Reforming the United States Congressional Appropriations Process

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Disclaimer

The author conducted this study as part of the program of professional education at the Frank Batten School of Leadership and Public Policy, University of Virginia. This paper is submitted in partial fulfillment of the course requirements for the Master of Public Policy degree. The judgments and conclusions are solely those of the author and are not necessarily endorsed by the United States Senate Republican Policy Committee, its chairman, Senator Roy Blunt, the Frank Batten School of Leadership and Public Policy, the University of Virginia, or by any other agency.

Client Overview

The United States Senate Republican Policy Committee is chaired by Senator Roy Blunt of Missouri. As the Ranking Member of the Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies in Senate Committee on Appropriations and as the Chairman of the Republican Policy Committee (RPC), Senator Blunt has a special focus in preparing for the fiscal year (FY) 2022 budget cycle. Unlike the normal standing authorization committees, RPC acts as a leadership committee, advancing Republican policies by providing each Republican Senator an analysis on policy solutions, discussion on specific issues, and delivering policy options. For my role as an intern for the RPC writing this policy paper, I directly report to Daniel Noonan, RPC's Policy Researcher.

Honor Statement

On my honor as a student, I have neither given nor received unauthorized aid on this assignment.

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Executive Summary

The United States (U.S.) Congress established the modern budgeting and appropriations process in 1974. Since then, Congress has failed to pass all of its required annual appropriations bills with only four exceptions. This paper seeks to address the problem that too few appropriations bills are passed on time.

The consequences of failing to pass appropriations on time can result in government shutdowns at the extreme. Shutdowns are costly and can reduce the U.S.'s gross domestic product (GDP), GDP growth, and result in a loss of hundreds of thousands of jobs. Besides shutdowns, Congress will have to spend time negotiating appropriations when they could be working on other authorization or oversight matters. To bypass shutdowns, Congress often uses continuing resolutions (CRs) to provide funding based on the prior year's levels to hold the government over until all appropriations bills are complete. However, CRs come with their own costs too, leading to disruptions in federal contracts, hiring freezes, the continuation of legacy programs, and the underfunding of new programs.

To help Congress reduce the amount of time it takes to pass appropriations bills, this paper outlined the following policy options:

1. Automatic Continuing Resolutions (ACRs)
2. Biennial Budgeting, Appropriations, and Authorizations
3. Providing 302(a) Allocations within 30 Days of the President's Budget Submission to Congress
4. Reintroducing Earmarks
5. Constitutional Amendment for a Line-Item Veto Act

Based on this paper's findings, this paper recommends that Congress works to pass a biennial budgeting, appropriations, and authorizations bill that mirrors the 116th Congress' S.284, the Biennial Budgeting and Appropriations Act. Though this option would be the most difficult to administer and carries a moderate risk premium, it is both politically feasible and cost-effective, with the best likelihood out of all options to have all appropriations bills completed on time. Considering how polarized Congress has become and its prior discussions of modernizing the budgetary and appropriations processes, a biennial system has seen great support from members of both parties, including some of the most senior congressional leaders. Additionally, the biennial system can be assumed to reduce the average number of days appropriations are incomplete in half since the process allows Congress to only have to appropriate during the first year of a biennium to cover the following biennium, saving Congress and federal agencies a great amount of time and resources.

Introduction

This report will delve into the problems of the current congressional appropriations process and will provide several policy alternatives, with a singular recommendation at the conclusion. First, this report will state the problem with the modern congressional appropriations process. Next, this paper will provide a brief history of the changes to the appropriations process since the mid-19th century. This section will also discuss modern trends in the process, including the continued use of CRs, omnibus bills, the failure to pass appropriations on time, and how Congress has sought to change the process. Following this section will be a description of various consequences that stem from the failure to pass appropriations on time. The next area of the report focuses on potential solutions to aid Congress in completing appropriations on time. The report delves into criteria, lists five policy alternatives, and provides an outcomes matrix to determine the best policy option. Finally, the paper discusses its recommendation with steps for implementation.

Problem Statement

Since the modern congressional appropriations process was established 47 years ago, too few appropriations bills are passed on time.

Following the passage of the Congressional Budget and Impoundment Control Act of 1974 (CBA), which established the modern appropriations process, Congress has passed the 12 required appropriations bills on time only four times, when a single party controlled Congress (Desilver, 2018). The consequences of inaction, friction, and gaming of the current appropriations process have led to expensive government shutdowns, Congress focusing less on other pieces of legislation, and Congress having to consistently readdress fiscal problems such as the debt ceiling. Just in the past 10 years, Congress has taken an average of 130.3 days to complete all appropriation bills.[1] The estimated average opportunity cost of the average 130.3 extra days spent working on appropriations each fiscal year, calculated using the sum of House, Senate, and Joint Item appropriations in the annual legislative branch appropriations bill, is around $2.17 billion annually.[2]

Unlike many other nations, the United States is one of the only nations that face government shutdowns and continue to fail to fund the government. Additionally, state governments face few of the problems the federal government faces with completing appropriations on time.

While solutions to reform the appropriations process have been discussed by Congress and the public over time, few changes have been made to the process itself since 1974. The need to readdress deficits or control power in Congress has dominated much of the past conversation of process upheaval, leaving Congress where it is today.

[1] See Appendix A, Table 1
[2] See Appendix B, Table 1

Background

A Brief History of the Appropriations Committees and Process Prior to 1920

The U.S. House of Representatives

The House Committee on Appropriations (HAC) in the House of Representatives came forward in 1865 following a surge in federal spending following the U.S. Civil War when the Ways and Means Committee split apart to give the new committee appropriating duties (U.S. House of Representatives Committee on Appropriations, 2010). In 1867, Congressman William Holman initiated a rule change that would modify House Rule 120, which required a formal authorization to precede any appropriation, thus preventing rider amendments from inclusion in the final appropriations bills. The "Holman Rule" now allowed members to present amendments to reduce spending in appropriations to be presented in front of the full House instead of the HAC. Republicans, including Appropriations Chairman (and later President) James Garfield, stated that giving this leverage to the Appropriations Committee could "render obsolete the power of all the other committees of the House" (*Congressional Record*, 1876). Over the next ten years, many of the authorization committees, starting with the Committee on Commerce, bypassed the HAC and reported their own appropriations legislation under a suspension of the rules, to where only six of the fourteen total appropriations bills came from the HAC. As members of the HAC had predicted, this fueled federal spending for the next few decades.

The U.S. Senate

The Senate Committee on Appropriations (SAC) was founded in 1867 to divide the tax-writing and appropriating process from the Senate Finance Committee (U.S. Senate Committee on Appropriations, 2008). However, in December 1895, Senator Fred Dubois sought to strip the Senate of many of its appropriations bills similar to how the House had already stripped the HAC of all but 6 appropriations bills. Though the motion in the Senate initially failed, the motion to modify Rule XVI was passed in the Committee on Rules under unanimous consent and in the full chamber.

Issues during Decentralization

Throughout decentralization in the late 19th century up until 1920, when the HAC and SAC reported less than half the bills they were initially supposed to write, Congress had to report appropriations and deficiency requests to two different committees (U.S. Senate Committee on Appropriations, 2008). Executive branch agencies were able to spend their funds for the year at a rapid rate and inform Congress that they needed supplemental appropriations to prevent a shutdown which often led to increased wasted spending and a failure to hold agencies accountable for their annual budget requests.

Appropriations from 1920 to 1974

From 1920 until Post-World War II

Following World War 1, the U.S. budget exploded to be around six times the size of the pre-war budget, leading Congress to seek to reassert its control over federal spending and the budget (U.S. Senate Committee on Appropriations, 2008). In 1920, the House passed H.Res.324 to expand the HAC's membership and to give back control over all appropriations bills to the HAC, changing the decades of authorization committees writing their own appropriations legislation (Change in the Rules of the House, 1920). President Harding signed into law the Budget and Accounting Act of 1921 which established formal budgetary procedures, requiring the President to submit a budget to Congress, establishing the Bureau of the Budget (now the Office of Management and Budget), and giving Congress the ability to centralize the process and provide a balance between the executive and legislative branches (U.S. Senate Committee on Appropriations, 2008). Unlike the HAC, the SAC did not have its committee jurisdiction restored until 1922 through amending Senate Rule XVI. Additionally, the amendment included wording that prevented SAC from including amendments that proposed new legislation, making bills that broke this rule subject to a point of order.

Despite the HAC and SAC having much of their power restored, some of the authorization committees were still able to bypass the appropriations committees. The New Deal era, for instance, specifically brought forward new entitlements that bypassed the HAC and SAC entirely.

Legislative Reorganization Act of 1946

On August 2, 1946, the Legislative Reorganization Act of 1946 became law, changing several areas of the appropriations process (U.S. House of Representatives Committee on Appropriations, 2010). For one, both the HAC and SAC were provided more staffers to help assist members. On top of additional staff, the law amended Rule XVI and essentially repealed the Holman Rule since it now prevented committees "from reporting bills or amendment which contained unauthorized limitations on appropriation levels" (U.S. House of Representatives Committee on Appropriations, 2010).[3] The Joint Committee on the Legislative Budget was another result of the new law. This joint committee estimated federal expenditures and wrote concurrent resolutions to set spending caps, though the committee found little success in getting both chambers to agree on the same budget resolution for three years and was deemed as a somewhat failed experiment.

