



Federal Budget & Appropriations Essentials

Morgan M. Stoddard, Georgetown Law Library

Help! I'm an Accidental Government Information Librarian Webinar

December 11, 2014

Introduction



Presentation Overview

- *U.S. Federal Revenue & Spending*
- *Process and Timeline*
- *Decoding Appropriations*
- *Reality Check*
- *Research Resources*

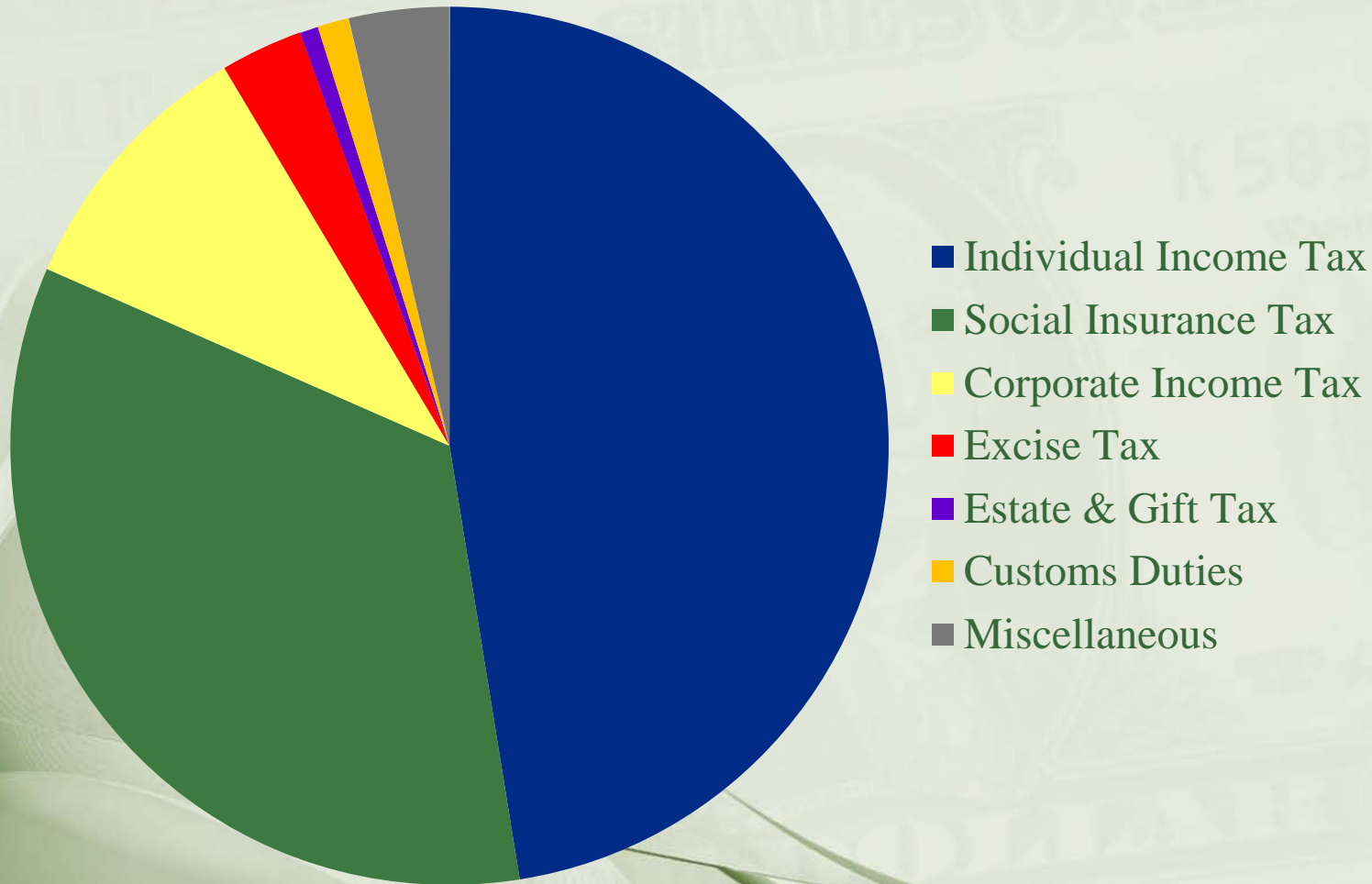
Research Challenges

- *No single document that is “the budget”*
- *Many sources of law and information*
- *Complex process with many participants*
- *Actual process deviates from formal process; exceptions and special circumstances*
- *Terminology, financial and accounting principles and concepts*

U.S. Federal Revenue & Spending (FY2013)

