

## **Constitutional Insight Section 5.2**

*What kinds of rules does Congress make for itself?* The Constitution gives each house control over most of its rules of procedure and membership. Rules are important, for they help shape the kinds of laws and policies that pass each body. Senate rules allow a filibuster, whereby a senator holds the floor as long as he or she likes in order to block consideration of a bill he or she dislikes. In recent years, a "cloture" rule has been used to end debate if 60 or more members vote to do so.

In contrast, the House of Representatives has rules to limit debate. A rules committee has the primary task of determining how long a bill on the floor of the House may be discussed and whether any amendments can be offered to the bill. In recent years, the power of the Rules Committee has been limited, but being able to shape the rules remains a powerful tool of members of Congress.

### **E CRITICAL THINKING**

Why do you think the chair of the Rules Committee is in a powerful position?

## **Constitutional Insight Section 7.1**

*Why must all bills to raise revenue originate in the House?* Because its members all stand for election every two years, the House was expected to be more directly responsive to the people. The tradition of restricting the powers of taxation to the people's representatives dates prior to the English Bill of Rights (1689), which granted to Parliament and withheld from the king the right to raise taxes. When colonists protesting the Stamp Act and the Intolerable Acts protested "no taxation without representation," they were appealing to a longstanding right codified in the English Bill of Rights.

## **Constitutional Insight Section 7.2**

*How often do presidents use the veto, and how often is that action overridden?* The use of the veto, which is the refusal to approve a bill, depends on many factors, especially the political conditions of the time. Until 1865, only nine presidents exercised the veto for 36 pieces of legislation, including Andrew Jackson who used it 12 times. Since 1865, every president has used the veto power, some on relatively few occasions, others as frequently as over a hundred times. Usually, Congress is unable to produce the votes (those of two-thirds of the members present in each house) needed to override presidential vetoes.

### **F CRITICAL THINKING**

Do you think it should be easier for Congress to override a president's veto? Why or why not?

## **SECTION 5. RULES AND PROCEDURES**

- 1. QUORUM** Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.
- 2. RULES AND CONDUCT** Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds, expel a member.
- 3. CONGRESSIONAL RECORDS** Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one fifth of those present, be entered on the journal.
- 4. ADJOURNMENT** Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

## **SECTION 6. PAYMENT AND PRIVILEGES**

- 1. SALARY** The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.
- 2. RESTRICTIONS** No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

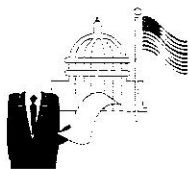
## **SECTION 7. HOW A BILL BECOMES A LAW**

- 1. TAX BILLS** All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.
- 2. LAWMAKING PROCESS** 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 approves 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.

**ROLE OF THE PRESIDENT** Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

### How a Bill in Congress Becomes a Law



**1** A bill is introduced in the House or the Senate and referred to a standing committee for consideration.



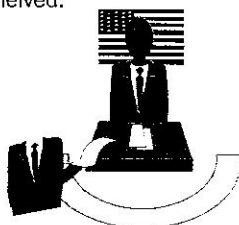
**2** A bill may be reported out of committee with or without changes—or it may be shelved.



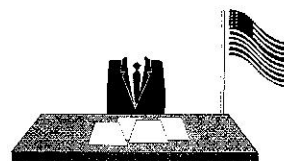
**3** Either house of Congress debates the bill and may make revisions. If passed, the bill is sent to the other house.



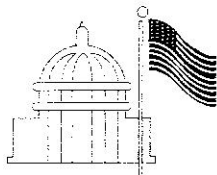
**4** If the House and the Senate pass different versions of a bill, both versions go to a conference committee to work out the differences.



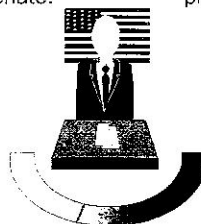
**5** The conference committee submits a single version of the bill to the House and the Senate.



**6** If both houses accept the compromise version, the bill is sent to the president to be signed.



**7** If the president signs the bill, it becomes law.



**8** If the president vetoes the bill, the House and the Senate may override the veto by a vote of two thirds of the members present in each house, and then the bill becomes law.

#### SKILLBUILDER Interpreting Charts

How is the constitutional principle of checks and balances reflected in the process of a bill's becoming a law?