

The First Decade of the Congressional Budget Act: Legislative Imitation and Adaptation in Budgeting*

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ABSTRACT

The influence of institutions on budgetary behavior at the federal level is the subject of this article, which examines the Congressional Budget Act of 1974. While its impact on budgetary priorities and growth seems modest at best, the Act has had a substantial impact on the process of budgetary decisionmaking, the nature of budgetary debate, and the budgetary strategies employed within Congress. These new and generally dysfunctional forms of congressional budgetary behavior are consequences of a budgetary reform that attempted to transfer many of the resource allocation procedures of the Executive branch to a legislative context. The transfer of many Executive branch budgetary procedures has led to the appearance within Congress of budgetary behavior previously confined largely to the Executive branch. The article also discusses attempts to render the congressional budget process more compatible with the legislative environment, analyzing the modifications in the original budget process that have been effected and proposed in recent years.

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1. Introduction

The Congressional Budget Reform and Impoundment Control Act of 1974 instituted the first major procedural change in congressional budgeting in more than 20 years. Since 1974, this process has been further modified, and a number of proposals for additional changes recently have been advanced in the House of Representatives [1]. This article examines the principles underlying the original design and subsequent modifications of the Congressional Budget Act. We analyze the evolution of the congressional budget process during the previous decade and consider the importance of institutional design and decisionmaking processes for budgetary behavior and outcomes.

A key argument in our analysis, linking these two concerns, is that the original design of the congressional budget process transplanted many key budgetary procedures and policy variables from the Executive branch to Congress. However, the Executive and congressional policy arenas differ markedly in several dimensions that affect budgetary behavior. Major differences include the ability of the respective institutions to limit internal debate and dissent, the ability of each institution to restrict extra-organizational access to internal decisionmaking processes, the importance and existence of well-defined channels through which information and power flow, and the strength of authority relationships. Many of the problems of the reformed congressional budget process are due to these differences in institutional characteristics and political norms. Conversely, the modifications in the process made or proposed thus far are intended to adapt it to the realities of a legislative setting.

The Congressional Budget Act (CBA) was designed in part to improve congressional coordination of fiscal and budgetary policy [2]. The budgetary process instituted by the CBA was grafted onto (significantly, it did not replace) an atomistic one, in which the aggregate implications of individual spending bills received little attention. An extensive literature has considered the impact of the CBA on budgetary outcomes. Although far from unanimous, these works generally conclude that the new congressional budget process has not succeeded in better coordinating fiscal and budgetary policy, holding down expenditures generally, or significantly altering congressional budgetary priorities.

Despite this minimal impact on budgetary outcomes, the Act has affected Congress during the past decade in ways extending well beyond the formal procedures of congressional budgetary decisionmaking. Both the nature of budgetary debate and the budgetary strategies employed within Congress have changed. The amount of time devoted to the budget, the fluidity of the budgetary base in budgetary debates, and the degree of politicization of economic and demographic assumptions, all have grown. The CBA also has increased the salience of outlays in congressional budgeting, leading to budget authority-outlays "side payments" [3].

The Act's modest impact on budgetary outcomes over the past decade and its simultaneous encouragement of new and generally dysfunctional forms of congressional

budgetary behavior both stem from the attempt to transfer many of the resource allocation procedures of the Executive branch to a legislative setting. Indeed, as we discuss below, many of the “new rules” and other aspects of budgetary behavior cited by Schick (1983) and Caiden (1982, 1984) reflect the appearance within Congress of behavior long characteristic of the Executive branch. Such behavior typically is held in check within the Executive branch by limits on both the duration of debate and the range of issues subject to debate, as well as restrictions on access to the process. Lacking these institutional characteristics, budgeting in Congress has been greatly complicated by the appearance of Executive forms of budgetary strategy and behavior.

Reflecting the incompatibility of Executive branch budgetary procedures with the legislative environment, the modifications the congressional budget process adopted since 1974 have sought to make the process more compatible with legislative realities. Central elements of these modifications are the elimination of the second budget resolution and the increased use of reconciliation instructions in the first budget resolution. Both of these procedural changes represent a substantial break with the original design and purpose of the CBA. Such modifications may enable Congress to control spending more smoothly and effectively, but they are likely to reduce the importance of fiscal policy within congressional budgetary decisionmaking. The more recent reforms proposed by Representative David Obey and the task force chaired by Representative Anthony Beilenson, which are discussed below in greater detail, essentially codify and extend the general principles of congressional budgetary reform embodied in the *ad hoc* changes made thus far.

Immediately below, we discuss the extent to which the structure of the policy process developed in the Congressional Budget Act resembles that of the Executive branch. Section 3 briefly summarizes the evidence concerning the impact of the CBA on budgetary outcomes, followed by a short description of strategic budgetary behavior within the Executive branch. We then consider the ways in which similar forms of strategic behavior have manifested themselves in the new congressional budget process. Section 5 evaluates the procedural changes in the congressional budget process that have been adopted and those recently proposed. The conclusion discusses some general issues concerning the budgetary role of Congress within a system of shared powers.

2. Emulation of the Executive Branch in the Congressional Budget Act

The structure of the Executive branch budgetary process is both centralized and hierarchical. Reflecting the importance of the budgetary surplus or deficit for economic policy, Executive branch budgeting throughout the postwar period has required the integration of budgetary and fiscal policy concerns [4]. This requirement has endowed total outlays and revenues with particular significance within the decisionmaking process. Prior to 1974, there existed no comparable procedure within Congress for the aggregation of spending allowances and the integration of budgetary and fiscal policy formulation. Instead, individual appropriations subcommittees’ spending bills were reported and considered separately.

