

109TH CONGRESS  
1ST SESSION

# S. 877

To provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

---

## IN THE SENATE OF THE UNITED STATES

APRIL 21, 2005

Mr. DOMENICI (for himself, Mr. LIEBERMAN, Mr. FRIST, Mr. LUGAR, Mr. ISAKSON, Mr. ENZI, Mr. FEINGOLD, Mr. CRAPO, Mr. ALEXANDER, Mr. BUNNING, Mr. SESSIONS, Mr. ALLARD, and Mr. CORZINE) introduced the following bill; which was read twice and referred to the Committee on Budget

---

## A BILL

To provide for a biennial budget process and a biennial appropriations process 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 Budgeting  
5       and Appropriations 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) IN GENERAL.—Except as provided by  
 3 subsection (b), the timetable with respect to the congres-  
 4 sional budget process for any Congress (beginning with  
 5 the One Hundred Tenth Congress) is as follows:

| “First Session                                          |                                                                                 |
|---------------------------------------------------------|---------------------------------------------------------------------------------|
| “On or before:                                          | Action to be completed:                                                         |
| First Monday in Feb-<br>ruary.                          | President submits budget recommendations.                                       |
| February 15 .....                                       | Congressional Budget Office submits report<br>to Budget Committees.             |
| Not later than 6 weeks<br>after budget submis-<br>sion. | Committees submit views and estimates to<br>Budget Committees.                  |
| April 1 .....                                           | Budget Committees report concurrent resolu-<br>tion on the biennial budget.     |
| May 15 .....                                            | Congress completes action on concurrent reso-<br>lution on the biennial budget. |
| May 15 .....                                            | Biennial appropriation bills may be consid-<br>ered in the House.               |
| June 10 .....                                           | House Appropriations Committee reports last<br>biennial appropriation bill.     |
| June 30 .....                                           | House completes action on biennial appropria-<br>tion bills.                    |
| August 1 .....                                          | Congress completes action on reconciliation<br>legislation.                     |
| October 1 .....                                         | Biennium begins.                                                                |

| “Second Session                                                     |                                                                                                                          |
|---------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| “On or before:                                                      | Action to be completed:                                                                                                  |
| February 15 .....                                                   | President submits budget review.                                                                                         |
| Not later than 6 weeks<br>after President submits<br>budget review. | Congressional Budget Office submits report<br>to Budget Committees.                                                      |
| The last day of the ses-<br>sion.                                   | Congress completes action on bills and resolu-<br>tions authorizing new budget authority for<br>the succeeding biennium. |

6 “(b) SPECIAL RULE.—In the case of any first session  
 7 of Congress that begins in any year immediately following  
 8 a leap year and during which the term of a President (ex-  
 9 cept a President who succeeds himself or herself) begins,

1 the following dates shall supersede those set forth in sub-  
 2 section (a):

| “First Session              |                                                                            |
|-----------------------------|----------------------------------------------------------------------------|
| “On or before:              | Action to be completed:                                                    |
| First Monday in April ..... | President submits budget recommendations.                                  |
| April 20 .....              | Committees submit views and estimates to Budget Committees.                |
| 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 .....               | House completes action on biennial appropriation bills.                    |
| August 1 .....              | Congress completes action on reconciliation legislation.                   |
| October 1 .....             | Biennium begins.”.                                                         |

3 **SEC. 3. AMENDMENTS TO THE CONGRESSIONAL BUDGET**  
 4 **AND IMPOUNDMENT CONTROL ACT OF 1974.**

5 (a) DECLARATION OF PURPOSE.—Section 2(2) of the  
 6 Congressional Budget and Impoundment Control Act of  
 7 1974 (2 U.S.C. 621(2)) is amended by striking “each  
 8 year” and inserting “biennially”.

9 (b) DEFINITIONS.—

10 (1) BUDGET RESOLUTION.—Section 3(4) of  
 11 such Act (2 U.S.C. 622(4)) is amended by striking  
 12 “fiscal year” each place it appears and inserting “bi-  
 13 ennium”.

14 (2) BIENNIUM.—Section 3 of such Act (2  
 15 U.S.C. 622) is further amended by adding at the  
 16 end the following new paragraph:

1           “(11) The term ‘biennium’ means the period of  
 2           2 consecutive fiscal years beginning on October 1 of  
 3           any odd-numbered year.”.

