

116TH CONGRESS
1ST SESSION

H. R. 809

To amend title 31, United States Code, to provide for automatic continuing resolutions.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2019

Mr. BRENDAN F. BOYLE of Pennsylvania introduced the following bill; which was referred to the Committee on Appropriations

A BILL

To amend title 31, United States Code, to provide for automatic continuing resolutions.

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 “Ban Government Shut-
5 downs Act”.

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 appropriation measure for a fiscal year
3 is not enacted before the beginning of such fiscal year or
4 otherwise expires, there are appropriated such sums as
5 may be necessary to continue any program, project, or ac-
6 tivity for which funds were provided in the preceding fiscal
7 year—

8 “(A) in the corresponding appropriation Act for
9 such preceding fiscal year; or

10 “(B) if the corresponding appropriation bill for
11 such preceding fiscal year did not become law, then
12 in a joint resolution making continuing appropria-
13 tions for such preceding fiscal year.

14 “(2)(A) Appropriations and funds made available,
15 and authority granted, for a program, project, or activity
16 for any fiscal year pursuant to this section shall be at a
17 rate of operations not in excess of the lower of—

18 “(i) 100 percent of the rate of operations pro-
19 vided for in the regular appropriation Act providing
20 for such program, project, or activity for the pre-
21 ceding fiscal year;

22 “(ii) in the absence of such an Act, 100 percent
23 of the rate of operations provided for such program,
24 project, or activity pursuant to a joint resolution
25 making continuing appropriations for such preceding
26 fiscal year; or

1 “(iii) 100 percent of the annualized rate of op-
2 erations provided for in the most recently enacted
3 joint resolution making continuing appropriations
4 for part of that fiscal year or any funding levels es-
5 tablished under the provisions of this Act,
6 for the period of 90 days.

7 “(B) If this section is in effect at the end of a fiscal
8 year, funding levels shall continue as provided in this sec-
9 tion for the next fiscal year.

10 “(3) Appropriations and funds made available, and
11 authority granted, for any fiscal year pursuant to this sec-
12 tion for a program, project, or activity shall be available
13 for the period beginning with the first day of a lapse in
14 appropriations and ending with the date on which the ap-
15 plicable regular appropriation bill for such fiscal year be-
16 comes law (whether or not such law provides for such pro-
17 gram, project, or activity) or a continuing resolution mak-
18 ing appropriations becomes law, as the case may be.

19 “(b) An appropriation or funds made available, or au-
20 thority granted, for a program, project, or activity for any
21 fiscal year pursuant to this section shall be subject to the
22 terms and conditions imposed with respect to the appro-
23 priation made or funds made available for the preceding
24 fiscal year, or authority granted for such program, project,
25 or activity under current law.

1 “(c) Expenditures made for a program, project, or
2 activity for any fiscal year pursuant to this section shall
3 be charged to the applicable appropriation, fund, or au-
4 thorization whenever a regular appropriation bill or a joint
5 resolution making continuing appropriations until the end
6 of a fiscal year providing for such program, project, or
7 activity for such period becomes law.

8 “(d) This section shall not apply to a program,
9 project, or activity during a fiscal year if any other provi-
10 sion of law (other than an authorization of appropria-
11 tions)—

12 “(1) makes an appropriation, makes funds
13 available, or grants authority for such program,
14 project, or activity to continue for such period; or

15 “(2) specifically provides that no appropriation
16 shall be made, no funds shall be made available, or
17 no authority shall be granted for such program,
18 project, or activity to continue for such period.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 of chapter 13 of title 31, United States Code, is amended
21 by inserting after the item relating to section 1310 the
22 following new item:

“1311. Continuing appropriations.”.

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