

FINAL REPORT

# Convergence Building a Better Budget Process

CONVERGENCE



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Convergence is a national non-profit that convenes leaders with diverse or conflicting views to build trust, identify solutions, and form alliances for action on critical national issues. It achieves outcomes through structured, facilitated dialogue and long-term relationship building, shifting the focus from winning the debate to collectively seeking solutions. Convergence is addressing a broad range of issues including education, health care reform, poverty and economic mobility, incarceration, and the federal budget process.

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# Building a Better Budget Process

## **EXECUTIVE SUMMARY AND PROJECT OVERVIEW**

**For over a year,** the Convergence Building a Better Budget Process (B3P) Project has engaged an unexpected coalition of budget experts, advocates, and executives to address the oft-dysfunctional federal budget process. Together this group developed practical, politically realistic proposals to improve the process Congress uses to manage its \$4 trillion annual budget. This project engaged participants who reflect a wide set of ideologies and interests that are deeply affected by the budget decisions Congress makes each year. The B3P Project announced its proposals at the Better Budget Process Summit on Capitol Hill in Washington, DC in February 2018.



## THE PROPOSALS

Using the Constitution and principles and themes that emerged from rich and robust dialogue as the foundation, the group created the following five proposals for improving the federal budget process.

- To synchronize the budget cycle with the electoral cycle and to change norms around the process, the group proposes that Congress and the President negotiate a Budget Action Plan at the beginning of a new Congress that would be passed into law, making certain key fiscal decisions—setting discretionary funding levels and adjusting the debt limit, for example—for a two-year period.
- To raise the visibility of fiscal information, the group proposes the publication of a Fiscal State of the Nation report every four years, timed for release at a key point in the national election cycle, that clearly and succinctly lays out the condition of the country's finances.
- To reinforce the importance of the long-term effects of budget decisions, the group proposes that Congress, through the Government Accountability Office, review the performance of portfolios of federal programs that involve long-term or inter-generational commitments. The reviews would cover federal programs grouped by topics, such as retirement security, health coverage, education or national security.
- To create new norms around the budget process so that Congress and the public can expect more timely action on budget decisions, the group recommends strengthening the Budget Committees by revising the membership rules and assigning responsibility to the Committees to oversee the new activities proposed above.
- To ensure that the agencies created to support the Congressional budget process, the Congressional Budget Office (CBO) and the Joint Committee on Taxation (JCT), can continue to provide high-quality and independent information the nation relies on in making budgetary choices, the B3P group proposes that Congress provides them with sufficient resources.

## WHAT IS AT STAKE?

The federal budget process has broken down many times in recent years. Stop-gap measures that fund the government for weeks or months at a time fail to provide the certainty government agencies, businesses, and individuals need to plan for the future. Just as importantly, public trust in government falters with each missed deadline.

The B3P project has focused on how to restore the federal budget process. While process reforms alone cannot fix all the problems facing the country, we believe the proposals will, if adopted, provide “better rules of the game” by improving the odds that the federal budget process would function more effectively, and give Congress time to focus on other priorities facing our country.

## PROJECT STATUS

After extensive research to identify key stakeholders affected by the budget process, Convergence first convened the stakeholder group in November 2016. The B3P participants include individuals from groups representing: children, millennials, elderly persons, the military, veterans, the business community, state governments, higher education, infrastructure, health care, taxpayers, food security, think tanks and more.

After 14 meetings of the entire group, complemented by multiple small group meetings, participants reached a set of consensus proposals. Now the B3P project is pivoting from dialogue to action. The Convergence team is working to promote the proposals on Capitol Hill and to earn the support of groups who did not participate in the dialogue.

# Chapter 1: Overview

## The Challenge

Each passing year brings new evidence of the need to repair the process for managing the \$4 trillion U.S. budget. Budget resolutions and spending bills narrowly pass, often very late, with lukewarm promises of hammering out priorities in the following budgeting cycle. It has been more than 20 years since all appropriations bills were passed prior to the beginning of the fiscal year. With so many missed deadlines and insufficient attention paid to longer-term budget priorities and oversight, it is obvious the process needs to change.

An orderly and timely process to make decisions about revenue and spending is central to a functioning government and can help inspire the public's confidence in American democratic institutions. Thus, under the auspices of Convergence Center for Policy Resolution, a group of individuals representing organizations and individuals affected by a dysfunctional budget process came together to find agreement on how to fix this broken system.

They are policy and budget experts, executives, and advocates with a wide range of business, government, and nonprofit experience. They represent an array of constituencies across the American political spectrum. Joined in a unique dialogue group, these seemingly strange bedfellows, agreed that the federal budget process is in urgent need of repair, and together they should invest their expertise and time to create solutions.

After conducting over 100 interviews, Convergence invited 24 participants for a dialogue that the group called the Convergence Building a Better Budget Process (B3P). Convergence works to bring together people and groups with divergent views on critical national issues to help them identify real world solutions. A grant from the Hewlett Foundation's Madison Initiative, a project seeking ways to strengthen Congress as an institution and to encourage bipartisan solutions to pressing issues, provided the primary funding for the B3P project.

Much work has already been done to identify ideas and designs for process reform, often by budget experts. What is different about B3P? For reform ideas

to become reality, a wide range of people affected by the federal budget need to come together, explore options, and rally behind a set of proposals. If a broad-based group of stakeholders can propose consensus solutions, while differing in ideology and representing diverse populations of Americans, it will be much easier for Members of Congress from both parties to take on structural reform of the budget process.

Stuart Butler, senior fellow in economic studies at the Brookings Institution who helped convene and participate in the Convergence group, called B3P's work "the final piece, almost like a keystone" in the examination of the federal budget process. A revamped process won't succeed unless "large constituencies of those who are affected sign on," he said.

Developing trust and cooperation between such stakeholders so that they can reach agreement is the distinctive feature of the Convergence process. The Convergence B3P team brought together budget experts with leaders including those who advocate for business; health care and public health; medical research; poverty reduction and human needs; higher education; transportation and infrastructure; taxpayers; and state governments as well as children, millennials, the elderly, veterans, and members of the armed forces. Their viewpoints stretch across the ideological, programmatic, and political continuum.

