

104TH CONGRESS  
2D SESSION

# S. J. RES. 46

Making further continuing appropriations for the fiscal year 1996 for the operations of the Passport Office of the Department of State.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 4 (legislative day, JANUARY 3), 1996

Mr. MOYNIHAN introduced the following joint resolution; which was read twice and referred to the Committee on Appropriations

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# JOINT RESOLUTION

Making further continuing appropriations for the fiscal year 1996 for the operations of the Passport Office of the Department of State.

- 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        for the Passport Office of the Bureau of Consular Affairs,
- 6        Department of State, for the fiscal year 1996:
- 7            SECTION 1. (a) Such amounts as may be necessary
- 8        under the authority and conditions provided in the De-
- 9        partments of Commerce, Justice, and State, the Judiciary,
- 10        and Related Agencies Appropriations Act, 1996, as passed

1 by the Congress, notwithstanding section 15 of the State  
2 Department Basic Authorities Act of 1956, for continuing  
3 activities of the Passport Office which were conducted in  
4 the fiscal year 1995 and for which appropriations, funds,  
5 or other authority would be available in that appropria-  
6 tions Act: *Provided*, That whenever the amount which  
7 would be made available or the authority which would be  
8 granted in that Act is greater than that which would be  
9 available or granted under current operations, the perti-  
10 nent activity shall be continued at a rate for operations  
11 not exceeding the current rate.

12 (b) Whenever the amount which would be made avail-  
13 able or the authority which would be granted under the  
14 Act listed in this section as passed by the House as of  
15 the date of enactment of this joint resolution is different  
16 from that which would be available or granted under such  
17 Act as passed by the Senate as of the date of enactment  
18 of this joint resolution, the pertinent activity shall be con-  
19 tinued at a rate for operations not exceeding the current  
20 rate or the rate permitted by the action of the House or  
21 the Senate, whichever is lower, under the authority and  
22 conditions provided in the applicable appropriations Act  
23 for the fiscal year 1995: *Provided*, That where an item  
24 is not included in either version or where an item is in-  
25 cluded in only one version of the Act as passed by both

1 Houses as of the date of enactment of this joint resolution,  
2 the pertinent activity shall not be continued except as pro-  
3 vided for in this section or section 2 under the appropria-  
4 tion, fund, or authority granted by the applicable appro-  
5 priations Act for the fiscal year 1995 and under the au-  
6 thority and conditions provided in the applicable appro-  
7 priations Act for the fiscal year 1995.

8 (c) Whenever the Act listed in this section has been  
9 passed by only the House or only the Senate as of the  
10 date of enactment of this joint resolution, the pertinent  
11 activity shall be continued under the appropriation, fund,  
12 or authority granted by the one House at a rate for oper-  
13 ations not exceeding the current rate or the rate permitted  
14 by the action of the one House, whichever is lower, and  
15 under the authority and conditions provided in the appli-  
16 cable appropriations Act for the fiscal year 1995: *Pro-*  
17 *vided*, That where an item is funded in the applicable ap-  
18 propriations Act for the fiscal year 1995 and not included  
19 in the version passed by the one House as of the date  
20 of enactment of this joint resolution, the pertinent activity  
21 shall not be continued except as provided for in section  
22 1 or 2 under the appropriation, fund, or authority granted  
23 by the applicable appropriations Act for the fiscal year  
24 1995 and under the authority and conditions provided in  
25 the applicable appropriations Act for the fiscal year 1995.

1        SEC. 2. Appropriations made by section 1 shall be  
2 available to the extent and in the manner which would be  
3 provided by the pertinent appropriations Act.

4        SEC. 3. No appropriation or funds made available or  
5 authority granted pursuant to section 1 shall be used to  
6 initiate or resume any activity for which appropriations,  
7 funds, or other authority were not available during the fis-  
8 cal year 1995.

9        SEC. 4. No provision which is included in an appro-  
10 priations Act enumerated in section 1 but which was not  
11 included in the applicable appropriations Act for fiscal  
12 year 1995 and which by its terms is applicable to more  
13 than one appropriation, fund, or authority shall be appli-  
14 cable to any appropriation, fund, or authority provided in  
15 this joint resolution.

16       SEC. 5. Unless otherwise provided for in this joint  
17 resolution or in the applicable appropriations Act, appro-  
18 priations and funds made available and authority granted  
19 pursuant to this joint resolution shall be available until  
20 (a) enactment into law of an appropriation for any activity  
21 provided for in this joint resolution, or (b) the enactment  
22 into law of the applicable appropriations Act by both  
23 Houses without any provision for such activity, whichever  
24 first occurs.

1        SEC. 6. Appropriations made and authority granted  
2 pursuant to this joint resolution shall cover all obligations  
3 or expenditures incurred for any activity during the period  
4 for which funds or authority for such activity are available  
5 under this joint resolution.

6        SEC. 7. Expenditures made pursuant to this joint res-  
7 olution shall be charged to the applicable appropriation,  
8 fund, or authorization whenever a bill in which such appli-  
9 cable appropriation, fund, or authorization is contained is  
10 enacted into law.

11       SEC. 8. Appropriations and funds made available by  
12 or authority granted pursuant to this joint resolution may  
13 be used without regard to the time limitations for submis-  
14 sion and approval of apportionments set forth in section  
15 1513 of title 31, United States Code, but nothing herein  
16 shall be construed to waive any other provision of law gov-  
17 erning the apportionment of funds.

18       SEC. 9. Notwithstanding any other provision of this  
19 joint resolution, except section 5, whenever the Act listed  
20 in section 1 as passed by both the House and Senate as  
21 of the date of enactment of this joint resolution, does not  
22 include funding for an ongoing activity for which there is  
23 a budget request, or whenever an Act listed in section 1  
24 has been passed by only the House or only the Senate  
25 as of the date of enactment of this joint resolution, and

1 an item funded in fiscal year 1995 is not included in the  
2 version passed by the one House, or whenever the rate  
3 for operations for an ongoing activity provided by section  
4 1 for which there is a budget request would result in the  
5 activity being significantly reduced, the pertinent activity  
6 may be continued under the authority and conditions pro-  
7 vided in the applicable appropriations Act for the fiscal  
8 year 1995 by increasing the rate for operations provided  
9 by section 1 to a rate for operations not to exceed one  
10 that provides the minimal level that would enable existing  
11 activities to continue. No new contracts or grants shall  
12 be awarded in excess of an amount that bears the same  
13 ratio to the rate for operations provided by this section  
14 as the number of days covered by this resolution bears  
15 to 366. For the purposes of the Act, the minimal level  
16 means a rate for operations that is reduced from the cur-  
17 rent rate by 25 percent.

18 SEC. 10. Notwithstanding any other provision of this  
19 joint resolution, except section 5, whenever the rate for  
20 operations for any continuing activity provided by section  
21 1 or section 9 for which there is a budget request would  
22 result in a furlough of Government employees, that rate  
23 for operations may be increased to the minimum level that  
24 would enable the furlough to be avoided. No new contracts  
25 or grants shall be awarded in excess of an amount that

1 bears the same ratio to the rate for operations provided  
2 by this section as the number of days covered by this reso-  
3 lution bears to 366.

4 SEC. 11. This joint resolution shall be implemented  
5 so that only the most limited funding action of that per-  
6 mitted in the resolution shall be taken in order to provide  
7 for the continuation of activities of the Passport Office.

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