

Glossary

Congressional Terminology

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- + Amendment
- + Appropriation
- + Bill
- + Chairman
- + Committee
- + Concurrent Resolution
- + Conferees
- + Conference
- + Conference Report
- + Congressional Record
- + Continuing Resolution (CR)
- + Cosponsor
- + Dear Colleague Letter
- + Deficit
- + Earmark
- + Federal Debt
- + Filibuster
- + Fiscal Year
- + Gerrymandering
- + Hearing
- + Joint Resolution
- + Lobby
- + Majority Leader
- + Markup
- + Minority Leader

- + Oversight
- + Ranking Minority Member
- + Recess
- + Reconciliation
- + Sponsor
- + Subcommittee
- + Unanimous Consent
- + Unfunded Mandate

Amendment

A formal proposal to alter the text of a bill, resolution, amendment, motion, treaty, or some other text. Technically, an amendment is a motion. An amendment may strike out (eliminate) part of a text, insert new text, or strike out and insert, that is, replace all or part of the text with new text. Under some circumstances, an amendment to strike out and insert is called a substitute amendment or an amendment in the nature of a substitute.

Amendments are voted on in the same manner as bills or other motions. When an amendment contains two or more substantive provisions that can stand as independent propositions, each may be voted on separately, except in the case of an amendment to strike out and insert. Conference reports and certain motions are not amendable. The texts of amendments considered on the floor are printed in full in the Congressional Record.

Appropriation

(1) Legislative language that permits a federal agency to incur obligations and make payments from the Treasury for specified purposes, usually during a specified period of time. (2) The specific amount of money made available by such language.

The Constitution prohibits payments from the Treasury except "in Consequence of Appropriations made by Law." With some exceptions, the rules of both houses forbid consideration of appropriations for purposes that are unauthorized in law or of appropriation amounts larger than those authorized in law.

The House of Representatives claims the exclusive right to originate appropriation bills--a claim the Senate denies in theory but accepts in practice.

Bill

The term for the chief vehicle that Congress uses for enacting laws. Bills that originate in the House of Representatives are designated as H.R. and those that originate in the Senate as S., followed by a number assigned in the order in which bills are introduced during a two-year Congress. A bill becomes a law if passed in identical form by both houses and signed by the president, or passed over the president's veto, or if the president fails to sign it within ten days after receiving it while Congress is in session.

Chairman

The presiding officer of a committee (including Committee of the Whole), a subcommittee, or other group. At meetings, the chairman preserves order, enforces the rules, recognizes members to speak or offer motions, and puts questions to a vote. The chairman of a committee or subcommittee usually appoints its staff and sets its agenda, subject to the panel's veto. A committee chairman is required to report measures approved by the committee, usually manages measures during floor consideration, and recommends members for appointment to conference committees.

Senate committee chairmen are invariably selected on the basis of seniority on the committee, but they may not chair more than one standing committee. House chairmen are chosen by their party's caucus or conference, and they, too, may chair only one standing committee. Although chairmen are formally elected by their houses, they are always the nominees of the majority party. The Speaker always appoints majority party members as chairmen of the Committee of the Whole.

Committee

A panel of members elected or appointed to perform some service or function for its parent body. Congress has four types of committees: standing, special or select, joint, and, in the House, a Committee of the Whole.

Except for the Committee of the Whole, committees conduct investigations, make studies, issue reports and recommendations, and, in the case of standing committees, review and prepare measures on their assigned subjects for action by their respective houses. Most committees divide their work among several subcommittees or, in some cases, task forces, but only the full committee may submit reports or measures to its house or to both houses. With rare exceptions, the majority party in a house holds a majority of the seats on its committees, and their chairmen are also from that party. During the 107th Congress, the Senate agreed to an equal division of seats on each of its committees between the two parties, reflecting the equal party division in the full Senate.

Modern committees vary in size from about twelve to almost seventy-five members in the House and from six to about thirty members in the Senate. Every committee is entitled to staff, offices, office equipment and supplies, and funds for other expenses.

During its first several decades, Congress relied entirely on temporary select committees. Standing committees began to replace them early in the nineteenth century and are now more numerous than any other type.

Concurrent Resolution

A resolution that requires approval by both houses but is not sent to the president for his signature and therefore cannot have the force of law.

