

116TH CONGRESS
1ST SESSION

H. R. 1536

To modify the congressional budget and appropriations process to provide fiscal stability for the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2019

Mr. MITCHELL (for himself and Mr. BYRNE) introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committees on Rules, Oversight and Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To modify the congressional budget and appropriations process to provide fiscal stability for the United States, and for other purposes.

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; TABLE OF CONTENTS; EFFEC-**
4 **TIVE DATE.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Protecting Our Children’s Future Act of 2019”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents; effective date.

TITLE I—BIENNIAL BUDGETING

Subtitle A—Congressional Budget Process

- Sec. 101. Updating purpose of Congressional Budget Act.
- Sec. 102. Definitions.
- Sec. 103. Revision of timetable.
- Sec. 104. Biennial concurrent resolutions on the budget.
- Sec. 105. Committee allocations.
- Sec. 106. Multiyear authorizations of appropriations.
- Sec. 107. Additional amendments to the Congressional Budget Act of 1974 to effectuate biennial budgeting.

Subtitle B—Conforming Amendments to the Rules of the House of Representatives and the Congressional Budget Act of 1974

- Sec. 111. Rules Committee recommendations.
- Sec. 112. Conforming amendments to the Congressional Budget Act of 1974.

Subtitle C—Conforming Amendments to Titles 1, 5, 31, and 39, United States Code

- Sec. 121. Two-year appropriations; title and style of appropriation Acts.
- Sec. 122. Amendments to title 31, United States Code.
- Sec. 123. Government strategic and performance plans on a biennial basis.

Subtitle D—Change of Fiscal Year

- Sec. 131. Change of fiscal year.

TITLE II—DIRECT SPENDING PROGRAMS SUBJECT TO ANNUAL APPROPRIATIONS

- Sec. 201. Annual appropriations required for direct spending programs.

TITLE III—ZERO-BASED BUDGETING

- Sec. 301. Zero-based budgeting.

TITLE IV—PROCEDURE FOR CONSIDERATION OF APPROPRIATIONS MEASURES CONSISTENT WITH A BUDGET RESOLUTION

- Sec. 401. Adoption of reconciliation procedures for appropriations bills.

TITLE V—NO BUDGET NO PAY

- Sec. 501. No budget no pay.

1 (c) EFFECTIVE DATE.—Unless specifically provided
2 for otherwise in this Act, the amendments made by this
3 Act shall take effect immediately before noon on January
4 3, 2021.

1 **TITLE I—BIENNIAL BUDGETING**
2 **Subtitle A—Congressional Budget**
3 **Process**

4 **SEC. 101. UPDATING PURPOSE OF CONGRESSIONAL BUDG-**
5 **ET ACT.**

6 Paragraphs (1) and (2) of section 2 of the Congres-
7 sional Budget and Impoundment Control Act of 1974 are
8 amended to read as follows:

9 “(1) to assure effective control over the budg-
10 etary process and Federal spending;

11 “(2) to facilitate the determination biennially of
12 the appropriate level of Federal revenues and ex-
13 penditures by the Congress and the President;”.

14 **SEC. 102. DEFINITIONS.**

15 Section 3 of the Congressional Budget and Impound-
16 ment Control Act of 1974 is amended by adding at the
17 end the following new paragraphs:

18 “(12) The term ‘direct spending’ has the mean-
19 ing given to such term in section 250(c)(8) of the
20 Balanced Budget and Emergency Deficit Control
21 Act of 1985.

22 “(13) The term ‘biennium’ means the period of
23 2 consecutive fiscal years beginning on October 1 of
24 any odd-numbered year.”.

1 **SEC. 103. REVISION OF TIMETABLE.**

2 Section 300 of the Congressional Budget Act of 1974
3 (2 U.S.C. 631) is amended to read as follows:

4 “TIMETABLE

5 “SEC. 300. The timetable with respect to the congres-
6 sional budget process for any Congress (beginning with
7 the One Hundred Seventeenth Congress) is as follows:

“First Session

On or before:

First Monday in April

April 15

Not later than 6 weeks after
budget submission.

June 1

June 30

July 1

September 15

November 15

January 1

Action to be completed:

President submits budget recommendations.

Congressional Budget Office submits report
to Budget Committees.

Committees submit views and estimates to
Budget Committees.

Budget Committees report concurrent resolu-
tion on the biennial budget.

Congress completes action on concurrent res-
olution on the biennial budget.

Biennial appropriation bills may be consid-
ered in the House of Representatives.

House Appropriations Committee reports last
biennial appropriation bill.

Congress completes action on biennial appro-
priation bills.

Biennium begins.

“Second Session

On or before:

First Monday in April

Not later than 6 weeks after
President submits budget re-
view.

July 31

Action to be completed:

President submits budget review.

Congressional Budget Office submits report
to Budget Committees.

Congress completes action on reconciliation
legislation.”.

