How a Bill Becomes Law

Introduction of Bills
A House member (including the resident commissioner of Puerto Rico and non-voting delegates of the District of Columbia, Guam, the Virgin Islands and American Samoa) may introduce any one of several types of bills and resolutions by handing it to the clerk of the House or placing it in a box called the hopper. A senator first gains recognition of the presiding officer to announce the introduction of a bill. If objection is offered by any senator, the introduction of the bill is postponed until the following day.

As the next step in either the House or Senate, the bill is numbered, referred to the appropriate committee, labeled with the sponsor’s name, and sent to the Government Printing Office so that copies can be made for subsequent study and action. Senate bills may be jointly sponsored and carry several senators’ names. Until 1978, the House limited the number of members who could cosponsor any one bill; the ceiling was eliminated at the beginning of the 96th Congress. A bill written in the executive branch and proposed as an administration measure usually is introduced by the chairman of the congressional committee that has jurisdiction.

Bills — Prefixed with “HR” in the House, “S” in the Senate, followed by a number. Used as the form for most legislation, whether general or special, public or private.

Joint Resolutions — Designated H J Res or S J Res. Subject to the same procedure as bills, with the exception of a joint resolution proposing an amendment to the Constitution. The latter must be approved by two-thirds of both houses and is thereupon sent directly to the administrator of general services for submission to the states for ratification rather than being presented to the president for his approval.

Concurrent Resolutions — Designated H Con Res or S Con Res. Used for matters affecting the operations of both houses. These resolutions do not become law.

Resolutions — Designated H Res or S Res. Used for a matter concerning the operation of either house alone and adopted only by the chamber in which it originates.

Committee Action
A bill is referred to the appropriate committee by a House parliamentarian in the Speaker’s order, or by the Senate president. Sponsors may indicate their preferences for referral, although custom and chamber rule generally govern. An exception is the referral of private bills, which are sent to whatever group is designated by their sponsors. Bills are technically considered “read for the first time” when referred to House committees.

When a bill reaches a committee it is placed on the group’s calendar. At that time it comes under the sharpest congressional focus. Its chances for passage are quickly determined — and the great majority of bills falls by the legislative roadside. Failure of a committee to act on a bill is equivalent to killing it; the measure can be withdrawn from the group’s purview only by a discharge petition signed by a majority of the House membership on House bills, or by adoption of a special resolution in the Senate. Discharge attempts rarely succeed.

The first committee action taken on a bill usually is a request for comment on it by interested agencies of the government. The committee chairman may assign the bill to a Subcommittee for study and hearings, or it may be considered by the full committee. Hearings may be public, closed (executive session), or both. A subcommittee, after considering a bill, reports to the full committee its recommendations for action and any proposed amendments.

The full committee then votes on its recommendation to the House or Senate. This procedure is called “ordering a bill reported.” Occasionally a committee may order a bill reported unfavorably; most of the time a report, submitted by the chairman of the committee to the House or Senate, calls for favorable action on the measure since the committee can effectively “kill” a bill by simply failing to take any action.

When a committee sends a bill to the chamber floor, it explains its reasons in a written statement, called a report, which accompanies the bill. Often committee members opposing a measure issue dissenting minority statements that are included in the report.

Usually, the committee “marks up” or proposes amendments to the bill. If they are substantial and the measure is complicated, the committee may order a “clean bill” introduced, which will embody the proposed amendments. The original bill then is put aside and the “clean bill” with a new number, is reported to the floor.

The chamber must approve, alter, or reject the committee amendments before the bill itself can be put to a vote.

Floor Action
After a bill is reported back to the house where it originated, it is placed on the calendar.

There are five legislative calendars in the House, issued in one cumulative calendar titled Calendars of the United States House of Representatives and History of Legislation. The House calendars are:

The Union Calendar to which are referred bills raising revenues, general appropriations bills and any measures directly or indirectly appropriating money or property. It is the Calendar of the Committee of the Whole House on the State of the Union.