4           (c) BIENNIAL CONCURRENT RESOLUTION ON THE  
 5 BUDGET.—

6           (1) SECTION HEADING.—The section heading of  
 7           section 301 of such Act is amended by striking “**AN-**  
 8           **NUAL**” and inserting “**BIENNIAL**”.

9           (2) CONTENTS OF RESOLUTION.—Section  
 10          301(a) of such Act (2 U.S.C. 632(a)) is amended—

11               (A) in the matter preceding paragraph (1)  
 12               by—

13                       (i) striking “April 15 of each year”  
 14                       and inserting “May 15 of each odd-num-  
 15                       bered year”;

16                       (ii) striking “the fiscal year beginning  
 17                       on October 1 of such year” the first place  
 18                       it appears and inserting “the biennium be-  
 19                       ginning on October 1 of such year”; and

20                       (iii) striking “the fiscal year beginning  
 21                       on October 1 of such year” the second  
 22                       place it appears and inserting “each fiscal  
 23                       year in such period”;

1 (B) in paragraph (6), by striking “for the  
2 fiscal year” and inserting “for each fiscal year  
3 in the biennium”; and

4 (C) in paragraph (7), by striking “for the  
5 fiscal year” and inserting “for each fiscal year  
6 in the biennium”.

7 (3) ADDITIONAL MATTERS.—Section 301(b)(3)  
8 of such Act (2 U.S.C. 632(b)) is amended by strik-  
9 ing “for such fiscal year” and inserting “for either  
10 fiscal year in such biennium”.

11 (4) VIEWS OF OTHER COMMITTEES.—Section  
12 301(d) of such Act (2 U.S.C. 632(d)) is amended by  
13 inserting “(or, if applicable, as provided by section  
14 300(b))” after “United States Code”.

15 (5) HEARINGS.—Section 301(e)(1) of such Act  
16 (2 U.S.C. 632(e)) is amended by—

17 (A) striking “fiscal year” and inserting  
18 “biennium”; and

19 (B) inserting after the second sentence the  
20 following: “On or before April 1 of each odd-  
21 numbered year (or, if applicable, as provided by  
22 section 300(b)), the Committee on the Budget  
23 of each House shall report to its House the con-  
24 current resolution on the budget referred to in

1 subsection (a) for the biennium beginning on Oc-  
 2 tober 1 of that year.”.

3 (6) GOALS FOR REDUCING UNEMPLOYMENT.—  
 4 Section 301(f) of such Act (2 U.S.C. 632(f)) is  
 5 amended by striking “fiscal year” each place it ap-  
 6 pears and inserting “biennium”.

7 (7) ECONOMIC ASSUMPTIONS.—Section  
 8 301(g)(1) of such Act (2 U.S.C. 632(g)(1)) is  
 9 amended by striking “for a fiscal year” and insert-  
 10 ing “for a biennium”.

11 (8) TABLE OF CONTENTS.—The item relating  
 12 to section 301 in the table of contents set forth in  
 13 section 1(b) of such Act is amended by striking “An-  
 14 nual” and inserting “Biennial”.

15 (d) COMMITTEE ALLOCATIONS.—Section 302 of such  
 16 Act (2 U.S.C. 633) is amended—

17 (1) in subsection (a)

18 (A) in paragraph (1), by—

19 (i) striking “for the first fiscal year of  
 20 the resolution,” and inserting “for each  
 21 fiscal year in the biennium,”;

22 (ii) striking “for that period of fiscal  
 23 years” and inserting “for all fiscal years  
 24 covered by the resolution”; and

1 (iii) striking “for the fiscal year of  
 2 that resolution” and inserting “for each  
 3 fiscal year in the biennium”; and

4 (B) in paragraph (5), by striking “April  
 5 15” and inserting “May 15 or June 1 (under  
 6 section 300(b))”;

7 (2) in subsection (b), by striking “budget year”  
 8 and inserting “biennium”;

9 (3) in subsection (c) by striking “for a fiscal  
 10 year” each place it appears and inserting “for each  
 11 fiscal year in the biennium”;

12 (4) in subsection (f)(1), by striking “for a fiscal  
 13 year” and inserting “for a biennium”;

14 (5) in subsection (f)(1), by striking “the first  
 15 fiscal year” and inserting “each fiscal year of the bi-  
 16 ennium”;

17 (6) in subsection (f)(2)(A), by—

18 (A) striking “the first fiscal year” and in-  
 19 serting “each fiscal year of the biennium”; and

20 (B) striking “the total of fiscal years” and  
 21 inserting “the total of all fiscal years covered by  
 22 the resolution”; and

23 (7) in subsection (g)(1)(A), by striking “April”  
 24 and inserting “May”.

