

## HJRES 117

Continuing Appropriations Resolution, 2013

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Economics and Public Finance

**Introduced:** Sep 10, 2012

**Current Status:** Became Public Law No: 112-175.

**Latest Action:** Became Public Law No: 112-175. (Sep 28, 2012)

**Law:** 112-175 (Enacted Sep 28, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-joint-resolution/117>

### Sponsor

**Name:** Rep. Rogers, Harold [R-KY-5]

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

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Referred To	Sep 10, 2012
Budget Committee	House	Referred To	Sep 10, 2012

### Subjects & Policy Tags

#### Policy Area:

Economics and Public Finance

### Related Bills

Bill	Relationship	Last Action
<a href="#">112 HRES 778</a>	Related bill	<b>Sep 13, 2012:</b> Motion to reconsider laid on the table Agreed to without objection.

**(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)**

Continuing Appropriations Resolution, 2013 - Makes continuing appropriations for FY2013.

(Sec. 101) Appropriates amounts for continuing operations, projects, or activities which were conducted in FY2012 and for which appropriations, funds, or other authority were made available in:

- the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012 (division A of P.L. 112-55), except for appropriations designated by Congress for disaster relief in such Act
- the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (division B of P.L. 112-55), except for appropriations designated by Congress for disaster relief under the heading "Department of Commerce--Economic Development Administration--Economic Development Assistance Programs" in such Act;
- the Department of Defense Appropriations Act, 2012 (division A of P.L. 112-74);
- the Energy and Water Development and Related Agencies Appropriations Act, 2012 (division B of P.L. 112-74);
- the Financial Services and General Government Appropriations Act, 2012 (division C of P.L. 112-74);
- the Department of Homeland Security Appropriations Act, 2012 (division D of P.L. 112-74);
- the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of P.L. 112-74);
- the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012 (division F of P.L. 112-74);
- the Legislative Branch Appropriations Act, 2012 (division G of P.L. 112-74);
- the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012 (division H of P.L. 112-74);
- the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of P.L. 112-74);
- the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (except for appropriations designated by Congress for disaster relief under the heading "Department of Transportation--Federal Highway Administration--Emergency Relief" in such Act; and
- the Disaster Relief Appropriations Act, 2012 (P.L. 112-77), except for appropriations under the heading "Corps of Engineers-Civil."

Increases by 0.612% the rate for operations under such Acts.

Continues any project or activity in the Overseas Contingency Operations/Global War on Terrorism (OCO/GWOT) at a rate for operations that would be permitted by the amount in the President's FY2013 budget request (but without the 0.612% increase made for the listed Acts).

(Sec. 102) Bars the use of DOD appropriations or funds made available or authority granted in this joint resolution for: (1) the new production of items not funded for production in FY2012 or prior years; (2) the increase in production rates above those sustained with FY2012 funds; (3) the initiation, resumption, or continuation of specified projects, activities, or operations for which appropriations, funds, or other authority were not available during FY2012; or (4) the initiation of multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

(Sec. 106) Provides funding under this joint resolution until whichever of the following first occurs: (1) enactment of an appropriation for any project or activity provided for in it; (2) enactment of the applicable appropriations Act for FY2013 without any provision for such project or activity; or (3) March 27, 2013.

(Sec. 109) Prohibits high initial rates of operation or complete distribution of appropriations at the beginning of FY2013 for those programs that would otherwise have them because of distributions of funding to states, foreign countries, grantees, or others. Prohibits also the awarding of grants for any programs funded by this joint resolution that would impinge on final funding prerogatives.

(Sec. 110) This joint resolution shall be implemented so that only the most limited funding action permitted shall be taken in order to provide for continuation of projects and activities.

(Sec. 111) Continues funding through March 27, 2013, at the FY2012 level for entitlements and other mandatory payments whose budget authority was provided in FY2012 appropriations Acts, as well as for activities under the Food and Nutrition Act of 2008.

(Sec. 112) Authorizes amounts made available under this joint resolution for civilian personnel compensation and benefits in each department and agency to be apportioned up to the rate for operations necessary to avoid furloughs, consistent with the applicable FY2012 appropriations Act. Prohibits use of this authority until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

(Sec. 114) Amends the Continuing Appropriations and Surface Transportation Extensions Act, 2011 to extend through March 27, 2013, the mandatory freeze on the pay of certain federal civilian employees.

