Policy Legislation

Authorizing Legislation

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Authorizers vs. Appropriators

- Two main kinds of bills
  - Authorizing committees write bills, create federal policy
    - Lists Authorized amounts for each program (how much each program should cost)
  - Appropriators actually allocate the funds for each Federal program
- The authorized amount NEVER matches the appropriated amount
- Two other kinds of bills
  - Reconciliation
  - Rescission

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How a Bill Becomes a Law



Representative
Introduces bill in the House of Representatives*

House Committee/Subcommittee
Releases | Revises & Releases | Tables

House floor
Bill is read, debated and amended; simple majority needed to pass

Passes different bill than Senate

Senator
Introduces bill in the Senate*

Senate Committee/Subcommittee
Releases | Revises & Releases | Tables

Senate floor
Bill is read, debated/amended; 60 votes

Passes different bill than House

Passed bills sent to other chamber unless similar measures are already under consideration

*Conference Committee***
Writes compromise bill. That bill goes back to both houses for final approval; approved bill is sent to the President



President signs

Bill becomes Law

President vetoes

2/3 vote in Congress can override veto

*Legislation may be introduced in either chamber except for tax law, which must originate in the House
**Most major legislation goes to conference committee; When one chamber passes legislation originating in the other without making changes, bill goes directly to President

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The Committee Process

- Senators and Representatives "**drop a bill**"
- Referred to Committee of Jurisdiction, i.e., if education usually goes to one of the education committees; if spending Appropriations
- Chairman decides which bills to consider, and usually assigns to subcommittee for hearings and **markup**
- Full committee then considers bill, can amend, and passes or defeats the bill
- Members not on the committee can be influential on passage or defeat of a bill

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House Committees

2: Select/Special

- Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party
- Permanent Select Committee on Intelligence

5: Joint

- Joint Committee on Printing
- Joint Committee on Taxation
- Joint Committee on the Library
- Joint Congressional Committee on Inaugural Ceremonies
- Joint Economic Committee

20: Standing

- Agriculture
- Appropriations
- Armed Services
- Budget
- Education and the Workforce
- Energy and Commerce
- Ethics
- Financial Services
- Foreign Affairs
- Homeland Security
- House Administration
- Judiciary
- Natural Resources
- Oversight and Accountability
- Rules
- Science, Space, and Technology
- Small Business
- Transportation and Infrastructure
- Veterans' Affairs
- Ways and Means

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Senate Committees

5: Select/Special

- Caucus on International Narcotics Control
- Select Committee on Ethics
- Select Committee on Intelligence
- Special Committee on Aging
- Indian Affairs

5: Joint

- Joint Committee on Printing
- Joint Committee on Taxation
- Joint Committee on the Library
- Joint Congressional Committee on Inaugural Ceremonies
- Joint Economic Committee

16: Standing

- Agriculture, Nutrition, and Forestry
- Appropriations
- Armed Services
- Banking, Housing, and Urban Affairs
- Budget
- Commerce, Science, and Transportation
- Energy and Natural Resources
- Environment and Public Works
- Finance
- Foreign Relations
- Health, Education, Labor, and Pensions
- Homeland Security and Governmental Affairs
- Judiciary
- Rules and Administration
- Small Business and Entrepreneurship
- Veterans' Affairs

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Floor Votes & Rules

- House can adopt OPEN or CLOSED Rule
- Senate has open amendment process
  - Requires floor time to pass legislation
  - Must pass CLOTURE to allow vote (ends debate with 60 votes)
- Unanimous Consent/Suspension – Voice Vote
- Ping Pong
- Pre-Conference

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History of the Elementary and Secondary Education Act

- 1965: President Lyndon B. Johnson signs ESEA into law, which significantly expands the federal role in K-12 education
  - Title I: Signature program aimed at helping districts cover the cost of educating disadvantaged students
- 1970: Congress tightened the reigns by adding “supplement, not supplant” language
  - Federal Title I money shouldn’t replace money spent by states and localities
- 1994: Reauthorization called Improving America’s Schools Act
  - Calls for states to develop standards and aligned tests for all students
- 2002: Reauthorization called No Child Left Behind Act
  - More testing to show adequate yearly progress (AYP)
  - Specific interventions for lack of AYP
  - “Highly qualified” teachers

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Every Student Succeeds Act

- Background
  - Signed into law in 2015
  - Reauthorizes the Elementary and Secondary Education Act and replaces No Child Left Behind
  - Designed to increase opportunities for local input and flexible decision making based on what communities and states need
- Title IV Part A - Student Support and Academic Enrichment (SSAE) Grants
  - Flexible block grant program authorized at $1.6 billion annually through FY 2021
  - Three broad areas
    1. Providing students with a **well-rounded education**
    2. Supporting **safe and healthy** students
    3. Supporting the effective use of **technology**

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Every Student Succeeds Act

- Title IV-B 21st Century Community Learning Centers
  - Competitive block grant program authorized at $1.1 billion through FY 2021
  - Funds educational activities outside of school hours
  - Local entities, including both schools and community organizations, compete for grants
  - Funds can be used for a variety of activities that support student achievement and success including:
    - STEM Programs
    - Technology Education
    - Career Readiness Programs
    - Mentoring

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National Defense Authorization Act (NDAA)

- Initially established as a means to fund military construction in 1961 and is now passed annually
- Responsibility of House and Senate Armed Services Committee
- Has exploded in scope to cover most of the nation's defense programming
  - $12.5 billion (~$130 billion in today's dollars) in 1961 to $895.2 billion today,
- In fiscal year 2025, the Department of Defense awarded more than $508 billion in contract awards
  - Earmarking ¼ of 1% towards STEM Education would realize $1.27 billion

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Administrative Rulemaking

- After Congress passes legislation, the job of the executive branch is to determine how to carry-out said legislation, this is called rule-making
  - Ex: for authorizing legislation creating grant programs, the executive determines how to decide who gets the grant money
- Congress can introduce a joint resolution of disapproval within 60 days-of-continuous-session to nullify the rule's effect
  - This resolution follows the same path to passage as most bills

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New OMB Rule

- In May, the Office of Management and Budget (OMB) released a new proposed rule titled "Regulation for Federal Assistance"
- The new proposed rule would codify the prioritize administrative priorities in both the awarding and termination of grants
  - This includes political appointee decision-making replacing peer review (which now becomes strictly advisory) during the grant awarding process
- This rule would be in effect for both this administration and all ensuing administrations

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Questions?

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