HOW TO MAKE BUDGET PROCESS REFORM POLITICALLY FEASIBLE

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Executive Summary

This paper proposes a strategy for increasing the political feasibility of reforming the federal budget process. Though two perspectives from political science, rational and historical institutionalism, support the idea that change is very unlikely, widespread discontent with the process has stimulated serious interest in reform. The most needed improvement is increasing how the budget process can be used to establish strategic priorities and then reallocate resources toward those priorities. Doing so could satisfy the desire of both parties to have the opportunity to influence outcomes in a “fair fight” over the direction of the country. Advocates could support such budget process reforms by seeking bipartisan sponsors, developing “frames” that will be attractive to both sides, and describing plausible “if-then” scenarios for positive outcomes from reforms. Such scenarios should rely not on rules that would try to impose budgetary discipline, but rather on restoring norms of good budgeting.

Why Federal Budget Process Reform Is Thought To Be Impossible

Effective budgeting requires difficult choices, in large part due to preference disagreements. Some politicians want smaller government and others larger government; some pledge never to accept tax increases while others are open to them; and some view current deficits and debts as too risky while others find projected deficits and debt acceptable through the medium term. Yet even among these politicians, as well as the general public, there is now universal
dissatisfaction--from the right, left, and center--not only with budget outcomes, but also with the budget process itself. The process appears to excel only in enabling politicians to blame each other while producing a surfeit of inaction on important policy issues. This has damaged the functioning of government agencies, hindered the reallocation of resources towards higher priorities, and constrained effective management of the macroeconomy.

Over the decades since adoption of the 1974 Congressional Budget and Impoundment Control Act, advocates have repeatedly proposed reforms to the process.¹ These reforms would change who makes decisions (e.g., converting to a joint budget resolution would formally add the President to the process), when decisions are made (e.g., a biennial budget), the information used in the process (e.g., accrual accounting for programs), and policy targets for of the process (e.g., a formal ceiling for public debt as a percentage of gross domestic product). Some reforms were adopted, notably in the Budget Enforcement Act of 1990 and the Government Performance and Results Act of 1993 and its Modernization Act of 2010. Most recently, both the House and Senate budget committees have held hearings on the need for reform.

However, there is also widespread skepticism about the potential for successful legislation. Reaching compromises has become more difficult as polarization between the parties has increased significantly. Legislators with different and very strong preferences for specific policy outcomes do not appear to believe that there could be a budget process that would be mutually beneficial (White, 2009). So instead, each party tries to exploit the budget process to gain

¹ See, e.g., Posner, et. al., 2012.
advantage, using a variety of process tactics, from sequesters to threatened shutdowns, to try to gain an advantage (Meyers, 2014). Such repeated intransigence has destroyed what little trust remained between the parties (Mann and Ornstein, 2013; Binder and Lee, 2013).

The Pessimistic “Rational Institutionalism” View. Much political science research from the perspective known as “rational institutionalism” supports the conclusion that improving budgeting is politically infeasible.2 The basic logic is as follows:

• Legislators can be best understood as single-minded seekers of re-election.

• Most citizens also have short time horizons, are uninformed about policy issues, and many don’t vote. In contrast, concentrated economic interests participate heavily in politics, donating to the campaigns of elected officials, who in return support government benefits to these interests. Government programs that provide subsidies to a broad base of beneficiaries also engender effective support for their continuation, particularly when benefits are visible, beneficiaries are not of low social status, and producers of the benefits support maintaining them.

• When one party has unified control of government, it designs budgetary policies to reward its supporting coalition of mobilized interests. When control of government is divided, parties occasionally reach policy compromises, often facilitated by shifting costs into the future. More frequently they disagree, leaving policy in its status quo position. The parties cover their policy inaction by engaging in symbolic political combat. Each tries to avoid being blamed while attempting to blame the other party.

2 Aldrich’s presidential address to the American Political Science Association provides a current synthesis of a massive literature, 2015.
• The burdens of budgetary outcomes are thereby placed on the general public and on future citizens. Disrupting this pattern through budget process reform, the argument goes, is very unlikely since elected officials often benefit from the status quo.