Declares that any statutory pay adjustment otherwise scheduled to take effect during FY2013 but before March 27, 2013, may take effect on the first day of the first applicable pay period beginning after that date.

(Sec. 115) Continues designation of each amount incorporated by reference in this joint resolution that was previously designated by Congress for OCO/GWOT or for disaster relief, respectively. Allows such funds to be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and notifies Congress.

Provides additional new budget authority from amounts made available under this joint resolution for the Social Security Administration (SSA) for continuing disability reviews and redeterminations.

(Sec. 116) Requires specified federal departments and agencies to report to the congressional appropriations committees, for the period through March 27, 2013, on their spending, expenditure, or operating plans, including updates to reflect any adjustments to funding as a result of a sequestration ordered by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings Act) and any extension of continuing appropriations beyond March 27, 2013.

(Sec. 117) Requires the Director of the Office of Management and Budget (OMB), starting November 1, 2012, to report monthly to the congressional appropriations committees on all obligations incurred by each department and agency through March 27, 2013.

(Sec. 118) Waives application to this joint resolution of the limitation placed, until October 1, 2012, on the use of funds for the fresh fruit and vegetable program under the Richard B. Russell National School Lunch Act.

(Sec. 119) Provides funding from amounts provided for the "Department of Agriculture--Domestic Food Programs--Food

and Nutrition Service--Commodity Assistance Program" at a specified rate for operations, with a specified allocation for the Commodity Supplemental Food Program.

(Sec. 120) Allows amounts made available for the Department of Commerce--National Oceanic and Atmospheric Administration (NOAA)--Procurement, Acquisition and Construction to be apportioned up to the rate for operations necessary to maintain the planned launch schedules for the Joint Polar Satellite System and the Geostationary Operational Environmental Satellite system. Requires the Director of OMB to report to the congressional appropriations committees a plan to maintain the launch schedules and life cycle cost estimates established in FY2012 for such satellite systems and options for reducing costs, including management costs.

(Sec. 121) Prohibits the use of appropriation or funds made available or authority granted for DOD, through the earlier of March 27, 2013 or enactment of an Act authorizing appropriations for FY2013 for DOD military activities, to: (1) retire, divest, realign, or transfer aircraft of the Air Force; (2) disestablish or convert any unit associated with such aircraft or any unit of the Air National Guard or Air Force Reserve; or (3) retire C-23 Sherpa aircraft.

(Sec. 122) Continues, through such alternative dates, the DOD Secretary's authority, in the case of a product or service to be acquired in support of military or stability operations in Afghanistan, to conduct a procurement in which: (1) competition is limited to products or services from one or more countries along a major supply route to Afghanistan, and (2) a preference is provided for those products or services.

(Sec. 123) Continues, through such alternative dates, the DOD Secretary's authority to provide specified defense-wide operation and maintenance funds for assistance to local educational agencies that experience significant increases or decreases in average daily attendance of military dependent students due to military force structure changes, the relocation of military forces from one base to another, and base closures and realignments.

(Sec. 124) Authorizes the DOD Secretary to transfer an amount designated for OCO/GWOT made available by this joint resolution between DOD appropriations, to be merged with and to be available for the same purposes, and the same time period, as the appropriation or fund to which it is transferred.

(Sec. 125) Provides amounts for the Department of Energy--National Nuclear Security Administration--Weapons Activities at a specified rate of operations.

(Sec. 126) Provides additional funding for domestic uranium enrichment research, development, and demonstration at a specified rate for operations.

(Sec. 127) Extends through March 27, 2013, specified federal law relating to Appalachian regional development.

(Sec. 128) Authorizes the District of Columbia to expend local funds for certain programs and activities.

(Sec. 129) Provides funding for "District of Columbia--Federal Funds--Federal Payment for Emergency Planning and Security Costs in the District of Columbia" at a specified rate for operations. Allocates funding for costs associated with the Presidential Inauguration.

