

**AMENDMENT TO H.R. 790**  
**OFFERED BY MR. BROWN OF MARYLAND**

At the end of the bill, add the following:

1 **SEC. 4. 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 **“SEC. 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) Appropriations and funds made available,  
19 and authority granted, for a program, project, or activity

1 for any fiscal year pursuant to this section shall be at a  
2 rate of operations not in excess of the lower of—

3 “(i) 100 percent of the rate of operations pro-  
4 vided for in the regular appropriation Act providing  
5 for such program, project, or activity for the pre-  
6 ceding fiscal year;

7 “(ii) in the absence of such an Act, 100 percent  
8 of the rate of operations provided for such program,  
9 project, or activity pursuant to a joint resolution  
10 making continuing appropriations for such preceding  
11 fiscal year; or

12 “(iii) 100 percent of the annualized rate of op-  
13 erations provided for in the most recently enacted  
14 joint resolution making continuing appropriations  
15 for part of that fiscal year or any funding levels es-  
16 tablished under the provisions of this Act;

17 for the period of 120 days. After the first 120-day period  
18 during which this subsection is in effect for that fiscal  
19 year, the applicable rate of operations shall be reduced by  
20 1 percentage point. For each subsequent 90-day period  
21 during which this subsection is in effect for that fiscal  
22 year, the applicable rate of operations shall be reduced by  
23 1 percentage point. The 90-day period reductions shall ex-  
24 tend beyond the last day of that fiscal year.

1           “(B) If this section is in effect at the end of a fiscal  
2 year, funding levels shall continue as provided in this sec-  
3 tion for the next fiscal year.

4           “(3) Appropriations and funds made available, and  
5 authority granted, for any fiscal year pursuant to this sec-  
6 tion for a program, project, or activity shall be available  
7 for the period beginning with the first day of a lapse in  
8 appropriations and ending with the date on which the ap-  
9 plicable regular appropriation bill for such fiscal year be-  
10 comes law (whether or not such law provides for such pro-  
11 gram, project, or activity) or a continuing resolution mak-  
12 ing appropriations becomes law, as the case may be.

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

20           “(c) 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 “(d) 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.”.