Congressional procedures and institutions similar to those within the Executive branch were established by the Budget Act, reflecting the desire of its authors to integrate congressional fiscal and budgetary policies more closely. What are the structural similarities and differences between the Executive budgetary process and the process installed by the CBA? In both, a central budgetary authority exists. The House and Senate Budget Committees were established to perform a function analogous to that of the Office of Management and Budget (OMB) within the Executive Branch process. Like OMB, the budget committees were to set overall outlay targets for broad budget categories early in the annual congressional budget cycle, based on fiscal and budgetary policy priorities. Indeed, another indication of the structural similarities between the Executive budgetary process and that designed in the CBA is the fact that outlays, as well as budget authority, assumed considerable importance in the new congressional budgetary process. While both of these quantities have always been important in the Executive budget process, prior to 1974 Congress was concerned primarily with budget authority. The CBA also established the Congressional Budget Office to provide expert analysis of budgetary and macroeconomic issues, a function carried out within the Executive branch by OMB, the Council of Economic Advisers, and the forecasting apparatus of the Treasury Department. As CBA's first Director noted, the organizational structure of this congressional staff agency was patterned on that of OMB [5].

The temporal sequence of the Executive and congressional budget processes, and the roles of various actors in each, also were similar in the original process established by the CBA [6]. The authorization and appropriations committees provided information to the House and Senate Budget Committees for the formulation of the first budget resolution, in a process that resembled the agency request of the spring preview within the Executive branch. The spending targets in the tentative agency budget ceilings that appeared at the close of the Executive branch preview were analogous to those of the first congressional budget resolution, passed on May 15. Following passage of the first budget resolution, appropriations subcommittees were to employ these aggregate spending targets in formulating spending bills for specific agencies and programs.

Over the course of the summer, appropriations committee deliberations and agency budget development took place in Congress and the Executive branch, respectively, culminating in an autumn review period within each branch. In Congress, the spending recommendations of the appropriations apparatus were sent back to the Budget Committees, and reevaluated in the light of changing fiscal and budgetary policy goals in formulating a second budget resolution. An analogous activity in the Executive branch was the autumn budget review. Within Congress, the passage of the second budget resolution was followed (in the original design of the Budget Act) by reconciliation, in which appropriations were to be made compatible with the revised target totals; the Executive analogue is the annual "Director's Review." Indeed, the general reconciliation procedure was proposed by (among others) Charles Schultze, Director

of the Bureau of the Budget in the Johnson Administration [7].

Scholars and other authorities differ on the extent to which these structural and temporal similarities reflected a deliberate effort to replicate the structure of the Executive branch budget process within Congress. Fisher (1984) argued that

The Budget Act assumed that Members of Congress would behave more responsibly by having to vote explicitly on budget aggregates, facing up to totals rather than deciding in “piecemeal” fashion the spending actions in separate appropriations and legislative bills . . . The model of the Executive budget looked appealing (p. 180).

Schick (1980), on the other hand, suggested that the architects of the Budget Act consciously attempted to avoid complete duplication of the Executive process:

While legislative norms propel Congress toward the fragmentation of power, budgeting invites the concentration of power . . .

The critical test for congressional budgeting is the extent to which it harmonizes the legislative imperative for fragmentation with the drive for integrated budget outcomes . . . In fact, the Congressional Budget Act has expanded the budgetary roles of the tax, appropriations and authorization committees, but at the price of trying to compel them to function within the discipline of the new process. In this way, the 1974 Act tries to accommodate both the budget’s need for fiscal cohesion and Congress’s need for legislative collegiality and diffusion of power (pp. 6–7).

Both of these interpretations are partially correct. Indeed, many of the problems of the new congressional process reflect the awkward compromise between the hierarchical requirements of budgeting and the realities of legislative power that was embodied in the 1974 Act.

The bureaucratic structure of the Executive branch, which is both hierarchical and insulated to some extent from external (i.e., external to the Executive branch) political and other influences, simplifies the tasks of budgetary formulation. Reflecting the fact that power flows within well-defined channels, a “top-down,” sequential approach to budgetary formulation is feasible within this environment [8]. A target for total outlays is determined first, based on fiscal policy concerns, and subsequently disaggregated across agencies and departments. The situation on Capitol Hill represents a sharp contrast to the bureaucratic environment. Far from being insulated, Congress offers numerous channels of entry for interest groups. The congressional policy process also is characterized by power relationships that are far less well-defined and hierarchical than those of the Executive, especially in the wake of the reforms of the committee structure of the mid-1970s [9]. Norms of decentralization and reciprocity are far more important within congressional decision processes than is true of the Executive branch.

The Budget Act did not alter these basic characteristics of the legislative environment. As such, critical enabling conditions associated with the Executive budgetary process were lacking. Achievement of the goal of greater integration of budgetary and fiscal policy development would have required a major increase in centralized power over budgetary issues within Congress. The CBA also did not increase or other-

wise affect the insulation of the congressional budget process from external influences. While the CBA provided some enforcement mechanisms for the House and Senate Budget Committees, in the form of points of order that could be raised in floor consideration of appropriations bills that breached budget resolution ceilings for total spending, a majority of the full House or Senate was necessary for the operation of these mechanisms. Ultimately, the Budget Committees had to rely heavily on persuasion in enforcing their budgetary and fiscal priorities. The 1974 reform thus did not alter existing congressional resource allocation procedures, instead adding another layer of committees and processes. The relationship between the old and new congressional resource allocation processes has been complex and often uneasy.

3. The Impact of the Congressional Budget Act on Outcomes

What has been the impact of the new congressional process? There is little agreement on the criteria by which any such impact should be measured. Schick (1980) has suggested that the mere presence of a new budgetary process per se cannot be expected to change trends in budgetary growth or priorities within Congress; in his view, these respond to more fundamental political forces. For Schick, the appropriate criteria by which to judge the performance of the new budgetary process are procedural – have the provisions of the Act been followed? [10]. Most other scholars have looked to changes in congressional budgetary behavior for evidence of the impact of the CBA. Such evidence has assumed qualitative and quantitative forms. Sundquist (1981) praised the newfound ability of Congress “. . . to adopt a considered fiscal policy responding to the political and economic circumstances of a particular period . . .” [11], while LeLoup (1983) contended that “until 1981 the Budget committees acted primarily as ‘adding machines’ in aggregating the requests of the standing committees” [12]. Fisher (1984) suggested that the Act actually had encouraged spending growth.