"'Finally' was my first thought when I was contacted by Convergence," said Matt Owens, vice president for federal relations and administration at the Association of American Universities.

“Finally, someone was taking a new approach to the intractable problem of the federal budget process. I was hopeful that despite years of good efforts by others that this effort could be the one that resets the discussion about budget process and puts it on the path to make real improvements.”

## HISTORY OF THE FEDERAL BUDGET PROCESS

Early in the dialogue, the group examined the federal budget’s historical roots. The U.S. Constitution gives Congress the power to lay and collect taxes, and the power to borrow. However, the Constitution provides little guidance about the scope or timing of fiscal matters, except for military spending, and there is scant guidance about what the role of the Executive should be.

By the early 20th century, Congress was passing numerous individual bills in each session that affected appropriations and the federal government’s financial condition without any overall accounting. In a sense, there was no federal budget. Federal spending had escalated considerably by 1920, and for many years the government was running at a deficit. Aware that a more coordinated approach was needed, Congress passed the Budget and Accounting Act of 1921 to set up the Executive budget process. The Act required the President to submit annual budget recommendations, and it created the Bureau of the Budget (in 1974 renamed the Office of Management and Budget, or OMB) to help the President with his new duties. The Act also created the General Accounting Office (GAO, now the Government Accountability Office) to be the legislative agency that examines the use of public funds. The idea was that Congress, guided by the Executive’s proposals, would coordinate revenue and spending bills.

More than 50 years later, the Congressional Budget and Impoundment Control Act of 1974 was enacted to counter the Executive’s growing power in the budget process by strengthening Congress’s role. The 1974 Act established the Congressional budget committees and the Congressional Budget Office (CBO)—efforts that succeeded in bringing more information into the budget debate. In the 1990s, more procedures were added, including pay-as-you-go rules and caps on discretionary funding in an effort to control deficits.

In recent years, however, Congress has often failed to follow the procedures and timetables in the 1974 act. Recently, the budget, or lack of one, has become a tactical weapon for political gain, rather than a tool to consider and implement national priorities.

## LESSONS FROM THE DIALOGUE

B3P participants joined in 14 facilitated meetings between November 2016 and February 2018 that were designed to build trust; to explore and air concerns, hopes, and priorities; and finally, to build a framework for budgeting that all could support. Early meetings found participants surprised at the breadth of representation within the group. As the conversations progressed and new relationships were forged and strengthened, the real work of building consensus for reform could start from a foundation of mutual respect and trust.

While the underlying problem may be polarized and partisan national politics, the B3P group believes that good process can and does lead to better outcomes. In their monthly dialogues, B3P stakeholders did not debate policy issues such as whether federal spending should be curtailed or the deficit reduced. They focused instead on how to prepare a framework for designing a federal budget that will help Congress balance competing political and programmatic interests, as well as current and future needs.

The group noted that the failures of the current process levy a cost on everyone, and by working together, it is possible to design a process that leaves a wide swath of constituencies, as well as the nation as a whole, better off in the end. Budget process reform should not produce winners and losers—a better process can benefit all.

“Any discussion of the federal budget process can lead to boredom, argument or frustration,” said John Hicks, executive director of the National Association of State Budget Officers. “What kept this group engaged in offering ideas to make it better was the recognition of the importance the federal budget plays and a sincere interest in the opportunity to improve a process that is at the heart of American democracy. Even the hint of the prospect of assisting in any im-

provement in the federal budget process was enough for these individuals to remain attentive, rather than to surrender to a task that others may deem futile.”

### Shared Frustration and the Costs of Budget Dysfunction

Participants quickly realized that they shared many of the same frustrations with the budget process, regardless of the constituencies they represent or their political leanings. Their frustration stems largely from the uncertainty of missed deadlines, regular stop-gap spending measures, threats of government shutdowns, and actual government shutdowns.

Mike Barron, director, currently serving/retired affairs for the Military Officers Association of America, said he believed the B3P dialogue was “a great way to move forward. As a government relations executive, I had grown frustrated over the past several years with Congress’s break from and perceived inability to return to ‘regular order’ in their budgeting process and therefore, I was anxious to be part of a solution that would help to not only get the process back on track, but also would provide recommendations for future improvement as well.”

The current process’s failings have many real-world costs. The failure to enact timely appropriations bills generates repercussions that are felt in federal agencies, the private and non-profit sectors, state and local governments, and in Americans’ everyday lives. For example, it is more difficult for government agencies, businesses, research institutions, hospitals, and state and local governments to make longer-term plans, especially if their programs or services rely on federal funding. Companies providing critical services to the federal government, like defense and information technology contractors, may put projects on hold, lay off workers, or cancel equipment purchases. Capable firms may give up on bidding for government work or charge the government higher rates to protect themselves from possible breaks in payments. Providers to the poor, elderly, and disabled may have to curtail services. State governments that rely on federal matching funds for crucial services such as health care, education, or transportation may be forced to scale back those programs.

“Our current broken budget process has had serious implications for children and families,” explained Rachel Merker, director, policy and research at First Focus. “Often, they are the ones left hanging in the balance—or turned into bargaining chips—as lawmakers pass endless continuing resolutions and practice shutdown brinksmanship. If we want to see the federal government invest in children, we must hold lawmakers accountable to the development of a reliable, predictable, and transparent budget process.”

### Forming New Reform Ideas

To aid in their deliberations, B3P participants heard from political scientists, practitioners, and professors studying government and the budget process. Through those guest speakers, they examined the history of budget process reform, the challenges of budgeting for different types of spending, and the political incentives behind decision-making by Members of Congress.

From their earliest conversations, the B3P participants agreed that changes should result in a process that is cognizant of but less bound up in politics, is more predictable, and encourages Congress to pass budgets and appropriate funds on time.

The group felt that timely decisions on budgets and appropriations would open up the Congressional calendar for more program review and oversight. Currently, participants suggest, oversight of federal programs can be irregular and inconsistent. Oversight can also differ for programs whose funding is subject to annual appropriations and those that are in law permanently, such as entitlements and tax expenditures. The group thought that more systematic and regular reviews would better inform budget decision making.

Participants understand that threats to shut down the government or to not raise the debt ceiling have both become regular methods of seeking concessions from the opposition. These actions, the group suggests, add to the dysfunction in the budget process.

