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Influencing Welfare/Warfare Priorities through the New Budgetary Process

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In the previous article, Weinert challenged social workers, and other professionals in the area of social welfare, to commit themselves to greater collective political action in the interest of substantial social change. He suggested that there are many options for movement in that direction. This article briefly discusses one incremental option within the established political system, intervention within the new Congressional budgetary process. This is not an insignificant strategy. Its purpose is to influence the way the national budget is constructed. The budget incorporates to an important degree the society's prevailing definition of its priorities. Furthermore, future policy alternatives are vitally affected by budget decisions, as mandated budget authority strongly restricts future social policy alternatives.

Therefore, an understanding of the meaning of the new Congressional Budget Act and some of the problems in its implementation is critical to developing an effective strategy for impacting that process. The Act offers a significant opportunity to individual citizens and organized groups to change the direction of national priorities, among them welfare and warfare. It provides a relatively fixed time schedule around which collective action can be organized, and it identifies the individuals and committees necessary to approach. A strategy built around this process is appropriate to the social work profession. Many social welfare professionals are excellently qualified to perform the policy analysis tasks and to construct the crucial political coalitions which support this kind of intervention. Social workers' knowledge of domestic needs, and of the strengths and weaknesses of existing social service delivery systems, place them in a privileged position to utilize the innovations provided in the new Act. Moreover, the implications of their mobilizing around the budgetary cycle can extend well beyond the territory of the federal budget itself.

**Background of the New Budgetary Process**

The federal government is the most significant financier for the military and welfare sectors of the society. It is estimated that in fiscal '78 federal defense allocations will be approximately 130-150 billion, and social welfare expenditures approximately 190-240 billion. Responsibility for the research, planning, and management of such enormous federal outlays is constitutionally shared among the executive, legislative, and judicial branches of government. The Constitution proposes a set of initiatives and constraints within this responsibility, to be translated into national administrative law. However, the actual relationship among these branches has been uneven, and the budgetary process less than open.
The search for more effective budgetary methods in Congress was stimulated in contemporary history by controversy over national priorities, including warfare/welfare, and by the impoundment of funds. It was an undeniable legacy of Watergate. However, there has been a perennial consciousness that Congressional budget reform was critically needed. Much has changed in the two centuries of American governmental existence, but the formal division of responsibilities has remained intact. Money expenditure was to be a two-stage process: first the Congress would appropriate funds, and only afterwards would the executive spend them. Not only was Congress to decide how much would be spent, but more importantly for what purposes.

The demands of this essential role of Congress were admittedly not being met by past policies or methods. As long as the federal budget was small, it was rational for Congress to control expenditures by means of line item appropriations, and restrictions on the shifting of funds among categories. But the tremendous growth of the federal budget has required a broadening of the units of appropriations and more transfer flexibility. As the federal budget increased in size and importance, a growing inequity in influence evolved between the executive and the legislative branch.

The formulation of the President's budget recommendations employed the analytic expertise of a large and powerful budget staff with vast informational sources, a resource particularly exploited during the Watergate period to enhance executive authority. The effect was disadvantaged Congressional competition with the executive. Over-burdened staffs of individual committees were forced to rely primarily on executive agencies for information. Whereas the President had an eighteen month period to develop a budget, Congress was required to compress crucial budget decisions into a few months, and often became dependent on continuing resolutions as a means of funding federal agencies and programs. As program and financial policy-making became more concentrated in the executive, the budgetary process grew more fragmented in the Congress. The inevitable consequence was a serious imbalance of power. This became translated into welfare/warfare terms because Presidential budgets tended to emphasize a heavy commitment to the military which Congress was unwilling or unable to challenge.

