SASA
Student Association for STEM Advocacy

Appropriations
Process Brief

Boundaries of the Process

Before we dive into convincing our representatives to take full advantage of the appropriations process to help teams like yours, we first have to look at what is tying their hands in the process. Lawmakers have to take into account their committees' jurisdictions, whether the programs they want to fund are mandatory or discretionary and the constraints of their total budgets going into the process.

Discretionary vs. Mandatory Spending – What Funding is in Play?

Besides for interest on the debt, federal spending is generally split into two broad categories, mandatory and discretionary spending. Mandatory spending programs have their funding set by law, so no action is needed to keep them going generally. The appropriations process mostly concerns discretionary spending, programs whose laws ask Congress to set their funding level each year. The largest portion of discretionary spending each year goes to the military, approximately half of it in 2019, but discretionary spending is also used to fund Pell grants, federal aid to schools, NIH and NSF research, and the $1.28 billion that goes to Title IV-A Support and Academic Enrichment Grants which in part help fund teams like yours, among a variety of other vital programs. The Title IV-A grant program is elaborated on further in the brief on the ESEA.

The President's Budget

The President is required to submit a budget to congress outlining how they think the government ought to be funded. While this document is helpful to Congress and clearly communicates the President's priorities, it is not binding, and Congress may ignore it.

The Budget Committees and Resolutions – The Actual Amount of Funds Available

Upon reviewing the President's budget, the Budget Committees in the House and Senate draft a budget resolution setting the maximum amount of spending that can go towards nineteen different areas, or budget functions, of both mandatory and discretionary spending, as well as the amount of revenue the government expects to collect over at least the next five years, though Congress usually attempts to describe the next decade in their budget resolutions. These budget functions are then distributed among the various congressional committees through a table of 302 (a) allocations. The budget resolution is one of the few types of legislation not subject to the Senate Filibuster, and is a concurrent resolution, meaning that it does not need to be sent to the President after passing both chambers and cannot enact any spending or tax changes.

The Budget Functions

The budget functions mentioned above are National Defense, International Affairs, General Science, Space, and Technology, Energy, Natural Resources and Environment, Agriculture, Commerce and Housing Credit, Transportation, Community and Regional Development, Education, Training, Employment, and Social Services, Health, Medicare, Income Security,

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Social Security, Veterans Benefits and Services, Administration of Justice, General Government, Net Interest, Allowances, Undistributed Offsetting Receipts, and Overseas Deployments and Other Activities

302 (b) Allocations – How the Budget Resolution is Enforced

The Appropriations Committee redistributes its 302 (a) allocation to its twelve subcommittees in 302 (b) allocations defining how much each of those subcommittees can spend during the appropriations process. Under the Congressional Budget Act of 1974 (H.R.7130), any member in either chamber can call a point of order on a piece of legislation if it exceeds their committee or subcommittee's 302 allocation, but while this can be waived by a majority vote in the House, Senate Rule 44 requires them to be resolved by a vote of three-fifths of the Senate, or sixty senators. Since these points of order are easy to raise but difficult to move past, the Senate is encouraged to stay within the allocations made during the budget process.

Inside the Process

Hearings and Fly-Ins – Members Gather Information

Beginning as early as March after the President submits their budget request, Appropriations Subcommittees call witnesses in to testify about Presidential budget requests, the needs and efficacy of their agencies, important issues that the appropriations process can address, and requests from individual members' districts. During this time, they will hear from department heads, high ranking executive officials, and outside experts. While these hearings are important, Congress and its staff need information from outside the Washington bubble, and that's where we, and other advocates, step in. Advocates fly in from all over the world into Washington D.C. to advise Congress about what the country's funding needs are. Without advocates like you coming to Washington, the Appropriations process would be stumbling around in the dark trying to figure out where to allocate funds. Know that you are not just helping teams like yours get federal funds but are also playing a crucial role in the Appropriations process.