Omnibus Experimentations in the 1950s

In 1950, HAC Chairman Clarence Cannon believed that one large omnibus appropriations bill would discourage riders, reduce federal waste, and cut out many special interests, though Speaker Sam Rayburn was skeptical of such a pursuit (U.S. House of Representatives Committee on Appropriations, 2010). The appropriations bill was the first of its kind since the 1790s but required three continuing resolutions to prevent a government shutdown before passage, required additional appropriations for funds the omnibus was unable to cover, led to far higher-than-expected government spending, and created difficulties for Congress to maintain oversight of spending. The following year, the HAC voted to end the use of an omnibus appropriations bill.

[3] The Holman Rule would most recently appear in the 115th Congress, though the 116th Congress decided to do away with the rule after Republicans lost control of the House (Bur, 2019).

The Modern Era of Appropriations: 1974 to Today

Congressional Budget and Impoundment Control Act of 1974

Increased spending stemming from both President Lyndon Johnson's new domestic programs and the Vietnam War were mostly funded through a stronger American economy that provided the federal government with increased tax revenues (U.S. Senate Committee on Appropriations, 2008). However, unlike his predecessor, President Richard Nixon became increasingly concerned with federal spending, vetoing five appropriations bills during his second year in office, impounding funds at a level unseen by previous administrations, and consolidating many of President Johnson's Great Society programs. The Nixon Administration, like many administrations of the past, had also continued back-door spending in agencies that could avoid congressional oversight. The HAC (2010) reported that only 44% of total federal spending consisted of items considered by the Appropriation committees due to backdoor spending, entitlements including Social Security, Medicare, Medicaid, and other forms of mandatory spending. As a response to the ever-waning power of Congress in the budgeting and appropriations process, the Democrat-controlled Congress passed the Congressional Budget and Impoundment Control Act in 1973, later signed in 1974 by President Nixon. This new law established the House Budget Committee (HBC) and the Senate Budget Committee (SBC), established the Congressional Budget Office (CBO), established the budget resolution which is used to set spending targets for 20 budget functions, established budget reconciliation instructions to bring spending and revenues in line with Congress' budget resolution priorities, and reduced the President's impoundment authority. The Act also provided Congress additional time to study and debate the President's budget by moving the start of the fiscal year up to October 1. Essentially, the Act had created an entirely new budget process that was under separate jurisdiction from the Appropriations committees, the Senate Finance Committee, and the House Ways and Means Committee.

Recent Changes in Budgeting and Appropriations

Much of the bills to modify the budgeting and appropriations process have been aimed to target the growing federal deficit. In 1985, the Gramm-Rudman-Hollings Balanced Budget and Emergency Deficit Control Act of 1985 (or simply Gramm-Rudman-Hollings) introduced budgetary constraints following the implementation of the Budget and Impoundment Act. This new law introduced automatic sequestration in case that the federal deficit would hit a certain level. However, like many attempts to target the growing federal debt throughout the 20th century by controlling discretionary spending, Gramm-Rudman-Hollings failed to achieve its goal of balancing the budget within 5 years.

Through the Omnibus Budget Reconciliation Act of 1990, Congress passed the Budget Enforcement Act of 1990 (Omnibus Budget Reconciliation Act of 1990, 1990). This law expanded upon the 1987 law and introduced new discretionary spending caps which would limit the amount of funds Congress could provide in appropriations bills to again, readdress spending. The spending caps were enforced in the legislative process via the rules of the House and the Senate through a point of order. However, if somehow spending surpassed the set budgetary caps, the President could issue a sequester for across-the-board spending cuts. Besides spending cuts, the BEA introduced pay-as-you-go (PAYGO) procedures that required spending increases or tax cuts to be offset by spending decreases or tax increases, though these procedures did expire in 2002. Like many future budget-related laws, BEA raised deficit targets to ensure that congressional spending would not trigger sequestration unless there were serious violations.

The most recent piece of major legislation looking to reform the budget was the Budget Control Act (BCA) of 2011, which came as a result of the 2011 debt-ceiling crisis. Besides increasing the debt ceiling, the BCA applied larger cuts to the budget and established the Joint Select Committee on Deficit Reduction, though the committee met no success in reforming reducing the deficit for the long term, incentivized Congress with sequestrations to apply in 2013 and 2021, and required Congress to vote on a balanced budget amendment, which also did not pass (Budget Control Act of 2011, 2011). While the fiscal cliff did pose a challenge, the BCA ultimately acted as a short-term method for Congress to address the deficit.

The Modern Appropriations Process

The congressional appropriations process begins when the President sends his budget to Congress by the first Monday of February (Saturno et al., 2016). The President's budget, prepared by the Office of Management and Budget (OMB), describes in detail the budget authority required for each agency to be obligated that year, though some of the funds do not necessarily have to be spent in that same year, so outlays occur once the government makes a payment.

Under the CBA, Congress is tasked to enact a concurrent budget resolution. The HBC and SBC each write their own resolution that accounts for new budget authority outlays for 20 spending categories for the fiscal years the concurrent resolution addresses. The spending ceilings are then sent to the HAC and SAC as a 302(a) allocation, which includes discretionary and direct spending.

Once the HAC and SAC receive the 302(a) allocation, they divide them amongst each of the 12 subcommittees in what is known as a 302(b) allocation. Subcommittees in HAC and SAC write their own separate appropriations bills using the allocations from the 302(b) allocations to ensure that each area of the government is properly given the funds necessary for maintenance.

Once the appropriations bills are passed out of the subcommittee and full committee, they go to the floor of their respective chamber. In the House, each appropriations bill is typically considered under a special rule, given one hour of debate, and is given time for members to attach amendments. Amendments, though, must be germane to the bill, must be considered an appropriation and not general legislation, and must comply with spending limits. In the Senate, each appropriations bill is given floor consideration and in most cases, Senators may propose amendments to the bill at any time unless there are set limits, though each amendment typically must be considered an appropriation and must comply with spending limits set in the budget process. In both chambers, if an amendment fails to follow its chamber's specific rules, a point of order can be called and if upheld, the amendment will be struck.

If a bill passes the chamber, it will then go to conference where the House and Senate conference committees will agree to changes. Once changes are agreed upon, each chamber votes on the conference report. If both chambers agree to the conference report, the appropriations legislation heads to the White House for the President to either sign into law or veto.

Special Notes on the Budgeting and Appropriations Process

If the White House Sends a Late Budget.

Before the beginning of the appropriations process, the White House, which is supposed to report a budget to Congress by the first Monday of February, may fail to do so. In many cases, though, Congress already begins to work ahead to ensure that appropriations are completed on time.

If the House and/or Senate Fail to Agree to or Pass a Budget Resolution.

Besides issues between Congress and the White House, it often occurs in Congress that budget resolutions are not passed by both chambers or that each chamber passes a separate budget resolution. In this case, there may not be a 302(a) allocation to enforce in the HAC and SAC. However, the House and Senate have temporary 302(a) allocations known as "deeming resolutions" they provide to set some form of spending ceilings for the committee (Saturno et al., 2016). As a result of the Bipartisan Budget Act of 2013, the HAC and SAC chairmen can include a form of 302(a) allocations in the *Congressional Record* in case a budget resolution cannot be passed (Saturno et al., 2016).

Continuing Resolutions

In the case that a regular appropriations bill is not passed before the end of the fiscal year, Congress can opt to extend budget authority to ensure agencies do not shut down through a CR (Saturno et al., 2016). Unlike regular appropriations bills, CRs provide funding at a specified rate with some exceptions up until a specified date. Multiple CRs can be passed in a row and in some cases, can last the entire fiscal year (Tollestrup, 2012).

Omnibus Appropriations

Omnibus appropriations[4] are a tool Congress can use in some cases to consolidate multiple appropriations bills into a larger bill (James & Tollestrup, 2016). In some cases, omnibus bills can act as legislative vehicles for House and Senate members to pass their own legislation into laws via an amendment on the omnibus bill, with certain exceptions. While typically legislation attached to omnibus is prohibited, the rules can be waived, allowing members to pass some of their bills into law (James & Tollestrup, 2016).

Trends over Time

Motivations to Amend the Appropriations Process

Throughout the history of appropriations and budgeting since the Civil War, the U.S. has consistently modified the process of appropriating federal funds based on addressing increased government spending. The latter half of the 20th Century was saturated with attempts to address the growing federal deficit through using appropriations to limit discretionary spending. While in the late 1800s and early 1900s, discretionary spending on defense and the military made up most of the federal outlays, following the New Deal programs and Great Society programs, mandatory spending outside of the jurisdiction of the HAC and SAC began to further drive deficits.

[4] Smaller omnibus bills can also be referred to as "mini-bus" bills.

Failure to Pass Regular Appropriations on Time
Between FY1977 and FY2019, Congress had only managed to pass 20.28% of all general appropriations bills before the start of the new fiscal year (McClanahan et al., 2019). This trend has only worsened over time. Between FY2009 and FY2019, Congress had only managed to pass 7.58% of its appropriations bills on time, excluding omnibus and full-year CR measures (McClanahan et al., 2019).

Increased Use of Continuing Resolutions
Between FY1977 and FY2019, Congress had used a total of 186 CRs, with an average of 4.33 CRs per year (McClanahan et al., 2019). Every year except FY1977, FY1989, FY1995, FY1997, a CR was passed to provide general funding that was not covered under a new appropriations bill signed into law. Additionally, the average CR between FY1998 and FY2019 provided legislators an average of 38.8 days to negotiate a proper appropriations bill. There has been no clear trend that more or fewer CRs are being used annually, though there is enough evidence from the sheer number of CRs and the average length of duration that Congress is almost incapable of passing appropriations legislation before the start of the fiscal year, even after it was moved to October 1 during the 1970s.

