

106TH CONGRESS
1ST SESSION

S. 99

To provide for continuing appropriations in the absence of regular appropriations for fiscal year 2000.

IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

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

A BILL

To provide for continuing appropriations in the absence of regular appropriations for fiscal year 2000.

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 2000 does not become law prior to the be-
9 ginning of fiscal year 2000 or a joint resolution making
10 continuing appropriations is not in effect, there is appro-

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 fiscal year 1999.

6 (b) LEVEL OF FUNDING.—Appropriations and funds
7 made available, and authority granted, for a program,
8 project, or activity for fiscal year 2000 pursuant to this
9 Act shall be at 98 per cent of the rate of operations that
10 was provided for the program, project, or activity in fiscal
11 year 1999 in the corresponding regular appropriation Act
12 for fiscal year 1999.

13 (c) PERIOD OF AVAILABILITY.—Appropriations and
14 funds made available, and authority granted, for fiscal
15 year 2000 pursuant to this Act for a program, project,
16 or activity shall be available for the period beginning with
17 the first day of a lapse in appropriations and ending with
18 the earlier of—

19 (1) the date on which the applicable regular ap-
20 propriation bill for fiscal year 2000 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 fiscal year 2000.

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 fiscal year 2000 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 fiscal year 2000 pursuant to this Act shall cover all obliga-
20 tions or expenditures incurred for that program, project,
21 or activity during the portion of fiscal year 1998 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 fiscal year 2000 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 fiscal
3 year 2000 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 affect 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 and Housing
11 and Urban Development, and sundry independent
12 agencies, boards, commissions, corporations, and of-
13 fices.

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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