Most quantitative assessments of the impact of the CBA on aggregate budgetary outcomes have examined its impact on spending growth, budgetary priorities, and/or fiscal policy. In general, these studies suggest that the impact of the Act has been modest or nonexistent. Based on analyses of budgetary priorities and growth trends observable before and after 1974, LeLoup (1980), Ellwood (1983) and Kamlet and Mowery (1984) suggest that prior to 1981, the Act had little effect on spending growth or aggregate budgetary priorities. Ippolito (1981) adopted a middle position, arguing that the new process had “a very limited impact on budget policy” [13]. Since 1981, of course, the congressional budget process has ratified a substantial shift in federal spending priorities. However, the congressional budgetary process in the watershed year of 1981 served as a vehicle for the Reagan Administration’s radical revision of spending priorities, rather than a mechanism for the assertion of congressional spending autonomy. Moreover, the budget that was adopted in 1981 can scarcely be cited as a model of the integration of budgetary and fiscal policy.

The impact of the Congressional Budget Act on congressional budgetary priorities

through most of the period of the Act's operation thus seems modest. Neither the degree of interdependence between defense and nondefense outlays, nor the responsiveness of outlays to revenues seem to have been enhanced by the procedures mandated by the Act [14]. The possibility that the Budget Act worked to forestall even greater spending growth, however, offsetting the fiscal impact of the changes in the institutional (e.g., the weakening of the seniority system and reduction in closed committee sessions) and political environment of Congress, cannot be dismissed out of hand. While this question cannot be settled definitively, for present purposes the ambiguous nature of the Act's impact on outcomes is less important than the stronger evidence of significant changes in congressional budgetary behavior since 1974. These changes are considered in the next section.

4. The Impact of the Congressional Budget Act on the Process of Budgetary Decisionmaking

In establishing a budget process with a strong resemblance to that of the Executive branch, the CBA fostered the appearance within Congress of budgetary politics previously confined largely to the Executive branch. Moreover, these forms of budgetary behavior, which complicate but do not paralyze Executive branch budgeting, can have a major detrimental impact within the politically charged congressional environment. Issues that formerly were debated within the Executive bureaucracy, and presented to Congress as resolved, are now the focus of political debate and dispute in Congress. The range of issues subject to debate, the intensity of the debate, and the number of actors in congressional budgetary politics have expanded as a result of the CBA, hampering the ability of Congress to deal with budgetary issues and displacing other activities.

4.1. Strategic Behavior in the Executive Budgetary Process

In order to understand the nature and origins of the new forms of congressional budgetary behavior, it is necessary to consider the basis for strategic behavior within the Executive budgetary process. The strong link between budgetary and fiscal policy within the Executive branch is an important influence on such behavior [15]. One way in which this linkage affects behavior is by blurring the distinction within the Executive budgetary process between the budgetary "base" and "increment." In contrast to the predictions of incrementalist analyses of budgetary behavior, this distinction frequently is very imprecise [16]. Both the definition of the base and the assumptions used in its computation are the subjects of extensive negotiations between OMB and agencies within the Executive branch budgetary process, negotiations that concern both "controllable" and "uncontrollable" programs.

Another behavioral correlate of the fiscal-budgetary policy link within the Executive budgetary process is budget authority-outlays side payments. A side payment con-

sists of the granting to agencies by OMB of increases in budget authority that are larger than the corresponding outlays increases. Side payments are a direct consequence of the dual role of the presidential budget as an instrument of both economic policy and public resource allocation. The presidential budget document consists of two budgets, one in terms of outlays, and one in terms of budget authority, for all line items. Whereas the key budgetary quantity for short-term fiscal policy is outlays, budget authority is the source of future outlays and as such is more important for long-term budgetary control and resource allocation. Faced with the simultaneous need to satisfy both agency desires for long-term budgetary growth and the requirements of the White House for a defensible short-term fiscal policy, OMB on occasion has resorted to budgetary side payments. Side payments were widespread under presidents (such as Kennedy) who placed great emphasis on fiscal policy, and have also been observed under Reagan [17].

4.2 Strategic Behavior in the Congressional Budgetary Process

The importance of the budgetary base within the Executive branch process, the negotiations over its definition, the debate about the relevant economic and other assumptions employed in computing the base, and the differential treatment of outlays and budget authority, all stem from the complex relationship between budgetary and fiscal policy within the Executive branch. Inasmuch as the new congressional process was designed to strengthen such interdependence, similar strategic budgetary behavior should be discernible within Congress after the passage of the CBA.

Several important aspects of congressional budgetary behavior now resemble Executive branch behavior. The fluidity and political character of the budgetary base have increased markedly since 1974. Prior to the CBA, the definition of the budgetary base employed by the House and Senate Appropriations Committees was largely agreed upon by all actors [18]. However, agreement within Congress on the definition of the budgetary base no longer exists. Both the House and Senate Budget Committees frequently have employed a definition of the budgetary base that differs from the one utilized in the Appropriations Committees. This practice has created severe problems in the compatibility of budget resolutions and appropriations actions. Moreover, the House and Senate Budget Committees themselves frequently use different definitions of the budgetary base, with disastrous consequences for the conference committees charged with the development of a joint budget resolution. As Schick (1982) noted, these varied definitions of the budgetary base have developed for explicitly political reasons [19].

The insertion of fiscal policy issues into congressional budgetary debates also has greatly increased the importance and accordingly, the political sensitivity, of assumptions concerning the economy and a wide range of other variables. The size of the budgetary base, however defined, is critically influenced by assumptions concerning inflation, the size of the target program population, and economic growth. In addi-

tion, outlays totals and deficit projections, formerly not subjects of congressional deliberations, are extremely sensitive to economic assumptions. Indeed, a measure of President Reagan's political strength in 1981 was his success in embedding his optimistic economic and budgetary assumptions in the "Gramm-Latta II" reconciliation package [20].

The CBA greatly increased the significance of outlays within congressional budgeting by attempting to link fiscal and budgetary policymaking within Congress. Outlays, as well as budget authority, are now key quantities in House and Senate Budget Committee deliberations. However, the Budget Committees are alone among congressional committees in considering outlays, a fact that is indicative of the weakness of the links between the Budget Committees and budgetary activities in other committees. As Senate Budget Committee Chairman Domenici noted in 1982, the congressional appropriations apparatus remains unconcerned with outlays:

It is amazing. And this came to light most forcibly [sic] when we had that last continuing resolution battle with the Congress, House and Senate, that appropriators did not appropriate outlays. They appropriate budget authority . . . We are even told frequently that they do not know what the outlays are. It does not even carry any weight in the debates (Domenici, 1982, p. 27).

