Debating and Voting on the House and Senate Floor (HAA)

Picture yourself in a room with dozens or even hundreds of other strong-minded people. Many of them disagree with your views on just about everything. And they are not shy about speaking up for their beliefs. Nonetheless, you need to work together, in a democratic fashion, to make some very complex decisions. This is the challenge facing members of the House and Senate every time they meet to debate and vote on legislation.

“Listen, pal! I didn’t spend seven million bucks to get here so I could yield the floor to you.”

Cartoon Bank
During debate in the House or Senate, a lawmaker can ask the person recognized to speak to yield the floor. It is up to the person holding the floor to decide whether to give up speaking time to someone else. In this cartoon, the answer is clearly no.

The Majority Party Controls Floor Debate
In both chambers, the majority party controls what happens on the chamber floor. Floor time is precious, and what is said on the floor can be used to create sound bites for the news and social media. The speaker of the House and the majority leader of the Senate determine which bills will be debated and who will be allowed to speak for how long.

Once floor debate on a bill begins, the speaker and majority leader both have the power of recognition [power of recognition: the power of the House speaker or Senate majority leader to grant permission to speak on the House or Senate floor; no member may address the chamber without being recognized by the leader]. No member may rise to address the chamber without first being recognized, or given permission, by the leader. The power of recognition is so important that members of Congress do all they can to stay on good terms with their House and Senate leaders.

Armed with the power of recognition, the speaker and majority leader are usually able to run an orderly legislative process. That process has three main parts: (1) general debate on the bill, (2) debate and voting on amendments to the bill, and (3) voting on final passage of the bill.

House Debate: Keeping It Short, If Not Sweet
With 435 members, the House has to put limits on floor debate. On most bills, the Rules Committee often limits general debate to one hour—30 minutes each for the majority and the minority parties. The goal of this one-hour rule, like much that takes place on the House floor, is to keep the legislative process moving.
The bill’s sponsor and main opponent usually control a bill’s debate time. They dole out their precious minutes to colleagues who want to speak on the bill. Typically, House members are limited to just one or two minutes at the microphone, so they learn to make their points quickly. Still, with most floor debates now being televised on C-SPAN, members appreciate even this short amount of “face time” in front of the voters back home.

Journalists often report about battles over bills in Congress. On February 6, 1858, a battle in the House of Representatives over the issue of slavery turned physical. More than 50 members joined in the brawl on the House floor. Such physical confrontations are rare in the history of Congress, however.

Unlimited Debate in the Senate: Filibusters and Holds

The Senate prides itself on its tradition of unlimited debate. With only 100 members, it can afford to be more relaxed about time. But sometimes, this tradition can bring the legislative process to a halt.

In contrast to the speaker of the House, the Senate majority leader has limited control over the legislative agenda. To schedule a bill, the majority leader often must work closely with the minority leader. The majority leader also has less control over floor debate. Senators must consent to limit debate. If they do not, any senator—once recognized—may speak on any subject at any length.

This right comes into play most vividly when a senator starts a filibuster [filibuster: the tactic of using endless speeches on the Senate floor to delay or prevent passage of legislation; filibusters are not permitted in the House]. A filibuster involves prolonged debate or other delaying tactics aimed at blocking the passage of a bill favored by a majority of lawmakers. A Senate filibuster can go on for days, with one long-winded speaker following another. In 1957, the late Strom Thurmond of South Carolina set the record for the longest single speech. He spoke for 24 hours and 18 minutes in an effort to kill a civil rights bill. At first, Thurmond talked about civil rights. But as the hours rolled by, he read some of his favorite recipes. By the end of his marathon speech, he was reading names from a phone book.

In 1917, the Senate adopted a means of closing debate known as the cloture [cloture: the process used to end a filibuster in the Senate; at least 60 senators must support a cloture vote to overcome a filibuster] rule. At that time, this rule required a supermajority [supermajority: a number of votes greater than a simple majority, sometimes required to pass a particular motion or proposal] of two-thirds of all senators to cut off debate. Today, cloture requires only three-fifths of the Senate, or 60 votes.

A filibuster is not the only delaying tactic available to senators. They can also place a hold [hold: a request by a senator to delay action on a bill] on bills to delay debate. A hold signals the lawmaker’s intention of launching a filibuster if the bill is sent to the Senate floor. Because the identity of the person placing the hold may be kept secret, senators use this tactic when they do not want to openly oppose a bill.

