

104TH CONGRESS
1ST SESSION

H. R. 2006

To amend title 31, United States Code, to provide an automatic continuing appropriation for the United States Government.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 1995

Mr. GEKAS introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 31, United States Code, to provide an automatic continuing appropriation for the United States Government.

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. AUTOMATIC CONTINUING RESOLUTION.**

4 (a) IN GENERAL.—

5 (1) Chapter 13 of title 31, United States Code,
6 is amended by inserting after section 1310 the fol-
7 lowing new section:

1 **“§ 1311. Continuing appropriations**

2 “(a)(1) If any regular appropriation bill for a fiscal
3 year does not become law prior to the beginning of such
4 fiscal year, there is appropriated, out of any moneys in
5 the Treasury not otherwise appropriated, and out of appli-
6 cable corporate or other revenues, receipts, and funds,
7 such sums as may be necessary to continue any project
8 or activity for which funds were provided in the preceding
9 fiscal year—

10 “(A) in the corresponding regular appropriation
11 Act for such preceding fiscal year; or

12 “(B) if the corresponding regular appropriation
13 bill for such preceding fiscal year did not become
14 law, pursuant to this section.

15 “(2) Appropriations and funds made available, and
16 authority granted, for a project or activity for any fiscal
17 year pursuant to this section shall be at a rate of oper-
18 ations not in excess of the lower of—

19 “(A) the rate of operations provided for in the
20 regular appropriation Act providing for such project
21 or activity for the preceding fiscal year, or

22 “(B) in the absence of such an Act, the rate of
23 operations provided for such project or activity pur-
24 suant to this section for such preceding fiscal year.

25 “(3) Appropriations and funds made available, and
26 authority granted, for any fiscal year pursuant to this sec-

1 tion for a project or activity shall be available for the pe-
2 riod beginning with the first day of such fiscal year and
3 ending with the earlier of—

4 “(A) the date on which the applicable regular
5 appropriation bill for such fiscal year becomes law
6 (whether or not such law provides for such project
7 or activity), and

8 “(B) the last day of such fiscal year.

9 “(b) An appropriation or funds made available, or au-
10 thority granted, for a project or activity for any fiscal year
11 pursuant to this section shall be subject to the terms and
12 conditions imposed with respect to the appropriation
13 made, funds made available, or authority granted for such
14 project or activity for the preceding fiscal year.

15 “(c) Appropriations and funds made available, and
16 authority granted, for any project or activity for any fiscal
17 year pursuant to this section shall cover all obligations or
18 expenditures incurred for such project or activity during
19 the portion of such fiscal year for which this section ap-
20 plies to such project or activity.

21 “(d) Expenditures made for a project or activity for
22 any fiscal year pursuant to this section shall be charged
23 to the applicable appropriation, fund, or authorization
24 whenever a regular appropriation bill providing for such
25 project or activity for such period becomes law.

1 “(e) No appropriation is made by reason of subpara-
2 graph (B) of subsection (a)(1) for a fiscal year for any
3 project or activity for which there is no authorization of
4 appropriations for such fiscal year.

5 “(f) This section shall not apply to a project or activ-
6 ity during a fiscal year if any other provision of law (other
7 than an authorization of appropriations)—

8 “(1) makes an appropriation, makes funds
9 available, or grants authority for such project or ac-
10 tivity to continue for such period, or

11 “(2) specifically provides that no appropriation
12 shall be made, no funds shall be made available, or
13 no authority shall be granted for such project or ac-
14 tivity to continue for such period.

15 “(g) For purposes of this section ‘regular appropria-
16 tion bill’ means any regular appropriation bill (within the
17 meaning given to such term in section 307 of the Congres-
18 sional Budget Act of 1974 (2 U.S.C. 638)) making appro-
19 priations, otherwise making funds available, or granting
20 authority, for any of the following categories of projects
21 and activities:

22 “(1) Agriculture, rural development, and relat-
23 ed agencies programs.

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

1 “(3) The Department of Defense.

2 “(4) The government of the District of Colum-
3 bia and other activities chargeable in whole or in
4 part against the revenues of the District.

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

8 “(6) The Department of Housing and Urban
9 Development, and sundry independent agencies,
10 boards, commissions, corporations, and offices.

11 “(7) Energy and water development.

12 “(8) Foreign assistance and related programs.

13 “(9) The Department of the Interior and relat-
14 ed agencies.

15 “(10) Military construction.

16 “(11) The Department of Transportation and
17 related agencies.

18 “(12) The Treasury Department, the U.S.
19 Postal Service, the Executive Office of the President,
20 and certain independent agencies.

21 “(13) The legislative branch.”.

22 (2) The analysis of chapter 13 of title 31,
23 United States Code, is amended by inserting after
24 the item relating to section 1310 the following new
25 item:

“1311. Continuing appropriations.”.

1 (3) The amendments made by this subsection
2 shall apply with respect to fiscal years beginning
3 after September 30, 1995.

4 (b) POINT OF ORDER AGAINST CONTINUING RESO-
5 LUTIONS.—

6 (1) It shall not be in order in the House of
7 Representatives or the Senate to consider or to vote
8 on the question of agreeing to any bill or joint reso-
9 lution making continuing appropriations for a fiscal
10 year or any conference report thereon.

11 (2) Paragraph (1) may be waived or suspended
12 in the Senate by a vote of three-fifths of the Mem-
13 bers, duly chosen and sworn.

14 (3) If the ruling of the presiding officer sus-
15 tains a point of order raised pursuant to paragraph
16 (1), a vote of three-fifths of the Members duly cho-
17 sen and sworn shall be required to sustain an appeal
18 of such ruling. Debate on any such appeal shall be
19 limited to two hours, to be equally divided between,
20 and controlled by, the majority leader and the mi-
21 nority leader or their designees. An appeal of any
22 such point of order is not subject to a motion to
23 table.

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