The new salience of outlays has done more than simply complicate the relationships between the Budget and Appropriations Committees. Faced with the need to reconcile the demands of their constituents for the simultaneous achievement of a prudent fiscal policy and growth in domestic programs, congressional Budget Committee politicians have followed the example of their White House counterparts in pursuing budget authority-outlays side payments [21]. Such side payments have been apparent in the behavior of outlays and budget authority allowances in the second congressional resolutions for budget totals, defense spending, and selected controllable nondefense items during fiscal 1976–83, as well as defense spending in the fiscal 1985 and 1986 budget resolutions [22]. The result of such behavior, which holds down current-year outlays, is higher long-term growth in government spending. Congressional tradeoffs between budget authority and outlays thus have come to resemble those within the Executive as a result of the clash of budgetary and fiscal policy demands.

Schick (1983) and Caiden (1982, 1984) cite these congressional disputes over the budgetary base and economic assumptions as evidence of a new political context for budgeting in both the Executive and Congress. While we agree with these scholars on the appearance and character of these new forms of budgetary behavior in Congress, such behavior in fact is not unprecedented within the federal budgetary process. Kamlet and Mowery (1980), and Mowery, Kamlet and Crecine (1980) suggest that these budgetary disputes and strategies have pervaded the Executive branch throughout much of the postwar era. Such behavior within the Executive branch stemmed from the same underlying causes as does its more recent appearance within Congress — the linkage between the components and the total of government spending that arises from attempts to integrate budgetary and fiscal policy concerns and processes.

Much of what Caiden, Schick, and Bozeman and Straussman (1982) cite as novel in fact simply may have become more visible in recent years, by virtue of its appearance within the congressional budgetary fishbowl.

The nonhierarchical and highly political atmosphere within Congress means that nonaccommodative behavior or debates over assumptions can impede the budgetary process to a much greater extent than is true of the Executive branch budgetary process [23]. Ellwood (1983), has compiled data suggesting that the new budget process occupies an increasing portion of the legislative calendar of Congress, while the number of appropriations bills passed after the beginning of the new fiscal year has grown [24]. One behavioral result of emulation of the Executive branch thus seems to be further overloading of a policy process that is already under severe strain.

5. Recent and Proposed Modifications in the Congressional Budget Process

The preceding analysis and critique of the original design of the Congressional Budget Act form the basis for a consideration of the ad hoc modifications in the CBA adopted thus far, as well as those recently proposed. Major changes adopted since 1974 include the dropping of the second budget resolution, and the use of reconciliation in the first resolution. These modifications were made under the elastic Section 310(b)(2) of the 1974 Act, which authorizes the Budget Committees to undertake "any other procedure which is considered appropriate to carry out the purposes of this Act."

The abandonment of the second budget resolution reflects the utility within Congress of procedures that limit, or at least prevent the reopening of, debate [25]. Rather than enhancing the flexibility of congressional decisions on budgetary matters as a means (among other things) of accommodating new economic realities in a second budget resolution, this change reduces procedural flexibility. The contrast between the roles of the second budget resolution and reconciliation in the original and revised congressional budget processes is striking. While the Executive budgetary process increasingly is centered around the late summer and fall, in order to retain fiscal policy flexibility, this change in the congressional process was intended to shift the bulk of congressional authorizations and budget committee activity toward the spring, so as to increase spending control. The reduced importance of the fiscal-budgetary policy linkage within Congress is due in part to the severe difficulties that have attended the previous decade's efforts to combine procedural flexibility and economic responsiveness with the task of budgeting [26]. In addition, as federal deficits have loomed larger in recent years, spending control has become more important than the formulation of countercyclical economic policy within the congressional budgetary process.

Reconciliation also has assumed a more permanent and prominent position within congressional budgeting. The increased use of reconciliation and its incorporation in the first budget resolution are of great significance for two reasons. One of the goals of the CBA was the enforcement of budgetary and fiscal policy discipline on

the decisions of the authorization and appropriations committees within Congress. Reconciliation is a potentially powerful tool, exploited most thoroughly in 1981 by the Reagan White House, for the achievement of this goal. The shift in the timing of reconciliation from the second to the first budget resolution also bespeaks an important change in the purpose of reconciliation. As Schick (1981b) notes, reconciliation originally was intended to control appropriations actions of the *current* congressional session, and thus was to be invoked in the second budget resolution, after the passage of major appropriations bills. However, reconciliation now is targeted mainly on *previous* congressional sessions' authorizations of entitlements, and therefore is part of the first (and only) budget resolution. Rather than trying to reduce appropriations for future spending, the new reconciliation process fixes entitlement spending targets. Instead of perpetuating the uneasy duplication of budgetary oversight by the budget and appropriations committees, reconciliation now is employed to reduce spending on entitlement programs that was determined in prior authorizations. The reconciliation procedure that has emerged in the past four years allows budget committee oversight of entitlements to complement appropriations committee oversight of discretionary spending [27].

The proposals for reform in the congressional budget process that have been advanced in the past several years attempt to codify and delimit many of the ad hoc procedural changes adopted since 1974. In so doing, these proposals extend the general principles of the modifications made thus far in the congressional budgetary process. Two major reform proposals have originated in the House of Representatives, the locus of much of the more vociferous dissatisfaction with the CBA. Representative David Obey, a former member of the House Budget Committee and a member of the House Appropriations Committee, has proposed a revised budget process, employing a single comprehensive budget resolution, that would incorporate targets for total spending, appropriations bills, and revenue recommendations [28]. An alternative bill (H.R. 5247) has been proposed by a task force organized by the House leadership, drawing on members of the House Rules, Budget and Appropriations Committees, and chaired by Representative Anthony Beilenson. Both reform proposals seem likely to strengthen spending control, even as they weaken the linkage between budgetary and fiscal policy that characterizes Executive branch budgeting.

