

116TH CONGRESS
1ST SESSION

S. 63

To implement the recommendations of the Joint Select Committee on Budget and Appropriations Process Reform.

IN THE SENATE OF THE UNITED STATES

JANUARY 9, 2019

Mr. WHITEHOUSE (for himself and Mr. BLUNT) introduced the following bill;
which was read twice and referred to the Committee on the Budget

A BILL

To implement the recommendations of the Joint Select Committee on Budget and Appropriations Process Reform.

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.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Bipartisan Budget and Appropriations Reform Act of
6 2019”.

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

Sec. 1. Short title; table of contents.

TITLE I—BIENNIAL BUDGET RESOLUTIONS

Sec. 101. Purposes.

- Sec. 102. Definitions.
- Sec. 103. Revision of timetable.
- Sec. 104. Biennial concurrent resolutions on the budget.
- Sec. 105. Committee allocations.
- Sec. 106. Revision of biennial budget.
- Sec. 107. Additional amendments to the Congressional Budget Act of 1974 to effectuate biennial budgeting.
- Sec. 108. Reconciliation process.
- Sec. 109. Bipartisan budget resolution.

TITLE II—OTHER MATTERS

- Sec. 201. Views and estimates of committees.
- Sec. 202. Annual supplemental budget submission by the President.
- Sec. 203. Hearing on the fiscal state of the Nation.
- Sec. 204. Reform of Senate Budget Committee.

1 **TITLE I—BIENNIAL BUDGET** 2 **RESOLUTIONS**

3 **SEC. 101. PURPOSES.**

4 Paragraph (2) of section 2 of the Congressional
5 Budget and Impoundment Control Act of 1974 is amend-
6 ed to read as follows:

7 “(2) to facilitate the determination biennially of
8 the appropriate level of Federal revenues and ex-
9 penditures by the Congress;”.

10 **SEC. 102. DEFINITIONS.**

11 Section 3 of the Congressional Budget and Impound-
12 ment Control Act of 1974 (2 U.S.C. 622) is amended—

13 (1) in paragraph (4), by striking “for a fiscal
14 year” each place it appears and inserting “for a bi-
15 ennium”; and

16 (2) by adding at the end the following new
17 paragraphs:

8 “(14) The term ‘budget year’ has the meaning
9 given that term in section 250(c)(12) of the Bal-
10 anced Budget and Emergency Control Act of
11 1985.”.

13 Section 300 of the Congressional Budget Act of 1974
14 (2 U.S.C. 631) is amended to read as follows:

16 “SEC. 300. The timetable with respect to the congres-
17 sional budget process for any Congress is as follows:

On or before:	Action to be completed:
February 15	Congressional Budget Office submits report to Budget Committees.
March 1	Committees submit views and estimates to Budget Committees.
April 1	Senate Budget Committee reports biennial budget.
May 1	Congress completes action on the biennial budget.
May 15	Appropriation bills may be considered in the House of Representatives.
June 10	House Appropriations Committee reports last annual appropriation bill.
October 1	First fiscal year of the biennium begins.

“Second Session

On or before:

Action to be completed:

February 15	Congressional Budget Office submits report to Budget Committees.
June 10	House Appropriations Committee reports last annual appropriation bill.
October 1	Second fiscal year of the biennium begins.”.

1 **SEC. 104. BIENNIAL CONCURRENT RESOLUTIONS ON THE**
 2 **BUDGET.**

3 (a) CONTENTS OF RESOLUTION.—

4 (1) IN GENERAL.—Section 301(a) of the Con-
 5 gressional Budget Act of 1974 (2 U.S.C. 632(a)) is
 6 amended—

7 (A) by striking the matter preceding para-
 8 graph (1) beginning with “On or before April
 9 15” and inserting the following: “On or before
 10 May 1 of each odd-numbered calendar year, the
 11 Congress shall complete action on a concurrent
 12 resolution on the budget for the biennium be-
 13 ginning on October 1 of that calendar year. The
 14 concurrent resolution shall set forth appropriate
 15 levels for each fiscal year in the biennium and
 16 for at least each fiscal year in the next 2
 17 bienniums for the following—”;

18 (B) in paragraph (6)—

19 (i) by striking “for the fiscal year”
 20 and inserting “for each fiscal year in the
 21 biennium”; and

