

INDIVISIBLE

Legislative Process 101—POLICY “RIDERS”

Hold your MoC accountable for sponsoring and voting for policy riders that not only represent bad policy but are designed to obstruct the appropriations process.

In our first explainer on the [appropriations process](#), we outlined what a normal government funding process would entail to “keep the lights on.” There are a number of options for how Congress funds the government—whether in a catch-all “omnibus” (combined appropriations bills), or through a continuing resolution that extends current funding levels until a certain date.

Whatever option Congress uses to pass an appropriations (spending) bill, the important thing to know is that these are “must-pass” pieces of legislation. They must be passed or the government shuts down. No one relishes a government shutdown ([except, maybe, Ted Cruz](#)), which is why lawmakers typically work together to make sure that spending bills are enacted by their deadlines. Typically.

POLICY RIDERS

The problem is that must-pass bills create an incentive for some MoCs to try to attach policy changes to these bills that are much harder to pass on their own. The thinking is, if members can manage to get their policy priority into the must-pass bill, other MoCs will have to support it because they want to avoid a shutdown. These are called **policy riders**—because they “ride” on top of a must-pass bill. And, because the president lacks line-item veto authority, he must sign the appropriations bill as-is, which means policy riders have a high likelihood of becoming law. Policy riders tend to be controversial.

So when we talk about riders, we’re talking about “strings attached” to appropriations bills that must become law. Typically, we see riders in two forms. In the most typical form, Congress includes riders that limit the use of funds appropriated. In another form, a rider is an extraneous appropriation of funds, such as Trump’s request for funding for a U.S.-Mexican border wall, attached to an appropriations bill that is necessary to continue funding the government.

A GOOD EXAMPLE OF A POLICY RIDER: THE HYDE AMENDMENT

First introduced by the late Rep. Henry Hyde (R-IL), the Hyde Amendment is a common policy rider that is attached to the Labor, HHS, and Education Appropriations (Labor-HHS) bill, which funds a variety of health care programs. Hyde prohibits the use of federal funding for elective abortions in programs like Medicaid and others. There is no law on the books that has codified the Hyde Amendment, which is why this rider is attached to each Labor-HHS bill. But for all intents and purposes, this is seen as settled policy.

WHAT ARE POISON PILLS?

Members of Congress generally want to support appropriations bills (so long as funding levels are reasonable), but recently appropriations have been riddled with “poison pills.” Poison pills are basically riders that are so controversial that they kill the chances of a bill passing. Examples include riders that severely limit the actions the EPA can take to protect our air and water, or restrict funding for organizations that do invaluable work such as Planned Parenthood.

For example, perhaps you remember an emergency appropriations bill to address the Zika virus? [That bill was held up because the House included a rider to prohibit funding for Planned Parenthood.](#) These ideological amendments stymie the legislative process and inhibit opportunities for both parties to work together to enact reasonable policy.

HOW CAN I RESIST THE TRUMP AGENDA WITH THIS KNOWLEDGE?

Hold your MoC accountable for sponsoring and voting for policy riders that not only represent bad policy but are designed to obstruct the appropriations process. Ask your MoC not to support riders in spending bills.

What to watch for? There are some common riders that members often try to attach to spending bills. The ones to look out for include:

- » Defunding Planned Parenthood and other family planning initiatives
- » Additional funding for Trump's Deportation Force, including his border wall, detention facilities, and more ICE agents
- » Restricting federal funding for cities that take up sanctuary policies
- » Defunding the EPA and other climate protection programs