

Understanding the Policymaking Process

Having a basic understanding of the legislative process is key to effective lobbying and advocacy. This section will cover some of the legislative basics, including key committees and staff positions, how an idea is turned into federal policy, the appropriations process, and common terminology. This information will help you to understand the legislative process so that you can more effectively impact it.

See *The Policymaking Process: Key Legislative Terms* (page 17)

This toolkit will focus primarily on the legislative portion of policymaking. However, it is important to remember that legislation generally does not cover every detail of the bill's execution. Instead, bills passed into law are seen as more of a guide or outline; it is up to the executive branch (the administration, federal departments, and agencies) to fill in the details.

Structure of Congress

To understand the basics of how an idea is turned into federal policy, it is necessary to first understand how Congress is structured. At its most basic level, Congress is divided into an upper and lower chamber, the Senate and House of Representatives, respectively. The Senate is composed of 100 Members, with each state contributing two senators, while the House is composed of 435 voting Members, with each state contributing representatives based on their population. Senators serve for six-year terms, and representatives in the House serve two-year terms.

Almost all Members of Congress (Members) identify with either the Republican or Democratic Parties. Those who identify as independents often affiliate themselves with either party once in office. The party that holds a majority in either chamber is referred to as the majority party.

CONGRESSIONAL COMMITTEES

The Senate and the House of Representatives ("the House") have similar structures. Both of the chambers are divided into committees designed to address specific issues. Every topic within the federal government's purview is addressed by a specific committee. Committees cover a wide range of topics, ensuring that Congress has oversight and authority over the full array of legislative issues. Committees are designed to split up these vast policy areas into similar and more easily managed groupings.

More specifically, most committees have subcommittees, which are designed to break up the issues into even smaller focus areas. Whereas a committee that covers health, education, and labor will have a large variety of topics to deal with, the subcommittee on children and families will be more specific and focused in the legislation that it considers. Legislation that is created at the subcommittee level must be approved by the full committee before being passed on to the House or Senate floor for consideration by the entire chamber.

When Members are sworn into office, Senate or House leaders usually place them on committees in which they or their constituents have an interest. The number of committees or subcommittees a Member sits on varies in each chamber, but they are generally involved in multiple committees and several subcommittees.

Even though all Members vote on all of the legislation that comes to the chamber floor, regardless of their committee assignments, the committee structure means that certain Members have much more influence in shaping specific pieces of legislation than others.

The following committees often consider legislation related to homeless or at-risk individuals and families:

- Committee on Appropriations
 - Subcommittee on Transportation, Housing and Urban Development, and Related Agencies (House and Senate)
 - Subcommittee on Labor, Health and Human Services, Education, and Related Agencies (House and Senate)
 - Subcommittee on Military Construction, Veterans Affairs, and Related Agencies (House and Senate)
- Committee on Veterans Affairs (House and Senate)
- Committee on the Judiciary (House and Senate)
- Committee on Banking, Housing, and Urban Affairs (Senate)
- Committee on Financial Services (House)
- Committee on Health, Education, Labor, and Pensions (Senate)
- Committee on Education and the Workforce (House)

Leaders of committees and subcommittees are even more important in crafting legislation because of their influence on the committee's members and the overall agenda of the committee. The committee chair is the highest ranked Member of the majority party who sits on the committee or subcommittee; the ranking member is the highest ranked Member of the minority party on the committee or subcommittee. These individuals have a tremendous amount of influence over legislation in their committee's purview.

Committee and subcommittee chairs and ranking members make excellent congressional targets to consider when prioritizing your advocacy efforts.

Each committee has its own office and staff members, with a structure similar to a regular congressional office. Committee staff members work closely with Members' personal staff, particularly with the offices of committee chairs and ranking members.

Congressional Office Structure

Like Congress itself, each Member's office is divided up in order to cover as many topics as possible. Senators often have larger offices with many more staff members than representatives because of their larger constituencies.

