

Daniel Schuman, Policy Director, Demand Progress
Written Testimony Submitted to the
Senate Appropriations Financial Services and General Government Subcommittee
Concerning the Office of Management and Budget
For the FY 2020 Appropriations Bill

Dear Chairman Kennedy, Ranking Member Coons, and members of the committee:

Thank you for the opportunity to submit this testimony regarding the FY 2020 Senate Financial Services and General Government Appropriations bill. Our request singularly focuses on transparency regarding Congressional Budget Justifications, which are overseen by the Office of Management and Budget, a component of the Executive Office of the President.

Congressional Budget Justifications (CBJs) provide a plain-language explanation of how an agency has spent money and how it intends to spend appropriated funds during the upcoming year. The CBJs are essential to understanding agency activities, but they can be hard to locate.

In March, we released a report examining public access to Congressional Budget Justifications across 456 federal agencies for FY 2018 and FY 2019.¹ As there is no central website containing the reports, we examined each agency's website to evaluate public availability. Our key finding:

21 percent of the 456 agencies we surveyed did not publish a CBJ. This is in addition to the 6.1 percent that published only one CBJ for 2018 and 2019, which suggests they were required to publish a CBJ online but failed to do so. We do not know how many agencies were required to publish a CBJ, or whether their CBJ might be aggregated under another agency that did not publish its CBJ. Unfortunately, OMB does not release a list of agencies that must publish these budget justifications.

The Office of Management and Budget publishes a significant amount of budgetary information on its website, including the president's budget, the analytical perspectives, the budget appendix, historical tables, supplemental materials, fact sheets, and so on.² In addition, the OMB has the authority to control the format of the CBJs and to review the

¹ "Feds lag in Publishing Funding Requests," Demand Progress (March 11, 2019), available at <https://firstbranchforecast.com/2019/03/11/feds-lag-in-publishing-funding-requests/>

² <https://www.whitehouse.gov/omb/budget/>

contents of executive branch CBJs prior to their submission to Congress.³ OMB requires reach agency to publish their CBJ on that agency's website. And yet, OMB has not yet exercised its authority to publish agency CBJs on OMB's website. (Nor did OMB publish its own CBJ online, whether independently or as part of the Executive Office of the President CBJ.)

Nevertheless, the House of Representatives' Appropriations Financial Services and General Government subcommittee included language in its FY 2018⁴ and FY 2019⁵ committee reports requesting that OMB publish agency CBJs on OMB's website. To date, OMB has not complied.

Accordingly, we urge the Senate FSGG Appropriations committee to *require* OMB to publish all Congressional Budget Justifications that it reviews on OMB's website within two weeks of their submission to Congress. This mirrors the language in OMB Circular A-11, in which OMB requires agencies to publish CBJs on their respective websites within two weeks of submission to Congress.

We recommend the following language be included for the Executive Office of the President in the section concerning the Office of Management and Budget:

Consolidated Public Access to Agency Congressional Budget Justifications: Within two weeks of agency transmittal of a Congressional Budget Justification to Congress, the Director of OMB shall publish that agency's Congressional Budget Justification on OMB's website as part of a permanent online archive of all agency Congressional Budget Justifications that are in a consistent searchable, sortable, and machine readable format.

Government transparency is essential to our democracy, and the CBJ's provide an unusually clear window into agency plans. We thank you for considering our request.

³ See OMB Circular A-11 section 22.6(c).

⁴ See p. 31, H. Rpt 115-234, "Financial Services and General Government Appropriations Bill, 2018," available at <https://www.congress.gov/115/crpt/hrpt234/CRPT-115hrpt234.pdf>. "Online Budget Repository.—The Committee encourages OMB to develop a central online repository where all Federal agency budgets and their respective justifications are publicly available in a consistent searchable, sortable, and machine readable format."

⁵ See p. 27, H. Rpt 115-792, "Financial Services and General Government Appropriations Bill, 2019," available at <https://www.congress.gov/115/crpt/hrpt792/CRPT-115hrpt792.pdf>. "Online Budget Repository.—The Committee encourages OMB to develop a central online repository where all Federal agency budgets and their respective justifications are publicly available in a consistent searchable, sortable, and machine readable format."