

104TH CONGRESS
1ST SESSION

H. J. RES. 122

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 1995

Received

JOINT RESOLUTION

Making further continuing appropriations for the 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-

1 tions, and other organizational units of Government for
2 the fiscal year 1996, and for other purposes, namely:

3 TITLE I

4 CONTINUING APPROPRIATIONS

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

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

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

4 The District of Columbia Appropriations Act,
5 1996;

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

11 The Department of the Interior and Related
12 Agencies Appropriations Act, 1996;

13 The Departments of Labor, Health and Human
14 Services, and Education, and Related Agencies Ap-
15 propriations Act, 1996;

16 The Legislative Branch Appropriations Act,
17 1996, H.R. 2492;

18 The Department of Transportation Appropria-
19 tions Act, 1996;

20 The Treasury, Postal Service, and General Gov-
21 ernment Appropriations Act, 1996;

22 The Departments of Veterans Affairs and
23 Housing and Urban Development, and Independent
24 Agencies Appropriations Act, 1996:

1 *Provided*, That whenever the amount which would be made
2 available or the authority which would be granted in these
3 Acts is greater than that which would be available or
4 granted under current operations, the pertinent project or
5 activity shall be continued at a rate for operations not ex-
6 ceeding the current rate.

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

1 under the authority and conditions provided in the appli-
2 cable appropriations Act for the fiscal year 1995.

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

22 SEC. 102. No appropriation or funds made available
23 or authority granted pursuant to section 101 for the De-
24 partment of Defense shall be used for new production of
25 items not funded for production in fiscal year 1995 or

1 prior years, for the increase in production rates above
2 those sustained with fiscal year 1995 funds, or to initiate,
3 resume, or continue any project, activity, operation, or or-
4 ganization which are defined as any project, subproject,
5 activity, budget activity, program element, and
6 subprogram within a program element and for investment
7 items are further defined as a P-1 line item in a budget
8 activity within an appropriation account and an R-1 line
9 item which 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 the fiscal year 1995: *Provided*, That no appropriation
13 or funds made available or authority granted pursuant to
14 section 101 for the Department of Defense shall be used
15 to initiate multi-year procurements utilizing advance pro-
16 curement funding for economic order quantity procure-
17 ment unless specifically appropriated later.

18 SEC. 103. Appropriations made by section 101 shall
19 be available to the extent and in the manner which would
20 be provided by the pertinent appropriations Act.

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

1 SEC. 105. No provision which is included in an appro-
2 priations Act enumerated in section 101 but which was
3 not included in the applicable appropriations Act for fiscal
4 year 1995 and which by its terms is applicable to more
5 than one appropriation, fund, or authority shall be appli-
6 cable to any appropriation, fund, or authority provided in
7 this joint resolution.

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

17 SEC. 107. Appropriations made and authority grant-
18 ed pursuant to this joint resolution shall cover all obliga-
19 tions or expenditures incurred for any program, project,
20 or activity during the period for which funds or authority
21 for such project or activity are available under this joint
22 resolution.

23 SEC. 108. Expenditures made pursuant to this joint
24 resolution shall be charged to the applicable appropriation,
25 fund, or authorization whenever a bill in which such appli-

1 cable appropriation, fund, or authorization is contained is
2 enacted into law.

3 SEC. 109. No provision in the appropriations Act for
4 the fiscal year 1996 referred to in section 101 of this joint
5 resolution that makes the availability of any appropriation
6 provided therein dependent upon the enactment of addi-
7 tional authorizing or other legislation shall be effective be-
8 fore the date set forth in section 106(c) of this joint reso-
9 lution.

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

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

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

18 SEC. 112. Notwithstanding any other provision of
19 this joint resolution, except section 106, whenever the rate
20 for operations for any continuing project or activity pro-
21 vided by section 101 or section 111 for which there is a
22 budget request would result in a furlough of Government
23 employees, that rate for operations may be increased to
24 the minimum level that would enable the furlough to be
25 avoided. No new contracts or grants shall be awarded in

1 excess of an amount that bears the same ratio to the rate
2 for operations provided by this section as the number of
3 days covered by this resolution bears to 366.