25 (e) SECTION 303 POINT OF ORDER.—

1 (1) IN GENERAL.—Section 303(a) of such Act  
 2 (2 U.S.C. 634(a)) is amended by—

3 (A) striking “the first fiscal year” and in-  
 4 serting “each fiscal year of the biennium”; and

5 (B) striking “that fiscal year” each place  
 6 it appears and inserting “that biennium”.

7 (2) EXCEPTIONS IN THE HOUSE.—Section  
 8 303(b)(1) of such Act (2 U.S.C. 634(b)) is amend-  
 9 ed—

10 (A) in subparagraph (A), by striking “the  
 11 budget year” and inserting “the biennium”;  
 12 and

13 (B) in subparagraph (B), by striking “the  
 14 fiscal year” and inserting “the biennium”.

15 (3) APPLICATION TO THE SENATE.—Section  
 16 303(c)(1) of such Act (2 U.S.C. 634(c)) is amended  
 17 by—

18 (A) striking “fiscal year” and inserting  
 19 “biennium”; and

20 (B) striking “that year” and inserting  
 21 “each fiscal year of that biennium”.

22 (f) PERMISSIBLE REVISIONS OF CONCURRENT RESO-  
 23 LUTIONS ON THE BUDGET.—Section 304(a) of such Act  
 24 (2 U.S.C. 635) is amended—

1           (1) by striking “fiscal year” the first two places  
2           it appears and inserting “biennium”; and

3           (2) by striking “for such fiscal year” and in-  
4           serting “for such biennium”.

5           (g) PROCEDURES FOR CONSIDERATION OF BUDGET  
6 RESOLUTIONS.—Section 305 of such Act (2 U.S.C.  
7 636(3)) is amended—

8           (1) in subsection (a)(3), by striking “fiscal  
9           year” and inserting “biennium”; and

10          (2) in subsection (b)(3), by striking “fiscal  
11          year” and inserting “biennium”.

12          (h) COMPLETION OF HOUSE ACTION ON APPROPRIA-  
13 TION BILLS.—Section 307 of such Act (2 U.S.C. 638) is  
14 amended—

15          (1) by striking “each year” and inserting “each  
16          odd-numbered year”;

17          (2) by striking “annual” and inserting “bien-  
18          nial”;

19          (3) by striking “fiscal year” and inserting “bi-  
20          ennium”; and

21          (4) by striking “that year” and inserting “each  
22          odd-numbered year”.

23          (i) COMPLETION OF ACTION ON REGULAR APPRO-  
24 PRIATION BILLS.—Section 309 of such Act (2 U.S.C.  
25 640) is amended—

1 (1) by inserting “of any odd-numbered calendar  
2 year” after “July”;

3 (2) by striking “annual” and inserting “bien-  
4 nial”; and

5 (3) by striking “fiscal year” and inserting “bi-  
6 ennium”.

7 (j) RECONCILIATION PROCESS.—Section 310(a) of  
8 such Act (2 U.S.C. 641(a)) is amended—

9 (1) in the matter preceding paragraph (1), by  
10 striking “any fiscal year” and inserting “any bien-  
11 nium”; and

12 (2) in paragraph (1) by striking “such fiscal  
13 year” each place it appears and inserting “any fiscal  
14 year covered by such resolution”.

15 (k) SECTION 311 POINT OF ORDER.—

16 (1) IN THE HOUSE.—Section 311(a)(1) of such  
17 Act (2 U.S.C. 642(a)) is amended—

18 (A) by striking “for a fiscal year” and in-  
19 serting “for a biennium”;

20 (B) by striking “the first fiscal year” each  
21 place it appears and inserting “either fiscal  
22 year of the biennium”; and

23 (C) by striking “that first fiscal year” and  
24 inserting “each fiscal year in the biennium”.

