

113TH CONGRESS
1ST SESSION

H. J. RES. 67

Requiring reaffirmation of the Affordable Care Act and making continuing appropriations for fiscal year 2014, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2013

Mr. CRAWFORD introduced the following joint resolution; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, 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

Requiring reaffirmation of the Affordable Care Act and making continuing appropriations for fiscal year 2014, 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 2014, 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 2013 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 2013, and for which appropriations,
9 funds, or other authority were made available in the fol-
10 lowing appropriations Acts:

11 (1) The Agriculture, Rural Development, Food
12 and Drug Administration, and Related Agencies Ap-
13 propriations Act, 2013 (division A of Public Law
14 113–6).

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

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

20 (4) The Department of Homeland Security Ap-
21 propriations Act, 2013 (division D of Public Law
22 113–6).

23 (5) The Military Construction and Veterans Af-
24 fairs, and Related Agencies Appropriations Act,
25 2013 (division E of Public Law 113–6).

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

3 (b) The rate for operations provided by subsection (a)
4 for each account shall be calculated to reflect the full
5 amount of any reduction required in fiscal year 2013 pur-
6 suant to—

7 (1) any provision of division G of the Consoli-
8 dated and Further Continuing Appropriations Act,
9 2013 (Public Law 113–6), including section 3004;
10 and

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

14 (A) sections 140(b) or 141(b) of the Con-
15 tinuing Appropriations Resolution, 2013 (Public
16 Law 112–175); or

17 (B) the Disaster Relief Appropriations Act,
18 2013 (Public Law 113–2).

19 SEC. 102. (a) No appropriation or funds made avail-
20 able or authority granted pursuant to section 101 for the
21 Department of Defense shall be used for (1) the new pro-
22 duction of items not funded for production in fiscal year
23 2013 or prior years; (2) the increase in production rates
24 above those sustained with fiscal year 2013 funds; or (3)
25 the initiation, resumption, or continuation of any project,

1 activity, operation, or organization (defined as any project,
2 subproject, activity, budget activity, program element, and
3 subprogram within a program element, and for any invest-
4 ment items defined as a P–1 line item in a budget activity
5 within an appropriation account and an R–1 line item that
6 includes a program element and subprogram element with-
7 in an appropriation account) for which appropriations,
8 funds, or other authority were not available during fiscal
9 year 2013.

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

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

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

1 SEC. 105. Appropriations made and authority grant-
2 ed pursuant to this joint resolution shall cover all obliga-
3 tions or expenditures incurred for any project or activity
4 during the period for which funds or authority for such
5 project or activity are available under this joint resolution.

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

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

21 SEC. 108. Appropriations made and funds made
22 available by or authority granted pursuant to 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 in this joint resolution may be construed to waive
2 any other provision of law governing the apportionment
3 of funds.

4 SEC. 109. Notwithstanding any other provision of
5 this joint resolution, except section 106, for those pro-
6 grams that would otherwise have high initial rates of oper-
7 ation or complete distribution of appropriations at the be-
8 ginning of fiscal year 2014 because of distributions of
9 funding to States, foreign countries, grantees, or others,
10 such high initial rates of operation or complete distribu-
11 tion shall not be made, and no grants shall be awarded
12 for such programs funded by this joint resolution that
13 would impinge on final funding prerogatives.

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

18 SEC. 111. (a) For entitlements and other mandatory
19 payments whose budget authority was provided in appro-
20 priations Acts for fiscal year 2013, and for activities under
21 the Food and Nutrition Act of 2008, activities shall be
22 continued at the rate to maintain program levels under
23 current law, under the authority and conditions provided
24 in the applicable appropriations Act for fiscal year 2013,

1 to be continued through the date specified in section
2 106(3).

3 (b) Notwithstanding section 106, obligations for man-
4 datory payments due on or about the first day of any
5 month that begins after October 2013 but not later than
6 30 days after the date specified in section 106(3) may con-
7 tinue to be made, and funds shall be available for such
8 payments.