As you build relationships with your congressional offices, there are a few key staff positions to know and understand:

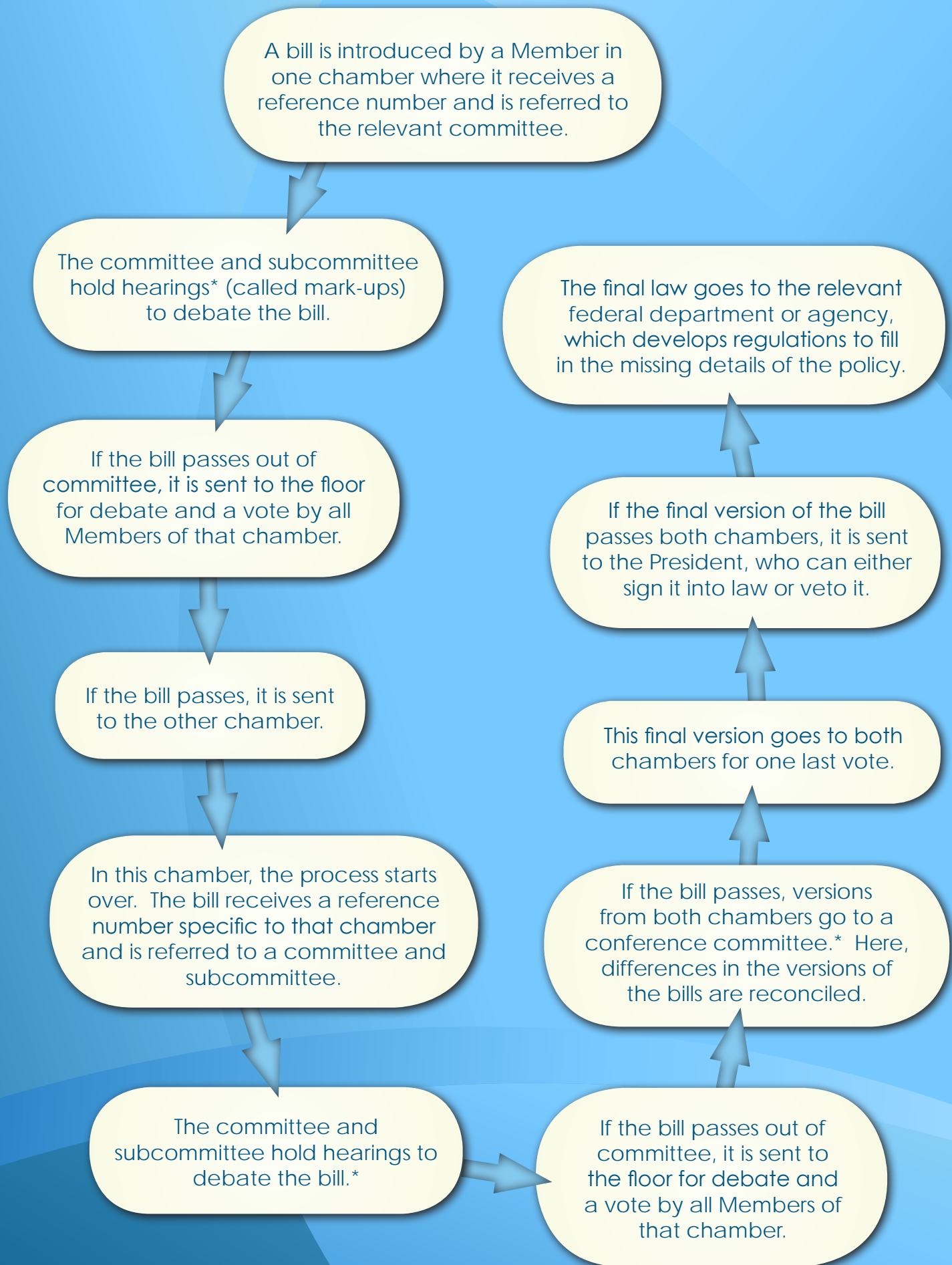
- Chief of Staff – This individual essentially runs the office and interacts most closely with the Member.
- Legislative Director (LD) – The LD sets the legislative agenda, determines legislative priorities, and manages the legislative assistants.
- Legislative Assistants (or Aides) (LAs) – LAs cover a specific set of issues (such as housing, youth, or veterans) and often take the lead on understanding and making recommendations to the Member about how to vote on specific legislation.
- Scheduler – This individual handles all scheduling requests and closely manages the Member's schedule.

