

115TH CONGRESS  
1ST SESSION

# H. J. RES. 108

Making continuing appropriations for fiscal year 2018 during any period between October 1, 2017, and December 14, 2017, for which discretionary appropriations have lapsed, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2017

Mr. GALLEGO submitted the following joint resolution; which was referred to the Committee on Appropriations

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## JOINT RESOLUTION

Making continuing appropriations for fiscal year 2018 during any period between October 1, 2017, and December 14, 2017, for which discretionary appropriations have lapsed, 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 2018, and for other purposes, namely:

1        SEC. 101. Such amounts as may be necessary, at a  
2 rate for operations as provided in the applicable appro-  
3 priations Acts for fiscal year 2017 and under the authority  
4 and conditions provided in such Acts, for continuing  
5 projects or activities (including the costs of direct loans  
6 and loan guarantees) that are not otherwise specifically  
7 provided for in this joint resolution, for which appropria-  
8 tions, funds, or other authority were made available in the  
9 following appropriations Acts:

10            (1) The Agriculture, Rural Development, Food  
11 and Drug Administration, and Related Agencies Ap-  
12 propriations Act, 2017 (division A of Public Law  
13 115–31).

14            (2) The Commerce, Justice, Science, and Re-  
15 lated Agencies Appropriations Act, 2017 (division B  
16 of Public Law 115–31).

17            (3) The Department of Defense Appropriations  
18 Act, 2017 (division C of Public Law 115–31).

19            (4) The Energy and Water Development and  
20 Related Agencies Appropriations Act, 2017 (division  
21 D of Public Law 115–31).

22            (5) The Financial Services and General Govern-  
23 ment Appropriations Act, 2017 (division E of Public  
24 Law 115–31).

1           (6) The Department of Homeland Security Ap-  
2           propriations Act, 2017 (division F of Public Law  
3           115–31).

4           (7) The Department of the Interior, Environ-  
5           ment, and Related Agencies Appropriations Act,  
6           2017 (division G of Public Law 115–31).

7           (8) The Departments of Labor, Health and  
8           Human Services, and Education, and Related Agen-  
9           cies Appropriations Act, 2017 (division H of Public  
10          Law 115–31).

11          (9) The Legislative Branch Appropriations Act,  
12          2017 (division I of Public Law 115–31).

13          (10) The Military Construction and Veterans  
14          Affairs, and Related Agencies Appropriations Act,  
15          2017 (division A of Public Law 114–223).

16          (11) The Department of State, Foreign Oper-  
17          ations, and Related Programs Appropriations Act,  
18          2017 (division J of Public Law 115–31).

19          (12) The Transportation, Housing and Urban  
20          Development, and Related Agencies Appropriations  
21          Act, 2017 (division K of Public Law 115–31).

22          SEC. 102. (a) No appropriation or funds made avail-  
23          able or authority granted pursuant to section 101 for the  
24          Department of Defense shall be used for—(1) the new  
25          production of items not funded for production in fiscal

1 year 2017 or prior years; (2) the increase in production  
2 rates above those sustained with fiscal year 2017 funds;  
3 or (3) the initiation, resumption, or continuation of any  
4 project, activity, operation, or organization (defined as any  
5 project, subproject, activity, budget activity, program ele-  
6 ment, and subprogram within a program element, and for  
7 any investment items defined as a P-1 line item in a budg-  
8 et activity within an appropriation account and an R-1  
9 line item that includes a program element and subprogram  
10 element within an appropriation account) for which appro-  
11 priations, funds, or other authority were not available dur-  
12 ing fiscal year 2017.

13 (b) No appropriation or funds made available or au-  
14 thority granted pursuant to section 101 for the Depart-  
15 ment of Defense shall be used to initiate multi-year pro-  
16 curements utilizing advance procurement funding for eco-  
17 nomic order quantity procurement unless specifically ap-  
18 propriated later.

19 (c) Notwithstanding this section, the Secretary of De-  
20 fense may, following notification of the congressional de-  
21 fense committees, initiate projects or activities required to  
22 be undertaken for force protection purposes using funds  
23 available from the Iraq Freedom Fund.

1        SEC. 103. Appropriations made by section 101 shall  
2 be available to the extent and in the manner that would  
3 be provided by the pertinent appropriations Act.

4        SEC. 104. Appropriations provided by this joint reso-  
5 lution that, in the applicable appropriations Act for fiscal  
6 year 2017, carried a multiple-year or no-year period of  
7 availability shall retain a comparable period of availability.

