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The Congressional Appropriations Process: An Introduction

Updated July 29, 2003

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The Congressional Appropriations Process: An Introduction

Summary

Congress annually considers 13 or more appropriations measures, which provide funding for a variety of activities such as national defense, education, disaster assistance, crime programs, and general government operations, such as the administration of most federal agencies. Congress has developed certain rules and practices for the consideration of appropriations measures, referred to as the appropriations process.

Generally, the appropriations process includes the

- annual appropriations cycle;
- spending ceilings for appropriations associated with the annual budget resolution; and
- prohibitions against certain language in appropriations measures that violate separation of the authorization and appropriations functions into separate measures.

There are three types of appropriations measures. *Regular appropriations bills* provide most of the funding that is provided in all appropriations measures for a fiscal year, and must be enacted by October 1 of each year. If regular bills are not enacted by the deadline, Congress adopts *continuing resolutions* to continue funding generally until regular bills are enacted. *Supplemental bills* are considered later and provide additional appropriations.

Appropriations measures are under the jurisdiction of the House and Senate Appropriations Committees. These committees control only about one-third of total federal spending provided for a fiscal year. The House and Senate authorizing committees control the rest.

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The Congressional Appropriations Process: An Introduction

Introduction

Congress annually considers 13 or more appropriations measures, which provide funding for a variety of activities such as national defense, education, disaster assistance, crime programs, and general government operations, such as the administration of most federal agencies. Congress has developed certain rules and practices for the consideration of appropriations measures, referred to as the appropriations process.

Generally, the appropriations process includes the

- annual appropriations cycle;
- spending ceilings for appropriations associated with the annual budget resolution; and
- prohibitions against certain language in appropriations measures that violate separation of the authorization and appropriations functions into separate measures.

When considering appropriations measures, Congress is exercising the power granted to it under the Constitution, which states, “No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law”¹ The power to appropriate is exclusively a legislative power. The executive branch may not spend more than the amount appropriated,² and it may use available funds only for the purposes established by Congress.³

The President also has an important role in the appropriations process by virtue of his constitutional power to approve or veto entire measures and his various duties imposed by statute, such as submitting an annual budget to the Congress.

¹ U.S. Constitution, Article I, Section 9.

² The Antideficiency Act (31 U.S.C. 1341(a)(1)). This prohibition was derived from a statute enacted in 1870 (16 Stat. 251). U.S. General Accounting Office, *Principles of Federal Appropriations Law*, 2nd edition, vol. 2, GAO/OGC-91-5, July 1991, pp. 6-10 through 6-12.

³ 31 U.S.C. 1301(a). This requirement was originally enacted in 1809 (2 Stat. 535). U.S. General Accounting Office, *Principles of Federal Appropriations Law*, 2nd edition, vol. 1, GAO/OGC-91-5, July 1991, p. 4-2.

This report discusses the annual appropriations cycle, spending ceilings, and relationship between authorization and appropriations measures.

Annual Appropriations Cycle

President Submits Budget

The President initiates the appropriations process by submitting his annual budget for the upcoming *fiscal year*⁴ to Congress. The President is required to submit his annual budget on or before the first Monday in February.⁵ Congress has provided extensions of the deadline both statutorily and, sometimes, informally.⁶

The President recommends spending levels for the various programs and agencies of the federal government in the form of *budget authority*, or *BA*, since Congress provides budget authority instead of cash to agencies. Budget authority represents the legal authority for federal agencies to make *obligations* that usually result in expenditures (or *outlays*). These obligations (for example, entering into a contract to construct a ship or purchase supplies) usually result in outlays, which are payments from the Treasury, usually in the form of checks, electronic funds transfers, or cash disbursements.

For example, an FY2003 appropriations act might have provided \$120 million in new budget authority for FY2003 to the Defense Department to procure two additional fighter aircraft. That is, the act gave the Department legal authority to sign contracts to build the aircraft. The department can not commit the government to pay more than \$120 million. The outlays occur when the contractor cashes the government check for building the aircraft.

Generally, *appropriations* are a type of budget authority. Appropriations measures provide *new* budget authority (as opposed to previously enacted budget authority). Typically, appropriations must be obligated in the fiscal year for which they are provided. In the above example, the Defense Department would be required to sign the construction contracts during FY2003.

Not all new budget authority provided for a fiscal year is expended that year. For example, although Congress provided \$120 million in budget authority for

⁴ Congress provides spending by fiscal years, in contrast to calendar years. Federal fiscal years begin on October 1 and end the following September 30. Fiscal Year 2003 (or FY2003) began on October 1, 2002.

⁵ 31 U.S.C. 1105(a).

⁶ For information on budget submissions in Presidential transition years, see CRS Report RS20752, *Submission of the President's Budget in Transition Years*, by Robert Keith.

FY2003 to construct the two aircraft, the outlays may occur over several years, until the project is completed:

- FY2003, no outlays;
- FY2004, \$40 million;
- FY2005, \$40 million; and
- FY2006, \$40 million.

A total of \$120 million in outlays is spent over four fiscal years.

As Congress considers appropriations measures providing new budget authority for a particular fiscal year, discussions on the resulting outlays only involve estimates. Data on the actual outlays for a fiscal year are not available until the fiscal year has ended.

When the President submits his budget to Congress, the agencies provide detailed *justification* materials to the House and Senate appropriations subcommittees, which have jurisdiction over funding for the particular agencies.

Congress Adopts Budget Resolution

The Congressional Budget and Impoundment Control Act of 1974, as amended, (the Congressional Budget Act)⁷ requires Congress to adopt an annual budget resolution.⁸ During the 27 fiscal years that Congress has considered budget resolutions, Congress has eventually adopted a budget resolution in every year except two — FY1999 and FY2003. There is no penalty if the budget resolution is not completed.

Usually, the budget resolution is Congress's response to the President's budget. The budget resolution must cover at least five fiscal years: the upcoming fiscal year plus four additional fiscal years.

The budget resolution is never sent to the President, nor does it become law. It does not provide spending authority or raise or lower revenues, but is instead a guide for Congress to use as it considers various budget bills, including appropriations and tax measures.

The budget resolution sets total new budget authority and outlay levels for each fiscal year covered by the resolution. It also distributes federal spending among 19 functional categories, such as national defense, agriculture, and transportation, and sets similar levels for each function. The resolution also includes revenue floors for each fiscal year.

⁷ P.L. 93-344, as amended; 2 U.S.C. 621-656 (2000).

⁸ Budget resolutions are under the jurisdiction of the House and Senate Budget Committees.

Total new budget authority and outlays are distributed among both the House and Senate committees with jurisdiction over spending, thereby setting spending ceilings for each committee (see “Allocations” section under “Budget Resolution”).⁹

The Congressional Budget Act provides an April 15 deadline for final congressional adoption of the budget resolution. However, Congress frequently does not meet this deadline and there is no penalty if it is not met.

