

Quick Guide to Congress & the Legislative Process

A Women Work! Resource — Fall 2002

What does it take for a bill to become a law? What is a “Joint Resolution”? What does a Legislative Director do? Advocates need to know the answers to these questions and more to effectively lobby for important issues. This resource is designed to refresh your knowledge of Congress and provide insight as you are walking the halls of the Capitol or calling your member to discuss a piece of legislation.

How a Bill becomes a Law

An unique aspect of our legislative process is that ordinary citizens, community-based organizations, nonprofit organizations and a host of other political participants have a hand in shaping our nation’s laws. In fact, anyone can draft a bill. However, they need the backing of a Senator or a Representative since elected officials are responsible for introducing new pieces of legislation.

There are four basic types of legislation: **bills, joint resolutions, concurrent resolutions**, and **simple resolutions** (see *Glossary of Terms* page 3). Of these four categories, a bill is the form used most often.

Introduction of Legislation

In the Senate, bills and resolutions are introduced by members either by formally introducing it from the floor and making a statement about its purpose or by presenting it to the Presiding Officer. Senators are permitted to object to the introduction of a bill or resolution. When this occurs, introduction is postponed until the following day. If there are no objections, the bill is assigned a legislative number and referred to the appropriate committee. Bills and resolutions may be printed in the *Congressional Record* (thomas.loc.gov) with consent by the Senate.

In the House, bills or resolutions are placed in the “hopper,” which is held by the Clerk of the House. Bills or resolution are assigned legislative numbers and referred to the appropriate committee. The title, number and the committee reviewing the bill are then published in the *Congressional Record*.

Legislative numbers include a designation of where it originated. **HR** signifies a House Bill, and **S** denotes a Senate Bill. Letter designations are followed by a number. For

example, the recent welfare bill passed in the House – *Personal Responsibility, Work and Family Promotion Act of 2002* – is **HR 4737**.

Referral to Committee

Standing committees study and review bills and resolutions. In the House of Representatives, there are 22 standing committees. The Senate has 16 standing committees. Most committees have subcommittees that handle specific issues and areas. Additionally, both chambers can establish “select” and “joint committees” for oversight and housekeeping tasks. Listings of House and Senate committees and subcommittees can be found at www.house.gov and www.senate.gov.

Committee and/or Subcommittee Review

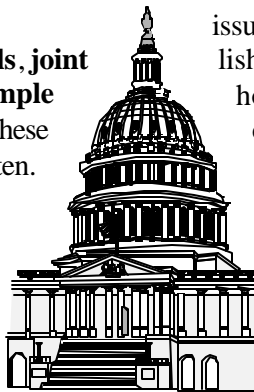
The Committee Chair decides whether the full committee or a subcommittee will review a bill. If it is passed to the subcommittee for evaluation, it will later proceed to the full committee for another round of deliberation.

During committee/subcommittee review, all aspects of a bill are evaluated. Committees/subcommittees often hold hearings for testimony from experts, members of the executive branch, public officials, supporters and opponents of the legislation to gather information on the scope and purpose of the bill. It is important to note, that even in this early stage of the legislative process numerous bills fail. When a committee does not take action on a bill, it is unlikely the bill will move ahead to the next step.

Mark-up

After the hearings are complete, a bill is ready for mark-up. Mark-up is the phase where amendments and changes are proposed. Committee/subcommittee members vote to reject or accept these changes.

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Hearings and mark-ups take place in both committees and subcommittees. If the Committee Chair refers a bill to a subcommittee, these members will hold hearings and mark-up the bill. The bill will then move to the full committee. If the Chair does not refer a bill to a subcommittee, all action will take place in the full committee.

Committee Action

Once all hearings and mark-ups occur, the bill will go before the full committee to vote on whether to recommend



it to the full House or Senate – depending on where the bill originates. This is called “ordering a bill reported.” If the committee approves, a report will be written about the bill.

Floor Action

There are three important phases of floor action that a bill must pass en route to becoming law. A bill is placed on a specific legislative calendar, debated and voted on by legislators.

In the House there are several different legislative calendars: union calendar, house calendar, corrections calendar, private calendar, and discharge calendar (see *Glossary of Terms* on page 3). The Speaker of the House and the Majority Leader determine the order of bills on the calendar. In the Senate, there is only one legislative calendar.