Dear Colleague Letters

Dear Colleague letters are petitions circulated through members of Congress who can then sign onto the letter to express support for a policy. These letters allow members outside of the appropriations subcommittees who have a very small direct role in the crafting of appropriations bills to influence the process. Members sign these letters to put pressure on members and their staff within these subcommittees to include their priorities in their final bill, and to signal that these measures have broad congressional support. These letters are important to SASA's advocacy at the National Advocacy Conference in June, because not all of your representatives in Congress will be part of an appropriations subcommittee, given that only 59 out of the 435 Representatives in the House are part of the House Appropriations Committee and only 30 out of the 100 Senators in the Senate are part

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of the Senate Committee on Appropriations. If your Congressperson does not have a direct role in the process, they can still sign onto letters pushing their colleagues to step up to bat for STEM education. In the past, letters have been circulated expressing support for increases in funding for Title IV-A funding for STEM extracurriculars to great effect.

Appropriations Subcommittees – Where the Bills are Written

The subcommittees were created in 1921, and roughly correspond to the different parts of the federal government over which they have jurisdiction. Currently, the House and Senate parallel each other in the jurisdiction of their committees so that appropriations bills coming out of each subcommittee always have an equivalent in the other chamber. Appropriations bills begin in the subcommittees, with the staff of subcommittee members dividing their 302 (b) allocations among the various programs under their jurisdiction. Members and their staff will consult the President's budget proposal, past appropriations bills, and the opinions and ideas of advocates and lobbyists that come to the Hill to determine how funds ought to be allocated. Mixing these testimonials and the needs of the members' states and districts and members' personal and political priorities, subcommittee staff will labor to produce an appropriations bill for the programs under their jurisdiction, generally during the summer before the fiscal year for which they are writing the bill. A key subcommittee to look out for is the powerful Appropriations Subcommittee on Labor, Health and Human Services, and Education, or Labor-H committee, which handles grants important to SASA's mission such as the Title IV-A Student Support and Academic Enrichment Grants.

Markup and Riders – How the Bills are Edited

Committee and subcommittee markups are the final formal step before a bill is released to the floor or the full committee. Committee chairs refer the completed draft of their subcommittee's bill for markup, where members will offer and vote on amendments, with markup concluding by a majority vote to report the bill to the full House or Senate Appropriations Committee. Here the process will repeat before the full committee sends the bill to the floor. Due to the pressure on Congress to pass appropriations bills on time, they are often easy ways for members to score easy policy wins by attaching germane (technically on-topic) amendments that make policy changes outside of the scope of changing program funding. While both chambers of Congress have rules against legislative riders, which are non-germane and invent new programs to fund, the rules still allow limitation riders, which limit what agencies can do with the money that Congress has appropriated for them. These riders tend to frustrate other members of Congress by moving bills that otherwise would not have passed, and irritate presidents who cannot veto the rider without vetoing the entire appropriations package.

Omnibus and Minibus Packages – How the Bills are Passed

Once on the floor, it was intended that each bill would pass in "regular order", where each bill

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receives individual attention from the whole chamber in which it is debated, where members outside of the Appropriations Committees can offer amendments to these bills, before they pass each chamber and are sent to the President. However, in the modern Congress, bills are usually advanced in omnibus and minibus packages, which are bundles of appropriations bills that can be passed in a single vote and session of debate, limiting the ability of members to slow and derail the process. An omnibus typically contains all the appropriations bills while a minibus typically has two or more. These are just terms Congress uses to describe their procedures. Omnibus bills present advantages for congressional leadership. They move faster to the President's desk, they distance members from the controversial parts of the appropriations bill that they would be directly exposed to in a smaller bill, and they put pressure on the President to pass the bill even if they have reservations, to not grind the entire process to a halt. These political advantages are also policy hindrances though, as omnibuses reduce accountability for the content of the bill, make it more difficult for members outside of the Appropriations Committees to give input, prevent deeper oversight over the bill's contents, and short-circuit the role of the President in the appropriations process. Despite these issues, the omnibus is likely here to stay, as it is difficult to pass appropriations otherwise due to the obstacle of the filibuster in the Senate and the tight schedule of Congressional appropriations. Omnibus bills pass in the same way other bills do, with the bills being debated and passed with a majority vote in the House and a majority vote in the Senate after cloture is invoked on debate in the chamber to proceed to a vote. Once the omnibus bill is passed by both chambers of Congress and reconciled, if it has not been reconciled already, it will be sent to the President's desk, where it will either pass or be vetoed and sent back to Congress to be passed with a supermajority vote.

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