

## 論 説

# Federal Budgeting under the Budget Control Act of 2011: Focusing on the Relationship between Micro-budgeting and Macro-budgeting: Part 2

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[Table of Contents]

Introduction

1. Two Types of Macro-Budgeting: the GRH and the BEA

1-1 From the GRH to the BEA

1-2 Distinction of the GRH Approach and the BEA Approach

2. The Macro-Budgeting Methods in the BCA

2-1 Statutory Debt Limit

2-2 CAP and Sequestration

2-3 Characteristics of the BCA: Brinkmanship and Autonomy Oriented Budgeting

(Placed in the former issue)

3. Impact of the Fiscal Norm in the BCA on the Ordinary Budget Process

3-1 Impact on the Traditional Appropriation Process

3-2 Macro-Budgeting Outcomes in the BCA

Conclusion

(Placed in this issue)

3. Impact of the Fiscal Norm in the BCA on the Ordinary Budget Process

## 3-1 Impact on the Traditional Appropriation Process

### Impact on U. S. Economy

The strict fiscal norm in the BCA has weighed heavily on the traditional appropriation process. First, I will evaluate the real impact of cutting discretionary programs on economic issue. As shown in Table 3, discretionary outlays for both defense and non-defense programs have increased less than total outlays on average, or mandatory programs, as the result of ceiling by the CAP. Restraining or cutting discretionary spending has had adverse effects on U. S. macro-economic performance. Peter G. Peterson Fund estimated the economic impact of restriction in discretionary spending as the following: It decreased GDP growth rate by 0.7%, raised unemployment rate by 0.8%, and deprived employment by

**Table 3:** The Rate of Increase in Federal Outlays by Major Spending Categories: FY 2008=100

FY	Discretionary Outlay		Mandatory Outlay			Net Interest	Total Outlay
	Defense	Non Defense	Social Security	Healthcare	Other Mandatory		
2008	100	100	100	100	100	100	100
2009	107	111	111	115	188	74	118
2010	112	126	114	122	125	78	116
2011	114	124	118	129	138	91	121
2012	109	118	125	122	138	87	119
2013	102	110	132	129	117	87	116
2014	97	111	138	140	109	91	118
2015	95	112	144	158	124	88	124

Source: CBO [2016].

1.2 million (Macroeconomic Advisors [2013]). Even the International Monetary Fund, an admirer of fiscal austerity, has warned that the over-biased deficit reduction in cutting discretionary has blocked investments in physical and human capital for the future, leading the U. S. economy into stagnation (IMF [2014]).

President Obama also reminisced that he had not been able to make capital investments, although they have been necessary. “The fact of the matter is,” he said, “that our failure in 2012, 2013, 2014, to initiate a massive infrastructure project—it was the perfect time to do it; low interest rates, construction industry is still on its heels, massive need—the fact that we failed to do that, for example, cost us time (Sorkin [2016]).”

#### **Impact on Discretionary Program**

The impact of restrictive discretionary spending is not just on macroeconomic performance. Restrictive discretionary spending has had serious impacts not only on the U. S. macro economy, but also on the micro-budgets of each program. On defense programs, the Pentagon manage to scrap together its fund through a variety of almost improvisational measures, such as: Shifting some program accounts into the Overseas Contingency Operations (OCO) accounts<sup>1)</sup>, which is excluded from the CAP; temporary cutting the force structure; cancelling or shortening unit training for those units not preparing to deploy; postponing planned depot maintenance of equipment or repair and non-urgent renovations of facilities; stretching out the procurement or R&D plans or slowing modernization of arms (Belasco [2015a]: 21-31). The Department of Defense (DoD) has appealed to the Congress and the White House to be excluded from the budget cuts imposed by the strict CAP so that it could perform its designated missions (DoD [2014]).

