

HJRES 68

Making continuing appropriations for the fiscal year 2006, and for other purposes.

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Economics and Public Finance

Introduced: Sep 27, 2005

Current Status: Became Public Law No: 109-77.

Latest Action: Became Public Law No: 109-77. (Sep 30, 2005)

Law: 109-77 (Enacted Sep 30, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-joint-resolution/68>

Sponsor

Name: Rep. Lewis, Jerry [R-CA-41]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Referred To	Sep 27, 2005
Budget Committee	House	Referred To	Sep 27, 2005

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
109 HJRES 97	Related bill	Sep 25, 2006: Referred to the House Committee on Appropriations.
109 HRES 469	Procedurally related	Sep 29, 2005: Motion to reconsider laid on the table Agreed to without objection.

(This measure has not been amended since it was introduced. The expanded summary of the House passed version is repeated here.)

Makes continuing appropriations for FY2006.

(Sec. 101) Appropriates amounts for continuing operations, projects or activities which were conducted in FY2005 and for which appropriations, funds, or other authority would be made available in the: (1) Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006; (2) Department of Defense Appropriations Act, 2006; (3) Energy and Water Development Appropriations Act, 2006; (4) Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (in the House of Representatives) or the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2006 (in the Senate); (5) Department of Homeland Security Appropriations Act, 2006; (6) Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006; (7) Military Quality of Life and Veterans Affairs Appropriations Act, 2006 (in the House) or the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2006 (in the Senate); (8) Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (in the House) or the Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2006 (in the Senate); and (9) Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (in the House) or the Transportation, Treasury, the Judiciary, Housing and Urban Development, and Related Agencies Appropriations Act, 2006 (in the Senate), and the District of Columbia Appropriations Act, 2006 (in the Senate).

Continues any project or activity under such Acts at the current rate for operations or the rate permitted by the House and Senate actions, whichever is lower, and under the authority and conditions provided in applicable appropriations Acts for FY2005 whenever the amount that would be made available or the authority that would be granted for such project or activity as passed by the House as of FY2006, is the same as the amount or authority that would be available or granted under the same or other pertinent Act as passed by the Senate as of such fiscal year.

Discontinues any project or activity if no amount or authority is made available or granted for it by the House and Senate actions.

States that, if such amount is different from the amount or authority that would be available or granted under the same or other pertinent Act as passed by the Senate as of such fiscal year, the project or activity under the appropriation, fund, or authority granted by the one House shall be continued but at the current rate of operations or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in applicable appropriations Acts for FY2005.

Provides that: (1) whenever the pertinent Act covering a project or activity has been passed by only the House as of FY2006, the project or activity shall be continued under the appropriation, fund, or authority granted by the House, at the current rate for operations or the rate permitted by the action of the House, whichever is lower, and under the authority and conditions provided in applicable appropriations Acts for FY2005; or (2) if the project or activity is funded in applicable appropriations Acts for FY2005 and not included in the pertinent Act of the House as of FY2006, the project or activity shall be continued under the appropriation, fund, or authority granted by applicable appropriations Acts for FY2005 at the current rate.

(Sec. 102) Prohibits appropriations or funds made available or authority granted under this joint resolution for the Department of Defense (DOD) to be used for: (1) new production of items not funded for production in FY2005 or prior years; (2) increase in production rates above those sustained with FY2005 funds; or (3) initiation, resumption, or continuation of any project, activity, operation, or organization for which appropriations, funds, or other authority were not available during FY2005.

Bars the use of DOD appropriations or funds made available or authority granted under this joint resolution to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

Authorizes the Secretary of Defense, however, following notification of the congressional defense committees, to initiate projects or activities required to be undertaken for force protection purposes using funds made available from the Iraq Freedom Fund.

(Sec. 106) Provides funding under this resolution until the earliest of: (1) enactment of an appropriation for any project or activity provided for in this joint resolution; (2) enactment of the applicable appropriations Act by both Houses without any provision for such project or activity; or (3) November 18, 2005.

(Sec. 114) Continues through the date specified in Sec. 106 certain activities for entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for FY2005, and for activities under the Food Stamp Act of 1977. Declares that, notwithstanding such date, funds shall be available and obligations for mandatory payments due on or about November 1 and December 1, 2005.

