

109TH CONGRESS
2D SESSION

H. J. RES. 97

Making continuing appropriations for the fiscal year 2007, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2006

Mr. LEWIS of California introduced the following joint resolution; which was referred to the Committee on Appropriations

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 2007,
and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the following sums are hereby appropriated, out of
4 any money in the Treasury not otherwise appropriated,
5 and out of applicable corporate or other revenues, receipts,
6 and funds, for the several departments, agencies, corpora-
7 tions, and other organizational units of Government for
8 fiscal year 2007, and for other purposes, namely:

9 SEC. 101. (a) Such amounts as may be necessary
10 under the authority and conditions provided in the appli-

1 cable appropriations Act for fiscal year 2006 for con-
2 tinuing projects or activities (including the costs of direct
3 loans and loan guarantees) that are not otherwise specifi-
4 cally provided for in this joint resolution, that were con-
5 ducted in fiscal year 2006, and for which appropriations,
6 funds, or other authority would be available in the fol-
7 lowing appropriations Acts:

8 (1) The Agriculture, Rural Development, Food
9 and Drug Administration, and Related Agencies Ap-
10 propriations Act, 2007.

11 (2) The Energy and Water Development Appro-
12 priations Act, 2007 (in the House of Representa-
13 tives), or the Energy and Water Appropriations Act,
14 2007 (in the Senate).

15 (3) The Foreign Operations, Export Financing,
16 and Related Programs Appropriations Act, 2007 (in
17 the House of Representatives), or the Department of
18 State, Foreign Operations, and Related Programs
19 Appropriations Act, 2007 (in the Senate).

20 (4) The Department of Homeland Security Ap-
21 propriations Act, 2007.

22 (5) The Department of the Interior, Environ-
23 ment, and Related Agencies Appropriations Act,
24 2007.

1 (6) The Departments of Labor, Health and
2 Human Services, and Education, and Related Agen-
3 cies Appropriations Act, 2007.

4 (7) The Legislative Branch Appropriations Act,
5 2007.

6 (8) The Military Construction, Military Quality
7 of Life and Veterans Affairs Appropriations Act,
8 2007 (in the House of Representatives), or the Mili-
9 tary Construction and Veterans Affairs and Related
10 Agencies Appropriations Act, 2007 (in the Senate).

11 (9) The Science, State, Justice, Commerce, and
12 Related Agencies Appropriations Act, 2007 (in the
13 House of Representatives), or the Departments of
14 Commerce and Justice, Science, and Related Agen-
15 cies Appropriations Act, 2007 (in the Senate).

16 (10) The Transportation, Treasury, Housing
17 and Urban Development, the Judiciary, the District
18 of Columbia, and Independent Agencies Appropria-
19 tions Act, 2007 (in the House of Representatives),
20 or the Transportation, Treasury, Housing and
21 Urban Development, the Judiciary, and Related
22 Agencies Appropriations Act, 2007 (in the Senate)
23 and the District of Columbia Appropriations Act,
24 2007 (in the Senate).

1 (b) Whenever the amount that would be made avail-
2 able or the authority that would be granted for a project
3 or activity under an Act listed in subsection (a) as passed
4 by the House of Representatives as of October 1, 2006,
5 is the same as the amount or authority that would be
6 available or granted under the same or other pertinent Act
7 as passed by the Senate as of October 1, 2006—

8 (1) the project or activity shall be continued at
9 a rate for operations not exceeding the current rate
10 or the rate permitted by the actions of the House
11 and the Senate, whichever is lower, and under the
12 authority and conditions provided in applicable ap-
13 propriations Acts for fiscal year 2006; or

14 (2) if no amount or authority is made available
15 or granted for the project or activity by the actions
16 of the House and the Senate, the project or activity
17 shall not be continued.

18 (c) Whenever the amount that would be made avail-
19 able or the authority that would be granted for a project
20 or activity under an Act listed in subsection (a) as passed
21 by the House of Representatives as of October 1, 2006,
22 is different from the amount or authority that would be
23 available or granted under the same or other pertinent Act
24 as passed by the Senate as of October 1, 2006—

1 (1) the project or activity shall be continued at
2 a rate for operations not exceeding the current rate
3 or the rate permitted by the action of the House or
4 the Senate, whichever is lowest, and under the au-
5 thority and conditions provided in applicable appro-
6 priations Acts for fiscal year 2006; or

7 (2) if the project or activity is included in the
8 pertinent Act of only one of the Houses, the project
9 or activity shall be continued under the appropria-
10 tion, fund, or authority granted by the one House,
11 but at a rate for operations not exceeding the cur-
12 rent rate or the rate permitted by the action of the
13 one House, whichever is lower, and under the au-
14 thority and conditions provided in applicable appro-
15 priations Acts for fiscal year 2006.