Therefore, a severe erosion occurred in Congressional capability for assessing program priorities effectively, and in establishing overall budget policy. Congress was clearly not able to decide among competing claims on the budget in a comprehensive manner. The basic assumption in the growing movement for budget reform was that the federal budget had in actuality become the primary tool for determining governmental goals, and was progressively passing beyond Congressional control. Not simply its growth, but more so the directions it would take, were at stake. The augmentation in the portion of the budget which was relatively "uncontrollable under existing law, magnified the significance of the issue. It was becoming increasingly more difficult to deal with carryover balances where appropriations, outlays, and budget authority failed to mesh.
The search for improved budgetary methods ultimately settled within the Joint Study Committee on Budget Control. Out of months of deliberation over alternatives, the Congressional Budget and Impoundment Control Act of 1974 surfaced into law. The Act radically modified the Congressional budget process, and provided controls over the presidential impoundment of funds. It established new Budget Committees in the House and Senate, responsible for setting federal budget priorities, and created a new Congressional Budget Office. The primary intent of the legislation was to re-establish Congressional power over the federal budget. The outcome has been to provide new citizen access to the policy analysis and decision-making process, and to introduce greater transfer possibilities into revenue allocations.

The Content of the New Process

The new budget process requires an unprecedented effort simply in meeting the series of negotiation deadlines in the mandated timetable for decision-making, beginning October first and ending the following September 30th, a timetable which essentially constitutes a stringent set of policy guidelines. The public visibility of this timetable allows for its strategic use. The process requires the following steps: 1) prior to the regular Presidential budget presentation, the President must provide a budget which projects expected outlays in the upcoming fiscal year, assuming all programs are to be carried on at the same levels without policy changes; 2) the first concurrent resolution of the Congress then makes explicit the specific levels of budget outlays and new budget authority, both in total and for each of sixteen major functional expenditure categories. This involves the amount of any deficit or surplus, the recommended levels of federal revenues, and the public debt ceilings. When finally negotiated and passed, this resolution sets the overall budgetary parameters for the Budget Committees; 3) the Committees are then to work toward completing action on bills that provide new budget authority and spending authority; and 4) the second concurrent resolution reaffirms or revises the first concurrent resolution, and any differences between the House and Senate must be reconciled by the end of September. Thus the new Act has presented challenges to historic positions, and compelled the Congress to make distinctive policy decisions.

The most profound role defined for the new Congressional Budget Office in the Act was the development of an annual report that not merely identified alternative levels of spending, revenues, and tax expenditures, but discussed national budget priorities, including "alternative ways of allocating budget authority and budget outlays for the fiscal year among major programs or functional categories, taking into account how such alternative allocations will meet major national needs and affect balanced growth and development in the U.S." As with the Brookings analyses, the report was to speak to objectives, priorities, and alternative choices, but not to specify preferred alternatives among the feasible options.

Successful implementation of this commitment of the Congress to accrue greater power over the federal budget was considered related to the pragmatic requirement that Congress install what Walter Williams has termed a "new institutional process"
that would significantly alter the previous balance of power in governmental
decision-making, and assemble the high level staff needed to make expert informa-
tion and analyses an integral part of this process.10 The new CBO was viewed by
political policy analysts as an essential tool in making this substantial shift
in Congressional life style, in particular its anticipated role in information
analysis in the service of setting national budgetary priorities.11 Crucial to
its success, they predicted, was a staff comparable to that of the executive
branch in size and substantive diversity, in professional competence and wisdom,
in political and bureaucratic management skills, in information synthesizing and
processing technology, and in collective influence. It also had to exhibit the
capability of providing at optimum times the products of its efforts to the House
and Senate Budget Committees. The premise was that the executive branch's enjoy-
ment of superiority in the effective use of policy analysis had been the major
variable in the power inequity.

Developing such a staff proved a challenging task. But there have been an
array of other problems in implementing the Act's intended purposes, not least
among them the level of utilization of the fruits of such policy analysis by indi-
vidual Congressmen, the extent of their commitment to the long-range view which
lies at the core of competent policy analysis, and the depth of their perception
of the need for analysis of non-incremental alternatives.12 The latter is a
measure of the will of Congress to participate intelligently in what Lindblom has
called "the partisan mutual adjustment process" in a democracy.13 In the case of
federal budget decisions, this adjustment process required changing complex rela-
tionships in Congress' external organizational environment that in turn involved
intricate internal changes. Inasmuch as such basic changes contained costs to
particular Congresspersons, the pattern of history has been one of resistance to
such change.14 The primary struggle with the executive branch has therefore been
complicated by the inevitable struggle within the Congress. The lack of clearly
specified decision-making roles for the new organizational structures within the
Congress, goal conflict and territoriality problems between "old" and "new" struc-
tures, a lack of coordination and cooperation in the relationships between pre-
existing and new staffs, and differences in the methodology used for performing
essential policy analysis tasks, were formidable problems anticipated to plague
full implementation of the Act.15

