

AMENDMENT NO. _____ Calendar No. _____

Purpose: To perfect the joint resolution.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

H. J. Res. 59

Making continuing appropriations for fiscal year 2014, and
for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. REID (for
himself and Ms. MIKULSKI)

Viz:

- 1 Strike all after the first word and insert the following:
- 2 the following sums are hereby appropriated, out of any
- 3 money in the Treasury not otherwise appropriated, and
- 4 out of applicable corporate or other revenues, receipts, and
- 5 funds, for the several departments, agencies, corporations,
- 6 and other organizational units of Government for fiscal
- 7 year 2014, and for other purposes, namely:
- 8 SEC. 101. (a) Such amounts as may be necessary,
- 9 at a rate for operations as provided in the applicable ap-
- 10 propriations Acts for fiscal year 2013 and under the au-
- 11 thority and conditions provided in such Acts, for con-
- 12 tinuing projects or activities (including the costs of direct

1 loans and loan guarantees) that are not otherwise specifi-
2 cally provided for in this joint resolution, that were con-
3 ducted in fiscal year 2013, and for which appropriations,
4 funds, or other authority were made available in the fol-
5 lowing appropriations Acts:

6 (1) The Agriculture, Rural Development, Food
7 and Drug Administration, and Related Agencies Ap-
8 propriations Act, 2013 (division A of Public Law
9 113–6), except section 735.

10 (2) The Commerce, Justice, Science, and Re-
11 lated Agencies Appropriations Act, 2013 (division B
12 of Public Law 113–6).

13 (3) The Department of Defense Appropriations
14 Act, 2013 (division C of Public Law 113–6).

15 (4) The Department of Homeland Security Ap-
16 propriations Act, 2013 (division D of Public Law
17 113–6).

18 (5) The Military Construction and Veterans Af-
19 fairs, and Related Agencies Appropriations Act,
20 2013 (division E of Public Law 113–6).

21 (6) The Full-Year Continuing Appropriations
22 Act, 2013 (division F of Public Law 113–6).

23 (b) The rate for operations provided by subsection (a)
24 for each account shall be calculated to reflect the full

1 amount of any reduction required in fiscal year 2013 pur-
2 suant to—

3 (1) any provision of division G of the Consoli-
4 dated and Further Continuing Appropriations Act,
5 2013 (Public Law 113–6), including section 3004;
6 and

7 (2) the Presidential sequestration order dated
8 March 1, 2013, except as attributable to budget au-
9 thority made available by—

10 (A) sections 140(b) or 141(b) of the Con-
11 tinuing Appropriations Resolution, 2013 (Public
12 Law 112–175); or

13 (B) the Disaster Relief Appropriations Act,
14 2013 (Public Law 113–2).

15 SEC. 102. (a) No appropriation or funds made avail-
16 able or authority granted pursuant to section 101 for the
17 Department of Defense shall be used for: (1) the new pro-
18 duction of items not funded for production in fiscal year
19 2013 or prior years; (2) the increase in production rates
20 above those sustained with fiscal year 2013 funds; or (3)
21 the initiation, resumption, or continuation of any project,
22 activity, operation, or organization (defined as any project,
23 subproject, activity, budget activity, program element, and
24 subprogram within a program element, and for any invest-
25 ment items defined as a P–1 line item in a budget activity

1 within an appropriation account and an R-1 line item that
2 includes a program element and subprogram element with-
3 in an appropriation account) for which appropriations,
4 funds, or other authority were not available during fiscal
5 year 2013.

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

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

15 SEC. 104. Except as otherwise provided in section
16 102, no appropriation or funds made available or author-
17 ity granted pursuant to section 101 shall be used to ini-
18 tiate or resume any project or activity for which appro-
19 priations, funds, or other authority were not available dur-
20 ing fiscal year 2013.

21 SEC. 105. Appropriations made and authority grant-
22 ed pursuant to this joint resolution shall cover all obliga-
23 tions or expenditures incurred for any project or activity
24 during the period for which funds or authority for such
25 project or activity are available under this joint resolution.

1 SEC. 106. Unless otherwise provided for in this joint
2 resolution or in the applicable appropriations Act for fiscal
3 year 2014, appropriations and funds made available and
4 authority granted pursuant to this joint resolution shall
5 be available until whichever of the following first occurs:
6 (1) the enactment into law of an appropriation for any
7 project or activity provided for in this joint resolution; (2)
8 the enactment into law of the applicable appropriations
9 Act for fiscal year 2014 without any provision for such
10 project or activity; or (3) November 15, 2013.

