



# The Federal Legislative Process

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## Introduction

- Textbook explanation of how a bill becomes a law tends to be optimistic.
- Sources of resistance
  - Procedural
  - Political
- How things get passed



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# Partisan Polarization



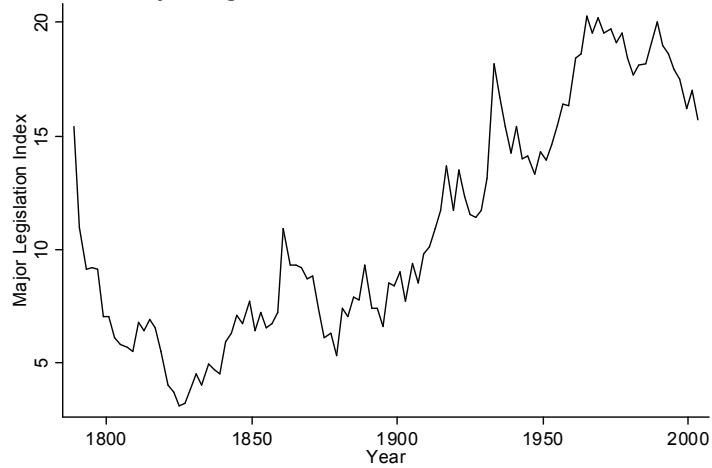
Source: National Journal

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# Legislative Productivity

Major Legislation Passed in the United States



Source: Grant and Kelly 2008

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## Procedural Sources of Friction

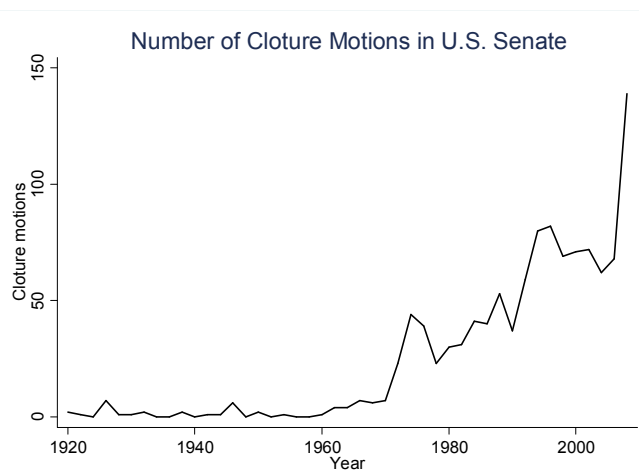
- Many decision points
  - Congressional committees
  - House-Senate differences
- Senate procedures
  - Filibuster/cloture
  - Unanimous consent/holds



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## Increase in Senate Cloture Activity



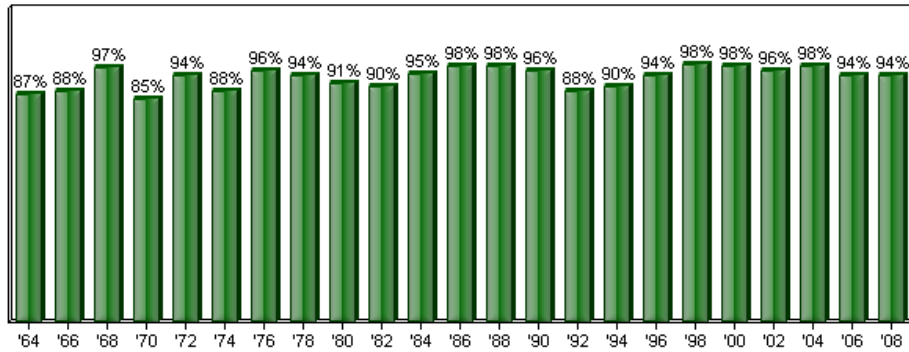
Source: United States Senate

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# Incumbent Safety

US House Reelection Rates, 1964-2008



Source: Center for Responsive Politics

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## Other Political Sources of Friction

- New forms of organized influence
  - Doubling of registered lobbyists since 2000
- Status quo policy usually has strong backers
  - Organized interests
  - Consensus among policy experts
  - Plebiscitary Congress
- Competition for issue attention
- Zero-sum politics (governing as campaigning)

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## Getting Bills Passed

- Increasing use of omnibus legislation
  - Bills that cover multiple issues
  - Bills that are long
  - “must pass” legislation invites riders
- Bypass Senate procedural hurdles
  - Reconciliation
- Bipartisanship/compromise

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