

TheCapitol.Net Glossary of Legislative Terms (selected list)

Act: Legislation (a bill or joint resolution, see below) that has passed both chambers of Congress in identical form, been signed into law by the President, or passed over his veto, thus becoming law. A bill also becomes an act without the president's signature if he does not return it to Congress within ten days, Sundays excepted, while Congress is in session. Technically, this term also refers to a bill that has been passed by one house and engrossed (prepared as an official copy).

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.

Appropriations Bill: A bill that gives legal authority to spend or obligate money from the Treasury. The Constitution forbids money to be drawn from the Treasury "but in Consequence of Appropriations made by Law."

By congressional custom, an appropriations bill originates in the House, and it is not supposed to be considered by the full House or Senate until a related measure authorizing the funding is enacted. The latter restriction is often ignored, however. An appropriation bill grants the actual money approved by authorization bills, but not necessarily the full amount permissible under the authorization. The 1985 Gramm-Rudman-Hollings law stipulated that the House pass by June 30 the last regular appropriations bill for the fiscal year starting October 1. (There is no such deadline for the Senate.) However, appropriations often have not been completed until well after the fiscal year begins, requiring a succession of stopgap bills to continue the government's functions. In addition, much federal spending - about half of all budget authority, notably that for Social Security and interest on the federal debt - does not require annual appropriations; those programs exist under permanent appropriations.

Authorization: Basic, substantive legislation that establishes or continues the legal operation of a federal program or agency, either indefinitely or for a specific period of time, or which sanctions a particular type of obligation or expenditure. An authorization normally is a prerequisite for an appropriation or other kind of budget authority. Under the rules of both houses, the appropriation for a program or agency may not be considered until its authorization has been considered. An authorization also may limit the amount of budget authority to be provided or may authorize the appropriation of "such sums as may be necessary."

Authorizations Act: A law that establishes or continues one or more Federal agencies or programs, establishes the terms and conditions under which they operate, authorizes the enactment of appropriations, and specifies how appropriated funds are to be used. Authorizations acts sometimes provide permanent appropriations.

Bills: Most legislative proposals before Congress are in the form of bills. Bills are designated H.R. if they originate in the House of Representatives and S. if they originate in the Senate and by a number assigned in the order in which they are introduced during the two-year period of a congressional term. "Public bills" deal with general questions and become public laws if approved by Congress and signed by the president. "Private bills" deal with individual matters such as claims against the government, immigration and naturalization cases, land titles, etc., and become private laws if approved and signed.

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Bills Introduced: In both the House and Senate, any number of members may join in introducing a single bill or resolution. The first member listed is the sponsor of the bill, and all members' names following his or hers are the bill's cosponsors.

Many bills are introduced under the name of the chairman of the committee or subcommittee with jurisdiction over the measure. All appropriations bills fall into this category. A committee frequently holds hearings on a number of related bills and may agree to one of them or to an entirely new bill.

Bills Referred: When introduced, a bill is referred to the committee or committees that have jurisdiction over the subject with which the bill is concerned. Under the standing rules of the House and Senate, bills are referred by the Speaker in the House and by the presiding officer in the Senate. In practice, the House and Senate parliamentarians act for these officials and refer the vast majority of bills.

Budget: The document sent to Congress by the president early each year estimating government revenue and expenditures for the ensuing fiscal year.

Budget Act: The common name for the Congressional Budget and Impoundment Act of 1974, which established the current budget process and created the Congressional Budget Office. The act also put limits on presidential authority to refuse to spend appropriated money.

Budget Authority: Authority provided by law to enter into obligations that will result in outlays of Federal funds. The basic forms of budget authority are appropriations, contract authority and borrowing authority. Budget authority may be classified by the period of availability (one-year, multiyear, no-year), by the timing of congressional action (current or permanent), or by the manner of determining the amount available (definite or indefinite).

