



HOW CONGRESS WORKS

INTRODUCTION

Our representative system of government places a special responsibility on each of us to make ourselves heard in Washington. In fact, no more important source of information is available to members of Congress than the people who live and work in their State or congressional district. As a constituent, you represent more than an abstract theme or a statistic. You offer personal experiences that make you uniquely qualified to talk about the issues that matter most to you. The more effectively you communicate with your elected officials, the more responsive our representative system of government becomes. But to be effective requires more than a willingness to get involved. It requires a good understanding of how the policy-making process works and who the key players are in that process. Most importantly, it requires that you know **when** your contact with lawmakers can have the greatest impact on the decision-making process. Because no matter how compelling your message is, it will count for little if decisions have already been made.

THE LEGISLATIVE PROCESS

To the average person, the process of getting a bill through Congress may seem highly complex and technical. Actually, the process itself is fairly simple. What can be confusing to the layperson is (1) the volume of legislation pending before Congress and (2) the system Congress has for distributing its work. It is true that Congress handles a great deal of legislation each year. But only a handful of bills will be of particular interest to SGIM members. So long as you keep your sights on the legislation that affects you and your specific interests, you should have no trouble following the progress of those bills. And once you familiarize yourself with the key committees responsible for handling your issues, following the progress of legislation will become much easier.

The key to deciphering the legislative process is in understanding that legislation is grouped into three main categories:

Authorizing legislation: A bill that creates a new federal program, extends the life of an existing program, or repeals existing law. Authorizing bills usually set a limit on the amount of funds that can be spent annually by a program over a period of 3 to 5 years. But it's important to remember that an authorizing bill only establishes the framework for a federal program - it does not provide funds to operate the program.

Appropriations bill: A bill that allocates funding for specific federal programs. Unlike authorizing legislation, which remains in effect for 3 or more years, an appropriations bill must be enacted into law every year. Each year, in fact, Congress must pass a series of 12 appropriations bills to keep federal departments and agencies operating.

Entitlement legislation: A measure that guarantees a certain level of benefits to persons who meet eligibility requirements set by law, such as Medicare, Medicaid and college student loan programs. Entitlement programs typically do not need to be reauthorized, nor do they require annual appropriations.

LAYING THE GROUNDWORK: THE ROLE OF INDIVIDUAL MEMBERS OF CONGRESS

Generally speaking, the **earlier** you get involved, the better your chances of having an impact on decision-making. The further along a bill advances in the legislative process, the more difficult it becomes to change or modify. This is especially true now that Congress often groups several issues into one bill.

The first formal step in the legislative process occurs when one or more members of Congress introduce a bill. But from an advocate's perspective, the work begins much earlier than that. For example, once SGIM has identified an issue or a problem that merits special attention, one or two members of Congress should be identified whose philosophy and voting record indicates that they would be willing to play a leadership role in supporting the issue. After extensive discussions with the senator or representative and their staff, formal legislation is prepared for introduction. Bills introduced in the House are assigned an "H.R." number (e.g. H.R. 2037) and bills introduced in the Senate are given an "S." number (e.g. S. 1556).

Of course, having legislation introduced and getting it enacted into law are two different things. To prevent a bill from languishing in someone's files requires broad support for the issue. Constituents must contact their own senators and representatives and convince them to co-sponsor the bill. The way that is done is by having the lawmaker's staff contact the original sponsor and ask to have his or her name listed as supporting the bill.

THE IMPORTANCE OF THE COMMITTEE SYSTEM

Congressional committees are the "workhorses" of Congress. As the number of issues brought before Congress grows, lawmakers increasingly rely on the committee system to sift through the facts and determine how issues should be resolved. Congress is made up of both standing committees and select committees. Generally, standing committees have the power to generate legislation in their particular areas of jurisdiction, like tax writing or appropriations. Select committees, like the Senate Special Committee on Aging, are primarily advisory in nature.

Most committees have delegated specific issues under their jurisdiction to subcommittees, whose job it is to analyze each issue and eventually make a recommendation to their parent committee, or full committee as it is sometimes called. Here again, it is **vitaly important** that constituent contacts be made with the subcommittees as **early** in the process as possible. In their earliest stages of review, subcommittees welcome input from interested organizations and individuals. At this point,

letters and personal visits with members of the subcommittee and their staff can have a tremendous effect on the panel's recommendations. In many instances, a subcommittee will hold public hearings, either in Washington, D.C. or some other region of the country, where constituents may ask to present their positions.

If your senator or representative is not on the relevant subcommittee, does that mean you have no influence over the outcome? It is true that members of a subcommittee are regarded as "specialists" by their colleagues and therefore, can wield considerable power in deciding whether or not an issue will be advanced through the legislative process. However, your own senators or representatives, whether or not they are on the subcommittee, can often be effective intermediaries, depending on their personal or political relationships with the subcommittee members.

