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HOW A BILL BECOMES A LAW

Here's a step-by-step approach to the legislative process.

If the ways of Congress seem mysterious to you—particularly when it comes to figuring out how a bill becomes law—you're not alone. Most people have forgotten what they learned in Civics class about the legislative process. As a result, they have no idea how they can affect its outcome.

As a bill works its way through the legislative process, there are several points at which you can inject your opinion. Here's a basic description of that process, with notations about where you can get involved. Fig. 1 offers a more detailed flow-chart description.

Anyone may draft a bill. However, only members of Congress can introduce legislation and, by doing so, become the sponsor(s). There are four basic types of legislation: bills, joint resolutions, concurrent resolutions, and simple resolutions. The official legislative process begins when a bill or resolution is numbered, (H.R. signifies a House bill and S. a Senate bill), referred to a committee, and printed by the Government Printing Office.

• **Step 1 - Referral to committee.** With few exceptions, bills are referred to standing committees in the House or Senate according to carefully delineated rules of procedure.

• **Step 2 - Committee action.** When a bill reaches a committee it is placed on the committee's calendar. A bill can be referred to a subcommittee or considered by the committee as a whole. At this point, a bill is examined carefully and its chances for passage evaluated. If the committee does not act on a bill,

it is the equivalent of killing it.

• **Step 3 - Subcommittee review.** Often, bills are referred to a subcommittee for study and hearings. Hearings provide the opportunity to put on the record the views of the executive branch, experts, other public officials, supporters, and opponents of the legislation. *You can participate in these hearings by attending, filing comments, or even testifying.* Testifying on the Hill is by invitation only. Your industry association may be able to arrange for you to testify. In fact, in most cases, associations prefer for their members—the constituents—to testify on the grounds that the comments have more impact coming from a practitioner or someone directly affected by a piece of legislation.

If you simply want to file comments, you generally have 10 days to two weeks after a hearing in which to file for a hearing record. When filing comments, you must say you want the comments incorporated into the hearing record of (fill in name of hearing).

• **Step 4 - Mark up.** When the hearings are completed, the subcommittee may meet to mark up the bill, that is, make changes and amendments prior to recommending the bill to the full committee. If a subcommittee votes not to report legislation to the full committee, the bill dies.

• **Step 5 - Committee action to report a bill.** After receiving a subcommittee's report on a bill, the full committee can conduct further study and hearings or it can vote on the subcom-

mittee's recommendations and any proposed amendments. The full committee then votes on its recommendation to the House or Senate. This procedure is called "ordering a bill reported". *Again, if additional hearings occur, you may participate in them in the manner outlined above.*

• **Step 6 - Publication of a written report.** After a committee votes to have a bill reported, the committee chairman instructs staff to prepare a written report on the bill. This report describes the intent and scope of the legislation, impact on existing laws and programs, position of the executive branch, and views of dissenting members of the committee.

• **Step 7 - Scheduling floor action.** After a bill is reported back to the chamber where it originated, it is placed in chronological order on the calendar.