The House Calendar to which are referred bills of public character not raising revenue or appropriating money or property.

The Consent Calendar to which are referred bills of a non-controversial nature that are passed without debate when the Consent Calendar is called on the first and third Mondays of each month.

The Private Calendar to which are referred bills for relief in the nature of claims against the United States or private immigration bills that are passed without debate when the Private Calendar is called the first and third Tuesdays of each month.
The Discharge Calendar to which are referred motions to discharge committees when the necessary signatures are signed to a discharge petition.

There is only one legislative calendar in the Senate and one "executive calendar" for treaties and nominations submitted to the Senate. When the Senate Calendar is called, each senator is limited to five minutes' debate on each bill.

Debate. A bill is brought to debate by varying procedures. If a routine measure, it may await the call of the calendar. If it is urgent or important, it can be taken up in the Senate either by unanimous consent or by a majority vote. The policy committee of the majority party in the Senate schedules the bills that it wants taken to vote. The policy committee of the majority party in the Senate either by unanimous consent or by a majority vote. The policy committee of the majority party in the Senate schedules the bills that it wants taken to vote. The policy committee of the majority party in the Senate schedules the bills that it wants taken to vote.

In the House, precedence is granted if a special rule is obtained from the Rules Committee. A request for a special rule is usually made by the chairman of the committee that favorably reported the bill, supported by the bill's sponsor and other committee members. The request, considered by the Rules Committee in the same fashion that other committees consider legislative measures, is in the form of a resolution providing for immediate consideration of the bill. The Rules Committee reports the resolution to the House where it is debated and voted upon in the same fashion as regular bills. If the Rules Committee should fail to report a rule requested by a committee, there are several ways to bring the bill to the House floor — under suspension of the rules, on Calendar Wednesday or by a discharge motion.

The resolutions providing special rules are important because they specify how long the bill may be debated and whether it may be amended from the floor. If floor amendments are banned, the bill is considered under a "closed rule," which permits only members of the committee that first reported the measure to the House to alter its language, subject to chamber acceptance.

When a bill is debated under an "open rule," amendments may be offered from the floor. Committee amendments are always taken up first, but may be changed. As many amendments up to the second degree; i.e., an amendment to an amendment to an amendment is not in order.

Duration of debate in the House depends on whether the bill is under discussion by the House proper or before the Senate when it is sitting as the Committee of the Whole House on the State of the Union. In the former, the amount of time for debate is determined either by special rule or is allocated with an hour for each member if the measure is under consideration without a rule. In the Committee of the Whole the amount of time agreed on for general debate is equally divided between proponents and opponents. At the end of general discussion, the bill is read section by section for amendment. The Senate debate is usually unlimited. It can be halted only by unanimous consent by "cloture," which requires a three-fifths majority of the entire Senate except for proposed changes in the Senate rules. The latter requires a two-thirds vote.

The House sits as the Committee of the Whole when it considers any tax measure or bill dealing with public appropriations. It can also resolve itself into the Committee of the Whole if a member moves to do so and the motion is carried. The Speaker appoints a member to serve as the chairman. The rules of the House permit the Committee of the Whole to meet with any 100 members on the floor, and to amend and act on bills with a quorum of the 100, within the time limitations mentioned previously. When the Committee of the Whole has acted, it "rises," the Speaker returns as the presiding officer of the House and the member appointed chairman of the Committee of the Whole reports the action of the committee and its recommendations (amendments adopted).

Votes. Voting on bills may occur repeatedly before they are finally approved or rejected. The House votes on the rule for the bill and on various amendments to the bill. Voting on amendments often is a more illuminating test of a bill's support than is the final tally. Sometimes members approve final passage of bills after vigorously supporting amendments that, if adopted, would have scuttled the legislation.

