

In the Senate of the United States,

December 22, 1995.

Resolved, That the resolution from the House of Representatives (H.J. Res. 134) entitled “Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.” do pass with the following

AMENDMENT:

Strike out all after the resolving clause and insert:

1

TITLE I

2 *AID TO FAMILIES WITH DEPENDENT CHILDREN*

3 *AND FOSTER CARE AND ADOPTION ASSISTANCE*

4 *That the following sums are hereby appropriated, out of*

5 *any money in the Treasury not otherwise appropriated,*

6 *and out of applicable corporate or other revenues, receipts,*

7 *and funds, for the several departments, agencies, corpora-*

8 *tions, and other organizational units of Government for the*

9 *fiscal year 1996, and for other purposes, namely:*

10 *SEC. 101. (a) Such amounts as may be necessary*

11 *under the authority and conditions provided in the applica-*

1 *ble appropriations Act for the fiscal year 1995 for continu-*
2 *ing the following projects or activities including the costs*
3 *of direct loans and loan guarantees (not otherwise specifi-*
4 *cally provided for in this joint resolution) which were con-*
5 *ducted in the fiscal year 1995:*

6 *All projects and activities funded under the ac-*
7 *count heading "Family support payments to States"*
8 *under the Administration For Children and Families*
9 *in the Department of Health and Human Services;*

10 *All projects and activities funded under the ac-*
11 *count heading "Payments to States for foster care and*
12 *adoption assistance" under the Administration For*
13 *Children and Families in the Department of Health*
14 *and Human Services;*

15 *Such amounts as may be necessary for the med-*
16 *icaid program under title XIX of the Social Security*
17 *Act for the second quarter of fiscal year 1996; and*

18 *All administrative activities necessary to carry*
19 *out the projects and activities in the preceding three*
20 *paragraphs:*

21 *Provided, That whenever the amount which would be made*
22 *available or the authority which would be granted under*
23 *an Act which including funding for fiscal year 1996 for*
24 *the projects and activities listed in this section is greater*
25 *than that which would be available or granted under cur-*

1 *rent operations, the pertinent project or activity shall be*
2 *continued at a rate for operations not exceeding the current*
3 *rate.*

4 **(b)** *Whenever the amount which would be made avail-*
5 *able or the authority which would be granted under the Act*
6 *which included funding for fiscal year 1996 for the projects*
7 *and activities listed in this section as passed by the House*
8 *as of the date of enactment of this joint resolution, is dif-*
9 *ferent from that which would be available or granted under*
10 *such Act as passed by the Senate as of the date of enactment*
11 *of this joint resolution, the pertinent project or activity*
12 *shall be continued at a rate for operations not exceeding*
13 *the current rate or the rate permitted by the action of the*
14 *House or the Senate, whichever is lower, under the author-*
15 *ity and conditions provided in the applicable appropria-*
16 *tions Act for the fiscal year 1995.*

17 **(c)** *Whenever an Act which included funding for fiscal*
18 *year 1996 for the projects and activities listed in this sec-*
19 *tion has been passed by only the House or only the Senate*
20 *as of the date of enactment of this joint resolution, the perti-*
21 *nent project or activity shall be continued under the appro-*
22 *priation, fund, or authority granted by the one House at*
23 *a rate for operations not exceeding the current rate or the*
24 *rate permitted by the action of the one House, whichever*
25 *is lower, and under the authority and conditions provided*

1 *in the applicable appropriations Act for the fiscal year*
2 *1995.*

3 *SEC. 102. Appropriations made by section 101 shall*
4 *be available to the extent and in the manner which would*
5 *be provided by the pertinent appropriations Act.*

6 *SEC. 103. No appropriation or funds made available*
7 *or authority granted pursuant to section 101 shall be used*
8 *to initiate or resume any project or activity for which ap-*
9 *propriations, funds, or other authority were not available*
10 *during the fiscal year 1995.*