The two reform proposals have a number of features in common. The central importance of spending control, rather than the development of countercyclical fiscal policy, is reflected in both proposals' elimination of the second budget resolution. Each proposal also expands the coverage of the budget resolution to incorporate off-budget credit activities and tax expenditures, as well as strengthening controls on entitlement spending. Both the Obey and task force proposals specify procedures for the definition of the budgetary base and the formulation of economic assumptions that are agreed upon by all participants in the budgetary process. The Obey bill stipulates that a definition of the "budgetary baseline" is to be included in the revised Budget Act, and states that the Congressional Budget Office will be the source of

all cost estimates for revenue and spending measures reported by House and Senate Committees and conference committees. Both proposals also advocate the formation of a bipartisan "user's group" within each chamber of Congress, composed of Congressmen and Senators, to advise the leadership and Rules Committees on scorekeeping procedures and assumptions. The elevation of scorekeeping and economic assumptions to the status of issues resolved by Senators and Congressmen, rather than by anonymous economists, bureaucrats, and staff, indicates the dramatic increase in the political sensitivity of these assumptions that has occurred since 1974 [29].

Conflicts between committees over the definition of the budgetary base, as well as problems in the enforcement of budget resolutions, also are addressed by the Obey and task force proposals. Both proposals specify that the Budget Committees will develop "discretionary" spending targets for the appropriations committees. In other words, the ability of a committee to obtain budgetary increases by underestimating "mandatory" expenditure levels, a subterfuge long employed within the Executive budgetary process, is to be prohibited by central directive. Both proposals also strengthen enforcement mechanisms in other ways. The budget resolutions specified in both reform proposals are more detailed than those currently employed, which specify mandatory targets only for total spending and revenues [30]. Moreover, the Obey proposal's inclusion of all appropriations and revenues actions in its budget resolution confers considerable powers of specific enforcement on the drafters of such a resolution. The Beilenson task force proposal strengthens enforcement by making the failure of appropriations committee bills to adhere to the budget resolution's targets for individual spending categories a cause for a point of order [31].

Inasmuch as much of the recent growth in federal spending has been concentrated in entitlement programs, both reform proposals include provisions designed to control entitlement spending. The task force bill in particular strengthens Budget Committee oversight of entitlement spending, providing for a separate category in the budget resolution devoted to entitlements. As was noted above, efforts to control entitlement spending in recent years have required the use of reconciliation instructions in the first budget resolution. Both the Obey and Beilenson task force proposals incorporate key components of the reconciliation procedures that have evolved over the past five years, and attempt to define the role and limits of these procedures.

The detail and coverage of reconciliation instructions in the first budget resolution are sensitive political issues, reflecting the fact that nearly all congressional actions have budgetary implications. A comprehensive set of reconciliation instructions, such as was passed in 1981, effectively allows a single bill to dictate the terms of legislation throughout Congress. Consistent annual resort to such sweeping reconciliation procedures is not sustainable, in view of the vast powers that this procedure concedes to the Budget Committees. Accordingly, both the Obey and Beilenson task force proposals attempt to define and delimit the scope of reconciliation, in particular working to restrict its coverage of legislation that authorizes appropriations. The Obey proposal prohibits reconciliation instructions within the budget resolution that cover authori-

zations for appropriations. The Beilenson task force originally opposed the extension of reconciliation to cover any authorizations for appropriations; however, the House Rules Committee approved an amendment to H.R. 5247 removing this prohibition [32], while paradoxically continuing to express disapproval of the inclusion of authorizations for appropriations in reconciliation [33]. In opposing the use of reconciliation to affect legislation authorizing discretionary appropriation, both reform proposals seek to avoid the charge (heard frequently during 1981) that reconciliation places the Budget Committees in each chamber in a position to dictate the terms of substantive, as well as spending, legislation.

Both reform proposals restrict the scope of reconciliation somewhat by comparison with its application in 1981. Nonetheless, the relationship among the budget, authorizations and appropriations committees within Congress that would result from the adoption of the Obey proposal differs greatly from that outlined in the Beilenson task force proposal. The Obey proposal's budget resolution incorporates and combines all of the appropriations and revenue actions reported by the finance and appropriations committees, thereby requiring a far-reaching transfer of power from the authorization and appropriations committees to the budget committees. By contrast, the Beilenson task force proposal would preserve (with slight modifications) and institutionalize the division of labor that has developed recently among these committees.

In strengthening the visibility and oversight of entitlements within the congressional budgetary process, the process outlined in the task force report provides an important complement to the oversight of authorizations for appropriations undertaken by the appropriations committees. Whereas entitlement spending previously operated largely outside of the oversight of any but the authorizing committees, these proposed changes greatly strengthen the powers of the budget committees to control entitlement spending, and do so (in contrast to reconciliation, 1981 style) without significantly impairing the powers of the appropriations committees. The proposal thus enhances the complementary oversight relationship between the budget and appropriations committees in each chamber that has developed during the past five years.

Both reform proposals also address the inability of Congress to pass appropriations bills prior to the start of the fiscal year, a chronic problem since the late 1960s. In recent years, the budget process has been blamed for the tardiness of appropriations bills, which cannot be considered until a budget resolution has been agreed to. The Obey proposal deals with the problem by combining appropriations bills with the budget resolution. The task force proposal addresses this problem as well, but merely recommends a new and tighter set of dates by which action on the budget resolution and authorizations must be completed. Neither proposal is likely to be effective in this regard, since neither one addresses the underlying cause of the problem. It is the intense political conflict over spending priorities, rather than imperfections in the calendar or other features of the process, that leads to budgetary gridlock and delays in appropriations bills. On the one hand, the revised calendar recommended by the Beilenson task force is no more likely to be observed than the existing calen-

dar. The Obey proposal, on the other hand, provides even greater opportunities for intransigent individuals or groups to hold the entire budget process hostage, as Schick has noted [34].

The procedure actually adopted in 1985 closely resembles the proposal made by Representative Jamie Whitten of Mississippi, Chairman of the House Appropriations Committee, in his testimony before the Beilenson task force [35]. Rather than waiting for the achievement of a House-Senate conference agreement on the budget resolution, appropriations bills have been called up in the House and voted on through the summer, based on the House budget resolution. This procedure has the considerable advantage of reducing the number of hostages to political conflict. Unfortunately, it also undercuts the power of the House Budget Committee.

