

WHAT EVERY CERTIFIED
HEALTH PHYSICIST
SHOULD KNOW ABOUT
OUR FEDERAL
GOVERNMENT



THE U.S. CONGRESS

- AN 18TH CENTURY INSTITUTION WITH ITS OWN HASHTAG
- TWO CHAMBERS:
 - SENATE (UPPER HOUSE)
 - HOUSE OF REPRESENTATIVES (PEOPLES' HOUSE)
- EACH CONGRESS LASTS FOR TWO YEARS (115TH) CONSISTING OF TWO, ONE YEAR SESSIONS
 - IF A BILL DOES NOT BECOME LAW DURING THIS TWO YEAR PERIOD. THE PROCESS STARTS ALL OVER AGAIN IN THE NEXT CONGRESS

HOUSE OF REPRESENTATIVES

- 435 MEMBERS (239 REPUBLICANS, 197 DEMOCRATS)
- SPEAKER OF THE HOUSE PRESIDES OVER IT WITH THE POWER TO RECOGNIZE A MEMBER, AND SETS THE LEGISLATIVE AGENDA (ELECTED BY THE MAJORITY PARTY)
- THE HOUSE IS DIVIDED UP INTO 21 STANDING COMMITTEES (4 JOINT COMMITTEES WITH SENATE) (FURTHER SUBDIVIDED INTO 95 SUBCOMMITTEES) WHO CONCENTRATE ON SPECIFIC SUBJECT MATTERS: APPROPRIATIONS, ARMED FORCES, TAXES, SCIENCE, ETC.
- ONCE A BILL IS INTRODUCED BY A MEMBER, IT IS REFERRED TO ITS SPECIFIC COMMITTEE OF JURISDICTION THAT COMMITTEE WILL HAVE A HEARING ON IT, WHERE THEY LISTEN TO TESTIMONY FROM WITNESSES ON IT
- THE BILL IS THEN “MARKED UP” AND VOTED UPON; IF THE BILL GETS A MAJORITY VOTE THEN IT IS “REPORTED” TO THE FULL HOUSE

HOUSE STRUCTURE

(CONTINUED)

- THE “REPORT” THAT ACCOMPANIES THE BILL EXPLAINS THE BILL TO THE FULL HOUSE AND IS A KEY SOURCE OF “LEGISLATIVE HISTORY” THAT CAN HAVE FAR REACHING EFFECTS ON THE FEDERAL AGENCIES WHO HAVE TO ADMINISTER THE BILL
- THE BILL THEN GOES BEFORE THE RULES COMMITTEE WHO SETS FORTH THE RULES OF DEBATE ON THE HOUSE FLOOR FOR THAT BILL: TIME, AND AMENDMENTS THAT ARE IN ORDER (THE SPEAKER OF THE HOUSE CONTROLS THE RULES COMMITTEE)
- THE FULL HOUSE THEN DEBATES AND VOTES ON THE BILL, IF IT PASSES THEN IT IS SENT OVER TO THE SENATE

SENATE STRUCTURE

- 100 SENATORS, TWO FROM EACH STATE, REGARDLESS OF SIZE (52 REPUBLICANS, 46 DEMOCRATS, 2 INDEPENDENTS)
- THE VICE PRESIDENT OF THE UNITED STATES IS THE PRESIDING OFFICER AND IS KNOWN AS THE “PRESIDENT OF THE SENATE”
- KEY DIFFERENCE BETWEEN SENATE AND HOUSE:
- THE SENATE PRESIDING OFFICER CANNOT LIMIT DEBATE ON A MATTER, THEREFORE “FILLIBUSTERS” ARE POSSIBLE IN THE SENATE AND NOT THE HOUSE
- YOU NEED 60 VOTES TO END A FILLIBUSTER

SENATE STRUCTURE (CONTINUED)

- LEADER OF MAJORITY PARTY, ELECTED BY THE OTHER MEMBERS OF THAT PARTY, SETS THE LEGISLATIVE AGENDA FOR THE SENATE
- HOWEVER, THE LEADER CANNOT LIMIT DEBATE
- DUE TO THE FILLIBUSTER POSSIBILITY, EACH INDIVIDUAL SENATOR HOLDS SIGNIFICANT POWER, MUCH MORE SO THAN AN INDIVIDUAL MEMBER OF THE HOUSE OF REPRESENTATIVES
- THERE ARE 19 STANDING COMMITTEES IN THE SENATE (ALONG WITH THE 4 JOINT COMMITTEES)

SENATE (CONTINUED)

- THE LEGISLATIVE PROCESS IN THE SENATE FROM INTRODUCTION TO REPORT TO THE FULL SENATE FLOOR IS THE SAME AS THE HOUSE
- IF THE SENATE PASSES A BILL THAT IS NOT EXACTLY THE SAME AS A HOUSE PASSED BILL OF SIMILAR SUBJECT MATTER, THEN A “CONFERENCE COMMITTEE” HAS TO BE FORMED TO RECONCILE THE TWO VERSIONS
- THE CONFERENCE COMMITTEE IS MADE UP OF REPRESENTATIVES OF BOTH THE HOUSE AND SENATE
- THEIR WORK PRODUCT IS CALLED A “CONFERENCE REPORT” AND GOES BACK TO EACH CHAMBER FOR AN UP OR DOWN VOTE – NO AMENDMENTS ALLOWED