11 *SEC. 104. No provision which is included in the appro-*
12 *priations Act enumerated in section 101 but which was not*
13 *included in the applicable appropriations Act for fiscal*
14 *year 1995 and which by its terms is applicable to more*
15 *than one appropriation, fund, or authority shall be applica-*
16 *ble to any appropriation, fund, or authority provided in*
17 *this joint resolution.*

18 *SEC. 105. Appropriations made and authority granted*
19 *pursuant to this title of this joint resolution shall cover all*
20 *obligations or expenditures incurred for any program,*
21 *project, or activity during the period for which funds or*
22 *authority for such project or activity are available under*
23 *this joint resolution.*

24 *SEC. 106. Unless otherwise provided for in this title*
25 *of this joint resolution or in the applicable appropriations*

1 *Act, appropriations and funds made available and author-*
2 *ity granted pursuant to this title of this joint resolution*
3 *shall be available until (a) enactment into law of an appro-*
4 *priation for any project or activity provided for in this title*
5 *of this joint resolution, or (b) the enactment into law of*
6 *the applicable appropriations Act by both Houses without*
7 *any provision for such project or activity, or (c) January*
8 *3, 1996, whichever first occurs.*

9 *SEC. 107. Expenditures made pursuant to this title of*
10 *this joint resolution shall be charged to the applicable ap-*
11 *propriation, fund, or authorization whenever a bill in*
12 *which such applicable appropriation, fund, or authoriza-*
13 *tion is contained is enacted into law.*

14 *SEC. 108. No provision in the appropriations Act for*
15 *the fiscal year 1996 referred to in section 101 of this joint*
16 *resolution that makes the availability of any appropriation*
17 *provided therein dependent upon the enactment of addi-*
18 *tional authorizing or other legislation shall be effective be-*
19 *fore the date set forth in section 106(c) of this joint resolu-*
20 *tion.*

21 *SEC. 109. Appropriations and funds made available*
22 *by or authority granted pursuant to this title of this joint*
23 *resolution may be used without regard to the time limita-*
24 *tions for submission and approval of apportionments set*
25 *forth in section 1513 of title 31, United States Code, but*

1 *nothing herein shall be construed to waive any other provi-*
 2 *sion of law governing the apportionment of funds.*

3 *TITLE II*

4 *DISTRICT OF COLUMBIA*

5 *That the following sums are hereby appropriated, out of the*
 6 *general fund and enterprise funds of the District of Colum-*
 7 *bia for the District of Columbia for the fiscal year 1996,*
 8 *and for other purposes, namely:*

9 *SEC. 201. (a) Such amounts as may be necessary*
 10 *under the authority and conditions provided in the applica-*
 11 *ble appropriations Act for the fiscal year 1995 for continu-*
 12 *ing projects or activities including the costs of direct loans*
 13 *and loan guarantees (not otherwise specifically provided for*
 14 *in this title of this joint resolution) which were conducted*
 15 *in the fiscal year 1995 and for which appropriations, funds,*
 16 *or other authority would be available in the following ap-*
 17 *propriations Act:*

18 *The District of Columbia Appropriations Act,*
 19 *1996;*

20 *Provided, That whenever the amount which would be made*
 21 *available or the authority which would be granted in this*
 22 *Act is greater than that which would be available or granted*
 23 *under current operations, the pertinent project or activity*
 24 *shall be continued at a rate for operations not exceeding*
 25 *the current rate.*

1 (b) Whenever the amount which would be made avail-
2 able or the authority which would be granted under the Act
3 listed in this section as passed by the House as of the date
4 of enactment of this joint resolution, is different from that
5 which would be available or granted under such Act as
6 passed by the Senate as of the date of enactment of this
7 joint resolution, the pertinent project or activity shall be
8 continued at a rate for operations not exceeding the current
9 rate or the rate permitted by the action of the House or
10 the Senate, whichever is lower, under the authority and con-
11 ditions provided in the applicable appropriations Act for
12 the fiscal year 1995: Provided, That where an item is not
13 included in either version or where an item is included in
14 only one version of the Act as passed by both Houses as
15 of the date of enactment of this joint resolution, the perti-
16 nent project or activity shall not be continued except as pro-
17 vided for in section 211 or 212 under the appropriation,
18 fund, or authority granted by the applicable appropriations
19 Act for the fiscal year 1995 and under the authority and
20 conditions provided in the applicable appropriations Act
21 for the fiscal year 1995.

