

Click to prove
you're human



In just the last few days, President Joe Biden's desk has been stacked high with legislation Congress finished up at the end of last week. There are currently 76 bills sitting on Biden's desk. But with the 118th Congress set to finally adjourn on Jan. 3, there is limited time for Biden to decide on what to sign into law, and what to potentially veto. The Social Security Fairness Act, as an example, is one of 62 bills Congress sent to the president on Friday alone. The legislation, if enacted, would repeal the Windfall Elimination Provision and the Government Pension Offset, two provisions that reduce or eliminate Social Security benefits for certain employees, retirees and surviving spouses in the public sector. With just a few days before the current Congress adjourns, questions may arise about the amount of time Biden actually has to sign any pending bills or to possibly veto any legislation currently on his desk. Generally, for any bill that Congress has passed, the president gets 10 calendar days — excluding Sundays — after receiving a bill to either sign the bill into law or veto it, according to the Congressional Research Service. When Congress is in session, a bill would become law once 10 days have passed, even if the president has not signed it. But the timing of signing a bill into law can still get somewhat tricky in the final days of a congressional session. Now with fewer than 10 days left before the 118th Congress adjourns for the last time, the possibility of a “pocket veto” has opened up for all remaining pending legislation. Presidential vetoes can occur in one of two ways. When Congress is in session, the standard veto option is for a president to refuse to sign a bill and return it to Congress within 10 days of receiving the bill. Once the bill is sent back to Congress, it could still become law, although that happens very rarely. Both chambers would have to vote in favor of the legislation with a two-thirds majority, which has only happened in about 4% of attempted veto overrides. The other possibility of a veto is known as a “pocket veto,” which is rare at the federal level. Pocket vetoes occur when a president receives legislation with fewer than 10 days before Congress adjourns for the final time. In that circumstance, a president could then prevent the bill from becoming law simply by not signing it. Because Congress would already be out of session, lawmakers would be unable to take further action on the bill. They would have to reintroduce and pass the legislation once again in a future session. Regardless of how little time is left in the current Congress, the president still gets a full 10 days after receiving a bill to take action on it — even if the deadline occurs after Congress has adjourned. At this point, the president simply signs a bill into law within 10 days, or Congress would not need to take any further action. Alternatively, if the president pocket vetoes a bill by taking no action, the adjourned Congress would not be able to take any action, and the bill would be considered “dead.” Again, using the Social Security Fairness Act as an example, Biden has 10 days after his receipt of the bill on Dec. 27 to sign it into law. That means he has a deadline of Jan. 8 to sign the bill, even though that date will occur several days after Congress has already adjourned. At that point, Biden would have to sign the bill for it to become law. If Biden takes no action on the bill, it would be considered a pocket veto, and the legislation would not become law. But the possibility of a pocket veto on any legislation is still rare, and very much up in the air. The National Active and Retired Federal Employees Association, a longtime advocate of the Social Security Fairness Act, said it’s “optimistic” that Biden will sign the bill into law by Jan. 8. A spokesperson for the Social Security Administration said the agency is awaiting the possible final enactment of the Social Security Fairness Act and the rules for the bill’s implementation. SSA said it plans to provide more information on its website as it becomes available. Copyright © 2025 Federal News Network. All rights reserved. This website is not intended for users located within the European Economic Area.

