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Legislative Procedure in Congress: Basic Sources for Congressional Staff

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Summary

Written for congressional staff, this report identifies and provides details on how to obtain official government sources of information on the legislative process and the rules and procedure of the House and Senate. The report provides references to selected CRS products and offers information on the CRS legislative institutes. A listing of selected supplementary materials is also provided.

This report will be updated as new information is available.

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Understanding legislative procedure and processes is essential for congressional staff. Gaining familiarity with the key publications and websites listed in this report will assist congressional staff in obtaining a basic understanding of legislative procedure and processes in the House and Senate.

House and Senate Sources

Congressional staff can find official overviews and explanatory information on the House’s “Legislative Process” website at <http://clerk.house.gov/legislative/legprocess.aspx> and on the Senate’s “Legislative Process” website at http://www.senate.gov/pagelayout/legislative/d_three_sections_with_teasers/process.htm.

Reference sources on the rules and procedure of the House and Senate are listed below.

House Rules and Procedure

Constitution, Jefferson’s Manual, and Rules of the House of Representatives.
Washington: GPO, 2011.

<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=HMAN>

This publication, often referred to as *House Rules and Manual*, is prepared for each Congress by the House Parliamentarian and is issued as a House document, most recently for the 113th Congress as H.Doc. 112-161. It includes the text of the Constitution; the rules of the House and currently relevant portions of *Jefferson’s Manual of Parliamentary Practice*; a portion of the Congressional Budget Act; and other statutory provisions that operate as procedural rules. Copies are distributed to House offices and are also available from the House Legislative Resource Center.

House Practice: A Guide to the Rules, Precedents, and Procedures of the House.
Washington: GPO, 2011.

<http://www.gpo.gov/fdsys/pkg/GPO-HPRACTICE-112/pdf/GPO-HPRACTICE-112.pdf>

This one-volume publication prepared by William Holmes Brown and updated by Charles W. Johnson and John V. Sullivan, past and present House Parliamentarians, provides more current summary information on House rules and selected precedents than *Procedure in the U.S. House of Representatives* (see next entry). Organized alphabetically by topic, it reflects changes in the House rules and procedure adopted as of the 112th Congress. This is sometimes referred to as *Brown’s*. The Office of the House Parliamentarian has a limited number of copies to distribute to House offices upon request.

Procedure in the U.S. House of Representatives, 97th Congress: A Summary of the Modern Precedents and Practices of the House, 86th Congress-97th Congress. Washington: GPO, 1982.

Frequently referred to as Deschler’s *Procedure*, after a former Parliamentarian of the House, this one-volume work summarizes House procedure and provides a cumulated, condensed version of

House precedents from 1959 to 1980. A 1986 supplement, *Procedure in the United States House of Representatives: Annotations of the Precedents of the House for the 97th, 98th, and 99th Congresses*, covers 1981 through 1986. Both publications are out of print. These one-volume publications are not available on the Internet, but the full text of several related multivolume sets of House precedents—*Deschler's Precedents of the U.S. House of Representatives*, *Cannon's Precedents*, and *Hinds' Precedents*—are all available in the “Precedents of the U.S. House of Representatives” section of the Government Printing Office’s (GPO’s) website at <http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=GPO&browsePath=Precedents+of+the+U.S.+House+of+Representatives>.

Senate Rules and Procedure

Senate Manual. Washington: GPO, 2011.

<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=SMAN>

This manual, usually prepared during the second session of each Congress by the Senate Committee on Rules and Administration, contains the standing rules, orders, laws, and resolutions affecting the Senate, as well as copies of historical U.S. documents and selected statistics on the Senate and other government entities. Issued as S.Doc. 1, copies are distributed to Senate offices and are available from the Senate document room. A current edition of just the Standing Rules of the Senate is available on the committee’s website at <http://rules.senate.gov/public/index.cfm?p=RulesOfSenateHome>.

Riddick, Floyd M., and Alan S. Frumin. *Riddick's Senate Procedure: Precedents and Practices*. Washington: GPO, 1992.

<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=GPO&browsePath=Riddick%27s+Senate+Procedure&isCollapsed=false>

This publication was revised and updated in 1992 by the Parliamentarian of the Senate and published as S.Doc. 101-28. Organized alphabetically by topic, it contains currently applicable rulings by the presiding officer and practices related to Senate procedure. An appendix has suggested forms for various procedures, for example, offering motions or filing conference reports.

Senate Cloture Rule. Washington: GPO, 2011.

<http://www.gpo.gov/fdsys/pkg/CPRT-112SPRT66046/pdf/CPRT-112SPRT66046.pdf>

This committee print (S.Prt.112-31) was prepared for the Senate Committee on Rules and Administration by the Congressional Research Service (CRS). It includes lists of selected filibusters, tables of cloture votes, a legislative history of the cloture rule, and a bibliography. CRS has a limited number of copies available for distribution to offices upon request. Lists of cloture motions and votes from the 66th Congress (1919-1920) forward are also available on the Senate website at http://www.senate.gov/pagelayout/reference/cloture_motions/clotureCounts.htm.

