

In the Senate of the United States,

September 27, 2013.

Resolved, That the resolution from the House of Representatives (H.J. Res. 59) entitled “Joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.”, do pass with the following

AMENDMENT:

Strike all after the first word and insert the following:

1 *the following sums are hereby appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, and out*
3 *of applicable corporate or other revenues, receipts, and*
4 *funds, for the several departments, agencies, corporations,*
5 *and other organizational units of Government for fiscal*
6 *year 2014, and for other purposes, namely:*
7 *SEC. 101. (a) Such amounts as may be necessary, at*
8 *a rate for operations as provided in the applicable appro-*
9 *priations Acts for fiscal year 2013 and under the authority*
10 *and conditions provided in such Acts, for continuing*

1 *projects or activities (including the costs of direct loans and*
 2 *loan guarantees) that are not otherwise specifically pro-*
 3 *vided for in this joint resolution, that were conducted in*
 4 *fiscal year 2013, and for which appropriations, funds, or*
 5 *other authority were made available in the following appro-*
 6 *priations Acts:*

7 (1) *The Agriculture, Rural Development, Food*
 8 *and Drug Administration, and Related Agencies Ap-*
 9 *propriations Act, 2013 (division A of Public Law*
 10 *113–6), except section 735.*

11 (2) *The Commerce, Justice, Science, and Related*
 12 *Agencies Appropriations Act, 2013 (division B of*
 13 *Public Law 113–6).*

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

16 (4) *The Department of Homeland Security Ap-*
 17 *propriations Act, 2013 (division D of Public Law*
 18 *113–6).*

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

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

24 (b) *The rate for operations provided by subsection (a)*
 25 *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 produc-*
 18 *tion of items not funded for production in fiscal year 2013*
 19 *or prior years; (2) the increase in production rates above*
 20 *those sustained with fiscal year 2013 funds; or (3) the initi-*
 21 *ation, resumption, or continuation of any project, activity,*
 22 *operation, or organization (defined as any project, sub-*
 23 *project, activity, budget activity, program element, and sub-*
 24 *program within a program element, and for any investment*
 25 *items defined as a P–1 line item in a budget activity within*

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

6 (b) No appropriation or funds made available or au-
7 thority granted pursuant to section 101 for the Department
8 of Defense shall be used to initiate multi-year procurements
9 utilizing advance procurement funding for economic order
10 quantity procurement unless specifically appropriated
11 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 102,
16 no appropriation or funds made available or authority
17 granted pursuant to section 101 shall be used to initiate
18 or resume any project or activity for which appropriations,
19 funds, or other authority were not available during fiscal
20 year 2013.

21 SEC. 105. Appropriations made and authority granted
22 pursuant to this joint resolution shall cover all obligations
23 or expenditures incurred for any project or activity during
24 the period for which funds or authority for such project or
25 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 be*
5 *available until whichever of the following first occurs: (1)*
6 *the enactment into law of an appropriation for any project*
7 *or activity provided for in this joint resolution; (2) the en-*
8 *actment into law of the applicable appropriations Act for*
9 *fiscal year 2014 without any provision for such project or*
10 *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 avail-*
17 *able by or authority granted pursuant to this joint resolu-*
18 *tion may be used without regard to the time limitations*
19 *for submission and approval of apportionments set forth in*
20 *section 1513 of title 31, United States Code, but nothing*
21 *in this joint resolution may be construed to waive any other*
22 *provision of law governing the apportionment of funds.*

23 *SEC. 109. Notwithstanding any other provision of this*
24 *joint resolution, except section 106, for those programs that*
25 *would otherwise have high initial rates of operation or com-*

1 plete distribution of appropriations at the beginning of fis-
 2 cal year 2014 because of distributions of funding to States,
 3 foreign countries, grantees, or others, such high initial rates
 4 of operation or complete distribution shall not be made, and
 5 no grants shall be awarded for such programs funded by
 6 this joint resolution that would impinge on final funding
 7 prerogatives.