8 **SEC. 104. BIENNIAL CONCURRENT RESOLUTIONS ON THE**
9 **BUDGET.**

10 (a) CONTENTS OF RESOLUTION.—Section 301(a) of
11 the Congressional Budget Act of 1974 (2 U.S.C. 632(a))
12 is amended—

1 (1) in the matter preceding paragraph (1), by—

2 (A) striking “April 15 of each year” and
3 inserting “June 30 of each odd-numbered
4 year”;

5 (B) striking “the fiscal year beginning on
6 October 1 of such year” the first place it ap-
7 pears and inserting “the biennium beginning on
8 January 1 of the following year”;

9 (C) striking “the fiscal year beginning on
10 October 1 of such year” the second place it ap-
11 pears and inserting “each fiscal year in such
12 period”; and

13 (D) striking “each of the 4 ensuing fiscal
14 years” and inserting “each fiscal year in the
15 next 2 bienniums”;

16 (2) by striking paragraph (4) and inserting the
17 following:

18 “(4) subtotals of new budget authority and out-
19 lays for nondefense discretionary spending, defense
20 discretionary spending, Medicare, Medicaid and
21 other health-related spending, other direct spending
22 (excluding interest), and net interest;”;

23 (3) in paragraph (6), by striking “for the fiscal
24 year” and inserting “for each fiscal year in the bien-
25 nium”; and

1 (4) in paragraph (7), by striking “for the fiscal
2 year” and inserting “for each fiscal year in the bien-
3 nium”.

4 (b) ADDITIONAL MATTERS IN CONCURRENT RESO-
5 LUTION.—Section 301(b) of the Congressional Budget Act
6 of 1974 is amended—

7 (1) by striking paragraph (1), and by striking
8 paragraphs (6) through (9);

9 (2) by redesignating paragraphs (2), (3), (4),
10 and (5) as paragraphs (1), (2), (3), and (4), respec-
11 tively;

12 (3) in paragraph (2), as redesignated, by strik-
13 ing “for such fiscal year” and inserting “for either
14 fiscal year in such biennium”;

15 (4) by striking paragraph (3), as redesignated,
16 and inserting the following:

17 “(3) set forth such other matters, and require
18 such other procedures, relating to the budget as may
19 be appropriate to carry out the purposes of the Act,
20 but shall not include a suspension or alteration of
21 the application of the motion to strike a provision as
22 set forth in section 310(d)(2) or (h)(2)(F);” and

23 (5) in paragraph (4), as redesignated, by strik-
24 ing the semicolon and inserting a period.

1 (c) VIEWS OF OTHER COMMITTEES.—Section 301(d)
2 of the Congressional Budget Act of 1974 (2 U.S.C.
3 632(d)) is amended by adding at the end the following
4 new sentences: “Each committee of the Senate or the
5 House of Representatives shall review the strategic plans,
6 performance plans, and performance reports required
7 under section 306 of title 5, United States Code, and sec-
8 tions 1115 and 1116 of title 31, United States Code, of
9 all agencies under the jurisdiction of the committee. Each
10 committee may provide its views on such plans or reports
11 to the Committee on the Budget of the applicable House.”.

12 (d) HEARINGS AND REPORT.—Section 301(e) of the
13 Congressional Budget Act of 1974 (2 U.S.C. 632(e)) is
14 amended—

15 (1) in paragraph (1)—

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

18 (B) by inserting after the second sentence
19 the following: “On or before June 1 of each
20 odd-numbered year, the Committee on the
21 Budget of each House shall report to its House
22 the concurrent resolution on the budget referred
23 to in subsection (a) for the biennium beginning
24 on January 1 of the following year.”;

25 (2) in paragraph (2)—

1 (A) by redesignating subparagraphs (A),
2 (B), (C), (D), (E), and (F) as subparagraphs
3 (B), (C), (E), (F), (H), and (I), respectively;

4 (B) before subparagraph (B) (as redesign-
5 ated), by inserting the following new subpara-
6 graph:

7 “(A) new budget authority and outlays for
8 each major functional category, based on alloca-
9 tions of the total levels set forth pursuant to
10 subsection (a)(1);”;

11 (C) in subparagraph (C) (as redesignated),
12 by striking “mandatory” and inserting “direct
13 spending”; and

14 (D) after subparagraph (C) (as redesign-
15 ated), by inserting the following new subpara-
16 graph:

17 “(D) total outlays, total Federal revenues,
18 the surplus or deficit, and new budget authority
19 and outlays for nondefense discretionary spend-
20 ing, defense discretionary spending, Medicare,
21 Medicaid and other health-related spending,
22 other direct spending (excluding interest), social
23 security and other major functional categories,
24 as appropriate, and net interest as set forth in

1 such resolution as a percentage of the gross do-
2 mestic product of the United States;” and

3 (3) in paragraph (3)—

4 (A)(i) by redesignating subparagraphs (A)
5 and (B) as subparagraphs (B) and (C), respec-
6 tively;

7 (ii) by striking subparagraphs (C) and (D);

8 (iii) by redesignating subparagraph (E) as
9 subparagraph (D); and

10 (iv) by striking the period and the end of
11 subparagraph (D), as redesignated, and insert-
12 ing “; and”;

13 (B) before subparagraph (B), as redesign-
14 ated, by inserting the following new subpara-
15 graph:

16 “(A) new budget authority and outlays for
17 each major functional category, based on alloca-
18 tions of the total levels set forth pursuant to
19 subsection (a)(1);” and

20 (C) at the end, by adding the following
21 new subparagraph:

22 “(E) set forth, if required by subsection
23 (f), the calendar year in which, in the opinion
24 of the Congress, the goals for reducing unem-

1 employment set forth in section 4(b) of the Em-
2 ployment Act of 1946 should be achieved.”.

3 (e) GOALS FOR REDUCING UNEMPLOYMENT.—Sec-
4 tion 301(f) of the Congressional Budget Act of 1974 (2
5 U.S.C. 632(f)) is amended by striking “fiscal year” each
6 place it appears and inserting “biennium”.

