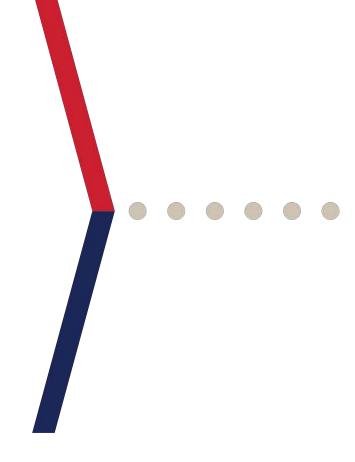
# The 117<sup>th</sup> Congress: The House of Representatives





# The 117<sup>th</sup> Congress

Historically slim majority

Current: 218 D -212 R - 0 (5 vac.)

Final: 222 D - 213 R



## Who are the Freshman Class?

Historically diverse - record-setting numbers of women, Black, Latino and LGBTQ.

The 117th Congress will see a record number of women in the House, and a record number of Republican women. Ten of the Republicans who flipped Democratic seats were women.



## Who are the Freshman Class?

Freshmen: 60

Democrats: 15

Republicans: 45

**Total 2020 flipped House districts: 17** 

Democrat: 3

Republican: 14

**Total freshmen women: 27** 

Democrat: 9

Republican: 18



# **Broad Categories of the 117th**

#### **Democrats**

The "New" Squad The Establishment The Majority Makers

#### **GOP**

The Always-Trumpers
The Establishment
The Resistance/Moderates
The Force



### **Get to know the Sophomores!**

#### The Squad

Alexandria Ocasio-Cortez (N.Y.)

Ilhan Omar (Minn.)

Ayanna Pressley (Mass.)

Rashida Tlaib (Mich.)

#### **The Majority Makers**

Abigail Spanberger

Mikie Sherrill

Katie Porter

Mike Levin



# Bipartisanship est Mort, Vive le Bipartisanship!!

Overcoming roadblocks to bipartisanship

The long, painful memory of January 6th

PAC giving

The World's Most Deliberative Body



# General trends to incorporate into your strategic planning

Climate Change

Minority opportunity

Subject matter caucuses

Coalition building and grassroots



## Policies for the next two years

**Beating COVID-19** 

Infrastructure
Physical & Human

The Left's Wish List
Social justice
Organized Labor



# Meet the new boss, same as the old boss

Influencing the House Leadership

Help for the vulnerables

Who does the Leadership like?

Where's the Administration?



# Oh yeah, don't forget about those pesky mid-term elections

Redistricting

Traditional voting trends

Today's minority is tomorrow's majority



# Thank You

#### **Contact Info:**

#### Jim Tobin

EVP & Chief Lobbyist National Association of Home Builders 202-266-8258 jtobin@nahb.org



# **BGOV OnPoint House Bootcamp**

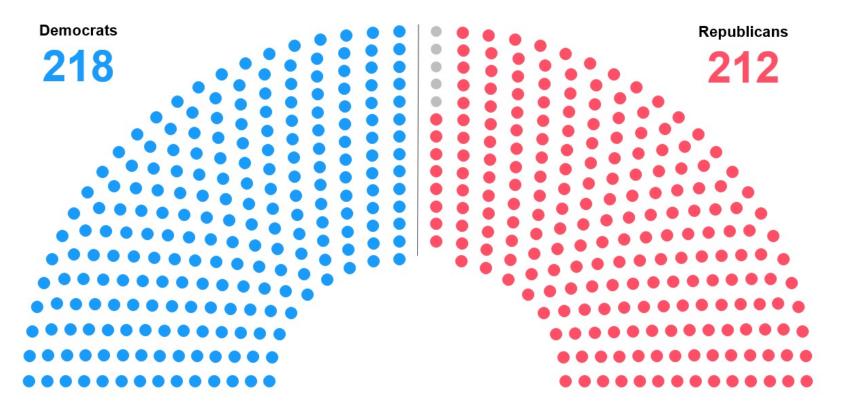
By Adam Schank and Emily Wilkins April 22, 2021

