

112TH CONGRESS
1ST SESSION

S. 1274

To provide for a biennial appropriations process with the exception of defense spending and to enhance oversight and the performance of the Federal Government.

IN THE SENATE OF THE UNITED STATES

JUNE 23, 2011

Mr. ENZI (for himself, Mr. ISAKSON, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on the Budget

A BILL

To provide for a biennial appropriations process with the exception of defense spending and to enhance oversight and the performance of the Federal Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Biennial Appropria-
5 tions Act”.

6 **SEC. 2. REVISION OF TIMETABLE.**

7 Section 300 of the Congressional Budget Act of 1974
8 (2 U.S.C. 631) is amended to read as follows:

1 “TIMETABLE

2 “SEC. 300. (a) TIMETABLE.—

3 “(1) IN GENERAL.—The timetable with respect
4 to the congressional budget process for any fiscal
5 year is as follows:

“On or before:	Action to be completed:
First Monday in February	President submits his budget.
February 15	Congressional Budget Office submits report to Budget Committees.
Not later than 6 weeks after President submits budget.	Committees submit views and estimates to Budget Committees.
April 1	Budget Committees report concurrent resolution on the budget.
April 15	Congress completes action on concurrent resolution on the budget.
May 15	Biennial appropriation bills and the defense appropriation bill may be considered in the House as provided in subsection (b).
June 10	House Appropriations Committee reports last appropriation bill.
June 15	Congress completes action on reconciliation legislation.
June 30	House completes action on appropriation bills.
August 1	Congress completes action on appropriation bills.
October 1	Fiscal year begins.

6 “(2) SPECIAL RULE.—In the case of any first
7 session of Congress that begins in any year immediately following a leap year and during which the
8 term of a President (except a President who succeeds himself or herself) begins, the following dates
9 shall supersede those set forth in subsection (a):
10
11

“First Session

On or before:	Action to be completed:
First Monday in April	President submits his budget.
April 15	Congressional Budget Office submits report to Budget Committees.
April 20	Committees submit views and estimates to Budget Committees.

“First Session—Continued

May 15	Budget Committees report concurrent resolution on the biennial budget.
June 1	Congress completes action on concurrent resolution on the biennial budget.
July 1	Biennial appropriation bills may be considered in the House.
July 20	Biennial appropriation bills and the defense appropriation bill may be considered in the House as provided in subsection (b).
August 1	Congress completes action on biennial appropriations bills and reconciliation legislation.
October 1	Biennium begins.

1 “(b) BIENNIAL APPROPRIATION BILLS AND DE-
2 FENSE APPROPRIATION BILL.—Appropriation bills shall
3 be enacted as follows:

4 “(1) ODD-NUMBERED YEARS.—In odd-num-
5 bered years Congress shall consider pursuant to the
6 budget process in this title and enact—

7 “(A) an annual defense appropriation bill;

8 and

9 “(B) biennial appropriation bills for—

10 “(i) Agriculture;

11 “(ii) Transportation, HUD;

12 “(iii) Interior, Environment;

13 “(iv) Labor, HHS, Education; and

14 “(v) Military Construction, Veterans

15 Affairs.

16 “(2) EVEN-NUMBERED YEARS.—In even-num-
17 bered years Congress shall consider pursuant to the
18 budget process in this title and enact—

1 “(A) an annual defense appropriation bill;

2 and

3 “(B) biennial appropriation bills for—

4 “(i) Commerce, Justice, Science;

5 “(ii) Energy and Water;

6 “(iii) Homeland Security;

7 “(iv) Financial Services;

8 “(v) Legislative Branch; and

9 “(vi) State–Foreign Operations.”

10 **SEC. 3. AMENDMENTS TO THE CONGRESSIONAL BUDGET**

11 **AND IMPOUNDMENT CONTROL ACT OF 1974.**

12 (a) DEFINITIONS.—Section 3 of such Act (2 U.S.C.
13 622) is further amended by adding at the end the fol-
14 lowing new paragraph:

15 “(11) The term ‘biennium’ means the period of
16 2 consecutive fiscal years beginning on October 1.”.

17 (b) COMMITTEE ALLOCATIONS.—Section 302 of such
18 Act (2 U.S.C. 633) is amended—

19 (1) in subsection (a)(1), by—

20 (A) inserting after “for the first fiscal year
21 of the resolution,” the following: “and for ap-
22 propriations for each fiscal year in the bien-
23 nium and for the first fiscal year of the resolu-
24 tion for defense,”;

1 (B) striking “for that period of fiscal
2 years” and inserting “for all fiscal years cov-
3 ered by the resolution”; and

4 (C) inserting after “for the fiscal year of
5 that resolution” the following: “for defense and
6 for each fiscal year in the biennium”;

7 (2) in subsection (b), by inserting after “budget
8 year” the following: “for defense and the biennium”;
9 and

10 (3) in subsection (f)(2)(A), by—

11 (A) inserting after “the first fiscal year”
12 and inserting “or each fiscal year of the bien-
13 nium”; and

14 (B) striking “the total of fiscal years” and
15 inserting “the total of all fiscal years covered by
16 the resolution”.

