

104TH CONGRESS  
1ST SESSION

# H. J. RES. 136

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

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 22, 1995

Mr. LIVINGSTON introduced the following joint resolution; which was referred  
to the Committee on Appropriations

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# 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    TITLE I

4 AID TO FAMILIES WITH DEPENDENT CHIL-  
5        DREN AND FOSTER CARE AND ADOPTION  
6        ASSISTANCE

7 That the following sums are hereby appropriated, out of  
8 any money in the Treasury not otherwise appropriated,  
9 and out of applicable corporate or other revenues, receipts,  
10 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       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 the following projects or activities including the  
7 costs of direct loans and loan guarantees (not otherwise  
8 specifically provided for in this joint resolution) which  
9 were conducted in the fiscal year 1995:

10           All projects and activities funded under the ac-  
11       count heading “Family support payments to States”  
12       under the Administration For Children and Families  
13       in the Department of health and Human Services;

14           All projects and activities funded under the ac-  
15       count heading “Payments to States for foster care  
16       and adoption assistance” under the Administration  
17       For Children and Families in the Department of  
18       Health and Human Services; and

19           All administrative activities necessary to carry  
20       out the projects and activities in the preceding two  
21       paragraphs:

22 *Provided*, That whenever the amount which would be made  
23 available or the authority which would be granted under  
24 an Act which included funding for fiscal year 1996 for  
25 the projects and activities listed in this section is greater

1 than that which would be available or granted under cur-  
2 rent operations, the pertinent project or activity shall be  
3 continued at a rate for operations not exceeding the cur-  
4 rent rate.

5       (b) Whenever the amount which would be made avail-  
6 able or the authority which would be granted under the  
7 Act which included funding for fiscal year 1996 for the  
8 projects and activities listed in this section as passed by  
9 the House as of the date of enactment of this joint resolu-  
10 tion, is different from that which would be available or  
11 granted under such Act as passed by the Senate as of the  
12 date of enactment of this joint resolution, the pertinent  
13 project or activity shall be continued at a rate for oper-  
14 ations not exceeding the current rate or the rate permitted  
15 by the action of the House or the Senate, whichever is  
16 lower, under the authority and conditions provided in the  
17 applicable appropriations Act for the fiscal year 1995.

18       (c) Whenever an Act which included funding for fiscal  
19 year 1996 for the projects and activities listed in this sec-  
20 tion has been passed by only the House or only the Senate  
21 as of the date of enactment of this joint resolution, the  
22 pertinent project or activity shall be continued under the  
23 appropriation, fund, or authority granted by the one  
24 House at a rate for operations not exceeding the current  
25 rate or the rate permitted by the action of the one House,

1 whichever is lower, and under the authority and conditions  
2 provided in the applicable appropriations Act for the fiscal  
3 year 1995.

4 SEC. 102. Appropriations made by section 101 shall  
5 be available to the extent and in the manner which would  
6 be provided by the pertinent appropriations Act.

7 SEC. 103. No appropriation or funds made available  
8 or authority granted pursuant to section 101 shall be used  
9 to initiate or resume any project or activity for which ap-  
10 propriations, funds, or other authority were not available  
11 during the fiscal year 1995.

12 SEC. 104. No provision which is included in the ap-  
13 propriations Act enumerated in section 101 but which was  
14 not included in the applicable appropriations Act for fiscal  
15 year 1995 and which by its terms is applicable to more  
16 than one appropriation, fund, or authority provided in this  
17 joint resolution.

18 SEC. 105. Appropriations made and authority grant-  
19 ed pursuant to this title of this joint resolution shall cover  
20 all obligations or expenditures incurred for any program,  
21 project, or activity during the period for which funds or  
22 authority for such project or activity are available under  
23 this joint resolution.

24 SEC. 106. Unless otherwise provided for in this title  
25 of this joint resolution or in the applicable appropriations

1 Act, appropriations and funds made available and author-  
2 ity granted pursuant to this title of this joint resolution  
3 shall be available until (a) enactment into law of an appro-  
4 priation for any project or activity provided for in this title  
5 of this joint resolution, or (b) the enactment into law of  
6 the applicable appropriations Act by both Houses without  
7 any provision for such project or activity, or (c) January  
8 3, 1996, whichever first occurs.

9       SEC. 107. Expenditures made pursuant to this title  
10 of this joint resolution shall be charged to the applicable  
11 appropriation, fund, or authorization whenever a bill in  
12 which such applicable appropriation, fund, or authoriza-  
13 tion is contained is enacted into law.