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

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

20 *(b) Notwithstanding section 106, obligations for man-*
 21 *datory payments due on or about the first day of any month*
 22 *that begins after October 2013 but not later than 30 days*
 23 *after the date specified in section 106(3) may continue to*
 24 *be made, and funds shall be available for such payments.*

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

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

19 *SEC. 114. (a) Each amount incorporated by reference*
 20 *in this joint resolution that was previously designated by*
 21 *the Congress for Overseas Contingency Operations/Global*
 22 *War on Terrorism pursuant to section 251(b)(2)(A) of the*
 23 *Balanced Budget and Emergency Deficit Control Act of*
 24 *1985 or as being for disaster relief pursuant to section*
 25 *251(b)(2)(D) of such Act is designated by the Congress for*

1 *Overseas Contingency Operations/Global War on Terrorism*
 2 *pursuant to section 251(b)(2)(A) of such Act or as being*
 3 *for disaster relief pursuant to section 251(b)(2)(D) of such*
 4 *Act, respectively.*

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

16 (c) *Section 5 of Public Law 113–6 shall apply to*
 17 *amounts designated in subsection (a) for Overseas Contin-*
 18 *gency Operations/Global War on Terrorism.*

19 SEC. 115. *Section 3003 of division G of Public Law*
 20 *113–6 shall be applied to funds appropriated by this joint*
 21 *resolution by substituting “fiscal year 2014” for “fiscal*
 22 *year 2013” each place it appears.*

23 SEC. 116. *Section 408 of the Food for Peace Act (7*
 24 *U.S.C. 1736b) shall be applied by substituting the date spec-*

1 ified in section 106(3) of this joint resolution for “December
2 31, 2012”.

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

10 *SEC. 118. The authority provided by sections 1205 and*
11 *1206 of the National Defense Authorization Act for Fiscal*
12 *Year 2012 (Public Law 112–81) shall continue in effect,*
13 *notwithstanding subsection (h) of section 1206, through the*
14 *earlier of the date specified in section 106(3) of this joint*
15 *resolution or the date of the enactment of an Act author-*
16 *izing appropriations for fiscal year 2014 for military ac-*
17 *tivities of the Department of Defense.*

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

22 *SEC. 120. Notwithstanding any other provision of this*
23 *joint resolution, except section 106, the District of Columbia*
24 *may expend local funds under the heading “District of Co-*
25 *lumbia Funds” for such programs and activities under title*

1 *IV of H.R. 2786 (113th Congress), as reported by the Com-*
 2 *mittee on Appropriations of the House of Representatives,*
 3 *at the rate set forth under “District of Columbia Funds—*
 4 *Summary of Expenses” as included in the Fiscal Year 2014*
 5 *Budget Request Act of 2013 (D.C. Act 20–127), as modified*
 6 *as of the date of the enactment of this joint resolution.*

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

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

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

18 *SEC. 124. The authority provided by section 831 of*
 19 *the Homeland Security Act of 2002 (6 U.S.C. 391) shall*
 20 *continue in effect through the date specified in section*
 21 *106(3) of this joint resolution.*

22 *SEC. 125. (a) Any amounts made available pursuant*
 23 *to section 101 for “Department of Homeland Security—*
 24 *U.S. Customs and Border Protection—Salaries and Ex-*
 25 *penses”, “Department of Homeland Security—U.S. Cus-*

1 *toms and Border Protection—Border Security Fencing, In-*
 2 *frastructure, and Technology”, and “Department of Home-*
 3 *land Security—U.S. Immigration and Customs Enforce-*
 4 *ment—Salaries and Expenses” shall be obligated at a rate*
 5 *for operations as necessary to respectively—*

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

13 (2) *sustain border security operations, including*
 14 *sustaining the operation of Tethered Aerostat Radar*
 15 *Systems; and*

16 (3) *sustain the staffing levels of U.S. Immigra-*
 17 *tion and Customs Enforcement agents, equivalent to*
 18 *the staffing levels achieved on September 30, 2013,*
 19 *and comply with the sixth proviso under the heading*
 20 *“Department of Homeland Security—U.S. Immigra-*
 21 *tion and Customs Enforcement—Salaries and Ex-*
 22 *penses” in division D of Public Law 113–6.*

23 (b) *The Secretary of Homeland Security shall notify*
 24 *the Committees on Appropriations of the House of Rep-*

1 *representatives and the Senate on each use of the authority*
 2 *provided in this section.*

3 *SEC. 126. In addition to the amount otherwise pro-*
 4 *vided by section 101 for “Department of the Interior—De-*
 5 *partment-wide Programs—Wildland Fire Management”,*
 6 *there is appropriated \$36,000,000 for an additional amount*
 7 *for fiscal year 2014, to remain available until expended,*
 8 *for urgent wildland fire suppression activities: Provided,*
 9 *That of the funds provided, \$15,000,000 is for burned area*
 10 *rehabilitation: Provided further, That such funds shall only*
 11 *become available if funds previously provided for wildland*
 12 *fire suppression will be exhausted imminently and the Sec-*
 13 *retary of the Interior notifies the Committees on Appropria-*
 14 *tions of the House of Representatives and the Senate in*
 15 *writing of the need for these additional funds: Provided fur-*
 16 *ther, That such funds are also available for transfer to other*
 17 *appropriations accounts to repay amounts previously*
 18 *transferred for wildfire suppression.*