The group discussed earmarks, which have been banned since 2011. Some in the group felt that since the ban there are now fewer ways to encourage Members to reach a compromise on budget bills. Others felt use of earmarks pushed up spending, decreased transparency,



avored the politically well-connected, and led to abuse of the budget and legislative process. Accordingly, the group made no recommendation on earmarks.

Convergence's B3P participants explored the notion that the budget process does not occur in isolation, and that it is affected by a broader set of behavioral norms guiding the actions of Members of Congress. The group noted that many long-time Congressional norms have eroded, and that this has also affected whether appropriations and other fiscal legislation can move through Congress in a timely manner and not get held up by partisan policy fights. In fact, the budget and related legislation have often become a magnet for a host of issues having little to do with budgeting. New guiding norms are needed not only to make the budget process more efficient and timely, but also to ensure that Congress has more time to discuss and debate other policy matters.

The group agreed that there was no need to jettison the entire budget process. Some elements are working. The President's proposed budget contains the single most informative, detailed account of federal spending and revenues. Congressional appropriations committees, though often frustrated by the budget process, successfully allocate money across a multitude of federal programs – once agreement has been reached about how many federal dollars may be spent. The Congressional Budget Office provides independent and objective information about the cost and long-term effects of legislative proposals.

B3P participants believe that more and well-presented information about the short- and long-term effect of budget decisions would assist Members in setting priorities. Currently, reports of the nation's fiscal condition are prepared by a number of agencies and published at different times.

The group concluded that clear and relevant information, presented more simply, would help Congress – and the public – understand the implication of budget choices.

## THE FOUNDATIONS FOR REFORM

### Underlying Principles

To guide the development of their reform proposals, Convergence's B3P group developed principles that an improved new process should encompass. These principles for a better budget process guided B3P's substantive work and provided dialogue participants with a single point of reference to determine the appropriateness of the group's recommendations.

The principles suggest that a better budget process would follow clear steps on a predictable timeline, be shaped by open debate, and enable decisions that rely on objective data and do not favor a specific ideology.

### PRINCIPLES FOR A BETTER BUDGET PROCESS

#### COMPREHENSIVE

The budget process should consider and oversee all of the government's financial resources, spending and revenue of all kinds, over the short- and long-term.

#### UNBIASED

The budget process should not tilt toward a specific outcome, or ideology.

#### STRATEGIC

The budget process should develop and establish a plan that includes clear and achievable goals for fiscal policy and guides budgetary decision making.

#### INCLUSIVE

The process should allow for differing viewpoints, including majority, minority, and stakeholder opinions, to be presented and discussed in an open and structured debate.

#### DURABLE

The budget process should be durable across administrations, Congresses, the political environment, the economic climate, and time.

#### INFORMED

The budget process should be informed by objective, independent, non-partisan, and high-quality data that is accessible to all users.

#### TRANSPARENT

The steps of the budget process should be clear and understandable to all users including lawmakers, executive agencies, and the public.

#### PREDICTABLE

The budget process should be completed according to meaningful and achievable deadlines.

#### SIMPLE

The budget process should be as straightforward as possible.

“The principles were very helpful keeping the group grounded and productive as we moved forward on our proposals and extremely helpful as we worked out some of the more intricate details,” said Alison Winters, senior fellow, Americans for Prosperity. “We arrived at the principles fairly easily. Doing this early in the process gave us an immediate success and allowed us to build trust in new relationships.”

## Themes

Over the course of their discussions, B3P dialogue participants asked: are there effective incentives and consequences that can be devised in a new budget process? What parts of the process currently do work, and how can they be strengthened? Is there a way to shock the system, to break poor budgeting habits and change the current norms? As the group examined those questions, several key themes emerged.

### Elections drive outcomes.

The failure of incentives – like statutory deadlines – and consequences – like budget points of order – to encourage timely action on budget and fiscal issues forced the group to accept the one true driver of Congressional action: the potential outcome of the next election. Thus, the group saw the importance of better synchronizing key elements of the budget cycle with the electoral and governing cycle to generate more timely action.

### Credible information, provided at the right time, matters.

Noting the progress made by the 1921 and 1974 budget reform acts, the group agreed that the volume of fiscal information available to Congress and the voter is far greater due to those reforms. However, the power of the data to encourage debate is diminished by the range of release times, the number of entities publishing those reports, and the unfamiliarity of this information to most of the American public.

### Effective budget institutions are crucial.

The creation of supporting institutions – OMB and GAO, established in 1921, and CBO, established in 1974 – has improved both the quality and quantity of information available to Congress in making resource allocation decisions.

### New norms are needed to break bad habits.

Surveys show that trust in government, specifically trust that the federal government will do the right thing, has been on a steady decline since the 1960s. Regular failures to pass budgets on time, threats of government shutdowns, and “fiscal cliffs” are but part of the problem. The “drama of failure” around the budget, as one stakeholder described it, has diminished both the public’s confidence in and expectations for their elected officials. New expectations need to be established to help Congress to act in a timely way on budgetary and fiscal matters following a process that is clear, simple, and achievable.

## THE PROPOSALS

Using the Constitution as the foundation and the principles and themes that emerged from rich and robust dialogue, the group created the following five proposals for improving the federal budget process. Building consensus among individuals representing wide-ranging positions means taking only the steps that diverse stakeholders can accept. While members of the group may favor some of the proposals over others, agreement around this package of reforms as a whole is strong. The group believes that taken together, the package contains practical, achievable, and important steps that can be developed and expanded in the future.

1. To synchronize the budget cycle with the electoral cycle and to change norms around the process, the group proposes that Congress and the President negotiate a **Budget Action Plan** at the beginning of a new Congress that would be passed into law, making certain key fiscal decisions – setting discretionary funding levels and adjusting the debt limit, for example – for a two-year period.
2. To raise the visibility of fiscal information, the group proposes the publication of a **Fiscal State of the Nation** report every four years, timed for release at a key point in the national election cycle, that clearly and succinctly lays out the condition of the country’s finances.
3. To reinforce the importance of the long-term effects of budget decisions, the group proposes that Congress, through the Government Accountability Office, **review the performance of portfolios** of federal programs that involve long-term

or inter-generational commitments. The reviews would cover federal programs grouped by topics, such as retirement security, health coverage, education or national security.