(Sec. 130) Provides funding for "General Services Administration (GSA)--Expenses, Presidential Transition" for necessary expenses at a specified rate for operations.

(Sec. 131) Provides funding for "Executive Office of the President--Office of Administration--Presidential Transition Administrative Support" for necessary expenses at a specified rate for operations.

Allows such funds to be transferred to other accounts in this joint resolution or any other Act that provide funding for offices within the Executive Office of the President and the Office of the Vice President to carry out the Presidential Transition Act of 1963.

(Sec. 132) Amends the Consolidated Appropriations Act, 2012 (CAA, 2012) to raise the limit on proceeds from the use of a competitive bidding system that may be retained and made available for obligation for FY2012 out of funds made available for the Federal Communications Commission (FCC) for salaries and expenses.

(Sec. 133) Allows the use of amounts made available by this joint resolution for "Department of the Treasury--Departmental Offices--Salaries and Expenses" and for "Department of the Treasury--Office of Inspector General--Salaries and Expenses" for certain activities in connection with the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012.

(Sec. 134) Provides funding for the Office of Government Ethics for salaries and expenses at a specified rate for operations. Allocates funding for development and deployment of the centralized, publicly accessible database required in the Stop Trading on Congressional Knowledge Act of 2012 (STOCK Act).

(Sec. 135) Provides funding for "Small Business Administration (SBA)--Business Loans Program Account" for the cost of guaranteed loans at a specified rate for operations.

(Sec. 136) Requires amounts made available by this joint resolution for "Department of Homeland Security (DHS)--U.S. Customs and Border Protection (CBP)--Salaries and Expenses" to be obligated at the rate for operations necessary to maintain the staffing levels (including by backfilling vacant positions) of Border Patrol agents, CBP officers, and Air and Marine interdiction agents in effect at the end of the fourth quarter of FY2012, or, with respect to Border Patrol agents, at such greater levels as may otherwise be required in the CAA, 2012 under such heading.

Requires the CBP Commissioner to submit to the congressional appropriations committees a detailed expenditure plan for CBP salaries and expenses at the program, project, and activity level that specifies how the Commissioner will maintain such staffing levels through March 27, 2013.

(Sec. 137) Provides funding for "DHS--National Protection and Programs Directorate--Infrastructure Protection and Information Security" at a specified rate for operations. Allocates funds for Network Security Deployment and for Federal Network Security that may be obligated at a rate for operations necessary to establish and sustain essential cybersecurity activities, including procurement and operations of continuous monitoring and diagnostics systems and intrusion detection systems for civilian federal computer networks.

Requires DHS to submit to congressional appropriations committees an expenditure plan for such essential cybersecurity activities through March 27, 2013.

(Sec. 138) Continues through March 27, 2013, the Secret Service's authority granted by the Department of Homeland Security Appropriations Act, 2007 to use certain funds (including the proceeds of undercover investigative operations) for such operations.

(Sec. 139) Continues through March 27, 2013, the requirement that the DHS Secretary issue interim final regulations establishing risk-based performance standards for the security of chemical facilities and requiring vulnerability assessments and the development and implementation of site security plans for chemical facilities that meet specified requirements.

(Sec. 140) Provides funding for the "Department of the Interior--Department-wide Programs--Wildland Fire Management" and the "Department of Agriculture--Forest Service--Wildland Fire Management" at specified rates for operations. Appropriates additional funding for FY2013 for such purposes, to remain available until expended, for repayment to other appropriations accounts from which funds were transferred in FY2012 for wildfire suppression.

(Sec. 142) Amends the Surface Mining Control and Reclamation Act of 1977 to revise requirements regarding the mandatory reallocation for grants to uncertified states and Indian tribes of the annual installment payments from collected coal mining reclamation fees to states and Indian tribes that have a certified and approved abandoned mine reclamation program. Specifies that only the annual amount allocated to any state or Indian tribe whose coal reclamation program has been certified as completed shall be reallocated for grants to uncertified states and Indian tribes to complete their reclamation programs.

(Sec. 143) Continues through March 27, 2013, the Secretary of Agriculture's authority to implement a pilot program to enhance Forest Service administration of rights-of-way and other land uses.

