

# CRS Report for Congress

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## Introducing a House Bill or Resolution

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**Developing Ideas for Legislation.** Ideas and recommendations for legislation may come from private sources, such as ordinary citizens or interest groups; executive branch agencies and the White House; state and local officials; and, of course, individual Representatives, committees and other work groups, and party and chamber leaders. As well, ideas originate in district offices and develop in the course of election campaigns. Any or all of these individuals or entities may also suggest drafts of legislation.

Some of the most common considerations that might be taken into account when drafting a bill are as follows:

- Will the bill attract cosponsors?
- To what committee or committees is the measure likely to be referred?
- Does the measure have bipartisan appeal?
- Is the measure best introduced at the start of a session of Congress, or later?
- What are the budgetary or appropriations implications?
- Should there be a companion measure in the Senate?

For more information, see CRS Report 97-781, *Legislative Proposals: Selected Considerations for Their Development*. For more information on the legislative process, see [<http://www.crs.gov/products/guides/guidehome.shtml>].

**Drafting Legislation.** Although there is no requirement that bills and other measures introduced in the House be prepared by the House Office of Legislative Counsel, the office plays an important role in drafting legislation. Its staff attorneys are both subject-matter specialists and experts in legislative drafting. Legislative counsel staff are often assigned to serve a specific committee or committees and focus almost exclusively on related policy areas in which they are expert. They act as nonpartisan, shared staff, working closely with committee members and staff.

Personal office staff assigned responsibility for drafting legislation may seek assistance from legislative counsel at any stage. All communications with the office are considered confidential. Numerous drafts of a bill or resolution may be required before a measure is formally introduced. The office is located at 136 Cannon House Office Building (5-6060).

After introduction, a bill will normally be referred to the committee (or committees) having jurisdiction, under House Rule X, over the subject the bill addresses. (For detail, see CRS Report 98-175, *House Committee Jurisdiction and Referral: Rules and Practice*.) The referral will be made by the Office of the Parliamentarian, acting as agent of the Speaker (Rule XII, clause 2). Staff of this office may be consulted on the referral that a draft bill would be likely to receive, and on the possibility of securing a more favorable referral by adjustments in its text before introduction.

**Sponsorship of House Bills.** A Representative who introduces a bill or other measure in the House is called its *sponsor*. Under House Rule XII, clause 7, several Members together may submit a bill, but the first-named Representative is considered the chief or primary sponsor; the others are considered *cosponsors*. A bill can have only one primary sponsor.

Although seemingly paradoxical, in a strictly formal sense, sponsorship of a bill only identifies the Representative who introduces it, and does not necessarily indicate his or her support for the legislation. A Representative may, for example, introduce a bill as a courtesy, such as legislation proposed by the President or senior Administration officials. In such a case, the sponsor may designate the bill as introduced “by request.” As House Rule XII states, “When a bill or resolution is introduced ‘by request,’ those words shall be entered in the Journal and printed in the Congressional Record.”

Cosponsors commonly add their names to signal support for the measure. House rules place no limit on the number of cosponsors a public bill may have. Representatives may cosponsor a bill either at the time of its introduction or at any later point until the bill has been reported (or discharged) from all the committees to which it is referred. Before a bill is formally introduced, a Representative or an aide acting at his or her direction may contact the office of the primary sponsor and request that his or her name be added to the bill. A form listing cosponsors is kept, usually by an aide in the sponsoring Member’s office, and submitted along with the bill at introduction. The form is obtained from the Clerk’s office. Members whose names are submitted at the time of introduction are commonly referred to as “original cosponsors.”

After the bill is introduced, a Representative may still contact the primary sponsor’s office and ask to be listed as a cosponsor. The primary sponsor decides when to submit a form listing additional cosponsors to the House Clerk for publication in the *Congressional Record* and in any subsequent prints of the bill. House Rule XII provides that a bill may be reprinted if 20 or more cosponsors have been added since the previous printing, and the primary sponsor submits a written request to the Speaker to reprint the bill.

A cosponsor may also have his or her name removed from a bill until the last committee of referral has reported. For this purpose, either the cosponsor or the primary sponsor of the bill must request unanimous consent on the House floor.

Supporters of a bill often seek cosponsors in hope of demonstrating its popularity and improving its chances for passage. One of the most common techniques for soliciting support for a bill is the “Dear Colleague” letter, a mass mailing to selected or all House Members. These letters are so-called after the appellation with which they begin.

“Dear Colleague” letters are, in effect, a sponsor’s advertisement for his or her bill. Typically, the letters briefly state the issue the bill addresses, its major components, and its policy importance, and include an appeal to join as a cosponsor. Almost always, the “Dear Colleague” letter carries the name and phone number of a staff aide to contact.

**Introducing a Bill.** House Rule XII deals with the introduction of measures in the House, but in fact, the formal procedures that govern the practical activity of introducing legislation are few. Former House Parliamentarian Wm. Holmes Brown in *House Practice: A Guide to the Rules, Precedents and Procedures of the House* (Washington: GPO, 1996) has stated: “The system for introducing measures in the House is a relatively free and open one.” House rules do not limit the number of bills a Representative may introduce.

When a Representative who is the primary sponsor has determined that a bill or resolution is ready for introduction, the measure is printed in a form that leaves room for the parliamentarian’s office to note the committee or committees of referral and for a clerk to insert a number. The Member must sign the measure and attach the names of any cosponsors on the form provided by the Clerk’s office; cosponsors do not affix their signatures to the bill. The Member then deposits the measure in the box, or “hopper,” at the bill clerk’s desk in the House chamber when the House is in session. A Member need not seek recognition in order to introduce a measure.

If a Member has second thoughts after introducing a measure, he or she may reclaim it from the clerk so long as the measure has not been assigned a number and referred to committee (a process that normally takes only a day). Once a measure has been numbered and referred, it becomes the property of the House and cannot be reclaimed. The House has the authority to consider an introduced bill or resolution even if the primary sponsor resigns from the House or dies.

Measures are numbered sequentially and Representatives may seek to reserve numbers, as these are sometimes seen as providing a shorthand meaning to the legislation, or having some other symbolic meaning. In recent years, however, the House has ordered that bill numbers one through 10 be reserved for majority party leaders. In the first days of a new Congress, hundreds of bills and resolutions are introduced.

**Finding Sponsors and Cosponsors in LIS.** Sponsors and cosponsors of bills and amendments may be searched by Member name in the automated *Legislative Information System (LIS)*. (See [<http://www.congress.gov/billsumm/108-advqck.html>].) From the LIS Home Page, under the “Home” tab, click on “Sponsors/Cosponsors.” The resulting list may be searched alphabetically. Sponsors and cosponsors are also identified under the summary of each bill that has been introduced.