

concurrent resolution on the budget; various points of order to enforce budgetary decisions; the development of reconciliation directives within the concurrent resolution on the budget and reconciliation procedures in the House; and cancellation of budgetary authority. In addition, this chapter will touch upon procedures concerning the debt limit, unfunded mandates, and earmarks.

The reader is encouraged to consult other related chapters of *Deschler-Brown-Johnson Precedents* and *House Practice* for related topics not elucidated here.

## § 2. Timeline of Budget Process

Section 300 of the Congressional Budget Act<sup>(1)</sup> sets out a nonmandatory timetable for the congressional budget process.

### ***Section 300 Requirements***

On the first Monday in February the President submits a budget to the Congress. On or before February 15, the Congressional Budget Office submits its annual report to the Budget Committees. Not later than six weeks after the President submits a budget, committees submit views and estimates to the respective Budget Committees which include estimates of new budget authority and outlays within their respective jurisdictions.<sup>(1)</sup> On or before April 1, the Senate Budget Committee reports a concurrent resolution on the budget. Pursuant to section 300, congressional action on the concurrent resolution on the budget is to be completed by April 15.

Until a concurrent resolution on the budget is adopted by Congress, spending bills (including annual appropriation bills) may not be considered in the House.<sup>(2)</sup> However, section 303(b)(2) of the Budget Act<sup>(3)</sup> provides that general appropriation bills, and amendments thereto, may be considered in the House after May 15 even if a budget resolution for the ensuing fiscal year has yet to be agreed to. On or before June 10, the Committee on Appropriations reports its last annual appropriation bill.

On or before June 15, Congress completes action on reconciliation legislation contemplated in a concurrent resolution on the budget.<sup>(4)</sup> On or before

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1. 2 USC § 631.

1. See § 7, *infra*.

2. 2 USC § 633(a).

3. 2 USC § 633(b)(2).

4. The mandatory June 15 deadline was repealed by the BEA of 1990 and replaced with a new House prohibition (section 310(f)) on adjourning for more than three calendar

June 30, the House completes action on annual appropriation bills.<sup>(5)</sup> On October 1, the fiscal year begins.

### **§ 3. Presidential Budget Submissions**

No later than the first Monday in February of each year, the President shall submit a budget of the United States Government to the Congress. Federal law<sup>(1)</sup> outlines the content of such budget, including information on activities and functions of the government, and estimated expenditures and receipts of the government, and appropriations and proposed appropriations of the government for the current fiscal year. The President shall submit to Congress no later than July 16 of each year a supplemental summary of the budget for the fiscal year which shall include substantial changes in, or reappraisals of, estimates of expenditures and receipts and substantial obligations imposed on the budget after its submission.<sup>(2)</sup>

A presidential budget submission is normally received as a formal message from the President to Congress, delivered by messenger through the door under seal, and laid before the House.<sup>(3)</sup> When the budget submission is received when the House is not in session, it is delivered to the Clerk of the House, who transmits such submission to the House at the next meeting.<sup>(4)</sup> Despite this normal protocol, the President has submitted a budget to Congress as an executive communication addressed to the Speaker, rather than as a formal message to Congress.<sup>(5)</sup> The President has also submitted incomplete budget proposals (together with assurances regarding transmittal of the missing material).<sup>(6)</sup> Congress has passed a joint resolution waiving the statutory deadline for the submission of the President's budget.<sup>(7)</sup>

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days during the month of July if action on reconciliation legislation has not been completed. See §§ 19, 21.16–21.18, *infra*. See also Deschler-Brown-Johnson Precedents Ch. 40, *supra*.

5. Section 309 prohibits the House from adjourning for more than three calendar days in the month of July if it has not completed action on all annual appropriation bills. See §§ 5.19, 5.20, 21.17, 21.18, *infra*.
1. 31 USC § 1105.
2. 31 USC § 1106.
3. See Deschler-Brown-Johnson Precedents Ch. 35 § 1, *supra*. The reading of a presidential budget message has been interrupted by quorum calls. See Deschler's Precedents Ch. 20 § 12.3 and Deschler-Brown-Johnson Precedents Ch. 35 § 2.11, *supra*.
4. Rule II clause 2(h), *House Rules and Manual* § 652 (2011).
5. See § 3.3, *infra*.
6. See § 3.4, *infra*.
7. See § 3.5, *infra*.