

105TH CONGRESS
1ST SESSION

H. R. 1326

To amend title 31, United States Code, to provide for continuing appropriations in the absence of regular appropriations.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 1997

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

A BILL

To amend title 31, United States Code, to provide for continuing appropriations in the absence of regular appropriations.

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 “Government Shutdown
5 Prevention Act”.

6 **SEC. 2. AMENDMENT TO TITLE 31.**

7 (a) IN GENERAL.—Chapter 13 of title 31, United
8 States Code, is amended by inserting after section 1310
9 the following new section:

1 **“§ 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 appropriation
12 Act for such preceding fiscal year; or

13 “(B) if the corresponding regular appropriation
14 bill for such preceding fiscal year did not become
15 law, then in a joint resolution making continuing ap-
16 propriations for such preceding fiscal year.

17 “(2) Appropriations and funds made available, and
18 authority granted, for a project or activity for any fiscal
19 year pursuant to this section shall be at a rate of oper-
20 ations not in excess of ninety-five per centum of the lower
21 of—

22 “(A) the rate of operations provided for in the
23 regular appropriation Act providing for such project
24 or activity for the preceding fiscal year, or

25 “(B) in the absence of such an Act, the rate of
26 operations provided for such project or activity pur-

1 suant to a joint resolution making continuing appro-
2 priations for such preceding fiscal year.

3 “(3) Appropriations and funds made available, and
4 authority granted, for any fiscal year pursuant to this sec-
5 tion for a project or activity shall be available for the pe-
6 riod beginning with the first day of a lapse in appropria-
7 tions and ending with the earlier of—

8 “(A) the date on which the applicable regular
9 appropriation bill for such fiscal year becomes law
10 (whether or not such law provides for such project
11 or activity) or a continuing resolution making appro-
12 priations becomes law, as the case may be, or

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

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

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

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

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

10 “(e) This section shall not apply to a project or activ-
11 ity during a fiscal year if any other provision of law (other
12 than an authorization of appropriations)—

13 “(1) makes an appropriation, makes funds
14 available, or grants authority for such project or ac-
15 tivity to continue for such period, or

16 “(2) specifically provides that no appropriation
17 shall be made, no funds shall be made available, or
18 no authority shall be granted for such project or ac-
19 tivity to continue for such period.

20 “(f) For purposes of this section, the term ‘regular
21 appropriation bill’ means any annual appropriation bill
22 making appropriations, otherwise making funds available,
23 or granting authority, for any of the following categories
24 of projects and activities:

1 “(1) Agriculture, rural development, and relat-
2 ed agencies programs.

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

5 “(3) The Department of Defense.

6 “(4) The government of the District of Colum-
7 bia and other activities chargeable in whole or in
8 part against the revenues of the District.

9 “(5) The Departments of Labor, Health and
10 Human Services, and Education, and related agen-
11 cies.

12 “(6) The Department of Housing and Urban
13 Development, and sundry independent agencies,
14 boards, commissions, corporations, and offices.

15 “(7) Energy and water development.

16 “(8) Foreign assistance and related programs.

17 “(9) The Department of the Interior and relat-
18 ed agencies.

19 “(10) Military construction.

20 “(11) The Department of Transportation and
21 related agencies.

22 “(12) The Treasury Department, the U.S.
23 Postal Service, the Executive Office of the President,
24 and certain independent agencies.

25 “(13) The legislative branch.”.

1 (b) CLERICAL AMENDMENT.—The analysis of chap-
2 ter 13 of title 31, United States Code, is amended by in-
3 serting after the item relating to section 1310 the follow-
4 ing new item:

“1311. Continuing appropriations.”.

5 (c) PROTECTION OF OTHER OBLIGATIONS.—Nothing
6 in the amendments made by this section shall be construed
7 to affect Government obligations mandated by other law,
8 including obligations with respect to Social Security, Medi-
9 care, and Medicaid.

10 **SEC. 3. EFFECTIVE DATE.**

11 The amendments made by this Act shall apply with
12 respect to fiscal years beginning with fiscal year 1998.

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