

104TH CONGRESS
1ST SESSION

H. J. RES. 122

Making further continuing appropriations for fiscal year 1996, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 1995

Mr. LIVINGSTON introduced the following joint resolution; which was referred to the Committee on Appropriations, and in addition to the Committee on House Oversight, 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

JOINT RESOLUTION

Making further continuing appropriations for fiscal year 1996, 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 the fiscal year 1996, and for other purposes, namely:

TITLE I

CONTINUING APPROPRIATIONS

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3 SEC. 101. (a) Such amounts as may be necessary
4 under the authority and conditions provided in the appli-
5 cable appropriations Act for the fiscal year 1995 for con-
6 tinuing projects or activities including the costs of direct
7 loans and loan guarantees (not otherwise specifically pro-
8 vided for in this joint resolution) which were conducted
9 in the fiscal year 1995 and for which appropriations,
10 funds, or other authority would be available in the follow-
11 ing appropriations Acts:

12 The Departments of Commerce, Justice, and
13 State, the Judiciary, and Related Agencies Approp-
14 riations Act, 1996, notwithstanding section 15 of
15 the State Department Basic Authorities Act of
16 1956, section 701 of the United States Information
17 and Educational Exchange Act of 1948, section 313
18 of the Foreign Relations Authorization Act, Fiscal
19 Years 1994 and 1995 (Public Law 103-236), and
20 section 53 of the Arms Control and Disarmament
21 Act;

22 The Department of Defense Appropriations
23 Act, 1996, notwithstanding section 504(a)(1) of the
24 National Security Act of 1947;

1 The District of Columbia Appropriations Act,
2 1996;

3 The Foreign Operations, Export Financing, and
4 Related Programs Appropriations Act, 1996, not-
5 withstanding section 10 of Public Law 91-672 and
6 section 15(a) of the State Department Basic Au-
7 thorities Act of 1956;

8 The Department of the Interior and Related
9 Agencies Appropriations Act, 1996;

10 The Departments of Labor, Health and Human
11 Services, and Education, and Related Agencies Ap-
12 propriations Act, 1996;

13 The Legislative Branch Appropriations Act,
14 1996, H.R. 2492;

15 The Department of Transportation Appropria-
16 tions Act, 1996;

17 The Treasury, Postal Service, and General Gov-
18 ernment Appropriations Act, 1996;

19 The Departments of Veterans Affairs and
20 Housing and Urban Development, and Independent
21 Agencies Appropriations Act, 1996:

22 *Provided*, That whenever the amount which would be made
23 available or the authority which would be granted in these
24 Acts is greater than that which would be available or
25 granted under current operations, the pertinent project or

1 activity shall be continued at a rate for operations not ex-
2 ceeding the current rate.

3 (b) Whenever the amount which would be made avail-
4 able or the authority which would be granted under an
5 Act listed in this section as passed by the House as of
6 the date of enactment of this joint resolution, is different
7 from that which would be available or granted under such
8 Act as passed by the Senate as of the date of enactment
9 of this joint resolution, the pertinent project or activity
10 shall be continued at a rate for operations not exceeding
11 the current rate or the rate permitted by the action of
12 the House or the Senate, whichever is lower, under the
13 authority and conditions provided in the applicable appro-
14 priations Act for the fiscal year 1995: *Provided*, That
15 where an item is not included in either version or where
16 an item is included in only one version of the Act as passed
17 by both Houses as of the date of enactment of this joint
18 resolution, the pertinent project or activity shall not be
19 continued except as provided for in section 111 or 112
20 under the appropriation, fund, or authority granted by the
21 applicable appropriations Act for the fiscal year 1995 and
22 under the authority and conditions provided in the appli-
23 cable appropriations Act for the fiscal year 1995.

