



***Civics is all around us. There is a lot to know about the government and how “We the People” interact with the government and each other. Let’s help each other expand our civic literacy.***

On April 5, 1792, [President George Washington](#) issued the [first presidential veto](#). The bill before him was the [Apportionment Act of 1792](#), a proposed division of the seats in the U.S. House of Representatives. President Washington deemed the bill not aligned to [Article I, Section 2, Clause 3](#) of the U.S. Constitution in that a uniformed ratio was not used to calculate the numbers and therefore by not following the Constitution, the bill also gave the Northern states an unfair congressional advantage. Since that day 230 years ago, this executive tool has been used 2,584 times. So, what exactly is a presidential veto and how does it work?

The U.S. Constitution does not actually contain the word "veto." However, [Article I, Section 7, Clause 2](#) outlines the power of the president to either approve or return bills with objections within a specified timeframe. For the Founding Fathers, the concepts of [separation of powers](#) and [checks and balances](#) played an integral role in framing the Constitution. The presidential veto serves as one important check on ensuring the legislative branch cannot become too powerful.

Once legislation successfully passes through both houses of Congress, it goes to the desk of the President. The Constitution gives the President 10 days to take action. If no action is taken, the bill becomes law without the president's signature. If the president does not sign the legislation into law, there are two types of vetoes that may be used: a regular veto or pocket veto. The more common occurrence, the regular veto, involves the president returning the unsigned legislation to the house of Congress from which it originated, accompanied by a disapproval message. Congress does have the opportunity to [override](#) the president's veto, another element of the checks and balances system. A veto is overridden by achieving a two-thirds vote in each house.

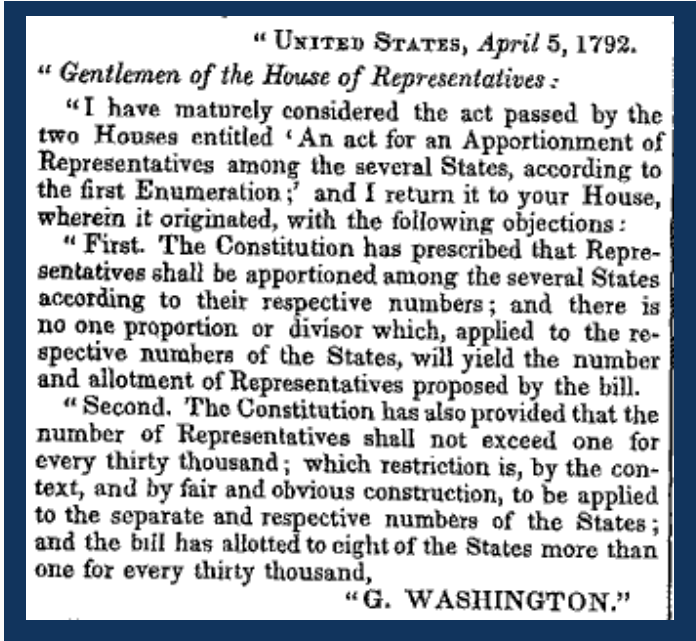
While legislation is typically passed with a simple majority, Congress must show there is more overwhelming support to override a presidential decision. [Since 1789](#), only 7% of presidential vetoes have been overridden by Congress. This means that the president's viewpoints are generally reflected in lawmaking because Congress rarely gets its way if the president objects to proposed legislation.



The pocket veto is an absolute veto, cannot be overridden, and does not require objections. A pocket veto occurs if the president does not sign a bill after Congress has adjourned. Also outlined in Article I, Section 7 of the Constitution, the pocket veto was first used by [President James Madison](#) in 1812.

The constitutions of all 50 states include provisions allowing governors to veto legislation and the parameters under which the state legislature can override it. As such, the system of checks and balances, as it relates to the veto process, extends beyond the federal government, making the state executive and legislative branches similar to their federal counterparts.

The authority of the president to veto legislation is one of the most powerful tools the executive can utilize to influence policy. Presidents do not participate in the creation of legislation, and even when they do veto, they cannot return a bill with changes or edits. However, often just the threat of a veto can help guide the content of the legislation to better align with a president's vision before it reaches the president's desk. This tactic was deployed as recently as March 2022 when [President Biden and Congress were at odds over a COVID-19 emergency declaration](#).



**To Think and To Do:** Look at [this chart](#) of presidential vetoes from 1789 to the present. What are the trends that you notice? What surprises you most? Explain.

**Learn MORE:**

- [Presidential Vetoes](#), from Washington Papers
- [Congress at Work-The Presidential Veto and Congressional Veto Override Process](#), from National Archives
- [Presidential Vetoes](#), from U.S. House of Representatives

