H. R. 1471

To prevent Government shutdowns by providing for the automatic continuation of Federal funding during a lapse in appropriations.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2011

Mr. KILDEE introduced the following bill; which was referred to the Committee on Appropriations

A BILL

To prevent Government shutdowns by providing for the automatic continuation of Federal funding during a lapse in appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Government Shutdowns Act”.

SEC. 2. AUTOMATIC CONTINUATION OF FEDERAL FUNDING.

(a) In General.—If, as a result of a failure to enact a regular or continuing appropriation Act or joint resolution, there is a lapse in appropriations for any projects or activities of the Federal Government that were con-
ducted in the previous fiscal year, and for which appro-
priations, funds, or other authority were made available
in such fiscal year, there is appropriated, out of any money
in the Treasury not otherwise appropriated, and out of
applicable corporate or other revenues, receipts, and
funds, such amounts as may be necessary for continuing
such projects or activities (including the costs of direct
loans and loan guarantees), at the current rate for oper-
ations and under the authority and conditions provided in
the applicable appropriation Act or Acts that provided
funds for the project or activity for the previous fiscal
year.

(b) Continuation Period.—Appropriations and
funds made available and authority granted for a project
or activity pursuant to this Act shall be available until
whichever of the following first occurs:

(1) the enactment into law of an appropriation
for such project or activity;

(2) the enactment into law of the applicable ap-
propriation Act for such fiscal year without any pro-
vision for such project or activity; or

(3) the last day of the fiscal year for which
such appropriations and funds are made available or
such authority is granted for such project or activity
pursuant to subsection (a).
SEC. 3. AVAILABILITY OF FUNDS.

(a) Extent and Manner.— Appropriations made by section 2(a) shall be available to the extent and in the manner that would be provided by the applicable appropriation Act.

(b) Coverage.— Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 4. USE OF FUNDS.

(a) No New Starts.— No appropriation or funds made available or authority granted pursuant to section 2(a) shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the previous fiscal year.

(b) Apportionment Timing.— Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

(c) High Rates for Operation.— Notwithstanding any other provision of this Act, except section 2(b), for
those programs that would otherwise have high rates for
operation or complete distribution of appropriations in the
period for which appropriations for such programs are
made available under this Act because of distributions of
funding to States, foreign countries, grantees, or others,
such high initial rates for operation or complete distribu-
tion shall not be made, and no grants shall be awarded
for such programs funded by this Act that would impinge
on final funding prerogatives.

(d) LIMITED FUNDING ACTIONS.—This Act shall be
implemented so that only the most limited funding action
of that permitted in the Act shall be taken in order to
provide for continuation of projects and activities.

(e) PREVENTION OF FURLoughS.—Amounts made
available under section 2(a) for civilian personnel com-
pensation and benefits in each department and agency
may be apportioned up to the rate for operations necessary
to avoid furloughs within such department or agency, con-
sistent with the applicable appropriation Act for the pre-
vious fiscal year, except that such authority provided
under this section shall not be used until after the depart-
ment or agency has taken all necessary actions to reduce
or defer non-personnel-related administrative expenses.

(f) PAY FOR Members of the armed Forces.—
During a period in which appropriations are made avail-
able under this Act for the pay of members of the Armed Forces, the rate of pay for such members shall not be decreased by reason of this Act.


SEC. 5. ADJUSTMENT OF ACCOUNTS.

Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 6. ENTITLEMENTS AND OTHER MANDATORY PROGRAMS.

(a) For entitlements and other mandatory payments whose budget authority was provided in previous appropriation Acts, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the
authority and conditions provided in the applicable appropriation Act for the previous fiscal year, to be continued through the date on which appropriations for such programs under this Act expire (as specified in section 2(b)).

(b) Notwithstanding section 2(b)(3), obligations for mandatory payments due on or about the first day of any month that begins after the first month in which appropriations for such programs are made under this Act but not later than 30 days after the date on which appropriations for such programs under this Act expire (as specified in section 2(b)(3)) may continue to be made, and funds shall be available for such payments.