24 (c) Whenever an Act listed in this section has been
25 passed by only the House or only the Senate as of the

1 date of enactment of this joint resolution, the pertinent
2 project or activity shall be continued under the appropria-
3 tion, fund, or authority granted by the one House at a
4 rate for operations not exceeding the current rate or the
5 rate permitted by the action of the one House, whichever
6 is lower, and under the authority and conditions provided
7 in the applicable appropriations Act for the fiscal year
8 1995: *Provided*, That where an item is funded in the appli-
9 cable appropriations Act for the fiscal year 1995 and not
10 included in the version passed by the one House as of the
11 date of enactment of this joint resolution, the pertinent
12 project or activity shall not be continued except as pro-
13 vided for in section 111 and 112 under the appropriation,
14 fund, or authority granted by the applicable appropria-
15 tions Act for fiscal year 1995 and under the authority and
16 conditions provided in the applicable appropriations Act
17 for the fiscal year 1995.

18 SEC. 102. No appropriation or funds made available
19 or authority granted pursuant to section 101 for the De-
20 partment of Defense shall be used for new production of
21 items not funded for production in fiscal year 1995 or
22 prior years, for the increase in production rates above
23 those sustained with fiscal year 1995 funds, or to initiate,
24 resume, or continue any project, activity, operation, or or-
25 ganization which are defined as any project, subproject,

1 activity, budget activity, program element, and
2 subprogram within a program element and for investment
3 items are further defined as a P-1 line item in a budget
4 activity within an appropriation account and an R-1 line
5 item which includes a program element and subprogram
6 element within an appropriation account, for which appro-
7 priations, funds, or other authority were not available dur-
8 ing the fiscal year 1995: *Provided*, That no appropriation
9 or funds made available or authority granted pursuant to
10 section 101 for the Department of Defense shall be used
11 to initiate multi-year procurements utilizing advance pro-
12 curement funding for economic order quantity procure-
13 ment unless specifically appropriated later.

14 SEC. 103. Appropriations made by section 101 shall
15 be available to the extent and in the manner which would
16 be provided by the pertinent appropriations Act.

17 SEC. 104. No appropriation or funds made available
18 or authority granted pursuant to section 101 shall be used
19 to initiate or resume any project or activity for which ap-
20 propriations, funds, or other authority were not available
21 during the fiscal year 1995.

22 SEC. 105. No provision which is included in an appro-
23 priations Act enumerated in section 101 but which was
24 not included in the applicable appropriations Act for fiscal
25 year 1995 and which by its terms is applicable to more

1 than one appropriation, fund, or authority shall be appli-
2 cable to any appropriation, fund, or authority provided in
3 this joint resolution.

4 SEC. 106. Unless otherwise provided for in this joint
5 resolution or in the applicable appropriations Act, appro-
6 priations and funds made available and authority granted
7 pursuant to this joint resolution shall be available until
8 (a) enactment into law of an appropriation for any project
9 or activity provided for in this joint resolution, or (b) the
10 enactment into law of the applicable appropriations Act
11 by both Houses without any provision for such project or
12 activity, or (c) December 5, 1995, whichever first occurs.

13 SEC. 107. 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. 108. 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. 109. No provision in the appropriations Act for
25 the fiscal year 1996 referred to in section 101 of this joint

1 resolution that makes the availability of any appropriation
2 provided therein dependent upon the enactment of addi-
3 tional authorizing or other legislation shall be effective
4 before the date set forth in section 106(c) of this joint
5 resolution.

6 SEC. 110. Appropriations and funds made available
7 by or authority granted pursuant to this joint resolution
8 may be used without regard to the time limitations for
9 submission and approval of apportionments set forth in
10 section 1513 of title 31, United States Code, but nothing
11 herein shall be construed to waive any other provision of
12 law governing the apportionment of funds.