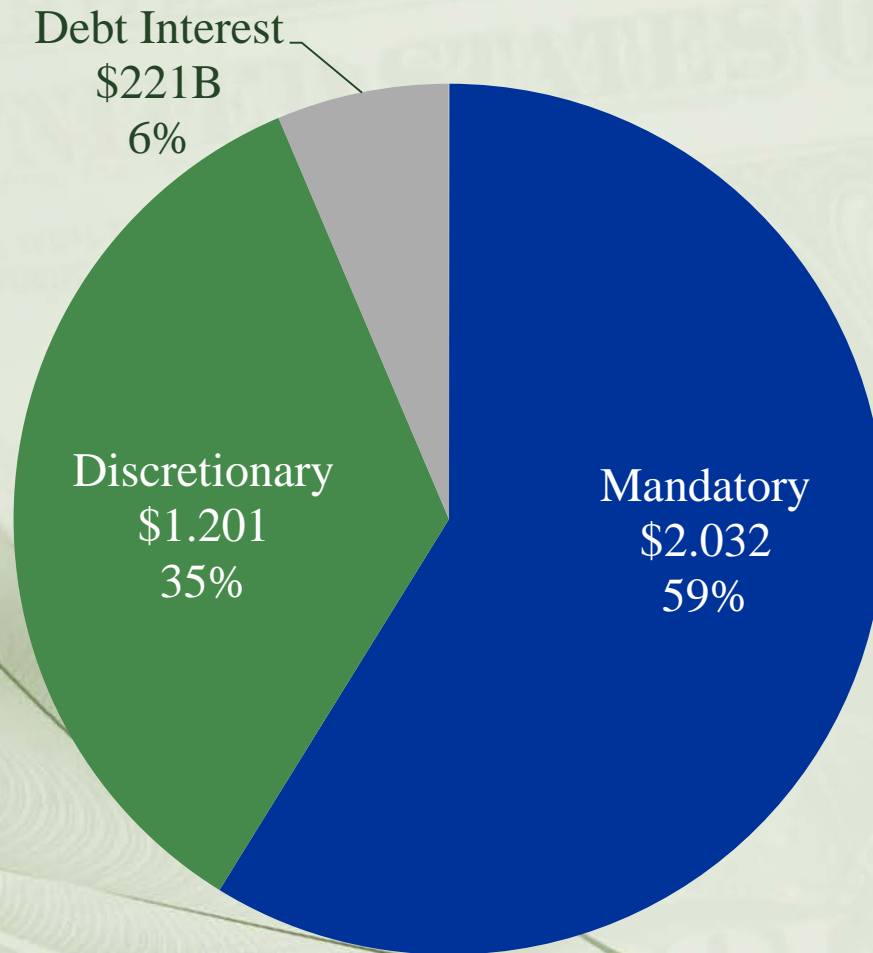


Total Revenue - \$2.775 trillion



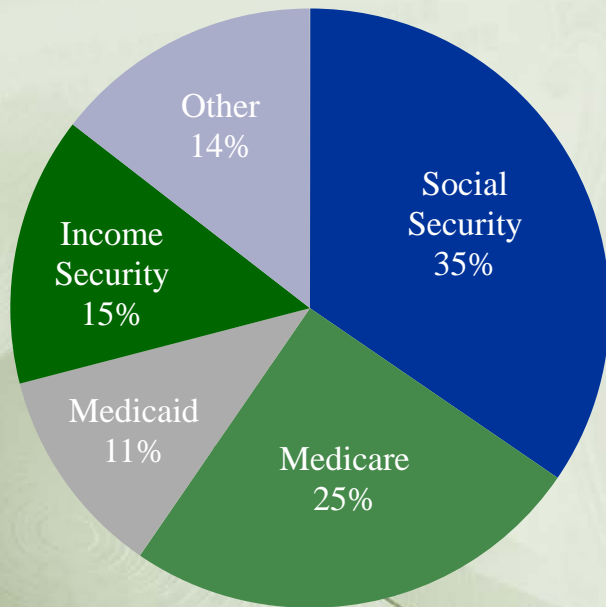
Source: CBO, Historical Budget Data, Revenues by Major Source, FY2013

Total Spending - \$3.454 trillion



Source: CBO, The Budget and Economic Outlook: 2014 to 2024 (Table 1-2)