**Bloomberg Government** 

#### **About this Presentation**

- A brief overview of the House
- A review the legislative process and inner workings of the House
  - How a bill becomes a law
    - · How the process breaks down
    - House rules
    - Hearings and markups
    - · Appropriations vs authorization

#### **House Balance of Power**



Source: U.S. House clerk as of April 21

Note: Gray indicates five vacant seats in FL-20, OH-11, NM-01, TX-06 and LA-02

**Bloomberg Government** 

#### Unlike the Senate, the House is Very Top Heavy

- Individual House members have very little individual power
  - The minority also has very little power
  - Members rely on caucuses and other groups to collectively wield power and influence leaders
- The Speaker and Majority Leader decide the agenda with few exceptions
  - Minority leadership is consulted on things like what suspension bills are voted on
  - Minority is also responsible for its own committee assignments and rules
    - · Republicans impose term limits on their committee leaders, Democrats don't
- Rules Committee is often quiet, but is extremely powerful
  - Members on the panel are often allies of leadership
  - Sometimes referred to as the Speaker's Committee

#### **Basic Legislative Process**

Legislative Steps					
▼ Bill introduced					
▼ Committee approval (procedurally referred to as "ordered to be reported")					
▼ Floor action					
▼ Committee action in other chamber					
▼ Floor action					
► If <u>NOT</u> amended: sent to president	► If <u>AMENDED</u> : originating chamber must clear changes,-conference committee may be formed, or bill languishes				

#### Where The Process Breaks Down

- Bills rarely advance through the entire process, or "regular order"
  - Thousands of bills introduced each Congress, most don't advance
  - Steps can be skipped at any time
    - e.g., leaders can bring bills straight to the floor without committee approval
  - Completing one step doesn't guarantee advancement:
    - · e.g., committee approval means bill is technically ready for the floor but may never actually get a vote
- Leadership makes final decisions on floor action
  - Pelosi/Hoyer and Schumer are the key gatekeepers Committee leaders also play a role
- Conference committees are rarely used, legislative "ping pong" is more common
  - Negotiations often occur behind closed doors
  - Final bill then passed using a different shell bill also known as a "legislative vehicle"
    - Can allow the Senate to skip procedural steps

#### **House Rules and How to Suspend Them**

- Most bills are considered under "suspension of the rules"
  - Requires two-thirds majority vote to pass, amendments barred
  - Reserved for noncontroversial, widely supported measures
    - It isn't used only for "simple" measures
  - Often can be a vehicle for agreements
  - Changes to House rules have led to "protests" by minority members, delaying the process
- Rules Committee sets terms for partisan measures, spending bills
  - Requires simple majority for passage
  - Provides for consideration of amendments: open, structured, or closed
  - Can "self execute" changes to a bill, eliminating the need for a separate vote

#### **Hearings and Markups Lay the Groundwork**

#### Hearings can give color and insight into:

- The motivations behind a bill
- Issues/problems Congress is trying to address
- Who's for/against and what their related pain points are
- What is potentially being negotiated or worked out behind the scenes

#### Markups are where legislative business is conducted;

- Rejected amendments can reappear in the Rules Committee or on the floor
- Can provide insight into changes that were negotiated, or are still under debate behind the scenes
- Provide clarity on the level of partisanship on a particular bill

#### Spending: Authorization vs. Appropriation, Earmarks

- Authorization is the level of spending Congress allows for a program
  - No money is actually spent under such a provision
  - Congress often will appropriate less than authorized
- Appropriating funds is when the money is actually provided
  - Appropriations bills generally provide money for discretionary programs
  - Mandatory programs (such as Medicare or TANF) are generally funded by statute
- Earmarks return: "congressionally directed" or "pork barrel" spending
  - Allows members to request funds be set aside for specific local projects
  - Was derided as wasteful, i.e. "bridge to nowhere"
  - New process supposed to be more transparent

