



TAKE HOME TIPS TO ACCOMPANY THE HOW A BILL BECOMES A LAW BOARD GAME (OPTIONAL)

Being an effective advocate on legislative issues also means understanding how Congress works.

We have reprinted a cartoon that depicts the legislative process as a board game <http://www.familiesusa.org/resources/tools-for-advocates/tips/board-game.html>. When we first looked at it, we thought it was poking fun at the process. Actually, it's a very accurate guide. It takes you step-by-step through the rules under which Congress operates. We hope it will be useful to you in understanding how a bill becomes a law.

A piece of legislation may go through all of the 53 steps shown in the cartoon (and some that aren't shown) before it becomes law. But most bills introduced in Congress do not become law. As a matter of fact, most bills don't even receive serious consideration. Getting a bill introduced is only the first step in what can be a long journey through the legislative process.

USING THE LEGISLATIVE PROCESS

For advocates, there are a few steps on the Board Game to pay particular attention to:

- When bills are introduced and need cosponsors.
- When bills are being considered in committee.
- When bills come to the floor of the House and Senate for voting.

At each of these points, advocates can make effective contacts with their elected representatives.

INTRODUCING A BILL

Ideas for bills come from many sources: constituents (such as pediatric residents), the President, lobbyists, or congressional staff. Any Senator or Representative may introduce a bill. After a bill has been written or "drafted," the member introduces it by formally presenting it to the House or Senate clerk when Congress is in session. In the House, the bill is placed in the "hopper" at the desk of the Clerk; the sponsor of the bill may or may not make a special statement about the bill when it is introduced. In the Senate, the bill may be presented to the Clerk, or the Senator may make a formal statement from the Senate floor to introduce it.

Once a bill is introduced, it is given a number: H.R. _____ (for the House of Representatives) if introduced in the House and S. _____ (for the Senate) if introduced in the Senate. Bill numbers start with H.R. 1 and S. 1 at the beginning of each new Congress and continue in numerical order until the Congress ends two years later.

While a bill is the form used for most legislation, the House and the Senate can also originate resolutions. These are used for special purposes like budget resolutions or constitutional amendments. They are also numbered: for example, S. Con. Res. _____ (for Senate Concurrent Resolution) and H. J. Res. _____ (for House of Representatives Joint Resolution).

COSPONSORING A BILL

When a Senator or Representative introduces a bill, a "Dear Colleague" letter may be sent to other members. The letter explains the bill, what it would do, and why it is important, and asks other members to cosponsor it. An effort to gain cosponsors by calling attention to a bill can help build pressure to move it through the legislative process. A bill has a much better chance of passage if it is introduced by the chair or members of the committee to which it will be referred.

Referring A Bill To Committee

Rules of the House and Senate provide general guidelines for which committee will consider which bill. For example, a bill to change Medicare hospital reimbursement would be referred to the Finance Committee in the Senate and the Ways and Means Committee in the House. Sometimes two committees will have responsibility (or jurisdiction) over subjects in the same bill. In that case, bills may be referred to both committees ("jointly referred").

Committees are the heart and soul of the legislative process. That's where the legislative work gets done. The House and Senate each have their own system of committees, and each committee has its own subcommittees, procedural rules, and committee chair. The committee chairs play a critical role in determining the fate of legislation. They control both the schedule (calendar) of when and if bills will be considered and the staffing of the committee.

Usually, work on a bill begins in a subcommittee. The subcommittee chair calls hearings to learn more about the effects of the proposed legislation and also to find out who supports and opposes the bill. A record of the hearing is published (available to the public through the Government Printing Office). After hearings, the subcommittee will start "marking up" or rewriting the bill. If the subcommittee votes its approval, the "marked up" bill is sent to the full committee for its consideration. The full committee must then approve the bill, usually after marking it up again.

If a favorable vote is taken, the bill is "reported out" of committee. A written report, which explains the origins, purposes, content, and effect of the legislation accompanies the bill. The committee report also must include information from the Congressional Budget Office on the bill's estimated cost and its impact on the federal budget.

The reported bill can now be considered by the full House or Senate. If the full committee does not approve the bill, it is usually dead for the rest of that Congress. Most bills die in committee. Even if hearings are held, the committee may fail to act. Once the two-year congressional term ends, all bills that have not become law must be reintroduced to be considered again.

VOTING ON A BILL

Now, we've reached Step #11 on the gameboard: placing the bill on the House or Senate calendar. Bills that make it this far are not guaranteed passage, but they did make it through the critical first phase.

The House and Senate have different rules about how bills are presented to their respective members for debate and voting. But in each case, a schedule is set up for consideration of the bill. The schedule allows for debate and, in some instances, the opportunity to offer amendments. In the House, the Rules Committee sets up the schedule. Those steps are outlined in Steps #12-15 in the cartoon. In the Senate, the leadership (headed by the Majority Leader) sets the schedule.

When a bill is passed by one house of Congress, it is then sent to the other. Usually, it will be referred to committee in the second house. More hearings may be held, and a favorable committee report issued, or the committee may decide to take no action at all. In some cases, the committee process on a given legislative issue occurs simultaneously in the House and the Senate. A bill may pass one house while a similar companion bill is moving forward in the other house at about the same time. A bill can also be placed directly on the calendar in the other house without being referred to any committee, where it will be promptly considered by the whole Senate or House.

CONFERENCE COMMITTEE

Even after both chambers approve a bill, the legislative process has not ended. If there are any differences between the House and Senate bills (and there usually are), a conference committee is set up to iron out the differences. The conference committee consists of members of both houses (called "conferees"), who are almost always members of the committees that sent the bill to the floor. On important bills like the budget or health care reform, representatives of the House and Senate leadership are likely to be included. Conferees are supposed to deal only with differences between the House and Senate bills; they are not supposed to delete provisions that are identical in both bills or to add new provisions that don't relate to the differences between the bills. Increasingly, however, they step over these boundaries to develop a compromise that resembles neither of the original bills.

When the conference committee reaches an agreement reconciling the differences between the two bills, a conference report and a final version of the bill are presented to both houses for a final vote. Only after the House and Senate both approve the compromise is the bill sent to the President.

SIGNING A BILL INTO LAW

Once the President has received a bill passed by Congress, he may sign it into law or veto it within 10 days. He may also allow the bill to become law without a presidential signature by failing to act within 10 days (if Congress is in session). If he vetoes it, he returns it, along with a statement of his objections, to the house that originated the bill.

If a bill is vetoed by the President while Congress is in session, the members of the house that originated the legislation can vote to override the veto. If two-thirds of the members vote to override the veto, the bill then goes to the other house, where a two-thirds vote by the second house will turn the bill into law without the President's signature. If either house fails to override by a two-thirds majority, the veto stands.

*These resources taken from Families USA. They are available online at:
<http://www.familiesusa.org/resources/tools-for-advocates/tips/how-a-bill.html>
<http://www.familiesusa.org/resources/tools-for-advocates/tips/board-game.html>