7 (f) ECONOMIC ASSUMPTIONS.—Section 301(g)(1) of
8 the Congressional Budget Act of 1974 (2 U.S.C.
9 632(g)(1)) is amended by striking “for a fiscal year” and
10 inserting “for a biennium”.

11 (g) SECTION HEADING.—The section heading of sec-
12 tion 301 of the Congressional Budget Act of 1974 is
13 amended by striking “ANNUAL” and inserting “BIEN-
14 NIAL”.

15 (h) TABLE OF CONTENTS.—The item relating to sec-
16 tion 301 in the table of contents set forth in section 1(b)
17 of the Congressional Budget and Impoundment Control
18 Act of 1974 is amended by striking “Annual” and insert-
19 ing “Biennial”.

20 **SEC. 105. COMMITTEE ALLOCATIONS.**

21 Section 302 of the Congressional Budget Act of 1974
22 (2 U.S.C. 633) is amended—

23 (1) in subsection (a)(1) by—

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

4 (B) striking “for that period of fiscal
5 years” and inserting “for all fiscal years cov-
6 ered by the resolution”; and

7 (C) striking “for the fiscal year of that
8 resolution” and inserting “for each fiscal year
9 in the biennium”;

10 (2) in the first sentence of subsection (b), by
11 striking “subsection (a)” and inserting “subsection
12 (a)(1)”;

13 (3) in subsection (f)(1)—

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

16 (B) by striking “the first fiscal year” and
17 inserting “either fiscal year of the biennium”;
18 and

19 (C) in subparagraph (A), by striking “as
20 reported”;

21 (4) in subsection (f)(2)(A), by—

22 (A) striking “first fiscal year” and insert-
23 ing “each fiscal year of the biennium”; and

1 (B) striking “the total of fiscal years” and
2 inserting “the total of all fiscal years covered by
3 the resolution”; and
4 (5) by striking subsection (g).

5 **SEC. 106. MULTIYEAR AUTHORIZATIONS OF APPROPRIA-**
6 **TIONS.**

7 (a) IN GENERAL.—Title III of the Congressional
8 Budget Act of 1974 is amended by adding after section
9 315 the following new section:

10 “MULTIYEAR AUTHORIZATIONS OF APPROPRIATIONS

11 “SEC. 316. (a) It shall not be in order in the House
12 of Representatives or the Senate to consider any measure
13 that contains an authorization of appropriations for any
14 purpose unless the measure includes such an authorization
15 of appropriations for that purpose for not less than each
16 fiscal year in one or more bienniums.

17 “(b)(1) For purposes of this section, an authorization
18 of appropriations is an authorization for the enactment
19 of an amount of appropriations or amounts not to exceed
20 an amount of appropriations (whether stated as a sum cer-
21 tain, as a limit, or as such sums as may be necessary)
22 for any purpose for a fiscal year.

23 “(2) Subsection (a) does not apply with respect to
24 an authorization of appropriations for a single fiscal year
25 for any program, project, or activity if the measure con-
26 taining that authorization includes a provision expressly

1 stating the following: ‘Congress finds that no authoriza-
 2 tion of appropriation will be required for [Insert name of
 3 applicable program, project, or activity] for any subse-
 4 quent fiscal year.’.

5 “(c) For purposes of this section, the term ‘measure’
 6 means a bill, joint resolution, amendment, motion, or con-
 7 ference report.”.

8 (b) CONFORMING AMENDMENT.—The table of con-
 9 tents set forth in section 1(b) of the Congressional Budget
 10 and Impoundment Control Act of 1974 is amended by in-
 11 serting after the item relating to section 315 the following
 12 new item:

“Sec. 316. Multiyear authorizations of appropriations.”.

13 **SEC. 107. ADDITIONAL AMENDMENTS TO THE CONGRES-**
 14 **SIONAL BUDGET ACT OF 1974 TO EFFEC-**
 15 **TUATE BIENNIAL BUDGETING.**

16 (a) DEFINITIONS.—Section 3 of the Congressional
 17 Budget and Impoundment Control Act of 1974, as amend-
 18 ed, is further amended by adding at the end the following
 19 new paragraphs:

20 “(14) The term ‘Medicare’ means programs
 21 within budget function 570.

22 “(15) The term ‘Medicaid and other health-re-
 23 lated spending’ means programs within budget func-
 24 tion 550.

(b) COMPLETION OF HOUSE COMMITTEE ACTION ON
APPROPRIATION BILLS.—Section 307 of the Congressional Budget Act of 1974 (2 U.S.C. 638) is amended—

8 (1) by striking “each year” and inserting “each
9 odd-numbered year”;

10 (2) by striking “annual” and inserting “bien-
11 nial”;

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

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

(c) COMPLETION OF HOUSE ACTION ON REGULAR APPROPRIATION BILLS.—Section 309 of the Congressional Budget Act of 1974 (2 U.S.C. 640) is amended to read as follows:

20 “HOUSE APPROVAL OF REGULATION APPROPRIATION
21 BILLS

22 “SEC. 309. It shall not be in order in the House of
23 Representatives to consider any resolution providing for
24 an adjournment period of more than three calendar days
25 during the months of November and December of any odd-
26 numbered calendar year until the House of Representa-

1 tives has approved annual appropriation bills providing
2 new budget authority under the jurisdiction of all the sub-
3 committees of the Committee on Appropriations for the
4 fiscal year beginning on January 1 of the following year.”.