#### **Budget Process Hasn't Been Completed Since the 1990s**

Date	Program				
First Monday in February	President's budget request is due (no penalty for missing deadline)				
Early spring	Congress holds hearings on request, questions agency officials				
April 15	<ul> <li>Congressional budget resolution adopted (no penalty for missing deadline)</li> <li>Sets spending and revenue targets for next 10 years</li> <li>May contain reconciliation instructions</li> <li>Details topline spending for the fiscal year</li> </ul>				
Summer - Sept. 30	<ul> <li>Committees mark up spending measures, based on allocations         <ul> <li>302(a) allocation is topline discretionary spending total (whole pie)</li> <li>302(b) allocations are provided for each spending bill (pie pieces)</li> </ul> </li> <li>If work isn't completed a continuing resolution would be needed to stop a shutdown</li> </ul>				

#### **Reconciliation a Powerful Tool for Majority Party**

- Budget resolution can include reconciliation instructions, directing committees to report measures that meet spending or revenue targets
  - Budget Committee assembles each committee's portion into a reconciliation bill
- Provisions must be budgetary in nature and have "nonincidental" effects
  - Byrd Rule allows nonbudgetary provisions to be removed, requires 60 votes to overcome an objection
- Reconciliation measures can advance in the Senate with a simple majority
  - Measure is effectively immune to filibuster
- Recent parliamentarian ruling could allow Democrats to use reconciliation again
  - Practice was effectively limited to one measure per budget resolution

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### HOUSE BOOTCAMP: COMMITTEES, PROCEDURES, AND TACTICS

**KELLIE ADESINA** 

**BAYER** 

**DIRECTOR, GOVERNMENT AFFAIRS** 

### WHAT TO EXPECT?

- Greater understanding of the Rules
   Committee
- Ability to make sense of the House Floor
- Strategies for Engagement

#### THE RULES COMMITTEE



UNDERSTAND THE MEMBERSHIP



BECOME FAMILIAR WITH THE WEBSITE



**ENGAGE THE STAFF** 

#### **RULES COMMITTEE MEMBERS**

MAJORITY MEMBERS	MINORITY MEMBERS
Chairman Jim McGovern (D-MA)	Ranking Member Tom Cole (R-OK)
Rep. Norma J. Torres (D-CA)	Rep. Michael Burgess (R-TX)
Rep. Ed Perlmutter (D-CO)	Rep. Guy Reschenthaler (R-PA)
Rep. Jamie Raskin (D-MD)	Rep. Michelle Fischbach (R-MN)
Rep. Mary Gay Scanlon (D-PA)	
Rep. Joe Morelle (D-NY)	
Rep. Mark DeSaulnier (D-CA)	
Rep. Deborah K. Ross (D-NC)	
Vacancy	

#### **RULES COMMITTEE WEBSITE**

#### https://rules.house.gov/legislation

#### H.R. 1620 - Violence Against Women Reauthorization Act of 2021

# Amendment Deadline Friday, March 12, 2021 - 10:00am Online View Announcement » Meeting Information Tuesday, March 16, 2021 - 11:00am Cisco Webex View Announcement » VIDEO Alternate Stream Rules Committee Meeting on H.R. 1868, H.R. 1620, H.J. Res. 17, H.R. 6 and H.R. 1603 Rules Committee Meeting on H.R. 1868, H.R. 1620, H.J. Res. 17, H.R. 6 and H.R. 1603

# Rules Committee Print 117-3 PDF XML Showing the text of H.R. 1620, as introduced. Text of H.R. 1620 PDF XML (as introduced) HEARING DOCUMENTS Rule PDF H. Res. 233 PDF XML H. Rept. 117-12 PDF

### WHERE'S THAT AMENDMENT?

4	Version 1	Brown (MD)	Democrat	<b>Withdrawn</b> Allows an ex parte order to be issued at the request of an employer on behalf of its employee or at the request of an institution of higher education on behalf of its student.	Withdrawn
5	Version 1	Dingell (MI), Fitzpatrick (PA)	Bi-Partisan	Establishes pilot program grants (up to 10) through the Department of Justice to state and tribal courts, offering them the opportunity to explore the feasibility and effectiveness of serving protection orders electronically.	Made in Order
6	Version 1	Greene (GA)	Republican	Strikes section 707, the severability clause.	Submitted
7	Version 1	Espaillat (NY)	Democrat	<b>Withdrawn</b> Ensures that persons convicted of misdemeanor crimes against dating partners and persons subject to protection orders cannot posses ghost guns. Ghost guns being any part or combination of parts intended that can be converted into a firearm.	Withdrawn
8	Version 1	Greene (GA)	Republican	Strikes all "such sums" clauses in the bill.	Submitted

#### CAN YOU BREAK THAT DOWN FOR ME?

#### H. Res.

H.R. 1620 - Violence Against Women Reauthorization Act of 2021
 H.R. 6 - American Dream and Promise Act of 2021

H.R. 1603 - Farm Workforce Modernization Act of 2021

 $H.R.\ 1868$  - To prevent across-the-board direct spending cuts, and for other purposes.

