

107TH CONGRESS
1ST SESSION

H. J. RES. 65

Making continuing appropriations for the fiscal year 2002, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2001

Mr. YOUNG of Florida introduced the following joint resolution; which was considered and agreed to

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 2002, 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 2002, and for other purposes, namely:

9 SEC. 101. (a)(1) Such amounts as may be necessary
10 under the authority and conditions provided in the appli-

1 cable appropriations Act for fiscal year 2001 for con-
2 tinuing projects or activities including the costs of direct
3 loans and loan guarantees (not otherwise specifically pro-
4 vided for in this joint resolution) which were conducted
5 in fiscal year 2001 and for which appropriations, funds,
6 or other authority would be available in the following ap-
7 propriations Acts:

8 (A) the Agriculture, Rural Development, Food
9 and Drug Administration, and Related Agencies Ap-
10 propriations Act, 2002;

11 (B) the Departments of Commerce, Justice,
12 and State, the Judiciary, and Related Agencies Ap-
13 propriations Act, 2002, notwithstanding section 15
14 of the State Department Basic Authorities Act of
15 1956, section 313 of the Foreign Relations Author-
16 ization Act, Fiscal Years 1994 and 1995 (Public
17 Law 103–236), and section 504(a)(1) of the Na-
18 tional Security Act of 1947 (50 U.S.C. 414(a)(1));

19 (C) the Energy and Water Development Appro-
20 priations Act, 2002;

21 (D) the Foreign Operations, Export Financing,
22 and Related Programs Appropriations Act, 2002,
23 notwithstanding section 10 of Public Law 91–672
24 and section 15 of the State Department Basic Au-
25 thorities Act of 1956;

1 (E) the Department of the Interior and Related
2 Agencies Appropriations Act, 2002;

3 (F) the Legislative Branch Appropriations Act,
4 2002;

5 (G) the Military Construction Appropriations
6 Act, 2002;

7 (H) the Department of Transportation and Re-
8 lated Agencies Appropriations Act, 2002;

9 (I) the Treasury and General Government Ap-
10 propriations Act, 2002; and

11 (J) the Departments of Veterans Affairs and
12 Housing and Urban Development, and Independent
13 Agencies Appropriations Act, 2002:

14 *Provided*, That whenever the amount which would be made
15 available or the authority which would be granted in these
16 Acts as passed by the House and Senate as of October
17 1, 2001, is different than that which would be available
18 or granted under current operations, the pertinent project
19 or activity shall be continued at a rate for operations not
20 exceeding the current rate: *Provided further*, That when-
21 ever there is no amount made available under any of these
22 appropriations Acts as passed by the House and Senate
23 as of October 1, 2001, for a continuing project or activity
24 which was conducted in fiscal year 2001 and for which
25 there is fiscal year 2002 funding included in the budget

1 request, the pertinent project or activity shall be continued
2 at the rate for current operations under the authority and
3 conditions provided in the applicable appropriations Act
4 for fiscal year 2001.

5 (2) Whenever the amount which would be made avail-
6 able or the authority which would be granted under an
7 Act listed in this subsection as passed by the House as
8 of October 1, 2001, is different from that which would
9 be available or granted under such Act as passed by the
10 Senate as of October 1, 2001, the pertinent project or ac-
11 tivity shall be continued at a rate for operations not ex-
12 ceeding the current rate and under the authority and con-
13 ditions provided in the applicable appropriations Act for
14 fiscal year 2001.

15 (3) Whenever an Act listed in this subsection has
16 been passed by only the House or only the Senate as of
17 October 1, 2001, the pertinent project or activity shall be
18 continued under the appropriation, fund, or authority
19 granted by the one House at a rate for operations not ex-
20 ceeding the current rate and under the authority and con-
21 ditions provided in the applicable appropriations Act for
22 fiscal year 2001: *Provided*, That whenever there is no
23 amount made available under any of these appropriations
24 Acts as passed by the House or the Senate as of October
25 1, 2001, for a continuing project or activity which was

1 conducted in fiscal year 2001 and for which there is fiscal
2 year 2002 funding included in the budget request, the per-
3 tinent project or activity shall be continued at the rate
4 for current operations under the authority and conditions
5 provided in the applicable appropriations Act for fiscal
6 year 2001.

