

104TH CONGRESS  
1ST SESSION

# H. J. RES. 136

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IN THE SENATE OF THE UNITED STATES

DECEMBER 22, 1995

Received

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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,*

1 TITLE I  
2 AID TO FAMILIES WITH DEPENDENT CHIL-  
3 DREN AND FOSTER CARE AND ADOPTION  
4 ASSISTANCE

5 The following sums are hereby appropriated, out of  
6 any money in the Treasury not otherwise appropriated,  
7 and out of applicable corporate or other revenues, receipts,  
8 and funds, for the several departments, agencies, corpora-  
9 tions, and other organizational units of Government for  
10 the fiscal year 1996, and for other purposes, namely:

11 SEC. 101. (a) Such amounts as may be necessary  
12 under the authority and conditions provided in the appli-  
13 cable appropriations Act for the fiscal year 1995 for con-  
14 tinuing the following projects or activities including the  
15 costs of direct loans and loan guarantees (not otherwise  
16 specifically provided for in this joint resolution) which  
17 were conducted in the fiscal year 1995:

18 All projects and activities funded under the ac-  
19 count heading "Family support payments to States"  
20 under the Administration For Children and Families  
21 in the Department of Health and Human Services;

22 All projects and activities funded under the ac-  
23 count heading "Payments to States for foster care  
24 and adoption assistance" under the Administration

1 For Children and Families in the Department of  
2 Health and Human Services; and

3 All administrative activities necessary to carry  
4 out the projects and activities in the preceeding two  
5 paragraphs:

6 *Provided*, That whenever the amount which would be made  
7 available or the authority which would be granted under  
8 an Act which included funding for fiscal year 1996 for  
9 the projects and activities listed in this section is greater  
10 than that which would be available or granted under cur-  
11 rent operations, the pertinent project or activity shall be  
12 continued at a rate for operations not exceeding the cur-  
13 rent rate.

14 (b) Whenever the amount which would be made avail-  
15 able or the authority which would be granted under the  
16 Act which included funding for fiscal year 1996 for the  
17 projects and activities listed in this section as passed by  
18 the House as of the date of enactment of this joint resolu-  
19 tion, is different from that which would be available or  
20 granted under such Act as passed by the Senate as of the  
21 date of enactment of this joint resolution, the pertinent  
22 project or activity shall be continued at a rate for oper-  
23 ations not exceeding the current rate or the rate permitted  
24 by the action of the House or the Senate, whichever is

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

3 (c) Whenever an Act which included funding for fiscal  
4 year 1996 for the projects and activities listed in this sec-  
5 tion has been passed by only the House or only the Senate  
6 as of the date of enactment of this joint resolution, the  
7 pertinent project or activity shall be continued under the  
8 appropriation, fund, or authority granted by the one  
9 House at a rate for operations not exceeding the current  
10 rate or the rate permitted by the action of the one House,  
11 whichever is lower, and under the authority and conditions  
12 provided in the applicable appropriations Act for the fiscal  
13 year 1995.

14 SEC. 102. 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. 103. 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. 104. No provision which is included in the ap-  
23 propriations 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. 105. Appropriations made and authority grant-  
5 ed pursuant to this title of this joint resolution shall cover  
6 all obligations or expenditures incurred for any program,  
7 project, or activity during the period for which funds or  
8 authority for such project or activity are available under  
9 this joint resolution.

10       SEC. 106. Unless otherwise provided for in this title  
11 of this joint resolution or in the applicable appropriations  
12 Act, appropriations and funds made available and author-  
13 ity granted pursuant to this title of this joint resolution  
14 shall be available until (a) enactment into law of an appro-  
15 priation for any project or activity provided for in this title  
16 of this joint resolution, or (b) the enactment into law of  
17 the applicable appropriations Act by both Houses without  
18 any provision for such project or activity, or (c) January  
19 3, 1996, whichever first occurs.

20       SEC. 107. Expenditures made pursuant to this title  
21 of this joint resolution shall be charged to the applicable  
22 appropriation, fund, or authorization whenever a bill in  
23 which such applicable appropriation, fund, or authoriza-  
24 tion is contained is enacted into law.



1 vided for in this title of this joint resolution) which were  
2 conducted in the fiscal year 1995 and for which appropria-  
3 tions, funds, or other authority would be available in the  
4 following appropriations Act:

5           The District of Columbia Appropriations Act,  
6           1996:

7 *Provided*, That whenever the amount which would be made  
8 available or the authority which would be granted in this  
9 Act is greater than that which would be available or grant-  
10 ed under current operations, the pertinent project or activ-  
11 ity shall be continued at a rate for operations not exceed-  
12 ing the current rate.