H.J. Res. 17 - Removing the deadline for the ratification of the equal rights amendment

- 1. Structured rule for H.R. 1620.
- Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their designees.
- 3. Waives all points of order against consideration of the bill.
- 4. Provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-3, modified by the amendment printed in part A of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read.
- 5. Waives all points of order against provisions in the bill, as amended.
- 6. Provides that following debate, each further amendment printed in part B of the Rules Committee report not earlier considered as part of amendments en bloc pursuant to section 3 shall be considered only in the order printed in the report, may be offered only by a Member designated

9. Delgado (NY)	co	LATE) (REVISED) Requires an analysis of the nique barriers faced by survivors in rural ommunities in the study on barriers to urvivors' economic security.	(10 minutes)
10. Dingell (MI), Fitzpatrick (PA)	tl tr e:	Stablishes pilot program grants (up to 10) hrough the Department of Justice to state and ribal courts, offering them the opportunity to xplore the feasibility and effectiveness of erving protection orders electronically.	(10 minutes)
11. Kahele (HI), Case (HI)	a	REVISED) Ensures appropriate consultation nd inclusion with indigenous groups to support he tailored needs of indigenous women.	(10 minutes)
12. Lamb (PA)	e: P	LATE) Adds training for sexual assault nurse xaminers (SANE nurses) to VAWA's Rural training for sexual access to and retention of uality SANE nurses in rural areas.	(10 minutes)
13. Lawrence (MI)	In Je re se w ju de as	amends Section 102 (Grants Encouraging improvements and Alternatives to the Criminal ustice Response), to authorize grants to also be used for the purpose of better identifying and esponding to domestic violence, dating violence, exual assault, and stalking against individuals to have been arrested or have contact with the avenile or adult criminal justice system, and for eveloping or strengthening diversion programs and to ensure they receive comprehensive victim ervices.	(10 minutes)

#### THE HOUSE FLOOR

- Suspension v. Rules bills
- One- and five-minute speeches
- Special Order Hour
- Floor schedule
  - <a href="https://www.majorityleader.gov/floor-resources/floor-update">https://www.majorityleader.gov/floor-resources/floor-update</a>
  - Dome Watch App
- Colloquy

#### CAN I GET AN UPDATE PLEASE?

#### https://www.majorityleader.gov/newsletters

#### **Newsletters & Updates** Sign up, unsubscribe, or manage The Weekly The Daily Leader Floor Updates your existing subscriptions. Leader An overview of the next day's Real-time updates on House Email address expected schedule and votes and other floor procedures An overview of the next week's legislation—published the -published throughout each day expected schedule and evening before each day the the House is in session. legislation—published the Friday House is in session. before each week the House is in Continue Leader's Report **Press Releases** A weekly update summarizing All materials sent from the Majority Leader Hoyer's week in Majority Leader Press Shop Congress-published the Friday including Press Releases, Floor of each week the House is in Statements, Speeches, Op-Eds Videos, and Issue Reportspublished throughout the year.



#### LEADER'S FLOOR UPDATE

Today, the House meets at 12:00 p.m. for legislative business. There will be up to fifteen "One Minutes" per side.

Following "One Minutes," the House will recess subject to the call of the Chair.