(Sec. 115) Declares that the provisions of, and amendments made by, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 regarding limitation on reserve affiliation bonuses, increases to servicemembers' group life insurance and military death gratuity, waiver of the prohibition on charges for meals for certain members of the Armed Forces, and reimbursement for travel for the family of certain servicemembers hospitalized in the United States, shall continue through the earlier of: (1) the date specified in Sec. 106 of this joint resolution; or (2) with respect to the Act, the date of enactment into law of legislation in it that supersedes the provisions of, or the amendments made by it.

(Sec. 116) Continues the authority of the President to grant a limited waiver of restrictions on the use of funds for threat reduction in states of the former Soviet Union: (1) through the date specified in Sec. 106 of this joint resolution; or (2) the date of enactment into law of a defense authorization Act for FY2006, whichever is earlier.

(Sec. 117) Provides that the prohibitions on the use of funds appropriated under the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 to provide assistance to any country whose duly elected head of government is deposed by military coup or decree, or to furnish assistance to any country in default in excess of a year on payments on a U.S. loan, shall not apply with respect to Pakistan through the date specified in Sec. 106 of this joint resolution.

(Sec. 118) Allows funds provided in this joint resolution for "Social Security Administration, Limitation on Administrative Expenses" to be used to complete the processing of appeals received before July 1, 2005, concerning Medicare+Choice benefits and beneficiary protections and Medicare determination and appeals under title XVIII (Medicare) the Social Security Act.

Authorizes the Commissioner of Social Security to enter into a reimbursable agreement with the Secretary of Health and

Human Services to process, during FY2006, appeals received after June 30, 2005, and before October 1, 2005.

(Sec. 119) Deems amounts obligated in FY2005 from funding provided in the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 for the Centers for Medicare and Medicaid Services and the Social Security Administration, for the start-up administrative costs of Medicare reform, to have been provided in an applicable appropriations Act for FY2005.

(Sec. 120) Provides amounts for "Department of Health and Human Services, Office of the Secretary, Medicare Appeals" at a rate for operations not exceeding the rate set forth for such account in title II of H.R. 3010 of the 109th Congress, as passed by the House.

(Sec. 121) Extends through FY2006 the funding available under the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 for the Centers for Medicare and Medicaid Services and the Social Security Administration for the start-up administrative costs of Medicare reform.

(Sec. 122) Continues through the date specified in Sec. 106: (1) the authority of the Secretary to provide grants to assist eligible entities in establishing certain programs for homeless veterans; (2) the Secretary's temporary, limited authority to use operation and maintenance (O&M) funds for military construction projects outside the United States; and (3) the extension from 180 to 365 days following the death of a member of the Armed Forces who dies while serving on active duty the period for the temporary continuation of the basic housing allowance for the member's dependents.

(Sec. 125) Allows funds appropriated by this joint resolution for the National Aeronautics and Space Administration to be obligated in the account and budget structure set forth in the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (in the House), or the Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2006 (in the Senate).

(Sec. 126) Authorizes funds appropriated in this joint resolution for "National Science Foundation, Research and Related Activities" to be used for Arctic and Antarctic icebreaking maintenance and operations.

(Sec. 127) Authorizes the District of Columbia to expend local funds for programs and activities under the heading "District of Columbia Funds" at the rate set forth under title V of H.R. 3058, 109th Congress, and in addition, funds under "District of Columbia Funds, Enterprise and Other Funds, Capital Outlay" as included in the Fiscal Year 2006 Proposed Budget and Financial Plan submitted to Congress by the District on June 6, 2005.

Amends the Emergency Wartime Supplemental Appropriations Act, 2003 to extend through the date specified in Sec. 106 of this joint resolution the authority of the Chief Financial Officer of the District of Columbia with respect to personnel, procurement, and the preparation of fiscal impact statements during a control period.

(Sec. 128) Continues the Interagency Council on the Homeless, established under the McKinney-Vento Homeless Assistance Act, through the earlier of: (1) the date specified in Sec. 106 of this joint resolution; or (2) the date of enactment into law of an authorization Act relating to the McKinney-Vento Homeless Assistance Act.

(Sec. 129) Provides amounts for "Department of Transportation, Federal Transit Administration, Administrative Expenses" at a rate for operations not exceeding the total of budgetary resources made available for obligation for FY2005.