14       SEC. 108. No provision in the appropriations Act for  
15 the fiscal year 1996 referred to in section 101 of this joint  
16 resolution that makes the availability of any appropriation  
17 provided therein dependent upon the enactment of addi-  
18 tional authorizing or other legislation shall be effective be-  
19 fore the date set forth in section 106(c) of this joint reso-  
20 lution.

21       SEC. 109. Appropriations and funds made available  
22 by or authority granted pursuant to this title of this joint  
23 resolution may be used without regard to the time limita-  
24 tions for submission and approval of apportionments set  
25 forth in section 1513 of title 31, United States Code, but

1 nothing herein shall be construed to waive any other provi-  
 2 sion of law governing the apportionment of funds.

3 TITLE II

4 DISTRICT OF COLUMBIA

5 That the following sums are hereby appropriated, out of  
 6 the general fund and enterprise funds of the District of  
 7 Columbia for the District of Columbia for the fiscal year  
 8 1996, and for other purposes, namely:

9 SEC. 201. (a) Such amounts as may be necessary  
 10 under the authority and conditions provided in the appli-  
 11 cable appropriations Act for the fiscal year 1995 for con-  
 12 tinuing projects or activities including the costs of direct  
 13 loans and loan guarantees (not otherwise specifically pro-  
 14 vided for in this title of this joint resolution) which were  
 15 conducted in the fiscal year 1995 and for which appropria-  
 16 tions, funds, or other authority would be available in the  
 17 following appropriations Act:

18 The District of Columbia Appropriations Act,  
 19 1996:

20 *Provided*, That whenever the amount which would be made  
 21 available or the authority which would be granted in this  
 22 Act is greater than that which would be available or grant-  
 23 ed under current operations, the pertinent project or activ-  
 24 ity shall be continued at a rate for operations not exceed-  
 25 ing the current rate.

1           (b) Whenever the amount which would be made avail-  
2 able or the authority which would be granted under the  
3 Act listed in this section as passed by the House as of  
4 the date of enactment of this joint resolution, is different  
5 from that which would be available or granted under such  
6 Act as passed by the Senate as of the date of enactment  
7 of this joint resolution, the pertinent project or activity  
8 shall be continued at a rate for operations not exceeding  
9 the current rate or the rate permitted by the action of  
10 the House or the Senate, whichever is lower, under the  
11 authority and conditions provided in the applicable appro-  
12 priations Act for the fiscal year 1995: *Provided*, That  
13 where an item is not included in either version or where  
14 an item is included in only one version of the Act as passed  
15 by both Houses as of the date of enactment of this joint  
16 resolution, the pertinent project or activity shall not be  
17 continued except as provided for in section 211 or 212  
18 under the appropriation, fund, or authority granted by the  
19 applicable appropriations Act for the fiscal year 1995 and  
20 under the authority and conditions provided in the appli-  
21 cable appropriations Act for the fiscal year 1995.

22           SEC. 202. Appropriations made by section 201 shall  
23 be available to the extent and in the manner which would  
24 be provided by the pertinent appropriations Act.

1        SEC. 203. No appropriation or funds made available  
2 or authority granted pursuant to section 201 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 the fiscal year 1995.

6        SEC. 204. No provision which is included in the ap-  
7 propriations Act enumerated in section 201 but which was  
8 not included in the applicable appropriations Act for fiscal  
9 year 1995 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 title of this joint resolution.

13        SEC. 205. Appropriations made and authority grant-  
14 ed pursuant to this title of this joint resolution shall cover  
15 all obligations or expenditures incurred for any program,  
16 project, or activity during the period for which funds or  
17 authority for such project or activity are available under  
18 this title of this joint resolution.

19        SEC. 206. Unless otherwise provided for in this title  
20 of this joint resolution or in the applicable appropriations  
21 Act, appropriations and funds made available and author-  
22 ity granted pursuant to this title of this title of this joint  
23 resolution shall be available until (a) enactment into law  
24 of an appropriation for any project or activity provided  
25 for in this title of this joint resolution, or (b) the enact-



1 ment into law of the applicable appropriations Act by both  
2 Houses without any provision for such project or activity,  
3 or (c) January 3, 1996, whichever first occurs.

4 SEC. 207. Notwithstanding any other provision of  
5 this title of this joint resolution, except section 206, none  
6 of the funds appropriated under this title of this reso-  
7 lution shall be expended for any abortion except where the  
8 life of the mother would be endangered if the fetus were  
9 carried to term or where the pregnancy is the result of  
10 an act of rape or incest.