(Sec. 144) Continues through March 27, 2013, requirements and/or authority under the Federal Insecticide, Fungicide, and Rodenticide Act regarding: (1) adjustment of annual maintenance fees payable for each pesticide registration, (2) review and evaluation of inert ingredients of pesticides in registration applications, (3) Environmental Protection Agency (EPA) use of certain amounts in the Pesticide Registration Fund to enhance scientific and regulatory activities relating to worker protection, and (4) exemption of a public health pesticide from payment of the maintenance fee if its economic return to the registrant from sales does not support its registration or reregistration.

Extends through March 27, 2013: (1) EPA authority to collect pesticide registration service fees, and (2) the prohibition against collection of certain tolerance fees for pesticide chemical residue in or on food.

(Sec. 145) Extends through the 2013-2014 academic year the definition of a "highly qualified teacher" that includes any teacher who participates in an alternative route to certification program meeting specified requirements

Requires the Secretary of Education, by December 31, 2013, to report to specified congressional committees on the extent to which students in the following categories are taught by teachers deemed highly qualified according to the requirements for participation in an alternative route to certification: (1) students with disabilities, (2) English learners, (3) students in rural areas, and (4) students from low-income families.

(Sec. 146) Applies to funds made available under this joint resolution for FY2013 the treatment of funds for low-income home energy assistance payments for FY2012 under the CAA, 2012 which requires that all but a specified portion of such funds be allocated as though the total appropriation for such payments for FY2012 was less than \$1.975 million.

(Sec. 147) Provides funding for "Department of Health and Human Services (HHS)--Administration for Children and Families--Refugee and Entrant Assistance" at a specified rate for operations. Allows obligation of such amounts up to a rate for operations necessary to maintain program operations at the FY2012 level to accommodate increased demand.

(Sec. 148) Extends through March 27, 2013, activities authorized by part A (Temporary Assistance for Needy Families) (TANF) of title IV of the Social Security Act (SSA) in the manner authorized for FY2012. Makes appropriations for such purpose. Authorizes grants and payments to be made on a quarterly basis through the second quarter of FY2013 at the level provided for them for the corresponding quarter of FY2012.

(Sec. 149) Makes appropriations for payment to the heirs at law of Donald M. Payne, a former Representative from New

Jersey.

(Sec. 150) Provides funding for "Department of Veterans Affairs (VA)--Departmental Administration--General Operating Expenses, Veterans Benefits Administration" at a specified rate for operations.

(Sec. 151) Continues through March 27, 2013, the DOD Secretary's authority to maintain a regional office in the Republic of the Philippines.

(Sec. 152) Makes inapplicable to amounts made available by this joint resolution certain requirements of the Consolidated and Further Continuing Appropriations Act, 2012 regarding FY2012 distributions from the obligation limitation for federal-aid highways.

Extends through March 27, 2013, the general limitation on obligations for federal-aid highway and highway safety constructions programs for FY2013. Decreases the current amount. Excludes, through such date, obligations under or for the equity bonus program as if the current limitation applicable through FY2011 applied through FY2012.

(Sec. 153) Requires amounts made available by this joint resolution for the "Department of Transportation (DOT)--National Highway Traffic Safety Administration (NHTSA)--Highway Traffic Safety Grants" to be treated as though subject to certain appropriations limitations under the Moving Ahead for Progress in the 21st Century Act (MAP-21).

(Sec. 154) Applies specified treatment to the use of amounts made available by this joint resolution under the heading "DOT--Federal Transit Administration--Formula and Bus Grants" for payment of obligations incurred in carrying out general and intermodal transportation programs.

(Sec. 155) Extends through March 27, 2013, the deadline for the Washington Metropolitan Area Transit Authority (WMATA, or Metro) to ensure that Metrorail customers have access within the system to services provided by any licensed wireless provider that notifies WMATA of its intent to offer service to the public throughout the entire rail system. (Metro is required to ensure such access or lose DOT funds to finance capital and preventive maintenance projects in the Capital Improvement Program.)