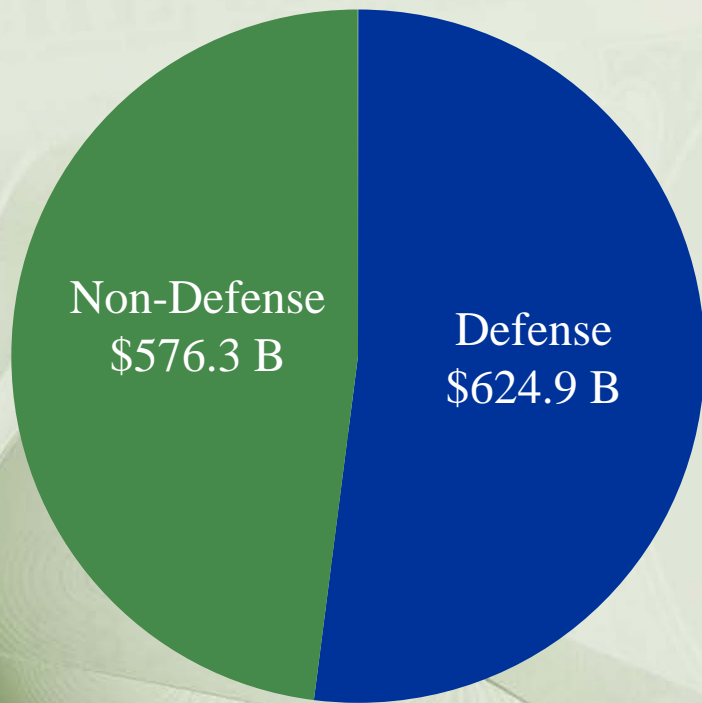
Mandatory Spending - \$2.032 T



- *A law establishes eligibility requirements and benefits*
- *If requirements met, benefits are paid*
- *Appropriations are not needed, outlay is automatic*
- *“Entitlements”*
- *Over half is Social Security and Medicare*

Source: CBO, Historical Budget Data, Mandatory Outlays, FY2013

Discretionary Spending - \$1.201 T



Source: CBO, Historical Budget Data,
Discretionary Outlays, FY2013

- *Authority to obligate funds comes from appropriation acts*
- *Appropriations are made annually*
- *Congressional appropriations process*
- *No appropriation, no program (shutdown)*
- *Over half of discretionary spending is for defense*

Process & Timeline



Basic Process & Timeline

- *February: President submits budget request*
- *April: Congress passes budget resolution*
- *April-September: Congress considers and passes appropriations bills (or continuing resolutions)*
- *Fall: President signs appropriations bills (or continuing resolutions)*
- *October 1: New fiscal year begins*

President's Budget: Preparation

- *Spring-Summer: Office of Management & Budget (OMB) issues guidance to agencies*
 - *Memoranda “Fiscal Year ____ Budget Guidance” (May)*
 - *Circular A-11 “Preparation, Submission, and Execution of the Budget” (July)*
- *Summer: Agencies prepare budgets*
- *September: Agencies submit budgets to OMB*
- *October-November: OMB review*
- *Late November: “Passback”*
- *December: Agency appeals*

President's Budget: Content & Submission

- *President submits budget **request** by first Monday in February (31 USC § 1105)*
 - *“The President proposes and Congress disposes”*
- *Content requirements (31 USC § 1105)*
- *Format*
 - *Budget of the United States Government*
 - *Historical Tables*
 - *Analytical Perspectives, Appendix & Supplemental Materials*
- *Sources*
 - *OMB ([current](#)) & FDsys ([FY1996 -](#))*
 - *HeinOnline (FY1923 -)*

Congressional Budget Resolution

- *Concurrent resolution*
 - *Passed by House and Senate, not signed by the President*
- *Budget outline for upcoming FY and next four FYs*
 - *Non-binding, but enforced by procedural rules*
- *Prepared by House and Senate budget committees*
- *Timeline (2 USC § 631)*
 - *Budget committees report resolution by April 1*
 - *Congress passes resolution by April 15*

Budget Resolution Contents (2 USC § 632)

- *Aggregate totals for revenues, budget authority, outlays, deficits, debt*
- *Procedural rules, policy statements*
- *Reconciliation instructions*
- *302(a) allocation (see conference report)*

House & Senate Appropriations: Committees

- *Twelve subcommittees each*
- *Twelve regular, annual appropriations bills*
 - *Omnibus/consolidated appropriations*
- *Each subcommittee receives 302(b) allocation*
- *Subcommittee reviews agency justifications, hold hearings and markup session*
- *Subcommittee reports bill*
- *Full committee markup and report*
 - *All bills to be reported by June 10*

House & Senate Appropriations: Debate & Passage

- *House consideration and passage*
 - *Allowed to begin May 15*
 - *Complete by June 30*
- *Senate consideration and passage*
- *Conference committee, final passage*
- *President signs each appropriations bill*
 - *Must be signed by October 1 (start of FY)*

What happens if appropriations bills are not passed by October 1?

- *Continuing resolution (CR)*
 - *Joint resolution*
 - *Passed by both chambers and signed by president*
 - *Force and effect of statute*
- *How much funding?*
 - *“Such amounts as may be necessary” at specified rate*
 - *“Current rate” or “not in excess of”*
- *No CR = government shutdown*

Decoding Appropriations



Decoding Appropriations

- *How much did an agency receive and how can the money be spent?*
- *31 USC § 1301: Agencies must spend the money as instructed*
- *Sources*
 - *Appropriation acts*
 - *Committee reports*
 - *Agency justifications*
 - *Substantive laws (organic/authorizing legislation)*

Example

Smithsonian Institution, National Zoo (FY2006)