5 (d) RECONCILIATION PROCESS.—Section 310 of the
6 Congressional Budget Act of 1974 (2 U.S.C. 641) is
7 amended—

8 (1) in subsection (a), in the matter preceding
9 paragraph (1), by striking “any fiscal year” and in-
10 serting “any biennium”;

11 (2) in subsection (a)(1), by striking “such fiscal
12 year” each place it appears and inserting “any fiscal
13 year covered by such resolution”; and

14 (3) by striking subsection (f) and redesignating
15 subsection (g) as subsection (f).

16 (e) SECTION 311 POINT OF ORDER.—

17 (1) IN THE HOUSE OF REPRESENTATIVES.—
18 Section 311(a)(1) of the Congressional Budget Act
19 of 1974 (2 U.S.C. 642(a)) is amended—

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

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

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

3 (2) IN THE SENATE.—Section 311(a)(2) of the
4 Congressional Budget Act of 1974 is amended—

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

8 (B) in subparagraph (B)—

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

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

15 (3) SOCIAL SECURITY LEVELS.—Section
16 311(a)(3) of the Congressional Budget Act of 1974
17 is amended by—

18 (A) striking “for the first fiscal year” and
19 inserting “each fiscal year in the biennium”;
20 and

21 (B) striking “that fiscal year and the ensu-
22 ing fiscal years” and inserting “all fiscal
23 years”.

24 (4) EXCEPTION.—Section 311(c) of the Con-
25 gressional Budget Act of 1974 is amended by insert-

1 ing “with respect to new budget authority or out-
 2 lays” after “shall not apply”.

3 (f) MAXIMUM DEFICIT AMOUNT POINT OF ORDER.—
 4 Section 312(c) of the Congressional Budget Act of 1974
 5 (2 U.S.C. 643) is amended—

6 (1) by striking “for a fiscal year” and inserting
 7 “for a biennium”;

8 (2) in paragraph (1), by striking “first fiscal
 9 year” and inserting “either fiscal year in the bien-
 10 nium”;

11 (3) in paragraph (2), by striking “that fiscal
 12 year” and inserting “either fiscal year in the bien-
 13 nium”; and

14 (4) in the matter following paragraph (2), by
 15 striking “that fiscal year” and inserting “the appli-
 16 cable fiscal year”.

17 **Subtitle B—Conforming Amend-**
 18 **ments to the Rules of the House**
 19 **of Representatives and the Con-**
 20 **gressional Budget Act of 1974**

21 **SEC. 111. RULES COMMITTEE RECOMMENDATIONS.**

22 Not later than 180 days after the date of enactment
 23 of this Act, the Committee on Rules of the House of Rep-
 24 resentatives shall submit to the House conforming amend-

1 ments to the Rules of the House of Representatives to ef-
 2 fectuate this title.

3 **SEC. 112. CONFORMING AMENDMENTS TO THE CONGRES-**
 4 **SIONAL BUDGET ACT OF 1974.**

5 (a) SECTION 202(e).—Section 202(e)(1)(C) of the
 6 Congressional Budget Act of 1974 is amended by striking
 7 “(b)(2)(A) and for excise taxes assumed to be extended
 8 under section 257(b)(2)(C)”.

9 (b) SECTION 302(f)(1).—Section 302(f)(1) of the
 10 Congressional Budget Act of 1974 is amended by inserting
 11 “or outlays” after “new budget authority”.

12 (c) SECTION 308(a).—Section 308(a)(3)(C) of the
 13 Congressional Budget Act of 1974 is repealed.

14 (d) SECTION 308(d).—Section 308(d) of the Con-
 15 gressional Budget Act of 1974 is amended by striking
 16 “252(d)(5)” and inserting “252(c)”.

17 **Subtitle C—Conforming Amend-**
 18 **ments to Titles 1, 5, 31, and 39,**
 19 **United States Code**

20 **SEC. 121. TWO-YEAR APPROPRIATIONS; TITLE AND STYLE**
 21 **OF APPROPRIATION ACTS.**

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

1 **“§ 105. Title and style of appropriation Acts**

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

7 “(b) All Acts making regular appropriations for the
8 support of the Government shall be enacted for a biennium
9 and shall specify the amount of appropriations provided
10 for each fiscal year in such period.

11 “(c) For purposes of this section, the term ‘biennium’
12 has the same meaning as in section 3(13) of the Congres-
13 sional Budget and Impoundment Control Act of 1974 (2
14 U.S.C. 622(13)).”.

15 **SEC. 122. AMENDMENTS TO TITLE 31, UNITED STATES**

16 **CODE.**

17 (a) DEFINITION.—Section 1101 of title 31, United
18 States Code, is amended by adding at the end the fol-
19 lowing new paragraph:

20 “(3) ‘biennium’ has the meaning given to such
21 term in paragraph (13) of section 3 of the Congres-
22 sional Budget and Impoundment Control Act of
23 1974 (2 U.S.C. 622(12)).”.

24 (b) BUDGET CONTENTS AND SUBMISSION TO THE
25 CONGRESS.—

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

4 “(a) On or before the first Monday in April of each
5 odd-numbered year, beginning with the One Hundred Sev-
6 enteenth Congress, the President shall transmit to the
7 Congress the budget for the biennium beginning on Janu-
8 ary 1 of the following calendar year. The budget trans-
9 mitted under this subsection shall include a budget mes-
10 sage and summary and supporting information. The
11 President shall include in each budget submission the fol-
12 lowing:”.