The Congressional Budget Act generally prohibits House or Senate floor consideration of revenue or spending measures for a fiscal year until Congress adopts the budget resolution.¹⁰ However, even if the budget resolution is not in place, the House may begin considering the regular appropriations bills without violating the act after May 15.¹¹ No such provision exists in the Senate.

Timetable for Consideration of Regular Appropriations Measures

Traditionally, the House of Representatives had initiated consideration of regular appropriations measures.¹² The House Appropriations Committee has jurisdiction over appropriations measures and ordinarily began the legislative process by reporting the 13 regular appropriations bills separately to the full House.

Recently, both the House Appropriations Committee and the Senate Appropriations Committee, which has jurisdiction over appropriations measures in the Senate, has been reporting the regular appropriations bills in May or June. The House committee completes all or almost all of the bills by the annual August recess. The Senate measures are generally reported before the August recess or in September.

Generally, the full House begins consideration of the regular appropriations bills in May or June as well, passing most by the recess. The Senate begins passing the bills in June or July and completes most of the bills by the end of September.

During the fall, the Appropriations Committees are usually heavily involved in conferences to resolve differences between the two chambers. Relatively little or no time is left before the fiscal year begins to resolve what may be wide disparities between the House and Senate, to say nothing of those between Congress and the

⁹ The committee ceilings are usually provided in the joint explanatory statement that accompanies the conference report to the budget resolution.

¹⁰ See 2 U.S.C. 634. For information on waiving this parliamentary rule, see CRS Report RL31443, *The “Deeming Resolution:” A Budget Enforcement Tool*, by Robert Keith.

¹¹ See 2 U.S.C. 634(b). Of the three types of appropriations measures, regular appropriations bills have traditionally provided agencies most of their budget authority (see “Types of Appropriations Measures,” below).

¹² For a description of regular appropriations bills, see “Types of Appropriations Measures,” below.

President. Congress is usually faced with the need to enact one or more temporary continuing resolutions pending the final disposition of the regular appropriations bills.¹³

Work of the Appropriations Committees

After the President submits his budget, the House and Senate Appropriations Committees hold full committee and subcommittee hearings on the segments of the budget under their jurisdiction. The 13 appropriations subcommittees in each house hold more detailed hearings on the agencies' justifications, primarily obtaining testimony from agency officials.

Each appropriations subcommittee has jurisdiction over one regular appropriations bill. Each House appropriations subcommittee is paired with a Senate appropriations subcommittee, both having jurisdiction over the same agencies and programs. For example, the House and Senate agriculture appropriations subcommittees have jurisdiction over the agriculture regular appropriations bill.

After the hearings have been completed and the House and Senate Appropriations Committees have received their committee spending ceilings from the budget resolution, the House and Senate appropriations subcommittees begin to *mark up* the regular bills under their jurisdiction and report them to their respective full committees.¹⁴ Each appropriations committee considers each of their subcommittee's recommendations separately. The committees may adopt amendments to a subcommittee bill and then report the bill as amended to their respective floors for action.

Recently, the Senate Appropriations Committee has generally reported either original Senate regular appropriations bills or substitute amendments replacing the texts of the House-passed bills.

House and Senate Floor Action

After the House or Senate Appropriations Committee reports an appropriations bill to the House or Senate, the bill is brought to the floor. At this point, Representatives or Senators are generally provided an opportunity to propose floor amendments to the bill.

¹³ For a description of continuing resolutions, see "Types of Appropriations Measures," below.

¹⁴ If Congress is late in completing action on the budget resolution, the appropriations committees sometimes use temporary committee spending ceilings and begin the process.

Regarding markup, the chairman usually proposes a draft bill (the chairman's mark). The chairman and other subcommittee members discuss amendments to the draft and may agree to include some (referred to as marking up the bill). Regular appropriations bills are not introduced prior to full committee markup. The bill is introduced when the House Appropriations Committee reports the bill; a bill number is assigned at that time. The House rules allow the House Appropriations Committee to originate a bill. In contrast, most House committees do not have such authority.

House. Prior to floor consideration of a regular appropriations bill, the House generally considers a special rule reported by the House Rules Committee setting parameters for floor consideration of the bill.¹⁵ If the House adopts the special rule, it usually considers the appropriations bill immediately.

The House considers the bill in the Committee of the Whole of which all Representatives are members.¹⁶ A special rule on an appropriations bill usually provides for one hour of general debate on the bill. The debate includes opening statements by the chairman and *ranking minority member*¹⁷ of the appropriations subcommittee with jurisdiction over the regular bill, as well as other interested Representatives.

After the Committee of the Whole debates the bill, it considers amendments.¹⁸ Amendments must meet requirements of the

- House standing rules and precedents, for example, amendments must be germane to the bill;
- authorization-appropriations process, which enforces the relationship between authorization and appropriations measures (see “Relationship Between the Authorization and Appropriations Measures,” below);
- congressional budget process (see “Allocations” section under “Budget Resolution”); and
- special rule providing for consideration of the particular bill.

If an amendment violates any of these requirements, any Representative may raise a *point of order* to that effect. If the presiding officer rules the amendment out of order, it cannot be considered on the House floor. The special rule may waive any of these requirements, thereby allowing the House to consider the amendment.

¹⁵ Because the regular appropriations bills must be completed in a timely fashion, House Rule XIII, clause 5, provides that these appropriations bills are privileged. This allows the House Appropriations Committee to bring appropriations bills directly to the floor in contrast to asking the Rules Committee to report a special rule. The latter method is used for most major measures.

In recent years, the House Appropriations Committee has usually used the special rule procedure, however. These special rules typically include waivers of certain parliamentary rules regarding the consideration of appropriations bills and certain provisions within them. Special rules may also be used for other purposes, such as restricting floor amendments or waiving parliamentary rules regarding the consideration of specified amendments.

¹⁶ House Rule XVIII, clause 3, requires that appropriations measures be considered in the Committee of the Whole House on the State of the Union (Committee of the Whole) before the House votes on passage of the measures (see CRS Report 95-563, *The Legislative Process on the House Floor: An Introduction*, by Elizabeth Rybicki and Stanley Bach).

¹⁷ A ranking minority member of a committee or subcommittee is the head of the minority party members of the particular committee or subcommittee.

¹⁸ They generally consider amendments by going through the bill in order. The presiding officer asks if there are any amendments to the paragraph (or title) under consideration.

During consideration of individual regular appropriations bills, the House sometimes sets additional parameters, either by adopting a special rule or by *unanimous consent*. The House agrees to the parameters only if no Representative objects. For example, the House sometimes agrees to limit debate on individual amendments by unanimous consent.