13 SEC. 111. Notwithstanding any other provision of
14 this joint resolution, except section 106, whenever an Act
15 listed in section 101 as passed by both the House and
16 Senate as of the date of enactment of this joint resolution,
17 does not include funding for an ongoing project or activity
18 for which there is a budget request, or whenever an Act
19 listed in section 101 has been passed by only the House
20 or only the Senate as of the date of enactment of this
21 joint resolution, and an item funded in fiscal year 1995
22 is not included in the version passed by the one House,
23 or whenever the rate for operations for an ongoing project
24 or activity provided by section 101 for which there is a
25 budget request would result in the project or activity being

1 significantly reduced, the pertinent project or activity may
2 be continued under the authority and conditions provided
3 in the applicable appropriations Act for the fiscal year
4 1995 by increasing the rate for operations provided by sec-
5 tion 101 to a rate for operations not to exceed one that
6 provides the minimal level that would enable existing ac-
7 tivities to continue. No new contracts or grants shall be
8 awarded in excess of an amount that bears the same ratio
9 to the rate for operations provided by this section as the
10 number of days covered by this resolution bears to 366.
11 For the purposes of the Act, the minimal level means a
12 rate for operations that is reduced from the current rate
13 by 40 percent.

14 SEC. 112. Notwithstanding any other provision of
15 this joint resolution, except section 106, whenever the rate
16 for operations for any continuing project or activity pro-
17 vided by section 101 or section 111 for which there is a
18 budget request would result in a furlough of Government
19 employees, that rate for operations may be increased to
20 the minimum level that would enable the furlough to be
21 avoided. No new contracts or grants shall be awarded in
22 excess of an amount that bears the same ratio to the rate
23 for operations provided by this section as the number of
24 days covered by this resolution bears to 366.

1 SEC. 113. Notwithstanding any other provision of
2 this joint resolution, except sections 106, 111, and 112,
3 for those programs that had high initial rates of operation
4 or complete distribution of funding at the beginning of the
5 fiscal year in fiscal year 1995 because of distributions of
6 funding to States, foreign countries, grantees, or others,
7 similar distributions of funds for fiscal year 1996 shall
8 not be made and no grants shall be awarded for such pro-
9 grams funded by this resolution that would impinge on
10 final funding prerogatives.

11 SEC. 114. This joint resolution shall be implemented
12 so that only the most limited funding action of that per-
13 mitted in the resolution shall be taken in order to provide
14 for continuation of projects and activities.

15 SEC. 115. The provisions of section 132 of the Dis-
16 trict of Columbia Appropriations Act, 1988, Public Law
17 100-202, shall not apply for this joint resolution. Included
18 in the apportionment for the Federal Payment to the Dis-
19 trict of Columbia shall be an additional \$15,000,000 above
20 the amount otherwise made available by this joint resolu-
21 tion, for purposes of certain capital construction loan re-
22 payments pursuant to Public Law 85-451, as amended.

23 SEC. 116. Notwithstanding any other provision of
24 this joint resolution, except section 106, the authority and
25 conditions for the application of appropriations for the Of-

1 fice of Technology Assessment as contained in the Con-
2 ference Report on the Legislative Branch Appropriations
3 Act, 1996, House Report 104-212, shall be followed when
4 applying the funding made available by this joint resolu-
5 tion.

6 SEC. 117. Notwithstanding any other provision of
7 this joint resolution, except section 106, any distribution
8 of funding under the Rehabilitation Services and Disabil-
9 ity Research account in the Department of Education may
10 be made up to an amount that bears the same ratio to
11 the rate for operation for this account provide by this joint
12 resolution as the number of days covered by this resolution
13 bears to 366.

14 SEC. 118. Notwithstanding any other provision of
15 this joint resolution, except section 106, the authorities
16 provided under subsection (a) of section 140 of the For-
17 eign Relations Authorization Act, Fiscal Years 1994 and
18 1995 (Public Law 103-236) shall remain in effect during
19 the period of this joint resolution, notwithstanding para-
20 graph (3) of said subsection.

21 SEC. 119. Notwithstanding any other provision of
22 this joint resolution, except section 106, the amount made
23 available to the Securities and Exchange Commission,
24 under the heading Salaries and Expenses, shall include,
25 in addition to direct appropriations, the amount it collects

1 under the fee rate and offsetting collection authority con-
2 tained in Public Law 103-352, which fee rate and offset-
3 ting collection authority shall remain in effect during the
4 period of this joint resolution.

