

112TH CONGRESS  
1ST SESSION

# H. R. 3583

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

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2011

Mr. LANKFORD (for himself, Mr. RYAN of Wisconsin, Mr. HENSARLING, Mrs. BLACK, Mr. YOUNG of Indiana, Mr. CHAFFETZ, Mr. STUTZMAN, and Mr. BUCSHON) introduced the following bill; which was referred to the Committee on Appropriations

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## 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 “Government Shutdown  
5 Prevention Act of 2011”.

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 a joint resolution making continuing appropriations is not  
5 in effect, there are appropriated such sums as may be nec-  
6 essary to continue any program, project, or activity for  
7 which funds were provided in the preceding fiscal 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) Except as provided in subparagraph (B), ap-  
15 propriations and funds made available, and authority  
16 granted, for a program, project, or activity for any fiscal  
17 year pursuant to this section shall be at a rate of oper-  
18 ations not in excess of the lower of—

19 “(i) 99 percent of the rate of operations pro-  
20 vided for in the regular appropriation Act providing  
21 for such program, project, or activity for the pre-  
22 ceding fiscal year;

23 “(ii) in the absence of such an Act, 99 percent  
24 of the rate of operations provided for such program,  
25 project, or activity pursuant to a joint resolution

1 making continuing appropriations for such preceding  
2 fiscal year;

3 “(iii) 99 percent of the annualized rate of oper-  
4 ations provided for in the most recently enacted  
5 joint resolution making continuing appropriations  
6 for part of that fiscal year or any funding levels es-  
7 tablished under the provisions of this Act;  
8 for the period of three months. For each subsequent three-  
9 month period during which this subsection is in effect for  
10 that fiscal year, the applicable rate of operations shall be  
11 reduced by one percentage point. No 90-day period begin-  
12 ning in a fiscal year shall extend beyond the last day of  
13 that fiscal year.

14 “(B) The total amount of appropriations and funds  
15 made available, and authorization granted, for a program,  
16 projects, or activity, shall not exceed levels set forth in  
17 section 257(c) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985.

19 “(3) Appropriations and funds made available, and  
20 authority granted, for any fiscal year pursuant to this sec-  
21 tion for a program, project, or activity shall be available  
22 for the period beginning with the first day of a lapse in  
23 appropriations and ending with the earlier of—

24 “(A) the date on which the applicable regular  
25 appropriation bill for such fiscal year becomes law

1 (whether or not such law provides for such program,  
2 project, or activity) or a continuing resolution mak-  
3 ing appropriations becomes law, as the case may be;  
4 or

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

6 “(b) An appropriation or funds made available, or au-  
7 thority granted, for a program, project, or activity for any  
8 fiscal year pursuant to this section shall be subject to the  
9 terms and conditions imposed with respect to the appro-  
10 priation made or funds made available for the preceding  
11 fiscal year, or authority granted for such program, project,  
12 or activity under current law.

13 “(c) Appropriations and funds made available, and  
14 authority granted, for any program, project, or activity for  
15 any fiscal year pursuant to this section shall cover all obli-  
16 gations or expenditures incurred for such program,  
17 project, or activity during the portion of such fiscal year  
18 for which this section applies to such program, project,  
19 or activity.

20 “(d) Expenditures made for a program, project, or  
21 activity for any fiscal year pursuant to this section shall  
22 be charged to the applicable appropriation, fund, or au-  
23 thorization whenever a regular appropriation bill or a joint  
24 resolution making continuing appropriations until the end

1 of a fiscal year providing for such program, project, or  
2 activity for such period becomes law.

3 “(e) This section shall not apply to a program,  
4 project, or activity during a fiscal year if any other provi-  
5 sion of law (other than an authorization of appropria-  
6 tions)—

7 “(1) makes an appropriation, makes funds  
8 available, or grants authority for such program,  
9 project, or activity to continue for such period; or

10 “(2) specifically provides that no appropriation  
11 shall be made, no funds shall be made available, or  
12 no authority shall be granted for such program,  
13 project, or activity to continue for such period.”.

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

“1311. Continuing appropriations.”.

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