The Senate has three different methods of voting: an untabulated voice, a standing vote (called a division) and a recorded roll call to which members answer "yea" or "nay" when their names are called. The House also employs voice and standing votes, but since January 1973 yea and nays have been recorded by an electronic voting device, eliminating the need for time-consuming roll calls.

Another method of voting, used in the House only, is the teller vote. Traditionally, members filed up the center aisle past counters; only vote totals were announced. Since 1971, one-fifth of a quorum can demand that the votes of individual members be recorded, thereby forcing them to take a public position on amendments to key bills. Electronic voting now is commonly used for this purpose.

After amendments to a bill have been voted upon, a vote may be taken on a motion to recommit the bill to committee. If carried, this vote removes the bill from the chamber's calendar. If the motion is unsuccessful, the bill then is "read for the third time." An actual reading usually is dispensed with. Until 1965, an opponent of a bill could delay this move by objecting and asking for a full reading of an engrossed (certified in final form) copy of the bill. After the "third reading," the vote on final passage is taken.

The final vote may be followed by a motion to reconsider, and this motion itself may be followed by a move to lay the motion on the table. Usually, those voting for the bill's passage vote for the tabling motion, thus safeguarding the final passage action. With that, the bill has been formally passed by the chamber. While a motion to reconsider a Senate vote is pending on a bill, the measure cannot be sent to the House.

Action in Second House

A provision of the Legislative Reorganization Act of 1970 permits a separate House vote on any non-germane amendment added by the Senate to a House-passed bill and requires a majority vote to retain the amendment.
Previously the House was forced to act on the bill as a whole; the only way to defeat the non-germane amendment was to reject the entire bill.

Often the second chamber makes only minor changes. If these are readily agreed to by the other house, the bill then is routed to the White House for signing. However, if the opposite chamber basically alters the bill submitted to it, the measure usually is "sent to conference." The chamber that has possession of the "papers" (engrossed bill, engrossed amendments, messages of transmittal) requests a conference and the other chamber must agree to it. If the second house does not agree, the bill dies.

Conference, Final Action

Conference. A conference undertakes to harmonize conflicting House and Senate versions of a legislative bill. The conference is usually staffed by senior members (conferees), appointed by the presiding officers of the two houses, from the committees that managed the bills. Under this arrangement, the conferees of one house have the duty of trying to maintain their chamber's position in the face of amending actions by the conferees (also referred to as "managers") of the other house.

The number of conferees from each chamber may vary, the range usually being from three to nine members in each group, depending upon the length or complexity of the bill involved. There may be five representatives and three senators on the conference committee, or the reverse. But a majority vote controls the action of each group so that a large representation does not give one chamber a voting advantage over the other chamber's conferees.

Theoretically, conferees are not allowed to write new legislation in reconciling the two versions before them, but this curb sometimes is bypassed. Many bills have been put into acceptable compromise form only after new language was provided by the conferees. The 1970 Reorganization Act attempted to tighten restrictions on conferees by forbidding them to introduce any language on a topic that neither chamber sent to conference or to modify any topic beyond the scope of the different House and Senate versions.

Frequently the ironing out of difficulties takes days or even weeks. Conferences on involved appropriations bills sometimes are particularly drawn out.

As a conference proceeds, conferees reconcile differences between the versions, but generally they grant concessions only insofar as they remain sure that the chamber they represent will accept the compromises. Occasionally, uncertainty over how either house will react, or the positive refusal of a chamber to back down on a disputed amendment, results in an impasse, and the bills die in conference even though each was approved by its sponsoring chamber. Conferees sometimes go back to their respective chambers for further instructions, when they report certain positions in disagreement. Then the chamber concerned can either "recede and concur" in the amendment of the other house, or "insist on its amendment."

When the conferees have reached agreement, they prepare a conference report embodying their recommendations (compromises). The reports, in document form, must be submitted to each house.

The conference report must be approved by each house. Consequently, approval of the report is approval of the compromise bill. In the order of voting on conference reports, the chamber which asked for a conference yields to the other chamber the opportunity to vote first.