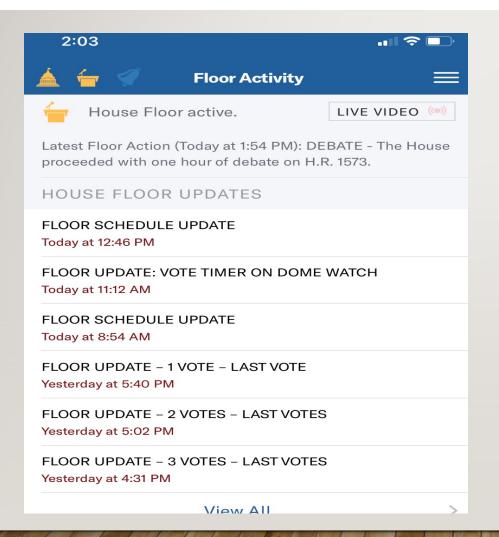
When the House reconvenes, the House will debate a bill listed for consideration under suspension of the Rules.

After suspension debate, the House will begin one hour of debate on the Rule Providing for Consideration of H.R. 1333 – NO BAN Act, H.R. 1573 – Access to Counsel Act of 2021, and H.R. 51 – Washington, D.C. Admission Act.

Following debate on the Rule, the House will take votes, by groups. These are the last votes of the day.

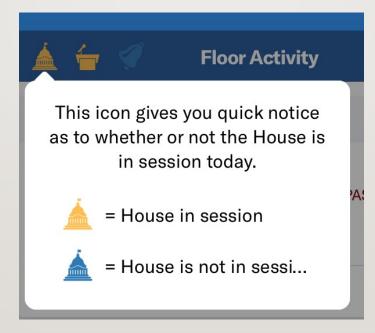
Next/Last votes predicted: at approximately 3:15 – 3:45 p.m., on the Rule for H.R. 1333, H.R. 1573, H.R. 51 and postponed suspensions.

If you have any questions please contact: Courtney Fry, Ray Salazar, or Deborah Rowe at 5-3130.

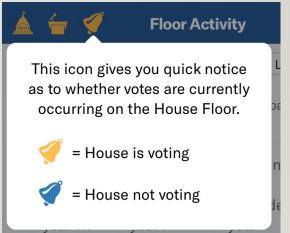


### BUT I NEED THAT INFO NOW....

#### HERE'S A TIP!





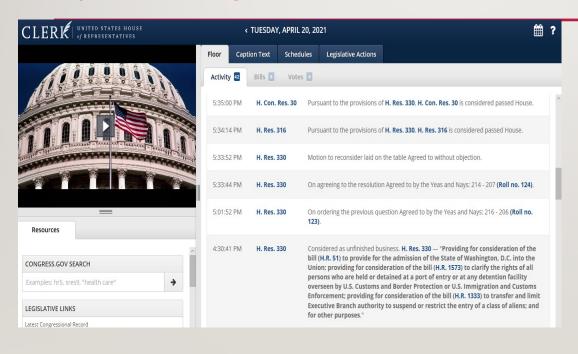


#### WHAT'S A COLLOQUY?

• <a href="https://www.c-span.org/video/?c4959654/user-clip-41621-colloquy">https://www.c-span.org/video/?c4959654/user-clip-41621-colloquy</a>

#### **DID I MISS SOMETHING?**

https://live.house.gov/



- What happened on the Floor
- Caption text
- Floor video
- Vote Tallies
- Legislative action for the week