The Trial Run

The nine-month "trial run" of the new budget process was completed with the
passage of a concurrent resolution in December, 1975, which established spending
limits for the remainder of fiscal 1976. This provided an opportunity to more
clearly evaluate whether Congress could actually agree on budget spending limits,
deficits, whether the Budget Committees could become part of the power hierarchy
and more importantly whether the process was capable of yielding a reasoned con-
sideration of priorities rather than simply limited debate over budget figures.
Assessment of the trial run revealed both the great potential of the Act and som-
of the anticipated conflicts between the demands of the new legislation and the
pre-existing authority structure of the Congress, "its privileges, style of operation, and staffing patterns." It therefore identified likely impediments to the effectiveness of public strategies for influencing the budget process.

Deep differences surfaced between House and Senate perceptions of the new budgetary process—in terms of its intent (budget control versus setting budget priorities), and the qualifications of the CBO staff (Congressional trustworthiness versus analytic credentials). There were differences in leadership strength, and the nature of the internal conflicts within the new committees. Though it tested whether the new process would produce Congressional budget control, the trial run did not really test whether the more basic purpose of the Act, general Congressional budget reform had been realized. Nevertheless, the trial run was generally considered to indicate an important positive flexibility, a capacity for learning and modification—largely through the actions of the Budget Committees.

The CBO, as a non-partisan analytic unit serving the entire Congress, was viewed more critically. Though the staff was considered excellently qualified, it performed no major policy analyses during the trial run, and its economic forecasting, which emphasized economic stimuli to combat recession rather than economic restraint to control inflation, had diverse results. This was not unrelated to Congressional concerns over the staff's potential power. The general consensus, however, was that its leadership was being looked to as a major influence on future governmental economic policy. Furthermore, the CBO had developed an analytic staff comparable in expertise (and nearly in size) to those in the executive branch. Williams credited it with establishing "the base to do competent economic forecasting, sophisticated budget analysis and policy analysis," which he feels are the key parts of the process of developing more responsible government. The net assessment was slightly more than a moderated optimism about the outcomes of the first full budget cycle beginning October, 1975, with all the deadlines of the timetable in force.

The First Implementation of the Full Cycle

On schedule, the House-Senate Conference Committee approved on September 10, 1976, a federal budget ceiling of approximately 413 billion for the fiscal year beginning October first, settling on a deficit of 50.6 billion. The ceiling in this Second Concurrent Resolution reflected only minimal differences between the House and Senate versions. The budget compromise raised 362.5 billion in revenues and provided 451.5 billion in new budget authority, some of which would be spent in future years. Both Congressional versions involved essentially all the money President Ford requested for defense, but provided for more than he requested for jobs and other domestic programs, and rejected 10 billion in newly-proposed tax cuts. Negotiation had successfully produced a concrete collective decision within the timetable.

On the surface, such similar Budget Committee conclusions lacked the transparency that would reveal the truer machinations of the new budget process which
committed the Congress for the first time to a study of the aggregate effect of all new legislation having an impact on spending. The House Budget Committee's chairman, Brock Adams, claimed that the final Congressional budget differed sharply from the approach favored by the White House, emphasizing programs to fight unemployment and rejecting some of the President's initiatives in the area of taxes and domestic programs. Not all analysts agreed with his assessment. The balance of power had clearly been redressed to some extent. More critical, however, in terms of the effectiveness of the first full cycle in implementing the main intent of the Act, was to critique the extent to which the Congress had taken responsibility for setting national priorities.