**Another Skeptical View – “Historical Institutionalism.”** Adherents of another academic approach, known as historical institutionalism, often reach a slightly different conclusion about political infeasibility: there will be change, but the potential for change is greatly limited by what happened in the past. One of its most important concepts is “path dependence” (Pierson, 2000). In a path dependence sequence, after a choice is made at a “critical juncture,” that choice is reinforced by subsequent events so that switching away from it becomes increasingly difficult. For budget process reform, one such important juncture was the agreement on the different roles of the authorizing and appropriations committees. Even though the intended separation of committee functions is routinely violated, such as by the frequent inclusion of “legislation” in appropriations bills, the distinction between authorizing and appropriations committees has stuck. That makes restructuring or combining these committees a challenging prospect. Many members recognize that the overlap in committee jurisdictions often prolongs decision-making; also, priority-setting is greatly complicated by committee jurisdictions that are misaligned with sectors of the budget. Yet despite these serious flaws, almost all elected officials act as if the existing committee structure is fixed for eternity. They believe that most legislators would be very reluctant to discard the known benefits of having built seniority and relationships on their current committees for the unknowns inherent to new committee assignments.
Why Reform is Possible

Since these rational and historical institutional perspectives have substantial validity, what grounds are there for optimism that the budget process could be reformed? The answer hinges on the thesis that standard predictions of institutional stability in budgeting are in fact wrong.

The rationalist approach has its detractors. Although it been tremendously influential, it also has been heavily criticized for being a reductionist caricature of politicians (Green and Shapiro, 1996). Just as the image of *homo economicus* misses the facets of moral sentiments and altruistic actions, a similar self-interested *homo politicus* model neglects the motivations of public spiritedness and patriotism that can sometimes overwhelm short-term political calculations. Yet we may not need to wait for a patriotic awakening, since the rationalist approach can also be used to predict that at times institutional change is possible. For instance, Lawrence Dodd suggested in 1977 that when legislators believe that Congress has lost influence – a common view today – they may pursue reforms. In doing so, he argued, they will overcome their tendency to prefer the decentralization that empowers them as individuals, and instead support a centralization within Congress. The reason is that centralization would renew Congress’ influence, which in turn would increase each legislator’s individual power. The timing of Dodd’s article was not accidental, as it followed adoption of the Congressional Budget Act in response to President Richard Nixon’s aggrandizing behavior. Dodd’s argument also disputes the idea that a critical juncture decision sends legislators down one fork in the road without an ability to reconsider their general direction; instead his metaphor is that of a cycle.
The Congressional Budget Act is not the only historical example of significant budget process reform that contradicts the skeptical view that reform is impossible. For instance, Congress passed the Budget and Accounting Act of 1921 more than a decade after the Taft Commission wrote that attaining fiscal sustainability for the nation – and enabling Congress to contribute to that goal – required that the executive branch prepare a detailed and comprehensive budget request. While traditionalists in Congress at first rejected the argument for this change, it became much more convincing after the effects of World War I on the country’s finances (Meyers and Rubin, 2011).

Another notable budget reform that defies the skeptics is the recent moratorium on congressional earmarks. A ban on earmarks is unimaginable using rational or historical institutionalism, yet it is now in its fifth year. While there has been leakage through surreptitious directives from Congress, and while it seems unlikely that in the future Congress will completely refrain from earmarking, it now appears that there has been a permanent and significant reduction.

**The Timing of Political Change is Crucial.** The leading work by political scientists about the timing of political change is by Jones and Baumgartner. They borrowed Gould’s concept of “punctuated equilibrium” in paleontology, in which organisms tend to show up in the fossil record, remain visible for long periods, and then disappear quickly. Their empirical analysis showed that while policies are usually very stable, when they do change they tend to change substantially (1993). Although predicting the timing of such change is difficult, this does not mean that it occurs randomly. For instance a large turnover in Congress and/or election of a
President who places very high priority on an issue can create momentum for change, as can a perceived crisis (Posner, 2011). Reforms also result from skillful advocacy that recognizes the complexity of reform. For example, in Eric Schickler’s description of congressional reforms, he found that a critical factor was that “entrepreneurial members build support for reform by framing proposals that appeal to groups motivated by different interests” (2001, p. 14). These advocates created winning coalitions from a diverse set of members who found enough that was attractive in reform packages to pass them.