4. To create new norms around the budget process so that Congress and the public can expect more timely action on budget decisions, the group recommends **strengthening the Budget Committees** by revising the membership rules and assigning responsibility to the Committees to oversee the new activities proposed above.
5. To ensure that the agencies created to support the Congressional budget process, the Congressional Budget Office (CBO) and the Joint Committee on Taxation (JCT), can continue **to provide high-quality and independent information** the nation relies on in making budgetary choices, the B3P group proposes that Congress provides them with sufficient resources.

Sam Berger, senior adviser for the Center for American Progress, believes the proposals “suggest a path for real bipartisan improvements to the budget process – by seeking to reduce debt ceiling brinkmanship, reiterating the importance of the nonpartisan expertise provided by the Congressional Budget Office, and focusing on budgetary results over political posturing.”

More details about each proposal can be found in Chapter 2.

## THE NEXT STEPS

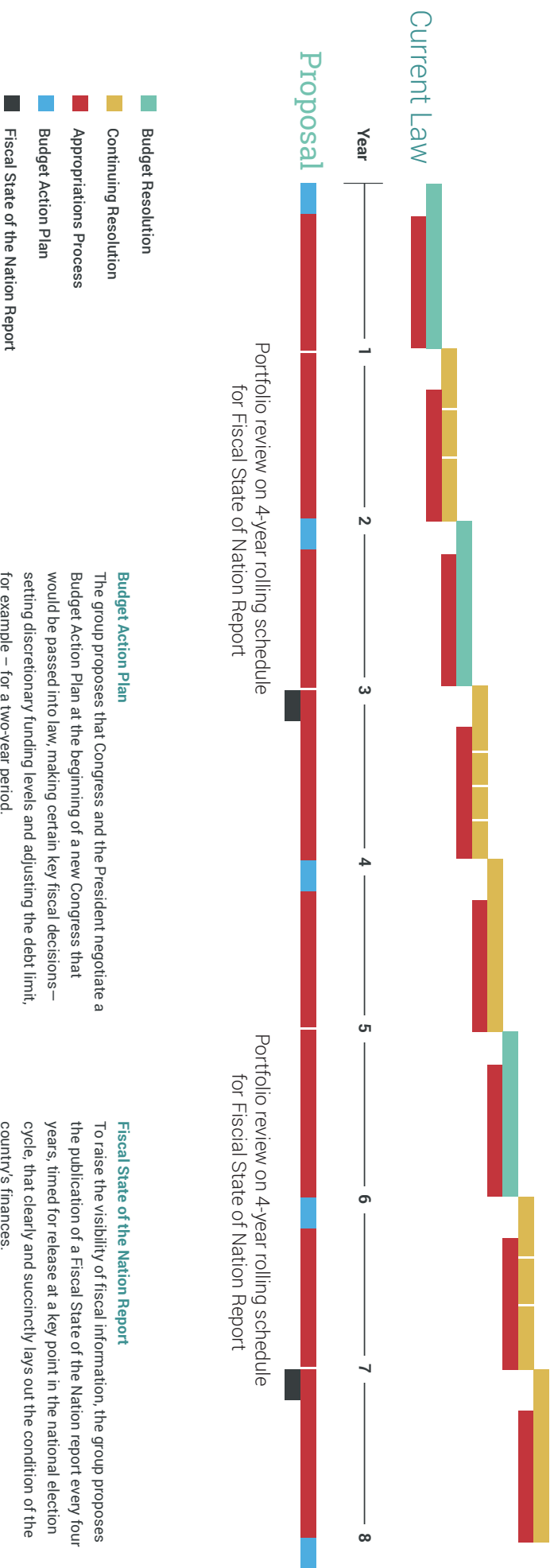
The Convergence B3P project is now actively working with stakeholders, individually and collectively, to introduce the proposals to the media, at key public events including the first annual Better Budget Process Summit in February 2018, and at private briefings for key leaders. B3P dialogue participants plan to educate Members of Congress and their staffs about the proposals to generate interest and momentum for action. The B3P team also is reaching out to organizations and individuals who did not participate in the dialogue but whose endorsement would reinforce the importance of budget process reform and the B3P proposals.

While process reforms alone cannot make Congress act on issues in a timely and bipartisan basis, the B3P stakeholders believe these proposals will, if adopted, significantly improve the odds that the federal budget process will function more effectively. Even at this early stage, the proposals are generating interest because of the diversity of stakeholders who have joined together to call for reform.

“I hope our work marks a turning point from discussions to actions that will improve the federal budget process,” said Matt Owens. “I hope other local, state, and national organizations that have been frustrated by decades of a dysfunctional federal budget process, stop-gap funding bills, and government shutdowns will read the report and call on Congress to take action.”

# Building a Better Budget Process

The Building a Better Budget Process Project has focused on how to reform the federal budget process. We believe the proposals will, if adopted, provide “better rules of the game” by improving the odds that the federal budget process would function more effectively, and give Congress time to focus on other priorities facing our country.





# Chapter 2: Detailed Proposals

## Budget Action Plan

The following proposal for a Budget Action Plan aims to align the budget cycle with the electoral cycle; focus Congress and the President on the key budget decisions earlier in the budgeting process; encourage more timely appropriations in order to provide more certainty for agencies and beneficiaries; de-weaponize the debt limit and allow it to be raised in a predictable manner; increase transparency and accountability around fiscal policy, particularly its long-term implications; and allow more time for program oversight and performance review.

### PROPOSAL

In lieu of an annual budget resolution, enact a statutory Budget Action Plan (Plan) by the spring of each odd-numbered year (the first year of a new Congress). The Plan would focus only on fiscal matters and would include up to four sections—three are required, while the remaining one would be left to the discretion of the President and Congress. The Plan would require the President’s signature and have the full force of law.

Required provisions included in the Plan:

1. Aggregate discretionary budget authority levels—and further suballocations—for each of the two fiscal years of the Congressional term.
2. An analysis of the impact that enactment of the Plan, and the legislation resulting from it, would have on the long-term fiscal outlook.
3. A change in the debt limit.