Some analysts felt that the Pentagon lobby, and the political makeup of the Senate and House Budget Committees, interfered with this primary responsibility, giving the balance of power to conservative Republicans and southern Democrats. Congressional leadership was also faulted for sacrificing policy to process. Senator Mansfield, for example, was quoted as saying "I do not intend to vote for any amendment no matter how meritorious...I intend to support fully what the Budget Committee has recommended because if we do not, then I think we might as well abolish it, and go back to our old ways." 18

The Transfer Amendment

On April 29, 1976, prior to the development of the First Concurrent Resolution, Representative Holtzman, Conyers, and Ottinger jointly proposed a transfer amendment to the House Budget Committee's first resolution, a resolution which had contained the largest increase for military expenditures in peacetime history—an 11 billion increase in budget authority and 8.7 billion in outlays. The critical importance of this amendment is that it asked for a substantial shift of budget authority and outlays from one functional category to others: from defense to domestic programs. Such an amendment was made possible, and even desirable, within the context of the new process. It demanded that the House Budget Committee go beyond a concern for simple budget control, to a change in the rank order of national preferences. It took the unequivocal position that the Committee had not discharged its mandated obligation to provide rational alternatives to the President's definition of priorities, a definition Holtzman felt was tragically narrow and unresponsive to human needs. The Holtzman amendment, and its destiny in the Budget Committee, is illustrative both of the strength of the new Act and of the resistances to its full implementation.

However, in proposing a transfer amendment, Representative Holtzman was actually implementing the intent, and maximizing the flexibility, in the new budget process: she was insisting on an official re-allocation of national revenues. 19 Even though the amendment was rejected, its impact was catalytic. It served as a general legislative model for future transfer amendments, both within the Congress and among the organized public. It suggested that a very
sophisticated understanding of the welfare/warfare tradeoff was essential, as well as a careful preparation of the case for change in commitments among budget categories. It revealed the necessity of forming political coalitions in support of this change. And it identified the time period in the new budgetary process which was most significant to affect.

Several organizations and coalitions have since drafted their own transfer amendments around the social service/defense issue, which they hope to use as one intervention in the federal decision-making process. The Coalition for a New Foreign and Military Policy has recently drafted a transfer amendment to the First Budget Resolution suggesting specific cutbacks in budget authority for defense, and a transfer of the majority of this amount to domestic programs related to economic recovery. The Friends Committee on National Legislation has also directed energy toward using a transfer amendment as a strategy for altering national welfare/warfare priorities.

It is time for social welfare professionals to take appropriate parallel action. Sixteen functional policy areas within the budget are delineated within the new Act, and political intervention with respect to the categories most related to the interests of particular groups can be productively mounted. The NASW has recently developed a set of specific policy positions on a large number of national priority issues. This represents an important tool in organizing a concerted effort to affect the political process through the budget cycle. Professionals working in the social welfare field would fail to make maximum use of this opportunity to impact the political system if they neglected to communicate expert opinion to relevant Congresspersons at the most critical junctures in the budgetary timetable. To plan a rational political strategy around the timetable in fact suggests a new approach in the profession's efforts to have a genuine influence on social policy.

Conclusion

The federal budget in many ways mirrors our predominant value system as a society. There is serious question as to whether that set of values has tended toward an enlightened form of humanism or has placed a disproportionate political value on destructive capacity. A somewhat novel opportunity has been provided by the Act for collectively and individually communicating reasoned, well documented policy positions to key decision-makers at vulnerable and receptive times in the political process. These are periods in which the profession and individual citizens can feel they are making some measurable impact on American social policy.

Below is the Congressional budgetary timetable for your consideration and use as a strategy for social change. Within this framework, the most important contacts will be the new House and Senate Budget Committee chairmen and committee members, and perhaps most significantly the new Congressional Budget Office staff.
STAGE I: CONGRESS SETS BUDGET TARGETS

November 10: President Submits Current Services Budget.

Submission of the Current Services Budget represents the initial step in the new eleven-month budget timetable. The budget projects the cost of maintaining current Federal programs at existing levels through the next fiscal year, adjusting spending to take account of economic projections. In this way, it provides Congress with an early look at anticipated shifts in Federal program costs resulting from such factors as inflation, pay raises and changes in beneficiary levels.

15th Day After Congress Convenes: President Submits His Budget.

The President must now include in his annual budget complete spending and revenue projections for the next five years. He must also set forth the anticipated levels of tax expenditures for this period.