1           (2) IN THE SENATE.—Section 311(a)(2) of  
2 such Act is amended—

3           (A) in subparagraph (A), by striking “for  
4 the first fiscal year” and inserting “for either  
5 fiscal year of the biennium”; and

6           (B) in subparagraph (B)—

7           (i) by striking “that first fiscal year”  
8 the first place it appears and inserting  
9 “each fiscal year in the biennium”; and

10           (ii) by striking “that first fiscal year  
11 and the ensuing fiscal years” and inserting  
12 “all fiscal years”.

13           (3) SOCIAL SECURITY LEVELS.—Section  
14 311(a)(3) of such Act is amended by—

15           (A) striking “for the first fiscal year” and  
16 inserting “each fiscal year in the biennium”;  
17 and

18           (B) striking “that fiscal year and the ensu-  
19 ing fiscal years” and inserting “all fiscal  
20 years”.

21           (l) MDA POINT OF ORDER.—Section 312(c) of the  
22 Congressional Budget Act of 1974 (2 U.S.C. 643) is  
23 amended—

24           (1) by striking “for a fiscal year” and inserting  
25 “for a biennium”;

1           (2) in paragraph (1), by striking “the first fis-  
2       cal year” and inserting “either fiscal year in the bi-  
3       ennium”;

4           (3) in paragraph (2), by striking “that fiscal  
5       year” and inserting “either fiscal year in the bien-  
6       nium”; and

7           (4) in the matter following paragraph (2), by  
8       striking “that fiscal year” and inserting “the appli-  
9       cable fiscal year”.

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

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

14           “(3) ‘biennium’ has the meaning given to such  
15       term in paragraph (11) of section 3 of the Congres-  
16       sional Budget and Impoundment Control Act of  
17       1974 (2 U.S.C. 622(11)).”.

18       (b) BUDGET CONTENTS AND SUBMISSION TO THE  
19       CONGRESS.—

20           (1) SCHEDULE.—The matter preceding para-  
21       graph (1) in section 1105(a) of title 31, United  
22       States Code, is amended to read as follows:

23       “(a) On or before the first Monday in February of  
24       each odd-numbered year (or, if applicable, as provided by  
25       section 300(b) of the Congressional Budget Act of 1974),

1 beginning with the One Hundred Ninth Congress, the  
 2 President shall transmit to the Congress, the budget for  
 3 the biennium beginning on October 1 of such calendar  
 4 year. The budget of the United States Government trans-  
 5 mitted under this subsection shall include a budget mes-  
 6 sage and summary and supporting information. The  
 7 President shall include in each budget the following:”.

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

15           (3) RECEIPTS.—Section 1105(a)(6) of title 31,  
 16 United States Code, is amended by striking “the fis-  
 17 cal year for which the budget is submitted and the  
 18 4 fiscal years after that year” and inserting “each  
 19 fiscal year in the biennium for which the budget is  
 20 submitted and in the succeeding 4 years”.

21           (4) BALANCE STATEMENTS.—Section  
 22 1105(a)(9)(C) of title 31, United States Code, is  
 23 amended by striking “the fiscal year” and inserting  
 24 “each fiscal year in the biennium”.

1           (5) FUNCTIONS AND ACTIVITIES.—Section  
 2           1105(a)(12) of title 31, United States Code, is  
 3           amended in subparagraph (A), by striking “the fis-  
 4           cal year” and inserting “each fiscal year in the bien-  
 5           nium”.

6           (6) ALLOWANCES.—Section 1105(a)(13) of title  
 7           31, United States Code, is amended by striking “the  
 8           fiscal year” and inserting “each fiscal year in the bi-  
 9           ennium”.

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

15          (8) TAX EXPENDITURES.—Section 1105(a)(16)  
 16          of title 31, United States Code, is amended by strik-  
 17          ing “the fiscal year” and inserting “each fiscal year  
 18          in the biennium”.

19          (9) FUTURE YEARS.—Section 1105(a)(17) of  
 20          title 31, United States Code, is amended—

21                (A) by striking “the fiscal year following  
 22                the fiscal year” and inserting “each fiscal year  
 23                in the biennium following the biennium”;

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

1 (C) by striking “fiscal year before the fis-  
 2 cal year” and inserting “biennium before the bi-  
 3 ennium”.