Concurrent resolutions deal with the prerogatives or internal affairs of Congress as a whole. For example, they serve as the vehicles for agreeing to congressional budget decisions, fixing the time of congressional adjournments, agreeing to a joint session, expressing the sense of Congress on domestic and foreign issues, correcting errors in enrolled bills, authorizing the printing of documents of interest to both houses, and creating temporary joint committees. Designated H. Con. Res. in the House and S. Con. Res. in the Senate, they are numbered consecutively in each house in their order of submission during a two-year Congress.

Conferees

The members from each house appointed to a conference committee. The Senate usually authorizes its presiding officer to appoint its conferees. Conferees also are sometimes called "managers." The Speaker appoints House conferees and, under a rule adopted in 1993, can remove conferees "at any time after an original appointment" and also appoint additional conferees at any time. Conferees are expected to support the positions of their houses despite their personal views, but in practice they do not always do so. The party ratios of conferees generally reflect the ratios in their houses.

Invariably, most conferees - often all of them - are members of the committee that reported the measure; the appointing officers usually accept the recommendations of the committee's chairman and ranking minority member. Some House committees require that members of the subcommittees that handled the measure are to be named to the conference. When several committees have dealt with a measure, members from all of them may be appointed.

House rules direct the Speaker to appoint "no less than a majority of members who generally supported the House position," members "who are primarily responsible for the legislation," and, when feasible, the principal proponents of the bill's major provisions as it passed the House. On occasion, the Speaker has appointed conferees to deal only with specific portions of a measure; the presiding officer of the Senate has also sometimes done so.

Each house may appoint as many conferees as it pleases. House conferees often outnumber their Senate colleagues; however, each house has only one vote in a conference, so the size of its delegation is immaterial. On rare occasions, more than 250 conferees from both houses have been appointed, usually to deal with massive omnibus reconciliation bills.

Conference

(1) A formal meeting or series of meetings between members representing each house to reconcile House and Senate differences on a measure. Also, a common reference to a conference committee.

A conference is permitted to deal only with matters in disagreement between the houses. It may not change language that both have previously approved, nor may it insert a subject not dealt with in either the House or the Senate version of the measure. In addition, House conferees may not formally agree to a Senate amendment that violates the appropriation rules of the House unless previously authorized to do so, (although they may report such an amendment in technical disagreement). A point of order upheld against a conference report on the ground that it violates any of these conditions kills the report.

Since one house cannot require the other to agree to its proposals, the conference usually reaches agreement by compromise. This may involve crafting a provision that contains parts of each houses version of a bill, or a trade in which the conferees agree to a provision offered by one house in return for agreement to another provision offered by the other.

When a conference completes action on a measure, or as much action as appears possible, it sends its recommendations to both houses in the form of a conference report, accompanied by an explanatory statement.

Conference Report

A document submitted to both houses that contains a conference committee's proposals for resolving their differences on a measure. The report must be signed by a majority of the conferees from each house and must be accompanied by an explanatory statement.

Both houses prohibit amendments to a conference report and require it to be accepted or rejected in its entirety. If both houses agree to a report that resolves all their differences, those votes complete action on the measure; a separate vote does not occur on the measure as amended by the report. If the first house to vote on the report rejects it, the measure can be recommitted to the conference committee for another attempt. This is not possible if the first house approves the report but the second house rejects it, because the favorable vote of the first house automatically dissolves the conference committee. Under these circumstances, the houses may resort to further amendments between them, agree to a new conference, or let the measure die.

In the Senate, a motion to consider a conference report is privileged and not debatable, but the report itself is debatable and therefore subject to a filibuster. If the Senate, by unanimous consent, limits debate time on the report, the time is equally divided between the parties. In the House, conference reports are called up as privileged business and debated under the hour rule. The time is equally divided between the parties except when both party managers support a report, in which case a member who opposes it is entitled to one-third of the hour.

A conference report is supposed to be printed as a document in each house, but at the beginning of each Congress the Senate normally agrees to an order waiving its printing if the House has printed the report, unless a senator requests otherwise. The House requires that the report and its explanatory statement be printed in the Congressional Record at least three calendar days before floor consideration. The House may waive this requirement by unanimous consent or by a special rule.

