

**AMENDMENT TO H.R. 5233, AS REPORTED
OFFERED BY MR. ISSA OF CALIFORNIA**

Add at the end the following new section:

1 **SEC. 4. AVAILABILITY OF DISTRICT OF COLUMBIA LOCAL**
2 **FUNDS UPON FAILURE BY CONGRESS TO**
3 **ENACT LOCAL BUDGET.**

4 (a) IN GENERAL.—Subpart 1 of part D of title IV
5 of the District of Columbia Home Rule Act is amended
6 by inserting after section 446B the following new section:

7 “AVAILABILITY OF LOCAL FUNDS UPON FAILURE BY
8 CONGRESS TO ENACT BUDGET

9 “SEC. 446C. (a) AVAILABILITY OF LOCAL FUNDS AT
10 RATE ESTABLISHED BY LOCAL LAW IF NO BUDGET EN-
11 ACTED PRIOR TO BEGINNING OF DISTRICT OF COLUMBIA
12 FISCAL YEAR.—

13 “(1) IN GENERAL.—If, as of the first day
14 of a fiscal year, neither the regular District of
15 Columbia appropriation bill for the fiscal year
16 nor a District of Columbia continuing resolution
17 for the fiscal year is in effect, there is appro-
18 priated, out of any moneys of the government
19 of the District of Columbia not otherwise ap-
20 propriated, and out of applicable corporate or

1 other revenues, receipts, and funds, the amount
2 provided for any project or activity for which
3 funds are provided in the local budget act for
4 such fiscal year.

5 “(2) RATE OF FUNDING.—An appropria-
6 tion and funds made available or authority
7 granted for a project or activity for a fiscal year
8 pursuant to this section shall be at the rate of
9 operations provided for such project or activity
10 under the local budget act for such fiscal year.

11 “(3) TERMINATION OF PERIOD OF AVAIL-
12 ABILITY.—An appropriation and funds made
13 available or authority granted for a project or
14 activity for a fiscal year pursuant to this section
15 shall cease to be available—

16 “(A) during any period of the fiscal
17 year in which a District of Columbia con-
18 tinuing resolution for the fiscal year is in
19 effect; or

20 “(B) upon the enactment into law of
21 the regular District of Columbia appropria-
22 tion bill for such fiscal year.

23 “(b) TERMS AND CONDITIONS.—An appropriation
24 and funds made available or authority granted for a
25 project or activity for a fiscal year pursuant to this section

1 shall be subject to the terms and conditions imposed with
2 respect to the appropriation made and funds made avail-
3 able for the preceding fiscal year, or the authority granted
4 for such project or activity under the applicable law in ef-
5 fect at the time.

6 “(c) PERIOD OF COVERAGE.—An appropriation and
7 funds made available or authority granted for a project
8 or activity for a fiscal year pursuant to this section shall
9 cover all obligations or expenditures incurred for such
10 project or activity during the portion of such fiscal year
11 for which this section applies to such project or activity.

12 “(d) RESTRICTIONS ON PROGRAMS OR ACTIVITIES
13 SUBJECT TO OTHER APPROPRIATIONS ACTS.—This sec-
14 tion shall not apply to a project or activity during any
15 period of a fiscal year if any other provision of law (other
16 than an authorization of appropriations)—

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

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

24 “(e) PROTECTION OF OTHER OBLIGATIONS.—Noth-
25 ing in this section shall be construed to effect obligations

1 of the government of the District of Columbia mandated
2 by other law.

3 “(f) DEFINITIONS.—In this section—

4 “(1) the term ‘District of Columbia continuing
5 resolution’ means, with respect to a fiscal year, any
6 joint resolution making continuing appropriations
7 for the fiscal year which includes continuing appro-
8 priations for the government of the District of Co-
9 lumbia and other activities chargeable in whole or in
10 part against the revenues of the District;

11 “(2) the term ‘local budget act’ means, with re-
12 spect to a fiscal year, the act of the Council adopt-
13 ing the annual budget for the District of Columbia
14 government for such fiscal year, as submitted by the
15 Mayor to the President for transmission to Congress
16 pursuant to section 446; and

17 “(3) the term ‘regular District of Columbia ap-
18 propriation bill’ means, with respect to a fiscal year,
19 an annual appropriation bill making appropriations,
20 otherwise making funds available, or granting au-
21 thority, for the fiscal year for the government of the
22 District of Columbia and other activities chargeable
23 in whole or in part against the revenues of the Dis-
24 trict.

1 “(g) EFFECTIVE DATE.—This section shall apply
2 with respect to fiscal year 2017 and each succeeding fiscal
3 year.”.

4 (b) CONFORMING AMENDMENT.—Section 446 of
5 such Act (sec. 1–204.46, D.C. Official Code) is amended
6 by inserting “section 446C,” after “section 446B,”.

7 (c) CLERICAL AMENDMENT.—The table of contents
8 of subpart 1 of part D of title IV of the District of Colum-
9 bia Home Rule Act is amended by inserting after the item
10 relating to section 446B the following:

“446C. Availability of local funds upon failure by Congress to enact budget.”.

