

Demystifying Capitol Hill

Presented by 2008 Knauss Fellows



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Anatomy of Capitol Hill



Senate v. House

- Senate:
 - 100 Members
 - Equality among Senators
 - Floor is center of action
 - Leadership by negotiation
- House:
 - 435 Voting Members
 - Rules by Majority
 - Strong committee system
 - Hierarchical leadership





Majority v. Minority



- Committees:
 - Party breakdown controls Chairman vs. Ranking Member
 - Strength of majority controls number of seats
- Floor:
 - Majority or Minority Leader sets party priorities
 - Majority Leader/ Speaker sets floor agenda
- Strength of the majority:
 - To pass legislation, generally need 60/100 votes in Senate or 218/435 votes in House
 - Number of seats controls ability to pass partisan legislation
 - Party lines more important in House than Senate

Delegates and Resident Commissioner

- Five non-voting seats in the House
 - Resident Commissioner: Puerto Rico (1901)
 - Delegates: District of Columbia (1970), Guam (1972), U.S. Virgin Islands (1972), American Samoa (1978), Commonwealth of the Northern Mariana Islands (2008)
- Participation
 - Serve on standing and conference committees
 - Vote on legislation at the committee level
 - Vote on the House floor in the Committee of the Whole (*their vote cannot be decisive*)



Legislative Process

How a Bill Becomes a Law



Turning Ideas into Action



- Ideas come from:
 - Recent events/lingering issues
 - Constituents
 - Staffers
 - Executive branch
 - Interest groups (industry, lobbyists, NGOs, etc.)
 - Senators/Representatives
- Drafting Language
 - External draft with internal modification
 - Internal draft

Introduction and Referral



- Pre-introduction
 - Find a sponsor and cosponsors
 - Prepare floor statement and press release
 - Determine Committee of jurisdiction/talk to Parliamentarian
- Introduction
 - Assigned a number
- Parliamentarian refers to Committee(s)
 - Senate: one Committee with primary jurisdiction
 - Commerce, Science and Transportation
 - House: multiple Committees with jurisdiction
 - Natural Resources
 - Science and Technology

Committee Action

- Vetting language
 - Internal: Congressional Offices
 - External: Agencies, Interest Groups
- Hearings
 - Official record of the bill and issue
 - Generally necessary for bill passage
- Executive Sessions (Markup)
 - Detailed examination of the legislation
 - Bill can be amended
 - Committee members vote to report the bill
- Reports
 - Provide insight into the intent of the legislation
 - Explains changes to existing law

110TH CONGRESS
2D SESSION

S. 3160

[Report No. 110-508]

To reauthorize and amend the National Sea Grant College Program Act,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2008

Mr. INOUE (for himself, Mr. STEVENS, Ms. CANTWELL, Ms. SNOWE, Mr. KERRY, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

SEPTEMBER 25 (legislative day, SEPTEMBER 17), 2008

Reported by Mr. INOUE, without amendment

A BILL

To reauthorize and amend the National Sea Grant College
Program Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Sea Grant

5 College Program Amendments Act of 2008”.

Floor Action



- Floor Calendar: list of bills waiting for full chamber consideration
- House Consideration
 - Suspension of the Rules
 - Majority of House legislation considered this way
 - 40 minutes of debate
 - No floor amendments
 - Need 2/3 majority to pass
 - Under the Rules
 - Established by the House Committee on Rules
 - Requires simple majority for passage

Floor Action cont.

