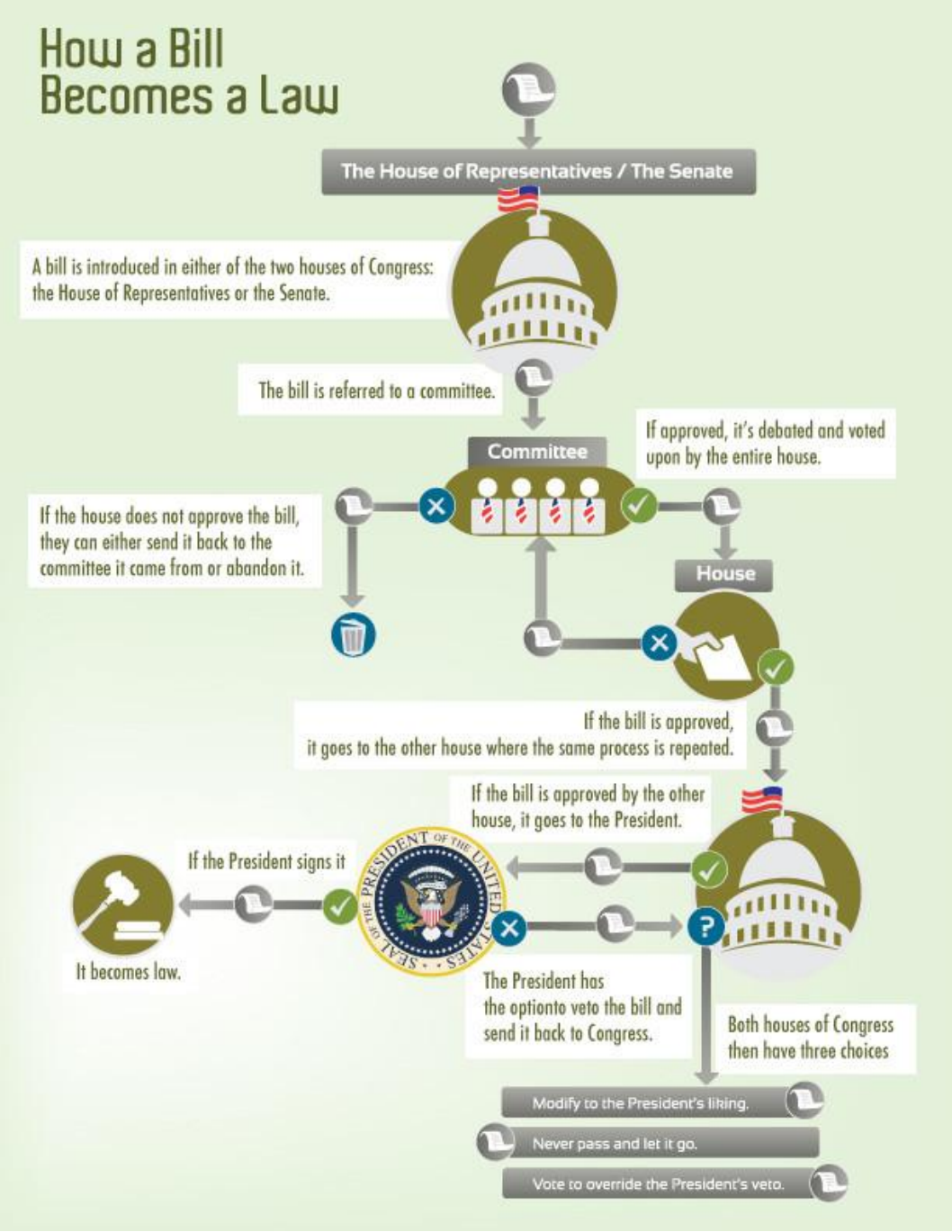
How a Bill Becomes a Law in the U.S. Congress

Anyone may draft a bill; however, only Members of Congress can introduce or “sponsor” legislation. The official legislative process begins when a bill or resolution is numbered: House bill is H.R. and Senate bill is S. Once it is introduced, it is then referred to a committee.



Step 1: Referral to Committee

Bills are referred to standing committees in the House or Senate according to the Congressional rules of procedure. There are very few exceptions to this procedure. See Facts & Figures section for list of committees.

