

116TH CONGRESS  
1ST SESSION

# H. R. 1338

To provide for automatic continuing appropriations, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2019

Mr. BROOKS of Alabama (for himself, Mr. MEADOWS, and Mr. HARRIS) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for automatic continuing appropriations, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “End Federal Shut-  
5       downs Act of 2019”.

6       **SEC. 2. AUTOMATIC CONTINUING RESOLUTION.**

7       (a) AMENDMENT TO TITLE 31.—Chapter 13 of title  
8       31, United States Code, is amended by inserting after sec-  
9       tion 1310 the following new section:

1 **“SEC. 1311. CONTINUING APPROPRIATIONS.**

2       “(a)(1) If any regular appropriation bill for a fiscal  
3 year does not become law prior to the beginning of such  
4 fiscal year or a joint resolution making continuing appro-  
5 priations is not in effect, there is appropriated, out of any  
6 moneys in the Treasury not otherwise appropriated, and  
7 out of applicable corporate or other revenues, receipts, and  
8 funds, such sums as may be necessary to continue any  
9 project or activity for which funds were provided in the  
10 preceding fiscal year—

11               “(A) in the corresponding regular appro-  
12 priation Act for such preceding fiscal year; or

13               “(B) if the corresponding regular appro-  
14 priation bill for such preceding fiscal year did  
15 not become law, then in a joint resolution mak-  
16 ing continuing appropriations for such pre-  
17 ceding fiscal year.

18       “(2) Appropriations and funds made available,  
19 and authority granted, for a project or activity for  
20 any fiscal year pursuant to this section shall be at  
21 a rate of operations not in excess of the rate of oper-  
22 ations provided for in the regular appropriation Act  
23 providing for such project or activity for the pre-  
24 ceding fiscal year, or in the absence of such an Act,  
25 the rate of operations provided for such project or

1 activity pursuant to a joint resolution making con-  
2 tinuing appropriations for such preceding fiscal year.

3 “(3) Appropriations and funds made available,  
4 and authority granted, for any fiscal year pursuant  
5 to this section for a project or activity shall be avail-  
6 able for the period beginning with the first day of  
7 a lapse in appropriations and ending with the earlier  
8 of—

9 “(A) the date on which the applicable reg-  
10 ular appropriation bill for such fiscal year be-  
11 comes law (whether or not such law provides  
12 for such project or activity) or a continuing res-  
13 olution making appropriations becomes law, as  
14 the case may be, or

15 “(B) the last day of such fiscal year.

16 “(b) An appropriation or funds made available, or au-  
17 thority granted, for a project or activity for any fiscal year  
18 pursuant to this section shall be subject to the terms and  
19 conditions imposed with respect to the appropriation made  
20 or funds made available for the preceding fiscal year, or  
21 authority granted for such project or activity under cur-  
22 rent law.

23 “(c) Appropriations and funds made available, and  
24 authority granted, for any project or activity for any fiscal  
25 year pursuant to this section shall cover all obligations or

1 expenditures incurred for such project or activity during  
2 the portion of such fiscal year for which this section ap-  
3 plies to such project or activity.

4 “(d) Expenditures made for a project or activity for  
5 any fiscal year pursuant to this section shall be charged  
6 to the applicable appropriation, fund, or authorization  
7 whenever a regular appropriation bill or a joint resolution  
8 making continuing appropriations until the end of a fiscal  
9 year providing for such project or activity for such period  
10 becomes law.

11 “(e) This section shall not apply to a project or activ-  
12 ity during a fiscal year—

13 “(1) with respect to any portion of such fiscal  
14 year for which authorizations for appropriations  
15 have not been enacted for such project or activity;  
16 or

17 “(2) if any other provision of law (other than  
18 an authorization of appropriations)—

19 “(A) makes an appropriation, makes funds  
20 available, or grants authority for such project  
21 or activity to continue for such period, or

22 “(B) specifically provides that no appro-  
23 priation shall be made, no funds shall be made  
24 available, or no authority shall be granted for

1           such project or activity to continue for such pe-  
2           riod.

3           “(f) For purposes of this section, the term ‘regular  
4 appropriation bill’ means any annual appropriation bill  
5 making appropriations, otherwise making funds available,  
6 or granting authority, for any of the following categories  
7 of projects and activities:

8           “(1) Agriculture, rural development, and re-  
9           lated agencies programs.

10          “(2) The Departments of Commerce, Justice,  
11          and State, the judiciary, and related agencies.

12          “(3) The Department of Defense.

13          “(4) The Government of the District of Colum-  
14          bia and other activities chargeable in whole or in  
15          part against the revenues of the District.

16          “(5) The Departments of Labor, Health and  
17          Human Services, and Education, and related agen-  
18          cies.

19          “(6) The Department of Housing and Urban  
20          Development, and sundry independent agencies,  
21          boards, commissions, corporations, and offices.

22          “(7) Energy and water development.

23          “(8) Foreign assistance and related programs.

24          “(9) The Department of the Interior and re-  
25          lated agencies.

1           “(10) Military construction.

2           “(11) The Department of Transportation and  
3 related agencies.

4           “(12) The Treasury Department, the U.S.  
5 Postal Service, the Executive Office of the President,  
6 and certain independent agencies.

7           “(13) The legislative branch.”.

8           (b) CONFORMING AMENDMENT.—Section 202(e)(3)  
9 of the Congressional Budget Act of 1974 is amended by  
10 inserting “and on or before September 30” before “of each  
11 year”.

12           (c) CHAPTER ANALYSIS.—The analysis of chapter 13  
13 of title 31, United States Code, is amended by inserting  
14 after the item relating to section 1310 the following new  
15 item:

“1311. Continuing appropriations.”.

16           (d) EFFECT OF AMENDMENTS.—Nothing in the  
17 amendments made by this subsection shall be construed  
18 to affect Government obligations mandated by other law,  
19 including obligations with respect to Social Security, Medi-  
20 care, and Medicaid.

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