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

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

1 (4) BALANCE STATEMENTS.—Section
2 1105(a)(9)(C) of title 31, United States Code, is
3 amended by striking “the fiscal year” and inserting
4 “each fiscal year in the biennium”.

5 (5) GOVERNMENT FUNCTIONS AND ACTIVI-
6 TIES.—Section 1105(a)(12) of title 31, United
7 States Code, is amended in subparagraph (A), by
8 striking “the fiscal year” and inserting “each fiscal
9 year in the biennium”.

10 (6) ALLOWANCES.—Section 1105(a)(13) of title
11 31, United States Code, is amended by striking “the
12 fiscal year” and inserting “each fiscal year in the bi-
13 ennium”.

14 (7) ALLOWANCES FOR UNANTICIPATED AND
15 UNCONTROLLABLE EXPENDITURES.—Section
16 1105(a)(14) of title 31, United States Code, is
17 amended by striking “that year” and inserting “each
18 fiscal year in the biennium for which the budget is
19 submitted”.

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

1 (9) ESTIMATES FOR FUTURE YEARS.—Section
2 1105(a)(17) of title 31, United States Code, is
3 amended—

4 (A) by striking “the fiscal year following
5 the fiscal year” and inserting “each fiscal year
6 in the biennium following the biennium”;

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

9 (C) by striking “fiscal year before the fis-
10 cal year” and inserting “biennium before the bi-
11 ennium”.

12 (10) PRIOR YEAR OUTLAYS.—Section
13 1105(a)(18) of title 31, United States Code, is
14 amended—

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

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

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

22 (11) BUDGET CONTENTS AND SUBMISSION TO
23 CONGRESS.—Section 1105(a)(28) of title 31, United
24 States Code, is amended by striking “beginning with

1 fiscal year 1999, a” and inserting “beginning with
2 fiscal year 2022, a biennial”.

3 (12) INFORMATION SUPPORTING BIENNIAL
4 BUDGETS.—Section 1105(a) of title 31, United
5 States Code, is amended by adding at the end the
6 following new paragraphs:

7 “(40) Totals of new budget authority and out-
8 lays.

9 “(41) Total Federal revenues and the amount,
10 if any, by which the aggregate level of Federal reve-
11 nues should be increased or decreased by bills and
12 resolutions to be reported by the appropriate com-
13 mittees.

14 “(42) The surplus or deficit in the budget.

15 “(43) Subtotals of new budget authority and
16 outlays for nondefense discretionary spending, de-
17 fense discretionary spending, direct spending (ex-
18 cluding interest), contingencies, and net interest.

19 “(44) The public debt.”.

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

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

12 (e) ADDITIONAL OUTYEAR DATA.—Section 1105(d)
13 of title 31, United States Code, is amended by inserting
14 “(1)” after “(d)” and by adding at the end the following
15 new paragraph:

16 “(2) Each budget submission shall include a budget
17 message and summary and supporting information and,
18 as a separately delineated statement, the levels required
19 in paragraphs (40) through (44) of subsection (a) for at
20 least each of the 4 ensuing fiscal years after the biennium
21 covered by the budget submission under such subsection.”.

22 (f) CAPITAL INVESTMENT ANALYSIS.—Section
23 1105(e)(1) of title 31, United States Code, is amended
24 by striking “ensuing fiscal year” and inserting “biennium
25 to which such budget relates”.

1 (g) SUPPLEMENTAL BUDGET ESTIMATES AND
2 CHANGES.—

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

5 (A) in the matter preceding paragraph (1),
6 by—

7 (i) striking “Before July 16 of each
8 year” and inserting “Before April 7 of
9 each even-numbered year and before Sep-
10 tember 15 of each year”; and

11 (ii) striking “fiscal year” and insert-
12 ing “biennium”;

13 (B) in paragraph (1), by striking “that fis-
14 cal year” and inserting “each fiscal year in
15 such biennium”;

16 (C) in paragraph (2), by striking “4 fiscal
17 years following the fiscal year” and inserting
18 “at least 4 fiscal years following the biennium”;
19 and

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

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

24 (A) striking “the fiscal year” and inserting
25 “each fiscal year in the biennium”; and

1 (B) striking “Before July 16 of each year”
 2 and inserting “Before April 7 of each even-
 3 numbered year and before September 15 of
 4 each year”.

5 (h) CURRENT PROGRAMS, PROJECTS, AND ACTIVI-
 6 TIES ESTIMATES.—

7 (1) THE PRESIDENT.—Section 1109(a) of title
 8 31, United States Code, is amended—

9 (A) by striking “On or before the first
 10 Monday after January 3 of each year (on or be-
 11 fore February 5 in 1986)” and inserting “At
 12 the same time the budget required by section
 13 1105 is submitted for a biennium”; and

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

16 (2) JOINT ECONOMIC COMMITTEE.—Section
 17 1109(b) of title 31, United States Code, is amended
 18 by striking “before March 1 of each year” and in-
 19 serting “within 6 weeks of the President’s budget
 20 submission for each odd-numbered year”.

21 (i) YEAR-AHEAD REQUESTS FOR AUTHORIZING LEG-
 22 ISLATION.—Section 1110 of title 31, United States Code,
 23 is hereby repealed.

