ASTRONAUTS FOR AMERICA

Congress and the Federal Budget

Institutional Norms: Executive Constraint, Mutual Tolerance, Legislative Bipartisanship

BOTTOM LINE

The congressional budget process requires members of Congress to work across party lines in concert with the Executive Branch for the most optimal compromise. Following decades of increasing politicalization and complication, Congress budget disfunction has evolved into a series of continuing resolutions, and threats of, or actual, multiple shutdowns of federal agencies. Improving this complex situation will require reforms to congressional procedures and incentives, bettering of executive-legislative relations, and political pressures that reward brinkmanship rather than compromise. These changes can only occur through combined efforts of our Legislative and Executive branches of the government and our active citizenry. The growing federal debt threatens our nation's fiscal stability and the stability and lives of future generations. Addressing it requires bipartisan cooperation on spending, revenues, and long-term commitments. Continued budget dysfunction makes these challenges more difficult to resolve.

NARRATIVE

The congressional budget process was designed to require negotiation and compromise. The Congressional Budget and Impoundment Control Act of 1974 established a framework for the House and Senate to agree on fiscal priorities and complete appropriations before the fiscal year begins on October 1. Increasingly, however, Congress has failed to complete this work on time.

The deterioration became evident in the 1980s. Congressional Research Service (CRS) data show that all 13 regular appropriations bills were enacted by the start of FY1977, compared with only one by the start of FY1982. Continuing resolutions (CRs), intended as temporary measures while appropriations were completed increasingly became a routine means of funding government. At the same time, the consequences of funding gaps became more significant. Following Attorney General Benjamin Civiletti's interpretation of the Antideficiency Act, agencies generally were required to stop activities not legally permitted to continue when appropriations expired. The November 1981 funding gap resulted in widespread federal employee furloughs and helped establish the modern shutdown practice.

Over subsequent decades, appropriations deadlines increasingly became leverage in broader policy disputes. The 1995–96 shutdowns involved fundamental disagreements over federal spending and policy; later shutdowns included disputes over the Affordable Care Act in 2013 and border-wall funding in 2018–19. Funding disputes thus increasingly extended beyond annual spending levels to larger policy disagreements.

The pattern continues today: Congress frequently relies on CRs when regular appropriations are not completed by October 1. While CRs prevent an immediate shutdown, they postpone final decisions and create uncertainty for federal agencies. When appropriations lapse, the Antideficiency Act generally requires affected agencies to cease activities that are not legally permitted to continue.

The historical trend therefore represents more than missed deadlines. Repeated reliance on temporary funding and deadline-driven negotiations has weakened regular order and normalized crisis budgeting, creating uncertainty for agencies and reducing the time available for deliberate compromise. Continuing resolutions and shutdowns drive cost overruns by freezing contract pricing, disrupting timelines, and forcing the government to pay for idle labor, demobilization, and backlogs.

A significant recent threat to the budget process is the Executive Branch's refusal to spend significant amounts of money that is already appropriated. If an administration can selectively withhold congressionally appropriated funds, members have even less incentive to negotiate and compromise, further weakening an already dysfunctional budget process. The resulting funding disfunction in science research has threatened the US scientific leadership. This is discussed further in Failure Is Not An Option briefing Federal Science Funding.

GAO has proposed reforms to reduce these problems, discussed in the recommendations below. Lasting improvement, however, also depends on political incentives. Citizens can contribute by expecting elected officials to govern across differences and by recognizing that compromise is a necessary feature of a constitutional system with divided powers and competing interests. Improving the federal budget process requires congressional reforms, stronger executive-legislative cooperation, and incentives that favor compromise over brinkmanship. Restoring regular order, addressing fiscal challenges, and respecting Congress's power of the purse will require bipartisan commitment and an engaged citizenry.

FINDINGS

PROXIMATE CAUSE(S)	CONTRIBUTING CAUSE(S)	ROOT CAUSE(S)
• Difficulty in achieving cross-party compromise is increasing, negatively affecting appropriations legislation that must navigate both chambers	• Continuing resolutions have become normalized. Rather than completing regular appropriations before the fiscal year begins, Congress routinely relies on	• Erosion of institutional norms. legislative bipartisanship, mutual tolerance, compromise, and institutional restraint allow funding deadlines to become instruments of political leverage.

and ultimately presidential approval.
- Narrow congressional margins and difficulty assembling majorities lead to difficulties in getting votes to pass the budget and appropriation bills.
- Policy disputes attached to must-pass funding legislation result in appropriations bills increasingly becoming vehicles for resolving contentious policy disagreements that extend beyond the basic question of how much government should spend.
- Approaching funding deadlines become negotiating leverage, encouraging parties to delay compromise in hopes of gaining concessions.
- Increasing executive-legislative disputes over spending and implementation with current Executive Branch refusing to spend funds Congress allocated.

temporary funding and uses threat as negotiating leverage
- Budget complexity and competing fiscal demands create additional challenges.
- Declining legislative bipartisanship and relationships affect the appropriations process as the House, Senate, and President must ultimately agree on legislation.
- Fragmentation of congressional power allows narrow majorities and party divisions to make compromise more difficult and gives small groups greater leverage over government funding.
- Growing mistrust between congress and executive branch impedes compromise.
- Continuing resolutions have become normalized**.** Rather than completing regular appropriations before the fiscal year begins, Congress routinely relies on temporary funding and uses threat as negotiating leverage.