As John Kingdon’s classic work on policy change described, advocates for change also prepare for more propitious times than the present by following a process he called “softening up”—repeatedly calling for adoption of their preferred policy (2011, revised second edition). They promote their preferred policy as the solution to the series of policy problems that seriously concern decision-makers. They base their claims on expert analyses. They modify their preferred policy based on the concerns and objections voiced by those with the power to reject their proposals. They do all this not in expectation of immediate success, but to be ready when political conditions are more favorable for their proposal.

The Growing Interest in Budget Process Reform

Widespread discontent with the budget process has prompted a number of reform recommendations that are being circulated and refined. For example, since 2011, Republicans on the House Budget Committee have called for major reforms. These would shift how budget projections are made and scored (long-term fiscal sustainability projections, a no-growth baseline
for discretionary spending, “fair-value” accounting, and dynamic scoring), affect the timing of budget decisions (an automatic continuing resolution, biennial budgeting), involve the President more in the legislative budget process (a joint budget resolution and expedited rescissions), and would trigger budget reductions absent alternative actions (spending caps and automatic cuts, and appropriation sunsets for new programs after seven years unless they were reauthorized).

The Bipartisan Policy Center has also proposed a list of major reforms. It would continue caps on discretionary spending, and add explicit budgets with new procedural controls for major mandatory programs and for tax expenditures. The government would set a public debt goal, and convert to a biennial process. Failure to adopt a budget resolution would automatically cancel congressional recesses, and failure to adopt appropriations bills by the beginning of the fiscal year would result in an automatic continuing resolution at the last year’s level. The ambition of their list is moderated, however, in that while the group stated that one of its principles of reform was “budget decisions should have the active participation of the congressional leadership and the president,” it did not advocate a joint budget resolution. The group also said that while the congressional committee structure was beyond the scope of this paper, “simplifying the committee and subcommittee structure could be an integral part of improving both budgeting and governing in the U.S. Congress” (p. 11).

Recent proposals for budget process reform from Democrats have focused on increasing the caps on domestic spending required by the Budget Control Act of 2011, and preventing spending

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3 Rivlin and Domenici, 2015.
above similarly-established caps for defense. Democrats have also emphasized their opposition to debt limits that they view as arbitrary and dynamic scoring methods that they view as biased.

Such proposals are gaining currency because it is clear by now that the framework established by the Budget Control Act is quite weak. Both the 2013 and 2015 Bipartisan Budget Acts increased discretionary spending above previous caps, for instance, and the recent tax extender bill also significantly increased deficits above the baseline. The perception that these bills were successful short-term political agreements but will have undesirable long-term fiscal consequences will bolster belief that the budget process needs improvement.

**Strategies for Achieving Major Budget Process Reforms**

The research on political change, and the growing interest in budget process reform, suggests that it is reasonable to reject the prevailing pessimism about the potential for major budget process reforms over the medium-term. While the partisan politics are daunting right now, experience suggests the environment for change can change unexpectedly. Advocates for reform need to adopt the “softening up” strategy of repeatedly describing their ambitious vision for reform, while supporting intermediate reforms that support that vision. By doing that, they may be able to convince officials that at some point the time is right to replace the current dysfunctional process.

Success requires several strategic approaches.
1) **Focus on allocational budgeting, not on debt reduction.**

The first step involves rethinking the goals we should hold for the process. In recent years, given the substantial increase in the public debt, many reformers have concentrated on the argument that process reform is essential to limiting the debt. Of course, every budget process must promote financial sustainability, but efforts that consider only this function of budgeting often neglect other goals that the process should attempt to attain. Many people believe that the budget process should enable desired allocations of funds to the different purposes of government. Process reforms adopted in the name of controlling debt are doomed when they use rules that produce allocations that are widely seen as counter-productive.