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

1 (1) in subsection (a)—

2 (A) in the matter before paragraph (1) by
3 striking “an annual” and inserting “a bien-
4 nial”;

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 each fiscal year of the biennium be-
16 ginning with the first fiscal year of the next biennial
17 budget cycle.”;

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

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

22 (k) PILOT PROJECTS FOR PERFORMANCE BUDG-
23 ETING.—Section 1119 of title 31, United States Code, is
24 amended—

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

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

5 (l) MANAGERIAL ACCOUNTABILITY AND FLEXI-
 6 BILITY.—Section 9703 of title 31, United States Code, re-
 7 lating to managerial accountability, is amended—

8 (1) in subsection (a)—

9 (A) in the first sentence by striking “Be-
 10 ginning with fiscal year 1999, the” and insert-
 11 ing “Beginning with fiscal year 2022, the bien-
 12 nial” and by striking “annual”; and

13 (B) by striking “section 1105(a)(29)” and
 14 inserting “section 1105(a)(28)”; and

15 (2) in subsection (e)—

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

18 (B) in the second sentence by striking “a
 19 subsequent year” and inserting “for a subse-
 20 quent 2-year period”; and

21 (C) in the third sentence by striking
 22 “three” and inserting “four”.

23 **SEC. 123. GOVERNMENT STRATEGIC AND PERFORMANCE**
 24 **PLANS ON A BIENNIAL BASIS.**

25 (a) STRATEGIC PLANS.—

1 (1) TITLE 5.—Section 306 of title 5, United
2 States Code, is amended by striking “February of
3 any year following” and inserting “April of”.

4 (2) TITLE 39.—Section 2802 of title 39, United
5 States Code, is amended—

6 (A) in subsection (a), by striking “Sep-
7 tember 30, 1997” and inserting “September 30,
8 2022”;

9 (B) in subsection (b), by—

10 (i) striking “five years forward” and
11 inserting “six years forward”; and

12 (ii) striking “at least every three
13 years” and inserting “at least every 4
14 years”; and

15 (C) in subsection (c), by inserting “, in-
16 cluding a strategic plan submitted by Sep-
17 tember 30, 2022, meeting the requirements of
18 subsection (a)” before the period.

19 (b) PERFORMANCE PLANS.—Section 2803(a) of title
20 39, United States Code, is amended—

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

23 (2) in paragraph (1), by inserting after “pro-
24 gram activity” the following: “for both years 1 and
25 2 of the biennial plan”;

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

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

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

6 “(7) cover each fiscal year of the biennium be-
7 ginning with the first fiscal year of the next biennial
8 budget cycle.”.

9 **Subtitle D—Change of Fiscal Year**

10 **SEC. 131. CHANGE OF FISCAL YEAR.**

11 (a) CHANGE OF CALENDAR PERIOD.—Section 1102
12 of title 31, United States Code, is amended—

13 (1) by striking “October 1” and inserting “Jan-
14 uary 1”; and

15 (2) by striking “September 30 of the following
16 year” and inserting “December 31 of that year”.

17 (b) EFFECTIVE DATE.—The amendments made by
18 subsection (a) shall be effective on January 1, 2022.

19 (c) TRANSITION.—During the period between Octo-
20 ber 1, 2021, and December 31, 2021, Congress shall pro-
21 vide discretionary appropriations at a rate comparable to
22 the rate of funding provided in fiscal year 2021.

1 **TITLE II—DIRECT SPENDING**
2 **PROGRAMS SUBJECT TO AN-**
3 **NUAL APPROPRIATIONS**

4 **SEC. 201. ANNUAL APPROPRIATIONS REQUIRED FOR DI-**
5 **RECT SPENDING PROGRAMS.**

6 (a) IN GENERAL.—Title III of the Congressional
7 Budget Act of 1974 is further amended by adding after
8 section 316, as added by section 106(a) of this Act, the
9 following:

10 “ANNUAL APPROPRIATIONS REQUIRED FOR DIRECT
11 SPENDING PROGRAMS

12 “SEC. 317. (a) Notwithstanding any other provision
13 of law, in the biennium beginning in fiscal year 2022 and
14 each biennium thereafter—

15 “(1) each direct spending program shall be subject
16 to annual discretionary appropriations; and

17 “(2) no funds may be obligated for any such program
18 using any amounts other than amounts provided in ad-
19 vance in appropriations Acts.

20 “(b) In this section—

21 “(1) the term ‘biennium’ has the meaning given
22 that term in section 3(13); and

23 “(2) the term ‘direct spending program’—

24 “(A) means—

1 “(i) any program with respect to
2 which budget authority is provided (before
3 the date of enactment of this section) by
4 law other than appropriation Acts;

5 “(ii) any program that is funded (be-
6 fore the date of enactment of this section)
7 through entitlement authority; and

8 “(iii) the Supplemental Nutrition As-
9 sistance Program; and

10 “(B) does not include—

11 “(i) the old-age and survivors insur-
12 ance program established under title II of
13 the Social Security Act (42 U.S.C. 401 et
14 seq.), but not including disability insurance
15 benefits under section 223 of such Act (42
16 U.S.C. 423);

17 “(ii) Medicare programs;

18 “(iii) all programs administered by
19 the Department of Veterans Affairs; and

20 “(iv) the TRICARE program (as de-
21 fined in section 1072 of title 10, United
22 States Code).”.