22 (ii) by striking “and” at the end;

1 (C) in paragraph (7)—

2 (i) by striking “for the fiscal year”
 3 and inserting “for each fiscal year in the
 4 biennium”; and

5 (ii) by striking the period at the end
 6 and inserting “; and”;

7 (D) by adding after paragraph (7) the fol-
 8 lowing:

9 “(8) subtotals of new budget authority and out-
 10 lays for nondefense discretionary spending; defense
 11 discretionary spending; direct spending; and net in-
 12 terest.”; and

13 (E) by adding at the end of the matter fol-
 14 lowing paragraph (8) (as added by subpara-
 15 graph (D)) the following: “The concurrent reso-
 16 lution on the budget for a biennium shall in-
 17 clude procedures for adjusting spending and
 18 revenue levels, committee allocations, and other
 19 amounts in the resolution during the second
 20 session of a Congress to reflect an updated
 21 baseline that will be used for scoring pur-
 22 poses.”.

23 (b) ADDITIONAL MATTERS IN CONCURRENT RESO-
 24 LUTION.—Section 301(b) of the Congressional Budget Act
 25 of 1974 (2 U.S.C. 632(b)) is amended—

1 (1) in paragraph (3), by striking “for such fis-
 2 cal year” and inserting “for either fiscal year in
 3 such biennium”;

4 (2) in paragraph (8), by striking “and” at the
 5 end;

6 (3) in paragraph (9), by striking the period at
 7 the end and inserting “; and”; and

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

9 “(10) include total combined outlays and reve-
 10 nues for tax expenditures.”.

11 (c) HEARINGS AND REPORT.—Section 301(e)(1) of
 12 the Congressional Budget Act of 1974 (2 U.S.C. 632(e))
 13 is amended by striking “fiscal year” and inserting “bien-
 14 nium”.

15 (d) GOALS FOR REDUCING UNEMPLOYMENT.—Sec-
 16 tion 301(f) of the Congressional Budget Act of 1974 (2
 17 U.S.C. 632(f)) is amended by striking “fiscal year” each
 18 place it appears and inserting “biennium”.

19 (e) ECONOMIC ASSUMPTIONS.—Section 301(g) of the
 20 Congressional Budget Act of 1974 (2 U.S.C. 632(g)) is
 21 amended by striking “for a fiscal year” and inserting “for
 22 a biennium”.

23 (f) SECTION HEADING.—The section heading of sec-
 24 tion 301 of the Congressional Budget Act of 1974 (2

1 U.S.C. 632) is amended by striking “ANNUAL ADOPTION
2 OF” and inserting “ADOPTION OF BIENNIAL”.

3 **SEC. 105. COMMITTEE ALLOCATIONS.**

4 Section 302 of the Congressional Budget Act of 1974
5 (2 U.S.C. 633) is amended—

6 (1) in subsection (a)(1)—

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

10 (B) by striking “only for the fiscal year of
11 that resolution” and inserting “only for each
12 fiscal year of the biennium”;

13 (2) in subsection (c)—

14 (A) by striking “subsection (a)” and in-
15 serting “subsection (a)(1)”;

16 (B) by striking “for a fiscal year” and in-
17 serting “for a budget year”; and

18 (C) by striking “for that fiscal year” and
19 inserting “for that budget year”;

20 (3) in subsection (f)(1)—

21 (A) by striking “for a fiscal year”; and

22 (B) by striking “the first fiscal year” and
23 inserting “either fiscal year of the biennium of
24 that resolution”; and

25 (4) in subsection (f)(2)(A), by—

1 (A) striking “first fiscal year” and insert-
 2 ing “either fiscal year of the biennium of that
 3 resolution”; and

4 (B) striking “the total of fiscal years” and
 5 inserting “the total of all fiscal years covered by
 6 the resolution”.

