

NAFSA Guide to the Legislative Process

Step 1

Legislation Introduced: There are four types of legislation: bills, joint resolutions, concurrent resolutions, and simple resolutions. Unlike bills and joint resolutions, concurrent and simple resolutions do not have the force of law, but rather are used to express facts, opinions or principles of Congress on an issue.

Step 2

Referral to Committee: Bills are referred to standing committees in the House or Senate according to rules of procedure that define the jurisdiction of each committee. Many committees adopt rules referring measures to the appropriate subcommittee unless the full committee votes to retain the measure at the full committee.

Step 3

Committee or Subcommittee Consideration: This is perhaps the most important stage in the legislative process. The bill is examined and its chances for passage are determined. If the bill is of sufficient importance, public hearings may be scheduled to give experts and supporters/opponents an opportunity to put their views on record. . If the committee does not act on the bill, the bill dies.

Step 4

Mark Up: The subcommittee or committee may make changes to the bill. A subcommittee may decide to report the bill favorably to the full committee, with or without amendment, or unfavorably, or without recommendation. The subcommittee may also suggest that the committee "table" it, or postpone action indefinitely.

Step 5

Committee Action to Report a Bill: The full committee can conduct further study or vote on any of the proposed changes. The full committee then votes on its recommendation to the House or Senate. This is known as "ordering a bill reported."

Step 6

Written Report: Committee staff prepares report describing the legislative intent of the committee on the bill language, the impact of the bill on existing laws/programs, the position of the executive branch, and any dissenting views.

Step 7

Scheduling Floor Action: Once the bill is reported to the full chamber, it is placed on the calendar.

Step 8

Debate: When a bill reaches the floor of the House or Senate, there are rules or procedures governing the debate on the legislation. These rules determine the conditions and amount of time allocated for general debate.

Step 9

Voting: After the debate and the approval of any amendments, the bill is passed or defeated by the members voting.

Step 10

Referral to Other Chamber: When a bill is passed by the House or the Senate, it is referred to the other chamber where it usually follows the same route through committee and floor action. Once received, this chamber may approve, reject, ignore, or change the bill.

Step 11

Conference Committee: If minor changes are made, the bill goes back to the first chamber for concurrence. When the other chamber significantly alters the bill, a conference committee is formed to reconcile the differences. If no agreement is reached, the legislation dies.

Step 12

Final Actions: If the bill passes the House and Senate in identical form, the bill goes to the President who can veto it, sign it, or take no action for ten days while Congress is in session to make it law.

Step 13

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

This material is adapted from <http://Thomas.loc.gov> and is intended to serve as a general overview of the multi-step legislative process. There are often exceptions to this process. To help influence the process, sign up for NAFSA's Advocacy Centered Team (ACT). For more information on advocacy and best practices when communicating with Members of Congress, please view NAFSA's Advocacy Handbook at www.nafsa.org/advocacyhandbook.