Article 1, Section 7, Clause 2: Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law. Article 1, Section 7, Clause 2 provides that once a bill passes both houses of Congress it must be presented to the President for approval or veto.1 This provision, together with Article 1, Section 7, Clause 3, is sometimes called the “Presentment Clause.” 2 The Supreme Court has held that if the President wishes to approve a bill, the Presentment Clause only requires him to sign it. He need not write on the bill the word “approved” nor the date of approval.3 The text of Article 1 requires that the President sign a bill, if at all, “within ten Days (Sundays excepted)” after presentment. Failure to sign has different consequences depending on whether the legislature is in session, since the President cannot return a vetoed bill to Congress when the legislature is adjourned.4 If the President does not sign a bill within ten days of presentment while Congress is in session, the bill automatically becomes law. If Congress adjourns while the bill is awaiting signature and the President does not sign the bill within ten days of presentment, the bill does not become law. This is sometimes called a “pocket veto.” However, a President wishing to approve a bill is not required to sign it on a day when Congress is in session.5 He may sign within ten days (other than Sundays) after the bill is presented to him, even if that period extends beyond the date of Congress’s adjournment.6 The Court has held that a bill becomes a law on the date of its approval by the President.7 When an act does not specify an effective date, it also takes effect on the date of its approval.8 The Court has further held that a new law generally takes effect from the first moment of the day being disregarded.9 If no date appears on the face of the bill, the Court may ascertain the fact by resort to any source of information capable of furnishing a satisfactory answer.10 Page 2 Article 1, Section 7, Clause 2: Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law. The Presentment Clause allows the President to veto legislation, preventing it from taking effect unless two thirds of both the House and Senate vote to override the veto. The Supreme Court has held that the two-thirds vote of each Chamber required to pass a bill or a veto refers to two-thirds of a quorum.1 While the President may exercise the veto power to prevent a bill from becoming law, the Court has held that, once a bill becomes law, the President has no authority to repeal it.2 The Court has also issued decisions limiting vetoes in certain contexts, including the line item veto and the legislative veto.3 When Congress is in session, a President who wishes to veto a bill must return the bill to the Chamber in which it originated within ten days (excluding Sundays) of when the bill is presented to him.4 If Congress approves a bill and sends it to the President, then adjourns before the ten days elapse, the President cannot return the bill to the originating Chamber after adjournment. In those circumstances, the President can prevent the bill from becoming law simply by declining to sign it, sometimes called a “pocket veto.” If the President blocks legislation by pocket veto, Congress cannot later override the bill and enact it again. The Supreme Court has explained that the Constitution’s veto provisions serve two functions. On the one hand, they ensure that the President shall have suitable opportunity to consider the bills presented to him. . . . It is to safeguard the President’s opportunity that Paragraph 2 of § 7 of Article 1 provides that bills which he does not approve shall not become law if the adjournment of the Congress prevents their return.” 5 At the same time, the sections ensure “that the Congress shall have suitable opportunity to consider his objections to bills and on such consideration to pass them over his veto provided there are the requisite votes.” 6 The Court asserted that it “should not adopt a construction which would frustrate either of these purposes.” 7 The Supreme Court has considered two cases concerning the return of vetoed legislation to Congress. In 1929, in The Pocket Veto Case, the Court held that the President could not return a bill to the Senate, where it originated, when Congress adjourned its first session sine die fewer than ten days after presenting the bill to the President.8 The Court declined to limit the word “adjournment” to final adjournments, instead reading it as referring to any occasion on which a house of Congress is not in session. The Court held that “the determinative question in reference to an ‘adjournment’ is not whether it is a final adjournment of Congress or an interim adjournment, such as an adjournment of the first session, but whether it is one that ‘prevents’ the President from returning the bill to the House in which it originated within the time allowed.” 9 Because neither House was in session to receive the bill, the President was prevented from returning it. One of the parties had argued that the President could return the bill to a proper agent of the House of origin for consideration when that body convened. After noting that Congress had never authorized an agent to receive bills during adjournment, the Court further opined that “delivery of the bill to such officer or agent, even if authorized by Congress itself, would not comply with the constitutional mandate.” 