7 **SEC. 106. REVISION OF BIENNIAL BUDGET.**

8 Section 304 of the Congressional Budget Act of 1974
 9 (2 U.S.C. 635) is amended to read as follows:

10 “PERMISSIBLE REVISIONS OF CONCURRENT
 11 RESOLUTIONS ON THE BUDGET

12 “SEC. 304. At any time after the concurrent resolu-
 13 tion on the budget has been agreed to pursuant to section
 14 301 and before the end of the biennium, the two Houses
 15 may adopt a concurrent resolution that revises or reaf-
 16 firms the most recently agreed to concurrent resolution
 17 on the budget. Any concurrent resolution that revises or
 18 reaffirms the most recently agreed to concurrent resolu-
 19 tion on the budget shall be considered under the proce-
 20 dures set forth in section 305.”.

21 **SEC. 107. ADDITIONAL AMENDMENTS TO THE CONGRES-**
 22 **SIONAL BUDGET ACT OF 1974 TO EFFEC-**
 23 **TUATE BIENNIAL BUDGETING.**

24 (a) ENFORCEMENT OF SECTION 303.—Section 303
 25 of the Congressional Budget Act of 1974 (2 U.S.C. 634)
 26 is amended—

1 (1) in subsection (a)—

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

4 (B) by striking “the first fiscal year cov-
5 ered by that resolution” and inserting “either
6 fiscal year of that biennium”;

7 (2) in subsection (b)(1)(B), by striking “the fis-
8 cal year” and inserting “the biennium”; and

9 (3) in subsection (c)—

10 (A) in paragraph (1)—

11 (i) by striking “for a fiscal year” and
12 inserting “for a biennium”; and

13 (ii) by striking “for that year” in each
14 instance and inserting “for each year of
15 that biennium”; and

16 (B) in paragraph (2), by striking “after
17 the year the allocation referred to in that para-
18 graph is made” and inserting “after the years
19 the allocations referred to in that paragraph are
20 made”.

21 (b) SECTION 305.—Subsections (a)(3) and (b)(3) of
22 section 305 of the Congressional Budget Act of 1974 (2
23 U.S.C. 636) are amended by striking “for a fiscal year”.

24 (c) SECTION 311 POINT OF ORDER.—

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

4 (A) by striking “for a fiscal year”;

5 (B) by striking “the first fiscal year” each
 6 place it appears and inserting “either of the
 7 first two fiscal years covered by such resolu-
 8 tion”; and

9 (C) by striking “that first fiscal year” and
 10 inserting “either of the first two fiscal years”.

11 (2) IN THE SENATE.—Section 311(a)(2) of the
 12 Congressional Budget Act of 1974 (2 U.S.C.
 13 642(a)(2)) is amended—

14 (A) in subparagraph (A), by striking “for
 15 the first fiscal year” and inserting “for either
 16 of the first two fiscal years”; and

17 (B) in subparagraph (B)—

18 (i) by striking “that first fiscal year”
 19 the first place it appears and inserting “ei-
 20 ther of the first two fiscal years”; and

21 (ii) by striking “that first fiscal year
 22 and the ensuing fiscal years” and inserting
 23 “all fiscal years”.

1 (3) SOCIAL SECURITY LEVELS.—Section
2 311(a)(3) of the Congressional Budget Act of 1974
3 (2 U.S.C. 642(a)(2)) is amended by—

4 (A) striking “for the first fiscal year” and
5 inserting “for either of the first two fiscal
6 years”; and

7 (B) striking “that fiscal year and the ensu-
8 ing fiscal years” and inserting “all fiscal
9 years”.

10 **SEC. 108. RECONCILIATION PROCESS.**

11 Section 310(a) of the Congressional Budget Act of
12 1974 (2 U.S.C. 641(a)) is amended—

13 (1) in the matter before paragraph (1), by
14 striking “A concurrent” and all that follows through
15 “shall” and inserting “A concurrent resolution on
16 the budget for a biennium shall, for each fiscal year
17 of the biennium”;

18 (2) in paragraph (1)(A), by striking “for such
19 fiscal year” and inserting “for each fiscal year of the
20 biennium”;

21 (3) in paragraph (1)(C), by striking “such fis-
22 cal year” and inserting “each fiscal year of the bien-
23 nium”; and

1 (4) in paragraph (1)(D), by striking “such fis-
 2 cal year” and inserting “each fiscal year of the bien-
 3 nium”.