After the Committee of the Whole completes consideration of the measure, it reports the bill with any adopted amendments to the full House. The House then votes on the adopted amendments and passage. After House passage, the bill is sent to the Senate.

Senate. The full Senate considers the bill as reported by its Appropriations Committee. The Senate does not utilize the device of a special rule to set parameters for consideration of bills. Before taking up the bill, however, or during its consideration, the Senate sometimes sets parameters by unanimous consent.

When the bill is brought up on the floor, the chairman and ranking minority member of the appropriations subcommittee make opening statements on the contents of the bill as reported.

Committee and floor amendments to the reported bills must meet requirements under the Senate standing rules and precedents, the authorization-appropriations process, and the congressional budget process.¹⁹ The specifics of the Senate and House requirements differ. As in the House, the Senate may sometimes waive some of these rules.²⁰

When the Senate Appropriations Committee reports a Senate bill and after the full Senate has completed action on it, the Senate waits for the House to send its bill to the Senate and amends the House-passed bill with generally a substitute amendment that contains the text of the Senate bill as amended on the Senate floor.

House and Senate Conference Action

Generally, members of the House and Senate appropriations subcommittees having jurisdiction over a particular regular appropriations bill, the chairmen of the full committees, and the ranking minority members of the full committees meet to negotiate over differences between the House- and Senate-passed bills.²¹

¹⁹ The Senate, in contrast to the House, does not consider floor amendments in the order of the bill. Senators may propose amendments to any portion of the bill at any time unless the Senate agrees to set limits.

²⁰ It does so either by unanimous consent or, in some cases, by motion.

²¹ If the Senate (or House) does not pass a bill, informal negotiations typically take place on the basis of the reported version of that chamber. For example, the House passed the FY1999 Interior bill, but the Senate did not. Negotiations then ensued over the House-passed version and the Senate reported-version. Frequently, the compromise is included in a conference report on an omnibus appropriations measure (see “Regular Appropriations Bill” below). The final version of the FY1999 Interior bill was incorporated in the
(continued...)

Under House and Senate rules, the negotiators (or *conferees* or *managers*) are generally required to remain within the scope of the differences between the positions of the two chambers.²² Their agreement must be within the range established by the House- and Senate-passed versions. For example, if the House-passed bill appropriates \$3 million for a program and a separate Senate amendment provides \$5 million, the conferees must reach an agreement that is within the \$3-5 million range. However, these rules are not always followed.²³

When the Senate passes a single substitute amendment to a House bill,²⁴ the conferees must reach agreement on all points of difference between the House and Senate versions before reporting the conference report in agreement to both houses. When this occurs, the conferees propose a new conference substitute for the bill as a whole. The conferees attach a joint explanatory statement (or *managers' statement*) explaining the new substitute.

Usually, the House considers conference reports on appropriations measures first because it traditionally considers the measures first. The first house to consider a conference report has the option of voting to recommit the report to the conference for further consideration, rejecting the conference report, or adopting it. After the first house adopts the conference report, the conference is automatically disbanded; therefore, the second house has two options — adopt or reject the conference report.

Conference reports cannot be amended in either the House or Senate.

If the conference report is rejected, or is recommitted by the first house, the conferees negotiate further over the matters in dispute between the two houses.²⁵ The measure cannot be sent to the President until both houses have agreed to the entire text of the bill.

Presidential Action

After Congress sends the bill to the President, he has 10 days to sign or veto the measure. If he takes no action, the bill automatically becomes law at the end of the

²¹ (...continued)

conference report to the FY1999 omnibus appropriations bill (P.L. 105-277), which included eight regular appropriations bills.

²² House Rule XXII, clause 9, and Senate Rule XXVIII, paragraphs 2 and 3.

²³ Generally, before the House considers a conference report on an appropriations measure, it adopts a special rule waiving all points of order against the conference report and its consideration, including points of order that the conference report goes beyond the scope of the differences.

²⁴ Single substitute amendments are used because the Senate Appropriations Committee reported either a single substitute amendment to the House-passed bill or an original Senate bill.

²⁵ Technically, if either house rejects the conference report, the two houses normally agree to further conference, usually appointing the same conferees.

10-day period. Conversely, if he takes no action when Congress has adjourned, he may *pocket veto* the bill.

If the President vetoes the bill, he sends it back to Congress. Congress may override the veto by a two-thirds vote in both houses. If Congress successfully overrides the veto, the bill becomes law. If Congress is unsuccessful, the bill dies.

Types of Appropriations Measures

Regular Appropriations Bills

Annually, Congress considers 13 regular appropriations bills, which correspond to the 13 appropriations subcommittees in the House and Senate. The 13 regular appropriations bills are provided below:²⁶

- Agriculture;
- Commerce-Justice-State-the Judiciary;
- Defense;
- District of Columbia;
- Energy and Water Development;
- Foreign Operations;
- Homeland Security;
- Interior;
- Labor-Health and Human Services-Education;
- Legislative Branch;
- Military Construction;
- Transportation-Treasury-Independent Agencies; and
- Veterans Affairs-Housing and Urban Development-Independent Agencies.

Generally, Congress provides appropriations in lump-sum amounts by grouping related activities together (generally referred to as *accounts*) and providing budget authority for each account it chooses to fund. For example, the FY2002 energy and water act provided an appropriation of \$1.7 billion for the “Construction, General” account of the Army Corps of Engineers. Some of the activities funded in this account were construction projects regarding flood control and shore protection.

Regular appropriations measures may also include provisions setting aside funds within an account for a more specific purpose. For example, within the FY2002

²⁶ In response to the recent establishment of the Department of Homeland Security (DHS), the House and Senate Appropriations Committees reorganized the jurisdiction of their subcommittees earlier this year. Each committee transferred DHS activities, which were under the jurisdiction of eight subcommittees, to a single subcommittee — Homeland Security Subcommittee. They also transferred all non-DHS activities under the Transportation subcommittees to the Treasury subcommittees, converting the subcommittees into the Transportation-Treasury subcommittees. They also transferred a few other agencies among the subcommittees. The changes are reflected in the list above.

appropriation for the Corps' "Construction, General" account, Congress set aside \$9 million for the Indianapolis Central Waterfront in Indiana.

The appropriations committees include most set asides for local projects in committee reports and the joint explanatory statements that accompany conference reports. Although set asides in committee reports and joint explanatory statements do not have the force of law, agencies generally follow these guidelines set by the appropriators since the agencies require annual appropriations.

Appropriations measures may also provide transfer authority.²⁷ *Transfers* shift budget authority from one account or fund to another. For example, if the Corps of Engineers moved budget authority from the "Construction, General" account to the "Flood Control and Coastal Emergencies" account, that would be a transfer. Agencies are prohibited from making such transfers without specific statutory authority.