The CAP and sequestration have also had adverse effects on non-defense programs. Harry Stein, the Director of fiscal policy at the Center for American Progress, reported that the effect of the strict rules on discretionary has restrained or cut programs such as sub-

Table 4: Summary of Continuing Resolutions and Omnibus Appropriation Acts: FY 1998–2016

Fiscal Year	Continuing Resolutions		Omnibus Appropriation			
	The Number of CR	Total Duration in Days	The Number of Regular Appropriation Acts			Enacted Date of Omnibus Appropriation Act
			Enacted by Start of FY	Enacted as Freestanding Measures	Enacted in Omnibus Measures	
1998	6	57	1	13	0	
1999	6	21	1	5	8	Oct. 21
2000	7	63	4	8	5	Nov. 29
2001	21	82	2	8	5	Oct. 27; Dec. 21
2002	8	102	0	13	0	
2003	8	143	0	2	11	Feb. 20
2004	5	123	3	6	7	Jan. 23
2005	3	69	1	4	9	Dec. 8
2006	3	92	2	11	0	
2007	4	365	1	2	0	
2008	4	92	0	1	11	Dec. 26
2009	2	162	3	0	12	Sep. 30; Mar. 11
2010	2	79	1	6	6	Dec. 16
2011	8	365	0	1	0	
2012	5	84	0	0	12	Nov. 18; Dec. 23
2013	2	365	0	0	12	Mar. 26
2014	4	110	0	0	12	Jan. 17
2015	3	76	0	0	12	Dec. 16
2016	3	78	0	0	12	Dec. 18

Source:

Tollestrup [2014a].

Tollestrup [2014b].

Congress. gov. Appropriations (<https://www.congress.gov/resources/display/content/Appropriations+for+Fiscal+Year+2017>)

dies to state and local governments for education or water supply systems, the subsidy of affordable housing, or funds to support college students like Pell Grant. The federal government, he said, has not been able to help the middle class cope with the economy after the Great Recession because of the strict CAP and the threat of sequestration (Stein [2015]).

#### Improvisational Appropriation Process

Second, the fiscal norm in the BCA has changed the appropriation decision-making process into the one that is unstable and improvisational. Table 4 shows how extra measures have been added to the appropriation process to fund the government, such as continuing resolutions (CRs) and omnibus appropriation acts. In the regular appropriations process, Congress has to pass the 12 regular appropriation bills annually. When the Congress and the president cannot approve the bills by start of new fiscal year, one or more CRs are

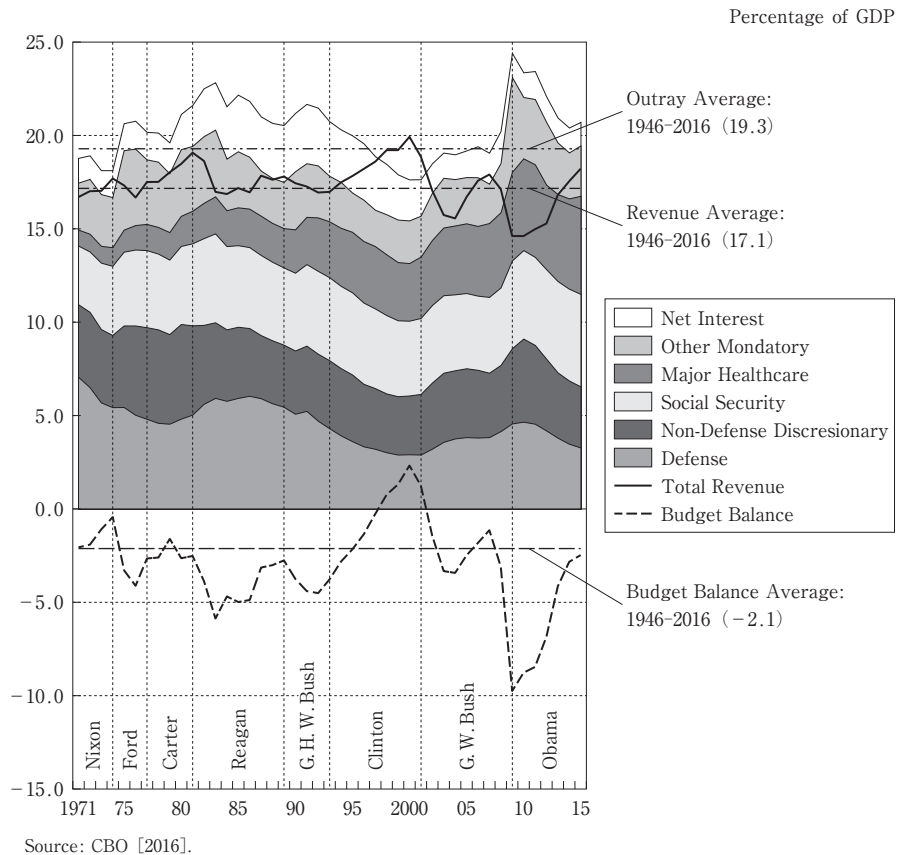
used to provide funding for a specified period of time. While CRs have been used before the BCA became law, as shown in Table 4, passing CRs have been much more difficult and common since the BCA. Normally, passing CRs is simply a technical and temporary process because they provide short-term funding equal to the level of the previous fiscal year's appropriations. By contrast, under the BCA, making CRs has become a source of political conflict, as some legislators have linked passing the CR with politically controversial policies that they wanted to push through the legislative process.