An optional provision that could be included in the Plan at the discretion of Congress and the President:

4. Reconciliation instructions—one set of instructions per year and no more than two within the two-year Congressional term.

The Plan would be considered under rules similar to those for the current budget resolution and reconciliation measures: debate would be limited; it would

not be subject to a filibuster; and it would need only a simple majority to pass in the Senate. Discretionary spending levels and the enforcement mechanism set in the current Budget Control Act would be repealed as part of enactment of the inaugural Plan. From then on, discretionary funding levels would be set for each Congress by enacting the Plan; the spending levels set by the Plan would be enforced through a point of order, rather than sequestration.

Appropriations measures could be considered only after enactment of the Plan. However, if the spring deadline for passing the Plan is missed, the House and Senate could adopt a deeming resolution to set an aggregate discretionary funding level for the budget year to launch the appropriations process (as is currently the case in the absence of a budget resolution).

Points of order would lie in both the House and Senate (waivable with 60 votes in the Senate) against any appropriations bill whose enactment would cause funding to exceed the discretionary levels set in the Plan, including the sub-allocation levels. In addition, any allocations the Appropriations Committee chooses to make to its subcommittees would also be enforceable through a point of order, as under existing rules.

Inclusion of other matters in the Plan that are beyond the scope of the four items described above would result in the loss of the 51-vote privilege in the Senate. For instance, no budget process changes or legislative riders are currently permissible.

This proposal does not prevent Congress from also considering a concurrent budget resolution to describe additional medium- or long-term fiscal plans. However, a budget resolution, distinct from the Plan, would not direct overall discretionary spending or authorize reconciliation. Any budget resolution would have to be consistent with the Plan regarding discretionary funding levels and the impact of the Plan's optional reconciliation instructions. The budget resolution could accommodate spending and revenue changes that are separate from any reconciliation instructions (for example, the budget resolution could recognize the budgetary effects of large and expected reauthorization efforts such as for agriculture or surface transportation programs).

Finally, at the end of each session of Congress, CBO or the Budget Committees would prepare a report analyzing: (1) enacted discretionary funding compared to the levels in the Plan; (2) any enacted reconciliation bill compared to the reconciliation instructions in the Plan; and (3) how all enacted legislation—appropriations, reconciliation, and any other mandatory spending or revenue legislation enacted in that year—affected the long-term fiscal outlook highlighted in the Fiscal State of the Nation.

## PURPOSE AND INTENT OF PROPOSAL

This proposal encompasses three themes from the B3P's dialogue—synchronizing budget decisions with the election cycle, providing Members with timely and appropriate information, and changing norms and expectations for how the budget process unfolds.

The group recognized that the breakdown of the budget process and the failure to enact timely appropriations bills has consequences that are felt not just in Congress, but in federal agencies, the private and non-profit sectors, state and local governments, and in the everyday lives of Americans. The consequences are harmful to the nation's economy, health, and security, as well as citizens' trust in government.

In proposing an alternative to the current process for setting budget targets, the group sees several advantages in enacting the Plan.

This proposal would:

- Front-load key budget decisions and involve the President earlier in the process, which could help surface the points of conflict and set up expectations for what can be accomplished;
- Encourage each new Congress to set its goals for the next two years at an early stage;
- Reduce brinkmanship, including around the debt ceiling;
- Allow more time to carry out the appropriations process and for program oversight;
- Require an explicit assessment of the long-term effects of fiscal decisions; and
- Require a year-end lookback to assess action on the budget relative to the goals that Congress set for itself.

## SUMMARY OF B3P DELIBERATIONS

The group examined many options for this proposal before finding consensus on the framework for the Plan. The group believes that a new process could help to establish new norms around the budget, as Members of Congress are more likely to adhere to and support a new process that they established themselves.

The stakeholders closely examined and debated ensuring the timing of the Plan, whether it should be a resolution or statute, the term of the Plan, its contents, and how it would be enforced. Their deliberations are detailed below.

### ENSURING THE TIMING OF THE PLAN

Enacting the Plan begins the governing cycle—the two-year Congressional term—by laying out a fiscal roadmap to guide subsequent legislation. The intent is to pass the Plan in the spring of the new Congressional term, allowing the appropriations committees sufficient time to complete deliberations before the beginning of the fiscal year. The group recognizes, however, that there is no way to force Congress to meet budget deadlines, so there will always be the possibility that the Plan will pass late in the year or not at all.

## RESOLUTION VS. STATUTE

The group discussed how enacting a budget law that establishes fiscal targets could offer advantages over the current process, by establishing new norms and raising expectations that the President and Congress would come together earlier in the year to debate and decide on fiscal and policy priorities. A more pared-down process could increase the likelihood that each Congress enacts budget targets in a timely manner to guide its actions.

Further, by setting the scene for the President and Congress to agree on a basic fiscal plan for the next two years, the Plan would encourage the parties to set reasonable, implementable goals that reflect national priorities. Setting fiscal plans would no longer be tied to a budget resolution process that has been sidetracked by politics, grandstanding, and aspirational plans. The goal would be to restore budgeting as a basic function of governing.

Finally, the group believed it is important that the Budget Committees be primarily responsible for developing the Plan.

## TWO-YEAR BUDGET ACTION PLAN

Reflecting on the theme that elections are a primary motivator among politicians, the group considered whether the aggregate discretionary levels set in the Plan should cover a one-, two-, or four-year period.

The group determined that a two-year period was the best approach, given that:

- a four-year bill would not be responsive to the outcome of mid-term elections (which would not adhere to the group's goal to synchronize the budget cycle with the electoral cycle);
- economic conditions could change dramatically over this longer time period; and
- reaching agreement on four-year funding levels for discretionary programs could be more challenging, and potentially delay enactment of the Plan.

## CONTENTS OF THE BUDGET ACTION PLAN

### A. Discretionary Funding and Sub-allocations

The discretionary budget authority levels set in the Plan would cover all appropriated programs, with only limited exceptions. Under current law, certain discretionary funding occurs outside of the statutory levels set in the Budget Control Act, including funding for disasters, program integrity, emergencies, and Overseas Contingency Operations (OCO).