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

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

24 SEC. 109. Notwithstanding any other provision of
25 this joint resolution, except section 106, for those pro-

1 grams that would otherwise have high initial rates of oper-
2 ation or complete distribution of appropriations at the be-
3 ginning of fiscal year 2014 because of distributions of
4 funding to States, foreign countries, grantees, or others,
5 such high initial rates of operation or complete distribu-
6 tion shall not be made, and no grants shall be awarded
7 for such programs funded by this joint resolution that
8 would impinge on final funding prerogatives.

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

13 SEC. 111. (a) For entitlements and other mandatory
14 payments whose budget authority was provided in appro-
15 priations Acts for fiscal year 2013, and for activities under
16 the Food and Nutrition Act of 2008, activities shall be
17 continued at the rate to maintain program levels under
18 current law, under the authority and conditions provided
19 in the applicable appropriations Act for fiscal year 2013,
20 to be continued through the date specified in section
21 106(3).

22 (b) Notwithstanding section 106, obligations for man-
23 datory payments due on or about the first day of any
24 month that begins after October 2013 but not later than
25 30 days after the date specified in section 106(3) may con-

1 tinue to be made, and funds shall be available for such
2 payments.

3 SEC. 112. Amounts made available under section 101
4 for civilian personnel compensation and benefits in each
5 department and agency may be apportioned up to the rate
6 for operations necessary to avoid furloughs within such de-
7 partment or agency, consistent with the applicable appro-
8 priations Act for fiscal year 2013, except that such author-
9 ity provided under this section shall not be used until after
10 the department or agency has taken all necessary actions
11 to reduce or defer non-personnel-related administrative ex-
12 penses.

13 SEC. 113. Funds appropriated by this joint resolution
14 may be obligated and expended notwithstanding section 10
15 of Public Law 91-672 (22 U.S.C. 2412), section 15 of
16 the State Department Basic Authorities Act of 1956 (22
17 U.S.C. 2680), section 313 of the Foreign Relations Au-
18 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
19 6212), and section 504(a)(1) of the National Security Act
20 of 1947 (50 U.S.C. 3094(a)(1)).

21 SEC. 114. (a) Each amount incorporated by reference
22 in this joint resolution that was previously designated by
23 the Congress for Overseas Contingency Operations/Global
24 War on Terrorism pursuant to section 251(b)(2)(A) of the
25 Balanced Budget and Emergency Deficit Control Act of

1 1985 or as being for disaster relief pursuant to section
2 251(b)(2)(D) of such Act is designated by the Congress
3 for Overseas Contingency Operations/Global War on Ter-
4 rorism pursuant to section 251(b)(2)(A) of such Act or
5 as being for disaster relief pursuant to section
6 251(b)(2)(D) of such Act, respectively.

7 (b) Of the amounts made available by section 101
8 for “Social Security Administration, Limitation on Admin-
9 istrative Expenses” for the cost associated with continuing
10 disability reviews under titles II and XVI of the Social
11 Security Act and for the cost associated with conducting
12 redeterminations of eligibility under title XVI of the Social
13 Security Act, \$273,000,000 is provided to meet the terms
14 of section 251(b)(2)(B)(ii)(III) of the Balanced Budget
15 and Emergency Deficit Control Act of 1985, as amended,
16 and \$469,639,000 is additional new budget authority
17 specified for purposes of section 251(b)(2)(B) of such Act.

18 (c) Section 5 of Public Law 113–6 shall apply to
19 amounts designated in subsection (a) for Overseas Contingency
20 Operations/Global War on Terrorism.

21 SEC. 115. Section 3003 of division G of Public Law
22 113–6 shall be applied to funds appropriated by this joint
23 resolution by substituting “fiscal year 2014” for “fiscal
24 year 2013” each place it appears.

1 SEC. 116. Section 408 of the Food for Peace Act (7
2 U.S.C. 1736b) shall be applied by substituting the date
3 specified in section 106(3) of this joint resolution for “De-
4 cember 31, 2012”.

5 SEC. 117. Amounts made available under section 101
6 for “Department of Commerce—National Oceanic and At-
7 mospheric Administration—Procurement, Acquisition and
8 Construction” may be apportioned up to the rate for oper-
9 ations necessary to maintain the planned launch schedules
10 for the Joint Polar Satellite System and the Geostationary
11 Operational Environmental Satellite system.

