

114TH CONGRESS
1ST SESSION

S. 385

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

FEBRUARY 5, 2015

Mr. ENZI (for himself, Mr. CARPER, Mr. ISAKSON, Mrs. SHAHEEN, and Ms. AYOTTE) 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 or her 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 to be considered that year as provided in subsection (b).
June 15	Congress completes action on reconciliation legislation.
June 30	House completes action on biennial appropriation bills to be considered that year, as provided in subsection (b), and the defense appropriation bill.
August 1	Congress completes action on biennial appropriation bills to be considered that year, as provided in subsection (b), and the defense appropriation bill.
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 paragraph (1):
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11

“On or before:

Action to be completed:

First Monday in April	President submits his or her budget.
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April 15	Congressional Budget Office submits report to Budget Committees.
April 20	Committees submit views and estimates to Budget Committees.
May 15	Budget Committees report concurrent resolution on the budget.
June 1	Congress completes action on concurrent resolution on the budget.
July 1	Biennial appropriation bills and the defense appropriation bill may be considered in the House as provided in subsection (b).
July 20	House completes action on biennial appropriation bills to be considered that year, as provided in subsection (b), and the defense appropriation bill.
August 1	Congress completes action on biennial appropriation bills to be considered that year, as provided in subsection (b), the defense appropriation bill, and reconciliation legislation.
October 1	Fiscal year 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 under this title and enact—

7 “(A) an annual defense appropriation bill;

8 and

9 “(B) biennial appropriation bills for—

10 “(i) Financial Services;

11 “(ii) Transportation, Housing and
12 Urban Development;

13 “(iii) Interior, Environment;

14 “(iv) Labor, Health and Human Serv-
15 ices, Education; and

1 “(v) Military Construction, Veterans
2 Affairs.

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

6 “(A) an annual defense appropriation bill;
7 and

8 “(B) biennial appropriation bills for—

9 “(i) Agriculture;

10 “(ii) Commerce, Justice, Science;

11 “(iii) Energy and Water;

12 “(iv) Homeland Security;

13 “(v) Legislative Branch; and

14 “(vi) State–Foreign Operations.”.

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

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

17 (a) DEFINITIONS.—Section 3 of the Congressional
18 Budget Act of 1974 (2 U.S.C. 622) is amended by adding
19 at the end the following:

20 “(12) The term ‘biennium’ means the period of
21 2 consecutive fiscal years beginning on October 1.”.

22 (b) COMMITTEE ALLOCATIONS.—Section 302 of the
23 Congressional Budget Act of 1974 (2 U.S.C. 633) is
24 amended—

1 (1) in subsection (a)(1), in the matter pre-
2 ceding subparagraph (A)—

3 (A) by inserting “and for appropriations
4 for each fiscal year in the biennium and for the
5 first fiscal year of the resolution for defense,”
6 after “for the first fiscal year of the resolu-
7 tion,”;

8 (B) by striking “for that period of fiscal
9 years” and inserting “for all fiscal years cov-
10 ered by the resolution”; and

11 (C) by inserting “for defense and for each
12 fiscal year in the biennium” after “for the fiscal
13 year of that resolution”;

14 (2) in subsection (b), by inserting “for defense
15 and the biennium” after “budget year”; and

16 (3) in subsection (f)(2)(A)—

17 (A) by striking “the first fiscal year” and
18 inserting “each fiscal year of the biennium”;
19 and

20 (B) by striking “the total of fiscal years”
21 and inserting “the total of all fiscal years cov-
22 ered by the resolution”.

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

2 (a) DEFINITION.—Section 1101 of title 31, United
3 States Code, is amended by adding at the end thereof the
4 following:

5 “(3) ‘biennium’ has the meaning given to such
6 term in section 3(12) of the Congressional Budget
7 and Impoundment Control Act of 1974 (2 U.S.C.
8 622(12)).”.

9 (b) BUDGET CONTENTS AND SUBMISSION TO THE
10 CONGRESS.—

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

18 (2) RECEIPTS.—Section 1105(a)(6) of title 31,
19 United States Code, is amended by striking “the fis-
20 cal year for which the budget is submitted and the
21 4 fiscal years after that year” and inserting “each
22 fiscal year in the biennium for which the budget is
23 submitted and in the succeeding 4 years”.