A final major difference between the task force and Obey bills, and an area in which the task force bill represents a fundamental departure from the Executive model of budgeting, is in the treatment of outlays. The Obey bill largely preserves the current structure of the budget resolution, which includes both outlays and budget authority. The task force bill, however, would shift the focus of congressional budgeting authority, and thereby reduce the importance of fiscal policy considerations within the process. While the budget resolution designed by the task force bill includes revenues and total outlays, the task force report is adamant in disavowing the use of outlays spending targets:

H.R. 5247 does not require the allocation of outlays to committees for control purposes. The task force bases this recommendation on its conviction that budgetary controls can be successfully applied over the long run only when committees are held accountable for that over which they do exercise direct control. Allocating outlays may give the illusion of control, but in the long run the inability of committees to control these amounts causes confusion and ultimately breeds contempt for the entire control system (House Rules Committee, 1984b, p. 29).

This rejection of outlays targets symbolizes clearly the rejection by the task force of a budgetary process in which fiscal and budgetary policy are both controlled through the single instrument of the annual budget, as in the Executive branch. Instead, the Beilenson task force proposal outlines a system of resource allocation similar to the pre-1974 congressional mechanism, centered on the appropriations committees; the annual budgetary cycle is employed solely as an instrument for spending control. As a result, the task force bill may reduce the incidence of outlays-budget authority side payments within the congressional process. However, to the extent that the fiscal policy constraint (i.e., the size of the budget deficit) represents an effective incentive for spending control, the inability to decompose aggregate outlays into categorical targets ultimately may undermine budgetary control across the board [36].

The procedures outlined in the task force proposal concede the primary role in discretionary spending control for fiscal policy to the Executive branch. Were H.R. 5247 to become law, congressional fiscal policy formulation would be confined largely to decisions on revenues. While under the terms of any conceivable reform, the President's budget would remain a key instrument of fiscal, as well as budgetary, policy,

the congressional budget process proposed in H.R. 5247 focuses solely on budgetary policy. The Obey proposal, by contrast, retains the importance of outlays, as well as budget authority, and thus preserves a role for Congress in the use of spending targets as an instrument of fiscal policy.

6. Summary and Conclusions

As the magnitude and rate of growth of federal spending have increased in political saliency during the past decade, so too has the importance of congressional budgeting. As a result of the unprecedented pressures on federal budgeting, the process will continue to change, in an effort to match the functional requirements of this policy process with its institutional context and political sensitivity. In pursuing this goal, it is important to recognize that budgetary debates that are manageable in a bureaucratic context may mushroom in the more politicized legislative arena. One implication of this argument is that the budget is a very unwieldy congressional instrument for the conduct of discretionary fiscal policy. However, changes in the structure of the congressional budgetary process also reflect changes in the goals of congressional budgeting. The desire to combine budgetary and fiscal policy objectives in congressional budgeting that motivated many of the original provisions of the CBA now appears far less prominent than the goal of spending control.

Many of the problems that "comprehensive budgeting" proposals of any form have encountered within Congress (recall the fate of the budgetary reforms of 1948 and 1951) [37] stem from the nature of Congress as an institution and the place of Congress within a political system of shared powers. The organizational requirements of comprehensive budgeting and fiscal policy formulation are quite different from those of representation, accessibility, and pluralism that have historically (although not consistently) been characteristic of Congress. The U.S. Congress is not an institution whose sole mission is budgeting; as such, it is unrealistic to expect Congress to adhere to the same complex procedures as those employed in the Executive branch institutions whose primary responsibility is the preparation of the annual budget.

In view of the fact that Congress performs a vast range of functions beyond that of budgeting, the criteria by which to evaluate the performance of congressional budgeting are not obvious; neither are the normative principles on which further modifications should be based. One such criterion is the ability of the congressional budget process to achieve better integration of budgetary and fiscal policies. Our analysis and review of the literature on budgetary outcomes since 1974 suggest that the CBA has not succeeded in this area. In the nature of the case, of course, this evaluation cannot address the possibility that congressional spending behavior would have been far less restrained in the absence of the budget process.

In considering the impact of the CBA on congressional budgetary behavior, the problem of evaluative criteria may be less severe. Our analysis of behavior is less evaluative than descriptive in illustrating the extraordinary behavioral changes that have arisen within Congress since 1974, and pointing out the ways in which this behavior

now resembles that of the Executive branch in a number of key areas. In considering normative principles for congressional budgetary reform, this analysis does, however, suggest a number of ways in which some of the new forms of congressional budgetary behavior might be controlled.

A process that is better adapted to the congressional environment must develop a more widely accepted set of definitions and measurement procedures for important budgetary variables, e.g., outlays and budget authority, economic projections, and budgetary assumptions. In this dimension, greater emulation of the Executive seems desirable. The apparatus established by the new congressional budgetary process for the oversight and control of spending also should complement, rather than duplicate, existing congressional systems for oversight and control of the individual components of public spending. A paradox of congressional budgeting is the fact that as long as the budgetary process is potentially capable of overriding all other policy processes on Capitol Hill, as in reconciliation 1981 style, the budgetary process will not be allowed much power (recall that the Executive, rather than Congress, was the leader in the 1981 reconciliation process) [38]. As the limits of the budgetary process are codified and defined, however, the process itself can assume much more substantive power within a clearly demarcated area.

A final tradeoff that congressional budgetary reform inevitably must face is the degree to which budgetary and fiscal policy processes are combined within the congressional process. The procedural flexibility of the Executive process, which facilitates the joint development of budgetary and fiscal policy, does not conform easily to the requirements of Congress for control of the quantity and range of budgetary debate. The recent elimination of the second congressional budget resolution allows for more tractable budgetary debates, while simultaneously reducing the flexibility of Congress to respond to economic fluctuations. The Beilenson task force proposal goes still further in removing Congress from countercyclical spending policy, in its disavowal of outlays targets. Spending control, rather than fiscal policy flexibility, is the goal of this proposal. The Obey proposal preserves a significant congressional role in spending decisions in fiscal policy, albeit at the cost of considerable centralization and procedural complexity.

