How Congress Works Part II: The Legislative Process

Purpose: The second in the series of “How Congress Works,” this lesson focuses on the legislative processes of how a bill becomes law. It may be used as a stand-alone lesson or may be used in conjunction with How Congress Works Part I: Structure and Organization as well as the e-Congress Anytime lesson plans.

Objectives:
1. Students will identify and evaluate the roles individual members of Congress must play in the legislative process.
2. Students will identify the important steps in the legislative process.
3. Students will interpret and analyze political cartoons.

Key Words:
- appropriations bill
- bill
- cloture
- committee report
- concurrent resolution
- conference committee
- delegate
- electronic vote
- filibuster
- hearing
- joint resolution
- law
- legislator
- partisan
- pocket veto
- private bill
- public bill
- representative
- roll call vote
- Rules committee
- simple resolution
- signing statement
- trustee
- veto

Materials:
1. Student handout or overhead: Legislative Bills
2. Graphic organizer: Congressmen Wear Many Hats
3. Teacher key: Congressmen Wear Many Hats
4. Overhead: A Congressman’s Balancing Act
5. Lyrics: I’m Just A Bill
6. Overhead: How a Bill Becomes Law
7. Student handout: How a Bill Becomes Law
8. Teacher key: How a Bill Becomes Law
9. Student handout or overhead: Political Cartoons
10. Teacher resource guide: Mr. Smith Goes to Washington
11. Student handout: Congress Watch: Tracking Legislation

Procedure:
1. Warm-up: Mr. Smith’s Big Fat Bill
   a. Write the term “bill” on the board and ask students to write down a definition. With student feedback, formulate a class definition for bill.
   - bill – a proposed new law introduced within a legislature that has not yet been passed, enacted or adopted.
b. Project via overhead or PowerPoint *Legislative Bills* and discuss the different types of bills that come before Congress (public, private and appropriations bills). Explain to students that a bill may be a hybrid possessing elements of two or more of these types.

c. Write the term “law” on the board and ask students to define and explain the difference between a bill and a law.  *law* – *a bill or act passed by a legislative body.*

d. Show Scene 13, “National Boys Camp,” from the film *Mr. Smith Goes to Washington* in which Senator Smith seeks to write his first bill and receives a crash course in how a bill become law. NOTE: For more information about *Mr. Smith Goes to Washington*, see *Mr. Smith Goes to Washington: Teacher Resources* in Extension Activities.

e. Questions for Discussion:
   - Briefly describe Mr. Smith’s bill i.e. what does he want to do?
   - What type of bill is Senator’s Smith’s bill (public, private, appropriations, or combination)?
   - Does Miss Saunders, the legislative assistant, think this bill will become a law? Why or why not?

2. Lawmaking in Congress: Members Wear Many Hats – This activity introduces students to the various and sometimes conflicting roles played by members of Congress.
   
   Long Version:
   a. Bring in five hats and attach a label on each denoting the roles/played by members of Congress.
   b. Pass out the *Congressmen Wear Many Hats* graphic organizer and have the class brainstorm what task(s) members perform in each role.
      - *Legislator* – makes laws
      - *Committee Member* – screens bills, oversees the federal bureaucracy
      - *Representative* – represents the “folks back home;” provides services; helps constituents with problems
      - *Party Member or Partisan* – loyal to her/his political party; works for the policies and agenda of the party
      - *Politician* – does what’s needed to get re-elected; make deals
   c. Think/Pair Share – With a partner, students should brainstorm examples of how or when these roles might conflict. Students will then report their findings to the class.
   d. Walking the Proverbial Tightrope: Delegate v. Trustee?!?! – On a daily basis, members of Congress must try to balance two important duties: “delegate” v. “trustee.” Write these concepts on the board and ask students to define each.
      
      *delegate* – duty to represent “the folks back home” and vote based on the will of their constituents
      *trustee* – duty to vote according to their own conscience and view of what is best for the district, state or nation as a whole.
      