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

1 an item is included in only one version of the Act as passed  
2 by both Houses as of the date of enactment of this joint  
3 resolution, the pertinent project or activity shall not be  
4 continued except as provided for in section 211 or 212  
5 under the appropriation, fund, or authority granted by the  
6 applicable appropriations Act for the fiscal year 1995 and  
7 under the authority and conditions provided in the appli-  
8 cable appropriations Act for the fiscal year 1995.

9       SEC. 202. Appropriations made by section 201 shall  
10 be available to the extent and in the manner which would  
11 be provided by the pertinent appropriations Act.

12       SEC. 203. No appropriation or funds made available  
13 or authority granted pursuant to section 201 shall be used  
14 to initiate or resume any project or activity for which ap-  
15 propriations, funds, or other authority were not available  
16 during the fiscal year 1995.

17       SEC. 204. No provision which is included in the ap-  
18 propriations Act enumerated in section 201 but which was  
19 not included in the applicable appropriations Act for fiscal  
20 year 1995 and which by its terms is applicable to more  
21 than one appropriation, fund, or authority shall be appli-  
22 cable to any appropriation, fund, or authority provided in  
23 this title of this joint resolution.

24       SEC. 205. Appropriations made and authority grant-  
25 ed pursuant to this title of this joint resolution shall cover



1 all obligations or expenditures incurred for any program,  
2 project, or activity during the period for which funds or  
3 authority for such project or activity are available under  
4 this title of this joint resolution.

5       SEC. 206. Unless otherwise provided for in this title  
6 of this joint resolution or in the applicable appropriations  
7 Act, appropriations and funds made available and author-  
8 ity granted pursuant to this title of this title of this joint  
9 resolution shall be available until (a) enactment into law  
10 of an appropriation for any project or activity provided  
11 for in this title of this joint resolution, or (b) the enact-  
12 ment into law of the applicable appropriations Act by both  
13 Houses without any provision for such project or activity,  
14 or (c) January 3, 1996, whichever first occurs.

15       SEC. 207. Notwithstanding any other provision of  
16 this title of this joint resolution, except section 206, none  
17 of the funds appropriated under this title of this joint reso-  
18 lution shall be expended for any abortion except where the  
19 life of the mother would be endangered if the fetus were  
20 carried to term or where the pregnancy is the result of  
21 an act of rape or incest.

22       SEC. 208. Expenditures made pursuant to this title  
23 of this joint resolution shall be charged to the applicable  
24 appropriation, fund, or authorization whenever a bill in

1 which such applicable appropriation, fund, or authoriza-  
2 tion is contained is enacted into law.

3       SEC. 209. No provision in the appropriations Act for  
4 the fiscal year 1996 referred to in section 201 of this title  
5 of this joint resolution that makes the availability of any  
6 appropriation provided therein dependent upon the enact-  
7 ment of additional authorizing or other legislation shall  
8 be effective before the date set forth in section 206(e) of  
9 this joint resolution.

10       SEC. 210. Appropriations and funds made available  
11 by or authority granted pursuant to this title of this joint  
12 resolution may be used without regard to the time limita-  
13 tions for submission and approval of apportionments set  
14 forth in section 1513 of title 31, United States Code, but  
15 nothing herein shall be construed to waive any other provi-  
16 sion of law governing the apportionment of funds.

17       SEC. 211. Notwithstanding any other provision of  
18 this title of this joint resolution, except section 206, when-  
19 ever the Act listed in section 201 as passed by both the  
20 House and Senate as of the date of enactment of this joint  
21 resolution, does not include funding for an ongoing project  
22 or activity for which there is a budget request, or whenever  
23 the rate for operations for an ongoing project or activity  
24 provided by section 201 for which there is a budget re-  
25 quest would result in the project or activity being signifi-

1 cantly reduced, the pertinent project or activity may be  
2 continued under the authority and conditions provided in  
3 the applicable appropriations Act for the fiscal year 1995  
4 by increasing the rate for operations provided by section  
5 201 to a rate for operations not to exceed one that pro-  
6 vides the minimal level that would enable existing activi-  
7 ties 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 this title of this joint resolution the  
12 minimal level means a rate for operations that is reduced  
13 from the current rate by 25 percent.