In contrast, agencies may generally shift budget authority from one activity to another within an account without such statutory authority; this activity is referred to as *reprogramming*.²⁸ The appropriations subcommittees have established notification and other oversight procedures for the various agencies to follow regarding reprogramming actions. Generally, these procedures differ with each subcommittee.

Congress has traditionally considered and enacted each regular appropriations bill separately. Over the past 27 years (FY1977-FY2003), Congress has used two other practices as well. In over half of those years, Congress generally began consideration of 13 separate bills, but ultimately packaged two or more regular appropriations bills together in one measure, or, in the case of FY2001, into two measures.²⁹

Packaging regular appropriations bills can be an efficient means of resolving outstanding differences within Congress and between Congress and the President. The negotiators can make more convenient trade-offs between issues among several bills.

Packaging, as **Table 1** shows, was used for 9 consecutive fiscal years beginning in FY1980. The first two of those years (FY1980-FY1981) occurred while President Jimmy Carter was in the White House, while the remaining seven were during Ronald Reagan's presidency. Since that time, it has been used six times — five during President William J. Clinton's presidency (FY1996-FY1997 and FY1999-

²⁷ Authorization measures may also provide transfer authority. For information on authorization measures, see "Relationship Between the Authorization and Appropriations Measures" below.

²⁸ Agencies may not shift budget authority that has been earmarked within an account in an appropriations act.

²⁹ The FY2001 Energy and Water bill was attached to the FY2001 VA-HUD bill and the FY2001 Legislative Branch and Treasury bills were attached to the FY2001 Labor-HHS-Education bill.

FY2001) and one during President George W. Bush's. No regular appropriation bills were packaged while George H.W. Bush was President (FY1990-FY1993).

Congress has also used another practice: instead of providing funding for the entire fiscal year in regular appropriations bills, at times it has provided the entire funding in continuing resolutions (see the discussion on full-year continuing resolutions in "Continuing Resolutions" below).

Distribution of Funding Among Regular Appropriations Bills.

Congress divides budget authority and the resulting outlays into two categories: *discretionary* and *mandatory (or direct) spending*. Appropriations measures include both types of spending. Discretionary spending is controlled by annual appropriations acts, which are under the jurisdiction of the House and Senate Appropriations Committees. Mandatory spending is controlled by legislative acts under the jurisdiction of the authorizing committees (principally the House Ways and Means and Senate Finance Committees).

Discretionary spending provides funds for a wide variety of activities, such as those described in the "Introduction," while mandatory spending predominantly provides funds for *entitlement* programs.³⁰ Of total actual outlays for FY2002, only 37% was discretionary spending.

All new budget authority in discretionary spending is provided in annual appropriations measures. Some new budget authority in mandatory spending, predominantly *appropriated entitlements*, is also provided in appropriations measures.

³⁰ Entitlements are statutory requirements that government payments be made to any individual or unit of government that meets eligibility criteria established in the law. Entitlements are a binding obligation on the government and eligible recipients have legal recourse if the obligation is not met. Examples of entitlements include Social Security benefits, Medicare benefits, federal retirement benefits, and unemployment compensation.

Table 1. Number of Regular Appropriations Bills Packaged in a Single Measure, FY1977-FY2003

Fiscal Year	Presidential Administration	Number of Bills Packaged
1977	Gerald Ford	0
1978	Jimmy Carter	0
1979		0
1980		2
1981		5
1982		Ronald Reagan
1983	Ronald Reagan	6
1984		3
1985		8
1986		7
1987		13
1988		13
1989		0
1990		George H.W. Bush
1991	0	
1992	0	
1993	0	
1994	William J. Clinton	0
1995		0
1996		5
1997		6
1998		0
1999		8
2000		5
2001		2,3 ^a
2002	George W. Bush	0
2003		11

Sources: U.S. Congress, Senate Committee on Appropriations, *Appropriations, Budget Estimates, Etc.*, committee prints, 94th Cong., 2nd sess.-103rd Cong., 2nd sess. (Washington: GPO, 1976-1994); and U.S. Congress, House, *Calendars of the U.S. House of Representatives and History of Legislation, 94th-107th Congresses* (Washington: GPO, 1976-2002).

- a. The FY2001 Energy and Water Development bill was attached to the FY2001 VA-HUD. The FY2001 Legislative Branch and Treasury bills were attached to the FY2001 Labor-HHS-Education bill.

Appropriated entitlements are funded through a two-step process. First, authorizing legislation is enacted to set program parameters (through eligibility requirements and benefit levels, for example); then the Appropriations Committees *must* provide the budget authority needed to meet the commitment. The Appropriations Committees have little control over the amount of budget authority provided, since the amount needed is the result of previously enacted commitments in authorization law. For FY2002, approximately 60% of the budget authority allocated to the Senate Appropriations Committees was discretionary spending, while the remaining 40% was mandatory spending.

Instead of directly controlling outlays, Congress controls discretionary spending by setting levels of new budget authority for specific activities, programs, and agencies in annual appropriations measures. Congress could, for example, provide \$240 million in new budget authority to build four fighter aircraft in the example mentioned earlier, instead of \$120 million to procure two.

Congress also controls mandatory spending by controlling budget authority. It does not, however, generally control this form of budget authority by setting specific spending levels. It controls mandatory spending by establishing parameters for government commitments in permanent law, such as Social Security benefit levels and eligibility requirements.

Continuing Resolutions

If action on one or more regular appropriations measures has not been completed by the beginning of the fiscal year, the agencies funded by these bills must cease nonessential activities due to lack of budget authority. Traditionally, *continuing appropriations* have been used to maintain temporary funding to agencies or programs until the regular bills are enacted. Such appropriations continuing funding are usually provided in a joint resolution, hence the term *continuing resolution*.

In November and again in December 1995, FY1996 continuing resolutions expired and some regular appropriations bills had not been enacted. As a result, nonessential activities stopped and federal workers hired to perform those services did not report for duty.

In 22 of the past 27 years (FY1977-FY2003), Congress and the President have not completed action on a majority of the regular bills by the start of the fiscal year. In eight years, they did not finish any of the bills by the deadline. They completed action on all 13 bills on schedule only three times.³¹

Traditionally, Congress passes a few temporary continuing resolutions to provide funding until action is completed on all the regular bills. In contrast to funding practices in regular appropriations bills (i.e., providing appropriations for each account), temporary continuing resolutions generally provide funding with formulas or rates. For example, the temporary continuing resolution could provide that funding levels for each activity in the regular bills covered will be the lowest of the following: the amount provided for the last fiscal year, the amount provided in the House-passed bill, or the amount provided in the Senate-passed bill. Recently, temporary resolutions have continued funding levels provided in the previous fiscal year.