      In a class discussion, ask students whether they think that when members of Congress vote on a bill, they should be delegates first: (vote based on what her/his constituents want) OR a Trustee first (vote
based on their conscience and do what they think is right for the country as a whole).

**Short Version:** Project the *How Congress Works Part II* PowerPoint and have students discuss the information and fill in their graphic organizer.

3. **School of Rock - *I'm Just A Bill***
   a. Pass out the lyrics and show the *School House Rock* classic “I’m Just A Bill.” You can access the video at the website below:
      - [http://www.youtube.com/watch?v=mEJL2Uuv-oQ](http://www.youtube.com/watch?v=mEJL2Uuv-oQ)
   b. Using the images from the video as well as the song lyrics, ask students to draw a diagram or cartoon portraying how a bill becomes law.

3. **Navigating the Legislative Obstacle Course:**
   a. Project via overhead (short version) PowerPoint (long version) “How a Bill Becomes Law” and review the legislative process with students.
   b. Then address the critical thinking questions below either in small groups or with the class as a whole:
      *Fact: About 5,000 bills are introduced in Congress every year, but only about 150 are signed into law.*
      - Explain why so few bills become law.
      - Is that a good thing or a bad thing?
      - Should the legislative process in Congress be reformed? If yes, what changes would you recommend? If not, why not?

4. **Making Connections: How A Bill Becomes Law Review** - Pass out the “How a Bill Becomes Law Review” graphic organizer and have students complete the activity individually or with a partner.

5. **Wrap Up: Political Cartoons** - Break students into groups. Give each group a cartoon. Have them analyze the cartoon and present. Or you may choose to project the political cartoons via overhead or PowerPoint.
   Ask students to interpret the cartoon:
   - Describe what’s going on in the political cartoon (Who? What? When? Where?).
   - Identify any symbols (ex: an elephant to represent the Republican Party) portrayed in the cartoon and analyze what they represent.
   - What is the artist’s message in the cartoon? What do you think is its purpose?
   - Do you agree or disagree with the cartoonist's message? Explain your answer.
   - What does this cartoon show us about Congress in general and the legislative process in particular?

Note: Cartoon #4 brings in the concept of “presidential signing statement” (a written pronouncement by the President upon signing of a bill into law). The websites below may help provide additional information to provide context to the cartoon:
http://www.coherentbabble.com/signingstatements/FAQs.htm#3.%20%20How%20many%20has%20George%20W.%20Bush%20signed
http://www.abanet.org/media/releases/news072406.html

Appendix: How Congress Works Part II PowerPoint – a resource for teachers that includes many of the important content elements of the lesson.

Extension Activities

1. Hollywood Plays Politics: Mr. Smith Goes to Washington and It’s Portrayal of Congress – Frank Capra’s 1939 classic Mr. Smith Goes to Washington provides teachers with a useful tool to teach a number of important social studies concepts and themes regarding inner workings of Congress, the ideals of democracy, and the political reality of Washington. Teachers may choose to show the film in its entirety, or selected scenes. A teacher resource guide is provided.

2. Congress Watch: Tracking Legislation – Ask students to choose a particular bill or topic and find an article or watch a TV news show (ex: Meet the Press) related to that topic or bill. Students should complete the Congress Watch: Tracking Legislation handout.
Legislative Bills

bill – a proposed new law introduced within a legislature that has not yet been passed, enacted or adopted.

- **public bill** – proposed legislative bill that deals with matters of general concern and application
  
  *Ex*: Civil Rights Act of 1964

- **private bill** – a proposed legislative bill that deals with specific private, personal, or local matters rather than general affairs
  
  *Ex*: a person seeking special permission to become a naturalized citizen

- **appropriation bill** – legislative motion authorizing the government to spend money
  
  *Ex*: Defense spending to support troops in Iraq
Congressmen Wear Many Hats

Legislator

Representative

Committee Member

Partisan

Politician
Congressmen Wear Many Hats

**Legislator**
Make Laws

**Representative**
Provide services to & help constituents with problems

**Committee Member**
Screen bills
Provide oversight

**Partisan**
Party loyalty
Support party agenda

**Politician**
Get re-elected
Make deals
A Congressman’s Balancing Act

How to vote?
My constituents first or my country???