16 (d) Whenever the pertinent Act covering a project or
17 activity has been passed by only the House of Representa-
18 tives as of October 1, 2006—

19 (1) the project or activity shall be continued
20 under the appropriations, fund, or authority granted
21 by the House, at a rate for operations not exceeding
22 the current rate or the rate permitted by the action
23 of the House, whichever is lower, and under the au-
24 thority and conditions provided in applicable appro-
25 priations Acts for fiscal year 2006; or

1 (2) if the project or activity is funded in appli-
2 cable appropriations Acts for fiscal year 2006 and
3 not included in the pertinent Act of the House as of
4 October 1, 2006, the project or activity shall be con-
5 tinued under the appropriation, fund, or authority
6 granted by applicable appropriations Acts for fiscal
7 year 2006 at a rate for operations not exceeding the
8 current rate and under the authority and conditions
9 provided in applicable appropriations Acts for fiscal
10 year 2006.

11 (e) Whenever the pertinent Act covering a project or
12 activity has been passed by neither the House of Rep-
13 resentatives nor the Senate as of October 1, 2006, the
14 project or activity shall be continued under the appropria-
15 tion, fund, or authority granted by applicable appropria-
16 tions Acts for fiscal year 2006 at a rate for operations
17 not exceeding the current rate and under the authority
18 and conditions provided in applicable appropriations Acts
19 for fiscal year 2006.

20 SEC. 102. (a) For purposes of section 101, the perti-
21 nent appropriations Acts for fiscal year 2007 covering the
22 activities specified in subsection (c) shall be the Act listed
23 in section 101(a)(8) as passed by the House of Represent-
24 atives, and H.R. 5631 (109th Congress) as passed by the
25 Senate.

1 (b) For purposes of section 106(2) and 107, the ap-
2 plicable appropriations Act for fiscal year 2007 covering
3 the activities specified in subsection (c) shall be the Act
4 listed in section 101(a)(8).

5 (c) The activities referred to in subsections (a) and
6 (b) are the following activities of the Department of De-
7 fense:

8 (1) Activities under the “Basic Allowance for
9 Housing” accounts, and the basic allowance for
10 housing activities under the “Military Personnel” ac-
11 counts.

12 (2) Activities under the “Facilities
13 Sustainment, Restoration and Modernization” ac-
14 counts, and the facilities sustainment, restoration
15 and modernization activities under the “Operation
16 and Maintenance” accounts.

17 (3) Activities under the “Environmental Res-
18 toration” accounts.

19 (4) Activities under the “Defense Health Pro-
20 gram” account.

21 SEC. 103. Appropriations made by section 101 shall
22 be available to the extent and in the manner that would
23 be provided by the pertinent appropriations Act.

24 SEC. 104. No appropriation or funds made available
25 or authority granted pursuant to section 101 shall be used

1 to initiate or resume any project or activity for which ap-
2 propriations, funds, or other authority were not available
3 during fiscal year 2006.

4 SEC. 105. Appropriations made and authority grant-
5 ed pursuant to this joint resolution shall cover all obliga-
6 tions or expenditures incurred for any project or activity
7 during the period for which funds or authority for such
8 project or activity are available under this joint resolution.

9 SEC. 106. Unless otherwise provided for in this joint
10 resolution or in the applicable appropriations Act, appro-
11 priations and funds made available and authority granted
12 pursuant to this joint resolution shall be available until
13 whichever of the following first occurs: (1) the enactment
14 into law of an appropriation for any project or activity
15 provided for in this joint resolution; (2) the enactment into
16 law of the applicable appropriations Act by both Houses
17 without any provision for such project or activity; or (3)
18 November 17, 2006.

19 SEC. 107. Expenditures made pursuant to this joint
20 resolution shall be charged to the applicable appropriation,
21 fund, or authorization whenever a bill in which such appli-
22 cable appropriation, fund, or authorization is contained is
23 enacted into law.

24 SEC. 108. Appropriations made and funds made
25 available by or authority granted pursuant to this joint

1 resolution may be used without regard to the time limita-
2 tions for submission and approval of apportionments set
3 forth in section 1513 of title 31, United States Code, but
4 nothing in this joint resolution may be construed to waive
5 any other provision of law governing the apportionment
6 of funds.