Final Steps. After a bill has been passed by both the House and Senate in identical form, all of the original papers are sent to the enrolling clerk of the chamber in which the bill originated. He then prepares an enrolled bill, which is printed on parchment paper. When this bill has been certified as correct by the secretary of the Senate or the clerk of the House, depending on which chamber originated the bill, it is signed first (no matter whether it originated in the Senate or House) by the Speaker of the House and then by the president of the Senate. It is next sent to the White House to await action.

If the president approves the bill, he signs it, dates it and usually writes the word "approved" on the document. If he does not sign it within 10 days (Sundays excepted) and Congress is in session, the bill becomes law without his signature.

However, should Congress adjourn before the 10 days expire, and the president has failed to sign the measure, it does not become law. This procedure is called the pocket veto.

A president vetoes a bill by refusing to sign it and before the 10-day period expires, returning it to Congress with a message stating his reasons. The message is sent to the chamber that originated the bill. If no action is taken there on the message, the bill dies. Congress, however, can attempt to override the president's veto and enact the bill, "the objections of the president to the contrary notwithstanding." Overriding of a veto requires a two-thirds vote of those present, who must number a quorum and vote by roll call.

Debate can precede this vote, with motions permitted to lay the message on the table, postpone action on it, or refer it to committee. If the president's veto is overridden by a two-thirds vote in both houses, the bill becomes law. Otherwise it is dead.

When bills are passed finally and signed, or passed over a veto, they are given law numbers in numerical order as they become law. There are two series of numbers, one for public and one for private laws, starting at the number "1" for each two-year term of Congress. They are then identified by law number and by Congress — i.e., Private Law 21, 97th Congress; Public Law 230, 97th Congress (or PL 97-250).
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This graphic shows the most typical way in which proposed legislation is enacted into law. There are more complicated, as well as simpler, routes, and most bills never become law. The process is illustrated with two hypothetical bills. House bill No. 1 (HR 1) and Senate bill No. 2 (S 2). Bills must be passed by both houses in identical form before they can be sent to the president. The path of HR 1 is traced by a solid line, that of S 2 by a broken line. In practice most bills begins as similar proposals in both houses.

**Committee Action**

- HR 1 Introduced In House
  - Referred to House Committee
  - Referred to Subcommittee
  - Reported by Full Committee
  - Rules Committee Action
  - Floor Action
  - House Debate, Vote on Passage

- S 2 Introduced In Senate
  - Referred to Senate Committee
  - Referred to Subcommittee
  - Reported by Full Committee
  - Floor Action
  - Senate Debate, Vote on Passage

**Conference Action**

Once both chambers have passed related bills, conference committee of members from both houses is formed to work out differences.

- Compromise version from conference is sent to each chamber for final approval.

Compromise bill approved by both houses is sent to the president, who can sign it into law or veto it and return it to Congress. Congress may override veto by a two-thirds majority vote in both houses; bill then becomes law without president's signature.
How a bill becomes law in the 104th Congress

By DAVID HORSEY

Gingrich studies the bill's downside...

The constituent's idea resonates with the congressman...

...so he drafts a bill and takes it to Speaker of the House Newt Gingrich.

The bill, now titled "The Marital Responsibility Act," goes to the House floor where it passes with an amendment from Alaska Rep. Don Young to allow oil and gas drilling in any national park where adulterous activities have taken place...

AND THAT INCLUDES BEAVERS AND MOOSE!

This is a totally boneheaded idea!

...and debate ensues on the Senate floor...

Meanwhile, the president confers with key advisers...

...until he learns the bill is popular with key conservative voters in New Hampshire...

...whereupon he revises his position...

This bill is vital for the restoration of American family values!

WITCH BURNING WOULD BE NICE TOO!

With the president's opposition suddenly removed, the bill passes and a signing ceremony is held in the Oval Office...

I AM PROUD TO BE THE FIRST TO CROWN THE NEW LAW OF THE LAND!