14       SEC. 212. Notwithstanding any other provision of  
15 this title of this joint resolution, except section 206, when-  
16 ever the rate for operations for any continuing project or  
17 activity provided by section 201 or section 211 for which  
18 there is a budget request would result in a furlough of  
19 Government employees, that rate for operations may be  
20 increased to the minimum level that would enable the fur-  
21 lough to be avoided. No new contracts or grants shall be  
22 awarded in excess of an amount that bears the same ratio  
23 to the rate for operations provided by this section as the  
24 number of days covered by this resolution bears to 366.

1        SEC. 213. Notwithstanding any other provision of  
2 this title of this joint resolution, except sections 206, 211,  
3 and 212, for those programs that had high initial rates  
4 of operation or complete distribution of funding at the be-  
5 ginning of the fiscal year in fiscal year 1995 because of  
6 distributions of funding to States, foreign countries,  
7 grantees, or others, similar distributions of funds for fiscal  
8 year 1996 shall not be made and no grants shall be award-  
9 ed for such programs funded by this title of this resolution  
10 that would impinge on final funding prerogatives.

11        SEC. 214. This title of this joint resolution shall be  
12 implemented so that only the most limited funding action  
13 of that permitted in this title of this resolution shall be  
14 taken in order to provide for continuation of projects and  
15 activities.

16        SEC. 215. The provisions of section 132 of the Dis-  
17 trict of Columbia Appropriations Act, 1988, Public Law  
18 100–202, shall not apply for this title of this joint resolu-  
19 tion.

20        SEC. 216. Notwithstanding any other provision of  
21 this title of this joint resolution, except section 206, none  
22 of the funds appropriated under this title of this joint reso-  
23 lution shall be used to implement or enforce any system  
24 of registration of unmarried, cohabiting couples whether  
25 they are homosexual, lesbian, heterosexual, including but

1 not limited to registration for the purpose of extending  
 2 employment, health, or governmental benefits to such cou-  
 3 ples on the same basis that such benefits are extended to  
 4 legally married couples; nor shall any funds made available  
 5 pursuant to any provision of this title of this joint resolu-  
 6 tion otherwise be used to implement or enforce D.C. Act  
 7 9–188, signed by the Mayor of the District of Columbia  
 8 on April 15, 1992.

### 9 TITLE III

#### 10 VETERANS AFFAIRS

11 The following sums are hereby appropriated, out of  
 12 any money in the Treasury not otherwise appropriated,  
 13 and out of applicable corporate or other revenues, receipts,  
 14 and funds, for the several departments, agencies, corpora-  
 15 tions and other organizational units of Government for the  
 16 fiscal year 1996, and for other purposes, namely:

#### 17 **SEC. 301. ENSURED PAYMENT DURING FISCAL YEAR 1996**

#### 18 **OF VETERANS' BENEFITS IN EVENT OF LACK**

#### 19 **OF APPROPRIATIONS.**

20 (a) PAYMENTS REQUIRED.—In any case during fiscal  
 21 year 1996 in which appropriations are not otherwise avail-  
 22 able for programs, projects, and activities of the Depart-  
 23 ment of Veterans Affairs, the Secretary of Veterans Af-  
 24 fairs shall nevertheless ensure that—

1           (1) payments of existing veterans benefits are  
2           made in accordance with regular procedures and  
3           schedules and in accordance with eligibility require-  
4           ments for such benefits; and

5           (2) payments to contractors of the Veterans  
6           Health Administration of the Department of Veter-  
7           ans Affairs are made when due in the case of serv-  
8           ices provided that directly relate to patient health  
9           and safety.

10          (b) FUNDING.—There is hereby appropriated such  
11          sums as may be necessary for the payments pursuant to  
12          subsection (a), including such amounts as may be nec-  
13          essary for the costs of administration of such payments.

14          (c) CHARGING OF ACCOUNTS WHEN APPROPRIA-  
15          TIONS MADE.—In any case in which the Secretary uses  
16          the authority of subsection (a) to make payments, applica-  
17          ble accounts shall be charged for amounts so paid, and  
18          for the costs of administration of such payments, when  
19          regular appropriations become available for those pur-  
20          poses.

21          (d) EXISTING BENEFITS SPECIFIED.—For purposes  
22          of this section, existing veterans benefits are benefits  
23          under laws administered by the Secretary of Veterans Af-  
24          fairs that have been adjudicated and authorized for pay-  
25          ment as of—