Floor vote on the Energy Bill!
I'm Just A Bill

Boy: Whew! You sure gotta climb a lot of steps to get to this Capitol Building here in Washington. But I wonder who that sad little scrap of paper is?

I'm just a bill.
Yes, I'm only a bill.
And I'm sitting here on Capitol Hill.
Well, it's a long, long journey
To the capital city.
It's a long, long wait
While I'm sitting in committee,
But I know I'll be a law some day
At least I hope and pray that I will
But today I am still just a bill.

Boy: Gee, Bill, you certainly have a lot of patience and courage.
Bill: Well, I got this far. When I started I wasn't even a bill, I was just an idea.
Some folks back home decided they wanted a law passed, so they called their local Congressman, and said, "You're right, there oughta be a law."
Then he sat down and wrote me out and introduced me to Congress. And I became a bill, and I'll remain a bill until they decide to make me a law.

I'm just a bill
Yes I'm only a bill,
And I got as far as Capitol Hill.
Well, now I'm stuck in committee
And I'll sit here and wait
While a few key Congressmen discuss and debate
Whether they should let me be a law.
How I hope and pray that they will,
But today I am still just a bill.

Boy: Listen to those Congressmen arguing! Is all that discussion and debate about you?

Bill: Yeah, I'm one of the lucky ones. Most bills never even get this far. I hope they decide to report on me favorably, otherwise I may die.
Boy: Die?
Bill: Yeah, die in committee. Ooh, but it looks like I'm gonna live!
Now I go to the House of Representatives, and they vote on me.

Boy: If they vote yes, what happens?
Bill: Then I go to the Senate and the whole thing starts all over again.
Boy: Oh no!
Bill: Oh yes!

I'm just a bill
Yes, I'm only a bill.
And if they vote for me on Capitol Hill
Well, then I'm off to the White House
Where I'll wait in a line
With a lot of other bills
For the president to sign
And if he signs me, then I'll be a law.
How I hope and pray that he will,
But today I am still just a bill.

Boy: You mean even if the Whole Congress says you should be a law, the president can still say no?
Bill: Yes, that's called a veto. If the president vetoes me, I have to go back to Congress and they vote on me again, and by that time you're so old...
Boy: By that time it's very unlikely that you'll become a law. It's not easy to become a law, is it?
Bill: No!

But how I hope and pray that I will,
But today I am still just a bill.

Congressman: He signed you, Bill!
Now you're a law!
Bill: Oh yes!!!

Source: http://www.school-house-rock.com/Bill.html
Fact: About 5,000 bills are introduced in Congress every year, but only about 150 are signed into law.

1. Explain why so few bills become law.

2. Is that a good thing or a bad thing?

3. Should the legislative process in Congress be reformed? If yes, what changes would you recommend? If not, why not?

Source: http://acswebcontent.acs.org/olga/legissummbilltolaw.pdf
Directions – Write the letter of each of the following steps in the correct place on the chart on the left. Some will be used in more than one place (more than once).

A. Approved version of bill crosses over to other chamber where it must go through the same process
B. Bill is dropped in the hopper
C. Bill is read aloud formally on the floor and given to clerk
D. Can be reported favorably, unfavorably, or tabled by committee
E. Bill referred for committee action
F. Conference committee
G. Expert testimony re: bill’s topic
H. Floor
I. Chamber whose membership is based upon population
J. Idea generated from a citizen, member of congress, etc.
K. Bill written, sponsored and introduced by member(s) of a chamber
L. Debate usually limited to 1 hour
M. Majority of both houses must approve revised bill from conference committee
N. Markup occurs (changes, additions are made)
O. Members from each chamber meet to reconcile different versions of same bill
P. passed bill sent to the President
Q. Public hearings usually in subcommittees
R. Each state receives two members in this chamber
S. Unlimited debate unless a cloture vote to end a filibuster
T. Voting takes place (roll call, standing, or voice)
U. Voting takes place (standing, voice, or recorded)
V. Sign bill into law
W. Veto bill
X. Pocket veto
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1. Describe what’s going on in this political cartoon (Who? What? When? Where?).