Congressional Record

The daily, printed, and substantially verbatim account of proceedings in both the House and Senate chambers. Extraneous materials submitted by members appear in a section titled "Extensions of Remarks." A "Daily Digest" appendix contains highlights of the day's floor and committee action plus a list of committee meetings and floor agendas for the next day's session.

Although the official reporters of each house take down every word spoken during the proceedings, members are permitted to edit and "revise and extend" their remarks before they are printed. In the Senate section, all speeches, articles, and other material submitted by senators but not actually spoken or read on the floor are set off by large black dots, called bullets. However, bullets do not appear when a senator reads part of a speech and inserts the rest. In the House section, undelivered speeches and materials are printed in a distinctive typeface. The term "permanent Record" refers to the bound and repaginated volumes of the daily Records of an entire session of Congress.

Continuing Resolution (CR)

A joint resolution that provides funds to continue the operation of federal agencies and programs at the beginning of a new fiscal year if their annual appropriation bills have not yet been enacted; also called continuing appropriations. Continuing resolutions are enacted shortly before or after the new fiscal year begins and usually makes funds available for a specified period. Additional resolutions are often needed after the first expires.

Some CRs have provided appropriations for an entire fiscal year. Continuing resolutions for specific periods customarily fix a rate at which agencies may incur obligations based either on the prior year's appropriations, the president's budget request, or the amount in the agency's regular annual appropriation bill as that bill already has been passed by one or both houses. In the House, continuing resolutions are privileged after September 15.

Cosponsor

A member who has joined one or more other members to introduce a measure.

Dear Colleague Letter

A letter signed by one or several members of a house urging their colleagues to cosponsor support, or oppose a bill or some other matter. It begins "Dear Colleague," "Dear Democratic Colleague," or "Dear Republican Colleague" and usually is mass produced.

Deficit

The amount by which the government's outlays exceed its budget receipts for a given fiscal year. Both the president's budget and the annual congressional budget resolution provide estimates of the deficit or surplus for the upcoming and several future fiscal years.

Earmark

To set aside funds for a specific purpose, use, or recipient. Generally speaking, virtually every appropriation is earmarked, and so are certain revenue sources that are credited to trust funds. In common usage, however, the term "earmarked" is often applied to funds set aside for such purposes as research projects, demonstration projects, parks, laboratories, academic grants, and contracts in particular congressional districts or states or for certain specified universities or other organizations.

Federal Debt

The total amount of monies borrowed and not yet repaid by the federal government. Federal debt consists of public debt and agency debt.

Public debt is the portion of the federal debt borrowed by the Treasury or the Federal Financing Bank directly from the public or from another federal fund or account. For example, the Treasury regularly borrows money from the Social Security trust fund. Public debt accounts for about 99 percent of the federal debt.

Agency debt refers to the debt incurred by federal agencies such as the Export-Import Bank, but excluding the Treasury and the Federal Financing Bank, which are authorized by law to borrow funds from the public or from another government fund or account.

Filibuster

The use of time-consuming parliamentary tactics by one senator or a minority of senators to delay, modify, or defeat proposed legislation or rules changes. Filibusters are also sometimes used to delay urgently needed measures in order to force the body to act on other legislation. The Senate's rules permitting unlimited debate and the extraordinary majority it requires to impose cloture make filibustering effective.

Senate filibusters are most likely to succeed when supported by a large minority or when they occur late in a session when time is short and large numbers of measures are ready for final action. Under those conditions, the threat of a filibuster may force the majority to accept compromises or persuade the leadership to put aside controversial legislation.

Filibusterers may give long speeches, offer numerous and lengthy amendments, demand that all amendments be read in full, force time-consuming quorum calls and votes on amendments and procedural motions, object to routine unanimous consent requests, make frequent points of order, and appeal parliamentary rulings.

Fiscal Year

The federal government's annual accounting period. It begins October 1 and ends on the following September 30. A fiscal year is designated by the calendar year in which it ends and is often referred to as FY. Thus, fiscal year 1992 began on October 1, 1991, ended September 30, 1992, and is often called FY92. In theory, Congress is supposed to complete action on all budgetary measures applying to a fiscal year before that year begins. It rarely does so.

Gerrymandering

The manipulation of legislative district boundaries to benefit a particular party, politician, or minority group. The term originated in 1812 when the Massachusetts legislature redrew the lines of state legislative districts to favor the party of Gov. Elbridge Gerry, and some critics said one district looked like a salamander.