For the funding levels set in the Plan to be effective, the group believes steps should be taken to include as much discretionary funding as possible in the levels set under the Plan. At the same time, some mechanism would be needed to allow Congress and the President to provide funding outside the Plan's limits to address emergency situations such as major natural disasters, epidemics, or new military conflicts. To that end, programs should be funded within the Plan levels, and where funding must occur outside those levels, the rules should be clear to preclude misuse.

The group believes that the levels set in the Plan should provide members of Congress and the public with a basic understanding of the anticipated policy goals for appropriated programs. That is why the group thought that it was important that the Plan set suballocations below the aggregate level, but believes Congress and the President should be given flexibility to tailor those suballocations to the priorities and issues they wish to emphasize in each Plan. For example, the suballocations could be for defense and non-defense, security and non-security, or more narrowly defined categories. Plus, suballocations could in some circumstances be more ad hoc, explicitly setting a funding level for a group of programs (such as infrastructure or education) that may be of particular interest and therefore important to the negotiations around a Plan.

## B. Reconciliation

The group believes that reconciliation, as it has been used in recent years, has veered away from its original purpose. Reflecting on this evolution, the group considered several ways to address this issue. While it agreed that reconciliation should continue to be restricted to budget legislation, as under current law, the group could not ultimately reach consensus on how to change the reconciliation process without the risk of causing unintended consequences. Thus, the proposal allows reconciliation instructions to be included in the Plan, but with the caveat that some strongly believed the proposal could only be successful if reconciliation were reformed to change the norms around its use.

Reforms to reconciliation that were considered include:

- Requiring reconciliation instructions to specify changes in spending and revenues, so there is more clarity about the purpose of the instruction and the programs affected;
- Limiting reconciliation to deficit reduction, both inside the budget window and beyond and, similarly, preventing reconciliation from being used in any way to increase the debt; and
- Prohibiting *de minimis* reconciliation targets, such as achieving \$1 billion in savings over 10 years.

## C. Debt Limit

The group acknowledges that votes on the debt limit have been a source of brinksmanship, creating uncertainty and threatening the nation's financial standing, and that steps must be taken to "de-weaponize" the debt limit. The group also agreed that the need to increase the debt limit results from choices already made by this and previous Congresses and Presidents with respect to spending and revenue. To that end, the group believes that the debt limit should acknowledge these past choices as well as current choices related to discretionary funding levels and changes to mandatory spending and/or revenues that the Congress and President are making in the Plan. The group agreed that the Plan should include an increase in the debt ceiling to reflect these facts but did not reach consensus about the best means of doing so.

One suggestion was to suspend the debt limit for the two-year term of the Plan, requiring Congress and the President to extend the debt limit with each new Plan. Another approach was to increase the debt limit to a level consistent with the policies envisioned in the Plan, including estimated mandatory spending and revenue, and then address any increase to accommodate unforeseen circumstances (such as an economic downturn) on an as needed basis.

Agreement was reached by suggesting that the Plan would include a provision that increases the debt limit, but without specifying precisely the nature of the increase. Further, the group recognizes future legislative action, separate from these reforms, might occur to de-weaponize the debt limit.

### ***Enforcement of the Budget Action Plan***

The group recognizes the importance of enforcement mechanisms to keep subsequent legislative action – whether appropriations, reconciliation, or other bills affecting mandatory spending or revenues – within the bounds set through the Plan or any budget resolution. It generally supports retaining the current congressional enforcement procedures, with adjustments as needed to accommodate the proposed new process.

Participants also considered the strengths and weaknesses of Statutory Pay-As-You-Go (S-PAYGO), a key enforcement tool in current law. They felt that the law's ability to constrain mandatory spending increases and tax cuts by requiring corresponding offsets is an important enforcement mechanism.

## Fiscal State Of The Nation Report

The following proposal to create a Fiscal State of the Nation report aims to provide consolidated financial information to the public on a periodic basis in a format that encourages both public and political debate on the long-term fiscal health of the nation.

### PROPOSAL

The Congressional Budget Office will prepare a new report, the Fiscal State of the Nation (FSON), every four years, released in time to inform voters and encourage campaign attention during the Presidential election cycle (for instance, in January of a Presidential election year as primaries commence, or, in May, as final presidential nominees are selected). Specifically designed for the general public to understand, the FSON will present the facts of the nation's fiscal condition; the report would not offer subjective views or proposals on fiscal imbalances or policy outcomes.

The FSON will build upon a report prepared annually by the CBO—the Long-Term Budget Outlook. In preparing the FSON, CBO would be required to consult closely with other federal agencies such as the Government Accountability Office (GAO), the Trustees of Medicare and Social Security, and the Office of Management and Budget (OMB). An easy-to-read summary of the report—the “Citizens Guide”—would be developed and disseminated widely.

The FSON report will summarize the state of the country's fiscal condition, both currently and in the future by presenting:

- Projected spending and revenues under current law for the next 25 years as well as the resulting debt, deficit, and interest costs, using CBO's latest assumptions;
- A selection of alternative fiscal projections using different economic and demographic assumptions, including, for instance, those developed by other governmental agencies such as the Trustees of Medicare and Social Security;
- A breakdown of all major revenues sources and tax expenditures (intended revenue losses) organized by categories of beneficiaries (for instance, by age group and by income level);

- A review and discussion of historical trends and future projections in portfolios of major federal programs (for example, health, education, housing or income security) based on the portfolio analyses prepared by the GAO (as called for in another B3P proposal); and
- Any estimated shortfalls in long-term spending programs that are funded through a dedicated revenue source (like Social Security, Medicare, or highways).

### PURPOSE AND INTENT OF PROPOSAL

The FSON emerged from a discussion of how to focus the public's attention on the country's fiscal condition, given the range of national fiscal data that is published each year. The group coalesced on their desire to create a single, authoritative, and broadly-accepted report that all candidates, citizens, and the media can reference. The group sees the FSON as an opportunity to reflect the large volume of fiscal information published by different federal entities in one understandable, comprehensive document that is easily accessible to the media and the public. Finally, the report would be timed for release during each Presidential election cycle to inform and catalyze public discourse on the current and future fiscal health of the country.