Identifying thought leaders

**ADVOCACY STRATEGIES** 

e-Dear Colleagues

Congressional Member Organizations

# E-DEAR COLLEAGUES

#### Support Uplifting Black LGBTQ+ Leaders

Sent at 2:23 PM by Bryant, Marshele for the Honorable Barbara Lee

#### Join Letter to the Biden Administration Calling for an end to Title 42 Expulsions

Sent at 2:33 PM by Wolf-Johnson, Max for the Honorable Frederica S. Wilson

#### Cosponsor the DISCLOSE Act of 2021 - Deadline Feb. 24

Sent at 5:36 PM by Holkins, Jonay for the Honorable David N. Cicilline

#### Support the Confederate Monument Removal Act

Sent at 2:49 PM by Bryant, Marshele for the Honorable Barbara Lee

#### \*\* Cosponsor the Building COVID-19 Vaccine Confidence Act of 2021 \*\*

Sent at 3:02 PM by Garay, Monica for the Honorable Nydia M. Velazquez

#### CO-SIGN OPP - Nuclear Command and Control Reform

Sent at 3:04 PM by Manning, Matthew for the Honorable Jimmy Panetta

#### Cosponsor the VACCINE Act and Fund Statewide Systems to Simplify Vaccination Registration

Sent at 3:16 PM by Rayner, Jonathan for the Honorable Anthony G. Brown

#### Take a Stand Against Lynching: Cosponsor H.R. 55

Sent at 3:11 PM by Vogt, William for the Honorable Bobby L. Rush

#### Join the Congressional Multiple Sclerosis (MS) Caucus

Sent at 3:19 PM by Blalock, Nora for the Honorable David E. Price

#### Sign-on Letter: Urge President Biden to Reverse Trump Administration's Cruel Policy Towards Cuba

Sent at 3:16 PM by Vogt, William for the Honorable Bobby L. Rush

#### Be an Original Cosponsor of the "Mark Takai Atomic Veterans Healthcare Parity Act"

Sent at 3:20 PM by Hsieh, Jacqueline for the Honorable Grace Meng

# THERE'S A CAUCUS FOR THAT!

**ETHNICITY** 

**IDEOLOGY** 

**INTEREST** 

**VALUES** 

**INDUSTRY** 

#### STAYING IN THE KNOW

HTTPS://CHA.HOUSE.GOV/MEMBER-SERVICES/CONGRESSIONAL-MEMBER-AND-STAFF-ORGANIZATIONS

- New Democrat Coalition
- Blue Dog Coalition
- Congressional Black Caucus
- Congressional Hispanic Caucus
- Congressional Asian Pacific American
   Caucus

- Republican Study Committee\*
- Freedom Caucus
- LGBT+ Equality Caucus
- Problem Solvers Caucus
- Congressional Progressive Caucus
- Republican Governance Group



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# BACKGROUND



### KRISTINA DUNKLIN

Kristina Dunklin is a Senior Vice President at Forbes Tate Partners. Prior to joining Forbes-Tate, Kristina was Legislative Director to Congresswoman Susan W. Brooks (R-IN) and covered the health portfolio as a member of the House Committee on Energy and Commerce's Subcommittee on Health.

Before that, Kristina worked for Congressman David G. Valadao (R-CA) for over five years. Kristina oversaw the Congressman's legislative agenda, including his House Committee on Appropriations activities, primarily focusing on agriculture, health, energy, trade, and water policy.



## FRANCESCA McCRARY

Francesca McCrary is Senior Vice President at Forbes Tate Partners. Prior to joining Forbes-Tate, Francesca was professional staff on the House Oversight Committee under Congressman Elijah E. Cummings (D-MD). She worked on healthcare investigation along with managing the Intergovermental Subcommittee.

Prior to working for the Committee, Francesca worked in Congressman Cummings's personal office focusing on tech and telecommunications, energy, environment and healthcare policy issues.



# Key Committees: Energy and Commerce (E&C)

As the oldest and longest standing committee in the House, established in 1795, Energy and Commerce is often thought of as the most influential committee in the House of Representatives. Deriving its power from the Commerce Clause – the power of Congress to regulate interstate and foreign commerce - E&C has the broadest committee jurisdiction in the House.

In the 117th Congress, the committee has 58 members – 32 Democrats and 26 Republicans.

- 1 Healthcare; Insurance; R&D; FDA
- 2 Environmental Protection; Clean Air and Water
- National Energy Policy
- 4 Communications; Technology; Comsumer Protection



# Key Committees: Ways and Means

Also claiming to be the oldest committee in the House, Ways and Means was established as a standing committee in 1802. Deriving its power from Article I, Section VII of the constitution – 'All Bills for raising Revenue shall originate in the House of Representatives" - the committee has jurisdiction over taxation and other revenue raising measures, trade and tariffs, as well as social programs such as Social Security, Medicare and Medicaid.

In the 117th Congress, the committee has 43 members – 25 Democrats and 18 Republicans.

- **1** Taxation
- 2 Trade and Tariffs
- Social Security; Unemployment Insurance; Medicare and Medicaid
- 4 Child Support; Foster Care and Adoption



# Key Committees

The House of Representatives currently has 20 standing committees, 1 permanent select committee, and 2 select committees.