In addition to temporary continuing resolutions, Congress also sometimes enacts full-year continuing resolutions. These measures provide full-year funding in

³¹ For FY1997, Congress and the President completed all 13 regular bills on time because they packaged six bills together.

the continuing resolution for the outstanding regular bills, instead of eventually enacting each regular bill separately.

During the FY1996 budget confrontation between the 104th Congress and the Clinton Administration, Congress used a another type of continuing resolution. Traditionally, continuing resolutions provide funding for all activities in the outstanding regular appropriations bills. However, in 1996, Congress provided *targeted appropriations* which separated activities from the outstanding regular bills and distributed them among three continuing resolutions. Congress distributed funding for activities in four of the six outstanding regular bills among the three continuing resolutions. Funding for most of the activities in the fifth regular bill (Foreign Operations) were provided in one of these continuing resolutions and funding for the most of the activities in the sixth bill (District of Columbia) in another.

During the past 27 years, Congress enacted on average four continuing resolutions per year.³²

Supplementals

During the fiscal year, Congress frequently considers one or more supplemental appropriations measures that provide additional funds for specified activities. For example, during FY2001 (the calendar year 2001), Congress considered two FY2001 supplementals. Supplementals may provide funding for unforeseen needs, such as recovery from the 9/11 tragedy or a natural disaster, or to increase or provide funding for other programs. Sometimes Congress includes supplemental appropriations in regular bills and continuing resolutions. Supplemental appropriations measures provide appropriations by account and may include set asides for local projects.

During calendar year 2001, the following appropriations measures were enacted into law:

- two FY2001 supplementals;
- 13 FY2002 individual regular appropriations bills; and
- eight FY2002 short-term continuing resolutions.

Spending Ceilings for Appropriations Measures

Congress has established the congressional budget process through which it annually sets spending ceilings associated with the budget resolution and enforces those ceilings with parliamentary rules, or *points of order*, during congressional

³² For more information on continuing resolutions, see CRS Report RL30343, *Continuing Appropriations Acts: Brief Overview of Recent Practices*, by Sandy Streeter.

consideration of appropriations bills.³³ (In 1990, Congress established the sequestration process that enforced discretionary spending ceilings. It expired after September 30, 2002.)³⁴

Allocations. Under the congressional budget process, the budget resolution distributes the total new budget authority and outlays among the House and Senate committees with jurisdiction over spending, including the House and Senate Appropriations Committees. Through this allocation process, the budget resolution sets total spending ceilings for each House and Senate committee (referred to as the *302(a) allocations*).³⁵ **Table 2** provides the 302(a) allocations to the House and Senate Appropriations Committees for FY2004, as adjusted.³⁶

After the Appropriations Committees receive their 302(a) allocations, they divide their allocations among their 13 subcommittees. This subdivision is referred to as the *302(b) allocations*.³⁷ **Table 3** provides the Senate Appropriations Committee's 302(b) subdivision of discretionary, mandatory, and total spending for FY2004. Making 302(b) allocations is within the jurisdiction of the House and Senate Appropriations Committees, and they typically make revisions to reflect action on the appropriations bills.

³³ The Congressional Budget Act established the congressional budget process in 1974 (P.L. 93-344; 2 U.S.C. 621-656 (2000)).

³⁴ Under this process, Congress by statute had established certain discretionary spending ceilings that were enforced by automatic across-the-board reductions if enacted spending exceeded the ceilings, see 2 U.S.C. 900-922 (2000).

³⁵ This refers to section 302(a) of the Congressional Budget Act. Typically, these are provided in the joint explanatory statement that accompany the conference report to the budget resolution.

³⁶ The FY2004 budget resolution provides for adjustments to the original 302(a) allocations to the House and Senate Appropriations Committees under specified conditions. For example, section 421 of the resolution required adjustments to the 302(a) allocations, as well as new budget and outlays levels in the budget resolution, to reflect the total amount of new budget authority (and resulting outlays) subsequently enacted in the Emergency Wartime Supplemental Appropriations Act, 2003 (P.L. 108-11). The 302(a) allocations in this report reflect this adjustment.

³⁷ This refers to section 302(b) of the Congressional Budget Act. The 302(b) allocations are adjusted to reflect any adjustments in the 302(a) allocations.

**Table 2. House and Senate Appropriations Committees' 302(a)
Allocations, as Adjusted, FY2004**

as of May 7, 2003
(in billions of dollars)

Spending Category	House ^a	Senate ^a
Discretionary		
General Purpose ^b		
New Budget Authority	—	783.214
Outlays	—	822.895
Highways		
Outlays	—	31.555
Mass Transit		
New Budget Authority		1.461
Outlays	—	6.634
Total Discretionary		
New Budget Authority	784.675	(784.675)
Outlays	861.084	(861.084)
Mandatory ^c		
New Budget Authority	426.127	426.949
Outlays	409.870	410.619
Total		
New Budget Authority	—	1,211.624
Outlays	—	1,271.703

Sources: Sen. Don Nickles, remarks in the Senate, *Congressional Record*, daily edition, vol. 149, May 7, 2003, p. S5846; and Rep. Jim Nussle, remarks in the House, *Congressional Record*, daily edition, vol. 149 (May 6, 2003), p. H3663.

- a. The FY2004 budget resolution provides for adjustments to the original 302(a) allocations to the House and Senate Appropriations Committees under specified conditions. For example, section 421 of the resolution required adjustments to the 302(a) allocations, as well as new budget and outlays levels in the budget resolution, to reflect the total amount of new budget authority (and resulting outlays) subsequently enacted in the Emergency Wartime Supplemental Appropriations Act, 2003 (P.L. 108-11). The 302(a) allocations in this table reflect this adjustment.
- b. The general purpose discretionary spending category includes all defense discretionary spending and all non-defense discretionary spending, except highways and mass transit non-defense discretionary spending.
- c. The differences between the House and Senate Committees' mandatory amounts reflect differing scorekeeping practices.

Table 3. Senate Appropriations Committee's 302(b) Allocations, FY2004

as of June 20, 2003
(in billions of dollars)

Subcommittee	Discretionary Spending Category				Mandatory		Total	
	General Purpose ^a		Transportation		Spending Category		Total	
	Budget Authority	Outlays	Budget Authority	Outlays	Budget Authority	Outlays	Budget Authority	Outlays
Agriculture	17.005	17.891			55.536	39.472	72.541	57.363
Commerce-Justice-State	37.014	40.107			.642	.654	37.656	40.761
Defense	368.662	389.387			.528	.528	369.190	389.915
District of Columbia	.495	.497					.495	.497
Energy and Water Development	27.313	27.359					27.313	27.359
Foreign Operations	18.093	20.253			.044	.044	18.137	20.297
Homeland Security	28.521	30.248			.831	.847	29.352	31.095
Interior	19.627	19.395			.064	.070	19.691	19.465
Labor-HHS-Education ^b	137.601	134.932			318.766	318.694	456.367	453.626
Legislative Branch	3.612	3.680			.109	.109	3.721	3.789
Military Construction	9.196	10.297					9.196	10.297
Transportation-Treasury	26.041	33.395			17.518	17.516	43.559	50.911
Highway Category				31.555				31.555
Mass Transit Category			1.461	6.634			1.461	6.634
VA-HUD ^c	90.034	95.454			32.911	32.685	122.945	128.139
Total	783.214	822.895	1.461	38.189	426.949	410.619	1,211.624	1,271.703

Source: U.S. Congress, Senate Committee on Appropriations, *Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2004*, 108th Cong., 1st sess., S.Rept. 108-77 (Washington: GPO, 2003), p. 3.