7 (b) Such amounts as may be necessary under the au-
8 thority and conditions provided in the applicable appro-
9 priations Act for fiscal year 2001 for continuing projects
10 or activities including the costs of direct loans and loan
11 guarantees (not otherwise specifically provided for in this
12 joint resolution) which were conducted in fiscal year 2001,
13 at a rate for operations not exceeding the current rate,
14 and for which appropriations, funds, or other authority
15 was made available in the following appropriations Acts:

16 (1) the Department of Defense Appropriations
17 Act, 2001, notwithstanding section 504(a)(1) of the
18 National Security Act of 1947 (50 U.S.C.
19 414(a)(1)); and

20 (2) the Departments of Labor, Health and
21 Human Services, and Education, and Related Agen-
22 cies Appropriations Act, 2001; and

23 (3) the District of Columbia Appropriations
24 Act, 2001.

1 SEC. 102. No appropriation or funds made available
2 or authority granted pursuant to section 101 for the De-
3 partment of Defense shall be used for new production of
4 items not funded for production in fiscal year 2001 or
5 prior years, for the increase in production rates above
6 those sustained with fiscal year 2001 funds, or to initiate,
7 resume, or continue any project, activity, operation, or or-
8 ganization which are defined as any project, subproject,
9 activity, budget activity, program element, and subpro-
10 gram within a program element and for investment items
11 are further defined as a P-1 line item in a budget activity
12 within an appropriation account and an R-1 line item
13 which includes a program element and subprogram ele-
14 ment within an appropriation account, for which appro-
15 priations, funds, or other authority were not available dur-
16 ing fiscal year 2001: *Provided*, That no appropriation or
17 funds made available or authority granted pursuant to
18 section 101 for the Department of Defense shall be used
19 to initiate multi-year procurements utilizing advance pro-
20 curement funding for economic order quantity procure-
21 ment unless specifically appropriated later.

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

1 SEC. 104. No appropriation or funds made available
2 or authority granted pursuant to section 101 shall be used
3 to initiate or resume any project or activity for which ap-
4 propriations, funds, or other authority were not available
5 during fiscal year 2001.

6 SEC. 105. No provision which is included in an appro-
7 priations Act listed in section 101(a) but which was not
8 included in the applicable appropriations Act for fiscal
9 year 2001 and which by its terms is applicable to more
10 than one appropriation, fund, or authority shall be appli-
11 cable to any appropriation, fund, or authority provided in
12 this joint resolution.

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

19 SEC. 107. Unless otherwise provided for in this joint
20 resolution or in the applicable appropriations Act, appro-
21 priations and funds made available and authority granted
22 pursuant to this joint resolution shall be available until
23 (a) enactment into law of an appropriation for any project
24 or activity provided for in this joint resolution, or (b) the
25 enactment into law of the applicable appropriations Act

1 by both Houses without any provision for such project or
2 activity, or (c) October 16, 2001, whichever first occurs.

3 SEC. 108. Expenditures made pursuant to this joint
4 resolution shall be charged to the applicable appropriation,
5 fund, or authorization whenever a bill in which such appli-
6 cable appropriation, fund, or authorization is contained is
7 enacted into law.

8 SEC. 109. No provision in any appropriations Act for
9 fiscal year 2002 listed in section 101(a) that makes the
10 availability of any appropriation provided therein depend-
11 ent upon the enactment of additional authorizing or other
12 legislation shall be effective before the date set forth in
13 section 107(c) of this joint resolution.

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

21 SEC. 111. This joint resolution shall be implemented
22 so that only the most limited funding action of that per-
23 mitted in the joint resolution shall be taken in order to
24 provide for continuation of projects and activities.