Increased Use of Omnibus Bills
Just as the trend of Congress failing to pass appropriations bills on time persisted, so did the consistent use of omnibus bills. Between FY1986 and FY2016, out of 390 regular appropriations enacted 170 of them, or 48.6%, were enacted in an omnibus bill (James & Tollestrup, 2016). Those 170 regular appropriations acts covered under 22 omnibus bills funded an average of 7.7 bills (James & Tollestrup, 2016). Considering that since FY1986, Congress has had anywhere from 11 to 13 appropriations bills; the average number of bill covered under the omnibus exceeds half of those appropriations bills.

A Continuing Issue

As the history of budgeting and appropriations at the federal level shows, Congress has always struggled to maintain a consistent process. Compared to state-level budgeting, budgeting at the federal level has not been focused on spending based on revenue-generation but has transformed into spending despite revenue-generation. Historically, each major change in the process has stemmed from Congress seeking to reduce federal deficits when spending rapidly rose from military spending or new social programs, or when revenues fell during a recession. Since the New Deal era, though, with the expansion of entitlements, spending on such entitlements has risen at a much higher rate annually than discretionary spending, resulting in the appropriations committees having less of an impact on managing the federal deficit.

Despite Congress' best efforts to pass budgets, the fact that a rapid increase in the use of CRs and omnibus bills, along with Congress' failure to pass budgets on time, have shown that the timely way of conducting appropriations under regular order has persisted in failing. Roadblocks in the process can often be blamed on members of the House and Senate seeking to spend federal dollars in their district through riders and from broader ideological-based disagreements with how much Congress should spend and where those funds should be spent.

Unfortunately, most of the U.S. outside of the beltway are unaware of the many issues that members of Congress face when negotiating the budget. The public is generally uninformed about the appropriations process and therefore lacks much insight into the hang-ups in the process. The only time the public is exposed to the process is mostly when the media reports that there is a threat of a government shutdown, during times of sequestration, when Congress is having issues negotiating an upcoming spending bill, or when Congress passes a spending bill that would greatly contribute to the national deficit. While the results may be well known publicly, the causes of the problems are often hidden behind a veil of bureaucratic jargon and procedure.

The overall lack of public knowledge of the appropriations process, as well as the polarization in the legislature, pushes Representatives and Senators to toe the party line and seldom back down, leading to the failure of most compromises in especially controversial appropriations bills, such as with defense, homeland security, and agriculture. Oftentimes, this leads to the passage of a continuing resolution that continues the prior term’s funding until a specified date. Other times, once Congress decides to address some differences, an omnibus bill is passed, essentially packaging several smaller bills together into a massive, long-worded bill that is nearly impossible for most members to disseminate before a typical short-notice vote on the eve of a deadline. For instance, in 2018, Members of Congress had complained that they only had around 17 hours to review the 2,200 page-long $1.3 trillion FY2019 omnibus package (McPherson, 2018), and just last year in December of 2020, House members only had around six hours to review the nearly 5,600 page-long $1.4 trillion FY2021 omnibus bill (Schutt & Lerman, 2020).

Consequences

The breakdown and failure of the budget and appropriations process have consequences on the American people. While some are direct and visible, such as government shutdowns, there are also various hidden costs and opportunity costs that America is forced to bear.

Government Shutdowns

As previously noted, government shutdowns occur when funding lapses for government agencies. Congress, as the keeper of the purse, is often to blame since it is their duty to pass a budget to be signed by the President before October 1 every year. However, when the appropriations process breaks down and Congress fails to negotiate funds for the federal government, agencies must halt their operations, except for those deemed essential. Though Congress has often used CRs as a means to provide funding until appropriations are negotiated, occasionally the CRs can run out too. Government shutdowns have occurred 15 times since 1980, with most causes stemming from disagreements on "controversial" parts of appropriations language such as increased domestic spending programs, increased foreign aid spending programs, deficit reduction plans, and most recently, increased immigration enforcement funding (Schaul & Uhrmacher, 2019).

Government shutdowns cut pay and furlough thousands of federal employees, halt funding to federal grant recipients, shut down national parks, and even lower the overall U.S. GDP. According to the Congressional Budget Office, during the 2019 government shutdown that lasted five weeks, $18 billion in federal discretionary spending was halted, thus resulting in a GDP loss of $11 billion, GDP growth lowered by 0.2%, and numerous small businesses that relied on government contracts to lose their income (Edelberg, 2019). An estimated 400,000 federal government employees were either furloughed or, if they were compulsory, worked without pay, while around 4 million contractors faced a similar fate (Hill, 2020). Similarly, the OMB found that the 2013 shutdown, lasting from October 1 until October 17, 2013, resulted in a decline in FY2013 real GDP growth by around $2 billion and $6 billion, an estimated 120,000 fewer private-sector jobs, and roughly $2 billion in federal costs for furloughing employees during the 17 days (Office of Management and Budget, 2013).

Time-Based Opportunity Costs

Opportunity costs of the current appropriations process revolve around all of the other issues Congress could be working on outside of the appropriations process. Since Congress consists of many members divided into multiple committees and subcommittees, only a certain number of members tend to spend most of the time negotiating appropriations bills in committee and on the floors of the House and Senate. Since budget reconciliations and appropriations bills are privileged, most of the deadlock comes from either the President disagreeing with Congress on appropriations measures or within Congress where the House and Senate disagree. Power players in the committees and party leadership must dedicate a significant number of resources and time to ensure that their side's priorities are funded. Lower-level members in Congress often would attempt to attach policy riders to appropriations and reconciliation bills even if such appropriations violate House or Senate rules. The total time involved in the process outside of the committee hearings, staff editing process, and general markup of both the budget and appropriations bills by the Budget Committees and Appropriations Committees, respectively, could be viewed as an opportunity cost.

The executive branch faces similar opportunity costs since agencies also must prepare for funding gaps and CRs and then adapt to them accordingly. When in the past OMB had directed agencies to prepare for a shutdown, each agency was forced to move dedicated time and resources away from their mission. This has downstream effects on contracted private companies that work with agencies that must also prepare for funding lapses or reduced expected funding via a CR. Besides preparations, executive branch agencies are also burdened with a repetitive workload that consists of reissuing short-term contracts that leads to an overall lowered level of productivity (Young & Gilmore, 2019).

Other Costs

Continuing resolutions can result in externalities that include funding gaps for federal agencies that may be unable to operate without an increased budget. CRs are often a result of a breakdown and failure of negotiations in the appropriations process and have become more typical in the past few decades. According to a Government Accountability Office report on CRs, the agency found that federal agencies had been unable to fill new or existing positions during a CR funding period due to uncertainty that existed with how much funding they would eventually receive once the regular appropriation was passed and since agencies were trying to use their funds in other fields (U.S. Government Accountability Office, 2009).

Besides hiring delays, CRs have led to agencies delaying contracts. For instance, the Department of Veterans Affairs delayed contracts to conduct maintenance on VA Medical Centers, the Federal Bureau of Prisons delayed activating several facilities, and the FBI delayed enhancements to counterintelligence and counterterrorism programs (U.S. Government Accountability Office, 2009). The largest agency, the Department of Defense (DoD), is especially susceptible to costs associated with CRs. A 2011 Heritage Foundation study found that the 2011 CR for defense appropriations hindered the DoD's plans to grow the naval fleet, even resulting in increased costs of producing new submarines due to significant delays (Eaglen, 2011). According to former Secretary of Defense Mark Esper, the 2019 continuing resolution for FY2020 resulted in the Department of Defense to operate at $19 billion less than what they had expected to receive in funding (U.S. Department of Defense, 2019). Other departments also often fail to receive funding when their appropriations bills fail to pass, resulting in CRs to provide just enough funding to hold over. Sometimes, the opposite is true where agencies' legacy programs end up receiving appropriations via a CR even though the agency had planned to end a certain program. This was the case with the U.S. Air Force, which argued that sustaining legacy programs during a CR had resulted in inefficiencies in intercontinental ballistic missile and next-generation bomber programs (Young & Gilmore, 2019). While CRs do provide some government funding, postponing already-planned programs and contracts only results in larger longer-term costs to the government than a timely appropriation covering the initial requested amount in already-planned contracts and programs.

Evidence of Potential Solutions

The exclusivity and specificity of the budgetary and appropriations processes at the federal level make it challenging to look elsewhere for solutions. While some may argue that researching foreign governments' appropriations could be beneficial, the U.S.'s process is so different that it would be quite difficult to make comparisons. The closest system of government internationally to the American system is the Philippines. This makes sense, of course, due to the fact the Philippines was a U.S. territory for decades. Even looking back in history, no government has quite been like the American one, thus showing that members of Congress lead with historical blindness when it comes to appropriations, but only use the experience of America's past and present.

International-Informed Evidence

As previously noted, the U.S. system of government is unique, where it is not under a parliamentary system, where there is a bicameral legislature, and where two parties rule the chambers with few exceptions. Internationally, government shutdowns and lapses in funding are nearly impossible, mostly due to the way that governments are set up (Noack, 2018). For instance, in many parliamentary systems, there are mechanisms in place that a failure to pass a budget and appropriate funds would result in the government being forced to resign and calls for a new election since the budget acts almost like a vote of confidence. Additionally, in some nations, including the United Kingdom, New Zealand, Bangladesh, Canada, and Australia, the failure to pass budgets and appropriations bills do not immediately halt funding but instead just delays some planned investments (Noack, 2018). Finding evidence for solutions to appropriations reform in the U.S. using the parliamentary systems of Europe would be quite difficult due to the sheer differences in the structures of government.

