

112TH CONGRESS
1ST SESSION

S. 784

To prevent the shutdown of the Federal Government.

IN THE SENATE OF THE UNITED STATES

APRIL 8, 2011

Mr. UDALL of Colorado introduced the following bill; which was read twice
and referred to the Committee on Appropriations

A BILL

To prevent the shutdown of the Federal 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 a Govern-
5 ment Shutdown Act”.

6 **SEC. 2. AMENDMENT TO TITLE 31.**

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:

10 **“§ 1311. Continuing appropriations**

11 “(a)(1) If any regular appropriation bill for a fiscal
12 year (or, if applicable, for each fiscal year in a biennium)

1 does not become law before the beginning of such fiscal
2 year or a joint resolution making continuing appropria-
3 tions is not in effect, there are appropriated, out of any
4 money in the Treasury not otherwise appropriated, and
5 out of applicable corporate or other revenues, receipts, and
6 funds, excluding any budget authority designated as an
7 emergency or temporary funding for projects or activities
8 that are not part of ongoing operations, to such sums as
9 may be necessary to continue any project or activity for
10 which funds were provided in the preceding fiscal year—

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

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

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

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

24 “(B) in the absence of such an Act, the rate of
25 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 “(3) Appropriations and funds made available, and
4 authority granted, for any fiscal year pursuant to this sec-
5 tion for a project or activity shall be available for the pe-
6 riod beginning with the first day of a lapse in appropria-
7 tions and ending with the earlier of—

8 “(A) the date on which the applicable regular
9 appropriation bill for such fiscal year becomes law
10 (whether or not such law provides for such project
11 or activity) or a continuing resolution making appro-
12 priations becomes law, as the case may be; or

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

14 “(4) This section shall not provide funding for a new
15 fiscal year to continue any project or activity which is
16 funded under the provisions of this section at the end of
17 the preceding fiscal year until the enactment of a regular
18 appropriation Act or joint resolution making continuing
19 appropriations for such project or activity during such new
20 fiscal year.

21 “(b) An appropriation or funds made available, or au-
22 thority granted, for a project or activity for any fiscal year
23 pursuant to this section shall be subject to the terms and
24 conditions imposed with respect to the appropriation made
25 or funds made available for the preceding fiscal year, or

1 authority granted for such project or activity under cur-
2 rent law.

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

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

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

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

22 “(2) specifically provides that no appropriation
23 shall be made, no funds shall be made available, or
24 no authority shall be granted for such project or ac-
25 tivity to continue for such period.

1 “(f) For purposes of this section, the term ‘regular
2 appropriation bill’ means any annual appropriation bill
3 making appropriations, otherwise making funds available,
4 or granting authority, for any of the following categories
5 of projects and activities:

6 “(1) Agriculture, rural development, Food and
7 Drug Administration, and related agencies pro-
8 grams.

9 “(2) The Department of Defense.

10 “(3) Energy and water development, and re-
11 lated agencies.

12 “(4) State, foreign operations, and related pro-
13 grams.

14 “(5) The Department of Homeland Security.

15 “(6) The Department of the Interior, Environ-
16 mental Protection Agency, and related agencies.

17 “(7) The Departments of Labor, Health and
18 Human Services, and Education, and related agen-
19 cies.

20 “(8) Military construction, veterans affairs, and
21 related agencies.

22 “(9) Science, the Departments of State, Jus-
23 tice, and Commerce, and related agencies.

1 “(10) The Departments of Transportation,
2 Housing and Urban Development, and related agen-
3 cies.

4 “(11) The Legislative Branch.

5 “(12) Financial services and general Govern-
6 ment.”.

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

 “1311. Continuing appropriations.”.

11 (c) EFFECTIVE DATE.—The amendment made by
12 this section shall apply to fiscal years beginning fiscal year
13 2011.

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