When a bill reaches the floor of the House or Senate, there are rules and procedures governing legislative debate. These rules determine the length of time for discussion about amendments and revisions. After considerable debate, legislators vote, and a bill is rejected, passed or “recommitted” (returned) to the appropriate committee.

Action in Second Chamber

If the bill is passed, action moves to the other chamber. For example, if the bill originated in the House it will move to the Senate. A Senator will introduce the bill or resolution, and it will go through the same process: committee/subcommittee, hearings, mark-up and floor action.

The second chamber can take several actions when a bill is passed by the first chamber. It may approve the bill as received, reject it, ignore it or change it. They may also create their own separate version of the legislation.

Once the second chamber has passed its version of the bill or resolution, both pieces of legislation will be sent to the Conference Committee.

Conference Committee Action

The conference committee is comprised of Senators and Representatives and established to resolve differences in related bills and resolutions. Committee members review amendments made to each bill and recommend whether to accept or reject them. When a compromise bill is agreed upon, the final version must be passed in both the Senate and the House of Representatives. If no compromise is reached, new committee members may be appointed to review the bills. If members are still unable to form a compromise, the legislation may fail.

Final Steps

The final bill, approved by both chambers, is sent to the president for approval. The President has the option of signing it into law or vetoing it. If the President vetoes the bill, Congress can overrule the President’s decision with a two-thirds majority vote in both chambers.

Women Leaders in Congress & the Administration

Women have slowly ascended to political leadership roles in the last decade. Although the number of women serving in national political office is small, they are proving to be formidable political contenders with their diverse political agendas and solid resumes.

Congress

Currently, women hold 73 seats in the 107th U.S. Congress. Thirteen women serve in the U.S. Senate and 60 women serve in the House. Over the past 10 years, women have nearly doubled their overall presence in the House and quadrupled the percentage of women Senators. In 1992, there were only 3 women elected to the Senate. For a complete list of the 73 women serving in Congress visit www.rci.rutgers.edu/~cawp/facts/cong_02.html.

The Administration

There are currently five women holding prominent positions in President Bush’s cabinet. They are:

Elaine Chao, Secretary of Labor

Gale Norton, Secretary of Interior

Condolezza Rice, National Security Advisor

Christine Todd Whitman, Environmental Protection Agency Administrator

Ann Veneman, Secretary of Agriculture

Glossary of Terms Used on Capitol Hill

Appropriation: Provision of law that provides authority for Federal agencies to obligate funds and to make payments out of the Treasury for specified purposes. Appropriations for the Federal government are provided both in annual appropriations acts and in permanent provisions of law.

Companion Bill: A bill introduced in one chamber of Congress that is similar or identical to a bill introduced in the other chamber of Congress.

Concurrent Resolutions: A legislative measure, designated “H. Con. Res.” or “S. Con Res.” and numbered consecutively upon introduction, generally employed to address the sentiments of both chambers, to deal with issues or matters affecting both chambers, such as a concurrent budget resolution, or to create a temporary joint committee. Concurrent resolutions are not submitted to the President and thus do not have the force of law.

Corrections Calendar (House of Representatives): This calendar deals with bills that are not controversial, typically bipartisan and passed without debate. As stated in *How Our Laws are Made*, this calendar was established to “address specific problems with federal rules, regulations, or court decisions that bipartisan and narrowly targeted bills could expeditiously correct.” Bills are placed on this calendar by the Speaker of the House in consultation with the Minority Leader.

Discharge Calendar (House of Representatives): This calendar deals with motions to discharge committees from considering public bills or resolutions. Any member may make a motion to discharge. The motion is only considered once a majority of members (218) have signed it in agreement. If the motion is passed, the bill or resolution may move immediately from the committee to full House for a vote. If the motion fails, the bill or resolution is referred to the proper legislative calendar for later consideration by the full House.

Hearing: A meeting of a committee or subcommittee, generally open to the public, to take testimony, gather information and opinions on proposed legislation, or review the operation or other aspects of a Federal agency or program.

House Calendar (House of Representatives): This calendar deals with public bills that do not raise revenue, affect taxes or appropriate any money or property.

Mark-up: The process by which committees/subcommittees debate, amend, and rewrite proposed legislation.