12 SEC. 118. The authority provided by sections 1205
13 and 1206 of the National Defense Authorization Act for
14 Fiscal Year 2012 (Public Law 112–81) shall continue in
15 effect, notwithstanding subsection (h) of section 1206,
16 through the earlier of the date specified in section 106(3)
17 of this joint resolution or the date of the enactment of
18 an Act authorizing appropriations for fiscal year 2014 for
19 military activities of the Department of Defense.

20 SEC. 119. Section 14704 of title 40, United States
21 Code, shall be applied to amounts made available by this
22 joint resolution by substituting the date specified in sec-
23 tion 106(3) of this joint resolution for “October 1, 2012”.

24 SEC. 120. Notwithstanding any other provision of
25 this joint resolution, except section 106, the District of

1 Columbia may expend local funds under the heading “Dis-
2 trict of Columbia Funds” for such programs and activities
3 under title IV of H.R. 2786 (113th Congress), as reported
4 by the Committee on Appropriations of the House of Rep-
5 resentatives, at the rate set forth under “District of Co-
6 lumbia Funds—Summary of Expenses” as included in the
7 Fiscal Year 2014 Budget Request Act of 2013 (D.C. Act
8 20–127), as modified as of the date of the enactment of
9 this joint resolution.

10 SEC. 121. Notwithstanding section 101, amounts are
11 provided for “The Judiciary—Courts of Appeals, District
12 Courts, and Other Judicial Services—Defender Services”
13 at a rate for operations of \$1,012,000,000.

14 SEC. 122. For the period covered by this joint resolu-
15 tion, section 550(b) of Public Law 109–295 (6 U.S.C. 121
16 note) shall be applied by substituting the date specified
17 in section 106(3) of this joint resolution for “October 4,
18 2013”.

19 SEC. 123. The authority provided by section 532 of
20 Public Law 109–295 shall continue in effect through the
21 date specified in section 106(3) of this joint resolution.

22 SEC. 124. The authority provided by section 831 of
23 the Homeland Security Act of 2002 (6 U.S.C. 391) shall
24 continue in effect through the date specified in section
25 106(3) of this joint resolution.

1 SEC. 125. (a) Any amounts made available pursuant
2 to section 101 for “Department of Homeland Security—
3 U.S. Customs and Border Protection—Salaries and Ex-
4 penses”, “Department of Homeland Security—U.S.CUS-
5 toms and Border Protection—Border Security Fencing,
6 Infrastructure, and Technology”, and “Department of
7 Homeland Security—U.S. Immigration and Customs En-
8 forcement—Salaries and Expenses” shall be obligated at
9 a rate for operations as necessary to respectively—

10 (1) sustain the staffing levels of U.S. Customs
11 and Border Protection Officers, equivalent to the
12 staffing levels achieved on September 30, 2013, and
13 comply with the last proviso under the heading “De-
14 partment of Homeland Security—U.S. Customs and
15 Border Protection—Salaries and Expenses” in divi-
16 sion D of Public Law 113–6;

17 (2) sustain border security operations, including
18 sustaining the operation of Tethered Aerostat Radar
19 Systems; and

20 (3) sustain the staffing levels of U.S. Immigra-
21 tion and Customs Enforcement agents, equivalent to
22 the staffing levels achieved on September 30, 2013,
23 and comply with the sixth proviso under the heading
24 “Department of Homeland Security—U.S. Immigra-

1 tion and Customs Enforcement—Salaries and Ex-
2 penses” in division D of Public Law 113–6.

3 (b) The Secretary of Homeland Security shall notify
4 the Committees on Appropriations of the House of Rep-
5 resentatives and the Senate on each use of the authority
6 provided in this section.

7 SEC. 126. In addition to the amount otherwise pro-
8 vided by section 101 for “Department of the Interior—
9 Department-wide Programs—Wildland Fire Manage-
10 ment”, there is appropriated \$36,000,000 for an addi-
11 tional amount for fiscal year 2014, to remain available
12 until expended, for urgent wildland fire suppression activi-
13 ties: *Provided*, That of the funds provided, \$15,000,000
14 is for burned area rehabilitation: *Provided further*, That
15 such funds shall only become available if funds previously
16 provided for wildland fire suppression will be exhausted
17 imminently and the Secretary of the Interior notifies the
18 Committees on Appropriations of the House of Represent-
19 atives and the Senate in writing of the need for these addi-
20 tional funds: *Provided further*, That such funds are also
21 available for transfer to other appropriations accounts to
22 repay amounts previously transferred for wildfire suppres-
23 sion.