5 SEC. 120. Until enactment of legislation providing
6 funding for the entire fiscal year ending September 30,
7 1996, for the Department of the Interior and Related
8 Agencies, funds available for necessary expenses of the
9 Bureau of Mines are for continuing limited health and
10 safety and related research, materials partnerships, and
11 minerals information activities; for mineral assessments in
12 Alaska; and for terminating all other activities of the Bu-
13 reau of Mines.

14 SEC. 121. Notwithstanding any other provision of
15 this joint resolution, except section 106, funds for the En-
16 vironmental Protection Agency shall be made available in
17 the appropriation accounts which are provided in H.R.
18 2099 as reported on September 13, 1995.

19 SEC. 122. Notwithstanding any other provision of
20 this joint resolution, except section 106, the rate for oper-
21 ations for projects and activities that would be funded
22 under the heading "International Organizations and Con-
23 ferences, Contributions to International Organizations" in
24 the Departments of Commerce, Justice, and State, the Ju-
25 diciary, and Related Agencies Appropriations Act, 1996,

1 shall be the amount provided by the provisions of sections
 2 101, 111, and 112 multiplied by the ratio of the number
 3 of days covered by this resolution to 366 and multiplied
 4 further by 1.27.

5 SEC. 123. Notwithstanding any other provision of
 6 this joint resolution, except section 106, the rate for oper-
 7 ations of the following projects or activities shall be only
 8 the minimum necessary to accomplish orderly termination:

9 Administrative Conference of the United States;

10 Advisory Commission on Intergovernmental Re-
 11 lations (except that activities to carry out the provi-
 12 sions of Public Law 104-4 may continue);

13 Interstate Commerce Commission;

14 Pennsylvania Avenue Development Corporation;

15 Land and Water Conservation Fund, State As-
 16 sistance; and

17 Office of Surface Mining Reclamation and En-
 18 forcement, Rural Abandonment Mine Program.

19 TITLE II

20 **SEC. 201. WAIVER OF REQUIREMENT FOR PARCHMENT**
 21 **PRINTING.**

22 (a) WAIVER.—The provisions of sections 106 and
 23 107 of title 1, United States Code, are waived with respect
 24 to the printing (on parchment or otherwise) of the enroll-
 25 ment of any of the following measures of the first session

1 of the One Hundred Fourth Congress presented to the
2 President after the enactment of this joint resolution:

3 (1) A continuing resolution.

4 (2) A debt limit extension measure.

5 (3) A reconciliation bill.

6 (b) CERTIFICATION BY COMMITTEE ON HOUSE
7 OVERSIGHT.—The enrollment of a measure to which sub-
8 section (a) applies shall be in such form as the Committee
9 on House Oversight of the House of Representatives cer-
10 tifies to be a true enrollment.

11 **SEC. 202. DEFINITIONS.**

12 As used in this joint resolution:

13 (1) CONTINUING RESOLUTION.—The term
14 “continuing resolution” means a bill or joint resolu-
15 tion that includes provisions making further continu-
16 ing appropriations for fiscal year 1996.

17 (2) DEBT LIMIT EXTENSION MEASURE.—The
18 term “debt limit extension measure” means a bill or
19 joint resolution that includes provisions increasing or
20 waiving (for a temporary period or otherwise) the
21 public debt limit under section 3101(b) of title 31,
22 United States Code.

23 (3) RECONCILIATION BILL.—The term “rec-
24 onciliation bill” means a bill that is a reconciliation

1 bill within the meaning of section 310 of the Con-
2 gressional Budget Act of 1974.

3 TITLE III

4 COMMITMENT TO A SEVEN-YEAR BALANCED
5 BUDGET

6 SEC. 301. (a) The President and the Congress shall
7 enact legislation in the One Hundred Fourth Congress to
8 achieve a unified balanced budget not later than the fiscal
9 year 2002 as scored by the non-partisan Congressional
10 Budget Office.

11 (b) The unified balanced budget in subsection (a)
12 shall be based on the most current economic and technical
13 assumptions of the Congressional Budget Office.

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