TYPES OF LEGISLATION

- AUTHORIZING A FEDERAL PROGRAM (THE JURISDICTION OF THE SUBJECT MATTER COMMITTEES EXCEPT THE APPROPRIATIONS COMMITTEES) EXAMPLE: ENERGY POLICY ACT OF 2005
- APPROPRIATIONS COMMITTEES SUPPLY THE FUNDS THAT MAKES THE FEDERAL GOVERNMENT, AND ITS PROGRAMS ACTUALLY OPERATE. EXAMPLE: ENERGY AND WATER APPROPRIATIONS ACT
- CLEARLY AN AUTHORIZATION BILL CANNOT FUND A PROGRAM BUT AN APPROPRIATION COMMITTEE CAN “AUTHORIZE” A PROGRAM

THE PRESIDENT



ROLE IN LAWMAKING

- THE PRESIDENT MUST APPROVE (“SIGN”) THE BILL THAT PASSED THE CONGRESS FOR IT TO BECOME LAW
- IF THE PRESIDENT DISAPPROVES OF THE BILL (“VETO”) EACH CHAMBER OF THE CONGRESS CAN OVERRIDE THIS VETO BY A TWO THIRDS VOTE
- IF THE PRESIDENT DOES NOT VETO A BILL WITHIN 10 DAYS WHILE CONGRESS IS IN SESSION, IT AUTOMATICALLY BECOMES LAW
- IF CONGRESS ADJOURS BEFORE THE 10 DAY PERIOD AND THE PRESIDENT DOES NOT SIGN IT, HE HAS “POCKET VETOED” THE BILL AND IT IS NOT SUBJECT TO AN OVERRIDE VOTE BY CONGRESS
- DUE TO THE VETO POWER, THE PRESIDENT CAN CHOOSE, IF HE WISHES, TO INFORMALLY INTERJECT THEMSELVES IN THE LEGISLATIVE PROCESS
- THE PRESIDENT APPOINTS THE HEADS OF THE FEDERAL AGENCIES WHO PROMULGATE THE REGULATIONS (SLIGHTLY DIFERENT FOR THE INDEPENDENT AGENCIES SUCH AS THE NUCLEAR REGUALTORY COMMISSION)

REGUALTORY AGENCIES



ROLE OF REGULATORY AGENCIES

- FLESH OUT THE GENERAL LEGAL LANGUAGE OF A LAW SO THE GENERAL PUBLIC CAN UNDERSTAND IT AND UNDERSTAND ITS REQUIREMENTS EVEN DOWN TO MINUTE DETAILS
- THE ADMINISTRATIVE PROCEDURE ACT “REGULATES” THIS AREA BY SETTING FORTH THE TYPES OF REGULATIONS AND THE MEANS TO THEIR ADOPTION
- FAR AND AWAY “INFORMAL RULEMAKING” PROCEDURE IS USED THE MOST –”NOTICE OF PROPOSED RULEMAKING (NPR)
- IT IS REALLY A FORMAL PROCEDURE WITH SET TIME LINES

REGULATORY AGENCIES (CONTINUED)

- OTHER TYPES OF REGULATORY ACTIVITY:
REQUEST FOR GUIDANCE, HANDBOOKS, OTHER
TYPES OF DIRECTION SUCH AS ICD CODES
- YOUR THOUGHTS ??

FEDERAL JUDICIARY



ROLE OF FEDERAL COURTS

- THREE LEVELS: DISTRICT COURTS, COURTS OF APPEALS, SUPREME COURT
- DECIDE IF A LAW OR A REGULATION IS VALID UNDER THE CONSTITUTION
- INTERPERT THE MEANING OF A LAW – REVIEW ITS LEGISLATIVE HISTORY
- DECIDE IF THE AGENCIES HAVE FOLLOWED THEIR STATUTORY AUTHORITY
- HAS THE PRESIDENT EXCEEDED HIS EXECUTIVE AUTHORITY?

FEDERAL COURTS (CONTINUED)

- WHAT IS CONSTITUTIONAL? ANYTHING A MAJORITY OF THE COURT SAYS IT IS!
- A DECISION OF THE COURT CAN ONLY BE REVERSED BY A LAW PASSED BY THE CONGRESS OR A CONSTITUTIONAL AMENDMENT
- IN MANY RESPECTS, THE MOST POWERFUL OF THE THREE BRANCHES OF GOVERNMENT

CITIZEN PARTICIPATION

- CAN A NORMAL CITIZEN EVER INFLUENCE THE GOVERNMENT?
- YES! PARTICULAR CITIZEN STORIES CAN HAVE AN IMPACT!
- EXPERTISE CAN HAVE SIGNIFICANT INFLUENCE ON FEDERAL POLICY
- A GROUP OF LIKE MINDED VOTERS CAN MAKE THEIR VOICE HEARD

WHAT CAN A CHP DO?

- SUBSCRIBE TO THEIR SENATORS' AND MEMBER'S NEWSLETTER OR OTHER COMMUNICATION OUTLETS (GO ON THEIR WEBSITE TO SIGN UP)
- ATTEND A TOWN HALL MEETING IN YOUR HOME DISTRICT
- APPROACH A CANDIDATE DURING ELECTION CAMPAIGN
- COMMUNICATE WITH YOUR MEMBER BY PHONE, EMAIL, FAX, OR LETTER

WHAT A CHP CAN DO

- GO VISIT WITH YOUR MEMBER OR SENATOR AT THEIR HOME OFFICE
- BRING ALONG A LIKE MINDED FRIEND
- REMEMBER: A POLITICIAN'S MOST IMPORTANT TASK IS TO GET ELECTED!!!!