(Sec. 130) Amends the Federal Financial Management Act of 1994 to continue through the date specified in Sec. 106 the franchise fund pilot project in each of six executive agencies to provide administrative support services, including

necessary capital equipment, automated data processing systems, and financial management and management information systems.

(Sec. 131) Declares that amounts made available by this joint resolution for DOD that are related to amounts provided for defense organization and management in the Department of Defense Appropriations Act, 2006, as passed by the House, or related to amounts designated as emergency requirements in previous defense appropriations Acts or supplemental appropriations Acts, are designated as appropriations for contingency operations related to the global war on terrorism pursuant to H.Con.Res. 95 (109th Congress), the concurrent resolution on the budget for FY2006. Limits such designated amounts to \$50 billion.

Actions Timeline

- **Sep 30, 2005:** Measure laid before Senate by unanimous consent. (consideration: CR S10773-10780)
- **Sep 30, 2005:** Passed/agreed to in Senate: Passed Senate without amendment by Voice Vote.
- **Sep 30, 2005:** Passed Senate without amendment by Voice Vote.
- **Sep 30, 2005:** Message on Senate action sent to the House.
- **Sep 30, 2005:** Cleared for White House.
- **Sep 30, 2005:** Presented to President.
- **Sep 30, 2005:** Signed by President.
- **Sep 30, 2005:** Became Public Law No: 109-77.
- **Sep 29, 2005:** Rule H. Res. 469 passed House.
- **Sep 29, 2005:** Considered under the provisions of rule H. Res. 469. (consideration: CR H8531-8535)
- **Sep 29, 2005:** Rule provides for consideration of H.J. Res. 68 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Pursuant to section 2, it shall be in order at any time on the legislative day of Thursday, October 6, 2005, for the Speaker to entertain motions to suspend the rules. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this resolution. Pursuant to section 3, a motion to proceed to section 2908 of the Defense Base Closure and Realignment Act of 1990 shall be in order only if offered by the Majority Leader or his designee Measure will be considered read. Bill is closed to amendments.
- **Sep 29, 2005:** DEBATE - The House proceeded with one hour of debate on H.J. Res. 68.
- **Sep 29, 2005:** The previous question was ordered pursuant to the rule. (consideration: CR H8534)
- **Sep 29, 2005:** Mr. Obey moved to recommit with instructions to Appropriations. (consideration: CR H8534-8535; text: CR H8534)
- **Sep 29, 2005:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Obey motion to recommit with instructions, pending reservation of a point of order by Mr. Lewis of California.
- **Sep 29, 2005:** Mr. Lewis (CA) raised a point of order against the motion to recommit with instructions. The provisions of the instructions in the motion to recommit exceed the scope of the joint resolution.
- **Sep 29, 2005:** Point of order conceded and sustained against the motion to recommit with instructions.
- **Sep 29, 2005:** POSTPONED PROCEEDINGS - Following disposition of the motion to recommit with instructions, the Chair put the question on adoption of the joint resolution and by voice vote, announced that the ayes had prevailed. Mr. Obey demanded the Yeas and Nays and the Chair postponed further proceedings on the question of adoption of H.J. Res. 68 until later in the legislative day.
- **Sep 29, 2005:** Considered as unfinished business. (consideration: CR H8584)
- **Sep 29, 2005:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 348 - 65 (Roll no. 507).(text: CR H8531-8532)
- **Sep 29, 2005:** On passage Passed by the Yeas and Nays: 348 - 65 (Roll no. 507). (text: CR H8531-8532)
- **Sep 29, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 29, 2005:** Received in the Senate, read twice.
- **Sep 28, 2005:** Rules Committee Resolution H. Res. 469 Reported to House. Rule provides for consideration of H.J. Res. 68 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Pursuant to section 2, it shall be in order at any time on the legislative day of Thursday, October 6, 2005, for the Speaker to entertain motions to suspend the rules. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this resolution. Pursuant to section 3, a motion to proceed to section 2908 of the Defense Base Closure and Realignment Act of 1990 shall be in order only if offered by the Majority Leader or his designee Measure will be considered read. Bill is closed to amendments.
- **Sep 27, 2005:** Introduced in House
- **Sep 27, 2005:** 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.

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