Future reforms of the congressional budget will be heavily influenced by the balance that is struck between centralization and representation, and by the role that Senators and Members wish to play in fiscal policy formulation. Nonetheless, a budget process that is capable of both controlling government spending and supporting countercyclical fiscal policy formulation may yet require stronger centralized authority than the Congress of the 1980s will allow.

Notes

1 See House Rules Committee (1984a, 1984b).

2 See Ippolito (1981), Fisher (1984), Havemann (1978), LeLoup (1980), Sundquist (1981), and Schick (1980, 1981a, b, 1983).

- 3 Kamlet and Mowery (1983).
 - 4 See Mowery, Kamlet, and Crecine (1980) for additional discussion.
 - 5 Rivlin (1983).
 - 6 Obviously, these similar sequences take place in different calendar years for a given fiscal year's budget. Thus, the President's budget for fiscal year t is the outcome of an Executive branch planning process that consumes most of calendar $t-2$, while the congressional deliberations on fiscal year t 's budget occur during calendar year $t-1$.
 - 7 "Charles Schultze suggested that the first resolution be regarded as tentative and that Congress be allowed to appropriate without restriction. After appropriations and other budget-related legislation had been enacted, there would be a 'reconciliation process' at the end of the session, whereby the Budget Committees recommend revisions in earlier actions on individual appropriations, other spending authority and tax measures in the context of an overall integrated budget." (Schick, 1981b, p. 4, quoting House Rules Committee, *Hearings on Budget Control Act of 1973*, 1973, p. 318).
 - 8 Surprisingly, Bozeman and Straussman (1982), Caiden (1983), Schick (1985) and Heclo (1985) cite "top-down" budgeting as a new feature of the Executive process, identified with Reagan and OMB Director Stockman. The reliance on "top-down" budgeting and aggregate targets is in fact far from new, and is amply documented in the archives of OMB and the Eisenhower, Kennedy, Johnson, and Ford Presidential Libraries. See Crecine (1976), Mowery, Kamlet and Crecine (1980), or Kamlet and Mowery (1980), for further discussion. Among other things, this collision between "bottom-up" and "top-down" spending pressures supports strategic behavior with respect to the base.
 - 9 See Huntington (1983), Dodd (1981), Ornstein, Peabody and Rohde (1981), Price (1981), and Dodd and Oppenheimer (1981) for additional discussion.
 - 10 Elsewhere, Schick (1980, p. 576) has suggested that the Act's emphasis on spending totals has increased the awareness by Members of Congress of the financial implications of legislative actions. However, this argument is difficult to assess without detailed evidence – congressional budgetary outcomes provide little evidence of heightened financial consciousness among members and Senators since 1974.
 - 11 Sundquist (1981), p. 231.
 - 12 LeLoup (1983), p. 30.
 - 13 Ippolito (1981), p. 243.
 - 14 See Kamlet and Mowery (1984) for an analysis of the effect of the CBA on the extent of interdependence among the defense, nondefense, and revenue components of budgetary formulation within Congress. The analyses discussed above do not test for the impact of the congressional budget reform on allocations *within* either the defense or nondefense components of the budget. However, the design of the 1974 Act and its subsequent operation were not directed to these more detailed allocational issues.
 - 15 See Mowery, Kamlet, and Crecine (1980); Kamlet and Mowery (1983).
 - 16 See Kamlet and Mowery (1980).
 - 17 See Kamlet and Mowery (1983); Huntington (1983).
 - 18 Indeed, incrementalist analyses of budgetary behavior (e.g., Wildavsky, 1964) were influenced heavily by observations of the Congressional budget process during the pre-1974 period.
 - 19 "The current-policy approach was devised during the first years of the congressional budget process by the Senate Budget Committee in cooperation with the Congressional Budget Office. The Senate Budget Committee wanted a neutral baseline that would enable it to distinguish between discretionary changes made by Congress and 'automatic' changes resulting from past decisions, economic conditions, and other factors. Democratic members of the Budget Committee recognized another advantage in the current-policy baseline: It would be possible to 'cut' the budget while increasing expenditures . . .
- "After several years of use, the current-policy baseline came under severe attack from Republicans on the Senate Budget Committee who argued that it had an expansionary bias and provided by law . . .

Why did the Republicans on the Senate Budget Committee who, only a few years earlier, lambasted the current-policy concept as distorted and expansionary embrace this approach in 1981? And why were they joined by the Office of Management and Budget and others who previously were reluctant to use this baseline? The simple but sufficient answer is that Republicans in both the Executive and legislative branches wanted to magnify the apparent size of the savings. The Democrats made

common cause with the Republicans on this procedural issue because they wanted the actual cuts to be lower than they appeared to be. The Republicans claimed more savings and the Democrats saved more programs, a happy combination for political institutions faced with difficult choices." (pp. 31–32).