Joint Resolutions: A legislative measure, designated “H. J. Res.” or “S. J. Res.”, that requires approval from both chambers and is submitted to the President to be signed. Some joint resolutions are used to propose constitutional amendments. These types require a two-thirds affirmative vote by each chamber but are not submitted to the President; they become effective when ratified by three-quarters of the States.

Private Calendar (House of Representatives): This calendar deals with private bills and private resolutions. Bills and resolutions placed on this calendar are studied by six official objectors – three from the majority side and three from the minority side. The objectors’ role is to ensure that bills and resolution on the calendar deserve to be there and to prevent any “nonmeritorious” bills and resolutions from being passed without debate. Rejected bills and resolutions are recommitted to their originating committee.

Quorum: The number of Senators/Representatives that must be present for the chamber to do business. The Constitution declares that a majority of each chamber establishes a quorum – 51 members in the Senate and 218 members in the House. Additionally, the Constitution authorizes a smaller number of members to compel absent legislators to attend the session.

Ratification: Two definitions are: (1) the act of approval of a proposed constitutional amendment by the legislatures of the States; and (2) the Senate process of advice and consent to treaties negotiated by the President.

Simple Resolutions: Designated “H. Res.” or “S. Res.,” simple resolutions are used to express nonbinding positions of the House/Senate or to deal with the House/Senate’s internal affairs, such as the creation of a special committee. They do not require action by the other chamber or the President.

Union Calendar (House of Representatives): This calendar deals with bills that raise revenues, affect taxes or appropriate money or property. This is the most widely used calendar with the majority of reported public bills and resolutions placed on it for debate.

Veto: The procedure established under the Constitution by which the President refuses to approve a bill or joint resolution and thus prevents its enactment into law. A regular veto occurs when the President returns the legislation to the chamber in which it originated. The President usually returns a vetoed bill with a message indicating his reasons for rejecting the measure. The veto can be overridden only by a two-thirds vote in both the Senate and the House.

Inside a Legislative Office

Every member of congress has staff to assist her/him. The following list provides the titles and functions of key congressional staff:

Chief of Staff or Administrative Assistant: The staff person reports directly to the member of Congress. She/he evaluates the outcome of various legislative proposals and constituent requests. The Chief of Staff/Administrative Assistant is in charge of office operations, including the assignment of work and supervision of other key staff.

Legislative Director, Senior Legislative Assistant, or Legislative Coordinator: The Legislative Director monitors the legislative schedule and makes recommendations regarding issues. Some congressional offices have several Legislative Assistants. Tasks are assigned to individuals with expertise in specific areas. For example, depending on the tasks and interests of the member, there may be different Legislative Assistants for health issues, environmental matters, women's issues, taxes, etc.

Press Secretary or Communications Director: The Press Secretary's responsibility is to build and maintain open and effective lines of communication between the member, her/his constituency, and the general public. The Press Secretary is expected to know the benefits, demands and special requirements of both print and electronic media; and how to most effectively promote the member's position on specific issues.

Appointment Secretary, Personal Secretary or Scheduler: The Appointment Secretary is usually responsible for allocating a member's time among the many demands that arise from congressional responsibilities, staff requirements and constituent requests. The Appointment Secretary may also schedule travel arrangements, speaking dates and visits to the district.

Caseworker: The caseworker assists with constituent requests and prepares replies to constituent mail for the member to sign. The caseworkers also helps resolve constituents' problems regarding other federal agencies such as Social Security and Medicare issues, and veteran's benefits. There are often several caseworkers in a congressional office.

Other titles used in a congressional office may include: Executive Assistant, Legislative Correspondent, Executive Secretary, Office Manager and Receptionist. For more information go to www.congress.org.

Election 2002

The 2000 Presidential election taught Americans an important lesson – *every vote counts*. In the this year's general election all 435 seats in the House of Representatives are up for election. Thirty-four states will hold Senate races, and another 36 states will be electing govenors. Your vote will be critical in these elections. It will determine who will have political majority in Congress and especially, the number of women elected into office.



It is important to be registered to vote. States have different deadlines for registration. Check the Women Work! website at www.womenwork.org/votingresourcesinfo.html for more information.

Sources

The following sources were consulted and used as reference for this guide:

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The Legislative Process, Congress.org by Capital Advantage. www.congress.org

Women Leaders in Congress, Center for American Women & Politics, Rutgers State University of NJ. www.rci.rutgers.edu/~cawp

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