10 By contrast, in the 1938 case Wright v. United States, the Court held that the President’s return of a bill to the Secretary of the Senate on the tenth day after presentment, during a three-day adjournment by the originating Chamber only, was an effective return.11 In the first place, the Court reasoned, the pocket veto clause referred to an adjournment of “the Congress,” and here only the Senate, the originating body, had adjourned. The President could return the bill to the originating Chamber while it was in an intrasession adjournment because there was no “practical difficulty” in making the return. The Court observed: “The organization of the Senate continued and was intact. The Secretary of the Senate was functioning and was able to receive, and did receive the bill.” 12 The Court held that such a procedure complied with the constitutional provisions because “[t]he Constitution does not define what shall constitute a return of a bill or deny the use of appropriate agencies in effecting the return.” 13 The Court determined that the concerns that motivated the decision in The Pocket Veto Case were not present. There was no indefinite period in which a bill was in a state of suspended animation with public uncertainty over the outcome. Thus, the Court concluded, “When there is nothing but such a temporary recess the organization of the House and its appropriate officers continue to function without interruption, the bill is properly safeguarded for a very limited time and is promptly reported and may be reconsidered immediately after the short recess is over.” 14 Page 3 Article 1, Section 7, Clause 2: Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law. The veto power grants the President a significant role in the legislative process; but, as with many aspects of the Constitution’s three-branch system of government, the Presentment Clause sometimes requires the President to compromise. At times, often in the appropriations context, Congress enacts far-reaching bills containing provisions the President believes to be beneficial or even necessary along with other provisions that he would not approve standing alone. Under the Presentment Clause, the President must sign or veto an entire bill. For more than a century, Presidents sought authority to veto certain line items in an appropriations bill while otherwise approving the legislation. Numerous Presidents from Ulysses Grant on unsuccessfully sought a constitutional amendment that would allow a line-item veto by which individual items in an appropriations bill or a substantive bill could be extracted and vetoed. Beginning in the Franklin Delano Roosevelt Administration, Congress debated whether it could enact a statute authorizing a line-item veto.1 In 1996, Congress approved and the President Bill Clinton signed the Line Item Veto Act.2 The law empowered the President, within five days of signing a bill, to cancel certain spending items and targeted, defined tax benefits. In exercising this authority, the President was to determine that the cancellation of each item would (1) reduce the Federal budget deficit; (2) not impair any essential Government functions; and (3) not harm the national interest.3 In Clinton v. City of New York, the Supreme Court held the Act unconstitutional because it did not comply with the Presentment Clause.4 Although Congress in passing the Act considered itself to have been delegating power to the President,5 the Court instead analyzed the statute under the Presentment Clause. In the Court’s view, two bills from which the President subsequently struck items became law the moment the President signed them. His cancellations thus amended and, in part, repealed the two federal laws. The Court explained, however, that statutory repeals must conform to the Presentment Clause’s “single, finely wrought and exhaustively considered, procedure” for enacting or repealing a law.6 The Court held that the procedures in the Act did not, and could not, comply with that clause. The Act purported to allow the President to act in a legislative capacity, altering a law. But nothing in the Constitution authorized the President to amend or repeal a statute unilaterally, and the Court construed both constitutional silence and the historical practice over 200 years as “an express prohibition” of the President’s action.7 Page 4 Article 1, Section 7, Clause 2: Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law. Beginning in the 1930s, Congress embraced a new use for concurrent resolutions (resolutions by both Houses of Congress) and simple resolutions (resolutions by a single Chamber), invoking them to terminate powers delegated to the President or to disapprove particular exercises of power by the President or the President’s agents. The “legislative veto” or “congressional veto” first developed in the context of the delegation to the Executive of power to reorganize governmental agencies,1 and expanded in response to national security and foreign affairs considerations immediately prior to and during World War II.2 At first, Congress applied veto provisions to certain actions taken by the President or another Executive officer—such as the reorganization of an agency, changes