23 (b) CLERICAL AMENDMENT.—The table of contents
24 set forth in section 1(b) of such Act is further amended

1 by inserting after the item relating to section 316 the fol-
2 lowing new items:

“Sec. 317. Annual appropriations required for direct spending programs.”.

3 (c) PRESIDENT’S BUDGET SUBMISSION.—Section
4 1105(a) of title 31, United States Code, as amended by
5 section 122(b)(12), is further amended by adding at the
6 end the following:

7 “(45) such information as is necessary for the
8 making of accurate biennial appropriations for direct
9 spending programs subject to the biennial appropria-
10 tions process, and recommendations on legislative
11 changes to bring spending on such programs to a
12 sustainable basis, if applicable.”.

13 (d) RULES COMMITTEE RECOMMENDATIONS.—Not
14 later than 180 days after the date of enactment of this
15 Act, the Committee on Rules of the House of Representa-
16 tives shall submit to the House conforming amendments
17 to the Rules of the House of Representatives to effectuate
18 this title, including the requirement that the authority to
19 appropriate funds for direct spending programs subject to
20 the biennial appropriations process is with the Committee
21 on Appropriations.

TITLE III—ZERO-BASED BUDGETING

SEC. 301. ZERO-BASED BUDGETING.

Section 1105 of title 31, United States Code, is amended—

(1) by striking subsection (a)(2) and inserting the following:

“(2) consistent with subsection (i), a budget for each department and agency which contains the following information—

“(A) A description of each activity for which the department or agency receives an appropriation in the current fiscal year or for which the department or agency requests an appropriation for the budget year.

“(B) The legal basis for each activity.

“(C) For each activity, three alternative funding levels for the budget year, and a summary of the priorities that would be accomplished within each level, and the additional increments of value that would be added by the higher funding levels. At least two of these funding levels shall be below the funding level for the current fiscal year.

1 “(D) For each activity, one or more meas-
 2 ures of its cost efficiency and effectiveness.”;
 3 and

4 (2) by adding at the end the following:

5 “(i) As soon as practicable, the Director of the Office
 6 of Management and Budget shall publish guidelines to
 7 carry out subsection (a)(2). The guidelines shall require
 8 that the baseline budget of each department or agency is
 9 assumed to be zero and each proposed expenditure shall
 10 be justified as if it were a new expenditure.”.

11 **TITLE IV—PROCEDURE FOR**
 12 **CONSIDERATION OF APPRO-**
 13 **PRIATIONS MEASURES CON-**
 14 **SISTENT WITH A BUDGET**
 15 **RESOLUTION**

16 **SEC. 401. ADOPTION OF RECONCILIATION PROCEDURES**
 17 **FOR APPROPRIATIONS BILLS.**

18 (a) IN GENERAL.—Title III of the Congressional
 19 Budget Act of 1974 is further amended by adding after
 20 section 317, as added by section 201(a) of this Act, the
 21 following:

22 “SENATE PROCEDURES FOR APPROPRIATIONS BILLS

23 “SEC. 318. (a) An appropriation bill or joint resolu-
 24 tion reported by the Senate Committee on Appropriations
 25 in compliance with the allocations made under section
 26 302(b) shall be privileged in the United States Senate and

1 the motion to proceed shall be non-debatable. Except as
2 provided in paragraph (2), the provisions of section 305
3 shall also apply to the consideration in the Senate of ap-
4 propriations bills that comply with the allocations made
5 under section 302(b).

6 “(b) Debate in the Senate on any appropriations
7 measure reported under this subsection, and all amend-
8 ments thereto and debatable motions and appeals in con-
9 nection therewith, shall be limited to not more than 20
10 hours, except in the case of an omnibus appropriations
11 bill, where each subcommittees section shall be subject to
12 20 hours of debate.

13 “EXTRANEOUS MATTER IN APPROPRIATIONS MEASURES

14 “SEC. 319. (a) Upon a point of order being made by
15 any Senator against material extraneous to an appropria-
16 tions measure as defined by this section, and the point
17 of order is sustained by the Chair, any part of said title
18 or provision that contains material extraneous shall be
19 deemed stricken from the bill and may not be offered as
20 an amendment from the floor.

21 “(b) A provision of an appropriations measure con-
22 sidered pursuant to this section shall be considered extra-
23 neous if it authorizes or otherwise establishes one or more
24 Federal agencies or programs, establishes new terms and
25 conditions under which a program or agency operates, au-
26 thorizes the enactment of appropriations, or otherwise

1 specifies how appropriated funds are to be used. Notwith-
2 standing the previous sentence, limitation amendments or
3 amendments to direct spending programs that are subject
4 to the appropriations process which make such programs
5 consistent with their 302(b) allocation shall not be consid-
6 ered extraneous.

7 “(c) Upon the reporting or discharge of an appropria-
8 tions measure, and upon the submission of a conference
9 report on such appropriations measure, the Committee on
10 Appropriations of the Senate shall submit for the record
11 a list of material considered to be extraneous under this
12 section. The inclusion or exclusion of a provision shall not
13 constitute a determination of extraneousness by the Pre-
14 siding Officer of the Senate.