24 SEC. 127. In addition to the amount otherwise pro-
25 vided by section 101 for “Department of Agriculture—

1 Forest Service—Wildland Fire Management”, there is ap-
2 propriated \$600,000,000 for an additional amount for fis-
3 cal year 2014, to remain available until expended, for ur-
4 gent wildland fire suppression activities: *Provided*, That
5 such funds shall only become available if funds previously
6 provided for wildland fire suppression will be exhausted
7 imminently and the Secretary of Agriculture notifies the
8 Committees on Appropriations of the House of Represent-
9 atives and the Senate in writing of the need for these addi-
10 tional funds: *Provided further*, That such funds are also
11 available for transfer to other appropriations accounts to
12 repay amounts previously transferred for wildfire suppres-
13 sion.

14 SEC. 128. The authority provided by section 347 of
15 the Department of the Interior and Related Agencies Ap-
16 propriations Act, 1999 (as contained in section 101(e) of
17 division A of Public Law 105–277; 16 U.S.C. 2104 note)
18 shall continue in effect through the date specified in sec-
19 tion 106(3) of this joint resolution.

20 SEC. 129. The authority provided by subsection
21 (m)(3) of section 8162 of the Department of Defense Ap-
22 propriations Act, 2000 (40 U.S.C. 8903 note; Public Law
23 106–79), as amended, shall continue in effect through the
24 date specified in section 106(3) of this joint resolution.

1 SEC. 130. Activities authorized under part A of title
2 IV and section 1108(b) of the Social Security Act (except
3 for activities authorized in section 403(b)) shall continue
4 through the date specified in section 106(3) of this joint
5 resolution in the manner authorized for fiscal year 2013,
6 and out of any money in the Treasury of the United States
7 not otherwise appropriated, there are hereby appropriated
8 such sums as may be necessary for such purpose.

9 SEC. 131. Notwithstanding section 101, the matter
10 under the heading “Department of Labor—Mine Safety
11 and Health Administration—Salaries and Expenses” in
12 division F of Public Law 112–74 shall be applied to funds
13 appropriated by this joint resolution by substituting “is
14 authorized to collect and retain up to \$2,499,000” for
15 “may retain up to \$1,499,000”.

16 SEC. 132. The first proviso under the heading “De-
17 partment of Health and Human Services—Administration
18 for Children and Families—Low Income Home Energy
19 Assistance” in division F of Public Law 112–74 shall be
20 applied to amounts made available by this joint resolution
21 by substituting “2014” for “2012”.

22 SEC. 133. Amounts provided by section 101 for “De-
23 partment of Health and Human Services—Administration
24 for Children and Families—Refugee and Entrant Assist-
25 ance” may be obligated up to a rate for operations nec-

1 essary to maintain program operations at the level pro-
2 vided in fiscal year 2013, as necessary to accommodate
3 increased demand.

4 SEC. 134. During the period covered by this joint res-
5 olution, amounts provided under section 101 for “Depart-
6 ment of Health and Human Services—Office of the Sec-
7 retary—Public Health and Social Services Emergency
8 Fund” may be obligated at a rate necessary to assure
9 timely execution of planned advanced research and devel-
10 opment contracts pursuant to section 319L of the Public
11 Health Service Act, to remain available until expended, for
12 expenses necessary to support advanced research and de-
13 velopment pursuant to section 319L of the Public Health
14 Service Act (42 U.S.C. 247d–7e) and other administrative
15 expenses of the Biomedical Advanced Research and Devel-
16 opment Authority.

17 SEC. 135. Notwithstanding any other provision of
18 this joint resolution, there is appropriated for payment to
19 Bonnie Englehardt Lautenberg, widow of Frank R. Lau-
20 tenberg, late a Senator from New Jersey, \$174,000.

21 SEC. 136. Notwithstanding section 101, amounts are
22 provided for “Department of Veterans Affairs—Depart-
23 mental Administration—General Operating Expenses,
24 Veterans Benefits Administration” at a rate for operations
25 of \$2,455,490,000.

1 SEC. 137. The authority provided by the penultimate
2 proviso under the heading “Department of Housing and
3 Urban Development—Rental Assistance Demonstration”
4 in division C of Public Law 112–55 shall continue in effect
5 through the date specified in section 106(3) of this joint
6 resolution.

7 This joint resolution may be cited as the “Continuing
8 Appropriations Resolution, 2014”.