

CRS Report for Congress

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President Clinton's Vetoes

Mitchel A. Sollenberger
Analyst in American National Government
Government and Finance Division

Summary

President William Jefferson Clinton vetoed 17 bills during his first term in office (1993-1996) and 20 bills during his second term. All but one of President Clinton's 37 vetoes were regular or return vetoes; one was pocket vetoed. Congress attempted to override 13 of President Clinton's vetoes; two were overridden.

Introduction

When presented with legislation passed by both houses of Congress, the President may sign it into law within the 10-day period prescribed in the Constitution, let it become law without his signature, or veto it. All bills and joint resolutions, except those proposing amendments to the Constitution, must be presented to the President for his approval in order to become law. Amendments to the Constitution, which require a two-thirds vote in each house, are sent directly to the states for approval. If Congress is in session when the President exercises his veto authority, the disapproved bill is returned to the house where it originated along with a presidential message explaining the reasons for its rejection. To sustain a veto, the President needs the vote of only one more than one-third of a quorum in either the House of Representatives or the Senate.

If Congress has adjourned, preventing the return of a bill, the President may withhold his signature beyond the constitutionally prescribed 10-day action period and the bill neither becomes law nor is it returned to Congress for further action. This latter practice has been dubbed the "pocket veto." Unlike the procedure applied when a vetoed bill is returned to a house in session, Congress does not have an opportunity or constitutional authority to override a pocket veto.

Congressional procedure for reconsidering vetoed legislation is similar in both the House and the Senate. Congressional action on a vetoed measure begins when the President returns the bill to the house of origin along with a veto message indicating his objections. Once the vetoed legislation has been received, the originating chamber is constitutionally required "to reconsider" the vetoed bill. The Constitution is silent, however, on the definition of "reconsideration." In lieu of constitutional direction, House

and Senate procedures and tradition govern the treatment of vetoed bills returned by the President. Upon receiving a vetoed bill, the President's message is read into the journal of the house to which it was directed and the constitutional requirement "to reconsider" is realized by laying the measure on the table, referring the bill back to committee, postponing consideration to a certain day, or immediately voting on override.

Congressional procedures, tradition, and judicial ruling (*Missouri Pacific Ry. Co. v. Kansas*, 248 U.S. 276 (1919)) have determined that the vote required to pass a bill over a veto means two-thirds of a quorum. If both chambers satisfy the two-thirds requirement, the bill becomes law over the President's objections. If either house does not vote on reconsideration, or fails to produce a two-thirds majority to override, the veto is sustained. When one house fails to override, the other house need not attempt to override, even if the votes are available to succeed.

Table 1. President Clinton's Vetoes

Bill Number	Date of Veto	Title	Override Attempt
H.R. 1158	06/07/95	Second Supplemental Appropriations and Rescissions Act for FY1995	No attempt.
S. 21	08/11/95	Bosnia and Herzegovina Self-Defense Act of 1995	No attempt.
H.R. 1854	10/03/95	Legislative Branch Appropriations for FY1996	No attempt.
H.R. 2586	11/13/95	Increase in the Statutory Debt Limit	No attempt.
H.J.Res. 115	11/14/95	Second Continuing Resolution for FY1996	No attempt.
H.R. 2491	12/06/95	Budget Reconciliation	No attempt.
H.R. 1977	12/18/95	Interior Appropriations for FY1996	House sustained 01/04/96 by 239-177.
H.R. 2099	12/18/95	Veterans Affairs and Housing and Urban Development Appropriations for FY1996	No attempt.
H.R. 2076	12/19/95	Commerce, Justice, and State Appropriations for FY1995	House sustained 01/03/96 by 240-159.

Bill Number	Date of Veto	Title	Override Attempt
H.R. 1058	12/19/95	Securities Litigation Reform Act	House overrode 12/20/95 by 319-100, Senate overrode 12/22/95 by 68-30. P.L. 104-67.
H.R. 1530	12/28/95	Defense Authorizations for FY1996	House sustained 01/03/96 by 240-156.
H.R. 4	01/09/96	Welfare Reform Act	No attempt.
H.R. 1833	04/10/96	Partial-Birth Abortion Ban Act of 1995	House overrode 09/19/96 by 285-137. Senate sustained 09/26/96 by 57-41.
H.R. 1561	04/12/96	American Overseas Interest Act of 1996	House sustained 04/30/96 by 234-188.
H.R. 956	05/02/96	Common Sense Product Liability Legal Reform Act of 1996	House sustained 05/09/96 by 258-163.
H.R. 743	06/30/96	Teamwork for Employees and Managers Act of 1996	No attempt.
H.R. 2909	10/02/96	Amends Silvio O. Conte National Fish and Wildlife Refuge Act	No attempt.
H.R. 1469	06/09/97	Flood Relief Bill	No attempt.
H.R. 1122	10/10/97	Partial Birth Abortion	House overrode 07/23/98 by 296-132. Senate sustained 09/18/98 by 64-36.
H.R. 2631	11/13/97	Disapproving Cancellations	House overrode 02/05/98 by 347-69. Senate overrode 02/25/98 by 78-20. P.L. 105-159.
S. 1502	05/20/98	D.C. Student Vouchers	No attempt.
H.R. 2709	06/23/98	Iran Sanctions Bill	No attempt

Bill Number	Date of Veto	Title	Override Attempt
H.R. 2646	07/21/98	Education Savings Account	No attempt.
H.R. 4101	10/07/98	FY1999 Agriculture Appropriations	No attempt.
H.R. 1757	10/21/98	Foreign Affairs Reform	No attempt.
H.R. 2488	09/23/99	Tax Relief Bill	No attempt.
H.R. 2587	09/28/99	D.C. Appropriations, FY2000	No attempt.
H.R. 2606	10/18/99	Foreign Operations Spending, FY2000	No attempt.
H.R. 2670	10/26/99	Commerce, Justice, and State Appropriations, FY2000	No attempt.
H.R. 3064	11/03/99	District of Columbia Appropriations, FY2000 and Education, Labor, and HHS Appropriations, FY2000	No attempt.
S. 1287	04/25/00	Nuclear Waste Policy Amendments Act of 2000	Senate sustained 05/03/00 by 64-35.
H.R. 4810	08/05/00	Marriage Tax Relief Bill	House sustained 09/13/00 by 270-158.
H.R. 8	08/31/00	Estate Tax Elimination Act	House sustained 09/07/00 by 274-157
H.R. 4733	10/07/00	Energy and Water Development	House overrode 10/11/00 by 315-98. Senate referred veto to committee
H.R. 4516	10/30/00	Legislative Branch and Treasury Appropriations	No attempt.
H.R. 4392	11/04/00	Intelligence Authorization Bill	No attempt.
H.R. 2415	12/19/00	Consumer Bankruptcy Overhaul Act	Pocket veto.