Amendments: Riders and Christmas Tree Bills

Like the rules for debate, the amendment process also differs in the two chambers. In the House, when general debate ends, the measure is opened to amendment. Under the five-minute rule, members debate each proposed change. In theory, though not often in practice, this rule limits members who support and oppose an amendment to five minutes of
debate time each. Once all amendments have been voted on, the full House is ready to vote on final passage of the bill.

The Senate follows a similar procedure, with one important difference. According to House rules, an amendment is supposed to be germane, or relevant, to the content of the bill. In the Senate, however, senators can attach amendments that are totally unrelated to a bill. Known as riders [rider: an amendment attached to a bill that has little or no relation to the subject of the bill], such amendments may be used as “sweeteners” to win more votes for a bill. Or they can serve as “poison pills” designed to make sure a bill fails. Riders are often used to get controversial legislation or bills favoring special interest groups through Congress.

Must-pass legislation, such as an emergency funding bill, tends to attract many riders because the president is unlikely to veto such a measure. The result is often described as a Christmas tree bill [Christmas tree bill: a bill with so many riders attached to it that it seems to offer something for everyone]. In 1956, Time magazine ran an article with that title about a trade bill that had attracted more than 100 amendments. New Mexico senator Clinton Anderson said of the result, “This bill gets more and more like a Christmas tree; there’s something on it for nearly everyone.”

Voting on a Bill
Floor votes in the House and Senate can be taken in three ways. In a voice vote [voice vote: a method of voting in Congress in which members call out their vote as a group, first those who support the bill (saying “aye”), followed by those who oppose it (saying “no”); individual votes are not recorded in a voice vote], supporters all together call out “aye,” meaning “yes.” Then opponents call out “no.” The louder voices, in the judgment of the presiding officer, win the vote. In a standing vote [standing vote: a method of voting in Congress in which members stand up as a group, first those who support the bill and then those who oppose it; individual votes are not recorded in a standing vote], first the supporters and then the opponents stand to be counted. Neither of these two methods records how each individual lawmaker voted.

In a roll-call vote [roll-call vote: a method of voting in Congress in which members register their vote individually, either by voice vote (in the Senate) or by electronic means (in the House)], each member’s vote is officially recorded. In the Senate, this is done by having a clerk call each name from the roll of senators and recording each one’s vote. The much larger House uses an electronic voting system. Each member inserts his or her plastic Vote-ID card into a voting station slot and punches a button for “yea” (“yes”), “nay” (“no”), or “present.” A vote of “present” means the member abstains [abstain: to choose not to cast a vote on a bill], or chooses not to cast a vote on this bill.

Pressures and Influences on Legislators
Before voting on any bill, most legislators consider the views of their constituents, as well as their own personal convictions. They may also feel pressures and influences from several other, often conflicting, sources.

Interest groups. Interest groups are sometimes called pressure groups—and with good reason. Their lobbyists crowd committee rooms and the halls of Congress. They confront legislators who are undecided on how to vote on a particular bill. They can also be persistent. Senator Ben Nighthorse Campbell once said that being besieged by lobbyists is “like being attacked by a plague of locusts. Now I know what a grain of wheat feels like.”

Party leaders. Leaders of each political party expect their members to support the party’s public policy goal. To gain that support, leaders can pass out favors, such as the promise of a plum committee assignment or help raising campaign funds. They can also use persuasion. Lyndon Johnson, who served as Senate majority leader before becoming president, was a master of persuasion. Two journalists who followed Johnson’s career described what came to be known as “the treatment.”
During the Great Recession, lawmakers in both houses worked to create legislation that would stimulate the economy. However, the Senate and the House could not agree on a version of the bill. In 2009, the Senate and House Appropriations Committees met in a joint conference to hammer out a compromise. Ultimately, the conference settled on a stimulus package that would inject over $780 billion into the economy.

The Treatment could last ten minutes or four hours . . . Its tone could be supplication, accusation, cajolery, exuberance, scorn, tears, complaint, the hint of threat. It was all of these together . . . He moved in close, his face a scant millimeter from his target, his eyes widening and narrowing, his eyebrows rising and falling. From his pockets poured clippings, memos, statistics. Mimicry, humor, and the genius of analogy made The Treatment an almost hypnotic experience and rendered the target stunned and helpless.


**Colleagues.** Members of Congress regularly yield to the pressure to trade votes. This kind of logrolling (logrolling: the trading of votes among legislators to ensure the passage of various bills in which they have a special interest), or mutual support and cooperation, is a common way to get things done in Congress. Typically, two opposing groups each want a particular bill passed, so each promises to vote for the other’s measure. Simon Cameron, a politician who served in President Abraham Lincoln’s cabinet, aptly defined logrolling as “you scratch my back and I’ll scratch yours.”