17 **SEC. 4. AMENDMENTS TO TITLE 31, UNITED STATES CODE.**

18 (a) DEFINITION.—Section 1101 of title 31, United
19 States Code, is amended by adding at the end thereof the
20 following new paragraph:

21 “(3) ‘biennium’ has the meaning given to such
22 term in paragraph (11) of section 3 of the Congres-
23 sional Budget and Impoundment Control Act of
24 1974 (2 U.S.C. 622(11)).”.

1 (b) BUDGET CONTENTS AND SUBMISSION TO THE
2 CONGRESS.—

3 (1) EXPENDITURES.—Section 1105(a)(5) of
4 title 31, United States Code, is amended by striking
5 “the fiscal year for which the budget is submitted
6 and the 4 fiscal years after that year” and inserting
7 “each fiscal year in the biennium for which the
8 budget is submitted and in the succeeding 4 fiscal
9 years”.

10 (2) RECEIPTS.—Section 1105(a)(6) of title 31,
11 United States Code, is amended by striking “the fis-
12 cal year for which the budget is submitted and the
13 4 fiscal years after that year” and inserting “each
14 fiscal year in the biennium for which the budget is
15 submitted and in the succeeding 4 years”.

16 (3) BALANCE STATEMENTS.—Section
17 1105(a)(9)(C) of title 31, United States Code, is
18 amended by striking “the fiscal year” and inserting
19 “each fiscal year in the biennium”.

20 (4) FUNCTIONS AND ACTIVITIES.—Section
21 1105(a)(12) of title 31, United States Code, is
22 amended in subparagraph (A), by striking “the fis-
23 cal year” and inserting “each fiscal year in the bien-
24 nium”.

1 (5) ALLOWANCES.—Section 1105(a)(13) of title
2 31, United States Code, is amended by striking “the
3 fiscal year” and inserting “each fiscal year in the bi-
4 ennium”.

5 (6) ALLOWANCES FOR UNCONTROLLED EX-
6 PENDITURES.—Section 1105(a)(14) of title 31,
7 United States Code, is amended by striking “that
8 year” and inserting “each fiscal year in the bien-
9 nium for which the budget is submitted”.

10 (7) TAX EXPENDITURES.—Section 1105(a)(16)
11 of title 31, United States Code, is amended by strik-
12 ing “the fiscal year” and inserting “each fiscal year
13 in the biennium”.

14 (8) FUTURE YEARS.—Section 1105(a)(17) of
15 title 31, United States Code, is amended—

16 (A) by striking “the fiscal year following
17 the fiscal year” and inserting “each fiscal year
18 in the biennium following the biennium”;

19 (B) by striking “that following fiscal year”
20 and inserting “each such fiscal year”; and

21 (C) by striking “fiscal year before the fis-
22 cal year” and inserting “biennium before the bi-
23 ennium”.

1 (9) PRIOR YEAR OUTLAYS.—Section
2 1105(a)(18) of title 31, United States Code, is
3 amended—

4 (A) by striking “the prior fiscal year” and
5 inserting “each of the 2 most recently com-
6 pleted fiscal years,”;

7 (B) by striking “for that year” and insert-
8 ing “with respect to those fiscal years”; and

9 (C) by striking “in that year” and insert-
10 ing “in those fiscal years”.

11 (10) PRIOR YEAR RECEIPTS.—Section
12 1105(a)(19) of title 31, United States Code, is
13 amended—

14 (A) by striking “the prior fiscal year” and
15 inserting “each of the 2 most recently com-
16 pleted fiscal years”;

17 (B) by striking “for that year” and insert-
18 ing “with respect to those fiscal years”; and

19 (C) by striking “in that year” each place
20 it appears and inserting “in those fiscal years”.

21 (c) ESTIMATED EXPENDITURES OF LEGISLATIVE
22 AND JUDICIAL BRANCHES.—Section 1105(b) of title 31,
23 United States Code, is amended by striking “each year”
24 and inserting “each even-numbered year”.

1 (d) RECOMMENDATIONS TO MEET ESTIMATED DE-
2 FICIENCIES.—Section 1105(c) of title 31, United States
3 Code, is amended—

4 (1) by striking “the fiscal year for” the first
5 place it appears and inserting “each fiscal year in
6 the biennium for”;

7 (2) by striking “the fiscal year for” the second
8 place it appears and inserting “each fiscal year of
9 the biennium, as the case may be, for”; and

10 (3) by striking “for that year” and inserting
11 “for each fiscal year of the biennium”.

12 (e) CAPITAL INVESTMENT ANALYSIS.—Section
13 1105(e)(1) of title 31, United States Code, is amended
14 by striking “ensuing fiscal year” and inserting “biennium
15 to which such budget relates”.