- Senate Consideration
 - Unanimous Consent
 - Need 100% agreement to pass
 - Used for non-controversial legislation
 - Simple v. complex UC agreements
 - Cloture
 - Used to prevent a filibuster
 - Requires 60 votes to invoke cloture
 - Does not lead to immediate vote
 - Germane amendments can be made
 - Need supermajority to pass





Resolving Differences



- Both the Senate and the House have to pass the EXACT same bill
 - One chamber can agree to the other chamber's bill
 - House and Senate exchange amendments to bill and reach agreement (pre-conference)
 - Conference Committee of members from the majority and minority of both House and Senate
- Bill is enrolled and presented to the President

President's Options



- Sign the bill: *bill becomes law*
- Not sign the bill
 - If Congress is still in session 10 days later
 - *bill becomes law*
 - If Congress is not still in session 10 days later
 - *bill does not become law (Pocket Veto)*
- Veto the bill: *bill does not become law*
 - Congress can override with 2/3 majority in both chambers: *bill becomes law*

Appropriations



Appropriations

- U.S. Constitution
- Article I: Section 9: Clause 7.
- ***No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.***

Categories of Federal Spending

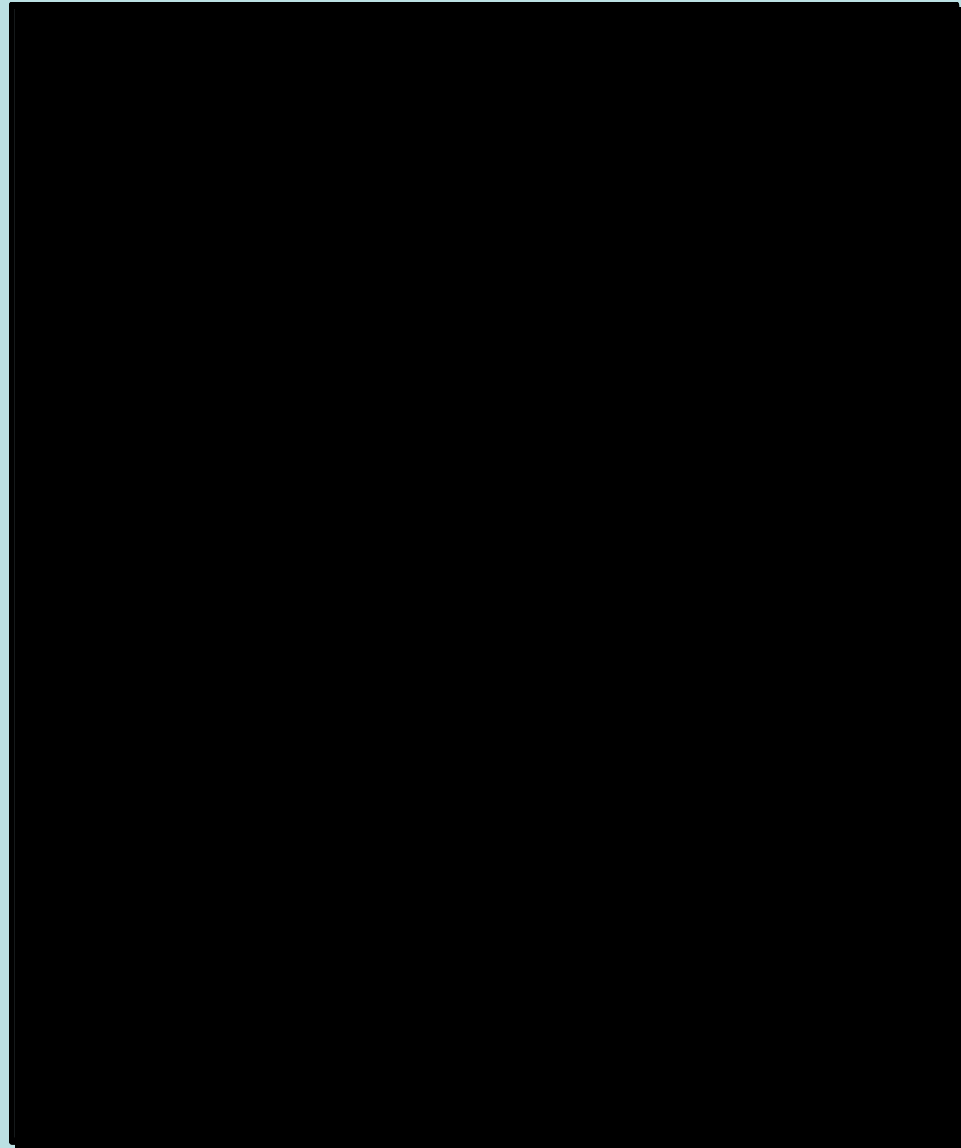
	Budget Authority Provided by Law <i>Other than</i> Appropriation Acts	Budget Authority Provided by Appropriation Acts
Entitlement	<ul style="list-style-type: none">• Medicare• Social Security	Appropriated Entitlements (e.g. Medicaid, Veteran's Compensation)
Non-Entitlement	<ul style="list-style-type: none">• Farm Bill• Forest Service payments to States	Discretionary Spending (Defense, Domestic, International)