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

19 SEC. 113. Funds appropriated by this joint resolution
20 may be obligated and expended notwithstanding section 10
21 of Public Law 91-672 (22 U.S.C. 2412), section 15 of
22 the State Department Basic Authorities Act of 1956 (22
23 U.S.C. 2680), section 313 of the Foreign Relations Au-
24 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.

1 6212), and section 504(a)(1) of the National Security Act
2 of 1947 (50 U.S.C. 3094(a)(1)).

3 SEC. 114. (a) Each amount incorporated by reference
4 in this joint resolution that was previously designated by
5 the Congress for Overseas Contingency Operations/Global
6 War on Terrorism pursuant to section 251(b)(2)(A) of the
7 Balanced Budget and Emergency Deficit Control Act of
8 1985 or as being for disaster relief pursuant to section
9 251(b)(2)(D) of such Act is designated by the Congress
10 for Overseas Contingency Operations/Global War on Ter-
11 rorism pursuant to section 251(b)(2)(A) of such Act or
12 as being for disaster relief pursuant to section
13 251(b)(2)(D) of such Act, respectively.

14 (b) Of the amount made available by section 101 for
15 “Social Security Administration—Limitation on Adminis-
16 trative Expenses”, \$470,638,000 is additional new budget
17 authority specified for purposes of subsection
18 251(b)(2)(B) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

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

23 SEC. 115. Section 3003 of division G of Public Law
24 113–6 shall be applied to funds appropriated by this joint

1 resolution by substituting “fiscal year 2014” for “fiscal
2 year 2013” each place it appears.

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

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

14 SEC. 118. The authority provided by section 1206 of
15 the National Defense Authorization Act for Fiscal Year
16 2012 (Public Law 112–81) shall continue in effect, not-
17 withstanding subsection (h) of such section, through the
18 earlier of the date specified in section 106(3) of this joint
19 resolution or the date of the enactment of an Act author-
20 izing appropriations for fiscal year 2014 for military ac-
21 tivities of the Department of Defense.

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

1 SEC. 120. Notwithstanding any other provision of
2 this joint resolution, except section 106, the District of
3 Columbia may expend local funds under the heading “Dis-
4 trict of Columbia Funds” for such programs and activities
5 under title IV of H.R. 2786 (113th Congress), as reported
6 by the Committee on Appropriations of the House of Rep-
7 resentatives, at the rate set forth under “District of Co-
8 lumbia Funds—Summary of Expenses” as included in the
9 Fiscal Year 2014 Budget Request Act of 2013 (D.C. Act
10 20–127), as modified as of the date of the enactment of
11 this joint resolution.

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

16 SEC. 122. For the period covered by this joint resolu-
17 tion, section 550(b) of Public Law 109–295 (6 U.S.C. 121
18 note) shall be applied by substituting the date specified
19 in section 106(3) of this joint resolution for “October 4,
20 2013”.

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

24 SEC. 124. The authority provided by section 831 of
25 the Homeland Security Act of 2002 (6 U.S.C. 391) shall

1 continue in effect through the date specified in section
2 106(3) of this joint resolution.

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

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

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

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

1 “Department of Homeland Security—U.S. Immigra-
2 tion and Customs Enforcement—Salaries and Ex-
3 penses” in division D of Public Law 113–6.

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

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

1 SEC. 127. In addition to the amount otherwise pro-
2 vided by section 101 for “Department of Agriculture—
3 Forest Service—Wildland Fire Management”, there is ap-
4 propriated \$600,000,000 for an additional amount for fis-
5 cal year 2014, to remain available until expended, for ur-
6 gent wildland fire suppression activities: *Provided*, That
7 such funds shall only become available if funds previously
8 provided for wildland fire suppression will be exhausted
9 imminently and the Secretary of Agriculture notifies the
10 Committees on Appropriations of the House of Represent-
11 atives and the Senate in writing of the need for these addi-
12 tional funds: *Provided further*, That such funds are also
13 available for transfer to other appropriations accounts to
14 repay amounts previously transferred for wildfire suppres-
15 sion.

