

105TH CONGRESS  
1ST SESSION

# H. R. 987

To amend title 31, United States Code, to provide for continuing appropriations in the absence of regular appropriations.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 1997

Mr. PETERSON of Pennsylvania (for himself, Mr. GEKAS, Mr. SOLOMON, Mr. DOOLITTLE, Mr. BURTON of Indiana, Mr. COBURN, Mr. BARR of Georgia, Mr. POMBO, Mr. SAM JOHNSON of Texas, Mr. TIAHRT, Mr. PITTS, Mr. EWING, Mr. SOUDER, Mr. LARGENT, Mr. LEWIS of Kentucky, and Mr. SNOWBARGER) introduced the following bill; which was referred to the Committee on Appropriations

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## A BILL

To amend title 31, United States Code, 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”.

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1 **SEC. 2. AMENDMENT TO TITLE 31.**

2 (a) IN GENERAL.—Chapter 13 of title 31, United  
3 States Code, is amended by inserting after section 1310  
4 the following new section:

5 **“§ 1311. Continuing appropriations**

6 “(a)(1) If any regular appropriation bill for a fiscal  
7 year does not become law prior to the beginning of such  
8 fiscal year or a joint resolution making continuing appro-  
9 priations is not in effect, there is appropriated, out of any  
10 moneys in the Treasury not otherwise appropriated, and  
11 out of applicable corporate or other revenues, receipts, and  
12 funds, such sums as may be necessary to continue any  
13 project or activity for which funds were provided in the  
14 preceding fiscal year—

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

17 “(B) if the corresponding regular appropriation  
18 bill for such preceding fiscal year did not become  
19 law, then in a joint resolution making continuing ap-  
20 propriations for such preceding fiscal year.

21 “(2) Appropriations and funds made available, and  
22 authority granted, for a project or activity for any fiscal  
23 year pursuant to this section shall be at a rate of oper-  
24 ations not in excess of ninety per centum of the lower of—

1           “(A) the rate of operations provided for in the  
2 regular appropriation Act providing for such project  
3 or activity for the preceding fiscal year, or

4           “(B) in the absence of such an Act, the rate of  
5 operations provided for such project or activity pur-  
6 suant to a joint resolution making continuing appro-  
7 priations for such preceding fiscal year.

8           “(3) Appropriations and funds made available, and  
9 authority granted, for any fiscal year pursuant to this sec-  
10 tion for a project or activity shall be available for the pe-  
11 riod beginning with the first day of a lapse in appropria-  
12 tions and ending with the earlier of—

13           “(A) the date on which the applicable regular  
14 appropriation bill for such fiscal year becomes law  
15 (whether or not such law provides for such project  
16 or activity) or a continuing resolution making appro-  
17 priations becomes law, as the case may be, or

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

19           “(b) An appropriation or funds made available, or au-  
20 thority granted, for a project or activity for any fiscal year  
21 pursuant to this section shall be subject to the terms and  
22 conditions imposed with respect to the appropriation made  
23 or funds made available for the preceding fiscal year, or  
24 authority granted for such project or activity under cur-  
25 rent law.

1       “(c) Appropriations and funds made available, and  
2 authority granted, for any project or activity for any fiscal  
3 year pursuant to this section shall cover all obligations or  
4 expenditures incurred for such project or activity during  
5 the portion of such fiscal year for which this section ap-  
6 plies to such project or activity.

7       “(d) Expenditures made for a project or activity for  
8 any fiscal year pursuant to this section shall be charged  
9 to the applicable appropriation, fund, or authorization  
10 whenever a regular appropriation bill or a joint resolution  
11 making continuing appropriations until the end of a fiscal  
12 year providing for such project or activity for such period  
13 becomes law.

14       “(e) This section shall not apply to a project or activ-  
15 ity during a fiscal year if any other provision of law (other  
16 than an authorization of appropriations)—

17               “(1) makes an appropriation, makes funds  
18 available, or grants authority for such project or ac-  
19 tivity to continue for such period, or

20               “(2) specifically provides that no appropriation  
21 shall be made, no funds shall be made available, or  
22 no authority shall be granted for such project or ac-  
23 tivity to continue for such period.

24       “(f) For purposes of this section, the term ‘regular  
25 appropriation bill’ means any annual appropriation bill

1 making appropriations, otherwise making funds available,  
2 or granting authority, for any of the following categories  
3 of projects and activities:

4           “(1) Agriculture, rural development, and relat-  
5 ed agencies programs.

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

8           “(3) The Department of Defense.

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

12           “(5) The Departments of Labor, Health and  
13 Human Services, and Education, and related agen-  
14 cies.

15           “(6) The Department of Housing and Urban  
16 Development, and sundry independent agencies,  
17 boards, commissions, corporations, and offices.

18           “(7) Energy and water development.

19           “(8) Foreign assistance and related programs.

20           “(9) The Department of the Interior and relat-  
21 ed agencies.

22           “(10) Military construction.

23           “(11) The Department of Transportation and  
24 related agencies.

1           “(12) The Treasury Department, the U.S.  
2           Postal Service, the Executive Office of the President,  
3           and certain independent agencies.

4           “(13) The legislative branch.”.

5           (b) CLERICAL AMENDMENT.—The analysis of chap-  
6           ter 13 of title 31, United States Code, is amended by in-  
7           serting after the item relating to section 1310 the follow-  
8           ing new item:

          “1311. Continuing appropriations.”.

9           (c) PROTECTION OF OTHER OBLIGATIONS.—Nothing  
10          in the amendments made by this section shall be construed  
11          to affect Government obligations mandated by other law,  
12          including obligations with respect to Social Security, Medi-  
13          care, and Medicaid.

14       **SEC. 3. EFFECTIVE DATE.**

15          The amendments made by this Act shall apply with  
16          respect to fiscal years beginning with fiscal year 1998.

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