Primers on the Legislative Process and Related Documents

Our American Government. Washington: GPO, 2003. (H.Doc. 108-94)

<http://www.gpo.gov/fdsys/pkg/CDOC-108hdoc94/pdf/CDOC-108hdoc94.pdf>

This revised version of the popular introductory guide is written in a question-and-answer format that covers a broad range of topics dealing with the legislative, executive, and judicial branches of our government. The appendixes contain a glossary of legislative terms and a selective bibliography. Copies of each new edition are distributed to congressional offices. Members of Congress can also obtain printed copies of the current edition from the House Legislative Resource Center and the Senate Document Room.

The Constitution of the United States of America As Amended: Unratified Amendments: Analytical Index. Washington: GPO, 2007. (H.Doc. 110-50)

<http://www.gpo.gov/fdsys/pkg/CDOC-110hdoc50/pdf/CDOC-110hdoc50.pdf>

This document contains the text of the Constitution, its amendments, and a useful index to the Constitution and amendments. A related document, *The Constitution of the United States of America: Analysis and Interpretation* (popularly known as the *Constitution Annotated*) contains legal analysis and interpretation of each section of the United States Constitution and is updated regularly by CRS. It is available to congressional staff on the CRS website at <http://crs.gov/analysis/Pages/constitutionannotated.aspx>.

Dove, Robert B. *Enactment of a Law: Procedural Steps in the Legislative Process*. Washington: GPO, 1982.

<https://www.congress.gov/resources/display/content/Enactment+of+a+Law+-+Learn+About+the+Legislative+Process>
http://www.senate.gov/legislative/common/briefing/Enactment_law.htm

Prepared by the Senate Parliamentarian in 1982, this primer on the legislative process traces procedures used in the Senate and the House of Representatives. No printed copies are available, but it was updated online in 1997. It is available on Congress.gov and on the Senate website.

Sullivan, John V. *How Our Laws Are Made*. Washington: GPO, 2007. (H. Doc. 110-49)

<https://www.congress.gov/resources/display/content/How+Our+Laws+Are+Made+-+Learn+About+the+Legislative+Process>
<http://www.gpo.gov/fdsys/pkg/CDOC-110hdoc49/pdf/CDOC-110hdoc49.pdf>

This pamphlet outlines stages in the legislative process for the generalist and explains the uses of various publications, which track that process. It is prepared by the Parliamentarian of the House in consultation with the Parliamentarian of the Senate. This guide is updated periodically. Copies of new editions are distributed to congressional offices and can also be obtained from the House Legislative Resource Center and the Senate Document Room.

CRS Sources

CRS Website

CRS has a variety of resources and services available on legislative procedure. The CRS website is available to Members of Congress and their staff at <http://www.crs.gov>. Congressional staff may obtain useful CRS materials on “Legislative Reference Sources” page at <http://www.crs.gov/resources/Pages/LegReference-Committees.aspx> and legislative procedure from the “Congressional Operations” page on the CRS website at <http://www.crs.gov/analysis/Pages/CongressionalOperations.aspx>. The latter page includes short fact sheets on House and Senate procedure; materials on the budget process and on congressional oversight; and a legislative glossary, the *American Congressional Dictionary*.

Selected CRS Reports

CRS Report 98-812, *Amendments Between the Houses: A Brief Overview*, by Elizabeth Rybicki and James V. Saturno.

CRS Report 98-706, *Bills and Resolutions: Examples of How Each Kind Is Used*, by Richard S. Beth.

CRS Report 98-728, *Bills, Resolutions, Nominations, and Treaties: Characteristics, Requirements, and Uses*, by Richard S. Beth.

CRS Report 98-242, *Committee Jurisdiction and Referral in the Senate*, by Judy Schneider.

CRS Report RS20147, *Committee of the Whole: An Introduction*, by Judy Schneider.

CRS Report RS20794, *The Committee System in the U.S. Congress*, by Judy Schneider.

CRS Report 98-736, *Floor Consideration of Conference Reports in the House*, by James V. Saturno.

CRS Report RS20200, *General Debate in Committee of the Whole*, by Judy Schneider.

CRS Report 98-777, *The House Amendment Tree*, by Walter J. Oleszek.

CRS Report RL30945, *House and Senate Rules of Procedure: A Comparison*, by Judy Schneider.

CRS Report 98-339, *House Committee Hearings: Scheduling and Notification*, by Christopher M. Davis.

CRS Report 98-175, *House Committee Jurisdiction and Referral: Rules and Practice*, by Judy Schneider.

CRS Report RS20308, *House Committee Markups: Commonly Used Motions and Requests*, by Judy Schneider.

CRS Report 98-309, *House Legislative Procedures: Published Sources of Information*, by Megan Lynch.

