

105TH CONGRESS  
1ST SESSION

# S. 547

To provide for continuing appropriations in the absence of regular appropriations for fiscal year 1998.

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## IN THE SENATE OF THE UNITED STATES

APRIL 10, 1997

Mr. MCCAIN (for himself, Mrs. HUTCHISON, Mr. LOTT, Mr. STEVENS, Mr. NICKLES, Mr. CRAIG, Mr. ASHCROFT, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Appropriations

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## A BILL

To provide for continuing appropriations in the absence of regular appropriations for fiscal year 1998.

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. CONTINUING FUNDING.**

7       (a) IN GENERAL.—If any regular appropriation bill  
8       for fiscal year 1998 does not become law prior to the be-  
9       ginning of fiscal year 1998 or a joint resolution making

1 continuing appropriations is not in effect, there is appro-  
2 priated, out of any moneys in the Treasury not otherwise  
3 appropriated, and out of applicable corporate or other rev-  
4 enues, receipts, and funds, such sums as may be necessary  
5 to continue any program, project, or activity for which  
6 funds were provided in fiscal year 1997.

7 (b) LEVEL OF FUNDING.—Appropriations and funds  
8 made available, and authority granted, for a program,  
9 project, or activity for fiscal year 1998 pursuant to this  
10 Act shall be at 98 per cent of the rate of operations that  
11 was provided for the program, project, or activity in fiscal  
12 year 1997 in the corresponding regular appropriation Act  
13 for fiscal year 1997.

14 (c) PERIOD OF AVAILABILITY.—Appropriations and  
15 funds made available, and authority granted, for fiscal  
16 year 1998 pursuant to this Act for a program, project,  
17 or activity shall be available for the period beginning with  
18 the first day of a lapse in appropriations and ending with  
19 the earlier of—

20 (1) the date on which the applicable regular ap-  
21 propriation bill for fiscal year 1998 becomes law  
22 (whether or not that law provides for that program,  
23 project, or activity) or a continuing resolution mak-  
24 ing appropriations becomes law, as the case may be;  
25 or

1           (2) the last day of fiscal year 1998.

2   **SEC. 3. TERMS AND CONDITIONS.**

3           (a) IN GENERAL.—An appropriation of funds made  
4 available, or authority granted, for a program, project, or  
5 activity for fiscal year 1998 pursuant to this Act shall be  
6 made available to the extent and in the manner which  
7 would be provided by the pertinent appropriations Act for  
8 fiscal year 1997, including all of the terms and conditions  
9 and the apportionment schedule imposed with respect to  
10 the appropriation made or funds made available for fiscal  
11 year 1997 or authority granted for the program, project,  
12 or activity under current law.

13          (b) EXTENT AND MANNER.—Appropriations made by  
14 this Act shall be available to the extent and in the manner  
15 which would be provided by the pertinent appropriations  
16 Act.

17   **SEC. 4. COVERAGE.**

18          Appropriations and funds made available, and au-  
19 thority granted, for any program, project, or activity for  
20 fiscal year 1998 pursuant to this Act shall cover all obliga-  
21 tions or expenditures incurred for that program, project,  
22 or activity during the portion of fiscal year 1998 for which  
23 this Act applies to that program, project, or activity.

1 **SEC. 5. EXPENDITURES.**

2 Expenditures made for a program, project, or activity  
3 for fiscal year 1998 pursuant to this Act shall be charged  
4 to the applicable appropriation, fund, or authorization  
5 whenever a regular appropriation bill or a joint resolution  
6 making continuing appropriations until the end of fiscal  
7 year 1998 providing for that program, project, or activity  
8 for that period becomes law.

9 **SEC. 6. INITIATING OR RESUMING A PROGRAM, PROJECT,**  
10 **OR ACTIVITY.**

11 No appropriation or funds made available or author-  
12 ity granted pursuant to this Act shall be used to initiate  
13 or resume any program, project, or activity for which ap-  
14 propriations, funds, or other authority were not available  
15 during fiscal year 1997.

16 **SEC. 7. PROTECTION OF OTHER OBLIGATIONS.**

17 Nothing in this Act shall be construed to effect Gov-  
18 ernment obligations mandated by other law, including obli-  
19 gations with respect to Social Security, Medicare, Medic-  
20 aid, and veterans benefits.

21 **SEC. 8. DEFINITION.**

22 In this Act, the term “regular appropriation bill”  
23 means any annual appropriation bill making appropria-  
24 tions, otherwise making funds available, or granting au-  
25 thority, for any of the following categories of programs,  
26 projects, and activities:

1           (1) Agriculture, rural development, and related  
2 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 Columbia  
7 and other activities chargeable in whole or in part  
8 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 Departments of Veterans and Housing  
13 and Urban Development, and sundry independent  
14 agencies, boards, commissions, corporations, and of-  
15 fices.

16           (7) Energy and water development.

17           (8) Foreign assistance and related programs.

18           (9) The Department of the Interior and related  
19 agencies.

20           (10) Military construction.

21           (11) The Department of Transportation and re-  
22 lated agencies.

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

1 (13) The legislative branch.