to tariff rates, or the disposal of federal mail. However, Congress later expanded the device to give itself power to negate regulations issued by Executive Branch agencies, and proposals were made to allow Congress to negate all regulations of Executive Branch independent agencies.3 The proliferation of congressional veto provisions raised a series of interrelated constitutional questions.4 In the 1983 case INS v. Chadha, the Court held a one-House congressional veto to be unconstitutional as violating both the bicameralism principles reflected in Article 1, Sections 1 and 7, and the presentment provisions of Section 7, Clauses 2 and 3.5 The veto provision in question, Section 244(c)(2) of the Immigration and Nationality Act, authorized either house of Congress by resolution to veto the decision of the Attorney General to allow a particular deportable alien to remain in the country. In determining that veto of the Attorney General’s decision on suspension of deportation was a legislative act requiring presentment to the President for approval or veto, the Court set forth the general standard. The Court explained that whether actions taken by either House are “an exercise of legislative power depends not on their form but upon ‘whether they contain matter which is properly to be regarded as legislative in its character and effect.’” 6 The Court concluded that the action before it “was essentially legislative” because “it had the purpose and effect of altering the legal rights, duties and relations of persons, including the Attorney General, Executive Branch officials and Chadha, all outside the Legislative Branch.” 7 The other major component of the Court’s reasoning in Chadha stemmed from its reading of the Constitution as making only “explicit and unambiguous” exceptions to the bicameralism and presentment requirements. Thus the House alone was given power of impeachment, and the Senate alone was given power to convict upon impeachment and to provide advice and consent to Executive appointments and treaties; similarly, the Congress may propose a constitutional amendment without the President’s approval, and each House is given autonomy over certain “internal matters” such as judging the qualifications of its members. By implication then, exercises of legislative power not falling within those “narrow, explicitly justified” exceptions must conform to the prescribed procedures. “passage by a majority of both Houses and presentment to the President.” 8 While Chadha involved a single-House veto, the Court’s analysis of the presentment issue makes clear that two-House veto provisions and committee veto provisions suffer the same constitutional infirmity as the law at issue in that case.9 Justice Byron White, dissenting in Chadha, asserted that the Court had “sound[ed] the death knell for nearly 200 other statutory provisions in which Congress has reserved a ‘legislative veto.’” 10 The breadth of the Court’s ruling in Chadha was evidenced in its 1986 decision in Bowsher v. Synar.11 Among that case’s rationales for holding the Deficit Control Act unconstitutional was that Congress had, in effect, retained control over Executive action in a manner resembling a congressional veto. The Court explained that “Chadha makes clear” that “once Congress makes its choice in enacting legislation, its participation ends. Congress can thereafter control the execution of its enactment only indirectly—by passing new legislation.” 12 Since 1983, Congress has employed various devices other than the legislative veto, such as “report and wait” provisions and requirements for certain consultative steps before action may be undertaken.13 Chadha has, however, restricted efforts in Congress to confine the discretion it delegates to the Executive Branch. The president can approve or veto bills, allowing Congress to override a veto with a two-thirds vote. The president can propose new laws and often outlines key agenda items soon after taking office. Presidents can issue executive orders, which act like laws, but Congress cannot override them directly. The President of the United States is commonly referred to as the most powerful person in the free world, but the legislative powers of the president are strictly defined by the Constitution and by a system of checks and balances among the executive, legislative and judicial branches of the government. The legislative powers of the president are derived from Article II, Section 1 of the United States Constitution, which states that the president “shall take Care that the Laws be faithfully executed.” Although it is the responsibility of Congress to introduce and pass legislation, it is the president’s duty to either approve those bills or reject them. Once the president signs a bill into law, it goes immediately into effect unless there is another effective date noted. Only the Supreme Court may remove the law by declaring it unconstitutional. The president may also issue a signing statement at the time he signs a bill. The presidential signing statement may simply explain the purpose of the bill, instruct the responsible executive branch agencies on how the law should be administered or express the president’s opinion on the law’s constitutionality. In addition, the actions of presidents have contributed to the five “other” ways