richard S. Beth
Specialist on the Congress and Legislative Process
Government and Finance Division

When Congress seeks to pass a law, it uses a bill or joint resolution, which must be passed by both houses in identical form, then presented to the President for his approval or disapproval. To regulate its own internal affairs, or for other purposes where authority of law is not necessary, Congress uses a concurrent resolution (requiring adoption by both houses) or a simple resolution (requiring action only in the house of origin). More detailed descriptions appear in CRS Report 98-728, *Bills, Resolutions, Nominations, and Treaties: Characteristics, Requirements, and Uses*.

Congress may use each of the four forms of measure it employs for a variety of purposes. This report identifies the most prevalent uses of each and, as appropriate, gives brief explanations of these uses. For more information on legislative process, see [<http://www.crs.gov/products/guides/guidehome.shtml>].

Bills (H.R. or S.)

- Authorization or reauthorization of federal policies, programs, and activities
- Amendment of existing law (sometimes also by joint resolution)
- Establishment of federal departments and agencies, or alteration of their structure
- Revenue (tax) legislation (originates in House only)
- Regular annual general appropriations
- Supplemental appropriations (sometimes also by joint resolution)
- Reconciliation bill (alters spending authority pursuant to instructions in a congressional budget resolution)
- Private bill (provides specified benefits to named individuals)

Joint Resolutions (S.J.Res. or H.J.Res.)

- “Incidental, inferior, or unusual purposes of legislation” (*House Manual*, section 397)
- Proposed constitutional amendment (requires two-thirds vote in each house)
- Declaration of war

<http://wikileaks.org/wiki/CRS-98-706>

- Continuing resolution (extends appropriations for specified purposes until regular appropriations are enacted)
- Transfer of appropriations
- Adjustment of debt limit
- Abrogation of treaty
- Alteration of date for convening of Congress
- Resolution of disapproval or approval (of specified executive action pursuant to a statute making a contingent delegation of authority)
- Extension of expiration or reporting dates under existing law (e.g., date for President to submit budget)
- Congratulations, condolences, welcomes, thanks, etc. (also by simple or concurrent resolution)

Concurrent Resolutions (S.Con.Res. or H.Con.Res.)

- Congressional budget resolution (sets targets for spending and revenue, procedurally enforceable against subsequent legislation; may set instructions to committees for reconciliation bill)
- Adjournment *sine die*
- Recess of either or both houses of more than three days
- Providing for a joint session of Congress
- Creation of a joint committee
- Correction of conference reports or enrolled bills
- Request for return of measures presented to the President
- “Sense of Congress” resolution (expresses “fact, principles, opinions, and purposes of the two houses,” *House Manual*, section 396. “Sense of Congress” provisions may also appear in lawmaking measures)

Simple Resolutions (H.Res. or S.Res.)

- Adoption or amendment of chamber rules
- Special rule (for considering a measure) or other “order of business resolution” (House)
- Establishment of a standing order (principally Senate)
- Privileges of the House resolution (principally House; to secure a chamber’s rights, safety, dignity, or integrity of proceedings, House Rule IX);
- “Blue slip resolution” (House; returns a Senate tax measure as violating House privilege to originate revenue measures)
- Personal privilege of individual Member
- Disposition of contest to a Member’s election
- Expulsion of a Member (requires two-thirds vote)
- Censure or other discipline of a Member
- Citation for contempt of Congress
- Authorization of response to subpoena by Members or employees
- Resolution of ratification (advice and consent to treaty; Senate)
- Election of committee members or chamber officers
- Committee funding

CRS-3

- Expenditures from chamber's contingent fund (e.g., printing House and Senate documents, also by concurrent resolution)
- Creation of a special or select committee (e.g., investigating committee)
- Resolution of inquiry (requests factual information from executive branch; principally House)
- Providing notifications to other house, President, etc.
- Request for other house to return a measure (for technical corrections)
- Discharge of committee from a measure, nomination, or treaty (Senate)
- Instructions to conferees already appointed (Senate)
- Commemorative periods (formerly by joint resolution)
- "Sense of the Senate" or "sense of the House" resolution (expresses fact, principles, opinions, or purposes of one house, *House Manual*, section 395; such provisions may also appear in lawmaking measures)