You most often will deal with the Legislative Assistant (LA) who handles your key issue. This may be the LA for housing/homelessness, veterans, youth, or mental health issues. If you are making a visit to your congressional office or are planning a site visit for your member, you likely also will be interacting with the scheduler.

How a Bill Becomes Federal Policy

There are two main types of legislation (bills) in Congress: appropriations bills and authorizing bills. Appropriations bills fund federal programs for the fiscal year, which begins on October 1. They are concerned only with discretionary funding—funding that Congress has control over and can change from year to year. Authorizing bills are not related to funding but instead create new programs or modify existing ones. In some cases, authorizing bills do allocate nondiscretionary funding for a certain period of time. At the end of the timeframe, the spending has to be either renewed or modified, or the program must be ended.

The following chart shows the step-by-step process that all authorizing bills go through to become federal policy. Because of the complex rules governing this process, there are many exceptions, bypasses, and differences in the passage of each piece of legislation, but this chart provides a general overview.



* = Key Advocacy Opportunity

TIP

Do not wait to reach out to your Members until the last minute. Build a relationship, and your “asks” will have more impact. An “ask” is a request for someone, usually a Member, to take a specific action in order to advance, change, or create a specific piece of legislation. Use the rest of this toolkit to learn strategies to build relationships with your Members.

BEST TIMES TO IMPACT LEGISLATION

As indicated on the chart above, there are certain points in this process during which advocacy will have a greater impact than others. The best time to influence legislation is when it is being considered by the committee. After a bill passes out of committee, it is difficult for advocates and often even Members themselves to change (amend) it. Developing relationships with members of key committees before the bill is introduced allows for more impact in the initial stages of the process.

An excellent time to make a specific request related to co-sponsoring legislation or voting a certain way is when a bill is still in committee. The time a bill spends in committee is also a great opportunity to influence non-committee Members and to educate them on the impact of the legislation.

TIP

In general, it is far easier to provide input on a bill early on in the process than later on, when more details are added and changes become less likely.

If a piece of legislation is held up at any stage of this process, reach out to your elected representatives and urge them to take action. If Members do not identify a specific piece of legislation as a priority, it may not advance, since Congress considers thousands of pieces of legislation each session.

While there is no “bad” time to advocate, it is important to remember that successful advocacy takes time. The most successful advocates have built relationships with their Members and educate them as well as ask them to take specific actions.