the Constitution has been amended over the years. Finally, when presidents sign legislation, they can and often do attach an enforceable “signing statement” to the bill, in which they can express their concerns about certain provisions of the bill without vetoing it and define which sections of the bill they actually intend to enforce. While critics of bill signing statements argue that they give presidents the virtual power of the line-item veto, the power to issue them has been upheld by the U.S. Supreme Court in its 1986 decision in the case of Bowsher v. Synar, which held that “. . . interpreting a law enacted by Congress to implement the legislative mandate is the very essence of ‘execution’ of the law.” The president may also veto a specific bill, which Congress can override with a two-thirds majority of the number of members present in both the Senate and the House when the override vote is taken. Whichever chamber of Congress originated the bill may also rewrite the legislation after the veto and send it back to the president for approval. The president has a third option, which is to do nothing. In this case, two things can happen. If Congress is in session at any point within a period of 10 business days after the president receives the bill, it automatically becomes law. If Congress does not convene within 10 days, the bill dies and Congress cannot override it. This is known as a pocket veto. Another form of veto power presidents have often asked for, but have never been granted, is the “line item veto.” Used as a method of preventing often-wasteful earmark or pork barrel spending, the line-item veto would give presidents the power to reject only individual provisions — line items — in spending bills without vetoing the rest of the bill. To the disappointment of many presidents, however, the U.S. Supreme Court has consistently held the line item veto to be an unconstitutional infringement on the exclusive legislative powers of Congress to amend bills. The president is also authorized to propose new legislation. Presidents often outline their administration’s legislative agenda shortly after taking office. In early 2021, for example, President Joe Biden detailed the legislative framework for his Build Back Better Plan representing the largest national public investments in social, infrastructure improvement, and environmental programs since the New Deal legislation of the 1930s Great Depression. Biden’s Build Back Better Plan agenda proposed three key pieces of legislation: the American Rescue Plan (ARP), a COVID-19 economic relief bill, and the American Jobs Plan (AJP) to address long-needed infrastructure needs and reduce America’s contributions to the destructive effects of climate change, and the American Families Plan (AFP), funding a variety of social policy initiatives, some of which—such as paid family leave—had never before been enacted nationally in the United States. The \$1.9 trillion ARP was signed into law on March 11, 2021. Some provisions of the AJP’s infrastructure improvement goals were diverted into the separate Infrastructure Investment and Jobs Act, which was signed into law on November 15, 2021. Other aspects of the AJP, such as climate change remediation and home health care reform, were then rolled into the American Families Plan (AFP) to form the Build Back Better Act. While the bill passed in the Democratic-controlled House of Representatives, it failed in the evenly divided Senate, where it was opposed by two key Democrats, Joe Manchin of West Virginia and Kyrsten Sinema of Arizona. Lively negotiations between Senators Manchin and Sinema, and Senate Majority Leader Chuck Schumer resulted in the Inflation Reduction Act of 2022, which incorporated some of the Build Back Better Act’s climate change, healthcare, and tax reform proposals while excluding its social safety net proposals. The \$378 billion Inflation Reduction Act aims to curb inflation by reducing the deficit, lowering prescription drug prices, and investing in domestic energy production while promoting clean energy. It was passed by Congress and signed into law on August 16, 2022. There are two ways that presidents can exact initiatives without Congress’s consent. First, they can issue a proclamation, often ceremonial in nature, such as naming a day in honor of someone or something that has contributed to American society. A president may also issue an executive order, which has the full effect of law and is directed to federal agencies that are charged with carrying out the order. Examples include Franklin D. Roosevelt’s executive order for the internment of Japanese Americans after the attack on Pearl Harbor, Harry Truman’s integration of the armed forces and Dwight Eisenhower’s order to integrate the nation’s schools. Congress cannot directly veto to override an executive order in the way they can a veto. Instead, Congress must pass a bill canceling or changing the order in a manner they see fit. The president will typically veto that bill, and then Congress can try to override the veto of that second bill. The Supreme Court can also declare an executive order to be unconstitutional. Congressional cancellation of an order is extremely rare. Once a year, the president is required to provide the full Congress with a State of the Union address. At