Prior Congressional Evidence

Earmarks

A feature of prior Congresses to 2011 was the use of congressional earmarks, also known as congressionally directed spending items. Both the House and Senate had different rules around earmarks, but the same principle surrounding them applied where they act as directed spending that would benefit a specific, state, congressional district, locality, or entity (Lynch, 2018). Despite the moratorium in place since 2011, earmarks have begun to make a comeback due to the prior benefits members of Congress found associated with them. When earmarks were banned, it was only done within party conference rules and not by changing House nor Senate rules (Lynch, 2018).

The problem with earmarks at that time was that they were being used as an ad-hoc substitute for the authorization process since members had been using them to include their personal projects that later led the House to create disclosure rules to provide the public transparency. Earmarks toward by end of the 2000s had been involved in several scandals too, even resulting in some individuals going to prison due to surrounding corruption associated with selling bribes for earmarks (Dickerson, 2021). Notably, the "bridge to nowhere" was an example of an earmark-related scandal that led to a public outcry, though the requested $400 million appropriation for a bridge would have served not just the 50 residents on Gravina Island in Alaska, but also the 200,000 that trafficked its airport annually (Strand & Butcaru, 2016). Despite what bad press may state, the initial role of the earmark was to prioritize spending that Congress had already authorized. Senate Rule XLIV clause 8(c) even points out that a Senator can call for a point of order if an earmark were to increase the amount of federal spending, thus refuting remarks that earmarking balloons the budget deficit (Strand & Butcaru, 2016). Essentially, earmarks serve as budget neutral and in the past only made up around 1% of federal spending (U.S. Select Committee on the Modernization of Congress, 2020).

Earmarks have been and can be used by congressional leadership to round up votes on bills with the potential to break up gridlock. With increased polarization in Congress, earmarks can act as a tool to bring more members into the appropriations process and create an interest in the process. It may also serve as a means for members of Congress to reclaim their Article One duties from the executive branch by specifying how appropriations should be used more specifically in their district that they are intimately familiar with instead of leaving the responsibility to a bureaucrat from elsewhere (U.S. Select Committee on the Modernization of Congress, 2020).

State Legislature-Informed Evidence

Unfortunately, unlike many policy issues, procedural issues in the legislature are quite difficult to measure. Using quantitative measures to figure out how effective other forms of solutions can be is nearly impossible due to either the lack of data or quality of data. Additionally, the changing landscape of how chambers of Congress carry themselves, who runs the show (party leadership vs. seniority), and the makeup of a legislative chamber all act as variables that are difficult to control. Regardless, findings based on state-level data may be the best info available since states also face the same challenge of passing a budget on time just like the federal government. Outside of that, past precedent in Congress, while accounting for extraneous factors is the only other reasonable way to gather evidence.

Biennial Budgeting & Appropriations

State-level budgeting, in some cases, can mimic the federal process, though there can be large differences in how budgets are planned. Additionally, some states only have a part-time legislature that meets for only a few weeks out of the year or only once every other year. Currently, according to the National Association of State Budget Officers (NASBO), 20 states use biennial budgeting, a policy measure that has often appeared in Congress (National Association of State Budget Officers, 2015). In Congress, biennial budgeting legislation has often been introduced by members of the budget committees, and in 2018, the Joint Select Committee on Budget and Appropriations Process Reform recommended a 2-year budget process, specifically with reconciliation instructions, with edits possible in the second year if necessary for the reconciliation instructions (Lynch & Saturno, 2019). The National Conference of State Legislatures (NCSL), though, in a 2011 analysis of state experiences with annual and biennial budgeting, found little evidence that there is an advantage of one system over the other (Snell, 2011). NCSL found that while biennial budgeting did likely reduce budgeting costs in executive agencies and is more favorable to program review and evaluation, it did have the potential for lawmakers to become more unfamiliar with the budget (Snell, 2011). Additionally, annual budgeting prevented state lawmakers from having to come back to readdress issues with special legislative sessions and supplemental appropriations (Snell, 2011). The federal government, though, is unique from state governments.

Unlike many state legislatures, the Congress is a full-time body that meets in standing committees where members learn and become policy specialists in specific issues. Additionally, unlike states, the President does not have the power to line-item veto and has considerably less power in the budgetary process than his state gubernatorial counterparts. It may seem that the evidence could point to biennial budgeting being beneficial at the federal level since the federal government has a full-time legislature that already has most of its members unfamiliar or uninvolved with the budgeting and appropriations process except for the final floor votes. Despite the lack of a line-item veto, the President still maintains the power to negotiate with Congress on each appropriation since they can still use the threat of the veto as a tool.

In 2000, the GAO published a report titled *Biennial Budgeting for the Federal Government*, discussing potential outcomes from biennial budgeting. In it, the GAO found that a biennial process with off-year supplements would save agencies significant resources since it saves agencies from having to complete annual, repetitive work preparing budgets with detailed written justifications (Irving, 2000). On the other hand, there was a concern that biennial budgeting could make it more difficult to forecast future budgets and appropriations (Irving, 2000). The government may also become more susceptible to increase government waste due to the possibility of increased supplemental appropriations in off years should agencies claim they are deficient in funds. This can likely be avoided, though, if the federal government can successfully conduct strict agency oversight and that appropriators and forecasters can make accurate predictions.

Line-Item Veto

In 2015, the NASBO found that 24 states' governors have the power to line-item veto appropriations language while in 37 states, governors have the power to veto specific appropriations amounts (National Association of State Budget Officers, 2015). Additionally, in 33 states, governors have the ability to impound funds provided to executive branch agencies (National Association of State Budget Officers, 2015). In total, there are 44 states including the District of Columbia that permit line-item veto (National Association of State Budget Officers, 2015). The federal government, however, lacks a Presidential line-item veto and the Presidential right to impound funds, essentially giving power all the power to Congress to maintain the power of the purse, with the only main exception being that the President can veto the appropriations bill. However, unlike many other legislative pieces, appropriations bills are incredibly long, complex, and often contain numerous riders that the President has to all agree to or would be forced to strike down months' worth of negotiation to put the bill back on the table even though the time to pass a bill is limited. Additionally, under a divided Congress and with the consideration that appropriations legislation requires 3/5 of the Senate for approval, barriers to the passage of appropriations legislation that can occur on disagreements on funding levels can shut down the entire government. Giving the power to the executive as most states have done to cut pork from appropriations while also ensuring that Congress can pass a bill that they know the President can make cuts from could provide for smoother negotiations.

A study on the line-item veto in 1985 suggested that while it may not have a significant effect on spending, it would aid the President in dealing with partisanship in Congress and between the White House and Congress (Abney & Lauth, 1985). Before the Line Item Veto Act being declared unconstitutional in *Clinton V. City of New York*, Dr. Stephen Moore during his tenure at the CATO Institute praised President Clinton for his use of the tool, stating that partisan was not a determinant of use, it had not shifted much, if any real power to the presidency, and that the line-item veto had served as a balanced measure for controlling spending (Moore, 1998). Keeping in mind that increased government spending had been the reason for nearly all modifications the appropriations process, a line-item veto appears to serve as a measure for a President with their party in the minority in Congress to check the majority, a President with their party with a majority in the House and less than 3/5 of a majority in the Senate to cut deals with the Senate minority but also uphold most of the House majority's agreements, and a President with their party's majority in the Senate but a minority in the House to negotiate with the House majority and work in brokering deals between them and the Senate majority. Theoretically, the downward pressure to cut appropriations from the President puts both chambers and both parties into an area where agreements on spending would fall into a tighter zone of possible agreement, thus potentially reducing the likelihood of government shutdowns.

Automatic Continuing Resolutions

One possible solution some states use is an ACR that acts as stop-gap funding until the next appropriations bill can be complete. Within the U.S., 20 states operate with permanent/continuous appropriations, with 13 having a comprehensive system that allows each state legislature to make adjustments to the budget and appropriations (National Association of State Budget Officers, 2015). The NCSL found that in 2018, 13 states needed a time extension to complete budgeting and appropriations (*FY 2018 Budget Status*, 2018). Out of these 13, five were states with ACRs, and eight were states that risked shutdowns (*FY 2018 Budget Status*, 2018). Thus, 25% of states with an ACR and 27% of states without an ACR required additional time to complete budgeting and appropriations (*FY 2018 Budget Status*, 2018). It should be noted, though, that some of these states work on biennial budgets and must plan for two years, while others may only have annual budgets.

After discussions with a variety of staffers on Capitol Hill, though, all of them had concerns that ACRs would only result in Congress ceding more power to the executive branch, Congress to get procrastinate and not address the budget as often, and for Congress to hold agencies less accountable for the next term's budget. Reducing pressure on the completion of appropriations bills does have the potential effect of delaying their completion. Additionally, for as long as the CR is in place if bills are not completed, or if Congress decides to use ACRs year-over-year and become reliant upon them, the federal government may end up leaving agencies and federal programs hanging by a thread with a lack of funding while also keeping agencies and federal programs no longer needing funding alive for an unnecessary period (Kogan & Van De Water, 2019). In some ways, as a conservative, ACRs could make it easier to shrink or preserve the government as-is and prevent growth, but despite this, the government's day-to-day operations may become less efficient in the long term (Kogan & Van De Water, 2019).