In the fall of 2013, the congressional Republicans refused to pass the CR that funded Obamacare, which should have come into effect at the beginning of FY 2014, but the failure to pass the CR shut the federal government down for two weeks. In 2015, some conservatives resist passing the unconditional CR, because it included funding for the Planned Parenthood, the non-profit organization for women, which they accused to have been involved with the illegal prescription of abortion. While congressional leaders between both parties barely passed the unconditional CR, they paid the price of the resignation of Speaker Boehner. Making CRs has become an exhausting and risky process.

Another extra measures of appropriation process under the BCA is dependence on omnibus appropriation acts. As in Table 4, no regular appropriation act has been enacted into law since the BCA, and all of them have been consolidated in omnibus acts. One of the main reasons of using the extra ordinary measures is because of the strict CAP and the threat of sequestration. Passing appropriations within the CAP was entangled, as it was impossible for polarized Congress to agree with which programs should be cut. In 2013, because the Congress and the president failed to make a deal with the appropriation within the CAP, sequester was in fact triggered. Congressional leaders and the president, thereafter, made every effort to establish the law raising the CAP in order to avoid sequester. They had to make additional deficit reduction schemes in order to raise the CAP, because some conservatives have firmly resisted raising the CAP without making any spending cuts. Because of the strict CAP rule, there was no way for Congress to begin the appropriation process without the law raising the CAP, realized as the Bipartisan Budget Act of 2013 and 2015 (the BBA of 2013, the BBA of 2015).

In these ways, the appropriation process has become unstable and improvisational since the beginning of the BCA. In the late 1980s, under the GRH, the strict target of deficit reduction and the threat of sequestration led budget makers to use gimmicks. Allen Schick called the budget process under the GRH "improvisational budgeting (Schick [1990]: 160-162)." The name of "improvisational budgeting" just fits the situation of the appropriation process under the BCA, too. The budgetary process under the BCA is similar to the one in the GRH, not just in the characteristics of the enforcement mechanisms, but also in the outcomes that it brings to appropriation process.

Figure 4: Revenue, Outlay, and Deficit in the U.S. Federal Government



### 3-2 Macro-Budgeting Outcomes in the BCA

I move the view from micro-budgeting to macro-budgeting. Figure 4 shows the components of federal outlays by major spending categories, as well as tax revenue and the budget deficit as a percent of GDP. While all discretionary program spending is only 30% of total federal outlays, Social Security and healthcare programs, mainly composed of Medicare and Medicaid, account for about half of total outlays. It is clear that we have no way to improve budget performance in mid-or long-term without addressing these entitlement programs. It means that we have to reduce their benefit level, raise the tax revenue in order to finance them, or both.

At the repetitive negotiations between GOP and the president that resulted in the BCA, the main ways of deficit reduction at issue were these choices. However, as I said, all of these policy options were omitted from the final package because of partisan politics. The burden of deficit reduction has rested heavily on discretionary programs. It seems clear that this disproportional scheme is not a sustainable way to fix the government's fiscal problems in the long run. Although the fiscal rules in the BCA were designed to force the budget makers to reduce budget deficits, they have been far from reasonable way to at-

tain the fiscal sustainability that should be the original goal in macro-budgeting.

## Conclusion

As the analysis in this paper indicates, I would like to discuss the three implications that from this study of federal budgeting under the BCA, and how this process may be reformed to improve the budget process for the future.