this time, the president often lays out his legislative agenda for the next year, outlining his legislative priorities for both Congress and the nation at large. In order to help get his legislative agenda passed by Congress, the president will often ask a specific lawmaker to sponsor bills and lobby other members for passage. Members of the president’s staff, such as the vice president, his chief of staff and other liaisons with Capitol Hill also will lobby. Edited by Robert Longley Creating laws is the U.S. House of Representatives’ most important job. All laws in the United States begin as bills. Before a bill can become a law, it must be approved by the U.S. House of Representatives, the U.S. Senate, and the President. Let’s follow a bill’s journey to become law. The Bill Begins Laws begin as ideas. These ideas may come from a Representative—or from a citizen like you. Citizens who have ideas for laws can contact their Representatives to discuss their ideas. If the Representatives agree, they research the ideas and write them into bills. The Bill Is Proposed When a Representative has written a bill, the bill needs a sponsor. The Representative talks with other Representatives about the bill—in hopes of getting their support for it. Once a bill has a sponsor and the support of some of the Representatives, it is ready to be introduced. The Bill Is Introduced In the U.S. House of Representatives, a bill is introduced when it is placed in the hopper—a special box on the side of the clerk’s desk. Only Representatives can introduce bills in the U.S. House of Representatives. When a bill is introduced in the U.S. House of Representatives, a bill clerk assigns it a number that begins with H.R. A reading clerk then reads the bill to all the Representatives, and the Speaker of the House sends the bill to one of the House standing committees. The Bill Goes to Committee When the bill reaches committee, the committee members—groups of Representatives who are experts on topics such as agriculture, education, or international relations—review, research, and revise the bill before voting on whether or not to send the bill back to the House floor. If the committee members would like more information before deciding if the bill should be sent to the House floor, the bill is sent to a subcommittee. While in subcommittee, the bill is closely examined and expert opinions are gathered before it is sent back to the committee for approval. The Bill Is Reported When the committee has approved a bill, it is sent—or reported—to the House floor. Once reported, a bill is ready to be debated by the U.S. House of Representatives. The Bill Is Debated When a bill is debated, Representatives discuss the bill and explain why they agree or disagree with it. Then, a reading clerk reads the bill section by section and the Representatives recommend changes. When all changes have been made, the bill is ready to be voted on. The Bill Is Voted On There are three methods for voting on a bill in the U.S. House of Representatives: Viva Voce (voice vote). The Speaker of the House asks the Representatives who support the bill to say “aye” and those that oppose it say “no.” Division: The Speaker of the House asks those Representatives who support the bill to stand up and be counted, and then those who oppose the bill to stand up and be counted. Recorded: Representatives record their vote using the electronic voting system. Representatives can vote yes, no, or present (if they don’t want to vote on the bill). If a majority of the Representatives say or select yes, the bill passes in the U.S. House of Representatives. The bill is then certified by the Clerk of the House and delivered to the President. The bill comes before the full body of the House and the Senate, respectively, for debate and amendment, and then final passage. There are very different rules of procedure governing debate in the House and debate in the Senate. In the House, a representative may offer an amendment to a bill only if he or she has obtained permission from the Rules Committee. In the Senate, a senator may offer an amendment without warning, as long as the amendment is germane to the bill. In both chambers, a majority vote is required both for an amendment to be accepted and for the final bill to be passed, although amendments are sometimes accepted by a voice vote (in which individuals say “Yea” or “Nay,” and the loudest side wins; the names or numbers of individuals voting on each side are not recorded). Referral to the Other Chamber When the House or the Senate passes a bill, the bill is referred to the other chamber, where it usually follows the same route through committee and floor action. That chamber may approve the bill as received, reject it, ignore it, or amend it before passing it. Conference on a Bill If only minor changes are made to a bill by the other chamber, the legislation usually goes back to the originating chamber for a concurring vote. However, when the House and Senate versions of the bill contain significant and/or numerous differences, a conference committee is officially appointed to reconcile the differences between the two versions in a single bill. If the conferees are unable to reach agreement, the legislation dies. If agreement is reached, a conference report is prepared describing