On the other side of ACRs, reducing the stakes does have the benefit of preventing political parties from weaponizing government shutdowns, which have a negative implication on both the economy and lives of the millions of federal employees. The cost of the 2019 shutdown, for instance, resulted in a GDP loss of $11 billion (Edelberg, 2019). Despite arguments that ACRs would reduce pressure on members of Congress to complete appropriations, some who support ACRs argue that it would turn negotiations from combative to more constructive (Tollestrup, 2015).

Criteria

The criteria below will be used to determine the benefits and tradeoffs of each alternative. An evaluation of each criterion will be on a scale of one to five, with one being the lowest rating and five the highest rating.

Cost-Effectiveness

The key goal of each alternative is to increase the percentage of times the next fiscal year's appropriations are completed on time. Each policy will be measured to see how likely it will contribute to ensuring that funding gaps will not occur in the future. Additionally, each policy has an opportunity cost, along with the status quo. When members of Congress must work on appropriations outside of the normal fiscal year, Congress is unable to tackle other responsibilities, such as authorizations, reauthorizations, oversight, and in some cases, emergency supplemental appropriations.

This paper will calculate cost-effectiveness by taking using the sum of House, Senate, and Joint Item appropriations in the past ten years' legislative appropriations bills to calculate the estimated appropriations for these combined categories from the beginning of FY2022 to the end of FR 2026. These estimates will include the estimated baseline average cost per day that Congress may fail to pass all appropriations bills based on the average of the past ten years, 130.3 days, multiplied by the estimated appropriation for that year divided by the number of days in that year. A score of five will be given to alternatives that are expected to decrease the sum of costs from the beginning of FY2022 to the end of FY2026 by at least 40%. A score of four will be given if costs are reduced by 30%, three if by 20%, two if by 5%, and one if between 0% and 5%.

Political Feasibility

One of the biggest challenges with reforming appropriations is the feasibility of getting changes enacted and cemented in law, Congressional rules, or even precedent. Because Congress is a political body made up of elected officials with varying interests, the ability to bring about change can be challenging, especially if such changes go against the values or interests of a member and/or their constituents. Appropriations affect every member of Congress and thus can make changes to the process tricky. The political feasibility of each option should optimally have the support of most all members of Congress, where partisanship is laid aside for the sake of ensuring that proper changes to appropriations are done in a manner that benefits all and not just one political side. Additionally, political feasibility should not detract from political capital for key members who may try to whip votes to bring about change to appropriations. The highest score of five will be given to alternatives that would see overwhelming bipartisan support including leadership. The lowest score of one would be given to alternatives that are hyper-partisan and may controversial even within a single political party. A neutral score of three will be given to alternatives that are similar to the status quo where Congress may be split down the middle but could find some small room for negotiation.

Administrative Feasibility

Congress could face trouble administering policies meant to reduce the number of days it takes to complete appropriations. Implementation issues could stem from opposition from staffers and Members following passage especially if the policy upheaves the status quo systems in place. Some alternatives require little changes required for them to be effectively put into place, while others may require doing something that Congress has never done in the past that could require restructuring already-existing structures in the legislative branch. A score of five will be given to options that have almost no roadblocks regarding administration and require little to no change, similar to keeping the status quo. A three will be given to alternatives that may face some roadblocks but has some precedent from a prior Congress to ease potential administrative and implementation concerns. A score of one would be given to options that would take a tremendous number of resources to implement, likely face Member and staffer pushback throughout implementation, and may face high implementation or administrative costs.

Risk Premium

In the past century, Congress had made changes to the appropriations and budgeting processes to either shift power or ensure that the federal deficit did not grow more rapidly. This criterion will focus on ensuring that Congress does not change the appropriations process in a manner that could incentivize heavier deficit spending. Unlike cost-effectiveness, risk premium will primarily look at trends associated with increased CRs, loss of influence of the legislative branch, and oversight gaps that could lead to unneeded spending increases. Changing policy can result in risk premiums including increased spending due to agency contract issues stemming from funding lapses, agency failure to hire talented workers during funding lapses, and expensive delays to new projects. These can occur despite a government shutdown and often occur during CR periods. Policies that have a high likelihood of reducing federal spending and lower overall risk-associated costs will be given a five while policies that maintain the status quo will be given a three and policies that will likely heavily increase federal spending and risk-associated costs will receive a one.

Alternatives

1. Automatic Continuing Resolutions

Automatic Continuing Resolutions (ACRs) provide the rate of the prior year's funding to agencies to ensure that funding gaps do not shut down federal operations. Since Congress has often had not enough time to negotiate negotiations, ACRs allow the HAC, SAC, Senate Leadership, and House Leadership the opportunity to iron out contentious points in appropriations bills, taking off some pressure and allowing for a more thorough, deliberative process. The ACRs would only kick in on October 1 of the new fiscal year for appropriations legislation not based until Congress agrees to pass the appropriations bill. For ACRs to be implemented into the appropriations process, Congress would have to pass a law to automatically provide 100% of the prior year's funding to all agencies, departments, offices, and programs not covered under another appropriations bill. The ACR would cover funding in each area of the federal government until the corresponding appropriations bill is passed.

Cost-Effectiveness - 2

ACRs automatically help the federal government's services from disruption, providing confidence to the public that some funding will be available to agencies to complete their duties, fulfill their contracts, and uphold their obligations. However, ACRs do not necessarily guarantee that Congress can pass all appropriations bills on time to ensure that the government is funded at levels that each agency and the legislature deem necessary. Critics state that the main drawbacks from ACRs, though, are that taking pressure off of lawmakers to pass appropriations bills would not just allow them to be more deliberate in their decision-making process, but it would also encourage further uncertainty and increased procrastination (Kogan & Van De Water, 2019). Having deadlines forces Congress to address appropriations by October 1st and with an ACR to carry over funds, Congress could end up setting the precedent of letting ACRs continue year-over-year with supplemental appropriations to boost certain areas of funding.

Over five years from the beginning of FY2022 until the end of FY2026, ACRs are expected to save an estimated $434.02 million and decrease the expected cost of incomplete appropriations before the start of the fiscal year by approximately 9.21%.[5] This calculation assumes that for the next five years, an average of 118 days per year without complete appropriations will be the norm since the past ten years averaged 118 days between the start of the fiscal year and the consideration of the bill that would end up being the most recent appropriation, whether it was a full-year CR or the final appropriations bill of that fiscal year.[6]

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[5] See Appendix B, Table 2 for the measurement of cost-effectiveness.
[6] See Appendix A, Table 2 for projections.

Political Feasibility - 3

ACRs have seen much support historically from Republican members of Congress. In the 106th Congress, Republicans introduced S.558, the Government Shutdown Prevention Act to implement ACRs (U.S. Senate Committee on Government Affairs, 1999). Despite failing to pass into law, most recently, Senator Portman introduced S.104 in the 116th Congress titled the End Government Shutdowns Act that included 33 of his GOP colleagues as cosponsors (End Government Shutdowns Act, 2019b). Similarly, the House version of the Portman bill carried 10 GOP co-sponsors and 2 Democratic cosponsors (End Government Shutdowns Act, 2019a). Senator Mark Warner and two of his fellow Democratic colleagues also introduced their own version of an ACR bill in 2019, though this bill also never made it to the floor for a vote (Warner, 2019). Majority Leader Schumer has given support for ACRs, though Majority Whip Durbin's stance is a bit more ambiguous due to his vote against them in 1999 (Samuels, 2019). Speaker Pelosi's stance is also ambiguous.

Administrative Feasibility – 4

Administering new ACRs annually would not change much in regards to how CRs are implemented, but it would require that each agency is prepared for a long-term CR in case regular appropriations take extra time to negotiate. Since government shutdowns would be nonexistent thanks to the ACRs covering funding gaps, agencies would be able to divert resources away from shutdown preparation towards ensuring ACRs are implemented efficiently with little cost. There would likely be little to no major pushback from the bureaucracy since ACRs guarantee some funding. Some members of Congress may have administrative issues, though, since implementing an ACR for extended periods could harm stakeholders in members' districts, especially those contracted with the federal government.

Risk Premium - 2

Finally, ACRs could serve as a method to shrink government in the long run since it would essentially freeze government spending where appropriations bills do not pass, thus preventing the agencies' growth, though it would still provide funding to programs that may not need it due to being completed with a project or being defunct. Over the long run, implementing repeated ACRs could erode confidence in Congress' duties to properly fund the government, resulting in contractors with the government and other entities impacted by temporarily reduced expected funding to end up needing to brace for project slowdowns or halts. Each year the government uses ACRs, agencies would face hiring freezes, would have to reevaluate contracts, and would face costs that come from a decline in expected funding. It can be expected that both of these effects make ACRs somewhat more costly than the status quo, though not by a significant amount.

Besides direct risk-associated costs, ACRs would arguably diminish Congress' oversight of the executive branch by essentially automating one of Congress' most important constitutional duties, the power of the purse (Kogan & Van De Water, 2019). It would also diminish minority rights in Congress since the majority would only be obligated to pass appropriations bills where they see fit since the rest of appropriations are on autopilot under a CR.