22 SEC. 202. Appropriations made by section 201 shall
23 be available to the extent and in the manner which would
24 be provided by the pertinent appropriations Act.

1 *SEC. 203. No appropriation or funds made available*
2 *or authority granted pursuant to section 201 shall be used*
3 *to initiate or resume any project or activity for which ap-*
4 *propriations, funds, or other authority were not available*
5 *during the fiscal year 1995.*

6 *SEC. 204. No provision which is included in the appro-*
7 *priations Act enumerated in section 201 but which was not*
8 *included in the applicable appropriations Act for fiscal*
9 *year 1995 and which by its terms is applicable to more*
10 *than one appropriation, fund, or authority shall be applica-*
11 *ble to any appropriation, fund, or authority provided in*
12 *this title of this joint resolution.*

13 *SEC. 205. Appropriations made and authority granted*
14 *pursuant to this title of this joint resolution shall cover all*
15 *obligations or expenditures incurred for any program,*
16 *project, or activity during the period for which funds or*
17 *authority for such project or activity are available under*
18 *this title of this joint resolution.*

19 *SEC. 206. Unless otherwise provided for in this title*
20 *of this joint resolution or in the applicable appropriations*
21 *Act, appropriations and funds made available and author-*
22 *ity granted pursuant to this title of this joint resolution*
23 *shall be available until (a) enactment into law of an appro-*
24 *priation for any project or activity provided for in this title*
25 *of this joint resolution, or (b) the enactment into law of*

1 *the applicable appropriations Act by both Houses without*
2 *any provision for such project or activity, or (c) January*
3 *3, 1996, whichever first occurs.*

4 *SEC. 207. Notwithstanding any other provision of this*
5 *title of this joint resolution, except section 206, none of the*
6 *funds appropriated under this title of this joint resolution*
7 *shall be expended for any abortion except where the life of*
8 *the mother would be endangered if the fetus were carried*
9 *to term or where the pregnancy is the result of an act of*
10 *rape or incest.*

11 *SEC. 208. Expenditures made pursuant to this title of*
12 *this joint resolution shall be charged to the applicable ap-*
13 *propriation, fund, or authorization whenever a bill in*
14 *which such applicable appropriation, fund, or authoriza-*
15 *tion is contained is enacted into law.*

16 *SEC. 209. No provision in the appropriations Act for*
17 *the fiscal year 1996 referred to in section 201 of this title*
18 *of this joint resolution that makes the availability of any*
19 *appropriation provided therein dependent upon the enact-*
20 *ment of additional authorizing or other legislation shall be*
21 *effective before the date set forth in section 206(c) of this*
22 *joint resolution.*

23 *SEC. 210. Appropriations and funds made available*
24 *by or authority granted pursuant to this title of this joint*
25 *resolution may be used without regard to the time limita-*

1 tions for submission and approval of apportionments set
2 forth in section 1513 of title 31, United States Code, but
3 nothing herein shall be construed to waive any other provi-
4 sion of law governing the apportionment of funds.

5 *SEC. 211. Notwithstanding any other provision of this*
6 *title of this joint resolution, except section 206, whenever*
7 *the Act listed in section 201 as passed by both the House*
8 *and Senate as of the date of enactment of this joint resolu-*
9 *tion, does not include funding for an ongoing project or ac-*
10 *tivity for which there is a budget request, or whenever the*
11 *rate for operations for an ongoing project or activity pro-*
12 *vided by section 201 for which there is a budget request*
13 *would result in the project or activity being significantly*
14 *reduced, the pertinent project or activity may be continued*
15 *under the authority and conditions provided in the applica-*
16 *ble appropriations Act for the fiscal year 1995 by increas-*
17 *ing the rate for operations provided by section 201 to a*
18 *rate for operations not to exceed one that provides the mini-*
19 *mal level that would enable existing activities to continue.*
20 *No new contracts or grants shall be awarded in excess of*
21 *an amount that bears the same ratio to the rate for oper-*
22 *ations provided by this section as the number of days cov-*
23 *ered by this resolution bears to 366. For the purposes of*
24 *this title of this joint resolution, the minimal level means*

1 a rate for operations that is reduced from the current rate
2 by 25 percent.