Budgeting and Appropriations Process

- **Budget Committee**
 - Sets spending levels
 - Allocated by Subcommittee
- **Appropriations Committee**
 - Members make requests for projects (earmarks) and programs
 - Subcommittees create appropriations bills on their jurisdictions
 - Fully Committee marks up bills
 - Appropriations bills then brought up on the floor (usually in open or partially open rule)

Appropriations Requests

- Constituent groups looking for Federal dollars must first submit an appropriations request to the appropriate elected official
- The request must include a project description, history of past funding, and whether the project is a state priority



Appropriations Requests cont.

- The elected official then prioritizes the requests and sends in the top requests to the appropriate Committee
- The request to the Committee includes past funding, a summary of the project, whether the project is included in the President's budget, and how much the elected official is requesting

INTERIOR SUBCOMMITTEE — FY 2009

GENERAL REQUEST FORM

Senator's Name:

Agency:

Account:

Activity:

Facility/Organization:

Has this project been funded in past years?
When and how much?

Is this project funded in the administration's FY 2009 request?

How much is the Senator requesting in total, including any amount that may be in the president's budget?

Project Description:

Specific description of the project's purpose and justification for federal funding. Is the project specifically authorized? By what law? Is the project on Federal land? If the project is a pass-through request, does the relevant agency have any authority to pass the money through? Are there partners contributing to this project? What are they contributing? If the relevant program has a matching requirement, can the requestor provide the required match? Is the match in-hand?

Member signature: _____

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Types of Appropriations Measures

- Regular Appropriations Bills
- Continuing Resolutions
- Supplemental Appropriations Bills

Earmarks

- What are they?
 - Executive-directed spending
 - Congressionally-directed projects
 - Unauthorized spending
- How much?
 - ~\$3,000 x 10⁹ total or \$1,012 x 10⁹ Discretionary
 - \$18 x 10⁹
 - 1.8% of Discretionary Budget

Who is your Hill Staffer?

- Legislative Assistant
 - Bachelor's Degree, possibly a Master's or Professional
 - May have previous experiences in the House, state/local government, and the private sector or work on a campaign
 - Has been in the position < 3 years
 - Average age: 24-30

Personal Office Staff

- **Constituent Work:**
 - Phone calls, response letters, & meetings
- **Meetings:**
 - Constituents, agencies, & interest groups
 - Appropriations or policy
- **Research:**
 - Background for legislation, letters, hearings, & requests
- **Memos/ Briefing the Member:**
 - Provide background info and recommend a decision
- **Talking Points/ Speeches:**
 - Floor, committee, or press appearances
- **Hearings:**
 - Memos, questions, talking points/ speeches, items for record
- **Legislation:**
 - Drafting, reviewing, seeking endorsements, & obtaining co-sponsors



Committee Staff

- Responsibilities
 - Prepare for Hearings
 - Research, witnesses, memos, talking points, statements
 - Prepare for Executive Sessions
 - Bill language, memos
 - Draft/Move Legislation
 - Write Report Language
 - Negotiate Bill Language with other Party/Chamber
 - Provide Agency Oversight
 - Address Issues under Committee Jurisdiction



Communication Challenges between NOAA and the Hill



Government
clearance process...



Fast pace, constantly
changing and reactive...



What can the Hill do?