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

22 SEC. 129. Activities authorized under part A of title
23 IV and section 1108(b) of the Social Security Act (except
24 for activities authorized in sections 403(b) and 413(h))
25 shall continue through the date specified in section 106(3)

1 of this joint resolution in the manner authorized for fiscal
2 year 2013, and out of any money in the Treasury of the
3 United States not otherwise appropriated, there are here-
4 by appropriated such sums as may be necessary for such
5 purpose.

6 SEC. 130. Notwithstanding section 101, the matter
7 under the heading “Department of Labor—Mine Safety
8 and Health Administration—Salaries and Expenses” in
9 division F of Public Law 112–74 shall be applied to funds
10 appropriated by this joint resolution by substituting “is
11 authorized to collect and retain up to \$2,499,000” for
12 “may retain up to \$1,499,000”.

13 SEC. 131. The first proviso under the heading “De-
14 partment of Health and Human Services—Administration
15 for Children and Families—Low Income Home Energy
16 Assistance” in division F of Public Law 112–74 shall be
17 applied to amounts made available by this joint resolution
18 by substituting “2014” for “2012”.

19 SEC. 132. Amounts provided by section 101 for “De-
20 partment of Health and Human Services—Administration
21 for Children and Families—Refugee and Entrant Assist-
22 ance” may be obligated up to a rate for operations nec-
23 essary to maintain program operations at the level pro-
24 vided in fiscal year 2013, as necessary to accommodate
25 increased demand.

1 SEC. 133. (a) During the period covered by this joint
2 resolution, any unobligated amounts available in the
3 “Nonrecurring expenses fund” established in section 223
4 of division G of Public Law 110–161 (42 U.S.C. 3514a)
5 may be transferred to “Department of Health and Human
6 Services—Office of the Secretary—Public Health and So-
7 cial Services Emergency Fund” for an additional amount
8 for fiscal year 2014, to remain available until expended,
9 for expenses necessary—

10 (1) to support advanced research and develop-
11 ment pursuant to section 319L of the Public Health
12 Service Act (42 U.S.C. 247d–7e), and other admin-
13 istrative expenses of the Biomedical Advanced Re-
14 search and Development Agency;

15 (2) for procuring security countermeasures (as
16 defined in section 319F–2(c)(1)(B) of the Public
17 Health Service Act (42 U.S.C. 247d–6b(c)(1)(B)));
18 or

19 (3) to prepare for and respond to an influenza
20 pandemic and other emerging infectious diseases, in-
21 cluding activities such as the development and pur-
22 chase of vaccine, antivirals, necessary medical sup-
23 plies, diagnostics, and other surveillance tools.

24 (b) Products purchased with amounts made available
25 by this joint resolution for “Department of Health and

1 Human Services—Office of the Secretary—Public Health
2 and Social Services Emergency Fund” may, at the discre-
3 tion of the Secretary, be deposited in the Strategic Na-
4 tional Stockpile pursuant to section 319F–2 of the Public
5 Health Service Act (42 U.S.C. 247d–6b).

6 SEC. 134. Notwithstanding section 101, amounts are
7 provided for “Department of Veterans Affairs—Depart-
8 mental Administration—General Operating Expenses,
9 Veterans Benefits Administration” at a rate for operations
10 of \$2,455,490,000.

11 SEC. 135. The authority provided by the penultimate
12 proviso under the heading “Department of Housing and
13 Urban Development—Rental Assistance Demonstration”
14 in division C of Public Law 112–55 shall continue in effect
15 through the date specified in section 106(3) of this joint
16 resolution.

17 SEC. 136. (a) Unless the House of Representatives
18 and the Senate each vote on the passage of a concurrent
19 resolution consistent with the requirements of subsection
20 (b), the provisions of this joint resolution shall have no
21 force or effect.

22 (b) The matter after the resolving clause of the con-
23 current resolution described in this section shall state the
24 following: “Congress affirms that it makes sense for the
25 United States Government to rush ahead with

1 \$1,300,000,000,000 in new entitlement spending under
2 the Affordable Care Act even though our Nation is in the
3 middle of a debt crisis and Social Security and Medicare
4 are on the brink of bankruptcy.”.

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

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