

Authorization: Authorization is used to describe legislation that would establish or modify a government department, program or agency and set the maximum that can be appropriated for that item.

The bills are under the jurisdiction of one or more authorizing committees, whose members and staff specialize in the issues and oversee the agencies covered by a bill.

Authorizations can cover a single year (such as the annual defense bill), multiple years (such as a five-year farm bill) or indefinite periods of time.

Most authorizations include a dollar limit, though the bills also can specify that “such sums as may be necessary” can be appropriated.

Bills and Resolutions: The House and Senate consider four types of measures: bills, joint resolutions, concurrent resolutions and simple resolutions.

- *Bills* -- which get numbers beginning with H.R. or S. -- make up the majority of measures. It's accurate to refer to bills as legislation.

Depending on the matters included, bills can be relatively simple, as short as one page, or can be complex in scope and run for thousands of pages. Most of the provisions in bills would add new law or modify or repeal existing law.

If passed by both chambers in identical form, bills are sent to the president for his signature.

- *Joint resolutions* -- which begin with H. J. Res. or S. J. Res. -- are another type of legislation.

In many cases, the subjects of joint resolutions are narrower than those of bills, such as a single change to existing law, a single appropriation or board appointments.

Joint resolutions also have been used to declare war, propose amendments to the Constitution (requiring a 2/3 vote in both the House and the Senate) and fund all or part of the government through a continuing resolution (CR) if appropriations bills haven't been finished.

When passed in identical form, joint resolutions typically are sent to the president.

One exception is for joint resolutions proposing constitutional amendments, which are sent to the National Archives and Records Administration. The archivist of the U.S. then submits the proposed amendment to the states for possible ratification.

- *Concurrent resolutions* -- which begin H. Con. Res. or S. Con. Res. -- are internal measures that require approval by both chambers to take or have effect. The resolutions aren't sent to the president.

One of the most significant uses each year is for the congressional budget resolution, a blueprint to guide House and Senate action on later spending decisions.

The measures also can express the sense of Congress, provide for recesses and adjournments of one or both chambers, permit the use of Capitol grounds, create joint House-Senate panels and authorize technical or other changes to legislation passed by both chambers.

- *Simple resolutions* -- numbered H. Res. or S. Res. -- deal with internal matters of one chamber. They aren't sent to the other chamber for action.

They are generally used to express the sense of the body, to amend or establish the rules of the chamber, to convey messages on behalf of the chamber, or to elect members to standing committees.

Budget/Appropriations Essentials:

- *Anomalies and Riders on Stopgap Spending Bills:* In theory, stopgap spending legislation, known in congressional parlance as a continuing resolution, or CR, would simply extend all government discretionary programs at current spending levels to a date after the Sept. 30 end of the fiscal year.

In practice, CRs are messy. They've incorporated anomalies, riders and sometimes entire appropriations bills.

Anomalies generally are defined as items that merit more than just a continuation of funding. For instance, CRs have provided for inauguration spending. More often, the anomalies list has included extensions of expiring programs or authorities.

Riders create new laws or change laws in ways normally outside the purview of the appropriations committees.

- *Changes in Mandatory Programs (CHIMPS)*: Under scorekeeping rules, appropriators can make Changes in Mandatory Programs (CHIMPS) in spending bills and claim savings for use as an offset to increase discretionary spending under the annual budget limit and the 302(b) allocation that limit the amount that can go into each appropriations bill.
- *Congressional Budget Process*: Every year, some new lawmakers are surprised to find out that the budget doesn't fund the government. The House and Senate use budget resolutions to set tax and spending priorities for the year ahead. The legislation is akin to an architect's blueprint; separate bills make money available.

The Congressional Budget and Impoundment Control Act of 1974 is supposed to adopt a budget resolution by April 15, presenting a unified view of priorities for both the House and the Senate.