With the discussions around infrastructure, Capitol and member security, and COVID relief and response set to dominate this congress, there are of number of additional key committees to keep an eye on.

- 1 Transportation and Infrastructure
- 2 Administration
- 3 Oversight and Reform
- 4 Armed Services



## KEY COMMITTEES: JURISDICTIONAL CHALLENGES

# How to deal with jurisdictional "tug of war"



## **CRAFT CONSISE LANGUAGE**

Craft language that has jurisdiction in as few committees as possible. The fewer committees involved, the better. This can be hard to do, especially if working to advance a broad piece of legislation with more than one policy goal.



## **IDENTIFY LEAD COMMITTEE**

**Be strategic.** Focus on the "lead" committee's members and leadership while also engaging other committees to ensure they can quickly pass the bill or waive jurisdiction.



## **BUILD SUPPORT**

**Advocacy matters.** Now more than ever, politics is local. Build support from associtions, coalitions and other stakeholders, but don't forget about constituents. Members respond to the voters who sent them Washington.





## THE YEARLY APPROPRIATIONS CYCLE

**February** 

The President's budget is due the second Tuesday in February every year – although that deadline is rarely met.

**February - May** 

- Members submit appropriations requests.
- Subcommittee hearings held.
- Subcommittee and full committee markups held.

June & July

House Leadership aims to have bills passed off the floor by the August recess. This gives time for the Senate to complete their work and for a conference to take place prior to the end of the fiscal year on September 30.

**September 30** 

End of the fiscal year - this is the Appropriations deadline each cycle. If all 12 bills or an omnibus bill is not agreed to, passed, and signed into law by September 30 the government will shut down. In recent years we've seen multiple Continuing Resolutions (CR) to buy time for an agreement.



## APPROPRIATIONS 101: SUBCOMMITTEES

The Appropriations Committee has 12 Subcommittees, each with a Chair and Ranking Member.

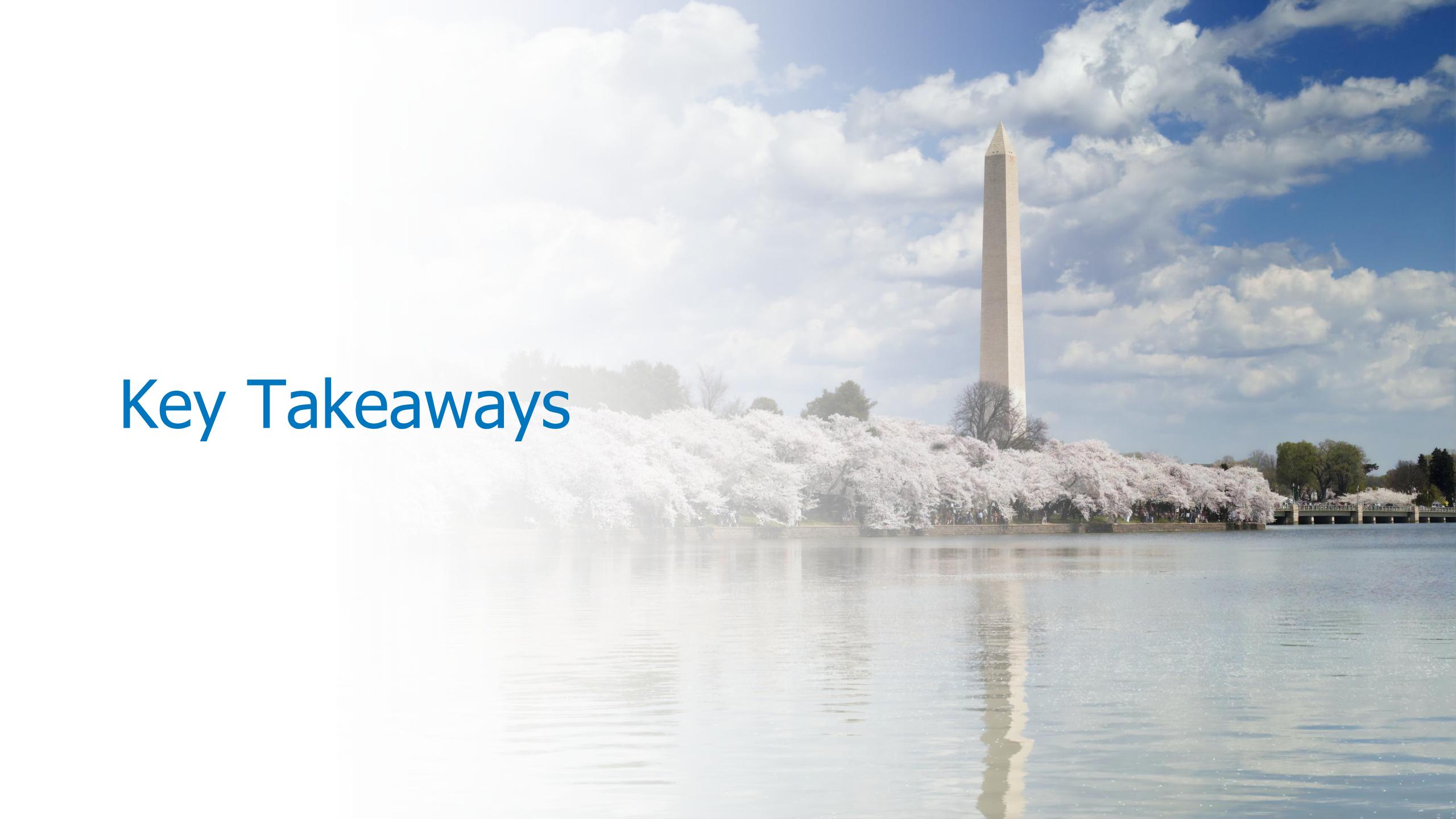
Members usually serve on 2-3 committees, depending whether they are in the majority or minority.

