

106TH CONGRESS  
1ST SESSION

# S. 104

To provide for continuing appropriations in the absence of regular appropriations.

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IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mr. GRAMS 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.

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 any fiscal year does not become law prior to the begin-  
9       ning of these fiscal years or a joint resolution making con-  
10      tinuing appropriations is not in effect, there is appro-

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

6 (b) LEVEL OF FUNDING.—Appropriations and funds  
7 made available, and authority granted, for a program,  
8 project, or activity for any fiscal year pursuant to this Act  
9 shall be at 100 percent of the rate of operations that was  
10 provided for the program, project, or activity in fiscal year  
11 1999 in the corresponding regular appropriation Act for  
12 fiscal year 1999.

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

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

25 (2) the last day of any fiscal year.

1 **SEC. 3. TERMS AND CONDITIONS.**

2 (a) IN GENERAL.—An appropriation of funds made  
3 available, or authority granted, for a program, project, or  
4 activity for any fiscal year pursuant to this Act shall be  
5 made available to the extent and in the manner which  
6 would be provided by the pertinent appropriations Act for  
7 fiscal year 1999, including all of the terms and conditions  
8 and the apportionment schedule imposed with respect to  
9 the appropriation made or funds made available for fiscal  
10 year 1999 or authority granted for the program, project,  
11 or activity under current law.

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

16 **SEC. 4. COVERAGE.**

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

23 **SEC. 5. EXPENDITURES.**

24 Expenditures made for a program, project, or activity  
25 for any fiscal year pursuant to this Act shall be charged  
26 to the applicable appropriation, fund, or authorization

1 whenever a regular appropriation bill or a joint resolution  
2 making continuing appropriations until the end of any fis-  
3 cal year providing for that program, project, or activity  
4 for that period becomes law.

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

7 No appropriation or funds made available or author-  
8 ity granted pursuant to this Act shall be used to initiate  
9 or resume any program, project, or activity for which ap-  
10 propriations, funds, or other authority were not available  
11 during fiscal year 1999.

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

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

17 **SEC. 8. DEFINITION.**

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

23 (1) Agriculture, rural development, and related  
24 agencies programs.

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

3           (3) The Department of Defense.

4           (4) The government of the District of Columbia  
5           and other activities chargeable in whole or in part  
6           against the revenues of the District.

7           (5) The Departments of Labor, Health and  
8           Human Services, and Education, and related agen-  
9           cies.

10          (6) The Departments of Veterans Affairs and  
11          Housing and Urban Development, and sundry inde-  
12          pendent agencies, boards, commissions, corporations,  
13          and offices.

14          (7) Energy and water development.

15          (8) Foreign assistance and related programs.

16          (9) The Department of the Interior and related  
17          agencies.

18          (10) Military construction.

19          (11) The Department of Transportation and re-  
20          lated agencies.

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

24          (13) The legislative branch.

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