

110TH CONGRESS
1ST SESSION

H. R. 3508

To provide automatic continuing appropriations for the Government.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2007

Mr. REICHERT introduced the following bill; which was referred to the
Committee on Appropriations

A BILL

To provide automatic continuing appropriations for the
Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preventing Govern-
5 ment Shutdown Act of 2007”.

6 **SEC. 2. AUTOMATIC CONTINUING APPROPRIATIONS.**

7 (a) IN GENERAL.—Chapter 13 of title 31, United
8 States Code, is amended by inserting after section 1310
9 the following new section:

1 **“§ 1311. Continuing appropriations**

2 “(a)(1) If any regular appropriation bill for a fiscal
3 year (or, if applicable, for each fiscal year in a biennium)
4 does not become law before the beginning of such fiscal
5 year or a joint resolution making continuing appropria-
6 tions is not in effect, there are appropriated, out of any
7 money in the Treasury not otherwise appropriated, and
8 out of applicable corporate or other revenues, receipts, and
9 funds, such sums as may be necessary to continue any
10 project or activity for which funds were provided in the
11 preceding fiscal year—

12 “(A) in the corresponding regular appropriation
13 Act for such preceding fiscal year; or

14 “(B) if the corresponding regular appropriation
15 bill for such preceding fiscal year did not become
16 law, then in a joint resolution making continuing ap-
17 propriations for such preceding fiscal year.

18 “(2) Appropriations and funds made available, and
19 authority granted, for a project or activity for any fiscal
20 year pursuant to this section shall be at a rate of oper-
21 ations not in excess of the lower of—

22 “(A) the rate of operations provided for in the
23 regular appropriation Act providing for such project
24 or activity for the preceding fiscal year;

25 “(B) in the absence of such an Act, the rate of
26 operations provided for such project or activity pur-

1 suant to a joint resolution making continuing appro-
2 priations for such preceding fiscal year;

3 “(C) the rate of operations provided for in the
4 regular appropriation bill as passed by the House of
5 Representatives or the Senate for the fiscal year in
6 question, except that the lower of these two versions
7 shall be ignored for any project or activity for which
8 there is a budget request if no funding is provided
9 for that project or activity in either version; or

10 “(D) the annualized rate of operations provided
11 for in the most recently enacted joint resolution
12 making continuing appropriations for part of that
13 fiscal year or any funding levels established under
14 the provisions of this Act.

15 “(3) Appropriations and funds made available, and
16 authority granted, for any fiscal year pursuant to this sec-
17 tion for a project or activity shall be available for the pe-
18 riod beginning with the first day of a lapse in appropria-
19 tions and ending with the earlier of—

20 “(A) the date on which the applicable regular
21 appropriation bill for such fiscal year becomes law
22 (whether or not such law provides for such project
23 or activity) or a continuing resolution making appro-
24 priations becomes law, as the case may be; or

25 “(B) the last day of such fiscal year.

1 “(b) An appropriation or funds made available, or au-
2 thority granted, for a project or activity for any fiscal year
3 pursuant to this section shall be subject to the terms and
4 conditions imposed with respect to the appropriation made
5 or funds made available for the preceding fiscal year, or
6 authority granted for such project or activity under cur-
7 rent law.

8 “(c) Appropriations and funds made available, and
9 authority granted, for any project or activity for any fiscal
10 year pursuant to this section shall cover all obligations or
11 expenditures incurred for such project or activity during
12 the portion of such fiscal year for which this section ap-
13 plies to such project or activity.

14 “(d) Expenditures made for a project or activity for
15 any fiscal year pursuant to this section shall be charged
16 to the applicable appropriation, fund, or authorization
17 whenever a regular appropriation bill or a joint resolution
18 making continuing appropriations until the end of a fiscal
19 year providing for such project or activity for such period
20 becomes law.

21 “(e) This section shall not apply to a project or activ-
22 ity during a fiscal year if any other provision of law (other
23 than an authorization of appropriations)—

1 “(1) makes an appropriation, makes funds
2 available, or grants authority for such project or ac-
3 tivity to continue for such period; or

4 “(2) specifically provides that no appropriation
5 shall be made, no funds shall be made available, or
6 no authority shall be granted for such project or ac-
7 tivity to continue for such period.

8 “(f) For purposes of this section, the term ‘regular
9 appropriation bill’ means any annual appropriation bill
10 making appropriations, otherwise making funds available,
11 or granting authority, for any of the following categories
12 of projects and activities:

13 “(1) Agriculture, Rural Development, Food and
14 Drug Administration, and Related Agencies.

15 “(2) Commerce, Justice, Science, and Related
16 Agencies.

17 “(3) Department of Defense.

18 “(4) Energy and Water Development and Re-
19 lated Agencies.

20 “(5) Financial Services and General Govern-
21 ment.

22 “(6) Department of Homeland Security.

23 “(7) Department of the Interior, Environment,
24 and Related Agencies.

1 “(8) Departments of Labor, Health and
2 Human Services, Education, and Related Agencies.

3 “(9) Legislative Branch.

4 “(10) Military Construction and Veterans’ Af-
5 fairs.

6 “(11) Department of State, Foreign Oper-
7 ations, and Related Programs.

8 “(12) Transportation, Housing and Urban De-
9 velopment, and Related Agencies.”.

10 (b) CLERICAL AMENDMENT.—The analysis of chap-
11 ter 13 of title 31, United States Code, is amended by in-
12 serting after the item relating to section 1310 the fol-
13 lowing new item:

“1311. Continuing appropriations.”.

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