3 *SEC. 212. Notwithstanding any other provision of this*
4 *title of this joint resolution, except section 206, whenever*
5 *the rate for operations for any continuing project or activ-*
6 *ity provided by section 201 or section 211 for which there*
7 *is a budget request would result in a furlough of Govern-*
8 *ment employees, that rate for operations may be increased*
9 *to the minimum level that would enable the furlough to be*
10 *avoided. No new contracts or grants shall be awarded in*
11 *excess of an amount that bears the same ratio to the rate*
12 *for operations provided by this section as the number of*
13 *days covered by this resolution bears to 366.*

14 *SEC. 213. Notwithstanding any other provision of this*
15 *title of this joint resolution, except sections 206, 211, and*
16 *212, for those programs that had high initial rates of oper-*
17 *ation or complete distribution of funding at the beginning*
18 *of the fiscal year in fiscal year 1995 because of distributions*
19 *of funding to States, foreign countries, grantees, or others,*
20 *similar distributions of funds for fiscal year 1996 shall not*
21 *be made and no grants shall be awarded for such programs*
22 *funded by this title of this resolution that would impinge*
23 *on final funding prerogatives.*

24 *SEC. 214. This title of this joint resolution shall be*
25 *implemented so that only the most limited funding action*

1 tions, and other organizational units of Government for the
2 fiscal year 1996, and for other purposes, namely:

3 **SEC. 301. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF**
4 **VETERANS' BENEFITS IN EVENT OF LACK OF**
5 **APPROPRIATIONS.**

6 (a) *PAYMENTS REQUIRED.*—In any case during fiscal
7 year 1996 in which appropriations are not otherwise avail-
8 able for programs, projects, and activities of the Depart-
9 ment of Veterans Affairs, the Secretary of Veterans Affairs
10 shall nevertheless ensure that—

11 (1) *payments of existing veterans benefits are*
12 *made in accordance with regular procedures and*
13 *schedules and in accordance with eligibility require-*
14 *ments for such benefits; and*

15 (2) *payments to contractors of the Veterans*
16 *Health Administration of the Department of Veterans*
17 *Affairs are made when due in the case of services pro-*
18 *vided that directly relate to patient health and safety.*

19 (b) *FUNDING.*—There is hereby appropriated such
20 sums as may be necessary for the payments pursuant to
21 subsection (a), including such amounts as may be necessary
22 for the costs of administration of such payments.

23 (c) *CHARGING OF ACCOUNTS WHEN APPROPRIATIONS*
24 *MADE.*—In any case in which the Secretary uses the au-
25 thority of subsection (a) to make payments, applicable ac-

1 *counts shall be charged for amounts so paid, and for the*
2 *costs of administration of such payments, when regular ap-*
3 *propriations become available for those purposes.*

4 *(d) EXISTING BENEFITS SPECIFIED.—For purposes of*
5 *this section, existing veterans benefits are benefits under*
6 *laws administered by the Secretary of Veterans Affairs that*
7 *have been adjudicated and authorized for payment as of—*

8 *(1) December 15, 1995; or*

9 *(2) if appropriations for such benefits are avail-*
10 *able (other than pursuant to subsection (b)) after De-*
11 *cember 15, 1995, the last day on which appropria-*
12 *tions for payment of such benefits are available (other*
13 *than pursuant to subsection (b)).*

14 **SEC. 302. EXPIRATION DATE.**

15 *Section 301 shall expire on January 3, 1996.*

Attest:

Secretary.

104TH CONGRESS
1ST SESSION

H. J. Res. 134

AMENDMENT