2. Biennial Budgeting, Appropriations, and Authorizations

To provide Congress more time to negotiate a budget and provide appropriations, since the 95th Congress, members had discussed changing the budgetary, appropriations, and authorization process to a biennial one (Saturno, 2017). While there are slight variations in biennial budgeting, the most overreaching version would include multi-year authorizations, two-year budget resolutions, and two-year appropriations. In each odd-numbered year, at the beginning of the first session of the new Congress, the President would be required to send his two-year budget plan. In odd-numbered years, though the President would only be required to send a one-year update budget plan to Congress. Congress would go through the budgetary and appropriations process, but with consideration for the next two fiscal years instead of one. Authorization for federal programs would also need to be changed to fit the biennial appropriations cycle. Following the passage of appropriations bills, in even-numbered years, Congress would conduct mainly non-budgetary activities, oversight, and planning for the next biennium. Additionally, Congress would be able to provide supplement appropriations to federal agencies that may need additional funding due to failed estimates in budgeting. The implementation of biennial budgeting would require Congress to pass a bill similar to S.284, the Biennial Budgeting and Appropriations Act, proposed by former Senator Johnny Isakson during the 116th Congress (Biennial Budgeting and Appropriations Act, 2019).

Cost-Effectiveness - 5

Biennial budgeting creates more time for Congress to perform its duties to appropriate money to all parts of the federal government in a manner where decisions can be made over two years, allowing Congress to have more time to pass all appropriations bills. While biennial appropriations bills could theoretically be incomplete by the beginning of the following biennium, the chances are lessened since the calendar provides more time, though it directs Congress to complete appropriations in the first year so that Congress can focus on oversight in the second year (Isakson, 2017). Congress itself may be more efficient if they handled appropriations in the first half of a biennium. Congress would have greater long-term oversight over agencies and a greater amount of time to focus on new legislation that could be reauthorized for the next biennium. However, this comes as a challenge since Congress may have difficulty forecasting appropriations since the new authorization/reauthorizations of programs would have to go into effect every biennium unless otherwise stated, and since sudden shifts in world events could leave agencies underfunded in case of disasters. Regardless, Congress will still have the right to pass supplemental appropriations in these cases.

Over five years from the beginning of FY2022 until the end of FY2026, a biennial budgeting, appropriations, and authorization program is expected to save an estimated $2.36 billion and decrease the expected cost of incomplete appropriations before the start of the fiscal year by approximately 50%.[7] This calculation assumes that for the next five years, an average of 65.15 days per year without complete appropriations will be the norm since this number is half of that of the normal average delay between the start of the fiscal year and when the new fiscal year's appropriations are enacted.[8] Additionally, for this value, it is assumed that Congress will still

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[7] See Appendix B, Table 2 for the measurement of cost-effectiveness.

[8] See Appendix A, Table 2 for projections

face annual delays around appropriating money at the normal rate and that appropriating every other year will only delay appropriations for the same amount of time at half the rate.

Political Feasibility – 4

Biennial budgeting has strong support in the Senate and moderate support in the House. During the 113th Congress, H.R.1869, the Biennial Budgeting and Enhanced Oversight Act of 2014, had 142 cosponsors, including 97 Republicans and 45 Democrats (Biennial Budgeting and Enhanced Oversight Act of 2014, 2013). Additionally, the Senate also passed a biennial budgeting proposal during the 113th Congress in a 68-31 vote as a part of an amendment to the budget resolution (Isakson, 2017). Most recently, Senator Isakson's biennial budgeting bill, S.284 in the 116th Congress, had 10 Republican and seven Democratic cosponsors. Even though there has yet to be a biennial budgeting bill introduced in the 117th Congress, the chances that a bill could be passed into law seems somewhat high.

Administrative Feasibility – 2

Implementing a biennial budgeting, appropriations, and authorization system will have high up-front implementation costs. While Congress does operate on a two-year cycle, budget resolutions, appropriations, and authorizations are almost all completed annually. Switching over to a biennial system will require Congress to change how the members of Congress and staff allocate their time, change the timeline for how Congress completes its duties, and change how Congress' workload for forecasting changes for the second year of the biennium when making two-year projections for appropriations and reauthorizations.

The executive branch would have to undergo many changes as well, starting with the OMB, which would have to provide the president's budget for every two years instead of one, putting increased strain on the agency during the first years of adapting to the new system. Other agencies, even in lower departments, will have to adjust how they keep track of their spending and so that they can project their budget for the next biennium. Despite the many difficulties associated with the transition to a biennial budget, the federal government does have many examples of successful models of implementation in the states.

Risk Premium – 3

Changing appropriations, budgeting, and reauthorizations to a biennial system could lead to more efficient use of federal resources, though there has been a correlation that states with a biennial budgeting process has higher per-capita spending than states that budget annually. The federal government will likely, though see higher upfront costs and increased long-run savings due to agencies not having to complete detailed and tedious budgeting with budget justifications annually.

There is a concern, though that the cost of Congress implementing a biennial budgeting system would be that it could lessen the oversight authority Congress has over executive branch agencies during appropriations years. Since Congress would be too busy working on appropriations, there could be agencies who may take advantage of freer reign. On the other hand, Congress will have a complete focus on agencies during off-years, which evens out questions of lacking oversight.

3. Allocating 302(a) Allocations Within 30 Days of the President's Budget Submission to Congress

Despite the President's submission of his budget to Congress, the CBO, HBC, and SBC, should begin to work at the beginning of the new Congress to draft a federal budget and then make modifications after the President's budget is submitted by the first Monday of February. Congress could change House rules at the start of a new Congress and create a standing order in the Senate to ensure that the HBC and SBC provide 302(a) allocations to the House and Senate Appropriations Committees before March 1, which would provide for an extra 30 days of planning and negotiating. Despite if a concurrent budget resolution passes, Section 302(a)(5) of the CBA provides for provisional spending allocations, though these can be later edited if a budget resolution is passed (Heniff Jr., 2003). Even though the CBA states that the budget committees are to report budget resolutions, or in the case that they don't pass a resolution, provisional spending allocations, by April 15, there is likely no reason that Congress cannot implement a rule to expedite this process.

Cost-Effectiveness – 2

Changing the calendar will provide the appropriations committees more time to negotiate bills. However, providing 30 more days to complete appropriations will likely not contribute to Congress passing many, if any, additional appropriations bills. Even though Congress typically passes appropriations bills with less-controversial language earlier in the year, members of Congress know that the more controversial bills can serve as a last-minute legislative vehicle for their priorities and can be used as leverage.

Over five years from the beginning of FY2022 until the end of FY2026, allocating the 302(a)s to the HAC and SAC within 30 days of the President's budget submission is expected to save an estimated $452.11 million and decrease the expected cost of incomplete appropriations before the start of the fiscal year by approximately 9.59%.[9] This calculation assumes that for the next five years, an average of 117.8 days per year without complete appropriations will be the norm. This estimate derives from the average of 130.3 days appropriations are not completed in full minus the 30 extra days provided to the HAC, SAC, and members of Congress have to sign appropriations bills into law plus the average number of days in the past 10 years, 17.5, the President submitted his budget late to Congress.[10]

Political Feasibility - 5

Changing the House rules will only require a simple majority vote at the start of the new Congress when the House meets to establish its own rules. The Senate can create a permanent standing order via a simple resolution that requires a 3/5 majority vote in the affirmative. A change in the calendar may not face much opposition, though some members of the House and Senate Budget Committees may argue that such a change gives their committees little time to work on budget resolutions and thus, reduces the authority of the budget committees.

[9] See Appendix B, Table 2 for the measurement of cost-effectiveness.
[10] See Appendix A, Table 2 for projections

Administrative Feasibility – 4

Speeding up the 302(a) allocation to the appropriations committees from the budget committees will not be administratively difficult to implement on paper, though it may require increased staffing for the budget committees to expedite the process of handling estimates. Additionally, each standing committee required to submit new budget authority and outlay estimates will have less time to do so since Rule X of the House states that standing committees are to submit their views and estimates set forward in a budget resolution and an estimate on the totals of new budget authority and outlays to be provided not later than six weeks after the President submits his budget. Administering this change will require standing committees to also shift priorities to comply with this alternative, thus only providing them with roughly half the time to complete the same amount of work to provide estimates.

Risk Premium – 3

Changing the calendar will only change what happens in Congress and will likely not add to or detract from government spending that could increase or decrease the federal deficit. Additionally, it is likely that it will not reduce any congressional influence in the appropriations process nor reduce congressional oversight power.

4. Reintroducing Earmarks

Even though Congress had scrapped earmarks roughly ten years ago, Congress can still bring back congressionally directed spending items. To do so, Republicans in the Senate would need to revise their conference policies labeled the *Earmark Moratorium* that has been in place since the 112th Congress. Senate Republicans will need to come to an agreement that they will participate in the earmarking process with House Republicans, House Democrats, and Senate Democrats. If Senate Republicans wish to implement earmarks, though, they may seek to adopt rules in conjunction with Senate Democrats similar to earmark rules within House Rule XIII. A standing order would be the easiest way to adopt some form of transparency, but the best long-term option would require amending Senate rules, requiring a 2/3 majority vote. Besides transparency rules, simply bringing back earmarks will require a majority of Senate Republicans to support the measure.

Cost-Effectiveness – 3

Earmarks have acted as a way for members of Congress to build consensus and become involved with appropriations, something that members typically have little say in. Earmarking may not immediately bring about the passage of all appropriations bills on time, but it would provide Members a reason to have a consensus and direct some funds where they believe it would best help their district. Additionally, even when Congress was less partisan at the turn of the millennia, appropriations often did not finish until December or January of the new fiscal year. In the current Congress, it can be expected that earmarks may smooth the appropriations process, but would likely still face a harsher political divide than it would have in the 2000s.