### Fiscal Rules and Political Discretion

First, the logic that covers the entire budget process under the BCA is the confinement of political discretion and brinkmanship politics because of the strict fiscal rules. This logic is partly rooted in conservative fiscal ideology and microeconomics. Public choice theory, one of the theoretical foundations of conservative budget policy, has called for the amending of the Constitution by inserting a balanced budget clause in order to overcome the pathology of our democratic society, otherwise known as the “fiscal illusion (Buchanan, Rowley and Tllison [1990]).” The linkage of deficit reduction with statutory debt limits, or the CAP with the threat of sequestration is connected to this theory.

This logic is not limited to conservatives. Some moderates or liberals, such as the Bipartisan Policy Center, the Committee for Responsible Federal Budget, or Peter G. Peterson Foundations—some members of these think tanks took central part in the report of the BOWLS-SIMPSON COMMISSION<sup>2)</sup>—also view the fiscal norm to be superior to politics. They also share the pessimistic notion that the Congress and the president can never make any deal with difficult choice in front of the current huge deficit.

As I made clear in the paper, however, the tightened fiscal norm asserted by “fiscal hawks” has led legislators to brinkmanship politics and to the inclination toward fiscal autonomy. Then, this has resulted in improvisational budgeting and dysfunction of the ordinary budget process. The legislators should remember the lesson of 1990, when the Congress and the president focused on making of budgeting rules that allowed for policy discretion, and produced the new way of budgeting of the BEA by learning from the failures in the GRH. It is the time to restore the political discretion and feasibility of the budget process by releasing them from the forced fiscal rules.

### The Relationship between Macro-and Micro-Budgeting

Second, we should reconsider not just how the fiscal norm is applied, but also the relationship between the appropriation process and the macro-budgeting rules. As I said, the macro-budgeting rules in the BCA, such as the linkage of deficit reduction with debt limit or the CAP with sequester, has created a dysfunctional appropriation process. Adding it, omitting entitlements and revenue clauses from the deficit reduction scheme, the macro-budgeting rules under the BCA have produced a process that has done little to attain the

long term fiscal sustainability, which is the main goal in macro-budgeting.

Confronting a dysfunctional budgetary process under the BCA, some congressmen and budget specialists are discussing how to restore the budget process, proposing a variety of reform plans: Biannual budgeting, joint budget resolutions, the introduction of “portfolio budgeting,” new targets to maintain fiscal sustainability, such as the rate of debt per GDP, etc. (Meyers [2016], Posner [2016]). These proposals should be considered and sorted from the distinction of the two goals between macro-and micro-budgeting, while I cannot evaluate in detail each of the reform proposals here.

In addition, we can refer to several historical experiences to improve the relationship between macro-and micro-budgeting. The Tax Reform Act of 1986, the most recent comprehensive tax reform, was guided through the legislative process by the spirit of “revenue neutral”—and as a result “deficit neutral” outcome. The plans of what to change in the tax code or the tax base were discussed in the way to separate them from deficit issue in the lawmaking. By omitting the deficit reduction, decision-makers could concentrate on the tax issues themselves, the enactment of the law created the stable revenue regime (U. S. Senate [2010]). Another example is the legislative process produced the Social Security Reform Act of 1983, led by the Greenspan Commission. In the discussion of the reform, the arguments were confined to Social Security program itself, separating it from other federal programs. The law has overcome the urgent crisis of Social Security financing, and has secured its mid-term sustainability since then. Learning from these historical lessons, it might be a better way for legislators to separate the issue of each program from the deficit reduction issue and to focus on what program itself to be in policy making process.

#### **Restoring Budget Process under the Polarized and Vulnerable Politics**

Finally, what should political leaders do, should they be given the policy discretion identified in the paper? The most pressing issue in current politics is difficulty in reaching bipartisan agreement. Some political realist theorists or journalists point out that the cause of disagreement is the lack of the leadership demonstrated by the president or by the congressional leaders (Bartels [2012], Woodward [2012]). However, they overlook or underestimate the structural change in current polarized politics. The extent of the current partisan conflicts is too great to lay the blame for the failure to achieve a bipartisan deal into inaction of the leadership.