March 15: Appropriations, Legislative, and Joint Committees Submit Spending and Revenue Estimates to the Budget Committees

Each standing committee of the House and Senate, the Joint Economic Committee, and the Joint Committees on Atomic Energy and Internal Revenue Taxation, must submit by this date its views and estimates of the aggregate spending and revenue levels in the Congressional budget for matters within its jurisdiction. Reports of each standing committee must also contain its estimates as to the spending levels either authorized or provided in legislation it intends to become effective during the next fiscal year.

April 1: Congressional Budget Office Submits Annual Report to Budget Committee

The Congressional Budget Office was established to provide the Budget Committees, and Congress, with a non-partisan source of budgetary and fiscal analysis.

Each year the CBO director is required to submit to the Budget Committees a comprehensive report on the next fiscal year's budget. The report must include an analysis of fiscal policy, a discussion of national budget priorities, and alternative ways of allocating budget authority and budget outlays.

In addition to its annual report due April 1, the CBO is required to provide the Budget Committees on a regular basis with information, data and analysis on budget-related matters.

April 15: Budget Committees Report First Concurrent Resolution

The House and Senate Budget Committees must each report by this date a First Concurrent Resolution on the next fiscal year's budget. The Resolution sets forth appropriate levels of total new budget authority, total outlays, total revenues, Federal deficit or surplus and public debt.
The Resolution also sets appropriate levels of new budget authority and outlays for each of the budget's functional categories: national defense, agriculture, income security, etc. (Budget authority is authority provided by law to enter into obligations which generally result in immediate or future outlays of governmental funds. Outlays are the actual Federal payments which result from budget authority.)

The Committee reports accompanying the First Concurrent Resolutions must include a tax expenditures budget which enumerates such expenditures by functional category.

May 15: Final Day for Reporting of Legislation Authorizing New Budget Authority

It is not in order for either House to take floor action on measure authorizing the enactment of new budget authority for the coming fiscal year unless that measure has been reported in that House by May 15. This rule applies to both new program legislation and legislation re-authorizing existing programs.

May 15: Congress Completes Action on First Concurrent Resolution

The May 15 deadline applies to final adoption of any House-Senate conference report on the First Concurrent Resolution.

The joint explanatory statement ("statement of managers") accompanying a Conference Resolution on the Federal Budget must include an estimated distribution of the appropriate new budget authority and outlays on the basis of committee jurisdiction (this allocation by committee jurisdiction is termed "crosswalking").

The Appropriations Committee in each House is required to further allocate the new budget authority and outlay totals among its subcommittees' jurisdictions. Other committees having jurisdiction over measures providing new budget authority must also make allocations by subcommittee or by program. These allocations must be reported promptly to each house.

Subsequent Concurrent Resolutions on the Budget

At any time after the First Concurrent Resolution has been agreed to, the two Houses may revise the Resolution by adoption of a subsequent concurrent resolution on the budget.

STAGE II: CONGRESS CONSIDERS INDIVIDUAL BUDGET MEASURES

May 15: Congress Begins Floor Action on Spending and Revenue Measures

It is not in order for either House to consider any measure providing new budget authority for a fiscal year, new spending authority to become effective during a fiscal year, a change in the level of revenues of public debt limit to become effective in a fiscal year until the First Concurrent Resolution for that fiscal year has been adopted.
This rule does not apply to measures providing new budget authority which first becomes available, or a change in revenues which first becomes effective, in a fiscal year following the fiscal year to which the Concurrent Resolution applies.

Spending authority, as defined in the Act, represents any of three kinds of "backdoor spending"—legislation previously enacted outside the normal appropriations process. These are contract, borrowing, and entitlement authority.

Contract authority is the authority to enter into contracts or other obligations prior to an appropriation. Such legislation does not provide funds to actually pay such obligations; it has required a subsequent appropriation to liquidate them.

Borrowing authority is statutory authority that permits a Federal agency to incur obligations and to make payments for specified purposes out of borrowed funds.

The Budget Act "closes the backdoor" as far as both contract and borrowing authority are concerned. (The Act places more limited restrictions on the granting of entitlement authority.) It requires that any measure providing new spending authority of these types contain a provision limiting such authority to the amounts provided in advance by appropriations acts.

Entitlement authority is legislation that requires the payment—the budget authority for which is not provided for in advance by appropriation acts, of benefits to any person or government meeting the requirements established by such law.

