

*TheCapitol.Net's Executive Conference:*  
**Advanced Legislative Procedure**

***Presented for (federal agency)***

*(Agenda from a custom program presented for a federal agency. To have a program tailored for your organization, contact us.)*

Two Day program at Agency Headquarters, Washington, DC

**Day One**  
**House Rules and Floor Procedures**

**9:00 Welcome and Introduction**

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**9:05 The Dynamics of Congress and the Procedural Biases of the House**

*Congressional expert*

- \* Learn how the rules of the House are structured to permit a determined majority to work its will
- \* Understand how the skillful use of House rules and procedures makes the difference between winning and losing on the House floor
- \* Analyze how members use the rules to frame issues and structure decision-making in a manner favorable to their position

**9:40 Scheduling Legislation for House Floor Action**

*Congressional expert*

- \* Learn how bills are scheduled for consideration on the House floor after being reported out of committee
- \* Understand the House calendar system and when bills on each calendar become eligible for floor action
- \* Learn how suspension-of-the-rules procedure is used as a legislative short-cut for both major and minor bills
- \* Understand the procedures available for bringing legislation blocked in committee to the House floor

**10:20 Break**

**10:35 The House Rules Committee: Gatekeeper to the Floor**

*Congressional expert*

- \* Briefly review the history of the Rules Committee and how it has become so powerful
- \* Find out how the resolutions or "rules" granted by the Rules Committee structure floor debate and amendment opportunities
- \* Take an inside look at the work, membership and internal decision-making process of the Rules Committee
- \* Understand the dynamics of the Rules Committee and its role as an arm of the Speaker
- \* Learn the nuances and procedural implications of the different types of "rules" by walking through five common types: open, modified open, closed, modified closed, and king-of-the-hill
- \* Examine the procedures that govern floor consideration of the "rule"

Time Permitting: VIDEO: The Rule on Welfare Reform (H.R. 4)  
(Handout of explanation of videotaped action)

**11:15 Break**

**11:30 Major Legislation on the House Floor**

*Congressional expert*

- \* Master the floor procedures utilized after the House passes the rule and resolves itself into the Committee of the Whole
- \* Understand the specific rules that govern debate, voting and the offering of amendments

**12:30 Lunch**

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*(Day One continued)*

**1:30 The House Amending Process**

*Congressional expert*

- \* Examine the different types of amendments and the germaneness requirement
- \* Understand how the order in which amendments are voted on influences members' amendment strategies
- \* Learn the strategic importance of knowing when to offer an amendment
- \* Walk through a real-life example of the House amending process
- \* Examine the steps following the Committee of the Whole consideration, including the motion to recommit

**2:30 Break**

**Senate Procedures: Scheduling, Amending and Floor Action**

**2:45 The Dynamics of the U.S. Senate**

*Congressional expert*

- \* Learn how the Senate's rules are designed to slow down or even defer, action on legislation by granting enormous parliamentary powers to individual senators
- \* Analyze how legislating in the Senate differs from legislating in the House

**4:00 Day One of Conference Concludes**

**Day Two**

**Senate Procedures: Scheduling, Amending and Floor Action continued**

**9:00 Welcome and Introduction**

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**9:05 Scheduling and Calling Up Bills on the Senate Floor**

*Congressional expert*

- \* Take a behind-the-scenes look at the factors involved in scheduling legislation for Senate floor action including the interaction between the majority and minority leaders, the competing interests of senators, and procedural factors
- \* Discuss the Senate's two calendars: Executive Calendar and Calendar of Business Compare and contrast the scheduling of minor versus major legislation
- \* Analyze the role of unanimous consent in bringing bills to the floor as well as alternative measures to bring bills to the floor such as the discharge rule
- \* Learn about the option of placing a "hold" on legislation

**10:00 Senate Floor Procedures and the Amendment Process**

*Congressional expert*

- \* Examine what takes place during the various stages of a typical day on the Senate floor
- \* Study the sequence of floor procedures that occurs after a bill has been scheduled and called up for consideration on the floor
- \* Discuss the importance of the floor manager's role
- \* Learn the rules pertaining to filibusters, cloture procedure and post-cloture filibusters
- \* Examine voting procedures, and the use of motions to table, reconsider and recommit

Time Permitting: VIDEO: Excerpts from Senate Floor Debate on April 16, 1996  
(Handout of explanation of videotaped action)

**12:00 Lunch**

**1:00 Amending Legislation on the Senate Floor continued**

*Congressional expert*

- \* Examine the amendment process in the Senate
- \* Learn to distinguish different types and degree of amendments
- \* Discuss the modification, withdrawal and disposition of amendments

**1:45 Break**

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(Day Two continued)

## Conference Committee Decision-Making: Strategies and Tactics

### 2:00 Resolving differences Between The Houses and Pre-Conference Procedures and Maneuvers

*Congressional expert*

- \* Learn how the dynamics of each conference committee is shaped by the institutional characteristics of the House and Senate, the political environment of the standing committees and the personal goals of individual conferees
- \* Discuss how conference committees vary greatly in their size, style, and degree of openness versus secrecy
- \* Discuss pre-conference maneuvering in the House and Senate and the key factors that determine whether a bill does or does not go to conference
- \* Learn how differences between the House and Senate are solved via amendments between the houses, and the advantages of using this process
- \* Define the motion to concur, motion to disagree, and amendments in disagreement
- \* Walk through the process of reaching the formal stage of disagreement and learn the significance of "possession of the papers" in determining which chamber requests a conference
- \* Examine the political and strategic role of instructing conferees before the conference committee meets

### 2:45 Break

### 3:00 The Conference Committee in Action and The Post-Conference Process

*Congressional expert*

- \* Discuss the selection and the role of the conference committee chairman, how the meeting location influences the dynamics of the conference committee
- \* Examine the scope of what the conferees may debate
- \* Review the role of the committee staff, other members of Congress, the executive branch, and lobbyists in the decision-making process
- \* Discuss how the conference committee report and the joint explanatory statement accompanying this report is prepared
- \* Examine the procedural and political factors that influence the time of when the conference is brought to the floor and how these factors differ in the House and Senate
- \* Learn the options available to the House and Senate in considering the report: approve, reject, recommit to conference. Review other options available only to the Senate during floor consideration: motion to postpone consideration of the report, motion to refer the report to a standing committee, motion to table the report
- \* Learn the points of order that can be raised against the conference report during floor consideration and the sequence of events that takes place if a point of order is upheld and the conference report is rejected

Time Permitting: VIDEO: Conference Committee on Natural Gas bill (20 min)

### 4:00 Complete Evaluations and Conference Concludes

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