First, political conflict has turned from interest based into ideology based. In the old politics, political leaders could settle a bipartisan package through getting the votes from some reluctant congressmen in exchange for something to satisfying their specific interests. In the current politics, however, conservative congressmen have opposed the use of earmarked appropriations, and they have refused to compromise their ideological positions. The partisan conflict, as a result, has tend to be ideologically based, making the bipartisan negotiation process among political leaders uncompromising (Grossmann and Hopkins [2014a],

Table 5: Voting Record of Major Budget Related Acts in House

Title of Legislation	PL	Date of Vote in House	Yea			Nay			Total	Not Vote	Note					
			To.	1) Tea Party * Affiliates	2) Vulnerable (1+2)	Total	To.	1) Tea Party * Affiliates				2) Vulnerable (1+2)	Total			
Number of Vote																
BCA of 2011	112-25	2011. 8. 1	174	37	36	64	95	269	66	41	26	56	95	161	3	
Omnibus Appropriation for FY2012	112-74	2011.12.16	147	30	35	60	149	296	86	43	27	55	35	121	16	
ATRA of 2012	112-240	2013. 1. 1	85	9	22	30	172	257	151	67	40	89	16	167	8	Fixing "fiscal cliff"
No Budget, No Pay Act of 2013	113-3	2013. 1.23	199	53	34	79	86	285	33	18	11	25	111	144	3	Suspension of debt limit
Omnibus Appropriation for FY2013	113-6	2013. 3.21	203	53	38	83	115	318	27	18	7	21	82	109	4	
BBA of 2013	113-67	2013.12.12	169	32	28	56	163	332	62	39	15	46	32	94	7	Suspension of debt limit and increasing CAP
Omnibus Appropriation for FY2014	113-76	2014. 1.15	166	34	27	57	193	359	64	37	16	45	3	67	7	
Debt Limit Temporary Suspension Act of 2014	113-83	2014. 2.11	28	3	7	8	193	221	199	66	34	91	2	201	10	Suspension of debt limit
Omnibus Appropriation for FY2015	113-235	2014.12.11	162	31	26	55	57	219	67	40	13	45	139	206	10	
BBA of 2015	114-74	2015.10.28	79	8	12	20	187	266	167	63	38	89	0	167	2	Suspension of debt limit and increasing CAP
Omnibus Appropriation for FY2016+	114-113	2015.12.17	241	70	47	106	77	318	3	1	2	2	106	109	6	
		2015.12.18	150	26	27	52	166	316	95	44	23	56	18	113	5	
Rate of Y/N within Each Category																
BCA of 2011	112-25	2011. 8. 1	72.5	47.4	58.1	53.3	50.0	62.6	27.5	52.6	41.9	46.7	50.0	37.4		
Omnibus Appropriation for FY2012	112-74	2011.12.16	63.1	41.1	56.5	52.2	81.0	71.0	36.9	58.9	43.5	47.8	19.0	29.0		
ATRA of 2012	112-240	2013. 1. 1	36.0	11.8	35.5	25.2	91.5	60.6	64.0	88.2	64.5	74.8	8.5	39.4		Fixing "fiscal cliff"
No Budget, No Pay Act of 2013	113-3	2013. 1.23	85.8	74.6	75.6	76.0	43.7	66.4	14.2	25.4	24.4	24.0	56.3	33.6		Suspension of debt limit
Omnibus Appropriation for FY2013	113-6	2013. 3.21	88.3	74.6	84.4	79.8	58.4	74.5	11.7	25.4	15.6	20.2	41.6	25.5		
BBA of 2013	113-67	2013.12.12	73.2	45.1	65.1	54.9	83.6	77.9	26.8	54.9	34.9	45.1	16.4	22.1		Suspension of debt limit and increasing CAP
Omnibus Appropriation for FY2014	113-76	2014. 1.15	72.2	47.9	62.8	55.9	98.5	84.3	27.8	52.1	37.2	44.1	1.5	15.7		
Debt Limit Temporary Suspension Act of 2014	113-83	2014. 2.11	12.3	4.3	17.1	8.1	99.0	52.4	87.7	95.7	82.9	91.9	1.0	47.6		Suspension of debt limit
Omnibus Appropriation for FY2015	113-235	2014.12.11	70.7	43.7	66.7	55.0	29.1	51.5	29.3	56.3	33.3	45.0	70.9	48.5		
BBA of 2015	114-74	2015.10.28	32.1	11.3	24.0	18.3	100.0	61.4	67.9	88.7	76.0	81.7	0.0	38.6		Suspension of debt limit and increasing CAP
Omnibus Appropriation for FY2016+	114-113	2015.12.17	98.8	98.6	95.9	98.1	42.1	74.5	1.2	1.4	4.1	1.9	57.9	25.5		
		2015.12.18	61.2	37.1	54.0	48.1	90.2	73.7	38.8	62.9	46.0	51.9	9.8	26.3		
Average Rate			63.8	44.8	58.0	52.1	72.2	67.6	36.2	55.2	42.0	47.9	27.8	32.4		

