RESTRICTIONS ON THE DISCLOSURE OF BUDGET ESTIMATES AND SUPPORTING MATERIALS

I. This Directive sets forth responsibilities and restrictions on the disclosure of budget estimates and supporting materials.

II. This Directive replaces AMS Instruction 430-3, Revision 1, dated 7/14/83. Changes are marked with asterisks.

III. Restrictions on the disclosure of budget estimates and supporting materials are contained in Office of Management and Budget (OMB) Circular * - A-11, Section 12.9; and the Departmental Budget Manual, Part 1, Chapter 2, Section 1. - *

IV. All AMS employees having access to budgetary data are responsible for following the provisions of this Directive concerning the confidential nature of budgetary data.

V. A. Disclosure of the following data to the public is prohibited:

1. Division, Agency, and Department estimates and all other budget estimates and supporting materials that precede the President's budget. Budgetary data includes the amount of the proposed appropriation, the language of the appropriation estimate, and any limitations contained within it. Restrictions apply to past and current estimates. Similar restrictions also apply to supplemental and deficiency estimates and budget amendments.

2. The President's budget prior to transmittal to the Congress.

3. Data on congressional action on the President's budget, and Agency material furnished to congressional committees in connection with consideration of the budget prior to release by the committee or other congressional agency involved.

B. Disclosure of the following data to a Member of Congress or his/her staff is prohibited:

1. The budgetary data stated in paragraph A.1. above, except when requested in formal appropriation hearings, or when a direct request is received from a Member of Congress (or a member of his/her staff acting at the direction of the Congress) in connection with their consideration of the budget after its transmittal. Such requests shall be forwarded to the Financial Management Division (FMD) for appropriate Agency and Department coordination.
2. The President's budget prior to transmittal to the Congress.

VI. The regulations of the Executive Branch, Department, or Agency do not prohibit making the following data available:

A. The budget estimates and supporting materials, at any stage of preparation of the budget, to other Federal employees of the Executive Branch when they require the information in the performance of their official duties.

B. The President's budget after it is made public through formal transmittal to the Congress.

C. Data relating to congressional action on the budget, including committee actions and reports, Department comments furnished to the Congress, etc., but only after and to the extent that such data are released to the public by the committees or other congressional agencies. This release is most commonly made through printed bills and reports, and published debate in the Congressional Record.

VII. The FMD serves as liaison in providing additional information or answering any specific inquiries regarding this Directive.

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