Over five years from the beginning of FY2022 until the end of FY2026, reintroducing earmarks is expected to save an estimated $942.55 million and decrease the expected cost of incomplete appropriations before the start of the fiscal year by approximately 23.02%.[11] This calculation assumes that for the next five years, an average of 104.24 days per year without complete appropriations will be the norm. This estimate assumes that earmarks will make the process 20% more efficient based on the completion of appropriations before the earmark moratorium plus the increased partisanship that Congress currently faces that increases the difficulty of easily passing appropriations.[12]

Political Feasibility – 4

Even though Democrats in the House reintroduced earmarks, Senate Republicans are still bound by conference rules stating that they are barred from participating in the earmarking process. Members of the House and Senate Republican conferences have been divided on whether or not earmarks are harmful and should be avoided. Though the House Republican conference passed a measure to state their support for reintroducing earmarks, such moves in the Senate have not yet occurred. Republicans in the Senate are split and in 2019, renewed the earmark moratorium (Monroe, 2021). SAC Chairman Leahy states that even without Republican support, he was "perfectly willing" to bring back congressionally directed spending (Monroe, 2021).

[11] See Appendix B, Table 2 for the measurement of cost-effectiveness.
[12] See Appendix A, Table 2 for projections

Administrative Feasibility – 5

Bringing back earmarks would not be difficult to administer since Congress had long used them and have precedent for how they should be managed. While the up-front implementation and oversight of proper usage of earmarks may be challenging due to the large number of new members of Congress and staff since the implementation of the earmark moratorium, it would likely not take long for Congress to adjust itself back to how earmarking was done just a decade prior.

Risk Premium - 3

There has long been a debate on whether or not earmarking contributes toward increased government spending or if it helps in reducing spending since the process allows individual members to direct their efforts to clarify that funds should go toward a beneficial project and not be spent via an executive branch bureaucrat. Earmarks only provide instructions for spending in appropriations, so they do act somewhat budget neutral. While there is concern that earmarks will be used for senseless projects, modern congressional accountability and transparency rules aid in ensuring members of Congress are aware of what they earmark. Therefore, the risk premium remains similar to the status quo.

5. Constitutional Amendment for a Line Item Veto Act

The Supreme Court ruled in *Clinton V. City of New York* that the Line Item Veto Act of 1996 had violated the Presentment Clause of the Constitution, therefore preventing the President from having the power that the majority of states maintain (National Association of State Budget Officers, 2015). Due to the Supreme Court ruling in *Clinton V. City of New York*, the only way to pass a line-item veto act would be by a constitutional amendment unless Congress can pass a carefully worded law that can stand the Supreme Court's precedent. The amendment itself would provide language to permit the President the ability to line-item veto only appropriations legislation, including appropriations language and appropriations amounts. Similar to the 1996 law, the President will only have post-cancellation authority to ensure that the President shows support for the underlying main portion of the law prior to vetoing out specific sections. The included language will also require that the funds for vetoed items will not be included in a spending fund in the broader appropriation, but that all funds meant for vetoed appropriated items will not be provided to the recipient whatsoever. Congress would still have the opportunity to overturn line-item vetoed items as they do with current vetoed bills since the amendment would include a provision that states that Congress can override the line-item veto on appropriations with a simple majority vote to ensure that Congress retains power in the process.

Cost-Effectiveness – 4
The line-item veto serves as a way for the President to negotiate with Congress in a manner that Congress will have to be more aware of pork they may put into a bill and language that may find opposition with the opposite party in the other chamber or the President if he is also of the opposite party. Since the line-item veto serves as a tool the President can use to ensure that wasteful spending or spending that he may not agree with, it could be safe to assume that Congress may spend less time attempting to leverage extremely partisan spending positions that could face opposition from the President or from one chamber when bills are ironed out during conference. When it comes to saving time in appropriations, though, the exact amount of time is difficult to use any precedent since line-item veto was only used twice before being declared unconstitutional and since examples from states cannot provide any close correlation of line-item veto aiding in speeding up appropriations due to the differences between federal and state systems.

Over five years from the beginning of FY2022 until the end of FY2026, implementing a line-item veto is expected to save an estimated $1.71 billion and decrease the expected cost of incomplete appropriations before the start of the fiscal year by approximately 36.30%.[13] This calculation assumes that for the next five years, an average of 83 days per year without complete appropriations will be the norm, having Congress complete with appropriations by December 23.[14] This rough estimate on time savings is based on 1) the assumption that the President plays a more significant role in influencing Congress to not include controversial items in appropriations that Congress would likely have gridlock over and 2) Congress will want to pass an appropriation and still manage to address line-item vetoed items before the start of the next Congress or next session.

[13] See Appendix B, Table 2 for the measurement of cost-effectiveness.
[14] See Appendix A, Table 2 for projections

Political Feasibility – 2

Enacting a line-item veto amendment, likely the surest way that Congress could enact any sort of line-item veto, would face difficulty due to the many factors involved in passing a constitutional amendment. Congress would need both chambers to pass the amendment with a 2/3 majority and for 38 states to ratify it. Passing a line-item veto in Congress itself would be difficult, though, historically, attempts to create a constitutional version of the line-item veto had bipartisan support from current Senators Warner, Barrasso, Risch, Blunt, Moran, and current House members McClintock, Adrian Smith, Lamborn, Cuellar, Upton, and Fortenberry during the 2009 proposal of the Congressional Accountability and Line-Item Veto Act of 2009. Additionally, Sen. Van Hollen and Reps. Cicilline, Huffman, and Cooper supported the Expedited Legislative Line-Item Veto and Rescissions Act of 2013. In regards to a constitutional amendment, Sen. Scott introduced S.J.Res.2, a joint resolution proposing an amendment to the Constitution relative to the line-item veto. While there is some clear support for the line-item veto across, the aisle and the window of opportunity is coming soon again with the reevaluation of the debt ceiling, states could pose the largest threat to the amendment based mostly on uncertainty. Looking at the number of states that already have line-item veto for governors, it is possible, though potentially difficult depending on how federal politics bleed into state politics if the 43 states (excluding D.C.) that already have line-item veto were to consider it at the federal level.

Administrative Feasibility – 4

Administering a line-item veto would not require a large strain of resources and due to the two years that line-item veto was still deemed constitutional, there is precedent on how to use the tool. Due to the nature of this proposed constitutional amendment, though, there could be some challenges with ensuring that vetoed language does not end up resulting in the appropriated funds for that vetoed section does not still end up providing budget authority to the broader appropriation. There are few concerns regarding administering and implementing this policy otherwise.

Risk Premium – 4

The original line-item veto act was passed mostly in response to addressing government spending during the 1990s. Even throughout the 2000s and 2010s, members of Congress often touted the line-item veto as a tool the President could use to cut out earmarks and other forms of congressional spending that are either redundant or potentially wasteful.

While there are concerns that a line-item veto would inflate the President's power to control appropriations, the simple majority vote to override a veto would ensure that Congress' power of the purse can still be maintained. The President's veto will allow Congress to take more careful looks at specific measures that concern the President. While this could prove to be dangerous since it forces Congress to take risky votes on very specific issues, it may also still prevent Congress from including such risky measures in the first place out of concern that the President may bring wasteful spending to light.

<u>Outcomes Matrix</u>

Criteria	**Automatic CRs**	**Biennial Appropriations**	**30-Day 302(a) Allocation**	**Reintroducing Earmarks**	**Line-Item Veto Amendment**
Cost Effectiveness (30%)	2	5	2	3	4
Political Feasibility (50%)	3	4	5	4	2
Administrative Feasibility (10%)	4	2	4	5	4
Risk Premium (10%)	2	3	3	3	4
Total	**2.7**	**4**	**3.8**	**3.7**	**3**

Recommendation

Based on the outcomes associated with each alternative, the U.S. House of Representatives and U.S. Senate should implement a biennial budgeting, appropriations, and authorizations system to complete all appropriations bills on time. The biennial appropriations measure is by far the most cost-effective option despite the expectation that it will be the most difficult to administer and implement. Other options, such as ACRs, have the issue of not being cost-effective and carrying significant risk in increasing wasteful government spending, eroding oversight, and stripping power from the minority party in Congress. Line-item veto amendments measure well across the board, except in the most important category, political feasibility, since constitutional amendments are extremely difficult to pass due to the complexities involved with ratification. Implementing earmarks and requiring 302(a) allocations to be sent to the appropriations committees within 30 days of the President's budget submission are easy to administer but are both estimated to be less than half as cost-effective as biennial appropriations.

Moving Congress to a biennial calendar coincides well with each Congress already lasting two years in two sessions. Congress, every year, is expected to complete a budget and appropriations, yet the consistency in how Congress has consistently delayed these items has shown that this fight is only expected to continue unless there is either a culture shift of cooperation in Congress or a specific policy that can work to reduce the cost of failing to complete appropriations on time. A biennial proposal would have several major implications. First, it would halve the number of times Congress would need to debate appropriations in the long run, giving far more time for Congress to conduct oversight duties which is crucial for both reauthorizing programs and determining future appropriation amounts. Second, it would allow for Congress to lessen the politicization of budget resolutions where members may seek to use them to pass non-budget-related legislation through the Senate. Third, it would provide Congress more time to complete appropriations for each biennium, even though the timeline would likely be similar to the current one, except instead of annual authorizations and appropriations, it would be for two years. It is harder to project spending for two years than for one, so supplemental appropriations during the second session of Congress could still be provided if for some reason an agency was underfunded during the initial appropriation. For all of these reasons, the biennial system is the one deemed most effective.

