

**The Big Picture: Getting the most out of your simulation experience**

**Rules Matter!**

Legislators who know the rules and how to apply them will find that they have more opportunities to advance their policy ideas. Rules are important because they are not neutral. They promote a particular form of decision-making that sometimes advantages particular interests or policies. A simple example is the rule that states that a tie vote defeats a motion. Why should a tie lead to a defeat? This rule advances a conservative view of the legislative process, where stability is valued over change.

**Where to Find these Rules**

LegSim provides an abbreviated set of rules that closely approximate those of the legislature you are simulating. Additional information about proper procedure can be found on the website of the legislature in question. For the House of Representatives, for example, you can consult the [actual rules of the House](http://clerk.house.gov/legisAct/legisProc/rules/index.html) or additional [information made available by the House Rules Committee](http://www.rules.house.gov/). The Senate Rules and Administration Committee is where to go for information about [Senate Rules and Procedure](http://www.senate.gov/reference/reference_index_subjects/Rules_and_Procedure_vrd.htm).

There are also excellent books that explain how the rules are normally applied in the House and Senate, such as Walter Oleszek, Congressional Procedures and the Policy Process (Washington D.C.: Congressional Quarterly Press) and Charles Tiefer, Congressional Procedures and Practice (Connecticut: Greenwood Press). Many students also rely on Roberts’ Rules, but the rules of Congress do not always correspond!

**The (Super)Majoritarian Principle**

You will encounter situations where the rules do not offer a simple answer. You will also encounter situations where you would rather ignore the rules in order to get your policy passed! Just remember that the rules exist for a reason. Although those purposes may not always be relevant to the situation at hand, your simulation will be more realistic if you apply the rules as if these longer term purposes are important.

That said, the Constitution gives Congress broad authority to determine its own rules. Each chamber sets its own rules by majority rule and the rules themselves offer opportunities for circumventing certain procedures (again by majority rule). However, the possibility of  a filibuster sets a higher bar (60 votes are needed to overcome one) for altering Senate procedures in a significant way.. But given sufficient support, even the rules that make a filibuster possible could be altered by the Senate.

**Be Faithful**

In the House, almost any rule can be “waived” by a simple majority vote, but only if the motion to waive it takes the form of a special rule first proposed by the Rules Committee. Otherwise, it would be cheating to decide by majority rule that the House was going to ignore an established procedure!  In practice, these types of procedural changes tend to be concentrated in the resolution establishing the rules at the beginning of each new Congress.

**How your legislature differs from the U.S. Congress**

**Not a Bicameral Process**

The most important difference between the U.S. lawmaking process and your LegSimlature is that yours probably does not have a companion chamber that must also pass a bill in identical form before it can become law.

**No Committee of the Whole**

In addition, the House of Representatives makes many of its decisions under a procedure known as the “Committee of the Whole” (COW). The COW is a procedural convenience. It allows the legislature to conduct much of its business with less than a majority of members present. LegSim does not include a Committee of the Whole procedure.

**No built in Authorizations/Appropriations Distinction**

The U.S. Congress also has two separate lawmaking processes - authorizations and appropriations. Authorizing laws give the government legal authority to do things (e.g. regulate prescription drugs). However, the funds needed to pay for new and existing programs are provided through appropriations laws.

Whereas authorizing laws can create permanent programs or programs that must be reauthorized in a few years,  the funds needed to pay for many programs must be appropriated annually (there are important exceptions, such as many entitlement programs). Finally, to make things even more confusing, some programs are authorized but not funded, and sometimes funds are appropriated for purposes that are not authorized!

**No Budget Process**

Congress also adopts budgeting procedures designed to promote greater fiscal discipline. Each spring, the Congress passes a budget “resolution” that specifies overall spending targets in major categories of spending (e.g. defense, interior, agriculture). The subcommittees of the appropriations committee then propose spending levels for specific programs and activities. The budget “reconciliation” then resolves any lingering discrepancies between the resolution and what the appropriations committee has proposed.

Budget agreements do not pertain to entitlement programs (like Social Security) where the law requires the government to provide (and pay for) a service to anyone whomeets the eligibility requirements. Second, budget agreements do not apply to “emergency” appropriations, and what constitutes an emergency is up to the Congress!

**No Status Quo Policy**

Most of the proposals Congress debates would revise existing law. For example, a health care reform bill proposes to alter existing regulations rather than proposing health care regulations for the first time. It is obviously difficult for students to get up to speed on complex subjects in such a short time so this is one area where realism may take a hit. Nevertheless we think that it is best for everyone to have students developing proposals that reflect an awareness of existing law.

We also suggest that students estimate the costs of the programs they propose. The committee responsible for reviewing the bill should also make an assessment of whether those costs seem realistic. To introduce a budget constraint, one option is to assume that passing a bill that costs $10 billion means that the government is now runing a deficit. To keep the budget in balance, other programs would need to be cut, and/or additional revenues raised. Of course, the legislature might also choose to have a deficit.

**No Reauthorizations**

Finally, because Congress authorizes many new programs for limited time periods, those programs must be reviewed and reauthorized. As a result, the real Congress (and especially its committees) have less discretion than is true for your legislature.