2. Identify any symbols (ex: an elephant to represent the Republican Party) portrayed in the cartoon and analyze what they represent.

3. What is the artist’s message in the cartoon? What do you think is its purpose?

4. Do you agree or disagree with the cartoonist's message? Explain your answer.

5. What does this cartoon show us about Congress in general and the legislative process in particular?
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Title: Breaking the Filibuster is not Enough
Source: http://www.republicanvoices.org/may_2005_newsletter.html
1. Describe what’s going on in this political cartoon (Who? What? When? Where?).

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Mr. Smith Goes To Washington
Teacher Resource Guide

Introduction – Frank Capra’s 1939 classic Mr. Smith Goes To Washington provides teachers with a useful tool to teach a number of important social studies concepts and themes regarding inner workings of Congress, the ideals of democracy, and the political reality of Washington. Teachers may choose to show the film in its entirety, or selected scenes.

Guide to Scenes and Content

<table>
<thead>
<tr>
<th>Scene/Time Index</th>
<th>Title</th>
<th>Description of Scene</th>
<th>Content &amp; Themes</th>
</tr>
</thead>
<tbody>
<tr>
<td>S-5 18:58</td>
<td>At the Station</td>
<td>“Look, look! The capitol dome!” ~ Smith comes to Washington as a bright eyed idealist.</td>
<td>• Capitol dome as a recurring symbol in the film (capitol = “the people’s house;” spirit of democracy)</td>
</tr>
</tbody>
</table>
| S-10 34:40       | The US Senate           | “Dick,” the young page, shows Smith the Ropes in the Senate. Points out the Senate Majority and minority leaders. Smith: “I’m just going to sit around and listen” Page: “That’s the way to get re-elected.” | • Majority & minority leaders  
• Roll call vote |
| S-13 47:03       | National Boys Camp      | Senator Smith wants to write a bill proposing a national boys camp. Saunders, his Legislative assistant, chronicles the process of how a bill becomes law. | • how a bill becomes law  
• bill  
• committees (including steering and conference)  
• Saunders = political reality; Smith = idealism, romanticism |
| S-14 57:26       | New Bills & Resolutions | Smith introduces his bill on the Senate floor.                                       | • President Pro Tem  
• procedure for proposing a bill |
| S-20 1:25:29     | Committee Hearing       | Committee on Privileges and Elections holds investigative hearing into Senator Smith’s alleged purchase of the land at Willet Creek. Witnesses, including “experts,” testify. | • Investigative function of legislative committees  
• ethics rules in the Senate |
| S-21 1:29:12     | The Lincoln Memorial    | Smith goes to the Lincoln Memorial to seek guidance. He and Saunders decide to fight back against the Taylor machine. | • Lincoln Memorial: themes of good v. evil, little guy v. Goliath, idealism v. reality |
| S-21-28          | Smith is recognized Paine walks out Filibuster! Democracy in action “Tell Jeff to stop.” 23 hours, 16 minutes Paine breaks | Senator Smith holds a filibuster on the Senate floor.                                              | This scene depicts a number of aspects of Senate proceedings:  
1. roll call vote  
2. call to quorum  
3. filibuster  
4. committee report to the Senate  
5. role of President Pro Tem  
6. modern era cloture rule |
II. Discussion Questions

1. Director Frank Capra of *It's a Wonderful Life* fame, has a certain perspective both as a filmmaker and as an observer of American politics in the 1930s. Given this truth, address the following:
   a. Identify several bias(es) (ex: political ideology) of Capra the director, the producers and screenwriters that are evident in this film.
   b. Discuss how these biases might affect the accuracy and portrayal of the story. (Did you have a positive or negative impression of the topic?)
   c. What is the overriding theme or message that Capra is trying to leave with the audience?