- a. The general purpose discretionary spending category includes all defense discretionary spending and all non-defense discretionary spending, except highways and mass transit non-defense discretionary spending.
- b. Labor-Health and Human Services-Education.
- c. Veterans Affairs-Housing and Urban Development-Independent Agencies.

Enforcement of Budget Resolution Ceilings. Certain spending ceilings associated with the budget resolution are enforced through points of order raised on the House and Senate floor when the appropriations measures are brought up for consideration. Points of order are not self-enforcing. A Representative or Senator must raise a point of order that a measure, amendment, or conference report violates a specific rule. Generally, if a Member raises a Congressional Budget Act point of order and the presiding officer rules that the measure, amendment, or conference report violates the parliamentary rule, it may not be considered on the floor.

House. Two key House points of order are the *302(f)* and *311(a)*.³⁸ These points of order apply to all appropriations measures reported by the committee as well as amendments and conference reports to the measures (for purposes of this report, these will be referred to as *matter*).

The 302(f) point of order prohibits floor consideration of appropriations that exceed the committee or subcommittee allocations of new budget authority (the 302(a) or 302(b) allocations, respectively). In effect, this point of order applies to total discretionary spending (and any mandatory spending changes initiated on the appropriations measures).³⁹ For example, if **Table 3** had been the House Appropriations Committee's 302(b) allocations, the reported FY2004 Agriculture bill could not have exceeded the Agriculture subcommittee's total discretionary spending allocation for FY2004 — \$17.005 billion.⁴⁰

The 311(a) point of order prohibits floor consideration of appropriations that would exceed the total new budget authority or outlay ceilings in the budget resolution. As various spending bills for a fiscal year are enacted, the amount of total new budget authority enacted and the resulting outlays accumulate and the budget

³⁸ These refer to sections 302(f) and 311(a), respectively, of the Congressional Budget Act.

³⁹ It does not effect increased mandatory spending that the appropriators are required to provide. For example, if the House Appropriations Committee is required to increase new budget authority for unemployment compensation due to a recession, such budget authority would not be subject to the point of order.

⁴⁰ Although the 302(f) point of order in the House enforces new budget authority ceilings, under House rules certain offset amendments must remain within the total new budget authority and outlay levels provided in the bill. Due to the 302(f) point of order, Members frequently must decrease budget authority in a bill for certain activities in order to finance increases in funding for other activities in order to stay within the 302(a) or 302(b) allocations (the decreases are referred to as offsets.) An amendment providing both the increases and decreases is referred to as an offset amendment. Frequently, the increases and offsets Members prefer are not located in the same place in the bill, and the affected segments would normally be considered at different times on the House floor.

Offset amendments that amend the text of the bill in more than one place must remain within the total new budget authority and outlay levels provided in the bill (House Rule XXI, clause 2(f)). An offset amendment added at the end of a bill that indirectly effects earlier provisions in the bill would not fall under the procedure provided in Rule XXI, clause 2(f). However it would still be subject to requirements in section 302. That is, it may not cause the bill to exceed new budget authority allocations made pursuant to 302(a) or (b). (For more information, see CRS Report RL31055, *House Offset Amendments to Appropriations Bills: Procedural Considerations*, by Sandy Streeter.)

resolution ceilings are eventually reached. An appropriations bill that would go over either of the ceilings is subject to the 311(a) point of order. If all the spending bills stay within their committee spending ceilings, a bill will not exceed the total ceilings established in the budget resolution. However, in the past, some spending bills have exceeded their committee ceilings, thereby making bills subject to the 311(a) point of order. This point of order typically affects the last funding measures considered for a fiscal year (such as the supplementals).

There are means of protecting matter from these points of order. For example, the House may waive or suspend either point of order by adopting, by majority vote, a special rule waiving the particular point of order prior to floor consideration of the appropriations measure.

Emergency designations may also be used. Budget authority (and resulting outlays) designated as an emergency requirement pursuant to section 502(b) of the FY2004 budget resolution⁴¹ are exempt from these Congressional Budget Act points of order. Typically, the emergency designation appears immediately after the applicable budget authority in the reported bill, amendment, or conference report. In the House, emergency-designating language is, however, subject to two other points of order. These points of order prohibit provisions in most appropriations bills, as well as amendments and conference reports to those bills, that change existing law, referred to as *legislation on an appropriations bill*.⁴² These points of order may be waived by House adoption of a special rule providing a waiver.

A means of protecting matter from the 311(a) point of order is the *Fazio Exception*, which exempts certain appropriations from this point of order. If the total for appropriations bills remains within the Appropriations Committee's total allocation, the appropriations are excepted from the 311(a) point of order.⁴³

Senate. Three key Senate rules are the 302(f) and 311(a) points of order⁴⁴ as well as a point of order established in section 504 of the FY2004 budget resolution. These points of order apply to all appropriations measures, both those reported by the committee and amended on the floor. They also apply to amendments, motions, and conference reports to these measures.

In the Senate, the 302(f) point of order prohibits floor consideration of appropriations that exceed the subcommittee allocations in total new budget authority, total outlays, and each discretionary spending category in new budget authority and outlays (see **Table 3**). As in the House, this point of order, in effect,

⁴¹ H.Con.Res. 95, 108th Cong.

⁴² House Rule XXI, clause 2, prohibits legislation on a committee-reported general appropriations bill and amendments to such bills, and House Rule XXII, clause 5, prohibits legislation in conference reports to those bills. (For more details, see "Relationship Between Authorization and Appropriations Measures," below.)

⁴³ See section 311(c) of the Congressional Budget Act, as amended.

⁴⁴ These refer to sections 302(f) and 311(a), respectively, of the Congressional Budget Act.

applies to total discretionary spending (and any mandatory spending changes initiated on the appropriations measures).

The 311(a) point of order in the Senate is the same as in the House; however, it does not include the *Fazio Exception*.

Section 504 of the FY2004 budget resolution establishes *discretionary spending limits* for FY2003 through FY2005 and prohibits floor consideration of matter that exceed these limits (see **Table 4**). The FY2003 and FY2004 discretionary spending limits correspond to the 302(a) allocations for each discretionary spending category.