- *Omnibus Appropriations Bill*: An omnibus spending bill is a type of bill that packages many of the smaller regular appropriations bills into one larger single bill that can be passed with only one vote in the House and Senate instead of voting on each of the individual appropriations bills separately.
- *Regular Order*: System in which a dozen or so (the exact number has varied) appropriations bills are debated and adopted on an individual basis by the House and Senate. It is advantageous because it breaks the budget into bite-sized pieces and facilitates oversight.
- *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 budget authority for Federal agencies and programs to continue in operation until the regular appropriations acts are enacted.
- *Discretionary Spending*: Spending (budget authority and outlays controlled in the annual appropriations bills).
- *Mandatory Spending*: Spending (budget authority and outlays) controlled by laws other than annual appropriations acts (i.e. FAST Act)
- *Dynamic Scoring*: *Dynamic scoring is shorthand for taking extra macroeconomic effects into consideration when trying to estimate how much a bill might cost the government -- or how much revenue it could generate.*
- *Reconciliation*: The term "reconciliation bill" describes legislation that would change spending and tax laws to meet the targets set by a congressional budget resolution. Only a simple majority is required for passage.

The reconciliation instructions also can require reporting of debt-ceiling legislation, which can come in handy because the measure can be passed with a simple majority. If everyone shows up, that means 51 votes in the Senate rather than the supermajority of 60 needed for some other types of votes.

If more than one committee receives instructions, then the individual committees first send their recommendations to the House and Senate Budget committees, which consolidate the proposals. If a single committee receives instructions (for example, just the House Ways and Means Committee on a revenue measure), its recommendation can be sent directly to the chamber.

- *Rescissions*: Every year, Congress rescinds, or takes back, funding previously provided to federal agencies. The House and Senate Appropriations committees are responsible for writing (in theory, at least) 12 individual bills that provide new money for the coming fiscal year.

While the bills mostly provide new money, they can be written to additionally reduce or eliminate funds provided in previous years that haven't been spent or "obligated" -- a term used to describe money that's been committed, such as for a grant or contract, even if it hasn't left the Treasury yet.

Congress also can put together a separate rescissions bill. Historically, these have been moved early in a session to make sure the funds get cut before the end of the fiscal year.

- *Sequestration*: Sequestration is the automatic reduction of budget resources provided in an appropriations bill or another measure.

Cloture: The Senate invokes cloture when it wants to limit debate on an item under consideration.

The threshold for cloture depends on the item under consideration. When a group of senators -- typically, but not always, the majority party -- wants to limit debate, they file a cloture motion with the Senate. At least 16 members have to sign the petition.

An intervening day must pass before the Senate votes. Unless there's an agreement to change the timing, the vote takes place one hour after the Senate convenes on the second day after the cloture petition was filed.

After cloture is invoked, debate continues for a specified period of time. For bills, the debate lasts 30 hours. For nominations, post-cloture debate time varies.

Conference Committees: To become law, bills must be passed by both the House and Senate with identical language, under the same number.

When the House and Senate pass different versions of a bill, they can agree to hold a conference where differences are hashed out in at least one public meeting and through closed-door negotiations.

Party leaders choose the members of the conference committee -- or managers -- who are formally appointed by the presiding officer. They're usually drawn from the committees of jurisdiction, with chairmen of the committees typically taking the lead roles.

Once an agreement is reached, the members of the conference committee are asked to review the compromise and sign a conference report. That report typically includes proposed legislative text and a joint explanatory statement that describes the agreement.

If a majority of each chamber's delegation signs the conference report, it can go to the full House and full Senate. Both chambers must adopt the conference report for the underlying legislation to advance to the president's desk.

Congressional Review Act: The Congressional Review Act allows new regulations to be overturned through a joint resolution of disapproval.

Enacted in 1996, the Congressional Review Act applies to "major" regulations, defined as those which the Office of Information and Regulatory Affairs determines would meet one of the following three criteria:

1. Have an annual economic effect of \$100 million or more; or
2. Result in a major increase in costs or prices for consumers, industries, governments or geographic regions; or
3. Have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic and export markets.