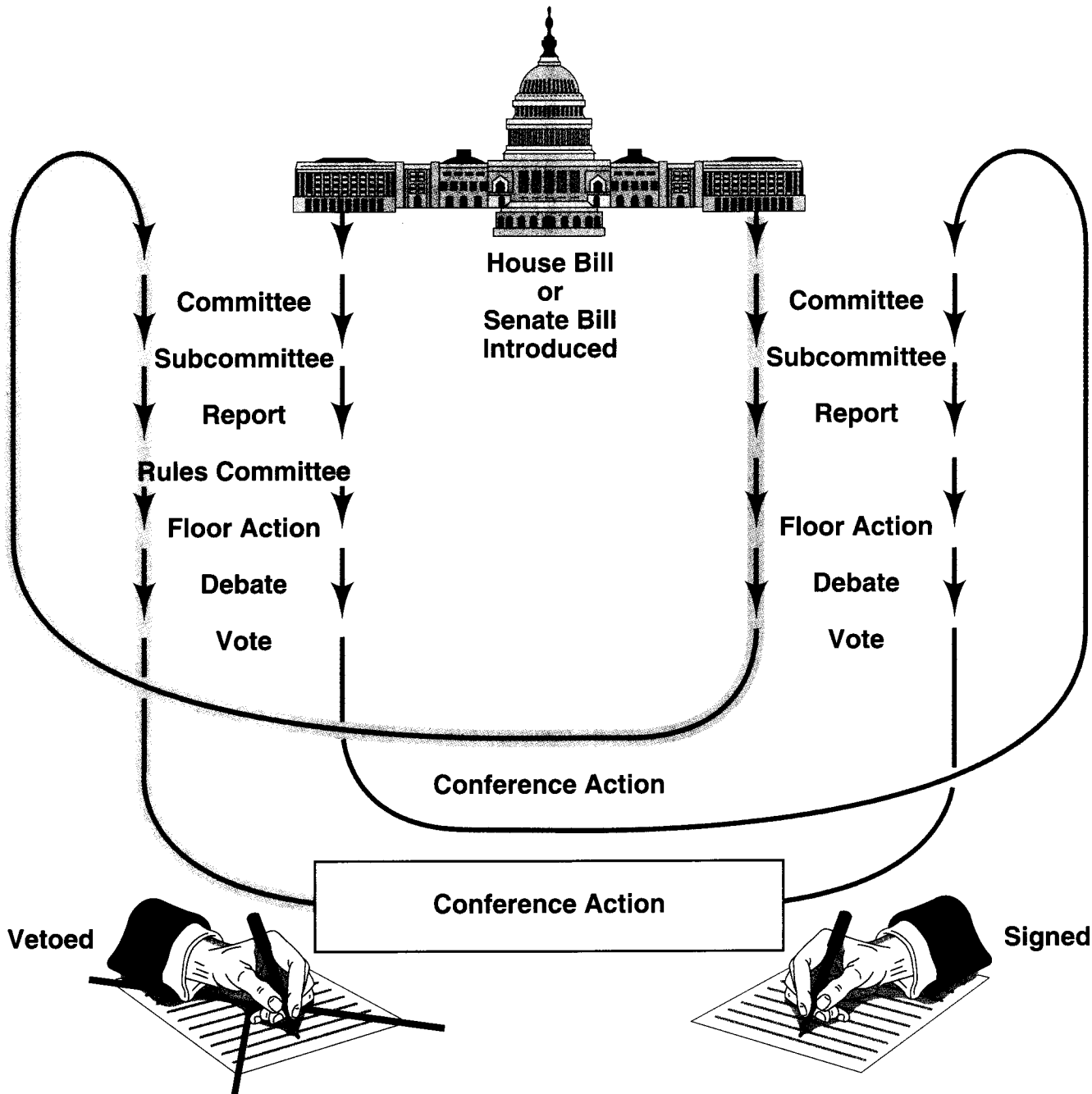
• **Step 8 - Debate.** When a bill reaches the floor of the House or Senate, there are rules and procedures governing the debate on legislation.

• **Step 9 - Voting.** After the debate and approval of any amendments, members vote to pass or defeat the bill.

• **Step 10 - Referral to other chamber.** When a bill is passed by the House or Senate it is referred to the other chamber where it usually follows the same route through committee and floor action. This chamber may approve the bill as received, reject it, ignore it, or change it.

• **Step 11 - Conference committee action.** If only minor changes are made to a bill by the other chamber, it is com-

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mon for the legislation to go directly to the President for signature. However, when the actions of the other chamber significantly alter the bill, a conference committee is formed to reconcile the differences between the House and Senate versions. If the conferees cannot reach agreement, the legislation dies. If agreement is reached, a conference report is prepared describing the committee members' recommendations for changes. Both House and Senate must approve the conference report.

● **Step 12 - Final actions.** After a bill has been approved by both the House and Senate in identical form, it is sent to the President. If the President approves of the legislation he signs it and it becomes law. Or, the President can take no action for 10 days, while Congress is in session, and it automatically becomes law. If the President opposes the bill, he can veto it. If he takes no action after Congress has adjourned its second session, it is a "pocket veto" and the legislation dies.

● **Step 13 - Overriding a veto.** If the President vetoes a bill, Congress may attempt to "override the veto". This requires a two-thirds roll call vote of the members who are present in sufficient numbers for a quorum.

As you can see from this 13-step process outline, if you want to be heard, the best time to get involved is early in the process. Old hands at this process kick into gear as soon as a bill is introduced—if not before. They make their position known early and often. **T&D**