CBO was chosen to prepare the report because of its long-standing role in preparing budget and fiscal information for Congress, including the Long-Term Budget Outlook (which would serve as the basis for the FSON) and to utilize existing institutions and resources. Additionally, CBO has the technical knowledge required to compile such a complex report in cooperation with other federal entities who release similar publications. The group acknowledged that CBO would need to develop or contract for additional expertise in communications and outreach for the report.



## SUMMARY OF B3P DELIBERATIONS

The FSON report reflects the theme of providing reliable and valuable information to political actors and their constituents at the right time. B3P participants were broadly supportive of a report that drew the public's attention to the country's fiscal situation. The group considered several variations of this concept before arriving at a final proposal.

The group considered establishing a new, independent body to compile information from the many federal entities who publish fiscal projections. The group discussed staffing and leadership options for this entity—former CBO directors, Treasury Secretaries, respected past Senators or Members of Congress, and others were considered as leaders, supported by a staff of nonpartisan budget analysts. However, after extended consideration, the group realized that creating an independent body posed additional costs, and complexities, not to mention adding yet another source of fiscal information to the mix.

The group then considered a range of federal entities that might be best positioned to take on the preparation task. Participants suggested that the work be comprehensive, credible, and legitimate in the eyes of diverse constituents, regardless of which party was in power. OMB as well as other Executive agencies, like the Department of the Treasury, were considered, but because of their mission to advance the policy outcomes of the President, the group felt the report could take on a partisan cast.

The group strongly concurred that the FSON report should be neutral in its presentation of the facts. The report would include no recommendations for how to address any fiscal imbalances or how to reach certain policy outcomes, thus allowing the candidates to offer their own recommendations and offering the voters a single reference point for evaluating those recommendations.

## Periodic Long-Term Reviews For Major Programs

The following proposal for periodic long-term reviews for major programs aims to supplement the quadrennial Fiscal State of the Nation (FSON) report and inform government fiscal decisions with additional and more detailed information about the ability of portfolios of major federal programs to achieve national policy objectives over the long term.

### PROPOSAL

Periodically analyze portfolios of major federal programs (including related spending, tax expenditure, and revenue, if appropriate) that represent long-term commitments made by the federal government. The aim of the review would be to indicate to lawmakers and the public the ability of the portfolios to carry out those commitments, both financially and programmatically. The reviews would assess portfolios that encompass explicit or implicit long-term fiscal goals and commitments that extend 10 years or more into the future by reviewing:

- The promises, commitments, and goals of the programs within a portfolio;
- Expenditure (and, where applicable, revenue) projections for these portfolios under various programmatic assumptions for the next 10 to 25 years;
- Recent performance of a portfolio, and projected performance over the upcoming 10 to 25 years, against their goals and commitments, and recommendations for how that performance could be improved; and
- Future outcomes under alternative scenarios, for example, prosecuting three simultaneous wars instead of two, significant changes in economic conditions, or retirement security obligations under different demographic projections. In effect, this element would constitute a “stress test” for the portfolios.

Portfolios would be reviewed on a staggered basis so that every portfolio is reviewed at least once in the four-year period preceding the release of the quadrennial Fiscal State of the Nation (FSON)

report. The FSON report would incorporate the results of these Long-Term Portfolio Reviews, although the FSON would not include any recommendations. The reviews would explicitly consider how children, the elderly, and other vulnerable populations are affected within each portfolio.

The reviews would be conducted by the Government Accountability Office (GAO) because the group believes GAO has the technical expertise and experience to perform such reviews. Other bodies, such as the Congressional Budget Office (CBO) as well as related Executive agencies, would assist GAO in compiling data and information to complete the portfolio reviews. Upon completion, GAO would present the Long-Term Portfolio Review to the Budget Committee in each Chamber of Congress and release the documents to the public; each Budget Committee would be expected to hold public hearings on the GAO findings.

Portfolios would be designed by the Budget Committees, which would also be responsible for scheduling reviews each year. The group suggested the following possible portfolio groupings:

- retirement security,
- health coverage,
- income assistance,
- housing assistance,
- national security,
- infrastructure,
- research and development,
- environment,
- education,
- general government and administration of justice, and
- governmental revenues and tax policy.

## PURPOSE AND INTENT OF PROPOSAL

The portfolio review emerged from discussion about how to inject more and better information into the budget process, especially regarding long-term objectives and commitments of the federal government. The federal government sets goals and makes commitments that extend far beyond the one-year appropriations cycle and often beyond the ten-year budget window—some are decades-long and intergenerational in nature. These goals and the programs to achieve them should be measured and assessed on a regular basis. Thus, the budget process must take both a short-term and a long-term view.

These periodic portfolio reviews would supplement and enhance the quadrennial FSON report, providing more detailed programmatic reviews of explicit or implicit fiscal promises that extend a decade or more into the future. Further, these reviews provide a unique opportunity to examine groupings of related programs, often spanning different Executive agencies and Congressional committee jurisdictions, in a single package. Performance can be compared and contrasted; best practices may emerge; and policy goals may shift as a result.

## SUMMARY OF B3P DELIBERATIONS

Recognizing that the current budget process pays too little attention to the long-term effects of short-term decisions, the group considered a range of options for sharpening the focus on the long-term. They considered:

- Enhancing current law by requiring reports on long-term projections;
- Linking short-term spending with a long-term budget plan;
- Ensuring review and reauthorization on a predictable schedule, including by establishing expiration dates (sunset clauses) for mandatory spending programs;
- Adopting fixed fiscal rules, such as establishing a debt to gross domestic product (GDP) limitation; and

- Enacting a long-term fiscal budget for major budget areas that, with periodic opportunities for amendment, would set spending (and revenue, where applicable) targets to guide short-term fiscal decision-making.

The group deliberated these options over an extended period and ultimately arrived at consensus on a variation of the third option (above) that would call for reviews of portfolios of programs on a four-year cycle.

Variations on the first two options—enhancing reporting and linking long-term projections with short-term plans—were ultimately included in other proposals. The FSON will include long-term projections, and the Budget Action Plan will include a statement of the impact that enactment of the Plan would have on the long-term fiscal outlook.

Some in the group suggested that establishing expiration dates (sunset clauses) for major programs had some appeal. Others believed that such sunset clauses would interject too much uncertainty into programs that millions of Americans depend on.