Appropriations Process

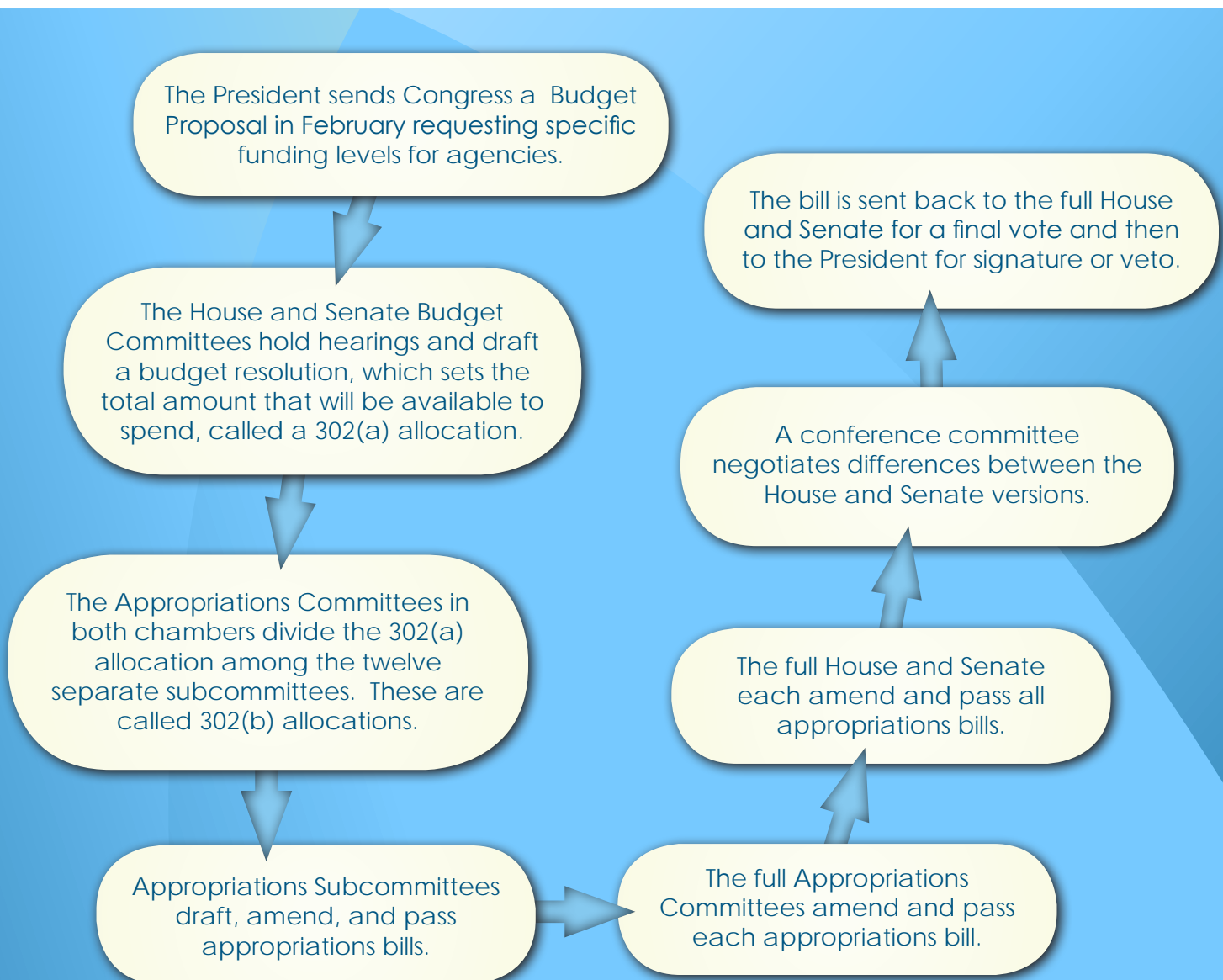
The process for funding federal programs each year involves a lot of steps and can seem overwhelming. This section will provide a quick overview of the process, including who is involved and the timing of action by both the President and Congress. **The appropriations process focuses on discretionary spending.** Mandatory (or nondiscretionary) spending, such as the Temporary Assistance for Needy Families (TANF) program, social security, and Medicaid funding, as well as disaster

assistance or other emergency appropriations, are handled through separate processes. Funding for these types of programs is included in the initial authorizing bill.

The appropriations process is similar to the process for passing authorization bills, but with some key differences: namely, that **funding must be approved each year to run the functions of the government**. Unlike for other pieces of legislation, the President always submits formal recommendations for appropriations. These recommendations are called the **President's Budget Proposal**, which Congress uses as a guide.

The President's Budget Proposal usually is released on the first Monday in February. This marks the start of the federal budget and appropriations process for the upcoming fiscal year. The President's Budget reflects the Administration's funding priorities. It is meant to be a guide to the House and Senate as they make decisions about their budget proposals and funding levels for programs during the appropriations process.

The chart below explains the congressional appropriations process in detail.



TIMING

This entire process is supposed to conclude by the time the fiscal year begins on October 1, but that rarely happens. Congress can pass **continuing resolutions**, which fund the government for a few extra days, weeks, or months until Congress is able to complete action on (or pass) the appropriations bills. Sometimes the appropriations process is not completed until early the following calendar year.

Remember These Five Steps to Success

- Most legislation is created in committees, so committee members, particularly chairs and ranking members, are great advocacy targets.
- Try to concentrate advocacy efforts earlier in the process, rather than later, when possible.
- Build an ongoing relationship with your Member to enhance your chances of impacting legislation.
- Learn which committees your Members sit on and focus on those who sit on key committees.
- Identify key staff members in your congressional offices, including Legislative Assistants who work on relevant issues.