7 SEC. 109. Notwithstanding any other provision of
8 this joint resolution, except section 106, for those pro-
9 grams that had high initial rates of operation or complete
10 distribution of fiscal year 2006 appropriations at the be-
11 ginning of that fiscal year because of distributions of fund-
12 ing to States, foreign countries, grantees, or others, simi-
13 lar distributions of funds for fiscal year 2007 shall not
14 be made and no grants shall be awarded for such pro-
15 grams funded by this joint resolution that would impinge
16 on final funding prerogatives.

17 SEC. 110. This joint resolution shall be implemented
18 so that only the most limited funding action of that per-
19 mitted in the joint resolution shall be taken in order to
20 provide for continuation of projects and activities.

21 SEC. 111. No provision that is included in an appro-
22 priations Act listed in section 101(a), but that was not
23 included in the applicable appropriations Act for fiscal
24 year 2006 and by its terms is applicable to more than one
25 appropriation, fund, or authority, shall be applicable to

1 any appropriation, fund, or authority provided in this joint
2 resolution.

3 SEC. 112. No provision that is included in an appro-
4 priations Act listed in section 101(a), and that makes the
5 availability of any appropriation provided therein depend-
6 ent upon the enactment of additional authorizing or other
7 legislation, shall be effective before the date set forth in
8 section 106(3).

9 SEC. 113. Funds appropriated by this joint resolution
10 may be obligated and expended notwithstanding section 10
11 of Public Law 91-672 (22 U.S.C. 2412), section 15 of
12 the State Department Basic Authorities Act of 1956 (22
13 U.S.C. 2680), section 313 of the Foreign Relations Au-
14 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
15 6212), and section 504(a)(1) of the National Security Act
16 of 1947 (50 U.S.C. 414(a)(1)).

17 SEC. 114. (a) For entitlements and other mandatory
18 payments whose budget authority was provided in appro-
19 priations Acts for fiscal year 2006, and for activities under
20 the Food Stamp Act of 1977, activities shall be continued
21 at the rate to maintain program levels under current law,
22 under the authority and conditions provided in the appli-
23 cable appropriations Act for fiscal year 2006, to be contin-
24 ued through the date specified in the section 106(3) of
25 this joint resolution.

1 (b) Notwithstanding section 106 of this joint resolu-
2 tion, funds shall be available and obligations for manda-
3 tory payments due on or about November 1, 2006, and
4 December 1, 2006 may continue to be made.

5 SEC. 115. Notwithstanding the second proviso under
6 the heading “Rental Assistance Program” in title III of
7 the Agriculture, Rural Development, Food and Drug Ad-
8 ministration, and Related Agencies Appropriations Act,
9 2006 (Public Law 109–97), the Secretary of Agriculture
10 is authorized to enter into or renew contracts under sec-
11 tion 512(a)(2) of the Housing Act of 1949 for one year.

12 SEC. 116. The Secretary of Agriculture shall con-
13 tinue, through the date specified in section 106(3) of this
14 joint resolution, the Water and Waste Systems Direct
15 Loan Program under the authority and conditions (includ-
16 ing the borrower’s interest rate and fees as of September
17 1, 2006) provided by the Agriculture, Rural Development,
18 Food and Drug Administration, and Related Agencies Ap-
19 propriations Act, 2006 (Public Law 109–97).

20 SEC. 117. Section 14704 of title 40, United States
21 Code, shall be applied by substituting the date specified
22 in section 106(3) of this joint resolution for “October 1,
23 2006”.

24 SEC. 118. The authorities provided by sections
25 2(b)(9) and 7 of the Export-Import Bank Act of 1945 (12

1 U.S.C. 635(b)(9) and 635f), and section 1 of Public Law
2 103–428 shall continue in effect through the date specified
3 in section 106(3) of this joint resolution.

4 SEC. 119. Section 501(i) of H.R. 3425, as enacted
5 into law by section 1000(a)(5) of division B of Public Law
6 106–113 (Appendix E, 113 Stat. 1501A–313), as amend-
7 ed by section 591(b) of division D of Public Law 108–
8 447 (118 Stat. 3037), shall continue in effect through the
9 date specified in section 106(3) of this joint resolution.