2. Identify the following characters in the film (pay close attention to their political roles) and briefly discuss their importance to the theme or plot. Also, for each character, what modern day politicians are similar to each character?
   a. Jefferson Smith
   b. Joseph Harrison Paine
   c. Clarissa Saunders
   d. Hubert “Happy” Hopper
   e. Jim Taylor

3. Based upon its portrayal in the movie, what generalizations can you make about how Congress works? Focus your response on these events portrayed in the film:
   a. The creation and presentation of Senator Smith’s bill to the Senate
   b. The political influence of powerful individuals like Jim Taylor on Congress
   c. The committee hearing about Senator Smith’s alleged ethics violations
   d. Senator Smith’s filibuster

4. Though the film premiered in 1939, what aspects still ring true in the 2000s?
   a. If *Mr. Smith Goes to Washington* were made today, in what ways would it be different than the original? Similar?
   b. What actors would you cast in the major roles?
   c. In 1939, *Mr. Smith Goes to Washington* was a box office success. Do you think Americans would go to see a remake of the film today? Why or why not?

5. Regarding the portrayal of Washington D.C. and American politics, address the following:
   a. Using specific examples from the film, in what ways did Capra accurately portray the U.S. Congress and American political culture at the end of the 1930s?
   b. Identify and describe several examples that seem unrealistic (“pure Hollywood”).
   c. How does it inform us about American political culture in general and the Congress in particular today?
Mr. Smith Goes to Washington

by Matt Slovick
WashingtonPost.com

This film has been around for almost 60 years and remains the top Washington-related movie. Jimmy Stewart plays Jefferson Smith, the "average Joe" who thinks he can make a difference but runs into men with power and crooked politicians. However, in the typical style of director Frank Capra, the good guy wins. Incidents like Watergate and Iran-Contra have made today's Americans more cynical about government and politicians. But this film caused quite a stir in this town in 1939. The Washington Press Club sponsored a premiere at Constitution Hall that was attended by congressmen, Senators and Supreme Court justices. About halfway through the film, people started walking out. At another dinner, Capra was criticized for showing graft in the Senate. The Washington press corps, who didn't like the way reporters were portrayed, joined in the attacks against Capra.

But average Americans filled the theaters to see the film that helped make Stewart a star. The movie earned 11 Oscar nominations, including Best Picture (it lost to "Gone With the Wind").

Washington Sites: You name it, Mr. Smith saw it. The new senator arrives at Union Station, goes on a bus tour and sees: the Capitol; Washington Monument; Lincoln Memorial; Supreme Court building; Tomb of the Unknowns; Arlington National Cemetery; Constitution Hall; White House.

It Wasn't Washington: All the background film was shot in Washington and rear-projected on a Hollywood set, where the film was actually made. The scenes in the Senate were filmed on a stage that was meticulously reproduced.

Film's Background: Director Rouben Mamoulian bought the story from Lewis R. Foster for $1,500. Columbia Studios chief Harry Cohn tried to buy the story for Frank Capra for $75,000. Mamoulian turned down the offer. When Cohn allowed Mamoulian to direct another movie, Mamoulian sold the rights for only what he paid. It was thought that Gary Cooper, the star of Capra's "Mr. Deeds Goes to Town," might star in "Mr. Deeds Goes to Washington." But Capra picked Jimmy Stewart, who he believed to appear more boyish and naive.

Plot: When a state senator dies, Gov. Hubert Hopper (Guy Kibbee) believes that Jefferson Smith (Jimmy Stewart) would be perfect in the interim role since he was so naive. Media magnate Jim Taylor (Edward Arnold) and Sen. Joseph Paine (Claude Rains) expect Smith to back their crooked scheme to finance a new dam that will appreciate their real estate holdings.