4 (10) PRIOR YEAR OUTLAYS.—Section  
 5 1105(a)(18) of title 31, United States Code, is  
 6 amended—

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

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

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

14 (11) PRIOR YEAR RECEIPTS.—Section  
 15 1105(a)(19) of title 31, United States Code, is  
 16 amended—

17 (A) by striking “the prior fiscal year” and  
 18 inserting “each of the 2 most recently com-  
 19 pleted fiscal years”;

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

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

24 (c) ESTIMATED EXPENDITURES OF LEGISLATIVE  
 25 AND JUDICIAL BRANCHES.—Section 1105(b) of title 31,

1 United States Code, is amended by striking “each year”  
 2 and inserting “each even-numbered year”.

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

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

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

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

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

18 (f) SUPPLEMENTAL BUDGET ESTIMATES AND  
 19 CHANGES.—

20 (1) IN GENERAL.—Section 1106(a) of title 31,  
 21 United States Code, is amended—

22 (A) in the matter preceding paragraph (1),  
 23 by—

1 (i) inserting after “Before July 16 of  
 2 each year” the following: “and February  
 3 15 of each even-numbered year”; and

4 (ii) striking “fiscal year” and insert-  
 5 ing “biennium”;

6 (B) in paragraph (1), by striking “that fis-  
 7 cal year” and inserting “each fiscal year in  
 8 such biennium”;

9 (C) in paragraph (2), by striking “fiscal  
 10 year” and inserting “biennium”; and

11 (D) in paragraph (3), by striking “fiscal  
 12 year” and inserting “biennium”.

13 (2) CHANGES.—Section 1106(b) of title 31,  
 14 United States Code, is amended by—

15 (A) striking “the fiscal year” and inserting  
 16 “each fiscal year in the biennium”;

17 (B) inserting after “Before July 16 of each  
 18 year” the following: “and February 15 of each  
 19 even-numbered year”; and

20 (C) striking “submitted before July 16”  
 21 and inserting “required by this subsection”.

22 (g) CURRENT PROGRAMS AND ACTIVITIES ESTI-  
 23 MATES.—

24 (1) IN GENERAL.—Section 1109(a) of title 31,  
 25 United States Code, is amended—

1 (A) by striking “On or before the first  
 2 Monday after January 3 of each year (on or be-  
 3 fore February 5 in 1986)” and inserting “At  
 4 the same time the budget required by section  
 5 1105 is submitted for a biennium”; and

6 (B) by striking “the following fiscal year”  
 7 and inserting “each fiscal year of such period”.

8 (2) JOINT ECONOMIC COMMITTEE.—Section  
 9 1109(b) of title 31, United States Code, is amended  
 10 by striking “March 1 of each year” and inserting  
 11 “within 6 weeks of the President’s budget submis-  
 12 sion for each odd-numbered year (or, if applicable,  
 13 as provided by section 300(b) of the Congressional  
 14 Budget Act of 1974)”.

15 (h) YEAR-AHEAD REQUESTS FOR AUTHORIZING  
 16 LEGISLATION.—Section 1110 of title 31, United States  
 17 Code, is amended by—

18 (1) striking “May 16” and inserting “March  
 19 31”; and

20 (2) striking “year before the year in which the  
 21 fiscal year begins” and inserting “calendar year pre-  
 22 ceding the calendar year in which the biennium be-  
 23 gins”.

1 **SEC. 5. TWO-YEAR APPROPRIATIONS; TITLE AND STYLE OF**  
 2 **APPROPRIATIONS ACTS.**

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

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

6 “(a) The style and title of all Acts making appropria-  
 7 tions for the support of the Government shall be as fol-  
 8 lows: ‘An Act making appropriations (here insert the ob-  
 9 ject) for each fiscal year in the biennium of fiscal years  
 10 (here insert the fiscal years of the biennium).’.

11 “(b) All Acts making regular appropriations for the  
 12 support of the Government shall be enacted for a biennium  
 13 and shall specify the amount of appropriations provided  
 14 for each fiscal year in such period.

15 “(c) For purposes of this section, the term ‘biennium’  
 16 has the same meaning as in section 3(11) of the Congres-  
 17 sional Budget and Impoundment Control Act of 1974 (2  
 18 U.S.C. 622(11)).”.