Budget Enforcement Act of 1990: The Budget Enforcement Act of 1990 was adopted to replace the Gramm-Rudman-Hollings Act of 1987, as a response to the budget crisis that persisted through the 80's. The Budget Enforcement Act concentrated on devising a new deficit control process that would contain the deficit by controlling the amount of revenue raised and money spent. In line with this reasoning, the Budget Enforcement Act established three sets of rules for controlling the deficit: adjustable deficit targets, caps on discretionary spending, and pay-as-you-go (PAYGO) rules for revenue and direct spending.

Budget Process: Congress enacted legislation in 1985 to strengthen its 11-year-old budget process with the goal of balancing the federal budget by fiscal year 1991. The law, called the Balanced Budget and Emergency Deficit Control Act but commonly known as Gramm-Rudman-Hollings for its congressional sponsors, was amended in 1987 so the federal budget would be balanced by 1993. The law established annual maximum deficit targets and mandated automatic across-the-board cuts ("sequestration") if the deficit goals were not achieved through regular and appropriations action

The Gramm-Rudman-Hollings law also established an accelerated timetable for presidential submission of budgets and for congressional approval of budget resolutions and reconciliation bills, two mechanism created by the Congressional Budget and Impoundment Control Act of 1974. Budget resolutions, due by April 15 annually, set guidelines for congressional action on spending and tax measures. The resolutions are adopted by the House and Senate but are not

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signed by the president and do not have the force of law. Reconciliation bills, due by June 15, actually make changes in existing law to meet budget resolution goals.

Budget Resolution: Legislation in the form of a concurrent resolution setting forth the congressional budget, but not requiring the president's signature. The budget resolution establishes various budget totals, divides spending totals into functional categories (e.g., transportation), and may include reconciliation instructions to designated House or Senate committees.

Caucus: From the Algonquian Indian language, a caucus meant "to meet together." An informal organization of Members of the House or the Senate, or both, that exists to discuss issues of mutual concern and possibly to perform legislative research and policy planning for its members. There are regional, political or ideological, ethnic, and economic-based caucuses.

Chairman: The presiding officer of a committee or subcommittee. In the Senate, chairmanship is based on seniority of committee tenure, but a Senator may not chair more than one standing committee.

Chamber: The meeting place for the membership of either the House or Senate; also the membership of the House or Senate meeting as such. A chamber is often referred to as "the floor."

Clean Bill: Frequently after a committee has finished a major revision of a bill, one of the committee members, usually the chairman, will assemble the changes and what is left of the original bill into a new measure and introduce it as a "clean bill." The revised measure, which is given a new number, then is referred back to the committee, which reports it to the floor for consideration. This often is a time-saver, as separate floor votes are avoided for committee-recommended changes in a clean bill. Reporting a clean bill also protects committee amendments that are subject to points of order concerning germaneness.

Conference: (1) A formal meeting between the representatives of the House and the Senate to reconcile differences between the two houses on provisions of a bill passed by both chambers. Members of the conference committee are appointed by the Speaker and the presiding officer of the Senate and are called "managers" for their respective chambers. A majority of the managers for each house must reach agreement on the provisions of the bill (often a compromise between the versions of the two chambers) before either chamber can consider it in the form of a "conference report." When the conference report goes to the floor, it cannot be amended, and if both chambers do not approve it, the bill may go back to conference in certain situations, or a new conference must be convened. Many rules and informal practices govern the conduct of conference committees.

Bills passed by both houses with only minor differences must be sent to conference. Either chamber may "concur" in the other's amendments, completing action on the legislation. Sometimes leaders of the committee of jurisdiction work out an informal compromise instead of having a formal conference. (2) A common reference to a conference committee. (3) The official title and the organization of all Republicans in both houses of Congress.

Conference Committee: A temporary, ad hoc panel composed of House and Senate conferees that is formed for the purpose of reconciling differences in legislation that has passed both

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chambers. Conference committees are usually convened to resolve bicameral differences on major and controversial legislation.

Earmark: For expenditures, an amount set aside within an appropriations account for a specified purpose.