**Table 4. Senate Discretionary Spending Limits,
as Adjusted, FY2004**
as of May 7, 2003
(in billions of dollars)

Discretionary Spending Category	Amount ^a
General Purpose	
New Budget Authority	783.214
Outlays	822.895
Highways	
Outlays	31.555
Mass Transit	
New Budget Authority	1.461
Outlays	6.634

Sources: Sen. Don Nickles, remarks in the Senate, *Congressional Record*, daily edition, vol. 149, May 7, 2003, p. S5846.

- a. The FY2004 budget resolution allows specified adjustments to the limits that correspond to the adjustments allowed to the 302(a) allocations for the Senate Appropriations Committee.

The Senate also has methods for protecting bills, amendments, and conference reports from these points of order. For example, Senators may make motions to waive any of these points of order at the time the issue is raised. A vote of three-fifths of all Senators (usually 60 Senators) is required in the Senate to approve a waiver motion for any of these points of order. Senators may also appeal the ruling of the Chair on these points of order, but this supermajority-vote requirement is needed to sustain an appeal.⁴⁵

⁴⁵ The supermajority-vote requirement for the 302(f) and 311(a) points of order expires after September 30, 2008. The discretionary spending limit point of order and supermajority-vote requirement expire after FY2005. See section 904(c)(2) and (d)(3) of the Congressional Budget Act and sections 503 and 504 of the FY2004 budget resolution.

In addition, emergency designations may be used. In the Senate, budget authority (and resulting outlays) that is designated as an emergency requirement pursuant to section 502(c) of the FY2004 budget resolution is exempt from these points of order. In contrast to the House, emergency-designating language is not considered legislation on an appropriations bill and, therefore, is not subject to the Senate rule prohibiting legislation.⁴⁶

Emergency-designating provisions for direct spending and non-defense discretionary spending are subject to a point of order. If a point of order is sustained against the emergency language, the language is stricken and the applicable budget authority is subsequently subject to the points of order enforcing the various spending ceilings described above. Emergency designations for defense discretionary spending is exempt from this point of order. A vote of three-fifths of all Senators is required to approve a waiver motion for this point of order. Senators may appeal the ruling of the Chair, but this supermajority-vote requirement is needed to sustain an appeal.

Relationship Between Authorization and Appropriations Measures

Congress has established an authorization-appropriations process that provides for two separate types of measures—authorization measures and appropriations measures. These measures perform different functions and are to be considered in sequence. First, the authorization measure is considered and then the appropriations measure. The description that follows explains the relationship between authorization and appropriations measures regarding discretionary spending.⁴⁷

Discretionary authorization acts establish, continue, or modify agencies or programs. For example, an authorization act may change the structure or establish or modify programs within the Justice Department. The authorization act also authorizes subsequent appropriations for specific agencies and programs, frequently setting spending ceilings for them. Authorization acts may provide permanent, annual, or multi-year authorizations. Annual and multi-year authorizations require re-authorizations when they expire. Congress is not required to provide appropriations for an authorized program that is funded with discretionary spending.

Authorization measures are under the jurisdiction of authorizing committees such as the House Judiciary and Transportation and Infrastructure Committees, or the Senate Armed Services and Energy and Natural Resources Committees.⁴⁸ Most

⁴⁶ Senate Rule XVI.

⁴⁷ For information regarding direct spending, see Allen Schick, *The Federal Budget: Politics, Policy, Process*, revised edition (Washington: Brookings Institution Press, 2000), chapter 8.

⁴⁸ The House Ways and Means Committee and the Senate Finance Committee have jurisdiction over some authorization measures, all revenue measures, and some mandatory spending measures.

congressional committees are authorizing committees. Major non-authorization committees include the House and Senate appropriations and budget committees.

Appropriations measures provide new discretionary budget authority for the program, activity, or agency previously authorized.

The authorization-appropriations process enforces separation of these functions into separate measures with points of order prohibiting certain provisions in appropriations measures.⁴⁹ The House and Senate prohibit, in varying degrees, language in appropriations bills providing *unauthorized appropriations* or *legislation on an appropriations bill* (or *riders*).

Unauthorized appropriations are new budget authority in an appropriations measure for agencies or programs whose authorization has expired or was never authorized, or whose budget authority exceeds the ceiling authorized. Riders refer to language in appropriations measures that change existing law, such as establishing new law, or amending or repealing current law.

House rules prohibit unauthorized appropriations and riders in regular appropriations bills and supplementals, which provide funds for more than one purpose or agency (referred to in the House as *general appropriations bills*). However, House rules do not prohibit such language in continuing resolutions. The House prohibition applies to bills reported by the House Appropriations Committee, amendments, and conference reports. The House usually adopts a special rule waiving this rule prior to floor consideration of an appropriations bill or conference report.⁵⁰ Unauthorized set asides within an account are allowed in House Appropriations Committee reports and joint explanatory statements because the rule applies only to the text of the bills, amendments, and conference reports.

In the Senate, unauthorized appropriations and riders are treated differently. The Senate rule regarding such language applies to amendments to (1) regular bills; (2) supplementals which provide funds for more than one purpose or agency; and (3) continuing resolutions (referred to in the Senate as *general appropriations bills*).

This Senate rule applies only to amendments to general appropriations bills, such as, those

- introduced on the Senate floor;
- reported by the Senate Appropriations Committee to the House-passed measure; or
- proposed as a substitute for the House-passed text.

⁴⁹ House Rule XXI, clause 2; House Rule XXII, clause 5; and Senate Rule XVI. House rules also prohibit appropriations in authorization measures, amendments, or conference reports (Rule XXI, clause 4 and House Rule XXII, clause 5).

⁵⁰ The special rule may provide a waiver for specified provisions or all provisions in the bill that are subject to the point of order. The special rule may also provide a waiver for specific amendments. Generally, special rules waive points of order against all provisions in all conference reports on general appropriations measures.

The rule does not apply to provisions in Senate bills or conference reports. For example, this rule did not apply to provisions in S. 2709, the FY2003 Military Construction appropriations bill, as reported by the Senate Appropriations Committee. But it did apply to provisions in H.R. 5010, the FY2003 Defense bill, as reported by the Senate Appropriations Committee, since this version of the bill consisted of a substitute amendment to the House-passed bill.⁵¹

The Senate rule is less restrictive than the House on unauthorized appropriations. For example, the Senate Appropriations Committee may report committee amendments containing unauthorized appropriations. An appropriation is considered authorized if the Senate previously passes the authorization bill during the same session of Congress. In contrast, in the House, the authorization bill must be approved by both houses and signed by the President.

