



# TO THE BAG

## NO CONGRESSIONAL APPROVAL

To the *Bag*:

I've just been reading, and of course enjoying, "Which Is the Constitution." 11 GREEN BAG 2D 209. I have to disagree, however, with the statement on p. 215 that Congress proclaimed its approval of the ratification of the 27th amendment. As n. 21 indicates, each house of Congress passed a concurrent resolution doing so, but the House never passed the Senate's resolution and the Senate never passed the House's resolution (and the two aren't identical). Congress, an intrinsically bicameral body, did nothing. Having made this very observation in a review in *Constitutional Commentary* of the first volume of Currie's *The Constitution In Congress*, I felt obliged to do the same for the *Green Bag*. 15 CONST. COMMENT. 383, 388-89. Even the excellent Homer nods. (This letter expresses my views, not those of the State Department, which once was, but is no longer, charged by statute with promulgating constitutional amendments.)

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