Enacted: Once legislation has passed both chambers of Congress in identical form, been signed into law by the President, become law without his signature, or passed over his veto, the legislation is enacted.

Federal Debt: The federal debt consists of public debt, which occurs when the Treasury of the Federal Financing Bank (FFB) borrows money directly from the public or other funds or accounts, and agency debt, which is incurred when a federal agency other than the Treasury of the FFB is authorized by law to borrow money from the public or another fund or account. The public debt comprises about 99 percent of the gross federal debt.

Filibuster: A time-delaying tactic associated with the Senate and used by a minority in an effort to delay, modify or defeat a bill or amendment that probably would pass if voted on directly. The most common method is to take advantage of the Senate's rules permitting unlimited debate, but other forms of parliamentary maneuvering may be used. The stricter rules of the House make filibusters more difficult, but delaying tactics are employed occasionally through various procedural devices allowed by House rules

Fiscal Year: The federal government's annual accounting period. Financial operations of the government are carried out in a 12-month accounting year, beginning on October 1 and ending on September 30. The fiscal year carries the date of the calendar year in which it ends and is referred to as FY; for example, fiscal year 2006 begins on October 1, 2005 and ends on September 30, 2006. (From fiscal year 1844 to fiscal year 1976, the fiscal year began July 1 and ended the following June 30.)

Floor Amendment: An amendment offered by an individual senator from the floor during consideration of a bill or other measure, in contrast to a committee amendment.

Floor Leaders: The Majority Leader and Minority Leader are elected by their respective party conferences to serve as the chief Senate spokesmen for their parties and to manage and schedule the legislative and executive business of the Senate. By custom, the Presiding Officer gives the floor leaders priority in obtaining recognition to speak on the floor of the Senate.

Hearings: Committee sessions for taking testimony from witnesses. At hearings on legislation, witnesses usually include specialists, government officials and spokesmen for persons or entities affected by the bill or bills under study. Hearings related to special investigations bring forth a variety of witnesses. Committees sometimes use their subpoena power to summon reluctant witnesses. The public and press may attend open hearings, but are barred from closed or "executive" hearings. The vast majority of hearings are open to the public.

Joint Committee: A committee composed of an equal number of members of both the House and the Senate. A joint committee may be investigative or research oriented. As of 1993 only four joint committees remain: Joint Economic, Joint Taxation, Joint Library, and Joint Printing. None has the authority to report legislation. Standing joint committees are permanent joint

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committees established by law. The law fixes the number of the majority and minority members from each house.

Joint Resolution: A joint resolution, designated HJ Res or SJ Res. Requires the approval of both houses and the signature of the president, just as a bill does, and has the force of law if approved. There is no practical difference between a bill and a joint resolution. A joint resolution generally is used to deal with limited matters, such as a single appropriation.

Joint resolutions also are used to propose amendments to the Constitution in Congress. These do not require presidential signature, but become a part of the Constitution only when approved by two-thirds of each chamber of Congress and ratified by three-fourths of the states.

Joint Session: When the House and Senate meet together to conduct formal business or to hear an address by the President of the United States.

Law/Public Law/Private Law: An act of Congress that has been signed by the president or passed over his veto by Congress. Public bills, when signed, become public laws, and are cited by the letters PL and a hyphenated number. The digits before the hyphen correspond to the Congress, and the one or more digits after the hyphen refer to the numerical sequence in which the bills were signed by the president during that Congress. Private bills, when signed, become private laws.

Lobby: A group seeking to influence the passage or defeat of legislation. Originally the term referred to persons frequenting the lobbies or corridors of legislative chambers to speak to lawmakers.

The definition of a lobby and the activity of lobbying is a matter of differing interpretation. By some definitions, lobbying is limited to direct attempts to influence lawmakers through personal interviews and persuasion. Under other definitions, lobbying attempts at indirect, or "grass-roots", influence, such as persuading members of a group to write or visit their districts' representative and states' senators or attempting to create a climate of opinion favorable to a desired legislative goal.