**Improving allocational budgeting.** Attempts to reform the budget process would be more successful if proposed reforms did not overemphasize the debt challenge, and placed more emphasis instead on increasing government’s capacity to identify priorities intelligently, and allocate resources to the most effective programs to achieve these priorities. Concentrating on how to identify and reduce ineffective spending and tax expenditures would make it easier to reduce debt.

Unfortunately, the congressional budget process is poorly structured for making good allocations. Budget resolutions cannot effectively direct funds across the range of sectors of the budget (known as “budget functions), due to the traditional jurisdictions of the appropriations

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4 Committee on the Fiscal Future, 2010; Meyers, 1996.
and authorizing committees, which do not align well with budget functions. Another serious flaw is that tax expenditures are usually not compared to similar spending programs.

A budget process reform agenda to more effectively allocate resources might include the following elements:

• Closely-related programs and tax preferences would be grouped into policy sectors (somewhat like the current budget functions). Analysts would prepare periodic reports and projections for each sector;

• Congressional committees would be reorganized to match these policy sectors, combining the appropriations and authorizing processes;

• A State of the Nation report would collate the important data on goals that are important to Americans, providing a more informed basis for deliberation over budget totals;

• Congress and President would negotiate and adopt a biennial joint budget resolution, and national strategies for each policy sector on a rotating schedule over a four year period;

• Budget allocations would be made in light of detailed performance analyses of existing programs, and projections of how alternative programs might achieve goals; and

• Committees would be guaranteed floor time to consider essential budget bills, and the minority would be guaranteed opportunities to amend each bill.

Redburn and Posner have presented some elements of an executive branch-focused version of such allocational budgeting, which they have called “portfolio budgeting” (2015).
2) Aim for bipartisan agreements.

Another step towards success is to recognize that stable, lasting budget process reforms are more likely to result from agreement across the aisle. That is not to deny that process reforms are sometimes adopted with only the support of the majority party. A notable example from 2013 was the Senate Democrats preventing filibusters on nominations other than those to the Supreme Court. And some advocates of budget process reform hope to gain unified control of government in 2017, after which they believe they could change the budget process in ways that would be more likely to produce the policy outcomes they prefer.

But building a cross-party coalition that draws on the widely dispersed centers of both parties is a more plausible strategy. A budget process that is clearly seen by the minority as greatly disadvantaging their views will not survive long after that party regains a foothold on power. For example, if a unified Republican Congress adopted a rule that required dynamic projections of the revenue effects from tax cuts to show very large contributions to economic growth, that rule would likely be abolished once Democrats captured either the House or the Senate. Moreover, it is unlikely that one party could achieve major reform. The recent history of party politics has been that each party almost always has a sufficient presence in the separated institutions of American government to block, delay, or significantly modify processes that they view as objectionable. Therefore, it would be wise to concentrate on budget process reforms that could be sponsored jointly by advocates from both parties.
3) **Focus on the beneficial “if-then” effects of reforms.**

Many budget reform advocates frequently use words such as “must,” “force,” and “impose” in describing proposed reforms and the arguments for them. For example, conservatives have long expressed a desire to impose constitutional constraints on politicians by means of a balanced budget amendment to force congressional action. Meanwhile many other deficit hawks hope that action could be forced through trigger mechanisms and related budget rules.

Yet there are substantial grounds for doubting that these reforms would work as intended, and so there is considerable resistance to implementing them. In the case of the balanced budget constitutional requirement, one common question is whether the courts actually would have the capacity to constrain elected officials’ actions. Triggers have often failed to force action because they are amended or repealed.

Reform advocates would be wise to drop their usual phrasing until they can develop far more convincing explanations about how politicians would truly be compelled to act as reformers intend.