16 **SEC. 5. TWO-YEAR APPROPRIATIONS; TITLE AND STYLE OF**
17 **APPROPRIATIONS ACTS.**

18 Section 105 of title 1, United States Code, is amend-
19 ed to read as follows:

20 **“§ 105. Title and style of appropriations Acts**

21 **“(a) IN GENERAL.—**

22 **“(1) NONDEFENSE.—**Except as provided in
23 paragraph (2), the style and title of all Acts making
24 appropriations for the support of the Government
25 shall be as follows: ‘An Act making appropriations

1 (here insert the object) for each fiscal year in the bi-
 2 ennium of fiscal years (here insert the fiscal years
 3 of the biennium).’.

4 “(2) DEFENSE.—The style and title of Acts
 5 making appropriations for the support of defense
 6 shall be as follows: ‘An Act making appropriations
 7 for defense for fiscal year (here insert the fiscal
 8 year).’.

9 “(3) AMOUNTS.—All Acts making regular ap-
 10 propriations for the support of the Government shall
 11 specify the amount of appropriations provided for
 12 each fiscal year in such period.

13 “(b) DEFINITIONS.—In this section—

14 “(1) the term ‘biennium’ has the same meaning
 15 as in section 3(11) of the Congressional Budget and
 16 Impoundment Control Act of 1974 (2 U.S.C.
 17 622(11)); and

18 “(2) Acts described in subsection (a)(1) shall be
 19 considered as provided in section 300(b) of the Con-
 20 gressional Budget Act of 1974 (2 U.S.C. 631(b)).’.

21 **SEC. 6. MULTIYEAR AUTHORIZATIONS.**

22 (a) IN GENERAL.—Title III of the Congressional
 23 Budget Act of 1974 is amended by adding at the end the
 24 following new section:

1 “AUTHORIZATIONS OF APPROPRIATIONS

2 “SEC. 316. (a) POINT OF ORDER.—It shall not be
3 in order in the House of Representatives or the Senate
4 to consider—

5 “(1) any bill, joint resolution, amendment, mo-
6 tion, or conference report that authorizes appropria-
7 tions for a period of less than 2 fiscal years, unless
8 the program, project, or activity for which the ap-
9 propriations are authorized will require no further
10 appropriations and will be completed or terminated
11 after the appropriations have been expended; and

12 “(2) in any odd-numbered year, any authoriza-
13 tion or revenue bill or joint resolution until Congress
14 completes action on the biennial budget resolution,
15 all regular biennial appropriations bills, and all rec-
16 onciliation bills.

17 “(b) APPLICABILITY.—In the Senate, subsection (a)
18 shall not apply to—

19 “(1) defense;

20 “(2) any measure that is privileged for consid-
21 eration pursuant to a rule or statute;

22 “(3) any matter considered in Executive Ses-
23 sion; or

24 “(4) an appropriations measure or reconcili-
25 ation bill.”.

1 (b) AMENDMENT TO TABLE OF CONTENTS.—The
2 table of contents set forth in section 1(b) of the Congres-
3 sional Budget and Impoundment Control Act of 1974 is
4 amended by adding after the item relating to section 315
5 the following new item:

“Sec. 316. Authorizations of appropriations.”.

6 **SEC. 7. CONGRESSIONAL OVERSIGHT.**

7 (a) IN GENERAL.—In each year that the activities of
8 an agency are not required to be funded pursuant to sec-
9 tion 300(b) of the Congressional Budget Act of 1974, the
10 committee of the House and the Senate with legislative
11 jurisdiction over that agency shall hold a joint oversight
12 hearing with the corresponding subcommittee of the Com-
13 mittee on Appropriations of their respective House with
14 jurisdiction over the agency.

15 (b) HEARING.—The hearing required by subsection
16 (a) shall review—

17 (1) the mission of the agency;

18 (2) the impact of biennial budgeting on agency
19 efficiency;

20 (3) the cost savings associated with biennial
21 budgeting;

22 (4) new programs created in the off year of the
23 agency budget; and

24 (5) programs that were terminated in the off
25 year of the agency budget.

1 **SEC. 8. REPORT ON TWO-YEAR FISCAL PERIOD.**

2 Not later than 180 days after the date of enactment
3 of this Act, the Director of OMB shall—

4 (1) determine the impact and feasibility of
5 changing the definition of a fiscal year and the
6 budget process based on that definition to a 2-year
7 fiscal period with a biennial budget process based on
8 the 2-year period; and

9 (2) report the findings of the study to the Com-
10 mittees on the Budget of the House of Representa-
11 tives and the Senate.

12 **SEC. 9. EFFECTIVE DATE.**

13 Except as provided in section 7, this Act and the
14 amendments made by this Act shall take effect on January
15 1, 2013, and shall apply to budget resolutions and appro-
16 priations for the biennium beginning with fiscal year
17 2014.

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