The right to attempt to influence legislation is based on the First Amendment to the Constitution, which says Congress shall make no law abridging the right of the people to "petition the government for redress of grievances."

Majority Leader: The Majority Leader is elected by his/her party colleagues. In the Senate, the Majority Leader, in collaboration with the Minority Leader, directs the legislation schedule for the chamber. Each is his/her party's spokesperson and chief strategist. In the House, the Majority Leader is second to the Speaker in the majority party's leadership, and serves as his/her party's legislative strategist.

Majority Whip: In effect, the assistant majority leader, in either the House or Senate. His job is to help marshal majority forces in support of party strategies and legislation. The party caucus elects the whip.

Marking Up A Bill: Going through the contents of a piece of legislation in committee or subcommittee to consider its provisions and proposed revisions to the language, and insert new sections and phraseology. If the bill is extensively amended, the committee's version may be

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introduced as a separate bill, with a new number, before being considered by the full House or Senate.

Markup: The process by which congressional committees and subcommittees debate, amend, and rewrite proposed legislation.

Minority Leader: Floor leader and chief spokesperson for the minority party in each chamber, elected by the members of that party. The Minority Leader is also responsible for devising the party's political and procedural strategy.

Minority Whip: Performs duties of whip for the minority party. Members of the minority party elect the Minority Whip.

Motion: In the House or Senate chamber, a request by a member to institute any of a wide array of parliamentary actions. The member "moves" for a certain procedure, such as the consideration of a measure. The precedence of motions, and whether they are debatable, is set forth in the House and Senate manuals.

Omnibus Bill: A measure that combines the provisions related to several disparate subjects into a single measure. Examples include continuing appropriations resolutions that might contain two or more of the thirteen annual appropriations bills.

Reconciliation: The 1974 budget act provides for a "reconciliation" procedure for bringing existing tax and spending laws into conformity with ceilings enacted in the congressional budget resolutions. Under the procedure, Congress instructs designated legislative committees to approve measures adjusting revenues and expenditures by a certain amount. The committees have a deadline by which they must report the legislation, but they have the discretion of deciding what changes are to be made. The recommendations of the various committees are consolidated without change by the budget committees into an omnibus reconciliation bill, which the must be considered and approved by both houses of Congress. The orders to congressional committees to report recommendations for reconciliation bills are called reconciliation instructions, and they are contained in the budget resolution.

Reconciliation Bill: A bill containing changes in law recommended pursuant to reconciliation instructions in a budget resolution. If the instructions pertain to only one committee in a chamber, that committee reports the reconciliation bill. If the instructions pertain to more than one committee, the Budget Committee reports an omnibus reconciliation bill, but it may not make substantive changes in the recommendations of the other committees.

Reconciliation Process: A process established in the Congressional Budget Act of 1974 by which Congress changes existing laws to conform tax and spending levels to the levels set in a budget resolution. Changes recommended by committees pursuant to a reconciliation instruction are incorporated into a reconciliation measure.

Session: The period during which Congress assembles and carries on its regular business. Each Congress generally has two regular sessions (a first session and a second session), based on the constitutional mandate that Congress assemble at least once each year.

Speaker: The presiding officer of the House of Representatives, selected by the caucus of the party to which he/she belongs and formally elected by the whole House.

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Standing Committee: Committees permanently established by House and Senate rules. The standing committees are legislative committees. Legislation may be referred to them and they may report bills and resolutions to their parent chambers.

Subcommittee: Subunit of a committee established for the purpose of dividing the committee's workload. Recommendations of a subcommittee must be approved by the full committee before being reported to the Senate.

Supplemental Appropriations Bill: Legislation appropriating funds after the regular annual appropriations bill for a federal department or agency has been enacted. A supplemental appropriation provides additional budget authority beyond original estimates for programs or activities, including new programs authorized after the enactment of the regular appropriation act, for which the need for funds is too urgent to be postponed until enactment of the next year's regular appropriations bill.