11 SEC. 208. Expenditures made pursuant to this title  
12 of this joint resolution shall be charged to the applicable  
13 appropriation, fund, or authorization whenever a bill in  
14 which such applicable appropriation, fund, or authoriza-  
15 tion is contained is enacted into law.

16 SEC. 209. No provision in the appropriations Act for  
17 the fiscal year 1996 referred to in section 201 of this title  
18 of this joint resolution that makes the availability of any  
19 appropriation provided therein dependent upon the enact-  
20 ment of additional authorizing or other legislation shall  
21 be effective before the date set forth in section 206(c) of  
22 this joint resolution.

23 SEC. 210. Appropriations and funds made available  
24 by or authority granted pursuant to this title of this joint  
25 resolution may be used without regard to the time limita-

1 tions for submission and approval of apportionments set  
2 forth in section 1513 of title 31, United States Code, but  
3 nothing herein shall be construed to waive any other provi-  
4 sion of law governing the apportionment of funds.

5       SEC. 211. Notwithstanding any other provision of  
6 this title of this joint resolution, except section 206, when-  
7 ever the Act listed in section 201 as passed by both the  
8 House and Senate as of the date of enactment of this joint  
9 resolution, does not include funding for an ongoing project  
10 or activity for which there is a budget request, or whenever  
11 the rate for operations for an ongoing project or activity  
12 provided by section 201 for which there is a budget re-  
13 quest would result in the project or activity being signifi-  
14 cantly reduced, the pertinent project or activity may be  
15 continued under the authority and conditions provided in  
16 the applicable appropriations Act for the fiscal year 1995  
17 by increasing the rate for operations provided by section  
18 201 to a rate for operations not to exceed one that pro-  
19 vides the minimal level that would enable existing activi-  
20 ties to continue. No new contracts or grants shall be  
21 awarded in excess of an amount that bears the same ratio  
22 to the rate for operations provided by this section as the  
23 number of days covered by this resolution bears to 366.  
24 For the purposes of this title of this joint resolution the

1 minimal level means a rate for operations that is reduced  
2 from the current rate by 25 percent.

3       SEC. 212. Notwithstanding any other provision of  
4 this title of this joint resolution, except section 206, when-  
5 ever the rate for operations for any continuing project or  
6 activity provided by section 201 or section 211 for which  
7 there is a budget request would result in a furlough of  
8 Government employees, that rate for operations may be  
9 increased to the minimum level that would enable the fur-  
10 lough to be avoided. No new contracts or grants shall be  
11 awarded in excess of an amount that bears the same ratio  
12 to the rate for operations provided by this section as the  
13 number of days covered by this resolution bears to 366.

14       SEC. 213. Notwithstanding any other provision of  
15 this title of this joint resolution, except sections 206, 211,  
16 and 212, for those programs that had high initial rates  
17 of operation or complete distribution of funding at the be-  
18 ginning of the fiscal year in fiscal year 1995 because of  
19 distributions of funding to States, foreign countries,  
20 grantees, or others, similar distributions of funds for fiscal  
21 year 1996 shall not be made and no grants shall be award-  
22 ed for such programs funded by this title of this resolution  
23 that would impinge on final funding prerogatives.

24       SEC. 214. This title of this joint resolution shall be  
25 implemented so that only the most limited funding action

1 of that permitted in this title of this resolution shall be  
2 taken in order to provide for continuation of projects and  
3 activities.

4       SEC. 215. The provisions of section 132 of the Dis-  
5 trict of Columbia Appropriations Act, 1988, Public Law  
6 100–202, shall not apply for this title of this joint resolu-  
7 tion.

8       SEC. 216. Notwithstanding any other provision of  
9 this title of this joint resolution, except section 206, none  
10 of the funds appropriated under this title of this joint reso-  
11 lution shall be used to implement or enforce any system  
12 or registration of unmarried, cohabiting couples whether  
13 they are homosexual, lesbian, heterosexual, including but  
14 not limited to registration for the purpose of extending  
15 employment, health, or governmental benefits to such cou-  
16 ples on the same basis that such benefits are extended to  
17 legally married couples; nor shall any funds made available  
18 pursuant to any provision of this title of this joint resolu-  
19 tion otherwise be used to implement or enforce D.C. Act  
20 9–188, signed by the Mayor of the District of Columbia  
21 on April 15, 1992.

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