19 **SEC. 6. MULTIYEAR AUTHORIZATIONS.**

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

23 “AUTHORIZATIONS OF APPROPRIATIONS

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

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

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

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

15               “(1) any measure that is privileged for consid-  
 16               eration pursuant to a rule or statute;

17               “(2) any matter considered in Executive Ses-  
 18               sion; or

19               “(3) an appropriations measure or reconcili-  
 20               ation bill.”.

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

“Sec. 316. Authorizations of appropriations.”.

1 **SEC. 7. GOVERNMENT PLANS ON A BIENNIAL BASIS.**

2 (a) STRATEGIC PLANS.—Section 306 of title 5,  
3 United States Code, is amended—

4 (1) in subsection (a), by striking “September  
5 30, 1997” and inserting “September 30, 2005”;

6 (2) in subsection (b)—

7 (A) by striking “five years forward” and  
8 inserting “6 years forward”;

9 (B) by striking “at least every three years”  
10 and inserting “at least every 4 years”; and

11 (C) by striking beginning with “, except  
12 that” through “four years”; and

13 (3) in subsection (c), by inserting a comma  
14 after “section” the second place it appears and add-  
15 ing “including a strategic plan submitted by Sep-  
16 tember 30, 2005 meeting the requirements of sub-  
17 section (a)”.

18 (b) BUDGET CONTENTS AND SUBMISSION TO CON-  
19 GRESS.—Paragraph (28) of section 1105(a) of title 31,  
20 United States Code, is amended by striking “beginning  
21 with fiscal year 1999, a” and inserting “beginning with  
22 fiscal year 2006, a biennial”.

23 (c) PERFORMANCE PLANS.—Section 1115 of title 31,  
24 United States Code, is amended—

25 (1) in subsection (a)—

26 (A) in the matter before paragraph (1)—

1 (i) by striking “section 1105(a)(29)”  
 2 and inserting “section 1105(a)(28)”; and

3 (ii) by striking “an annual” and in-  
 4 serting “a biennial”;

5 (B) in paragraph (1) by inserting after  
 6 “program activity” the following: “for both  
 7 years 1 and 2 of the biennial plan”;

8 (C) in paragraph (5) by striking “and”  
 9 after the semicolon,

10 (D) in paragraph (6) by striking the period  
 11 and inserting a semicolon; and inserting “and”  
 12 after the inserted semicolon; and

13 (E) by adding after paragraph (6) the fol-  
 14 lowing:

15 “(7) cover a 2-year period beginning with the  
 16 first fiscal year of the next biennial budget cycle.”;

17 (2) in subsection (d) by striking “annual” and  
 18 inserting “biennial”; and

19 (3) in paragraph (6) of subsection (f) by strik-  
 20 ing “annual” and inserting “biennial”.

21 (d) MANAGERIAL ACCOUNTABILITY AND FLEXI-  
 22 BILITY.—Section 9703 of title 31, United States Code, re-  
 23 lating to managerial accountability, is amended—

24 (1) in subsection (a)—

1 (A) in the first sentence by striking “an-  
2 nual”; and

3 (B) by striking “section 1105(a)(29)” and  
4 inserting “section 1105(a)(28)”;  
5 (2) in subsection (e)—

6 (A) in the first sentence by striking “one  
7 or” before “years”;

8 (B) in the second sentence by striking “a  
9 subsequent year” and inserting “a subsequent  
10 2-year period”; and

11 (C) in the third sentence by striking  
12 “three” and inserting “4”.

13 (e) PILOT PROJECTS FOR PERFORMANCE BUDG-  
14 ETING.—Section 1119 of title 31, United States Code, is  
15 amended—

16 (1) in paragraph (1) of subsection (d), by strik-  
17 ing “annual” and inserting “biennial”; and

18 (2) in subsection (e), by striking “annual” and  
19 inserting “biennial”.

20 (f) STRATEGIC PLANS.—Section 2802 of title 39,  
21 United States Code, is amended—

22 (1) in subsection (a), by striking “September  
23 30, 1997” and inserting “September 30, 2005”;

24 (2) by striking “five years forward” and insert-  
25 ing “6 years forward”;

1           (3) in subsection (b), by striking “at least every  
2       three years” and inserting “at least every 4 years”;  
3       and

4           (4) in subsection (c), by inserting a comma  
5       after “section” the second place it appears and in-  
6       serting “including a strategic plan submitted by  
7       September 30, 2005 meeting the requirements of  
8       subsection (a)”.