- Communicate with NOAA OLA what issues you would like tracked and provide feedback on the usefulness of the information sent
- Plan in advance - give NOAA as much time as possible to respond to a request (hearings, briefings Q&A's etc...)
- Whenever possible, give NOAA OLA a heads up on issues that you are working on and/or that may come up in the near future
- Always provide a “drop dead” deadline!
- Understand limitations with requesting/receiving technical assistance from NOAA that has not gone through the official clearance process
- PLEASE tell us if we did not answer your questions/concerns or failed to provide the information you need



What can NOAA do?



- Do NOT miss a deadline in providing information to the Hill
- Whenever possible, turn off reliance on email, grab the phone and get the answers/info needed
- Communicate with OLA staff what you have been working on and anticipated, more sensitive, issues that may come up in the future
- Keep OLA informed on what is happening with your program (good and bad news)
- Send documents to Hill electronically or in person because security slows down regular email
- Be prepared to deliver your message to different audiences

Tips for a Successful Hill Briefing

- Define goal - start briefing by stating why you are there/what you want
- Be prepared for the “so what?” question.
- Avoid using scientific/technical terminology and acronyms that can be confusing
- Limit length of briefing to 10-15 min, and allow enough time for dialogue/discussion
- Limit the size of your group to 1-3 NOAA people max
- Focus on your 2-3 take home messages
- Know your audience well - what issues that office cares most about?
- Always know what others/constituents are saying about your program/proposal, and bring up these issues during the briefing
- Demonstrate and explain why/how your program is a good investment
- ALWAYS be positive and enthusiastic!



NOAA Related Priorities and Unresolved Issues

A Review of the 110th Congress

- Ocean bills:
 - Senate: 80 introduced, 18 passed committee
 - House: 128 introduced, 28 received committee action, 17 passed committee
- Aquaculture
 - Marine sanctuaries
- Climate change
 - Marine renewables
- Corals
 - Ocean exploration
- Endangered species
 - Ocean governance
- Fisheries
 - Ocean observation
- Invasive species
 - Oil Spills

What Congress got done

- Enacted into law:
 - **H.R. 5618** National Sea Grant College Program Amendments Act of 2008
 - **S. 1582** Hydrographic Services Improvement Act Amendments of 2007
 - **H.R. 802** Maritime Pollution Prevention Act of 2008
 - **S.J.Res.17** A joint resolution on Arctic international fisheries management
 - **H.R. 2272** America COMPETES Act
 - **H.R. 234** Pacific Salmon Emergency Disaster Assistance Act of 2007

What Congress got done

- Passed the House
 - **H.R. 1006** Marine Mammal Rescue Assistance Amendments of 2008
 - **H.R. 1187** Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act
 - **H.R. 1205** Coral Reef Conservation Amendments Act of 2007
 - **H.R. 1834** Ocean Exploration
 - **H.R. 1907** Coastal and Estuarine Land Conservation Program Act
 - **H.R. 2342** National Integrated Coastal and Ocean Observation Act of 2007
 - **H.R. 2400** Ocean and Coastal Mapping Integration Act
 - **H.R. 2830** Coast Guard Authorization Act of 2007
 - **H.R. 4174** Federal Ocean Acidification Research And Monitoring Act of 2008
 - **H.R. 5741** Shark Conservation Act of 2008

One Last Hope

- Bills that might still pass this Congress
 - **S. 39** Ocean and Coastal Exploration and NOAA Act
 - **S. 950** Coastal and Ocean Observation System Act of 2007
 - **S. 1581** Federal Ocean Acidification Research And Monitoring Act of 2007
 - **H.R. 1907** Coastal and Estuarine Land Conservation Program Act

Ocean Issues for the 111th Congress

- Uncertainty due to changes in Senate leadership, NOAA administrator, and the President
- Unresolved issues from 110th Congress
- Indications from President-elect campaign
 - Climate change
 - Renewable energy
 - Ocean acidification
 - Marine sanctuaries
 - Coastal zone management
 - Oceans and human health
 - Law of the Sea
- Other issues