15 “(d) When the Senate is considering a conference re-
16 port on, or an amendment between the Houses in relation
17 to, an appropriations measure considered pursuant to this
18 section, upon—

19 “(1) a point of order being made by any Sen-
20 ator against extraneous material pursuant to this
21 section; and

22 “(2) such point of order being sustained,
23 such material contained in such conference report or
24 amendment shall be deemed stricken, and the Senate shall
25 proceed, without intervening action or motion, to consider

1 the question of whether the Senate shall recede from its
2 amendment and concur with a further amendment, or con-
3 cur in the House amendment with a further amendment,
4 as the case may be, which further amendment shall consist
5 of only that portion of the conference report or House
6 amendment, as the case may be, not so stricken. Any such
7 motion in the Senate shall be debatable for two hours. In
8 any case in which such point of order is sustained against
9 a conference report (or Senate amendment derived from
10 such conference report by operation of this subsection),
11 no further amendment shall be in order.

12 “(e) Notwithstanding any other law or rule of the
13 Senate, it shall be in order for a Senator to raise a single
14 point of order that several provisions of a bill, joint resolu-
15 tion, amendment, motion, or conference report violates
16 this section. The Presiding Officer may sustain the point
17 of order as to some or all of the provisions against which
18 the Senator raised the point of order. If the Presiding Of-
19 ficer so sustains the point of order as to some of the provi-
20 sions (including provisions of an amendment, motion, or
21 conference report) against which the Senator raised the
22 point of order, then only those provisions (including provi-
23 sions of an amendment, motion, or conference report)
24 against which the Presiding Officer sustains the point of
25 order shall be deemed stricken pursuant to this section.

1 Before the Presiding Officer rules on such a point of
 2 order, any Senator may move to waive such a point of
 3 order as it applies to some or all of the provisions against
 4 which the point of order was raised by the affirmative vote
 5 of three-fifths of the Members, duly chosen and sworn.
 6 Such a motion to waive is amendable in accordance with
 7 the rules and precedents of the Senate. After the Presiding
 8 Officer rules on such a point of order, any Senator may
 9 appeal the ruling of the Presiding Officer on such a point
 10 of order as it applies to some or all of the provisions on
 11 which the Presiding Officer ruled.”.

12 (b) CONFORMING AND CLERICAL AMENDMENTS.—

13 (1) CONFORMING.—Section 904(c)(1) of the
 14 Congressional Budget and Impoundment Control
 15 Act of 1974 is amended by inserting “319,” after
 16 “313,”.

17 (2) CLERICAL.—The table of contents set forth
 18 in section 1(b) of such Act is further amended by in-
 19 serting after the item relating to section 316 the fol-
 20 lowing new items:

“Sec. 318. Senate procedures for appropriations bills.

“Sec. 319. Extraneous matter in appropriations measures.”.

21 **TITLE V—NO BUDGET NO PAY**

22 **SEC. 501. NO BUDGET NO PAY.**

23 (a) HOLDING SALARIES IN ESCROW.—

1 (1) IN GENERAL.—If by June 30, 2021, and
2 June 30th of the first year of a Congress (beginning
3 with the 117th Congress), both Houses of Congress
4 have not jointly agreed to a concurrent resolution on
5 the budget, during the period described in paragraph
6 (2) the payroll administrator of each House of Con-
7 gress shall deposit in an escrow account all pay-
8 ments otherwise required to be made during such
9 period for the compensation of Members of Congress
10 and shall release such payments to such Members
11 only upon the expiration of such period.

12 (2) PERIOD DESCRIBED.—The period described
13 in this paragraph is the period which begins on June
14 30, 2021, or June 30th of the first year of a Con-
15 gress, and ends on the earlier of—

16 (A) the day on which both Houses of Con-
17 gress agree to a concurrent resolution on the
18 budget for that Congress pursuant to section
19 301 of the Congressional Budget Act of 1974;
20 or

21 (B) the last day of the applicable Con-
22 gress.

23 (3) WITHHOLDING AND REMITTANCE OF
24 AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The
25 payroll administrator shall provide for the same

1 withholding and remittance with respect to a pay-
2 ment deposited in an escrow account under para-
3 graph (1) that would apply to the payment if the
4 payment were not subject to paragraph (1).

5 (4) RELEASE OF AMOUNTS AT END OF THE
6 CONGRESS.—In order to ensure that this section is
7 carried out in a manner that shall not vary the com-
8 pensation of Senators or Representatives in violation
9 of the twenty-seventh article of amendment to the
10 Constitution of the United States, the payroll ad-
11 ministrator of a House of Congress shall release for
12 payments to Members of that House of Congress
13 any amounts remaining in any escrow account under
14 this section on the last day of the One Hundred Six-
15 teenth Congress or the Congress in which the
16 amounts were withheld (as the case may be).

17 (5) ROLE OF SECRETARY OF THE TREASURY.—
18 The Secretary of the Treasury shall provide the pay-
19 roll administrators of the Houses of Congress with
20 such assistance as may be necessary to enable the
21 payroll administrators to carry out this section.

22 (b) TREATMENT OF DELEGATES AS MEMBERS.—In
23 this section, the term “Member of Congress” includes a
24 Delegate or Resident Commissioner to the Congress.

1 (c) PAYROLL ADMINISTRATOR DEFINED.—In this
2 section, the term “payroll administrator” of a House of
3 Congress means—

4 (1) in the case of the House of Representatives,
5 the Chief Administrative Officer of the House of
6 Representatives, or an employee of the Office of the
7 Chief Administrative Officer who is designated by
8 the Chief Administrative Officer to carry out this
9 section; and

10 (2) in the case of the Senate, the Secretary of
11 the Senate, or an employee of the Office of the Sec-
12 retary of the Senate who is designated by the Sec-
13 retary to carry out this section.

○