From February thorugh May, the subcommittees hold hearings. These can range from broad entire agency budget hearings to subagency hearings and even hearings on a specific issue.

Following the hearings, subcommitees markup each bill, followed by full committee markups of each bill.

- Agriculture, Food and Drug Administration, and Related Agencies
- 2. Commerce, Justice, Science and Related Agencies
- 3. Defense
- 4. Energy and Water Development, and Related Agencies
- 5. Financial Services and General Government
- 6. Homeland Security
- 7. Interior, Environment, and Related Agencies
- 8. Labor, Health and Human Services, Education and Related Agencies
- 9. Legislative Branch
- 10. Military Construction, Veterans' Affairs and Related Agencies
- 11. State, Foreign Operations and Related Programs
- 12. Transportation and Housing and Urban Development, and Related Agencies





## KEY TAKEAWAYS

Be prepared, always backup your message with facts, empower your legislative champions, and tailor your message according to your audience.

- 1 Anticipate and look around corners
- 2 Know your Committee's Rules
- Prepare for a multi-year or multi-Congress effort
- Times change, attitudes change, politics change



# Working both sides of the aisle and all angles is key to ensuring a "win" from Committees

- 1 Tailor your ask to resonate with both sides
- 2 Have advocates off Key Committees
- Anticipate the other sides arguements
- Provide several solutions to those key stakeholders



## STRATEGY: OFFENSE

# What happens when your bill passes Committee?

- Continues to next Committee of jurisdiction
- Engage legislators why should they care? Jobs, company presence, etc.
- Leadership buy-in
- Building support through caucuses (instrumental in the House)



### **Member Recruitment**

Identifying, educating, and engaging Congressional champions to elevate the need to priority legislators

**Constituent** 

**Engagement** 

Connecting constituents of target

legislators directly with their office

to share messaging in support



## **Advocate Engagement**

Engaging recruited advocates/ coalitions to participate in earned media and contact legislators directly through email, phone calls, letters, and social media





#### **House Floor Action**

Having legislators from both sides of the aisle asking for floor time on the bill







# STRATEGY: DEFENSE



leaders



## STRATEGY: DEFENSE

Defeating or sidelining a bill is not wholly unlike passing a bill.

Similar tactics, different results.

- Identify stakeholders and form coalition of likeminded groups
- 2 Determine who your champions are
- Provide data to defend your position
- 4 Avoid "objection by obstruction"