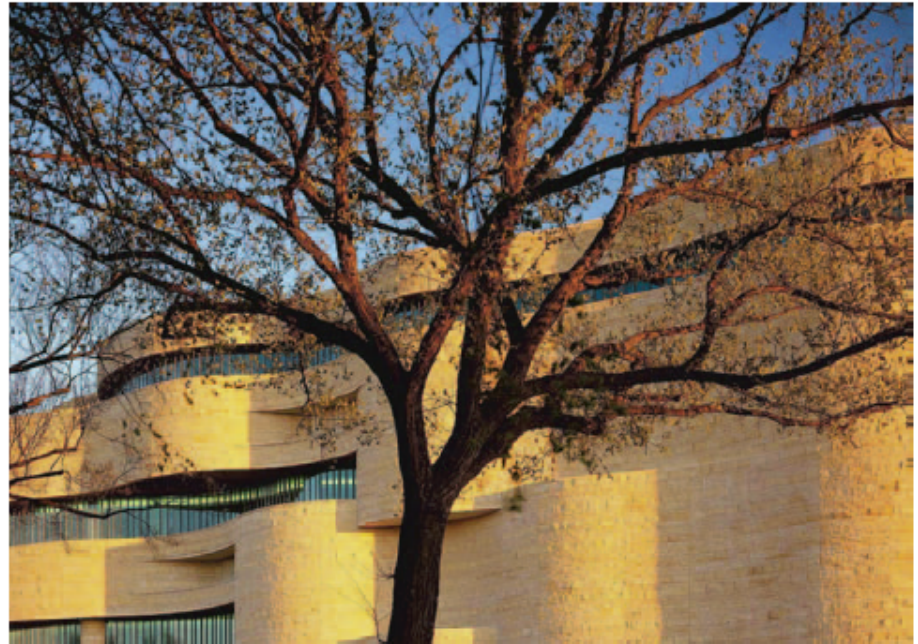
BUDGET OF THE UNITED STATES GOVERNMENT

Fiscal Year 2006

SMITHSONIAN INSTITUTION

In 1829, James Smithson, a British scientist, bequeathed his estate to the American people for the “increase and diffusion of knowledge.” Today, the Smithsonian Institution supports that goal through its operation of National museums and research institutes. Approximately two-thirds of the Smithsonian’s funding is from direct Federal appropriations; the remainder comes from its endowment fund, private donations, business activities, and grants from other Federal agencies. In September 2004, the Smithsonian opened its eighteenth museum, the National Museum of the American Indian, dedicated to celebrating the culture of the Native peoples of the Western Hemisphere.

The 2006 Budget provides \$615 million in Federal funding for the Smithsonian. Funds are provided to prepare for the July 2006 reopening of the newly renovated Patent Office Building, continue a major revitalization project at the National Museum of American History and continue ongoing improvements at the National Zoo. The Budget also accommodates lease costs, maintenance requirements and inflation-related adjustments across the Institution. Addressing these increases in a time of fiscal constraint requires that the Smithsonian continue to prioritize and seek out innovative cost-saving mechanisms.



The National Museum of the American Indian.

The Smithsonian continues to receive low ratings in many of the President’s Management Agenda initiative areas, in part due to its long history of decentralization and unique management structure. However, the Institution continues to implement management reforms and best practices and has made marked progress in coordinating its information technology portfolio, assessing its future

Smithsonian Institution (Appendix)

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, **[\$127,900,000]** **\$90,900,000**, to remain available until expended, of which not to exceed \$10,000 is for services as authorized by 5 U.S.C. 3109: *Provided*, That contracts awarded for environmental systems, protection systems, and repair or restoration of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price. (*Department of the Interior and Related Agencies Appropriations Act, 2005.*)

Smithsonian Institution (Appendix)

Smithsonian museum buildings and facilities for storage and conservation of collections, research, and support. The Facilities Capital Account covers planning and design related to these activities as well. The 2006 President's Budget provides funds for construction of Pod 5 of the Museum Support Center in Suitland, Maryland. Current long-term projects supported by the Administration in this account include renovations at the National Zoological Park, the National Museum of American History-Behring Center, and the National Museum

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

- Sec. 101. Recommended levels and amounts.
- Sec. 102. Social security.
- Sec. 103. Major functional categories.

TITLE II—RECONCILIATION AND REPORT SUBMISSIONS

- Sec. 201. Reconciliation in the House of Representatives.
- Sec. 202. Reconciliation in the Senate.

Budget Resolution
FY2006

TITLE III—RESERVE FUNDS

- Sec. 301. Adjustment for surface transportation.
- Sec. 302. Reserve fund for the Family Opportunity Act.
- Sec. 303. Reserve fund for the Federal Pell Grant Program.
- Sec. 304. Reserve fund for the uninsured.
- Sec. 305. Reserve fund for the disposal of underutilized Federal real property.
- Sec. 306. Reserve fund for health information technology and pay-for-performance.
- Sec. 307. Reserve fund for Asbestos Injury Trust Fund.
- Sec. 308. Reserve fund for energy legislation.
- Sec. 309. Reserve fund for the safe importation of prescription drugs.
- Sec. 310. Reserve fund for the restoration of SCHIP funds.

