

105TH CONGRESS  
1ST SESSION

# H. R. 1785

To amend title 31, United States Code, to provide an automatic continuing appropriation for the United States Government.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 1997

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

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## A BILL

To amend title 31, United States Code, to provide an automatic continuing appropriation for the United States Government.

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. AUTOMATIC CONTINUING RESOLUTION.**

4       Chapter 13 of title 31, United States Code, is amend-  
5       ed by inserting after section 1310 the following new sec-  
6       tion:

7       **“§ 1311. Continuing appropriations**

8       “(a)(1) If any regular appropriation bill or continuing  
9       resolution for a fiscal year does not become law before the  
10      beginning of such fiscal year, there is appropriated, out

1 of any moneys in the Treasury not otherwise appropriated,  
2 and out of applicable corporate or other revenues, receipts,  
3 and funds, such sums as may be necessary to continue  
4 any project or activity for which funds were provided in  
5 the preceding fiscal year—

6 “(A) in the corresponding regular appropriation  
7 Act or continuing resolution for such preceding fiscal  
8 year; or

9 “(B) if the corresponding regular appropriation  
10 bill or continuing resolution for such preceding fiscal  
11 year did not become law, then pursuant to this sec-  
12 tion.

13 “(2) Appropriations and funds made available, and  
14 authority granted, for a project or activity for any fiscal  
15 year pursuant to this section shall be at a rate of oper-  
16 ations not in excess of—

17 “(A) the rate of operations provided for in the  
18 regular appropriation Act or continuing resolution  
19 providing for such project or activity for the preced-  
20 ing fiscal year, or

21 “(B) in the absence of such an Act or continu-  
22 ing resolution, the rate of operations provided for  
23 such project or activity pursuant to this section for  
24 such preceding fiscal year.

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

6               “(A) the date on which the applicable regular  
7 appropriation bill or continuing resolution for such  
8 fiscal year becomes law (whether or not such law  
9 provides for such project or activity), and

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

11       “(b) An appropriation or funds made available, or au-  
12 thority granted, for a project or activity for any fiscal year  
13 pursuant to this section shall be subject to the terms and  
14 conditions imposed with respect to the appropriation  
15 made, funds made available, or authority granted for such  
16 project or activity for the preceding fiscal year.

17       “(c) Appropriations and funds made available, and  
18 authority granted, for any project or activity for any fiscal  
19 year pursuant to this section shall cover all obligations or  
20 expenditures incurred for such project or activity during  
21 the portion of such fiscal year for which this section ap-  
22 plies to such project or activity.

23       “(d) Expenditures made for a project or activity for  
24 any fiscal year pursuant to this section shall be charged  
25 to the applicable appropriation, fund, or authorization

1 whenever a regular appropriation bill or continuing resolu-  
2 tion providing for such project or activity for such period  
3 becomes law.

4 “(e) No appropriation is made by reason of subpara-  
5 graph (B) of subsection (a)(1) for a fiscal year for any  
6 project or activity for which there is no authorization of  
7 appropriations for such fiscal year.

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

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

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

18 “(g) For purposes of this section:

19 “(1) The term ‘regular appropriation bill’  
20 means any regular appropriation bill (within the  
21 meaning given to such term in section 307 of the  
22 Congressional Budget Act of 1974 (2 U.S.C. 638))  
23 making appropriations, otherwise making funds  
24 available, or granting authority, for any of the fol-  
25 lowing categories of projects and activities:

1           “(A) Agriculture, rural development, and  
2 related agencies programs.

3           “(B) The Departments of Commerce, Jus-  
4 tice, and State, the Judiciary, and related agen-  
5 cies.

6           “(C) The Department of Defense.

7           “(D) The government of the District of  
8 Columbia and other activities chargeable in  
9 whole or in part against the revenues of the  
10 District.

11           “(E) The Departments of Labor, Health  
12 and Human Services, and Education, and relat-  
13 ed agencies.

14           “(F) The Department of Housing and  
15 Urban Development, and sundry independent  
16 agencies, boards, commissions, corporations,  
17 and offices.

18           “(G) Energy and water development.

19           “(H) Foreign assistance and related pro-  
20 grams.

21           “(I) The Department of the Interior and  
22 related agencies.

23           “(J) Military construction.

24           “(K) The Department of Transportation  
25 and related agencies.

1                   “(L) The Treasury Department, the U.S.  
2                   Postal Service, the Executive Office of the  
3                   President, and certain independent agencies.

4                   “(M) The legislative branch.

5                   “(2) The term ‘continuing resolution’ means  
6                   any joint resolution making continuing appropria-  
7                   tions for all or part of any fiscal year.”.

8   **SEC. 2. CONFORMING AMENDMENT.**

9                   The analysis of chapter 13 of title 31, United States  
10                  Code, is amended by inserting after the item relating to  
11                  section 1310 the following new item:

                  “1311. Continuing appropriations.”.

12   **SEC. 3. EFFECTIVE DATE.**

13                  The amendments made by this Act shall apply to fis-  
14                  cal years beginning after September 30, 1997.

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