

116TH CONGRESS
1ST SESSION

H. R. 1124

To amend title 31, United States Code, to provide for continuing appropriations in the absence of regular appropriations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2019

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

A BILL

To amend title 31, United States Code, to provide for continuing appropriations in the absence of regular appropriations, and for other purposes.

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 Future
5 Shutdowns Act of 2019”.

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:

1 **“§ 1311. Continuing Appropriations**

2 “(a) IN GENERAL.—If any regular appropriation bill
3 for a fiscal year does not become law prior to the begin-
4 ning of such fiscal year or a joint resolution making con-
5 tinuing appropriations is not in effect, there is appro-
6 priated, out of money in the Treasury not otherwise appro-
7 priated, such sums as may be necessary to continue any
8 program, project, and activity for which funds were pro-
9 vided in the preceding fiscal year—

10 “(1) in the corresponding regular appropriation
11 Act for such preceding fiscal year;

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

16 “(3) if the corresponding regular appropriation
17 bill or a joint resolution making appropriations for
18 a fiscal year did not become law, in the most re-
19 cently enacted joint resolution making continuing
20 appropriations for part of that fiscal year or any
21 funding levels established under the provisions of
22 this Act.

23 “(b) LEVEL OF APPROPRIATION.—Appropriations
24 and funds made available, and authority granted, for a
25 program, project, and activity for any fiscal year pursuant
26 to this section shall be at a rate of operations—

1 “(1) with respect to any non-defense discre-
2 tionary account, of 95 percent of the rate of oper-
3 ations provided for that account in the appropria-
4 tions measure providing for such program, project,
5 or activity for the preceding fiscal year; and

6 “(2) with respect to any defense discretionary
7 account, of 100 percent of the rate of operations
8 provided for that account in the appropriations
9 measure providing for such program, project, or ac-
10 tivity for the preceding fiscal year.

11 “(c) TIMING OF APPROPRIATIONS AND AUTHORITY
12 GRANTED.—Appropriations and funds made available,
13 and authority granted, for any fiscal year pursuant to this
14 section for a project or activity shall be available for the
15 period beginning with the first day of a lapse in appropria-
16 tions and ending with the date on which the applicable
17 regular appropriation bill for such fiscal year becomes law
18 or a continuing resolution making appropriations becomes
19 law.

20 “(d) TERMS AND CONDITIONS OF APPROPRIATIONS
21 OR AUTHORITY GRANTED.—An appropriation of funds
22 made available, or authority granted, for a project or ac-
23 tivity for any fiscal year pursuant to this section shall be
24 subject to the terms and conditions imposed with respect
25 to the appropriation made or funds made available for the

1 preceding fiscal year, or authority granted for such pro-
2 gram, project, and activity under current law.

3 “(e) EXTENT OF APPROPRIATIONS.—Appropriations
4 and funds made available, and authority granted, for any
5 project or activity for any fiscal year pursuant to this sec-
6 tion shall cover all obligations or expenditures incurred for
7 such project or activity during the portion of such fiscal
8 year for which this section applies to such program,
9 project, and activity.

10 “(f) CONTINUATION OF APPROPRIATIONS.—If this
11 section is in effect at the end of a fiscal year, funding
12 levels shall continue as provided in this section for the next
13 fiscal year.

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

21 “(h) EXCEPTION FOR CERTAIN PROJECTS OR AC-
22 TIVITIES.—This section shall not apply to a program,
23 project, and activity during a fiscal year if any other provi-
24 sion of law, other than an authorization of appropria-
25 tions—

1 “(1) makes an appropriation, makes funds
2 available, or grants authority for such program,
3 project, and activity 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 program,
7 project, and activity to continue for such period.

8 “(i) DEFINITIONS.—In this section, the following
9 definitions apply:

10 “(1) DEFENSE DISCRETIONARY ACCOUNT.—
11 The term ‘defense discretionary account’ means any
12 discretionary account that provides appropriations
13 for—

14 “(A) the Department of Defense;

15 “(B) the Department of Homeland Secu-
16 rity;

17 “(C) the Department of Veterans Affairs;

18 “(D) military construction;

19 “(E) projects or activities related to vet-
20 erans affairs; or

21 “(F) the Department of Energy defense
22 activities.

23 “(2) NON-DEFENSE DISCRETIONARY AC-
24 COUNT.—The term ‘non-defense discretionary ac-

1 count' means any discretionary account other than
2 defense discretionary accounts.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 for chapter 13 of title 31, United States Code, is amended
5 by inserting after the item relating to section 1310 the
6 following:

“1311. Continuing appropriations.”.

7 (c) EFFECTIVE DATE.—The amendment made by
8 this section shall apply with respect to any lapse of appro-
9 priation beginning on the date of the enactment of this
10 Act.

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