TITLE IV—BUDGET ENFORCEMENT

- Sec. 401. Restrictions on advance appropriations.
- Sec. 402. Emergency legislation.
- Sec. 403. Extension of senate enforcement.
- Sec. 404. Discretionary spending limits in the Senate.
- Sec. 405. Application and effect of changes in allocations and aggregates.
- Sec. 406. Adjustments to reflect changes in concepts and definitions.
- Sec. 407. Limitation on long-term spending proposals.
- Sec. 408. Compliance with section 13301 of the Budget Enforcement Act of 1990.
- Sec. 409. Exercise of rulemaking powers.
- Sec. 410. Treatment of allocations in the House.
- Sec. 411. Special procedures to achieve savings in mandatory spending through FY2014.

TITLE V—SENSE OF THE SENATE

- Sec. 501. Sense of the Senate regarding unauthorized appropriations.
- Sec. 502. Sense of the Senate regarding a commission to review the performance of programs.
- Sec. 503. Sense of the Senate regarding TRICARE.
- Sec. 504. Sense of the Senate regarding tribal colleges and universities.
- Sec. 505. Sense of the Senate regarding social security restructuring.
- Sec. 506. Sense of the Senate regarding funding for subsonic and hypersonic aero-

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Budget Resolution
FY2006

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2005 through 2010:

(1) **FEDERAL REVENUES.**—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2005: \$1,483,658,000,000.

Fiscal year 2006: \$1,589,892,000,000.

Fiscal year 2007: \$1,693,246,000,000.

Fiscal year 2008: \$1,824,274,000,000.

Fiscal year 2009: \$1,928,678,000,000.

Fiscal year 2010: \$2,043,916,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be reduced are as follows:

Fiscal year 2005: \$366,000,000.

Fiscal year 2006: \$17,758,000,000.

Fiscal year 2007: \$26,006,000,000.

Fiscal year 2008: \$11,935,000,000.

Fiscal year 2009: \$27,553,000,000.

Fiscal year 2010: \$22,466,000,000.

(2) **NEW BUDGET AUTHORITY.**—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2005: \$2,078,456,000,000.

Fiscal year 2006: \$2,144,384,000,000.

Fiscal year 2007: \$2,211,308,000,000.

Fiscal year 2008: \$2,324,327,000,000.

Fiscal year 2009: \$2,428,613,000,000.

Fiscal year 2010: \$2,524,958,000,000.

(3) **BUDGET OUTLAYS.**—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL
YEAR 2006

APRIL 28, 2005.—Ordered to be printed

Mr. NUSSLE, from the committee on conference,
submitted the following

CONFERENCE REPORT

[To accompany H. Con. Res. 95]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 95), establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

FUNCTIONS AND REVENUES

Pursuant to section 301(a)(3) of the Budget Act, the budget resolution must set appropriate levels for each major functional category based on the 302(a) allocations and the budgetary totals.

The respective levels of the House resolution, the Senate amendment, and the Conference Agreement for each major budget function, as well as revenue totals, are discussed in the following section. A summary of the overall budget policy is as follows:

Total spending is \$2.562 trillion in budget authority [BA] and \$2.577 trillion in outlays in fiscal year 2006, and \$13.878 trillion in BA and \$13.840 trillion in outlays over 2006–10.

Total Spending

Discretionary spending for fiscal year 2006 totals \$843.0 billion in BA and \$947.3 billion in outlays. These two aggregate amounts (minus cap adjustments in the Senate) are allocated to the Appropriations Committees to be suballocated among their respective appropriations subcommittees. This sum can accommodate the President's recommendation for \$419.5 billion for national defense, \$32.5 billion for homeland security, and \$391.1 billion for other discretionary spending. The total excludes a sum of \$50 billion toward supplemental funding for military operations in Iraq and Afghanistan.

Discretionary Spending

Mandatory spending totals \$1.669 trillion in BA and \$1.598 trillion in outlays in fiscal year 2006, and \$9.401 trillion in BA and \$9.068 trillion in outlays over 2006–10. This includes \$34.7 billion in reconciled mandatory outlay savings over the 5-year period. The total of these savings is reflected in Function 920, and divided among authorizing committees in the reconciliation directives of this conference report. Specific policies will be determined by the committees of jurisdiction.