The Policymaking Process: Key Legislative Terms

This glossary will help you to identify and to understand key words and phrases that come up in the legislative and appropriations processes.

Amendment – A change to a bill or document made by adding or omitting portions of the bill.

Appropriations Bill – A bill reported out of the House or Senate Appropriations Committee that assigns government funds to executive branch departments and programs.

Appropriations Committees – These committees decide funding levels for the programs that the federal government funds on an annual basis. There is an Appropriations Committee in both the House and the Senate, and both have a set of subcommittees. Most of the homeless assistance programs and housing programs fall under the House and Senate subcommittees on Transportation, Housing and Urban Development, and Related Agencies (often referred to as T-HUD).

Authorizing Bill – Legislation establishing or modifying a program and setting funding suggestions.

Authorizing Committees – These committees set policy for federal programs. They are responsible for all aspects of federal programs except annual funding.

Bill – A legislative proposal that, if passed by both the House and the Senate and approved by the President, becomes law. Each bill is assigned a bill number. HR denotes bills that originate in the House, and S denotes bills that originate in the Senate.

Budget Authority – The amount of money that Congress gives to departments, such as the Department of Housing and Urban Development (HUD), for their specific programs. In other words, the money allocated to each department for use in running its programs each year.

Budget Resolution – A non-binding resolution that is passed concurrently by both chambers of Congress and lays out the budget plan for the coming fiscal year and some years into the future. Budget resolutions are not law and are not signed by the President.

Chair – The most senior position on a committee or subcommittee. It is always held by a Member of the majority party.

Co-Sponsor – A Member who adds his/her name formally in support of another Member's bill. A co-sponsor is not required, so not every bill has a co-sponsor or co-sponsors. There is no limit on the number of co-sponsors a bill can have.

Committee – A sub-organization within the House or Senate established for the purpose of considering legislation and conducting hearings and investigations on specific issues.

Conference Committee – A temporary, joint committee composed of both House and Senate Members and formed for the purpose of reconciling differences in legislation that has passed both chambers.

The Policymaking Process: Key Legislative Terms - continued

Continuing Resolution – Legislation in the form of a joint resolution enacted by Congress, when the new fiscal year is about to begin or has begun, to provide funds for federal agencies and programs to continue in operation until the regular appropriations bills are enacted.

Discretionary Spending – Spending that is controlled through the annual appropriations process.

Filibuster – An informal term for extended debate or other procedures used to prevent a vote on a bill in the Senate.

Fiscal Year – The federal fiscal year (commonly abbreviated FY) runs from October 1 through September 30 of the following year. This federal fiscal year varies from other fiscal years to allow Congress, which convenes in January, to participate in the budget process.

Mandatory Spending – Mandatory spending is authorized by Congress by setting out eligibility or other criteria that must be followed each year. Examples of mandatory spending include Social Security and Medicaid, which all people who qualify are entitled to receive—no matter how much it costs in a given year. In other words, mandatory spending is not determined by the annual appropriations process.

Mark-Up – A meeting in which congressional committees and subcommittees debate, amend, and rewrite proposed legislation.

Omnibus Bill – A bill that packages together several measures into one combined measure.

Outlays – The money that actually is withdrawn from Congress' budget authority and used for programs. Another way to think of this is the money that a department, such as HUD, withdraws for specific programs, such as tenant-based rental assistance. The process could be described as analogous to smaller amounts withdrawn from a larger checking account.

Ranking Member – The most senior Member of the minority party on a committee.

Sponsor – The original Member who introduces a bill.

Subcommittee – A sub-unit of a committee established for the purpose of dividing the committee's workload. Recommendations of a subcommittee must be approved by the full committee.

Veto – A power that allows the President to refuse approval of a piece of legislation. The President returns a vetoed bill to Congress, generally with a message. Congress can accept the veto or attempt to override the veto by a two-thirds majority of those present and voting in both the House and the Senate.