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How much time does a president get to sign a bill into law?

With just days before Congress adjourns, questions may arise about how much time President Joe Biden has to sign, or possibly veto, bills sitting on his desk.

In just the last few days, President Joe Biden's desk has been stacked high with legislation Congress finished up at the end of last week.

There are currently 76 bills sitting on Biden's desk. But with the 118th Congress set to finally adjourn on Jan. 3, there is limited time for Biden to decide on what to sign into law, and what to potentially veto.

The [Social Security Fairness Act](#), as an example, is one of 62 bills Congress sent to the president on Friday alone. The legislation, if enacted, would repeal the Windfall Elimination Provision and the Government Pension Offset, two provisions that reduce or eliminate Social Security benefits for certain employees, retirees and surviving spouses in the public sector.

With just a few days before the current Congress adjourns, questions may arise about the amount of time Biden actually has to sign any pending bills or to possibly veto any legislation currently on his desk.

Generally, for any bill that Congress has passed, the president gets 10 calendar days — excluding Sundays — after receiving a bill to either sign the bill into law or veto it, according to the [Congressional Research Service](#). When Congress is in session, a bill would become law once 10 days have passed, even if the president has not signed it.

But the timing of signing a bill into law can still get somewhat tricky in the final days of a congressional session. Now with fewer than 10 days left before the 118th Congress adjourns for the last time, the possibility of a “pocket veto” has opened up for all remaining pending legislation.

Presidential vetoes can occur in one of two ways. When Congress is in session, the standard veto option is for a president to refuse to sign a bill and return it to Congress within 10 days of receiving the bill. Once the bill is sent back to Congress, it could still become law, although that happens very rarely. Both chambers would have to vote in favor of the legislation with a two-thirds majority, which has only happened in about 4% of attempted veto overrides.

The other possibility of a veto is known as a “pocket veto,” which is rare at the federal level. Pocket vetoes occur when a president receives legislation with fewer than 10 days before Congress adjourns for the final time. In that circumstance, a president could then prevent the bill from becoming law simply by not signing it. Because Congress would already be out of session, lawmakers would be unable to take further action on the bill. They would have to reintroduce and pass the legislation once again in a future session.

Regardless of how little time is left in the current Congress, the president [still gets a full 10 days](#) after receiving a bill to take action on it — even if the deadline occurs after Congress has adjourned. At this point, if the president simply signs a bill into law within 10 days, Congress would not need to take any further action. Alternatively, if the president pocket vetoes a bill by taking no action, the adjourned Congress would not be able to take any action, and the bill would be considered “dead.”

Again, using the Social Security Fairness Act as an example, Biden has 10 days after his receipt of the bill on Dec. 27 to sign it into law. That means he has a deadline of Jan. 8 to sign the bill, even though that date will occur several days after Congress has already adjourned. At that point, Biden would have to sign the bill for it to become law. If Biden takes no action on the bill, it would be considered a pocket veto, and the legislation would not become law.

But the possibility of a pocket veto on any legislation is still rare, and very much up in the air. The National Active and Retired Federal Employees Association, a longtime advocate of the Social Security Fairness Act, said it’s “optimistic” that Biden will sign the bill into law by Jan. 8.

A spokesperson for the Social Security Administration said the agency is awaiting the possible final enactment of the Social Security Fairness Act and the rules for the bill’s implementation. SSA said it plans to provide more information on [its website](#) as it becomes available.

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