FLOOR ACTION

Once a committee has approved legislation, it becomes eligible for debate on the House and Senate floors, where it may be passed, defeated, or amended. Since floor debates are often scheduled on short notice, you should prepare your messages (e.g. e-mails, letters, etc.) well in advance. However, keep in mind that **timing** is extremely critical. Any communications about legislation that is coming up for floor debate should arrive as close to the time of voting as possible.

CONFERENCE ACTION

It is usually the case that the House and Senate pass different versions of the same bill. When that occurs, a handful of members from each chamber are appointed to serve on a conference committee where they will attempt to work out a compromise. Representation on the conference committee will usually consist of selected members of the House and Senate subcommittees that originally developed the legislation. In some instances, conference committees may only need to resolve a few issues; in the case of appropriations bills, there may be several hundred to be reconciled. Constituents whose senators or representatives happen to be on a conference committee can play a crucial role in the deliberations.

The end product of the meetings is a conference report containing the compromise bill and a section-by-section explanation of the compromise that was agreed upon. Once both the House and Senate agree to the conference report, the measure is sent to the President for approval (or veto).

THE IMPORTANCE OF STAFF CONTACTS

While senators and representatives are the ultimate decision-makers, it is important to recognize that staff can have significant influence over the course and content of legislation. Constituents are urged to maintain ongoing contacts with these individuals, especially subcommittee staff and the lawmakers' own legislative aides. When the time comes to contact a lawmaker about specific legislation, his or her staff aide should also be alerted. This is one way of assuring that your issues are not lost or overlooked among the stack of legislation that is discussed every day. Also, keep in

mind that every senator and representative maintains an office(s) in his or her home state. These district offices offer an excellent opportunity to build relationships with key staff, channel the latest information back to senators and representatives, and generally get your message across to the legislator.

GLOSSARY OF LEGISLATIVE TERMS

The following is a listing of terms commonly used in connection with the legislative process:

Act - The term for legislation that has been passed by Congress and signed into law by the President.

Amendment - The proposal of a member of Congress to alter the wording of a bill being considered by a subcommittee, committee, or on the House or Senate floor. Amendments can also be offered to add or delete entire sections of a bill, and even to substitute all of the language in a bill.

Appropriation - Legislation that directs the spending of funds from the federal treasury for a specific purpose, e.g. funding for the Department of Health and Human Services. By custom, an appropriations bill originates in the House, where it is assigned an H.R. number (e.g. H.R. 5027) until it becomes law or is vetoed by the President. Typically, each appropriations bill includes funding for several hundred federal programs.

Authorization - A law creating a new federal program or extending the life of an existing program. An authorization establishes the framework for operating a federal program, and usually sets the maximum amount of funds that can be given to a program for a period of 3 to 5 years.

Bill - A proposed law introduced by a member(s) of the House or Senate.

Budget - The document the President sends to Congress each year outlining federal expenditures and revenues for the upcoming fiscal year. The President's budget is usually submitted to Congress in late January or early February.

Budget Resolution - Legislation passed by Congress each year, which sets overall limits on spending and revenues. Congressional committees use the budget resolution as a guide for allocating funds to specific federal programs. The budget resolution does not require the President's approval.

Conference - A meeting between House and Senate members to reconcile differences between bills passed by their respective chambers of Congress. Once a compromise has been ironed out, a conference report is issued and voted on by the full House and Senate. The measure is then sent to the President for approval.

Continuing Resolution - An emergency appropriations bill providing funding for federal agencies whose regular appropriations bills have not been signed into law before the end of the federal government's fiscal year (September 30).

Entitlement - A federal program that guarantees a certain level of benefits to persons who meet requirements set by law, such as Social Security and unemployment benefits. Congress and the President generally have little discretion over spending by these programs.

Fiscal Year – For the federal government, the fiscal year runs from October 1 through September 30.

Hearings - Committee meetings where testimony is taken from witnesses representing government agencies, private sector organizations, and the general public. Most congressional hearings are open to the public. Hearings may be held in Washington, D.C. or in local communities.

Mark-Up - A subcommittee or committee meeting for the purpose of writing legislation. Once completed, the measure is ready for debate on the floor of the House or Senate.

Public Law - A bill after it has been passed by the House and Senate and subsequently approved by the President.

Reconciliation bill - Legislation that contains changes (usually spending cuts) to existing laws so as to conform - or reconcile - with policies adopted in the budget resolution.

Rescission - The act of canceling appropriations already enacted into law.

Standing Committee - A committee that is permanently established by House and Senate rules. Standing committees are empowered to prepare and review legislation. (As opposed to *select* committees, which serve only to advise Congress on a limited range of issues.)

Veto - The President's formal disapproval of legislation passed by Congress. When Congress is in session, the President must veto a bill within 10 days after receiving it from Congress, otherwise it becomes law without his approval. A bill can become law after a Presidential veto if two-thirds of Congress votes to override the veto.