Although the Senate rule generally prohibits unauthorized appropriations in non-committee amendments, Senators rarely raise this point of order because of exceptions to the rule. Unauthorized set asides are allowed in Senate Appropriations Committee reports and joint explanatory statements, as in the House.

The Senate rule prohibits riders in both Senate Appropriations Committee amendments and non-committee amendments. Under Senate precedents, an amendment containing a rider may be considered if it is germane to language in the House-passed appropriations bill. That is, if the House opens the door by passing a rider in an appropriations bill, the Senate has an “inherent right” to amend it. However, if the Senate considers an original Senate bill, rather than the House-passed bill with amendments, there is no House language to which a rider could be germane. Therefore, the defense of germaneness is not available. The Senate rule also prohibits non-germane amendments.

The division between an authorization and an appropriation is limited to congressional consideration of appropriations measures. If unauthorized appropriations or riders remain in a measure as enacted, either because no one raised a point of order or the House or Senate waived the rules, the provision will have the force of law. Again, unauthorized appropriations are generally available for obligation or expenditure.

Rescissions

Rescissions cancel previously enacted budget authority. To continue the earlier example, after Congress enacts the \$120 million to construct the two fighters, it may enact legislation canceling the budget authority prior to its obligation. Rescissions

⁵¹ The Senate rule reflects Senate practices at the time the rule was established. The Senate Appropriations Committee traditionally reported amendments to the House-passed appropriations bill, instead of reporting an original Senate bill. Therefore, the rule’s prohibition only applies to amendments, both committee and floor amendments. Recently, the Senate Appropriations Committee began reporting regularly most or all of the bills as original Senate bills.

are an expression of changed or differing priorities. They may be used to offset increases in budget authority for other activities.

The President may recommend rescissions to Congress, but it is up to Congress to act on them. Under Title X of the Congressional Budget Act,⁵² Congress must pass a bill approving the President's rescissions within 45 days of *continuous session of congress* or the budget authority must be spent.

In practice, this usually means that funds proposed for rescission not approved by Congress must be made available for obligation after about 60 calendar days, although the period can extend to 75 days or longer.⁵³

In response to the President's recommendation, Congress may decide not to approve the amount specified by the President, approve the total amount, or approve a different amount. In 2002, for instance, President George W. Bush proposed rescinding \$9 million appropriated for a watershed rehabilitation program under the Agriculture Department. Congress did not concur. Also in 2002, the President proposed rescinding \$157 million of the appropriated funds for Special Payments to International Financial Institutions. Congress, in response, exceeded the President's request and rescinded \$159 million of these funds in the FY2002 supplemental appropriations act (P.L. 107-206).

Congress may also initiate rescissions. An example is the rescission of \$14 million from the salaries and expenses account of the Financial Management Service, Treasury Department, included in the same supplemental. Rescissions can be included in either separate rescission measures or any of the three types of appropriations measures.

For Additional Reading

CRS Products

CRS Report RS20441. *Advance Appropriations, Forward Funding, and Advance Funding*, by Sandy Streeter.

CRS Report 98-648. *Appropriations Bills: What are "General Provisions?,"* by Sandy Streeter.

CRS Report 98-558. *Appropriations Bills: What is Report Language?,* by Sandy Streeter.

CRS Report 97-947. *The Appropriations Process and the Congressional Budget Act,* by James V. Saturno.

⁵² Title X is referred to as the Impoundment Control Act.

⁵³ CRS Issue Brief IB89148, *Item Veto and Expanded Impoundment Proposals*, by Virginia A. McMurtry.

- CRS Report RS31572. *Appropriations Subcommittee Structure: History of Changes from 1920-2003*, by James V. Saturno.
- CRS Report RL30297. *Congressional Budget Resolutions: Selected Statistics and Information Guide*, by Bill Heniff.
- CRS Report RS20095. *The Congressional Budget Process: A Brief Overview*, by James V. Saturno.
- CRS Report RL30343. *Continuing Appropriations Acts: Brief Overview of Recent Practices*, by Sandy Streeter.
- CRS Report 98-518. *Earmarks and Limitations in Appropriations Bills*, by Sandy Streeter.
- CRS Report RS21035. *Emergency Spending: Statutory and Congressional Rules*, by James V. Saturno.
- CRS Report RL30619. *Examples of Legislative Provisions in Omnibus Appropriations Acts*, by Robert Keith.
- CRS Report RS20348. *Federal Funding Gaps: A Brief Overview*, by Robert Keith.
- CRS Report 98-512. *Formulation and Content of the Budget Resolution*, by Bill Heniff.
- CRS Report 98-726. *Government Performance and Results Act and the Appropriations Process*. by Sandy Streeter.
- CRS Report RL31055. *House Offset Amendments to Appropriations Bills: Procedural Considerations*, by Sandy Streeter.
- CRS Report 98-721. *Introduction to the Federal Budget Process*, by Robert Keith.
- CRS Report 95-563. *The Legislative Process on the House Floor: An Introduction*, by Elizabeth Rybicki and Stanley Bach.
- CRS Report 96-548. *The Legislative Process on the Senate Floor: An Introduction*, by Thomas P. Carr and Stanley Bach.
- CRS Report 97-865. *Points of Order in the Congressional Budget Process*, by James V. Saturno.
- CRS Info Pack IP012B. *Budget Process Info Pack*, prepared by the Information Research Division.

Congressional Hearings, Reports, and Documents

U.S. Congress. House. *Constitution, Jefferson's Manual, and Rules of the House of Representatives, 108th Congress (or House Manual)*. H.Doc. 107-284, 107th Congress, 2nd session. Washington, 2002.

—. *House Practice: A Guide to the Rules, Precedents and Procedures of the House*. 108th Congress, 1st session. Washington, 2003.

U.S. Congress. Senate. *Riddick's Senate Procedure*. 101st Congress, 2nd session. Washington, 1992.

Selected World Wide Web Sites

Constitution, Jefferson's Manual, and Rules of the House of Representatives, 108th Congress (or House Manual)
[<http://www.gpoaccess.gov/hrm/index.html>]

CRS Guides to Congressional Processes: Federal Budget Process
[<http://www.crs.gov/products/guides/guidehome.shtml>]

Deschler's Precedents of the U.S. House of Representatives
[<http://www.access.gpo.gov/congress/house/precedents/deschler.html>]

Hinds' Precedents (House)
[<http://www.gpo.gov/congress/house/precedents/hinds/hinds.html>]

House Practice: A Guide to the Rules, Precedents and Procedures of the House
[<http://www.gpoaccess.gov/hpractice/browse.html>]

Riddick's Senate Procedure — 101st Congress, 2nd session
[<http://www.access.gpo.gov/congress/senate/riddick/index.html>]

Rules of the House
[http://www.house.gov/rules/house_rules.htm]

Standing Rules of the Senate
[<http://rules.senate.gov/senaterules/menu.htm>]