8        SEC. 105. Except as otherwise provided in section  
9 102, no appropriation or funds made available or author-  
10 ity granted pursuant to section 101 shall be used to ini-  
11 tiate or resume any project or activity for which appro-  
12 priations, funds, or other authority were not available dur-  
13 ing fiscal year 2017.

14       SEC. 106. Appropriations made and authority grant-  
15 ed pursuant to this joint resolution shall cover all obliga-  
16 tions or expenditures incurred for any project or activity  
17 during the period for which funds or authority for such  
18 project or activity are available under this joint resolution.

19       SEC. 107. Except as otherwise expressly provided in  
20 this joint resolution, the requirements, authorities, condi-  
21 tions, limitations, and other provisions of the appropria-  
22 tions Acts referred to in section 101 shall continue in ef-  
23 fect through the period specified in section 108.

24       SEC. 108. Unless otherwise provided for in this joint  
25 resolution or in the applicable appropriations Act, appro-

1 priations and funds made available and authority granted  
2 pursuant to this joint resolution shall be available during  
3 any period between October 1, 2017, and December 14,  
4 2017, in which there is a lapse in discretionary appropria-  
5 tions, but shall no longer be available if any of the fol-  
6 lowing occurs during such period: (1) the enactment into  
7 law of an appropriation for any project or activity provided  
8 for in this joint resolution; or (2) the enactment into law  
9 of the applicable appropriations Act for fiscal year 2018  
10 without any provision for such project or activity.

11 SEC. 109. Expenditures made pursuant to this joint  
12 resolution shall be charged to the applicable appropriation,  
13 fund, or authorization whenever a bill in which such appli-  
14 cable appropriation, fund, or authorization is contained is  
15 enacted into law.

16 SEC. 110. Appropriations made and funds made  
17 available by or authority granted pursuant to this joint  
18 resolution may be used without regard to the time limita-  
19 tions for submission and approval of apportionments set  
20 forth in section 1513 of title 31, United States Code, but  
21 nothing in this joint resolution may be construed to waive  
22 any other provision of law governing the apportionment  
23 of funds.

24 SEC. 111. Notwithstanding any other provision of  
25 this joint resolution, except section 108, for those pro-

1 grams that would otherwise have high initial rates of oper-  
2 ation or complete distribution of appropriations at the be-  
3 ginning of fiscal year 2018 because of distributions of  
4 funding to States, foreign countries, grantees, or others,  
5 such high initial rates of operation or complete distribu-  
6 tion shall not be made, and no grants shall be awarded  
7 for such programs funded by this joint resolution that  
8 would impinge on final funding prerogatives.

9       SEC. 112. This joint resolution shall be implemented  
10 so that only the most limited funding action of that per-  
11 mitted in the joint resolution shall be taken in order to  
12 provide for continuation of projects and activities.

13       SEC. 113. (a) For entitlements and other mandatory  
14 payments whose budget authority was provided in appro-  
15 priations Acts for fiscal year 2017, and for activities under  
16 the Food and Nutrition Act of 2008, the levels established  
17 by section 101 shall be the amounts necessary to maintain  
18 program levels under current law and under the authority  
19 and conditions provided in the applicable appropriations  
20 Acts for fiscal year 2018.

21       (b) Notwithstanding section 108, obligations for man-  
22 datory payments due on or about the first day of any  
23 month that begins after October 1, 2017, but not later  
24 than 30 days after December 14, 2017, may continue to  
25 be made, and funds shall be available for such payments.

1        SEC. 114. Amounts made available under section 101  
2 for civilian personnel compensation and benefits in each  
3 department and agency may be apportioned up to the rate  
4 for operations necessary to avoid furloughs within such de-  
5 partment or agency, consistent with the applicable appro-  
6 priations Act for fiscal year 2017, except that such author-  
7 ity provided under this section shall not be used until after  
8 the department or agency has taken all necessary actions  
9 to reduce or defer non-personnel-related administrative ex-  
10 penses.

11       SEC. 115. Funds appropriated by this joint resolution  
12 may be obligated and expended notwithstanding section 10  
13 of Public Law 91–672 (22 U.S.C. 2412), section 15 of  
14 the State Department Basic Authorities Act of 1956 (22  
15 U.S.C. 2680), section 313 of the Foreign Relations Au-  
16 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.  
17 6212), and section 504(a)(1) of the National Security Act  
18 of 1947 (50 U.S.C. 414(a)(1)).

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