1 SEC. 112. Notwithstanding any other provision of
2 this joint resolution, except section 107, for those pro-
3 grams that had high initial rates of operation or complete
4 distribution of fiscal year 2001 appropriations at the be-
5 ginning of that fiscal year because of distributions of fund-
6 ing to States, foreign countries, grantees or others, similar
7 distributions of funds for fiscal year 2002 shall not be
8 made and no grants shall be awarded for such programs
9 funded by this resolution that would impinge on final
10 funding prerogatives.

11 SEC. 113. Activities authorized by sections 1319 and
12 1336(a) of the National Flood Insurance Act of 1968 (42
13 U.S.C. 4001 et seq.) may continue through the date speci-
14 fied in section 107(e) of this joint resolution.

15 SEC. 114. Activities authorized by title V of the De-
16 partments of Veterans Affairs and Housing and Urban
17 Development, and Independent Agencies Appropriations
18 Act, 1998, may continue through the date specified in sec-
19 tion 107(c) of this joint resolution.

20 SEC. 115. Activities authorized by section 7 of the
21 Export-Import Bank Act of 1945 (12 U.S.C. 635f) and
22 section 1(c) of Public Law 103-428, may continue
23 through the date specified in section 107(c) of this joint
24 resolution.

1 SEC. 116. Activities authorized by chapter 2 of title
2 II of the Trade Act of 1974 shall continue through the
3 date specified in section 107(c) of this joint resolution.

4 SEC. 117. Activities authorized by subsection (f) of
5 section 403 of Public Law 103–356 may continue through
6 the date specified in section 107(c) of this joint resolution.

7 SEC. 118. Notwithstanding any other provision of
8 this joint resolution, except section 107, the Library of
9 Congress may temporarily transfer to the revolving fund
10 established under section 103 of Public Law 106–481
11 amounts to continue program operations at a rate not ex-
12 ceeding the rate under authority applicable prior to Octo-
13 ber 1, 2001.

14 SEC. 119. Of amounts provided by section 101 of this
15 joint resolution, for projects and activities that would be
16 funded under the heading “International Organizations
17 and Conferences, Contributions to International Organiza-
18 tions” in the Departments of Commerce, Justice, and
19 State, the Judiciary, and Related Agencies Appropriations
20 Act, 2001, \$100,000,000 may be made available only pur-
21 suant to a certification by the Secretary of State that the
22 United Nations has taken no action in calendar year 2001
23 prior to the date of enactment of this Act to increase fund-
24 ing for any United Nations program without identifying
25 an offsetting decrease elsewhere in the United Nations

1 budget and cause the United Nations to exceed the budget
2 for the biennium 2000–2001 of \$2,535,700,000.

3 SEC. 120. Notwithstanding any other provision of
4 this joint resolution, in the event that H.R. 1088, the In-
5 vestor and Capital Markets Fee Relief Act, or other legis-
6 lation to amend section 6(b) of the Securities Act of 1933
7 (15 U.S.C. 77f(b)), and sections 13(e), 14(g), and 31 of
8 the Securities Exchange Act of 1934 (15 U.S.C. 78m(e),
9 78n(g), and 78ee), is enacted into law during the period
10 covered by this joint resolution, the fees, charges, and as-
11 sessments authorized by such sections, as amended, shall
12 be deposited and credited as offsetting collections to the
13 account that provides appropriations to the Securities and
14 Exchange Commission.

15 SEC. 121. Collection and use of maintenance fees as
16 authorized by section 4(i) and 4(k) of the Federal Insecti-
17 cide, Fungicide, and Rodenticide Act (7 U.S.C. § 136a–
18 1(i) and (k)) may continue through the date specified in
19 section 107(c) of this joint resolution. Prohibitions against
20 collecting “other fees” as described in section 4(i)(6) of
21 the Federal Insecticide, Fungicide, and Rodenticide Act
22 (7 U.S.C. § 136a–1(i)(6)) shall continue in effect through
23 the date specified in section 107(c) of this joint resolution.

24 SEC. 122. Notwithstanding section 106 of this joint
25 resolution, funds made available in Public Law 107–38

- 1 are not limited by the terms and conditions of this joint
- 2 resolution.

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