A potentially more convincing rhetorical approach is positive “if-then” phrasing that describes how a mechanism would create a beneficial effect, such as by creating positive incentives for politicians--in other words, carrots rather than sticks. For example, “if government were to agree on a target ratio for debt-to-GDP, then it could find it easier to decide in each year’s budget how to attain this measure of financial sustainability.” The logic here is based on the understanding
that budgeting is difficult because agreements must be reached on both the “whole” and the “parts” of the budget, and that the whole is comprised of the parts. When there is no agreement on the “whole”—such as how much debt the government can afford to create in a year—then every decision about which “parts” to approve becomes not only about whether the proposed “parts” are effective allocations, but also about whether they are affordable. Such negotiations that try to resolve all differences at once—when “everything is on the table until there is a full agreement on all matters of dispute”—tend to be very difficult to complete successfully.

The alternative is to break the negotiation into several stages, where the first stage ends when the parties can reach some tentative agreement on at least some of the differences between them. Of course this will still be difficult, for reaching a decision about the “whole” of the budget will incorporate projections of how many “parts” will likely have sufficient support to be included in a budget. Yet research by the IMF and other experts suggests that reaching at least a tentative agreement on a well-designed target for “the whole” makes it easier for negotiations to proceed to completion on the parts. It can help to assure participants that the government’s fiscal sustainability has been considered, likely ruling out some proposed “parts” that have less support.

Convincing politicians that such an if-then sequence is plausible is no easy task, it must be said. The task is made difficult in part because empirical tests of the effects of budget process mechanisms are rare – there are few evidence-based claims that can be made about the budget process reforms. There are some exceptions: by using other countries and states as cross-
sectional samples, political scientists and economists have estimated the effects of specific, isolated institutional features, such as the extent of executive budgetary powers vis-a-vis the legislature. Yet these studies often fail to recognize the complexity of how the studied features have developed and their interaction with other budget features (Andrews, 2010; Schick, 2004). Moreover, the if-then sequence that tends to concern elected officials is how proposed reforms might affect current practices, and they are often quick to dismiss proposed reforms as being inconsistent with current practices.

Take the example of proposals for a joint budget resolution, which would be signed by the president and would set in law the outline of the budget. Many legislators perfunctorily dismiss such a proposal because it is said to shift the power of the purse from Congress to the President. But this is unlikely--since the President already has the constitutional right to veto bills and the delegated responsibility to prepare budget requests, any loss of Congressional power would be minimal. It is also the case that two branches could ignore a law calling for a joint resolution process, for there is no outside body that would punish the branches violating that law. But that does not mean that such a budget law would necessarily fail. Rather, the idea is that by adopting the process, both branches would commit to follow a process where they would be expected to negotiate and compromise. In other words, committing to a joint budget resolution process would be a pledge to reestablish a norm of occasional cooperation. As politicians become more familiar with the if-then consequences, this idea might well become attractive. At first, the potential penalty for not honoring the pledge could be a slight loss of reputation--having “named” themselves would enable some “shaming” if they didn’t perform. But if experience
with the process built trust between the branches, the joint process would enhance public trust as it became institutionalized. Nothing can guarantee that an initial agreement on the joint budget resolution process will turn out this way—it is a contingent mechanism, the success of which is entirely dependent on the willingness to change norms.

3) Develop complementary frames.

For the sponsors of proposed reforms to be believed by their fellow party members—and by the members of opposing parties—they must provide convincing arguments about how the proposed reforms will support goals that they share. The persuasiveness of such arguments is often increased by using effective “frames,” which are intended simplifications meant to focus attention on specific aspects of a proposal. Regrettably, many advocates of budget process reforms in the past have used frames that are too narrow in scope and too negative in tone. For example, the general approach of debt hawks has been to call for the exercise of self-denial against the temptations of deficits, in order to avert financial crises and reduce intergenerational inequities. Often their frames have been hyperbolic, such as describing deficits of even moderate size as “a fiscal cancer.” While this frame appeals to those few who are especially concerned about the long-term and who are willing to sacrifice, most citizens and most politicians reject the frame’s implication of a doomsday scenario. It is true that the great majority of politicians are concerned about the long-term financial sustainability of the country, but they usually care more about the immediate condition of the country and about the personal situations and reactions of their supporters (Sides, 2015). They want to know how a reform would improve those conditions and reactions.
**Guaranteed Influence.** So changing the frame will be crucial to success. Two alternative frames that could elicit stronger support for the reform agenda proposed above are “guaranteed influence” and the “fair fight.” “Guaranteed influence” responds to the concerns that congressional dysfunction prevents effective exercise of the Article 1 power of the purse, and that excessive power of party leaderships prevents individual members from having much influence on budget decisions. In contrast, a modernization of Congress could benefit many legislators individually and the Congress as a whole. If committees were reorganized and rules changed, then each legislator could be on two committees with primary jurisdiction over programs and budgets in major policy areas. Both the Senate and House could draw more on the expertise of committees rather than rely on last-minute, closed-door deals negotiated by party leaders. On the House floor, minority members could be given the right to offer a limited number of amendments rather than being shut out by closed rules, and committees could be assured of time to move their bills. In the Senate, the transition to this new approach would require filibuster reform (see also Hanson, 2015); enough Senators would have to recognize that their descent into endless fights about when to schedule decisions has greatly damaged its desired reputation as an effective deliberative body.