When the press depicts him as incompetent, Smith feels he has disgraced his state. Paine convinces Smith he can make a difference by drafting a bill to create a national boys' camp. His cynical secretary Clarissa Saunders (Jean Arthur), who has been in Washington for a long time, falls in love with him and his idealism. When she learns of the conspiracy by Taylor and Paine, she tells Smith.

A devastated Smith tells Paine he will expose the corruption, but Paine tells the Senate (96 members, 48 states then) that Smith owns the land on which he wants to build the camp. Paine and others lie in front of a special committee, which recommends Smith be kicked out of the Senate. Saunders suggests he can lead a filibuster until his friends find evidence to clear him. Smith begins his 23-hour stand that leads to the "Capraesque" ending.
Memorable Scenes:

When Smith arrives in Washington, he's wide-eyed and as excited as a school boy. Saunders tries to explain to Smith how difficult it is to write, introduce and pass a bill. A drunken Saunders, who is smitten with Smith, tells him about the graft in the bill introduced by Paine. Paine stands up in the Senate and accuses Smith of owning the land upon which he wants to create a national boys camp. Saunders convinces Smith -- at the Lincoln Memorial -- not to quit. The final minutes of Smith's 23-hour filibuster, when he confronts Paine and gives a speech about "lost causes."

After Smith collapses in the Senate, the overwhelming guilt finally catches up with Paine, who confesses that Smith is innocent and he and others are the crooks.

Memorable Lines:

"Liberty is too precious a thing to be buried in books, Miss Saunders. Men should hold it up in front of them every single day of their lives and say, 'I'm free to think and to speak. My ancestors couldn't. I can. And my children will'": Smith to Saunders when they begin drafting the bill for the national camp for boys. "Maybe we can clear out of this town (Washington) ... get to feel like people": a drunken Saunders to her friend, Diz Moore.

"Well, I'm gettin' out of this town so fast, away from all the words and all the monuments and the whole rotten show": Smith to Saunders after Paine and others lied about him to a special committee.

Rating: MPAA ratings didn't exist until 1966. Release Date: 1939 (by Columbia). Running Time: 2 hours, 5 minutes. Director: Frank Capra. Cast: Jimmy Stewart (Jefferson Smith); Jean Arthur (Clarissa Saunders); Claude Rains (Sen. Joseph Paine); Edward Arnold (Jim Taylor); Harry Carey (president of the Senate); Guy Kibbee (Gov. Hubert Hopper); Thomas Mitchell (Diz Moore); Eugene Pallette (Chick McCann); Beulah Bondi (Ma Smith); H.B. Warner (Sen. Fuller); Astrid Allwyn (Susan Paine); Ruth Donnelly (Emma Hopper); Grant Mitchell (Sen. MacPherson); Porter Hall (Sen. Monroe); Pierre Watkin (Sen. Barnes). Total Oscar Nominations: 11. Oscar Wins: Lewis R. Foster, best original story. Other Nominations: Best picture; Jimmy Stewart, best actor; Harry Carey, best supporting actor; Claude Rains, best supporting actor; Frank Capra, best director; Sidney Buchman, best screenplay; Gene Havlick and Al Clark, best editing; Dimitri Tiomkin, best score; Lionel Banks, best art direction; John Livadary, best sound.

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Congress Watch: Tracking Legislation

Directions: Read an article or watch a news show that deals with bills currently under consideration in Congress.

Bill Topic: ____________________________________________________________

Article Title: __________________________________________________________

Source: ___________________________________________ Publication/Air Date: __________

1) Newspaper _____ 2) Magazine_____ 3) Internet_____ 4) Talk Show_______

1. Summary of article:

2. Bias(es)/Slant of Writer: Identify and provide evidence of the author’s political ideology, political party, race, gender, religion, nationality, etc.) Is the writer in support or opposed to the bill?

3. Analysis of Legislation: Evaluate the merits of the bill. Do you think it should be passed by Congress? Defend your answer.