4 **SEC. 109. BIPARTISAN BUDGET RESOLUTION.**

5 (a) DEFINITION.—Section 3 of the Congressional
 6 Budget and Impoundment Control Act of 1974 (2 U.S.C.
 7 622), as amended by section 102, is further amended by
 8 adding at the end the following:

9 “(15) The term ‘bipartisan budget resolution’
 10 means a concurrent resolution on the budget for a
 11 biennium—

12 “(A) ordered reported to the Senate by the
 13 Committee on the Budget of the Senate by an
 14 affirmative vote of not less than half of the
 15 Senators that are members of the majority
 16 party in the Senate and not less than half of
 17 the Senators that are members of the minority
 18 party in the Senate;

19 “(B) that establishes—

20 “(i) a target for the ratio of the public
 21 debt to the gross domestic product as of
 22 the end of the period covered by the con-
 23 current resolution or a later date; and

24 “(ii) for each fiscal year covered by
 25 the concurrent resolution, targets for—

1 “(I) the ratio of the public debt
2 to the gross domestic product;

3 “(II) the amount of health care
4 spending by the Government;

5 “(III) the amount of tax expendi-
6 tures;

7 “(IV) the amount of discre-
8 tionary appropriations (as defined in
9 section 250 of the Balanced Budget
10 and Emergency Deficit Control Act of
11 1985 (2 U.S.C. 900)); and

12 “(V) the amount of revenues; and

13 “(C) which may include other economic or
14 policy targets.”.

15 (b) CONSIDERATION OF BIPARTISAN BUDGET RESO-
16 LUTIONS.—Section 305 of the Congressional Budget and
17 Impoundment Control Act of 1974 (2 U.S.C. 636) is
18 amended by adding at the end the following:

19 “(e) PROCEDURES IN THE SENATE FOR BIPARTISAN
20 BUDGET RESOLUTIONS.—

21 “(1) OTHER EXPEDITED PROCESS.—In the
22 Senate, upon the agreement of the majority leader
23 and the minority leader, additional procedures to ex-
24 pedite consideration of a bipartisan budget resolu-
25 tion (which may include limiting the number of

1 amendments upon which the Senate shall vote) shall
 2 apply to consideration of the bipartisan budget reso-
 3 lution. The majority leader shall submit a written
 4 statement for the Congressional Record reflecting
 5 any agreement described in this paragraph.

6 “(2) PASSAGE.—In the Senate, a bipartisan
 7 budget resolution shall be agreed to only upon the
 8 affirmative vote of not less than—

9 “(A) three-fifths of the Members, duly cho-
 10 sen and sworn; and

11 “(B) 15 Members that are members of the
 12 minority party in the Senate.

13 “(3) AMENDMENTS BETWEEN THE HOUSES
 14 AND CONFERENCE REPORTS.—To be considered a
 15 bipartisan budget resolution, a conference report or
 16 an amendment between the Houses on a concurrent
 17 resolution on the budget shall—

18 “(A) comply with section 3(15)(B); and

19 “(B) be agreed to in the Senate by an af-
 20 firmative vote of not less than—

21 “(i) three-fifths of the Members, duly
 22 chosen and sworn; and

23 “(ii) 15 Members that are members of
 24 the minority party in the Senate.”.

1 (c) RECONCILIATION UNDER BIPARTISAN BUDGET
 2 RESOLUTIONS.—Section 310(e)(2) of the Congressional
 3 Budget and Impoundment Control Act of 1974 (2 U.S.C.
 4 641(e)(2)) is amended—

5 (1) by inserting “(A)” before “Debate”; and

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

7 “(B) In the Senate, a reconciliation bill re-
 8 ported under subsection (b) pursuant to reconcili-
 9 ation instructions in a bipartisan budget resolution,
 10 a House amendment thereto, and a conference re-
 11 port thereon shall be agreed to only upon the affirm-
 12 ative vote of not less than—

13 “(i) a majority of the Members voting, a
 14 quorum being present; and

15 “(ii) 15 Members that are members of the
 16 minority party in the Senate.”.