24 (3) BALANCE STATEMENTS.—Section
25 1105(a)(9)(C) of title 31, United States Code, is

1 amended by striking “the fiscal year” and inserting
 2 “each fiscal year in the biennium”.

3 (4) FUNCTIONS AND ACTIVITIES.—Section
 4 1105(a)(12)(A) of title 31, United States Code, is
 5 amended by striking “the fiscal year” and inserting
 6 “each fiscal year in the biennium”.

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

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

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

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

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

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

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

6 (9) PRIOR YEAR OUTLAYS.—Section
 7 1105(a)(18) of title 31, United States Code, is
 8 amended—

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

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

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

16 (10) PRIOR YEAR RECEIPTS.—Section
 17 1105(a)(19) of title 31, United States Code, is
 18 amended—

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

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

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

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

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

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

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

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

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

20 **SEC. 5. TWO-YEAR APPROPRIATIONS; TITLE AND STYLE OF**
 21 **APPROPRIATIONS ACTS.**

22 (a) IN GENERAL.—Section 105 of title 1, United
 23 States Code, is amended to read as follows:

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

25 **“(a) IN GENERAL.—**

1 “(1) NONDEFENSE.—Except as provided in
 2 paragraph (2), the style and title of all Acts making
 3 appropriations for the support of the Government
 4 shall be as follows: ‘An Act making appropriations
 5 (here insert the object) for each fiscal year in the bi-
 6 ennium of fiscal years (here insert the fiscal years
 7 of the biennium).’.

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

13 “(3) AMOUNTS.—All Acts making regular ap-
 14 propriations for the support of the Government shall
 15 specify the amount of appropriations provided for
 16 each fiscal year in such period.

17 “(b) DEFINITIONS.—In this section—

18 “(1) the term ‘biennium’ has the same meaning
 19 as in section 3(12) of the Congressional Budget and
 20 Impoundment Control Act of 1974 (2 U.S.C.
 21 622(12)); and

22 “(2) Acts described in subsection (a)(1) shall be
 23 considered as provided in section 300(b) of the Con-
 24 gressional Budget Act of 1974 (2 U.S.C. 631(b)).”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 2 The table of sections for chapter 2 of title 1, United States
 3 Code, is amended by striking the item relating to section
 4 105 and inserting the following:

“105. Title and style of appropriations Acts.”.

5 **SEC. 6. MULTIYEAR AUTHORIZATIONS.**

6 (a) IN GENERAL.—Title III of the Congressional
 7 Budget Act of 1974 is amended by adding at the end the
 8 following:

9 “AUTHORIZATIONS OF APPROPRIATIONS

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

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

20 “(2) for any year, any authorization or revenue
 21 bill or joint resolution until Congress completes ac-
 22 tion on the budget resolution, all appropriations bills
 23 to be considered during the year under section
 24 300(b), and all reconciliation bills.

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

3 “(1) defense;

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

6 “(3) any matter considered in Executive Ses-
7 sion; or

8 “(4) an appropriations measure or reconcili-
9 ation bill.”.

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

“Sec. 316. Authorizations of appropriations.”.

15 **SEC. 7. CONGRESSIONAL OVERSIGHT.**

16 (a) IN GENERAL.—In each year that the activities of
17 an agency are not required to be funded pursuant to sec-
18 tion 300(b) of the Congressional Budget Act of 1974, the
19 committee of the House and the Senate with legislative
20 jurisdiction over that agency shall hold a joint oversight
21 hearing with the corresponding subcommittee of the Com-
22 mittee on Appropriations of their respective House with
23 jurisdiction over the agency.

24 (b) HEARING.—A hearing required by subsection (a)
25 shall review—

1 (1) the mission of the agency;

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

4 (3) the cost savings associated with biennial
5 budgeting;

6 (4) new programs created in the off year of the
7 agency budget; and

8 (5) programs that were terminated in the off
9 year of the agency budget.

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

11 Not later than 180 days after the date of enactment
12 of this Act, the Director of the Office of Management and
13 Budget shall—

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

19 (2) submit to the Committee on the Budget of
20 the Senate and the Committee on the Budget of the
21 House of Representatives a report on the findings of
22 the study.

23 **SEC. 9. EFFECTIVE DATE.**

24 Except as provided in section 8, this Act and the
25 amendments made by this Act shall take effect on January

1 1, 2016, and shall apply to budget resolutions and appro-
2 priations for the biennium beginning with fiscal year
3 2017.