- Long term political polarization has resulting in greater ideological distance between the parties makes it more difficult to find spending and policy compromises acceptable to both sides.
- There is fundamental disagreement over the size, role, and priorities of government
- We have a constitutional system that requires agreement among competing institutions. Congress controls appropriations, while the President participates through budget proposals, administration of enacted spending, and the legislative veto process. With decline in cooperation stalemate often results.
- The budget process is increasingly complex. The 1974 budget system added new procedures to existing authorization, appropriations, and revenue processes. Multiple committees, deadlines, spending categories, and enforcement mechanisms now create numerous opportunities for disagreement and delay.
- Growth of mandatory spending and long-term commitments reduces budget flexibility, as rising entitlement, healthcare, interest, and other costs leave less room for annual appropriations.
- Electoral and political incentives discourage compromise.

Norm Erosion: *Beyond the limits defined in our Constitution, our traditional norms are critical to our guardrails of democracy. The recurring inability of Congress and the executive branch to resolve budget and appropriations disputes can weaken three norms important to effective constitutional government: executive constraint: recognizing statutory limits and respecting Congress's constitutional responsibilities for the budget), mutual tolerance: democratic government depends on political opponents recognizing one another as legitimate participants in the constitutional process, even when their policy differences are substantial, and legislative bipartisanship: the erosion of the expectation that each side must make concessions can turn appropriations deadlines into opportunities for political leverage.*

RECOMMENDATIONS

LEGISLATORS AND JURISTS

- Congress could establish an automatic continuing resolution that temporarily maintains funding when regular appropriations are not completed by the deadline, allowing government operations while negotiations continue and reducing the usefulness of shutdown threats as bargaining tools.
- Congressional leaders and the President could negotiate overall spending levels earlier in the process, giving appropriations committees clearer parameters within which to develop individual bills.
- Consider multiyear or biennial budgeting where appropriate. There are some drawbacks but funding for relatively stable programs could reduce the annual appropriations workload.
- Collaborate across party lines.
- Strengthen enforcement of the Impoundment Control Act, clarify deadlines, reporting requirements, and consequences for executive branch withholding appropriated funds outside the statutory process.
- Increase transparency by **r**equiring OMB and agencies to promptly disclose freezes, delays, cancellations, and changes in the obligation of

GOVERNMENT EXECUTIVES

- Begin substantive discussions with appropriations and authorizing committees well before funding deadlines. Early communication gives Congress more time to resolve differences before they become crises.
- Provide realistic, transparent budget requests. Agencies should clearly explain program costs, priorities, expected outcomes, and the consequences of alternative funding levels.
- Respect Congress's power of the purse.
- If an administration believes spending should be eliminated, it can ask Congress to rescind the appropriation rather than unilaterally withholding it. In 2025, for example, the administration submitted formal

CITIZENS

- Contact representatives while appropriations legislation is being developed rather than waiting until a shutdown deadline. Participate in town halls and ask specifically what legislators are doing to complete appropriations through the regular process.
- Expect compromise rather than ideological victory. In a divided constitutional system, no political group can expect to achieve all of its objectives in every budget agreement.
- Encourage Congress to protect its power of the purse by contacting representatives, supporting effective oversight and transparency, documenting the effects of withheld funds, and participating in public

congressionally appropriated funds, allowing Congress and GAO to identify potential impoundments earlier.

- Strengthen congressional and GAO oversight. Give GAO timely access to agency information and strengthen mechanisms for Congress or GAO to obtain expedited judicial review when appropriations are withheld.
- Congress should restore regular order through timely committee action, bipartisan negotiations, and transparent appropriations procedures. The Senate and House should each adopt resolutions committing to these principles, followed by procedural reforms and bipartisan oversight.

rescission proposals under the ICA for congressional consideration vs simply refusing to spend the money.

- The **U.S. Government Accountability Office (GAO)** has statutory responsibilities under the Impoundment Control Act (ICA) and can investigate unreported fund withholdings, and issue formal legal opinions on executive-branch actions.

hearings and discussions.

- Encourage representatives to maintain relationships across party lines.
- Keep informed on issues and vote in every election.
- Visit AstronautsForAmerica.org for the AFA Candidate Integrity Pledge.
- Challenge your local school board to improve civics education at all levels.

Key Sources: *Government Accountability Office (GAO): Budget Process: Enforcing Fiscal Choices, Congress's Constitutional Power of the Purse, Shutdowns and Lapses in Appropriations, Government-Wide Inventory of Accounts with Mandatory Spending; Congressional Research Service (CRS): Introduction to the Federal Budget Process, Congressional Budget Process Timeline, Continuing Appropriations: History and Recent Practices Reports on the Appropriations Process, Automatic Continuing Resolutions: Background and Overview; House.gov: House Appropriations Committee; Bipartisan Policy Center: Governing in a Polarized America: The Case for Electoral Reform; Joint Select Committee on Budget and Appropriations Process Reform, Co-Chair Mark Report.*

Appeal to Our Crewmates: This "Failure Is Not an Option" briefing is one of a series by Astronauts For America, distilling our "America, We Have a Problem!" series briefings into cause factors and recommendations. We are not constitutional scholars; we defer to experts and use primary sources: court decisions, congressional records, peer-reviewed scholarship, and non-partisan press. Please use the "Contact Us" feature on our website to tell us what we can do to help further our American ideals.