Step 2: Committee Action

When a bill reaches the committee, it is placed on the committee's calendar. A bill can be referred to a subcommittee or considered by the full committee. At this point, a bill is examined carefully and its chances for passage are determined. If the committee does not act on a bill, it is equivalent to killing the bill.

Step 3: Subcommittee Review

Bills are sometimes referred to a subcommittee for hearings. Hearings provide the opportunity to put on the record the views of the executive branch, experts, other public officials, supporters and opponents of the legislation. Testimony can be given in person or submitted as a written statement.

Step 4: Mark Up

When the hearings are completed, the subcommittee may meet to "mark up" the bill, that is, make changes and amendments prior to recommending the bill to the full committee. If a subcommittee chooses not to report legislation to the full committee, the bill dies.

Step 5: Committee Action to Report a Bill

After receiving a subcommittee's report on a bill, the full committee can conduct further hearings, or it can vote on the subcommittee's recommendations and any proposed amendments. The full committee then votes on its recommendations to the House or Senate. This procedure is called "ordering a bill reported."

Step 6: Publication of a Written Report

After a committee votes to have a bill reported, the committee chairman instructs staff to prepare a written report on the bill. This report describes the intent and scope of the legislation, impact on existing laws and programs, position of the executive branch, and views of dissenting members of the committee.

Step 7: Scheduling Floor Action

After a bill is reported out by the committee, it is placed in chronological order on the Chamber's calendar. In the House there are different legislative calendars. The Speaker and the majority leader largely determine if, when, and in what order bills come up. In the Senate there is only one legislative calendar.

Step 8: Debate

When a bill reaches the floor of the House or Senate, there are rules and procedures governing the debate. These rules determine the conditions and amount of time allocated for general debate.

Step 9: Voting

After the debate and the approval of any amendments, the members vote. The bill is either passed or defeated.

Step 10: Referral of Other Chamber

When a bill is passed by the House or the Senate it is referred to the other chamber where it may follow the same route through committee and floor action. This chamber may approve the bill as received, reject it, ignore it, or amend it.

Step 11: Conference Committee Action

If only minor changes are made to a bill by the other chamber, it is common for the legislation to go back to the first chamber for concurrence. However, when the actions of the other chamber significantly alter the bill, a conference committee of House and Senate members is formed to reconcile the differences between the House and Senate versions. If the conferees are unable to reach agreement, the legislation dies. If agreement is reached, a conference report is prepared describing the committee's recommended changes. Both the House and Senate must approve of the conference report.

Step 12: Final Actions

After a bill is approved by both chambers in identical form, it is sent to the President. If the President approves of the legislation, he signs it, and it becomes law and is assigned an official number. Or, the President can take no action for 10 days, while Congress is in session, and it automatically becomes law. If the President opposes the bill, he can veto it; or, if he takes action after the Congress has adjourned its second session, it is a "pocket veto" and the legislation dies.

Step 13: Overriding a Veto

If the President vetoes a bill, Congress may attempt to "override the veto." This requires a two-thirds vote of the members who are present in sufficient numbers for a quorum. If the veto of the bill is overridden by both chambers, then the bill becomes law.

Several other thoughts to keep in mind when dealing with federal legislative issues:

- Many individuals and special interest groups can revise proposed legislation. Consequently, a bill may be amended significantly as it makes its way through the process. The result may be radically different from the initial proposal.
- Sometimes it takes years from the time a bill is introduced to the time it is passed.
- Committee members and the committee chairs are instrumental in shaping the final version of a bill. Most legislative work is accomplished via the committee process, which is where legislation will live or die. The U.S. House of Representatives and the Senate both have standing and select committees.
- Congress is organized according to political party lines.
- It is easier to prevent a bill from passing than it is to actually pass a bill.
- Although there is a well-defined process for approving laws in Congress, there are also several different ways to circumvent the process also exist.
- The legislative process is just one step in the development of a program or project. Funds must be budgeted or appropriated, and then rules must be developed to implement the program.
- More resources and better understanding of the topics are:
    - http://congress.gov
    - https://crsreports.congress.gov
    - http://Whitehouse.gov
    - http://senate.gov
    - http://house.gov

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