17 (d) REPORTING.—Section 202 of the Congressional
 18 Budget and Impoundment Control Act of 1974 (2 U.S.C.
 19 603) is amended by adding at the end the following:

20 “(h) REPORT ON RATIO OF THE PUBLIC DEBT TO
 21 THE GROSS DOMESTIC PRODUCT.—On and after the date
 22 on which the first bipartisan budget resolution is agreed
 23 to, the Director of the Congressional Budget Office shall
 24 submit to Congress semiannual reports on the ratio of the
 25 public debt to the gross domestic product, which shall

1 evaluate whether the targets in the most recently agreed
 2 to bipartisan budget resolution have been met.”.

3 **TITLE II—OTHER MATTERS**

4 **SEC. 201. VIEWS AND ESTIMATES OF COMMITTEES.**

5 Section 301(d) of the Congressional Budget and Im-
 6 poundment Control Act of 1974 (2 U.S.C. 632(d)) is
 7 amended to read as follows:

8 “(d) VIEWS AND ESTIMATES OF OTHER COMMIT-
 9 TEES.—

10 “(1) IN GENERAL.—Not later than March 1 of
 11 the first session of a Congress, or upon the request
 12 of the Committee on the Budget of the House of
 13 Representatives or the Senate, each committee of
 14 the House of Representatives and the Senate having
 15 legislative jurisdiction shall submit to its respective
 16 Committee on the Budget its views and estimates
 17 (as determined by the committee making such sub-
 18 mission) with respect to the following:

19 “(A) Any legislation to be considered dur-
 20 ing that Congress that is a priority for the com-
 21 mittee.

22 “(B) Any legislation within the jurisdiction
 23 of the committee that would establish, amend,
 24 or reauthorize any Federal program and likely
 25 have a significant budgetary impact.

1 “(2) ADDITIONAL MATTERS.—Any committee of
 2 the House of Representatives or the Senate and any
 3 joint committee of the Congress may submit to the
 4 appropriate Committees on the Budget its views and
 5 estimates with respect to all matters set forth in
 6 subsections (a) and (b) which relate to matters with-
 7 in its jurisdiction.

8 “(3) JOINT ECONOMIC COMMITTEE.—The Joint
 9 Economic Committee shall submit to the Committees
 10 on the Budget of both Houses its recommendations
 11 as to the fiscal policy appropriate to the goals of the
 12 Employment Act of 1946.”.

13 **SEC. 202. ANNUAL SUPPLEMENTAL BUDGET SUBMISSION**
 14 **BY THE PRESIDENT.**

15 Section 1106 of title 31, United States Code, is
 16 amended by adding at the end the following:

17 “(d) On or before December 1 of each calendar year,
 18 the President shall submit to Congress an administrative
 19 budget for the fiscal year beginning in the ensuing cal-
 20 endar year, which shall include up-to-date estimates for
 21 current year and prior year data and credit reestimates
 22 for the current year (as included in the Federal credit sup-
 23 plement of such budget).”.

1 **SEC. 203. HEARING ON THE FISCAL STATE OF THE NATION.**

2 (a) IN GENERAL.—Not later than 45 days (excluding
3 Saturdays, Sundays, and holidays) after the date on which
4 the Secretary of the Treasury submits to Congress the au-
5 dited financial statement required under paragraph (1) of
6 section 331(e) of title 31, United States Code, on a date
7 agreed upon by the chairs of the Committees on the Budg-
8 et of the House of Representatives and the Senate and
9 the Comptroller General of the United States, the chairs
10 shall conduct a hearing to receive a presentation from the
11 Comptroller General reviewing the findings of the audit
12 required under paragraph (2) of such section and pro-
13 viding, with respect to the information included by the
14 Secretary in the report accompanying such audited finan-
15 cial statement, an analysis of the financial position and
16 condition of the Federal Government, including financial
17 measures (such as the net operating cost, income, budget
18 deficits, or budget surpluses) and sustainability measures
19 (such as the long-term fiscal projection or social insurance
20 projection) described in such report.

21 (b) EFFECTIVE DATE.—The requirement under sub-
22 section (a) shall apply with respect to any audited finan-
23 cial statement submitted on or after the date of the enact-
24 ment of this Act.

1 **SEC. 204. REFORM OF SENATE BUDGET COMMITTEE.**

2 In the Senate, the Committee on the Budget shall
3 include the following:

4 (1) The Chairman and Ranking Member of the
5 Committee on Appropriations.

6 (2) The Chairman and Ranking Member of the
7 Committee on Finance.

○