the committee members’ recommendations for changes. Both the House and the Senate must approve the conference report. If either chamber rejects the conference report, the bill dies. Action by the President After the conference report has been approved by both the House and the Senate, the final bill is sent to the President. If the President approves the legislation, he signs it and it becomes law. If the President does not take action for 10 days while Congress is in session, the bill automatically becomes law. If the President opposes the bill, he can veto it; or if the President takes no action and Congress adjourns its session, it is a “pocket veto” and the legislation dies. Overriding a Veto If the President vetoes a bill, Congress may decide to attempt to override the veto. This requires a two-thirds roll call vote of the members who are present in sufficient numbers for a quorum Overview of the Legislative Process Video (This video was originally published on the Law Library of Congress’ website. To access a transcript of this video and additional accompanying materials, please visit the site here.) Congress is the lawmaking branch of the federal government. Learn how a bill becomes a law and how the process is different in the House of Representatives and in the Senate. Learn more about the U.S. Congress.How the House and Senate’s lawmaking procedures are different:The Senate and the House have some procedural differences. While both are equal in how they function, only the House can initiate tax and revenue-related legislation. And only the Senate can draft legislation related to presidential nominations and treaties. While the House processes legislation through a majority vote, the Senate does so through deliberation and debate prior to voting.Learn more about the legislative process with this video from Congress.gov. LAST UPDATED: November 5, 2024 By May 19, 2025 / 3:41 PM EDT / CBS News Washington — President Trump on Monday signed a bipartisan bill into law that makes it a federal crime to post real and fake sexually explicit imagery online without their consent. The bill, known as the “Take It Down Act,” was backed by first lady Melania Trump, who made a rare public appearance in March at the U.S. Capitol to advocate for the bill’s passage in the House. The bill cleared the lower chamber last month after the Senate passed the measure in February. “This will be the first-ever federal law to combat the distribution of explicit, imagery posted without subjects’ consent,” Mr. Trump said during a bill signing event at the White House. “We will not tolerate online sexual exploitation.”The law requires social media companies and other websites to remove images and videos, including deepfakes generated by artificial intelligence, within 48 hours after a victim’s request. Those convicted of intentionally distributing explicit images without a subject’s consent face prison time. “It’s heartbreaking to witness young teens, especially girls, grappling with the overwhelming challenges posed by malicious online content like deep fakes,” the first lady said in March. “This toxic environment can be severely damaging.” The first lady attended Monday’s bill signing, calling the law a “national victory that will help parents and families protect children from online exploitation.” “This legislation is a powerful step forward in our efforts to ensure that every American, especially young people, can feel better protected from their image or identity being abused,” the First Lady continued. My legislation, the TAKE IT DOWN Act, was the product of countless hours of work from advocates, survivors, lawmakers, and others. Yesterday, it became the law of the land. This is a historic victory for the dignity and safety of Americans on the internet. pic.twitter.com/bUpdJNXbCH — Senator Ted Cruz (@SenTedCruz) May 20, 2025Related: Bill Criminalizing Deepfake Pornography Heads to President’s Desk Senators Ted Cruz and Amy Klobuchar, who introduced the TAKE IT DOWN Act, also shared statements celebrating that it had been signed into law. “Passing the TAKE IT DOWN Act into law is a major victory for victims of online abuse,” Sen. Klobuchar said, calling it “a landmark move towards establishing common-sense rules of the road around social media and AI.” She also thanked “the victims, advocates, and law enforcement officials who have banded together to work with Senator Cruz and me to pass this legislation,” as well as the First Lady for her support. “The TAKE IT DOWN ACT is an historic win for victims of revenge porn and deepfake image abuse,” Sen. Cruz said in his statement. “Predators who weaponize new technology to post this exploitative filth will now rightfully face criminal consequences, and Big Tech will no longer be allowed to turn a blind eye to the spread of this vile material.” He continued, “I am deeply grateful to my legislative partners, particularly Sen. Amy Klobuchar and First Lady Melania Trump, for their collaboration in advancing this critical legislation to protect every American’s privacy and dignity online.” The passage of the TAKE IT DOWN Act is a landmark move in the ongoing fight against BSA online, as well as a major show of support to victims of this abuse. Read Next: Melania Trump Lobbies for Bill to Ban Revenge Porn and AI Deepfakes