\* "Tea Party Affiliates" means the Republican Representatives who have been a member of Tea Party Caucus in the 112th or 113th Congress, or a member of Freedom Caucus in the 114th Congress.  
 # "Vulnerable GOP" means the Republican Representatives who was elected by less than 60% vote in GOP primary.  
 + Omnibus Appropriation for FY2016 (PL-114-113) was voted as separate bills in House, then the bills were integrated in Senate.  
 Source: Poole, Keith T., *Votenvue, Roll Call Data* (<http://voteview.com/dwnl.htm>), retrieved in Jan. 17, 2016.



[2014b]<sup>3)</sup>).

Second, the uncompromising behavior of some legislators has been motivated by their vulnerability to the public, outside of the Washington politics. The in-house politics, which Theodore Lowi characterized as “iron triangle,” has transferred into open politics to the outside of Washington.<sup>4)</sup> It should be understood that the uncompromising partisan politics and the policy deadlock have been caused by a vulnerable politics to polarized public opinion.

As showed in Table 5, the GOP leaders have not been able to get the majority vote within their own party on the main bipartisan budget bills that have become public law, all of which were introduced by Republican leadership into the House floor. The main reason was that many Tea Party affiliates and the GOP congressmen vulnerable to reelection have voted against the bills (refer to average Y/N rate, the last line in Table 5). This ideologically based behavior and the vulnerability to reelection within the House GOP has made bipartisan compromise difficult.

Based on the understanding that the current budget politics have turned into the ideologically based polarization and that turning back to the old in-house politics has been impossible, it would be insufficient just to return into the fiscal norm under the BEA, which was settled based upon the bipartisan budget summit between the leaders of both of the Congress and the president (Schick [2007]: 22-26). We need to find out the new way to lead to a bipartisan budget agreement under the new political structure. Although the detailed work on the issues remains to the coming, we need reasonable and accountable budget information, rules, or process fitting to the new political age, not just for budget makers, but also for the public who are watching Washington.

#### Notes:

- 1) Since 2001, the terror attack in Sept. 11, the war funding by DoD has been designated as the OCO. The OCO fund has been exempted from the CAP. More in detail, refer to Belasco [2015b].
- 2) At the start of 2010, Obama established the National Commission on Fiscal Responsibility and Reform (NCFRR), called a Bowles-Simpson Commission, bearing the name of co-chairman, in order to fix the budget deficit issue. While the Commission released the comprehensive deficit reduction plan to the president on Dec. of 2010, the report just remained in a blueprint (NCFRR [2010]).
- 3) Grossmann and Hopkins focus on the organizational asymmetry between Republican and Democrat. That is, Republican likes to unite under the ideological goal, such as small government or balanced budget, evaluating each policy based on ideologically oriented view. By contrast, Democrat is organized based on a variety of interests required by economic or social advocacy groups (Grossmann and Hopkins [2014a]). While their assertion is true of the current organization of both parties, we should take notice of that the behavior of Democrat has also become ideological with reaction to the conservatives in long term perspective.

- 4) Samuel Kernell said that U. S. federal politics has changed from “institutionalized pluralism” into “individualized pluralism” since 1970s. According from this view, he focuses on the higher ability of president’s commitment to policymaking through calling the public, named “going public strategy” (Kernell [2007]: 33–45). As well as president’s going to public, we should think that congressional politics has gained its openness to the outside, too.

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