Mandatory Spending

Revenue totals \$2.195 trillion in fiscal year 2006, and \$12.440 trillion over 5 years. The conference agreement includes tax reductions of \$17.8 billion in fiscal year 2006, and \$105.7 billion over 5 years. Of these amounts, the agreement reconciles \$11.0 billion in tax reduction in 2006, and \$70.0 billion over 5 years. The conference report assumes that tax rates are not increased (as they would be under current law). Specific tax relief policies will be de-

Total Revenue

302(a) Allocation

ALLOCATIONS

As required in section 302 of the Congressional Budget Act, the joint statement of managers includes an allocation, based on the conference agreement, of total budget authority and total budget outlays among each of the appropriate committees. The allocations are as follow:

ALLOCATION OF SPENDING AUTHORITY TO HOUSE APPROPRIATIONS COMMITTEE

[In millions of dollars]

	2005	2006
Discretionary Action:		
BA	840,036	843,020
OT	929,520	916,836
Current Law Mandatory:		
BA	483,881	528,504
OT	460,908	510,843

Union Calendar No. 37

109TH CONGRESS }
1st Session

HOUSE OF REPRESENTATIVES

{ REPORT
109-78

REPORT ON THE SUBALLOCATION OF BUDGET ALLOCATIONS FOR FISCAL YEAR 2006

MAY 12, 2005.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. LEWIS of California, from the Committee on Appropriations, submitted the following

REPORT

SUBALLOCATION OF BUDGET ALLOCATIONS FOR FISCAL YEAR 2006

The Committee on Appropriations submits the following report on the suballocation of budget allocations for fiscal year 2006 pursuant to section 302(b) of the Congressional Budget Act of 1974. This report is consistent with the “Allocation of Spending Authority to House Appropriations Committee” presented in the Joint Explanatory Statement of the Committee of Conference for H. Con. Res. 95, setting forth the congressional budget for the United States Government for the fiscal year 2006.

SUBALLOCATIONS TO SUBCOMMITTEES
FISCAL YEAR 2006 BUDGET AUTHORITY AND OUTLAYS
[In millions of dollars]

Subcommittee	Discretionary	Mandatory	Total
Agriculture, Rural Development, Food and Drug Administration:			
Budget authority.....	16,832	69,535	86,367
Outlays.....	18,691	50,456	69,147
Defense:			
Budget authority.....	363,440	245	363,685
Outlays.....	372,696	245	372,941
Energy and Water Development:			
Budget authority.....	29,746	29,746
Outlays.....	30,236	30,236
Foreign Operations:			
Budget authority.....	20,270	42	20,312
Outlays.....	25,380	42	25,422
Homeland Security:			
Budget authority.....	30,846	931	31,777
Interior-Environment:			
Budget authority.....	26,107	54	26,161
Outlays.....	27,500	60	27,560
Outlays.....	143,802	404,083	547,885
Legislative:			
All except Senate:			
Budget authority.....	2,831	96	2,927
Outlays.....	2,883	95	2,978
Senate items:			
Budget authority.....	888	22	910
Outlays.....	851	22	873
Total Legislative:			
Budget authority.....	3,719	118	3,837
Outlays.....	3,734	117	3,851

Military Quality of Life-Veterans Affairs:

Total 302(b) equals 302(a)

SUBALLOCATIONS TO SUBCOMMITTEES
FISCAL YEAR 2006 BUDGET AUTHORITY AND OUTLAYS
Continued
[In millions of dollars]

Grand total:			
Budget authority.....	843,020	528,504	1,371,524
Outlays.....	916,836	510,843	1,427,679

ALLOCATION OF SPENDING AUTHORITY TO HOUSE APPROPRIATIONS COMMITTEE
[In millions of dollars]

	2005	2006
Discretionary Action:		
BA	840,036	843,020
OT	929,520	916,836
Current Law Mandatory:		
BA	483,881	528,504
OT	460,908	510,843

Smithsonian Institution

Fiscal Year 2006 Budget Request to Congress

“Agency Justification”

February 2005

FACILITIES SERVICES

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FACILITIES CAPITAL	FTEs	Amount
FTEs in Base	38	
Revitalization:		
Security and Anti-Terrorism		7,900,000
Arts and Industries		5,800,000
National Museum of American History		18,400,000
National Museum of Natural History		12,800,000
National Zoological Park		13,000,000
Other Revitalization Projects		15,000,000
Construction:		
Museum Support Center Pod 5		9,000,000
Facilities Planning and Design		9,000,000
FY 2006 Facilities Capital	38	\$90,900,000

FY 2006 REQUEST, ALL ACCOUNTS	5,019	\$615,035,000
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PROJECT TITLE: Renovate Wetlands Area of Bird Exhibit Destroyed by Fire
INSTALLATION: National Zoological Park, Rock Creek Park
LOCATION: Washington, DC

FY 2006 COST ESTIMATE (Thousands of Dollars):

\$8,600

BUILDING/SITE BACKGROUND:

The National Zoological Park in Washington DC, a National Historic District, was built in the 1890s and was expanded in the 1930s. The National Zoological Park is now more than 110 years old and its age and popularity have taken a visible toll. The Zoo's physical environment has vastly deteriorated. Over half the buildings have seriously compromised structural, mechanical, electrical, and fire and life-safety systems. During their last accreditation review, the American Zoo and Aquarium Association (AZA) stated that significantly increased investment is necessary at the National Zoo. The National Academy of Science study of Zoo animal care and regular U.S. Department of Agriculture inspections confirm this requirement. Site planning and discussion continues on construction of a new elephant yard, however, the initial design is being rethought and the Wetlands Reserve is a higher near-term priority.