Hearing

Committee or subcommittee meetings to receive testimony for legislative, investigative, or oversight purposes. Witnesses often include government officials, spokespersons for interested groups, experts, officials of the General Accounting Office, and members of Congress. In hearings on special rules, however, the House Rules Committee takes testimony only from members of the House. Committees may issue subpoenas to summon reluctant witnesses.

Both houses require that the vast majority of hearings be open to the media and public and, if possible, publicly announced at least a week before they begin. The quorum requirements for hearings are smaller than for business meetings; the House and Senate authorize their committees to set their own quorum requirements for hearings.

Joint Resolution

A legislative measure that Congress usually uses for purposes other than general legislation. Like a bill, it has the force of law when passed by both houses and either approved by the president or passed over the president's veto. Unlike a bill, a joint resolution enacted into law is not called an act; it retains its original title.

Most often, joint resolutions deal with such relatively limited matters, such as the correction of errors in existing law, continuing appropriations, a single appropriation, or the establishment of permanent joint committees. Unlike bills, however, joint resolutions also are used to propose constitutional amendments; these do not require the president's signature and become effective only when ratified by three-fourths of the states. While a preamble is not considered appropriate in a bill, it may be included in a joint resolution to set forth the events or facts that prompted the measure, for

example, a declaration of war.

The House designates joint resolutions as H. J. Res., the Senate as S. J. Res. Each house numbers its joint resolutions consecutively in the order of introduction during a two-year Congress.

Lobby

To try to persuade members of Congress to propose legislation, to pass, modify, or defeat proposed legislation, or to change or repeal existing laws. A lobbyist attempts to promote his or her own preferences or those of a group, organization, or industry. Originally the term referred to persons who frequented the lobbies or corridors of legislative chambers in order to speak to lawmakers.

The right to lobby stems from the First Amendment to the Constitution, which bans laws that abridge the right of the people "to petition the government for a redress of grievances." A federal law tries to force disclosure of lobbying activities by requiring persons who receive and spend money for that purpose to register with (and submit quarterly statements to) the clerk of the House or secretary of the Senate.

In a general sense, lobbying includes not only direct contact with members but also indirect attempts to influence them, such as writing to them or persuading others to write or visit them, attempting to mold public opinion toward a desired legislative goal by various means, and contributing or arranging for contributions to members' election campaigns. The Supreme Court has taken a much narrower view of lobbying in its interpretation of federal law.

Some lobbyists focus their efforts on the executive branch and regulatory agencies as well as, or instead of, Congress.

Majority Leader

The majority party's chief floor spokesman, who is elected by that party's caucus. The majority leader is also sometimes called floor leader.

In the Senate, the majority leader also develops the party's political and procedural strategy, usually in collaboration with other party officials and committee chairmen. He negotiates the Senate's agenda and committee ratios with the minority leader and usually calls up measures for floor action. The chamber traditionally concedes to the majority leader the right to determine the days on which it will meet and the hours at which it will convene and adjourn. If the Majority Leader and another Senator are seeking recognition, the Majority Leader receives priority in recognition so that he can make the motions or requests that are necessary to arrange the Senate's schedule.

In the House, the majority leader is the Speaker's deputy. He helps plan the floor agenda and the party's legislative strategy and often speaks for the party leadership in debate.

Markup

A meeting or series of meetings by a committee or subcommittee during which members "mark up" a measure by offering, debating, and voting on amendments to it. After a subcommittee marks up a measure and reports it to the full committee, the bill may be put to another markup. A committee does not have the formal authority to change the text of a measure that was referred to it. Instead, a committee completes its markup by voting the committee votes on whether to report the measure to its house and recommend approval of any amendments it has adopted.

When a committee has agreed to extensive revisions to a measure, it often reports that measure with a single amendment in the nature of a substitute or reports a clean bill.

Minority Leader

The minority party's elected leader and chief floor spokesman, chosen by the party caucus; sometimes called the minority floor leader. With the assistance of other party officials and the ranking minority members of committees, the minority leader devises the party's political and procedural strategy.

Because the Senate's rules allow the minority to obstruct the chamber's proceedings, the majority leader usually

negotiates with the minority leader on decisions about the legislative schedule and other institutional matters.