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

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

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

1 SEC. 116. Notwithstanding any other provision of
2 this joint resolution, except section 106, the authority and
3 conditions for the application of appropriations for the Of-
4 fice of Technology Assessment as contained in the con-
5 ference report on the Legislative Branch Appropriations
6 Act, 1996, House Report 104–212, shall be followed when
7 applying the funding made available by this joint resolu-
8 tion.

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

17 SEC. 118. Notwithstanding any other provision of
18 this joint resolution, except section 106, the authorities
19 provided under subsection (a) of section 140 of the For-
20 eign Relations Authorization Act, Fiscal Years 1994 and
21 1995 (Public Law 103–236) shall remain in effect during
22 the period of this joint resolution, notwithstanding para-
23 graph (3) of said subsection.

24 SEC. 119. Notwithstanding any other provision of
25 this joint resolution, except section 106, the amount made

1 available to the Securities and Exchange Commission,
2 under the heading Salaries and Expenses, shall include,
3 in addition to direct appropriations, the amount it collects
4 under the fee rate and offsetting collection authority con-
5 tained in Public Law 103–352, which fee rate and offset-
6 ting collection authority shall remain in effect during the
7 period of this joint resolution.

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

17 SEC. 121. Notwithstanding any other provision of
18 this joint resolution, except section 106, funds for the En-
19 vironmental Protection Agency shall be made available in
20 the appropriation accounts which are provided in H.R.
21 2099 as reported on September 13, 1995.

22 SEC. 122. Notwithstanding any other provision of
23 this joint resolution, except section 106, the rate for oper-
24 ations for projects and activities that would be funded
25 under the heading “International Organizations and Con-

ferences, Contributions to International Organizations” in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, shall be the amount provided by the provisions of sections 101, 111, and 112 multiplied by the ratio of the number of days covered by this resolution to 366 and multiplied further by 1.27.

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

Administrative Conference of the United States;

Advisory Commission on Intergovernmental Relations (except that activities to carry out the provisions of Public Law 104–4 may continue);

Interstate Commerce Commission;

Pennsylvania Avenue Development Corporation;

Land and Water Conservation Fund, State Assistance; and

Office of Surface Mining Reclamation and Enforcement, Rural Abandoned Mine Program.

TITLE II

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

(a) WAIVER.—The provisions of sections 106 and 107 of title 1, United States Code, are waived with respect to the printing (on parchment or otherwise) of the enrollment of any of the following measures of the first session of the One Hundred Fourth Congress presented to the President after the enactment of this joint resolution:

- (1) A continuing resolution.
- (2) A debt limit extension measure.
- (3) A reconciliation bill.

(b) CERTIFICATION BY COMMITTEE ON HOUSE OVERSIGHT.—The enrollment of a measure to which subsection (a) applies shall be in such form as the Committee on House Oversight of the House of Representatives certifies to be a true enrollment.

SEC. 202. DEFINITIONS.

As used in this joint resolution:

- (1) CONTINUING RESOLUTION.—The term “continuing resolution” means a bill or joint resolution that includes provisions making further continuing appropriations for fiscal year 1996.
- (2) DEBT LIMIT EXTENSION MEASURE.—The term “debt limit extension measure” means a bill or

1 joint resolution that includes provisions increasing or
 2 waiving (for a temporary period or otherwise) the
 3 public debt limit under section 3101(b) of title 31,
 4 United States Code.

5 (3) RECONCILIATION BILL.—The term “rec-
 6 onciliation bill” means a bill that is a reconciliation
 7 bill within the meaning of section 310 of the Con-
 8 gressional Budget Act of 1974.

9 TITLE III
 10 COMMITMENT TO A SEVEN-YEAR BALANCED
 11 BUDGET

12 SEC. 301. (a) The President and the Congress shall
 13 enact legislation in the 104th Congress to achieve a uni-
 14 fied balanced budget not later than the fiscal year 2002
 15 as scored by the non-partisan Congressional Budget Of-
 16 fice.

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

Passed the House of Representatives November 16
 (legislative day, November 15), 1995.

Attest: ROBIN H. CARLE,
Clerk.

By LINDA NAVE,
Deputy Clerk.