## Actions Timeline

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- **Sep 28, 2012:** Signed by President.
- **Sep 28, 2012:** Became Public Law No: 112-175.
- **Sep 25, 2012:** Presented to President.
- **Sep 24, 2012:** Message on Senate action sent to the House.
- **Sep 22, 2012:** Cloture on the joint resolution invoked in Senate by Yea-Nay Vote. 62 - 30. Record Vote Number: 198. (consideration: CR 9/21/2012 S6603-6604; text: CR 9/21/2012 S6603)
- **Sep 22, 2012:** Considered by Senate. (consideration: CR 9/21/2012 S6604)
- **Sep 22, 2012:** Motion by Senator Reid to commit to Senate Committee on Appropriations with instructions to report back forthwith with amendment SA 2846 fell when cloture was invoked on H.J. Res. 117 in Senate.
- **Sep 22, 2012:** Passed/agreed to in Senate: Passed Senate without amendment by Yea-Nay Vote. 62 - 30. Record Vote Number: 199.
- **Sep 22, 2012:** Passed Senate without amendment by Yea-Nay Vote. 62 - 30. Record Vote Number: 199.
- **Sep 20, 2012:** Motion to proceed to measure considered in Senate. (consideration: CR S6500-6501)
- **Sep 20, 2012:** Motion to proceed to consideration of measure agreed to in Senate by Yea-Nay Vote. 67 - 31. Record Vote Number: 195. (consideration: CR S6500-6501)
- **Sep 20, 2012:** Measure laid before Senate by unanimous consent. (consideration: CR S6501-6502)
- **Sep 20, 2012:** Cloture motion on the joint resolution presented in Senate. (consideration: CR S6501-6502; text: CR S6501-6502)
- **Sep 20, 2012:** Motion by Senator Reid to commit to Senate Committee on Appropriations with instructions to report back forthwith with amendment SA 2846 made in Senate. (consideration: CR S6502)
- **Sep 19, 2012:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 511 pursuant to the order of September 13, 2012.
- **Sep 19, 2012:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S6405-6422)
- **Sep 19, 2012:** Cloture motion on the motion to proceed to the joint resolution presented in Senate. (consideration: CR S6405; text: CR S6405)
- **Sep 19, 2012:** Cloture on the motion to proceed to the joint resolution invoked in Senate by Yea-Nay Vote. 76 - 22. Record Vote Number: 194. (consideration: CR S6405; text: CR S6405)
- **Sep 13, 2012:** Considered under the provisions of rule H. Res. 778. (consideration: CR H5949-5956)
- **Sep 13, 2012:** The rule provides for consideration of H.J. Res. 117 and H.R. 6365, under a closed rule for both measures. Each are debatable for one hour. In both cases all points of order against provisions in the measure are waived, and in each case, one motion to recommit, with or without instructions is made in order.
- **Sep 13, 2012:** DEBATE - The House proceeded with one hour of debate on H.J. Res. 117.
- **Sep 13, 2012:** The previous question was ordered pursuant to the rule. (consideration: CR H5956)
- **Sep 13, 2012:** POSTPONED PROCEEDINGS - Pursuant to clause 1(c) Rule 19, the Chair postponed further proceedings on H.J. Res. 117 until later in the legislative day.
- **Sep 13, 2012:** Considered as unfinished business. (consideration: CR H5969-5972)
- **Sep 13, 2012:** Mr. Barber moved to recommit with instructions to Appropriations. (consideration: CR H5969-5971; text: CR H5969-5970)
- **Sep 13, 2012:** DEBATE - The House proceeded with 10 minutes of debate on the Barber motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment adding language to the bill extending funding for various military accounts until September 30, 2013.
- **Sep 13, 2012:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H5971)
- **Sep 13, 2012:** On motion to recommit with instructions Failed by recorded vote: 189 - 232 (Roll no. 578).
- **Sep 13, 2012:** Passed/agreed to in House: On passage Passed by recorded vote: 329 - 91 (Roll no. 579).(text: CR H5949-5953)
- **Sep 13, 2012:** On passage Passed by recorded vote: 329 - 91 (Roll no. 579). (text: CR H5949-5953)
- **Sep 13, 2012:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 10, 2012:** Introduced in House
- **Sep 10, 2012:** 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.