The group felt that fiscal rules and an enacted long-term budget would unreasonably tie the hands of future Congresses, would be difficult to enact or maintain over any length of time, and would depend on long-term fiscal projections and assumptions that in many cases are highly uncertain. Since Congress already struggles with short-term budgets, the group could not envision Congress being able to generate or hold to long-term targets.

Ultimately, the group decided that periodic program reviews—without the threat of a program lapsing—was an achievable method for injecting more information about the long-term into the budget debate. By proposing regular portfolio reviews, the group believes that Congress would gain useful information about long-term fiscal commitments that would broaden understanding, debate, and public awareness.

## Strengthening The Budget Committees

The following proposal to strengthen the Budget Committees aims to raise the profile and augment the power of the Budget Committee by amending the membership and increasing responsibilities.

### PROPOSAL

The membership of the Budget Committee in each Chamber of Congress would include the Chair and Ranking Member (or their designees) of:

- the appropriations committees;
- the House Ways and Means Committee or Senate Finance Committee; and
- other authorizing committees.

The Budget Committees' new responsibilities would include:

- Developing the Budget Action Plan (the Plan) every two years in collaboration with House and Senate leadership and the President;
- Overseeing the production of the Fiscal State of the Nation (FSON) report every four years; and
- Managing the portfolio review process on an ongoing basis and incorporating the reviews into the FSON.

Finally, to raise the urgency of the Budget Committees' work, bills and resolutions completed by the Budget Committees would be allowed to move to the floor within a specified and limited period of time.

### PURPOSE AND INTENT OF PROPOSAL

This proposal to strengthen the Budget Committees grew out of conversations about the changing norms that have developed around the budget process. The group generally agreed that the Budget Committees can serve an important and useful role in managing the annual budget process; however, since their creation in the mid-1970s, their power has waned.

The B3P group believes that revising chamber rules to require the Chairs and Ranking Members of major spending and revenue committees to serve on the Budget Committees will both provide added expertise and reinforce the importance of a functioning budget process in the eyes of all Members of Congress and the public. Further, in assigning new duties to the Committee—developing the Budget Action Plan,

overseeing the FSON report, and managing the portfolio review process—the group expects Members of Congress to find more value in a Budget Committee assignment. Lastly, as these Members interweave the priorities of their other committees with the overall priorities of the nation, the B3P group expects to see a budget based on more realistic aspirations and choices, enacted on a more timely basis.

### SUMMARY OF B3P DELIBERATIONS

In developing this proposal, the group considered several possible proposals for amending the congressional committee structure before finding consensus on a proposal focused solely on the Budget Committees.

The most far-reaching proposal the group discussed was the feasibility of establishing broad committees with jurisdictions more closely aligned with the structure of Executive Branch departments and agencies, that combined both authorizing and appropriations committees. This proposal suggested that combining authorization and appropriation actions in one committee would blend the program expertise that now resides in two different locations. However, there was concern that this proposal might increase inefficiencies inherent in large committees, and, in the end, revert—through a proliferation of subcommittees—to the same process that was intended to be consolidated. Ultimately, the group decided that existing separation of authorization and appropriations authority acts as an important check on each other's actions.

A mid-range proposal was also considered, i.e., to adjust the jurisdictions of the appropriations and authorizing committees (without combining them) to more closely reflect the structure of the Executive Branch departments and agencies. The group found general agreement on this proposal in concept, but ultimately decided that proposing a full-scale reorientation of the congressional committee structure would likely raise a host of concerns and complexities and was beyond and outside of the scope of the project's goals and mission: B3P seeks to reform the budget process, not Congress as a whole.

## Budget Support Agencies

The following proposal regarding the budget support agencies aims to emphasize the importance of appropriate and timely information in a successful budget process and strong and stable institutions to provide that information.

### PROPOSAL

As an important component of the B3P reforms, the new budget process should maintain and reinforce the critical role of existing institutions. These include: 1) the Congressional Budget Office (CBO) and the Joint Committee on Taxation (JCT) as sources of independent and reliable information that are crucial to the fiscal decisions Congress is called on to make, and, 2) the Office of Management and Budget (OMB) as a source of detailed budget and programmatic information encompassing the breadth of the federal budget.

The information provided by CBO and JCT is central to sound policymaking, and Congress should ensure that the legislative process affords careful, timely consideration of their analyses. To increase understanding of their methods and assumptions and provide even greater transparency, the group proposes the agencies expand their ongoing efforts to provide additional information about how their analyses are structured and their conclusions are reached. This could entail more stakeholder advisory groups, more regular publishing of methods, and other actions.

In addition, the B3P group proposes that resources commensurate with their responsibilities be made available to CBO and JCT to meet new requirements suggested in other B3P proposals and to maintain the highest level of analytical capacity.

For OMB, the group proposes no specific proposals beyond reinforcing the importance of the current detailed information provided by the President's budget. The group notes that one of its proposals, the Budget Action Plan, could change the budget process in a way that may ultimately affect the timing and contents of the President's budget.

### PURPOSE AND INTENT OF PROPOSAL

This statement reflects the group's emphasis on the need to provide Congress with appropriate and timely information and on strong and stable institutions to provide that information. The budget reform acts of 1921 and 1974 both created institutions that have served the Congress and the American public well in a wide range of budget and fiscal matters over many decades.

### SUMMARY OF B3P DELIBERATIONS

Over the course of several meetings the group discussed the role and performance of both CBO and JCT. These institutions were viewed by the group as one of the lasting successes of the previous budget process reforms. The group strongly agreed that preservation of the agencies' non-partisan roles remain foundational for the success of the budget process and any future reforms.

On the topic of transparency, the group acknowledges the existing efforts of CBO and JCT in this area, and suggests that they:

- Provide additional opportunities for outside conversations and input;
- As necessary, improve explanations of assumptions that drive estimates and the level of uncertainty in the results;
- Regularly conduct public review of major models and the factors used in the models; and
- Seek additional outside advice and input in developing and refining estimating models.

On the topic of adequate resources and staffing for CBO and JCT, the group suggested that Congress should:

- provide funding commensurate with the roles and responsibilities Congress assigns to them, and
- ensure staffing levels proportionate to the number of requests made and response-time expectations.



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