Rules that fit that definition must be submitted to Congress, which has 60 days to review, not including recesses. To date, the law has been used successfully to block a rule only once.

Dynamic Scoring: Dynamic scoring is shorthand for taking extra macroeconomic effects into consideration when trying to estimate how much a bill might cost the government -- or how much revenue it could generate.

Filling the Amendment Tree: In the Senate, filling the amendment tree is one of the more powerful procedural tactics available to the majority leader -- and one that causes consternation for the minority -- by controlling which amendments get votes on the chamber's floor.

To understand exactly what "filling the tree" means, one must first understand the limits on amendments of any kind.

Any debatable item (think motions, bills, etc.) in the Senate can only be amended in two degrees. These restrictions over time have become helpful for Senate leaders looking to slow debate and keep contentious or controversial amendments from receiving votes.

Over decades, Senate leaders have developed four distinct amendment trees. The procedural motions and amendments that go into filling these trees depend upon what type of amendment is first offered to the pending measure. For example, if the first amendment offered is one that simply strikes language, a particular type of amendment tree will follow. The same is true if the first amendment offered inserts text and so on.

When a substitute amendment is offered, there's one branch of the tree that applies to it, and another for the text that would be replaced by the substitute. This results in some amendment trees with as many as 11 amendments and others with as few as three.

Majority leaders fill the tree for myriad reasons. When he was majority leader, Reid used the tactic to help prevent Republicans from offering controversial amendments. The tactic aimed to prevent vulnerable Democrats from taking votes on amendments that could prove harmful politically.

House Rules Committee: The House Rules Committee is the primary tool that the chamber's leaders use to keep the length of floor debates under control.

The ratio of majority to minority members on the committee is lopsided -- 2 to 1 plus one, or 9-4 in recent years -- allowing the leadership to work its will.

During busy times, the committee may meet two or three times a week to set the terms of how bills will be brought to the floor. The committee establishes:

- Which version of a bill or resolution will be brought to the floor;
- How long each measure will be debated;
- Whether amendments can be offered on each measure.

When the committee votes to prohibit any amendments, the rule for floor debate is described as a closed rule. When the committee permits an unlimited number of amendments, it's known as an open rule. When only specific, predetermined amendments are made in order, it's a structured rule.

The "special orders" or rules reported by the committee are privileged for floor consideration, and a simple majority is required for adoption of the rule.

Pro Forma Sessions: The House and Senate meet in pro forma sessions because the Constitution prohibits each chamber from recessing for more than three days without the permission of the other.

When the two chambers don't adopt a concurrent resolution providing for a recess or adjournment, pro forma sessions allow a formal meeting that meets the constitutional requirement while still giving most members time away from Washington to return to their states. The exception? The one senator or representative -- often drawn from the majority's delegation in close-by Maryland or Virginia -- who's asked to convene and then gavel closed a session in a mostly empty chamber on pro forma day.

Suspension of the Rules: One of the tools available to House leaders to keep House sessions from dragging on is the ability to bring bills to the floor under suspension of the rules.

Legislation considered under this procedure can't be amended on the floor, though the floor manager can bring up a modified version for consideration when offering the motion to suspend the rules. Debate is limited to 40 minutes.

The trade-off for that streamlining: a two-thirds majority is required for passage of the bill at hand or adoption of a conference report or non-binding resolution.

The procedure is typically used for noncontroversial measures or those with wide support.

If House members don't agree to a motion to suspend the rules, the measure isn't dead and the majority party can bring it up using other procedures.

Unanimous Consent: Unanimous-consent requests are used in the Senate and House to set aside the chamber's rules in order to act more expeditiously.

A UC request can cover almost anything. The one standard is that if even one person objects, the request isn't granted.