In the House, where rules severely limit dilatory tactics, the minority leader's influence on the chamber's agenda usually depends on his or her personal relationship with the Speaker, the number of minority party members, and coalitions that can be built with like-minded majority party members. Customarily, the Speaker consults the minority leader on legislative matters more as a matter of courtesy than of necessity.

Oversight

Congressional review of the way in which federal agencies implement laws--for instance, to ensure that they are carrying out the intent of Congress and to inquire into the efficiency of the implementation and the effectiveness of the law. The Legislative Reorganization Act of 1946 defined oversight as the function of exercising continuous watchfulness over the execution of the laws by the executive branch.

The rules of both houses assign this responsibility to their standing committees and direct them to determine, on the basis of their reviews, whether laws within their respective jurisdictions should be changed or if additional laws are necessary. The function is also sometimes called legislative review.

A House committee report on a measure must include its relevant oversight findings. Committees must submit a report on their oversight activities by March 31 of each odd-numbered year.

Ranking Minority Member

The member whose name appears at the head of the list of minority members on a committee or subcommittee. The ranking minority member usually appoints the minority staff, acts as minority floor manager on committee measures, and recommends minority members for appointment as conferees on such measures.

The ranking minority member on Senate committees is the minority senator with the longest continuous service on that panel, unless that senator holds the same position on another committee.

Recess

A period of adjournment for more than three days to a day certain, usually over a holiday or in August during odd-numbered years.

Reconciliation

A procedure for changing existing revenue and spending laws to bring projected federal revenues and spending within the parameters established in a budget resolution.

Reconciliation begins with directives in the budget resolution instructing specific committees to report legislation adjusting revenues or spending within their respective jurisdictions by specified amounts, usually by a specified deadline. Although the total amount for each committee is based on program assumptions usually printed in the House and Senate Budget committees' reports on the budget resolution, an instructed committee is not bound by them and can decide for itself how to comply with its instructions.

When several committees are instructed, the Budget Committee in each house consolidates their proposals in an omnibus reconciliation bill that the Budget Committee brings to the floor without changes. Floor amendments to the bill must be germane and deficit neutral. Debate on reconciliation bills is limited in both houses.

Congress has applied reconciliation chiefly to revenues and mandatory spending programs, especially entitlements. Discretionary spending is controlled through annual appropriation bills.

Sponsor

The principal proponent and introducer of a measure or an amendment.

Subcommittee

A panel of committee members who are assigned a portion of the committee's jurisdiction or other functions. On legislative committees, subcommittees hold hearings, mark up legislation, and report measures to their full committee for further action; they cannot report directly to the chamber. A subcommittee's party composition usually reflects the ratio on its parent committee.

The Senate's rules indirectly limit the number of a committee's subcommittees to the number of its majority party members. House committees are required to limit the number of subcommittees on most standing committees to five.

Unanimous Consent

Without an objection by any member. A unanimous consent request asks permission, explicitly or implicitly, to set aside one or more rules. Both houses and their committees frequently use such requests to expedite their proceedings. The Senate, in particular, relies heavily on the device because it has few other procedural methods for moving business promptly. Although members rarely object to routine unanimous consent requests, they have the right to do so and thereby force full compliance with the rules.

Because the Speaker is a member of the House, he too may object to a unanimous consent request, but he usually exercises his right to object by refusing to entertain them. He invariably refuses to entertain unanimous consent requests to bring measures up for floor consideration unless he is assured that they have been cleared with the floor and committee leaders. When he permits a member to offer a request, he usually asks, "Is there objection to the request?" He often invokes unanimous consent on his own initiative, declaring, for example, "Without objection, the bill is passed and a motion to recommit is laid on the table," but any member may object to such summary action. Unanimous consent requests in the House came into use about 1832.

The Senate's presiding officer must entertain unanimous consent requests. In noncontroversial situations, he or she may state that, "without objection," some action shall occur, without waiting for a senator to propose that action from the floor. Similarly, the presiding officer may state that, "without objection," some question is agreed to, without putting the question to a formal vote. In either case, however, any senator can object in order to require that the Senate follow its formal procedures.

Unfunded Mandate

Generally, any provision in federal law or regulation that imposes a duty or obligation on a state or local government or private sector entity without providing the funds necessary to comply. The Unfunded Mandates Reform Act of 1995 amended the Congressional Budget Act of 1974 to provide a mechanism for the control of new unfunded mandates.