



How Are Laws Made?

Laws begin as ideas. First, a representative sponsors a bill. The bill is then assigned to a committee for study. If released by the committee, the bill is put on a calendar to be voted on, debated or amended. If the bill passes by simple majority (218 of 435), the bill moves to the Senate. In the Senate, the bill is assigned to another committee and, if released, debated and voted on. Again, a simple majority (51 of 100) passes the bill. Finally, a conference committee made of House and Senate members works out any differences between the House and Senate versions of the bill. The resulting bill returns to the House and Senate for final approval. The Government Printing Office prints the revised bill in a process called enrolling. The President has 10 days to sign or veto the enrolled bill.

Introduction and Referral to Committee

Any member in the House of Representatives may introduce a bill at any time while the House is in session by simply placing it in the “hopper” at the side of the Clerk's desk in the House Chamber. The sponsor's signature must appear on the bill. A public bill may have an unlimited number of co-sponsoring members. The bill is assigned its legislative number by the Clerk and referred to the appropriate committee by the Speaker, with the assistance of the Parliamentarian. The bill is then printed in its introduced form.

An important phase of the legislative process is the action taken by committees. It is during committee action that the most intense consideration is given to the proposed measures; this is also the time when the people are given the opportunity to be heard. Each piece of legislation is referred to the committee that has jurisdiction over the area affected by the measure.

Consideration by Committee

Public Hearings and Markup Sessions

Usually the first step in this process is a public hearing, where the committee members hear witnesses representing various viewpoints on the measure. Each committee makes public the date, place and subject of any hearing it conducts. The committee meetings scheduled for today are available along with other House Schedules. Public announcements are also published in the Daily Digest portion of the Congressional Record.

A transcript of the testimony taken at a hearing is made available for inspection in the committee office, and frequently the complete transcript is printed and distributed by the committee.

After hearings are completed, the bill is considered in a session that is popularly known as the “mark-up” session. Members of the committee study the viewpoints presented in detail. Amendments may be offered to the bill, and the committee members vote to accept or reject these changes.

This process can take place at either the subcommittee level or the full committee level, or at both.

Committee Action

At the conclusion of deliberation, a vote of committee or subcommittee members is taken to determine what action to take on the measure. It can be reported, with or without amendment, or tabled, which means no further action on it will occur. If the committee has approved extensive amendments, they may decide to report a new bill incorporating all the amendments. This is known as a “clean bill”, which will have a new number. Votes in committee can be found in Committee Votes.

If the committee votes to report a bill, the Committee Report is written. This report describes the purpose and scope of the measure and the reasons for recommended approval. House Report numbers are prefixed with “H.Rpt.” and then a number indicating the Congress (currently 112).

House Floor Consideration

Consideration of a measure by the full House can be a simple or very complex operation. In general, a measure is ready for consideration by the full House after it has been reported by a committee. Under certain circumstances, it may be brought to the Floor directly.

The consideration of a measure may be governed by a “rule”. A rule is itself a simple resolution, which must be passed by the House, that sets out the particulars of debate for a specific bill—how much time will be allowed for debate, whether amendments can be offered, and other matters.

Debate time for a measure is normally divided between proponents and opponents. Each side yields time to those members who wish to speak on the bill. When amendments are offered, these are also debated and voted upon.

After all debate is concluded and amendments decided upon, the House is ready to vote on final passage. In some cases, a vote to “recommit” the bill to committee is requested. This is usually an effort by opponents to change some portion or table the measure. If the attempt to recommit fails, a vote on final passage is ordered.

Votes on final passage, as well as all other votes in the House, may be taken by the electronic voting system which registers each individual member's response. These votes are referred to as Yea/Nay votes or recorded votes.

Votes in the House may also be by voice vote, and no record of individual responses is available.

Senate Action

After a measure passes in the House, it goes to the Senate for consideration. A bill must pass both bodies in the same form before it can be presented to the President for signature into law.

Resolving Differences

If the Senate changes the language of the measure, it must return to the House for concurrence or additional changes. This back-and-forth negotiation may occur on the House floor, with the House accepting or rejecting Senate amendments or complete Senate text. Often a conference committee will be appointed with both House and Senate members. This group will resolve the differences in committee and report the identical measure back to both bodies for a vote. Conference committees also issue reports outlining the final version of the bill.

Consideration by the President

After a measure has been passed in identical form by both the House and Senate, it is considered “enrolled”. It is sent to the President who may sign the measure into law, veto it and return it to Congress, let it become law without signature, or at the end of a session, pocket-veto it.

(Note: The following was obtained from the U.S. House of Representatives web site, at www.House.gov)