CRS Report 98-458, *Introducing a House Bill or Resolution*, by Jessica Tollestrup.

CRS Report 98-459, *Introducing a Senate Bill or Resolution*, by Mark J. Oleszek

CRS Report 98-721, *Introduction to the Federal Budget Process*, by Bill Heniff, Jr.

CRS Report 98-425, *Invoking Cloture in the Senate*, by Christopher M. Davis.

CRS Report 95-563, *The Legislative Process on the House Floor: An Introduction*, by Christopher M. Davis.

CRS Report 96-548, *The Legislative Process on the Senate Floor: An Introduction*, by Valerie Heitshusen.

CRS Report RL30787, *Parliamentary Reference Sources: House of Representatives*.

CRS Report RL30788, *Parliamentary Reference Sources: Senate*, by Megan Suzanne Lynch and Richard S. Beth.

CRS Report 98-143, *Procedural Distinctions between the House and the Committee of the Whole*, by Judy Schneider.

CRS Report 98-337, *Senate Committee Hearings: Scheduling and Notification*, by Valerie Heitshusen

CRS Report 98-308, *Senate Legislative Procedures: Published Sources of Information*, by Christopher M. Davis.

CRS Report 98-612, *Special Rules and Options for Regulating the Amending Process*, by Megan Suzanne Lynch.

CRS Report RS22477, *Sponsorship and Cosponsorship of House Bills*, by Jessica Tollestrup.

CRS Report 98-279, *Sponsorship and Cosponsorship of Senate Bills*, by Jessica Tollestrup.

CRS Legislative Procedure Classes

In addition to legislative procedure material, CRS offers several programs on legislative procedure for congressional staff. Legislative staff can attend *Congress: An Introduction to Resources and Procedure*, an introductory CRS program designed for and offered only to permanent, professional congressional staff who seek a foundation for understanding the legislative process and the resources available to monitor it. This CRS program is offered 10 or more times a year and is the first of the CRS Legislative Process Institutes, a three-part series providing training in the legislative process. The other parts are the *Advanced Legislative Process Institute* and the *Graduate Institute* (the “CRS Congress”). Attendance at *Congress: An Introduction to Resources and Procedure* is a prerequisite for the CRS Advanced Legislative

Process Institutes. More information on the three CRS institutes is available on the CRS website at <http://www.crs.gov/programs/Pages/eventscal.aspx> or by telephone at 7-7904.

CRS also offers a monthly introductory class, *Legislative Concepts*, to House staff and interns in the House Learning Center. Information is available on HouseNet (<http://housenet.house.gov>) under “House Learning Center.”

Legislative staff members are also invited to attend the CRS Budget Process Institutes. The introductory *Overview of the Federal Budget Process* is offered several times each year and provides an introduction to federal budgeting procedures, particularly procedures used in Congress. Three advanced institutes—*Budget Resolutions and Reconciliation*, *Appropriations Process*, and *The President and the Budget*—are offered during the year at times when they are most relevant to congressional staff. Event dates and registration forms for CRS programs and institutes can be found on the CRS website at <http://www.crs.gov/programs/Pages/eventscal.aspx>.

Supplementary Materials

Congress A to Z. 6th ed. Washington: CQ Press, 2014.

C-SPAN’s dictionary of Congressional terms, *Congressional Glossary*, at <http://legacy.c-span.org/guide/congress/glossary/alphalist.asp>.

Davidson, Roger H., Frances E. Lee, and Walter J. Oleszek. *Congress and Its Members*. 14th ed. Washington: CQ Press, 2014.

Congressional Quarterly’s Guide to Congress. 7th ed. Washington: CQ Press, 2012.

Koempel, Michael L., and Judy Schneider. *Congressional Deskbook: the Practical and Comprehensive Guide to Congress*. Alexandria, VA: TheCapitol.Net, 2012.

Kravitz, Walter. *Congressional Quarterly’s American Congressional Dictionary*. 3rd ed. Washington, CQ Press, 2001. Available to congressional offices in an updated and expanded edition on the CRS website at http://www.crs.gov/pages/glossary_a.aspx.

Oleszek, Walter J. *Congressional Procedures and the Policy Process*. 9th ed. Washington: CQ Press, 2014.

Tiefer, Charles. *Congressional Practice and Procedure: A Reference, Research, and Legislative Guide*. New York: Greenwood Publishing Group, 1989.

CRS Report WVB00003, *An Act of Congress*, by Walter J. Oleszek. A 58 minute video about the enactment of legislation.

Where to Get These Publications

Many of the works on legislative procedure listed in this report are produced by the Government Printing Office and may be purchased:

- by telephone, (202) 512-1800 or (866) 512-1800; or
- online at the GPO Bookstore website at <http://bookstore.gpo.gov>.

Some publications are only available from congressional sources for congressional office use, while others listed in the “Supplementary Materials” section may be purchased from bookstores or publishers.

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