The Act places two restrictions on this form of backdoor spending:

--that all new entitlement authority not become effective before October 1 of the calendar year in which the measure is reported by committee;

--that any such measure requiring new budget authority in excess of the subcommittee and committee allocations associated with the most recent Concurrent Resolution must be referred to the appropriations committee of that House. The appropriations committee is then required to report such a measure within 15 days or be discharged from further consideration of it. (The appropriations committee has jurisdiction to report amendments to such measures limiting the total amount of spending authority it provides.)

*Exceptions: The above restrictions on new spending authority do not apply to Social Security Act trust funds; trust funds where 90% or more of the receipts represent earmarked taxes (received under specific provisions of the Internal Revenue Code of 1954); amendments or extensions of the State and Local Fiscal Assistance Act of 1972 (General Revenue Sharing); mixed-ownership or wholly-owned government corporations, or where the spending consists exclusively of proceeds from gifts to the U.S. for a specific purpose.

7th Day After Labor Day: Congress Completes Action on Spending Measures
STAGE III: CONGRESS ESTABLISHES BUDGET LIMITS

The Second Concurrent Resolution required by the Act must either revise or reaffirm the budgetary targets set in May.

September 15: Congress Completes Action on Second Concurrent Resolution

Reconciliation Process:

To the extent necessary, the Second Concurrent Resolution may also specify the extent to which budget authority, spending authority, revenues, or public debt limitations within the jurisdiction of particular committees should be changed. In these cases, the Resolution will direct such committees to determine and report out measures needed to accomplish such adjustments.

September 25: Congress Completes Action on Any Reconciliation Measures

Should the Second Concurrent Resolution contain a "reconciliation" provision as described above, the committee or committees receiving such directions must report recommendations promptly. If only one committee receives a reconciliation direction, it reports such a measure directly to the floor. Should more than one committee be directed to make such recommendations, these are reported to the Budget Committee of this appropriate House, and the Budget Committee must then report these recommendations to its House without any substantive revision.

Neither House may adjourn until action on the Second Concurrent Resolution, together with any reconciliation measures, has been completed.

Legislation Subject to Point of Order:

Once Congress has completed action on the Second Concurrent Resolution and any necessary reconciliation measure, it is not in order for either House to take floor action on any measure providing new budget or spending authority, or reducing revenues, should the enactment of such measure cause the total new budget authority or total outlay level set forth in the Second Concurrent Resolution to be exceeded or its revenue total to be undercut. In enforcing this procedure, budget aggregates and the projected costs of legislation shall be determined on the basis of estimates by the Budget Committee of the appropriate House.

October 1: New Fiscal Year Begins

(The source of the entire text of the budget timetable is a recent memo from the Senate Committee.)
2. See Public Law 93-334, 93rd Congress, July 12, 1974, Legislative History section.
3. Annual increases in federal expenditures have been 15-20 billion, more than was spent in the first century of American government.
4. The 1921 Budget and Accounting Act vested the President with the responsibility to prepare and transmit to Congress an annual budget, in the nature of a recommendation. It equipped the President with a Budget Bureau and established the General Accounting Office.
5. The official estimate is that 75% of the budget is relatively uncontrollable, and uncontrollables are the fastest rising part of the budget, claiming each year a larger share of new funds. See PL 93-344, op. cit.
6. By outlays is meant how much money will be obligated in a particular year--not how much will be spent then. By authority is meant authorization to agencies to spend in future years.
8. Ibid.
9. The Brookings Institution annually publishes books analyzing the federal budget.
11. Ibid.
12. See Charles Schultze, The Politics and Economics of Public Spending. (The Brookings Institution, 1968). He points out that a significant number of policy decisions in recent years have indeed been non-incremental--i.e. have departed sharply from past practice, or have required large increases or decreases in the allocation of resources to a particular area. These kinds of policy alternatives, Schultze contends, are most in need of explicit expert study.
14. Williams, op. cit.
15. However, Williams points out that observations of the policy analysis process in government since 1965 indicate that attempts toward greater rationality, though occurring in agonizingly slow steps, have had a substantial, positive impact on decision-making.
17. Ibid.
18. See the Holtzman context and testimony in this journal.