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(Original Signature of Member)

112TH CONGRESS
1ST SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

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

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”.

1 **SEC. 2. AUTOMATIC CONTINUING APPROPRIATIONS.**

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

5 **“§ 1311. Continuing appropriations**

6 “(a)(1) If any appropriation measure for a fiscal year
7 is not enacted before the beginning of such fiscal year or
8 a joint resolution making continuing appropriations is not
9 in effect, there are appropriated such sums as may be nec-
10 essary to continue any program, project, or activity for
11 which funds were provided in the preceding fiscal year—

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

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

18 “(2)(A) Except as provided in subparagraph (B), ap-
19 propriations and funds made available, and authority
20 granted, for a program, project, or activity for any fiscal
21 year pursuant to this section shall be at a rate of oper-
22 ations not in excess of the lower of—

23 “(i) 99 percent of the rate of operations pro-
24 vided for in the regular appropriation Act providing
25 for such program, project, or activity for the pre-
26 ceding fiscal year;

1 “(ii) in the absence of such an Act, 99 percent
2 of the rate of operations provided for such program,
3 project, or activity pursuant to a joint resolution
4 making continuing appropriations for such preceding
5 fiscal year;

6 “(iii) 99 percent of the annualized rate of oper-
7 ations provided for in the most recently enacted
8 joint resolution making continuing appropriations
9 for part of that fiscal year or any funding levels es-
10 tablished under the provisions of this Act;

11 for the period of three months. For each subsequent three-
12 month period during which this subsection is in effect for
13 that fiscal year, the applicable rate of operations shall be
14 reduced by one percentage point. No 90-day period begin-
15 ning in a fiscal year shall extend beyond the last day of
16 that fiscal year.

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

22 “(3) Appropriations and funds made available, and
23 authority granted, for any fiscal year pursuant to this sec-
24 tion for a program, project, or activity shall be available

1 for the period beginning with the first day of a lapse in
2 appropriations and ending with the earlier of—

3 “(A) the date on which the applicable regular
4 appropriation bill for such fiscal year becomes law
5 (whether or not such law provides for such program,
6 project, or activity) or a continuing resolution mak-
7 ing appropriations becomes law, as the case may be;
8 or

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

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

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

24 “(d) Expenditures made for a program, project, or
25 activity for any fiscal year pursuant to this section shall

1 be charged to the applicable appropriation, fund, or au-
2 thorization whenever a regular appropriation bill or a joint
3 resolution making continuing appropriations until the end
4 of a fiscal year providing for such program, project, or
5 activity for such period becomes law.

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

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

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

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

“1311. Continuing appropriations.”.