

2ND FY 2012 CR IA

112TH CONGRESS
1ST SESSION

H. J. RES. 79

Making continuing appropriations for fiscal year 2012, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 2011

Mr. ROGERS of Kentucky introduced the following joint resolution; which was referred to the Committee on Appropriations, and in addition to the Committees on the Budget and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JOINT RESOLUTION

Making continuing appropriations for fiscal year 2012, and
for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the following sums are hereby appropriated, out of
4 any money in the Treasury not otherwise appropriated,
5 and out of applicable corporate or other revenues, receipts,
6 and funds, for the several departments, agencies, corpora-
7 tions, and other organizational units of Government for
8 fiscal year 2012, and for other purposes, namely:

1 SEC. 101. (a) Such amounts as may be necessary,
2 at a rate for operations as provided in the applicable ap-
3 propriations Acts for fiscal year 2011 and under the au-
4 thority and conditions provided in such Acts, for con-
5 tinuing projects or activities (including the costs of direct
6 loans and loan guarantees) that are not otherwise specifi-
7 cally provided for in this joint resolution, that were con-
8 ducted in fiscal year 2011, and for which appropriations,
9 funds, or other authority were made available in the fol-
10 lowing appropriations Acts:

11 (1) The Department of Defense Appropriations
12 Act, 2011 (division A of Public Law 112-10).

13 (2) The Full-Year Continuing Appropriations
14 Act, 2011 (division B of Public Law 112-10).

15 (b) The rate for operations provided by subsection (a)
16 is hereby reduced by 1.409 percent.

17 SEC. 102. (a) No appropriation or funds made avail-
18 able or authority granted pursuant to section 101 for the
19 Department of Defense shall be used for (1) the new pro-
20 duction of items not funded for production in fiscal year
21 2011 or prior years; (2) the increase in production rates
22 above those sustained with fiscal year 2011 funds; or (3)
23 the initiation, resumption, or continuation of any project,
24 activity, operation, or organization (defined as any project,
25 subproject, activity, budget activity, program element, and

1 subprogram within a program element, and for any invest-
2 ment items defined as a P-1 line item in a budget activity
3 within an appropriation account and an R-1 line item that
4 includes a program element and subprogram element with-
5 in an appropriation account) for which appropriations,
6 funds, or other authority were not available during fiscal
7 year 2011.

8 (b) No appropriation or funds made available or au-
9 thority granted pursuant to section 101 for the Depart-
10 ment of Defense shall be used to initiate multi-year pro-
11 curements utilizing advance procurement funding for eco-
12 nomic order quantity procurement unless specifically ap-
13 propriated later.

14 SEC. 103. Appropriations made by section 101 shall
15 be available to the extent and in the manner that would
16 be provided by the pertinent appropriations Act.

17 SEC. 104. Except as otherwise provided in section
18 102, no appropriation or funds made available or author-
19 ity granted pursuant to section 101 shall be used to ini-
20 tiate or resume any project or activity for which appro-
21 priations, funds, or other authority were not available dur-
22 ing fiscal year 2011.

23 SEC. 105. Appropriations made and authority grant-
24 ed pursuant to this joint resolution shall cover all obliga-
25 tions or expenditures incurred for any project or activity

1 during the period for which funds or authority for such
2 project or activity are available under this joint resolution.

3 SEC. 106. Unless otherwise provided for in this joint
4 resolution or in the applicable appropriations Act for fiscal
5 year 2012, appropriations and funds made available and
6 authority granted pursuant to this joint resolution shall
7 be available until whichever of the following first occurs:
8 (1) the enactment into law of an appropriation for any
9 project or activity provided for in this joint resolution; (2)
10 the enactment into law of the applicable appropriations
11 Act for fiscal year 2012 without any provision for such
12 project or activity; or (3) November 18, 2011.

13 SEC. 107. Expenditures made pursuant to this joint
14 resolution shall be charged to the applicable appropriation,
15 fund, or authorization whenever a bill in which such appli-
16 cable appropriation, fund, or authorization is contained is
17 enacted into law.

18 SEC. 108. Appropriations made and funds made
19 available by or authority granted pursuant to this joint
20 resolution may be used without regard to the time limita-
21 tions for submission and approval of apportionments set
22 forth in section 1513 of title 31, United States Code, but
23 nothing in this joint resolution may be construed to waive
24 any other provision of law governing the apportionment
25 of funds.

1 SEC. 109. Notwithstanding any other provision of
2 this joint resolution, except section 106, for those pro-
3 grams that would otherwise have high initial rates of oper-
4 ation or complete distribution of appropriations at the be-
5 ginning of fiscal year 2012 because of distributions of
6 funding to States, foreign countries, grantees, or others,
7 such high initial rates of operation or complete distribu-
8 tion shall not be made, and no grants shall be awarded
9 for such programs funded by this joint resolution that
10 would impinge on final funding prerogatives.

11 SEC. 110. This joint resolution shall be implemented
12 so that only the most limited funding action of that per-
13 mitted in the joint resolution shall be taken in order to
14 provide for continuation of projects and activities.

15 SEC. 111. (a) For entitlements and other mandatory
16 payments whose budget authority was provided in appro-
17 priations Acts for fiscal year 2011, and for activities under
18 the Food and Nutrition Act of 2008, activities shall be
19 continued at the rate to maintain program levels under
20 current law, under the authority and conditions provided
21 in the applicable appropriations Act for fiscal year 2011,
22 to be continued through the date specified in section
23 106(3).

24 (b) Notwithstanding section 106, obligations for man-
25 datory payments due on or about the first day of any