- 20 The politicization of economic assumptions also is attributable to the increasing number of participants in the forecasting exercise, a group no longer restricted to the Executive branch "Troika". Forecasts now are developed, or purchased, independently by House and Senate Budget Committees, as well as the Congressional Budget Office.
- 21 In testimony before the House Budget Committee Task Force on the Budget Process, Schick (1979) noted that
- "... multiyear budgeting might provide a way out of some stalemates. Some members who are disappointed by what they regard as inadequate allocations for the programs they favor might be persuaded to vote for the budget resolutions in exchange for larger allocations in future bills.
- "This tactic has been used by the Senate Budget Committee with some success, although the Senate Budget Committee has not faced the extensive political and ideological opposition which has plagued the budget process in the House." (p. 8).
- 22 The nondefense budget allowances are those for the functional categories of "transportation and commerce," "natural resources and environment," "community and regional development," "education," and "general government." In a majority of the second budget resolutions for fiscal 1976–83, budget authority allowances for these nondefense activities were increased over the first resolution by a larger amount (relative to the president's budget) than outlays, which in one instance were cut. This gap between outlays and budget authority amounted to more than \$20 billion for fiscal 1976–1983, and stood at more than \$33 billion for fiscal 1976–79 and 1983. Similarly, in the arduous negotiations over the budget resolution for both fiscal 1985 and 1986, defense outlays typically have been cut, while budget authority has been protected. Measures of the contribution of Executive branch side payments to budgetary growth may be found in Kamlet and Mowery (1983).
- 23 Evidence cited by Reischauer (1983) suggests that the congressional budget process has been associated with a decline in accommodative behavior in congressional budgetary politics. Clearly, numerous factors are at work in this area, but the association between the new process and this more adversarial behavior is of interest.
- 24 Copeland (1984) also argues that budgetary matters are consuming a growing portion of floor debate and staff time in recent years.
- 25 Congressman Jack Brooks, chairman of the House Government Operations Committee, noted that "In budgetary, as in other matters, we must settle things as rapidly as possibly [sic], and seemingly endless and repeated debate over the same issues that were fought out in the spring should be eliminated if there is any feasible way to do it." (House Budget Committee, 1982, pp. 106–107.)
- 26 An analysis of the negotiations over the fiscal 1986 budget resolution, widely criticized for its employment of unrealistic and outdated economic assumptions, stated that "Economic assumptions made in January at the start of the budget process are outdated by events almost every year before Congress starts writing a budget, but the assumptions usually have not been revised. Members of Congress explain that revising them in the midst of the budget debate this year would have made it almost impossible for the House and Senate to reach the goal set in January of \$50 billion in savings in 1986, and might have doomed the budget exercise altogether." (Feuerbringer, 1985, p.8.)
- 27 This complementary oversight now appears to operate even prior to the passage of a House-Senate budget resolution. Prior to the final agreement between House and Senate negotiators on the fiscal 1986 budget resolution, appropriations bills were being passed in the House to hold spending to approximately the levels specified in the House budget resolution. One staff member observed that "... the authorizing process is being relegated to a role of little importance; the budget and appropriations processes are running together." (Richard P. Colon, quoted in Pear, 1985, p. 14.) Oversight of authorizations for entitlements through the reconciliation process assumes even greater importance in the Senate, where Rauch (1985) argues that recent budget resolutions have relied more heavily on entitlement reductions than is true of the House.
- 28 The budget resolution specified by the Obey scheme "would include all regular appropriations, all new entitlement and credit legislation, and all revenue measures that are expected to become effective in the coming fiscal year. The final title of the budget bill would be a budget plan setting appropriate levels of total outlays, budget authority, entitlement authority, credit authority, revenues and tax expenditures." (House Rules Committee, 1984b, p. 215.)

- 29 Further evidence of the salience of such assumptions, as well as the desire to reduce the proliferation of conflicting estimates and assumptions, is the proposal advanced by Representatives Frost, Gephardt, Hoyer, and Panetta for a public committee, comprising the Chairman of the Federal Reserve Board, and the Directors of OMB and the CBO, charged with developing revenue estimates that would be binding on both the Executive and Congress. See the testimony of Rep. Hoyer in House Rules Committee (1983), pp. 252–253.
- 30 Following 1980, delayed enrollment of appropriations bills, in which the “enrollment” into law of a spending bill after its passage that exceeded the mandated ceiling for a given category was delayed until a revised budget resolution was passed, was employed as a partial solution to this problem. However, delayed enrollment does not affect the floor consideration of a spending bill; as two experienced observers have noted: “. . . if a bill is once passed and the conference report agreed to, it is highly likely any subsequent budget will accommodate its cost – rather than requiring changes in it.” Statement of Henry Bellmon and Robert Giaimo, House Budget Committee (1982), p. 82.
- 31 Interestingly, neither proposal recommends a shift from an annual to a biennial budget resolution, an omission that reflects the other political pressures operating within congressional budgetary processes. The biennial budget resolution, a proposal advanced by Rep. Panetta, represents a logical extension of a congressional retreat from the politically punishing pursuit of budgetary flexibility; comprehensive budget votes would occur once in each Congress, rather than annually. However, the requirements of a biennial budget resolution for biennial authorizations are likely to conflict with the growing importance of annual congressional authorizations. Biennial budgeting, which promises to reduce the demands on Congress for votes on comprehensive, redistributive proposals, thus collides squarely with the strong political incentives, noted by Schick (1980, pp. 170–175) and Fiorina (1977) for the retention of annual authorizations.
- 32 This action was intended to extend reconciliation to cover “appropriated entitlements.” Approximately 13% of total entitlement spending results from these bills, which, despite their name, are largely controlled by authorizations, rather than appropriations, committees: “. . . appropriated entitlements are only nominally under control of the appropriations process. The entitlement legislation creates an obligation to make payments so that even if sufficient budget authority is not provided in advance by an appropriation act, the people or governments eligible according to the law would have legal recourse for the benefits.” (House Rules Committee, 1984b, p. 27.)
- 33 “While the Committee on Rules is convinced of the need to strike the prohibition against directives to change authorization levels, the Committee continues to oppose the use of reconciliation to make changes in levels of authorizations for discretionary appropriations. That is, the Committee opposes the use of reconciliation to make policy changes that have no direct budget impact.” (House Rules Committee, 1984b, p. 21).
- 34 See Schick’s testimony in House Rules Committee (1984c).
- 35 See House Rules Committee (1983).
- 36 According to Schick (1980), pp. 332–333, however, such “top-down” spending discipline never operated within the post-1974 congressional process as a constraint on spending pressures.
- 37 See Burkhead (1947), Leiserson (1948), or Nelson (1953).
- 38 Ornstein (1985) notes that the Holman rule, adopted by the House in 1876, allowed the House Appropriations Committee to insert general legislation into appropriations bills in order to reduce expenditures. The result of this early form of reconciliation was “. . . reduced expenditures but also a tremendous expansion of the legislative power of the Appropriations Committee. With years of big surpluses, the political interests of individual members of Congress began to come to the fore, and resentment over both the tremendous power wielded by the Appropriations Committee and its pruning-knife attitude led in the 1870s and 1880s to a near revolt in the House. That revolt ultimately crippled the appropriations process and the Appropriations Committee, sending spending bills to a number of other committees more interested in logrolling than in spending restraint.” (p. 314).

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