PROJECT JUSTIFICATION:

In April 2004, a fire destroyed 95 percent of the boardwalk deck through the Wetlands exhibit area and most of the systems critical to water supply, environmental control, and life support for the waterfowl in this area. The fire also eliminated direct public access to the Wetlands and the Bird House. Temporary public access is now by way of a very steep back road shared by service vehicles. Even before the fire, this area was listed as a failed area of the Zoo and public access did not meet ADA requirements. The wetlands pools are more than 20 years old, and for most of that time have been plagued by aerial and terrestrial predators, now including coyotes

One Hundred Ninth Congress
of the
United States of America

Appropriations Act

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the fourth day of January, two thousand and five*

An Act

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, \$100,000,000, to remain available until expended, of which not to exceed \$10,000 is for services as authorized by 5 U.S.C. 3109: *Provided*, That contracts awarded for environmental systems, protection systems, and repair or restoration of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to make any changes to the existing Smithsonian science programs including closure of facilities, relocation of staff or redirection of functions and programs without the advance approval of the House and Senate Committees on Appropriations.

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

None of the funds in this or any other Act may be used for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage, monitor structure movement, or provide interim structural support.

None of the funds available to the Smithsonian may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the statement of the man-

COMMITTEE RECOMMENDATION

Senate Appropriations Committee Report

The Committee recommends \$100,000,000 for the Smithsonian Institution's facilities capital program, a decrease of \$26,123,000 from the fiscal year 2005 enacted level and an increase of \$9,100,000 over the budget request and the House allowance. The reduction from the enacted level reflects, in part, a decrease of \$44,000,000 resulting from completion of the restoration of the Patent Office Building.

Increases proposed in the budget request and supported by the Committee for revitalization activities include \$8,400,000 for the National Museum of American History for a total project amount of \$18,400,000; \$5,800,000 for the National Museum of Natural History for a total project amount of \$12,800,000; \$7,900,000 for anti-terrorism protection; and an additional \$9,000,000 for a total of \$15,000,000 for other smaller revitalization projects throughout the Institution. An increase of \$9,100,000 above the budget request of \$9,000,000 for construction provides a total of \$18,100,000 for the POD 5 Museum Support Center storage facility that will house approximately 365,000 gallons of alcohol-stored collections when completed. An increase of \$1,100,000 for facilities planning and design provides a total amount of \$9,000,000 for these activities in the coming fiscal year. Decreases of \$44,000,000 for completion of the Patent Office Building, \$6,500,000 for activities at the National Zoological Park, and \$17,600,000 for the Arts and Industries building closure have also been assumed in agreement with the budget request. An amount of \$5,800,000 remains in the budget to complete the relocation of staff, collections and equipment from the Arts and Industries building. To date, \$13,200,000 has been appropriated to initiate design of the future restoration of this historic landmark. The reduction to the budget for the National Zoo provides a base of \$13,000,000 for its facilities capital projects.

In recent months, there has been much focus on the proposed canopy design that would enclose the courtyard of the Old Patent Office Building. The National Capital Planning Commission approved both the concept and the preliminary design for the canopy.

\$2,000,000 above the request and \$8,309,000 above the fiscal year 2005 enacted level, representing a 21% increase over the enacted.

**House
Appropriations
Committee
Report**

FACILITIES CAPITAL

Appropriation enacted, 2005	\$126,123,000
Budget estimate, 2006	90,900,000
Recommended, 2006	90,900,000
Comparison:	
Appropriation, 2005	-35,223,000
Budget estimate, 2006	0

The Committee recommends \$90,900,000 for facilities capital, as requested, a reduction of \$35,223,000 below the enacted level. The Committee recommendation redirects \$1,000,000 of the requested increase for facilities planning and design into the revitalization account for use on the Asia II exhibit at the National Zoological Park.

In addition, the Committee directs the Smithsonian to redirect \$8,000,000 of the requested funding for the wetland exhibit into the Asia II exhibit project. It is important that the Asia II exhibit not be delayed; it is a vital part of the park and continued exhibition of elephants in a family group can not be maintained without the new project. The Committee also expects that the comprehensive planning effort currently underway at the zoological park is the appropriate tool to determine the best future concept and scope for any rebuilding of a wetlands exhibit.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

The Committee recommendation continues previous bill language included under Administrative Provisions which prohibits the Smithsonian from using funds to purchase any additional buildings without prior consultation with the House and Senate Committees on Appropriations.

