

CRS Report for Congress

Received through the CRS Web

Sources of Legislative Proposals: A Descriptive Introduction

Judy Schneider
Specialist on the Congress
Government and Finance Division

Summary

Ideas for legislation come from individual Members of Congress, congressional committees and subcommittees, informal groups of Members, the executive and judicial branches, state and local governments, foreign governments, constituents, advocacy and lobby groups, and the press.

Individual Members. When Members are elected to Congress, they usually come to Washington to legislate on promises made during their campaign. They have ideas on what their district or state needs and what is best for the nation. Their ideas are frequently transformed into legislation that appears among the thousands of measures that are introduced in the first weeks of a new Congress. Members also initiate legislation following extended visits to their constituents after seeing and assessing needs firsthand.

Committee and Subcommittees. Committees and subcommittees charged by House or Senate rules with legislating, studying and reviewing, and investigating specific policy areas make their own legislative proposals. Unlike in the Senate, most committees in the House cannot technically originate legislation. Nonetheless, House and Senate committees identify needs for legislation and are crucial in recommending that such legislation be introduced. By the time of the bill's introduction, the appropriate committee is well prepared to continue its work.

Informal Groups. In addition to the numerous committees and subcommittees, there is a myriad of informal groups of Members with interests in a particular issue or region of the country. These groups study issues and lobby for the enactment of specific policies. For example, the Congressional Black Caucus and the Congressional Caucus for Women's Issues are active in promoting causes and initiating legislation. Their range of specific concerns may not be handled by individual Members, committees, or subcommittees. Recent freshman classes have also been recognized as effective and cohesive in their policy pursuits.

Executive Branch. The Constitution of the United States grants to the President the power to propose legislation. At the beginning of each year, in a televised State of the

Union Message, the President addresses Congress and the nation in the House of Representatives' chamber to announce his legislative priorities for that year. Throughout the year, through executive messages and policy speeches, among other ways, the President converts the broad concepts from his speech into specific legislative ideas for congressional consideration. Many proposals grow out of campaign issues and reflect the policy initiatives that may have led to the President's election. Many others reflect the combined wisdom of his Cabinet officers and other executive branch policy advisers as they determine new authority or reforms needed related to existing laws.

State and Local Government. Although autonomous from the national legislature, state and local governments often look to Congress for assistance in solving local problems. This aid is often monetary, but occasionally it may take the form of federal regulations affecting local activities. For example, in the case of the Safe Drinking Water Act, the needs of the locality are met through legislation providing funds, but also requiring that certain national standards be met. National legislators attempt to design such legislation in a fashion that favors conditions in their state or district.

Supreme Court. Constitutionality, the highest court in the nation interprets the laws Congress passes. Legislation ruled unconstitutional by the court, or policy decisions or directives made by the Court in its rulings, often find their way back to Congress's agenda in the form of new legislative proposals.

Foreign Governments. Congress serves a foreign as well as a domestic policy function. The Senate is constitutionally charged with advice and consent on appointment of ambassadors and ratification of treaties with foreign governments. The needs of individual countries and global regions are addressed in Congress as legislative proposals.

Constituents. Members of Congress serve legislative and representative functions. As representatives, they seek to address the needs of their constituents through the legislative process. Constituents' ideas often find their way into legislation. Pictures of average citizens, and in some cases, famous actors and actresses, rather than lobbyists and politicians, testifying about specific legislative needs, or the piles of mail from home being delivered to Members offices are commonplace. Because reelection is so closely tied to taking care of constituents, many of their demands are translated into legislation, especially when they affect many individuals more than one district or state.

Advocacy and Lobby Groups. It is generally believed among Congress watchers that there exists an interest group for almost every issue before the Congress, no matter how small. Many of these groups seek to influence decision making once legislation is introduced; others seek to influence the legislative agenda itself, including which measures should be considered and which should be kept off the agenda. In addition to providing legislative proposals, these groups actively seek action on them.

Press. An internal joke on Capitol Hill says that the day after the television show *60 Minutes* is on, or the day after the magazine *Readers Digest* hits the newsstands, are the worst days to work in a congressional office, especially as a caseworker or press secretary. These two outside sources are believed on Capitol Hill to provoke more ideas for more legislation for more Members than all other sources combined. The press is a potent watchdog for Congress and an equally potent advocate for the citizenry. Ideas raised in the media, especially local media, elicit serious consideration by Members.