

# WRITING LEGISLATION

Inspiration for legislation comes from a desire to solve current problems facing our country, and should have a **national** focus.

A **bill** must have national *jurisdiction* (i.e., when passed into law, the federal government would have the authority to implement it). Bills enumerate details of how a particular law must work, including when it takes effect, how much tax levy would be appropriated (if applicable), how infractions/violations will be dealt with, etc. A bill may answer the who, what, when, where—and most specifically how—but it will never answer “why.” Legislators explain rationale behind bills in speeches, and a solution is implemented can spark deeper, more meaningful debate.

Students should be mindful of how controversial an issue is; for example, is it likely that students would argue against a bill to assist starving infants? Of course not! There needs to be two sides. Frequently, arguments over bills stem from the amount of funding. Since there are countless problems needing solutions, funding projects often comes down to whether one item should be prioritized over another.

Since the Executive Branch runs most agencies that enforce federal laws, understanding those helps. While foreign affairs often fall under the jurisdiction of the Executive Branch, funding efforts such as USAID can have an impact on the success or failure of United States involvement in other countries, and therefore, can be framed as a bill. See the research links page for good starting points.

Writing an effective bill involves more time and research than researching one written by someone else. A student must ask her/himself what the legislation does, who is involved (government agencies), where it happens, when it is feasible to take place, pay for and how much time is needed for implementation, and how it should be carried out (a plan of action). All of these questions must be answered in writing the sections of the bill, with thoughtful consideration as to how thoroughly each section explains its plank of implementing the overall bill’s plan of action.

**Resolutions** are simply position statements on issues Congress does not have jurisdiction over (such as a foreign issue, although a bill can suggest foreign aid), a recommendation to another party (such as the President, Supreme Court, or United Nations) or further action (such as **amending the Constitution**). Resolutions lack the force of law, and never establish enforcement.

## Topics & Format

Appropriate topics exhibit seriousness of purpose. The action proposed should be feasible, and such that the actual United States Congress might debate it. Topics should be debatable, meaning substantive argumentation exists on both sides. Legislation should be typed and double-spaced with line numbers, **not exceeding one page**. Capitalizing the words “WHEREAS” and “RESOLVED” in resolutions, and “SECTION” in bills, as well as inverse-indenting each clause or section helps to distinguish between ideas and concepts. The title should be descriptive, specific, and brief. The samples above show proper formatting. In the resolution, note the semicolon, and how it precedes the word “and” at the end of each “whereas” clause, and the phrase “now, therefore, be it” at the end of the last “whereas” clause. Templates for drafting legislation, and sample legislation may be downloaded from [www.congressionaldebate.org](http://www.congressionaldebate.org).

## A Bill to Establish a Specific Policy

BE IT ENACTED BY THIS CONGRESS THAT:

1. **SECTION 1.** State the new policy in a brief declarative sentence, or in as few sentences as possible.
- 2.
- 3.
4. **SECTION 2.** Define any ambiguous terms inherent in the first section.
- 5.
6. **SECTION 3.** Name the government agency that will oversee the enforcement of the bill along with the specific enforcement mechanism.
- 7.
- 8.
9. **SECTION 4.** Indicate the implementation date/timeframe.
- 10.
11. **SECTION 5.** State that all other laws that are in conflict with this new policy shall hereby be declared null and void.
- 12.
- 13.

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## A Resolution to Urge Further Action on a Specific Issue

1. **WHEREAS,** State the current problem (this needs to be accomplished in one brief sentence);
- 2.
3. and
4. **WHEREAS,** Describe the scope of the problem cited in the first whereas clause (this clause needs to flow logically from the first); and
- 5.
- 6.
7. **WHEREAS,** Explain the impact and harms allowed by the current problem (once again, the clause needs to flow in a logical sequence);
- 8.
- 9.
10. now, therefore, be it
11. **RESOLVED,** By this Congress that: state your recommendation for dealing with the problem (the resolution should be a clear call for action); and, be it
- 12.
- 13.
- 14.
15. **FURTHER RESOLVED,** That (an *optional* additional recommendation; if not used, end the previous clause with a period).
- 16.
- 17.

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