**Fair Fight.** The idea of “guaranteed influence” rejects the illusion that one party can use the budget process to set up repeated “winner takes all” situations. It is complemented by the idea that improving the allocational capacity of the budget process would allow the two parties to believe they can engage in a “fair fight” over priorities and allocations.
For example, if there was an extended debate on a State of the Nation report, it would give legislators from the opposing party a higher platform from which to present a competing vision to the President’s State of the Union speech. It would also allow the President’s supporters to back up the many promises made in that speech. The committees would be the main venue for such a “fair fight.” The ideologies of their members would resemble the floor, allowing strong conservatives and strong liberals to make the argument that their respective small government and big government ideologies are correct. In a reformed budget process that took priority setting and allocation seriously, it is more likely that these assertions would be put to the test. Grouping like programs and tax preferences together would make their costs and benefits more transparent and procedurally easier to debate and modify. Deficit hawks should especially value this “level playing field” effect because it would encourage more competition between claimants for funds. Those who want to expand spending on specific programs could claim that reallocating funds from ineffective and low-priority programs would produce “opportunity benefits.”

Conclusion

Budget experts sometimes complain that when politicians find it too difficult to resolve budget disputes, they turn to talking about the process—though without much intent of actually changing it. But widespread perpetual pessimism about this frustrating situation is not justified. The silver lining to the cloudy forecast is that for more than a century, budget experts have agreed that a well-designed budget process can have substantial benefits. When they can convince
politicians that these benefits are preferable to the effects of current practices, and describe workable mechanisms that would produce these benefits, then politicians actually are more likely to enact needed reforms.

The benefit that many experts have stressed in recent years is keeping the government’s finances in a sustainable position. This is an admirable goal, but the current process is not well-designed for attaining it. Improving how budgeting can allocate funds would promote fiscal sustainability. But the approach here is that reforms cannot force politicians to do this. Reforms depend on the acceptance of ideas about what goals are desirable and how those goals can be attained. And advocates of reforms need to convince politicians that they should voluntarily experiment with reforms, by describing how the reforms could effectively create results that politicians should value. If these projections are accurate, then these positive experiences will create new norms. Moreover, with time major reforms that were once viewed as pipe dreams become seen as essential--for example, no one seriously thinks that Congress should return to the practices that preceded adoption of the executive budget process.

Some past reforms thus offer grounds for optimism about the future. One reason for their success is that they were strongly related to institutional expectations. Having the President involved in budgeting became widely accepted because it matches the constitutional structure of separated institutions sharing powers. This idea should likewise support the idea of a joint budget resolution. Similarly, improving how the budget could allocate funds could be portrayed accurately as revitalizing the representative and deliberative functions of Congress that are
central to its identity (Dodd, 1993). On the other hand, it must be acknowledged that Congress is often reluctant to reform itself, and this has led some advocates to concentrate on incremental changes that have a greater potential of being adopted now. In contrast, the approach to political feasibility laid out here takes a longer but still realistic perspective, and one that is necessary if a broken “regular order” is to be replaced with a modernized and effective one.

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References