NATIONAL GALLERY OF ART

The National Gallery of Art is one of the world's great galleries. Its magnificent works of art are displayed for the benefit of mil-

institution-wide collections care and preservation initiative, and a reduction of \$1,000,000 from facilities maintenance to fund that activity at the amount requested in the budget.

Conference Report

FACILITIES CAPITAL

The conference agreement provides \$100,000,000 for the facilities capital account as proposed by the Senate instead of ~~\$90,900,000 as proposed by the House. Within this amount,~~ \$9,100,000 is provided for the Asia II Trail exhibit at the National Zoological Park as proposed by the House. While supportive of this project, the managers are concerned by the high initial cost estimates and encourage the Smithsonian to look at how the exhibit might be reduced in scope or in some way phased to achieve savings. The managers also understand that an aggressive fundraising effort will be required by the Smithsonian to secure private financing, without which this project cannot be successfully completed. The conference agreement also includes an additional \$9,100,000 for the POD 5 museum support center storage facility as recommended by the Senate.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

The conference agreement continues administrative provisions included in the House bill that place restrictions on the use of funds for the following: (1) unapproved changes to science programs; (2) the design of new or expanded facilities; (3) Holt House; and (4) the purchase of buildings. The House provision regarding reprogramming authority is included with a modification that deletes the requirement for written approval from the House and Senate Committees on Appropriations.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

The conference agreement provides \$96,600,000 for salaries

Drive Northwest, to the line of the face of the north curb of Madison Drive Northwest, between Seventh Street Northwest and the line of the face of the east side of the east retaining wall of the Ninth Street Expressway Northwest; and to the line of the face of the east side of the east retaining wall of the Ninth Street Expressway Northwest, between Madison Drive Northwest and Constitution Avenue Northwest.

(3) JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS.—The John F. Kennedy Center for the Performing Arts, which extends to the line of the west face of the west retaining walls and curbs of the Inner Loop Freeway on the east, the north face of the north retaining walls and curbs of the Theodore Roosevelt Bridge approaches on the south, the east face of the east retaining walls and curbs of Rock Creek Parkway on the west, and the south curbs of New Hampshire Avenue and F Street on the north, as generally depicted on the map entitled “Transfer of John F. Kennedy Center for the Performing Arts”, numbered 844/82563 and dated April 20, 1994 (as amended by the map entitled “Transfer of John F. Kennedy Center for the Performing Arts”, numbered 844/82563A and dated May 22, 1997), which shall be on file and available for public inspection in the office of the National Capital Region, National Park Service.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1184.)

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6302	40:193o.	Oct. 24, 1951, ch. 559, §2, 65 Stat. 634.

§ 6303. Unlawful activities

(a) DISPLAYS AND SOLICITATIONS.—It is unlawful for anyone other than an authorized employee or concessionaire to carry out any of the following activities within the specified buildings and grounds:

- (1) Offer or expose any article for sale.
- (2) Display any sign, placard, or other form of advertisement.
- (3) Solicit alms, subscriptions, or contributions.

(b) TOUCHING OF, OR INJURIES TO, PROPERTY.—It is unlawful for anyone—

- (1) other than an authorized employee, to touch or handle objects of art or scientific or historical objects on exhibition within the specified buildings or grounds; or
- (2) to step or climb on, remove, or in any way injure any object of art, exhibit (including an exhibit animal), equipment, seat, wall, fountain, or other erection or architectural feature, or any tree, shrub, plant, or turf, within the specified buildings or grounds.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1185.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6303(a)	40:193p.	Oct. 24, 1951, ch. 559, §§3, 4, 65 Stat. 634.
6303(b)	40:193q.	

Reality Check



So that's how it works?



Timeline and Process Deviations

- *President Obama has only submitted one budget on time*
 - *Since first required (FY1923), 19% of presidential budget requests have been submitted late**
- *All appropriations bills haven't passed on time since FY1997**
- *No budget resolution since FY2010**

* Source: Congressional Research Service

Procedural Rule ≠ Requirement

- *Certain aspects of process enforced by procedural rules of Congress*
- *E.g., House Rule XXI, Senate Rule XVI*
- *E.g., no “legislative” provisions*
- *Rule violation subject to ‘point of order’*
- *Point of order may not be raised, not sustained, or waived*

Research Resources

Five Key Budget & Appropriations Resources

- *Congressional Research Service Reports*
- *National Priorities Project, www.nationalpriorities.org*
- *Congressional Budget Office, <http://www.cbo.gov>*
- *Allen Schick, [The Federal Budget: Politics, Policy & Process](#) (3d ed. 2007)*
- *Status of Appropriations Legislation*
 - *[Congress.gov](#) (2011-), [Thomas](#) (1998-), [U.S. Senate](#) (1986-)*
 - *CQ.com and CQ Weekly*

Questions?

Morgan M. Stoddard, Georgetown Law Library

*Help! I'm an Accidental Government
Information Librarian Webinar*

December 11, 2014