10 SEC. 120. In addition to the amounts provided under
11 section 101 of this joint resolution, amounts obligated in
12 fiscal year 2006 from funding provided in section
13 458(a)(1) of the Higher Education Act (as reduced by the
14 amount of account maintenance fees obligated to guaranty
15 agencies for fiscal year 2006 pursuant to section
16 458(a)(1)(B) of that Act), shall be deemed to have been
17 provided in an applicable appropriations Act for fiscal year
18 2006.

19 SEC. 121. The authority provided by section 2011 of
20 title 38, United States Code, shall continue in effect
21 through the date specified in section 106(3) of this joint
22 resolution.

23 SEC. 122. The authority provided by section 2808 of
24 Public Law 108–136, as amended by section 2809 of Pub-

1 lie Law 109–163, shall continue in effect through the date
2 specified in section 106(3) of this joint resolution.

3 SEC. 123. The authority provided by subsection (a)
4 of section 221 of the Veterans Health Care, Capital Asset,
5 and Business Improvement Act of 2003 (Public Law 108–
6 170) shall continue in effect, notwithstanding subsection
7 (d) of that section, through the earlier of (1) the date
8 specified in section 106(3) of this joint resolution; or (2)
9 the date of the enactment into law of an authorization Act
10 relating to major medical facility projects for the Depart-
11 ment of Veterans Affairs.

12 SEC. 124. Title VIII of the Departments of Com-
13 merce, Justice, and State, the Judiciary, and Related
14 Agencies Appropriations Act, 2005 (Public Law 108–447,
15 division B), shall continue in effect through the date speci-
16 fied in section 106(3) of this joint resolution.

17 SEC. 125. Funds appropriated by section 101 of this
18 joint resolution for International Space Station Cargo
19 Crew Services/International Partner Purchases within the
20 National Aeronautics and Space Administration may be
21 obligated in the account and budget structure set forth
22 in the pertinent Acts specified in section 101(a)(9).

23 SEC. 126. Except as provided for in section
24 101(b)(2), amounts made available under section 101 of
25 this joint resolution for civilian personnel compensation

1 and benefits in each department and agency may be ap-
2 portioned up to the rate for operations necessary to avoid
3 furloughs within such department or agency, consistent
4 with enacted appropriations for fiscal year 2006, except
5 that such authority provided under this section shall not
6 be used until after the department or agency has taken
7 all necessary actions to reduce or defer non-personnel-re-
8 lated administrative expenses.

9 SEC. 127. (a) Notwithstanding any other provision
10 of this joint resolution, except section 106, the District
11 of Columbia may expend local funds for programs and ac-
12 tivities under the heading “District of Columbia Funds”
13 for such programs and activities under title V of H.R.
14 5576 (109th Congress), as passed by the House of Rep-
15 resentatives, at the rate set forth under “District of Co-
16 lumbia Funds, Summary of Expenses” as included in the
17 Fiscal Year 2007 Proposed Budget and Financial Plan
18 submitted to the Congress by the District of Columbia on
19 June 5, 2006.

20 (b) Sections 131 and 132 of division B of Public Law
21 109–115 shall be applied by substituting the date specified
22 in section 106(3) of this joint resolution for “September
23 30, 2006”.

24 SEC. 128. The provisions of title II of the McKinney-
25 Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.)

1 shall continue in effect, notwithstanding section 209 of
2 such Act, through the earlier of (1) the date specified in
3 section 106(3) of this joint resolution; or (2) the date of
4 the enactment into law of an authorization Act relating
5 to the McKinney-Vento Homeless Assistance Act.

6 SEC. 129. Funds appropriated by section 101 of this
7 joint resolution for the Internal Revenue Service may be
8 obligated in the account and budget structure set forth
9 in title II of H.R. 5576 (109th Congress), as passed by
10 the House of Representatives.

11 SEC. 130. Activities authorized by title V of the De-
12 partments of Veterans Affairs and Housing and Urban
13 Development, and Independent Agencies Appropriations
14 Act, 1998 may continue through the date specified in sec-
15 tion 106(3) of this joint resolution.

16 SEC. 131. Section 255(g) of the National Housing
17 Act (12 U.S.C. 1715z–20(g)) is amended by striking
18 “250,000” and inserting “275,000”.

19 SEC. 132. Section 403(f) of Public Law 103–356 (31
20 U.S.C. 501 note) shall be applied by substituting the date
21 specified in section 106(3) of this joint resolution for “Oc-
22 tober 1, 2006”.

23 This joint resolution may be cited as the “Continuing
24 Appropriations Resolution, 2007”.

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