Implementation

State governments serve as the best example of learning how Congress can implement a biennial system. Currently, in the 117th Congress, there are 13 former state governors, 13 lieutenant governors, and 238 former state or territorial legislators (Manning, 2021). Considering the vast majority of states have a biennial process of some sort, roughly half of legislators have some exposure to the biennial system. If a member were to introduce a bill this Congress, it would be beneficial for both Republican and Democratic House and Senate leadership to show support. Minority Leader McConnell has publicly supported a biennial measure in 2008 when he vocalized support for former Sen. Domenici's biennial budgeting bill Sen. Isakson's bill in the 116th Congress appeared to be based upon (Coleman, 2008). House Minority Leader McCarthy has been open in the past to a biennial process according to a 2014 interview with Politico, but he has not stated much since then (Faler, 2014). In a Joint Select Committee on Budget and Appropriations Process Reform hearing in 2018, Speaker Pelosi indicated her support for biennial budgeting and annual appropriations, though she never stated how particularly open she was to biennial appropriations (Eid & Boccia, 2018). Senate Majority Leader Schumer has not made any statements on his thoughts regarding biennial budgeting.

Should the Senate seek a proposal to pass a biennial system into law, it would need a sponsor to introduce a bill similar to former Sen. Isakson's S.284 from the 116th Congress. Whoever sponsors such a bill will need to work with the House and both parties in order to rally bipartisan support for such a measure. While introducing a bill and passing it via regular order could be viable, there may be a chance for it to be passed using a reconciliation bill. House and Senate leaders will need to clear this with the parliamentarian of each chamber, though, to ensure that each chamber's rules and precedent are being followed.

Since this paper recommends the passage of a biennial system similar to that of former Sen. Isakson's S.284 from the 116th Congress, the House and Senate both will need to prepare to change how it operates based on the text of the bill once the bill is passed into law. Appendix C, Figure 1 is a calendar of Congress' new budget timeline except when a new President is sworn in on the year following a leap year taken from S.286 from the 116th Congress (Biennial Budgeting and Appropriations Act, 2019). As seen in the figure, Congress will dedicate its first session to budgeting and appropriations and its second session to oversight and authorizations.

Following the passage of a biennial measure, the majority of the federal government will have to change its budgeting practices to meet the new biennial standard. OMB would have to direct agencies to provide a two-year budget projection biennially, with potential adjustments for additional appropriations on the off-years. Agencies may need to restructure their internal budget offices to project revenues and expenditures for the new budgeting system.

Limitations

Since biennial budgeting could lead to increased errors in budget projections since Congress will be tasked with looking further into the future, Congress will and agencies need to prepare themselves for potentially missing deficit targets due to macroeconomic shocks, such as the COVID-19 pandemic that resulted in the federal government having lower revenue and increase spending. They will also need to prepare for microeconomic shocks that could result in some programs that will end up requiring Congress to either rescind funds or provide supplemental appropriations in the off-years.

Appendix A

Table 1. Information on completion of appropriations, CRs, and the presidential budget

Fiscal Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	*Average(5yr)*	*Average*
Days Between Start of FY and Completion of Appropriations	84	177	109	156	79	217	174	138	81	88	*139.6*	*130.3*
Change from prior year		111%	-38%	43%	-49%	175%	-20%	-21%	-41%	9%	*20%*	*19%*
CRs each year	5	2	4	5	3	3	5	3	2	5	*3.6*	*3.7*
Days from FY to Consideration of Recent Approps	78	177	107	150	77	210	132	117	52	83	*119*	*118*
POTUS Budget Days Late	7	7	65	29	-1	8	39	7	7	7		*17.50*

Table 2. Estimated days between the start of the fiscal year and the completion of appropriations

Fiscal Year	2022	2023	2024	2025	2026
Days Between Start of FY and Completion of Appropriations					
Baseline Estimate (10Y average of days between start and completion of appropriations)	130.3	130.3	130.3	130.3	130.3
Alternative 1: ACR (10Y average of days from start of FY to to consideration of the most recent appropriations bill)	118	118	118	118	118
Alternative 2: Biennial Budgeting (10Y average of days between start and completion of appropriations divided by	65.15	65.15	65.15	65.15	65.15
Alternative 3: 30-Day Allocation (10Y average of days between start and completion of appropriations minus 30 plus the 10Y average of days late the POTUS	82.80	117.80	117.80	117.80	117.80
Alternative 4: Earmarks (80% of the 10Y average of days between start and completion of appropriations)	104.24	104.24	104.24	104.24	104.24
Alternative 5: Line-Item Veto (83 days assumes that Congress will be complete by December 23 to address vetoed items before start of the new Congress)	83	83	83	83	83

Appendix B

Table 1. Prior years' cost of not completing appropriations

Fiscal Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	*Average*
Senate Approps (in thousands of dollars)	$ 868,592	$ 867,048	$ 859,293	$ 865,286	$ 870,159	$ 871,177	$ 919,932	$ 934,841	$ 969,369	$ 998,560	
House Approps	$ 1,225,680	$ 1,225,680	$ 1,180,908	$ 1,180,735	$ 1,180,909	$ 1,189,223	$ 1,200,173	$ 1,232,663	$ 1,365,725	$ 1,476,607	
Joint Items	$ 20,207	$ 18,932	$ 18,994	$ 19,056	$ 20,732	$ 19,565	$ 20,654	$ 20,656	$ 22,643	$ 21,513	
Leg Sum	**$ 2,114,479**	**$ 2,111,660**	**$ 2,059,195**	**$ 2,065,077**	**$ 2,071,800**	**$ 2,079,965**	**$ 2,140,759**	**$ 2,188,160**	**$ 2,357,737**	**$ 2,496,680**	**$ 2,168,551**
Change (nominal)		-0.13%	-2.48%	0.29%	0.33%	0.39%	2.92%	2.21%	7.75%	5.89%	**1.91%**
Cost Per Day	$ 5,777.27	$ 5,785.37	$ 5,641.63	$ 5,657.75	$ 5,660.66	$ 5,698.53	$ 5,865.09	$ 5,994.96	$ 6,441.90	$ 6,840.22	$ 5,936.34
Days w/o Approps. Multiplied By Cost Per Day	$ 485,290	$ 1,024,010	$ 614,938	$ 882,608	$ 447,192	$ 1,236,582	$ 1,020,526	$ 827,304	$ 521,794	$ 601,939	$ 766,218

Table 2. Estimated cost of not completing appropriations for the next five FYs with estimated costs and savings of policy alternatives

Fiscal Year	2022	2023	2024	2025	2026	Sum 2022-2026
Sum of Leg. Spending Projection (in thousands of dollars, assuming 1.91% annual increase in the sum of House, Senate, and Joint Items Approps.)	$ 2,544,303.67	$ 2,592,835.75	$ 2,642,293.57	$ 2,692,694.79	$ 2,744,057.40	$ 13,216,185.17
Cost Per Day Projection	$ 6,970.69	$ 7,103.66	$ 7,219.38	$ 7,377.25	$ 7,497.42	$ 36,168.41
Estimated Days w/o Approps. Completed Multiplied By Cost Per Day	$ 908,281.56	$ 925,606.84	$ 940,685.39	$ 961,255.15	$ 976,914.42	$ 4,712,743.36

Cost Per Year (in thousands of dollars)	Fiscal Year	2022	2023	2024	2025	2026	Sum 2022-2026	Total Amount Saved	Difference
	Alternative 1: ACR	$ 824,633.22	$ 840,362.93	$ 854,052.81	$ 872,728.20	$ 886,945.33	$ 4,278,722.48	$ 434,020.88	-9.21%
	Alternative 2: Biennial Budgeting	$ 454,140.78	$ 462,803.42	$ 470,342.69	$ 480,627.58	$ 488,457.21	$ 2,356,371.68	$ 2,356,371.68	-50.00%
	Alternative 3: 30-Day Allocation	$ 821,147.87	$ 836,811.10	$ 850,443.12	$ 869,039.58	$ 883,196.62	$ 4,260,638.28	$ 452,105.08	-9.59%
	Alternative 4: Earmarks	$ 726,625.24	$ 740,485.48	$ 752,548.31	$ 769,004.12	$ 781,531.54	$ 3,770,194.69	$ 942,548.67	-20.00%
	Alternative 5: Line-Item Veto	$ 578,567.68	$ 589,603.75	$ 599,208.65	$ 612,311.42	$ 622,286.24	$ 3,001,977.74	$ 1,710,765.63	-36.30%

Appendix C

Figure 1: Biennial budget calendar proposed in S.284, 116th Congress (Biennial Budgeting and Appropriations Act, 2019)

First Session	
First Monday in February	President submits budget recommendations.
February 15	Congressional Budget Office submits report to Budget Committees.
Not later than 6 weeks after budget submission	Committees submit views and estimates to Budget Committees.
April 1	Budget Committees report concurrent resolution on the biennial budget.
May 15	Congress completes action on concurrent resolution on the biennial budget.
May 15	Biennial appropriation bills may be considered in the House.
June 10	House Appropriations Committee reports last biennial appropriation bill.
June 30	House completes action on biennial appropriation bills.
August 1	Congress completes action on reconciliation 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 after President submits budget review	Congressional Budget Office submits report to Budget Committees.
The last day of the session	Congress completes action on bills and resolutions authorizing new budget authority for the succeeding biennium.

First Session (Following a leap year with a new President)	
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.

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