9       (g) PERFORMANCE PLANS.—Section 2803(a) of title  
10   39, United States Code, is amended—

11           (1) in the matter before paragraph (1), by  
12       striking “an annual” and inserting “a biennial”;

13           (2) in paragraph (1), by inserting after “pro-  
14       gram activity” the following: “for both years 1 and  
15       2 of the biennial plan”;

16           (3) in paragraph (5), by striking “and” after  
17       the semicolon;

18           (4) in paragraph (6), by striking the period and  
19       inserting “; and”; and

20           (5) by adding after paragraph (6) the following:

21           “(7) cover a 2-year period beginning with the  
22       first fiscal year of the next biennial budget cycle.”.

23       (h) COMMITTEE VIEWS OF PLANS AND REPORTS.—  
24   Section 301(d) of the Congressional Budget Act (2 U.S.C.  
25   632(d)) is amended by adding at the end “Each committee

1 of the Senate or the House of Representatives shall review  
 2 the strategic plans, performance plans, and performance  
 3 reports, required under section 306 of title 5, United  
 4 States Code, and sections 1115 and 1116 of title 31,  
 5 United States Code, of all agencies under the jurisdiction  
 6 of the committee. Each committee may provide its views  
 7 on such plans or reports to the Committee on the Budget  
 8 of the applicable House.”.

9 (i) EFFECTIVE DATE.—

10 (1) IN GENERAL.—The amendments made by  
 11 this section shall take effect on March 1, 2005.

12 (2) AGENCY ACTIONS.—Effective on and after  
 13 the date of enactment of this Act, each agency shall  
 14 take such actions as necessary to prepare and sub-  
 15 mit any plan or report in accordance with the  
 16 amendments made by this Act.

17 **SEC. 8. BIENNIAL APPROPRIATIONS BILLS.**

18 (a) IN GENERAL.—Title III of the Congressional  
 19 Budget Act of 1974 (2 U.S.C. 631 et seq.) is amended  
 20 by adding at the end the following:

21 “CONSIDERATION OF BIENNIAL APPROPRIATIONS BILLS

22 “SEC. 317. It shall not be in order in the House of  
 23 Representatives or the Senate in any odd-numbered year  
 24 to consider any regular bill providing new budget authority  
 25 or a limitation on obligations under the jurisdiction of any  
 26 of the subcommittees of the Committees on Appropria-

1 tions for only the first fiscal year of a biennium, unless  
 2 the program, project, or activity for which the new budget  
 3 authority or obligation limitation is provided will require  
 4 no additional authority beyond 1 year and will be com-  
 5 pleted or terminated after the amount provided has been  
 6 expended.”.

7 (b) AMENDMENT TO TABLE OF CONTENTS.—The  
 8 table of contents set forth in section 1(b) of the Congres-  
 9 sional Budget and Impoundment Control Act of 1974 is  
 10 amended by adding after the item relating to section 316  
 11 the following new item:

“Sec. 317. Consideration of biennial appropriations bills.”.

12 **SEC. 9. REPORT ON TWO-YEAR FISCAL PERIOD.**

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

15 (1) determine the impact and feasibility of  
 16 changing the definition of a fiscal year and the  
 17 budget process based on that definition to a 2-year  
 18 fiscal period with a biennial budget process based on  
 19 the 2-year period; and

20 (2) report the findings of the study to the Com-  
 21 mittees on the Budget of the House of Representa-  
 22 tives and the Senate.

23 **SEC. 10. EFFECTIVE DATE.**

24 (a) IN GENERAL.—Except as provided in sections 8  
 25 and 10 and subsection (b), this Act and the amendments

1 made by this Act shall take effect on January 1, 2007,  
2 and shall apply to budget resolutions and appropriations  
3 for the biennium beginning with fiscal year 2008.

4 (b) AUTHORIZATIONS FOR THE BIENNIUM.—For  
5 purposes of authorizations for the biennium beginning  
6 with fiscal year 2006, the provisions of this Act and the  
7 amendments made by this Act relating to 2-year author-  
8 izations shall take effect January 1, 2005.

○