19 *SEC. 127. In addition to the amount otherwise pro-*
 20 *vided by section 101 for “Department of Agriculture—For-*
 21 *est Service—Wildland Fire Management”, there is appro-*
 22 *priated \$600,000,000 for an additional amount for fiscal*
 23 *year 2014, to remain available until expended, for urgent*
 24 *wildland fire suppression activities: Provided, That such*
 25 *funds shall only become available if funds previously pro-*

1 *vided for wildland fire suppression will be exhausted immi-*
 2 *nently and the Secretary of Agriculture notifies the Com-*
 3 *mittees on Appropriations of the House of Representatives*
 4 *and the Senate in writing of the need for these additional*
 5 *funds: Provided further, That such funds are also available*
 6 *for transfer to other appropriations accounts to repay*
 7 *amounts previously transferred for wildfire suppression.*

8 *SEC. 128. The authority provided by section 347 of*
 9 *the Department of the Interior and Related Agencies Appro-*
 10 *priations Act, 1999 (as contained in section 101(e) of divi-*
 11 *sion A of Public Law 105–277; 16 U.S.C. 2104 note) shall*
 12 *continue in effect through the date specified in section*
 13 *106(3) of this joint resolution.*

14 *SEC. 129. The authority provided by subsection (m)(3)*
 15 *of section 8162 of the Department of Defense Appropria-*
 16 *tions Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79),*
 17 *as amended, shall continue in effect through the date speci-*
 18 *fied in section 106(3) of this joint resolution.*

19 *SEC. 130. Activities authorized under part A of title*
 20 *IV and section 1108(b) of the Social Security Act (except*
 21 *for activities authorized in section 403(b)) shall continue*
 22 *through the date specified in section 106(3) of this joint res-*
 23 *olution in the manner authorized for fiscal year 2013, and*
 24 *out of any money in the Treasury of the United States not*

1 *otherwise appropriated, there are hereby appropriated such*
 2 *sums as may be necessary for such purpose.*

3 *SEC. 131. Notwithstanding section 101, the matter*
 4 *under the heading “Department of Labor—Mine Safety*
 5 *and Health Administration—Salaries and Expenses” in*
 6 *division F of Public Law 112–74 shall be applied to funds*
 7 *appropriated by this joint resolution by substituting “is au-*
 8 *thorized to collect and retain up to \$2,499,000” for “may*
 9 *retain up to \$1,499,000”.*

10 *SEC. 132. The first proviso under the heading “Depart-*
 11 *ment of Health and Human Services—Administration for*
 12 *Children and Families—Low Income Home Energy Assist-*
 13 *ance” in division F of Public Law 112–74 shall be applied*
 14 *to amounts made available by this joint resolution by sub-*
 15 *stituting “2014” for “2012”.*

16 *SEC. 133. Amounts provided by section 101 for “De-*
 17 *partment of Health and Human Services—Administration*
 18 *for Children and Families—Refugee and Entrant Assist-*
 19 *ance” may be obligated up to a rate for operations nec-*
 20 *essary to maintain program operations at the level provided*
 21 *in fiscal year 2013, as necessary to accommodate increased*
 22 *demand.*

23 *SEC. 134. During the period covered by this joint reso-*
 24 *lution, amounts provided under section 101 for “Depart-*
 25 *ment of Health and Human Services—Office of the Sec-*

1 retary—Public Health and Social Services Emergency
 2 Fund” may be obligated at a rate necessary to assure timely
 3 execution of planned advanced research and development
 4 contracts pursuant to section 319L of the Public Health
 5 Service Act, to remain available until expended, for ex-
 6 penses necessary to support advanced research and develop-
 7 ment pursuant to section 319L of the Public Health Service
 8 Act (42 U.S.C. 247d–7e) and other administrative expenses
 9 of the Biomedical Advanced Research and Development Au-
 10 thority.

11 SEC. 135. Notwithstanding any other provision of this
 12 joint resolution, there is appropriated for payment to
 13 Bonnie Englehardt Lautenberg, widow of Frank R. Lauten-
 14 berg, late a Senator from New Jersey, \$174,000.

15 SEC. 136. Notwithstanding section 101, amounts are
 16 provided for “Department of Veterans Affairs—Depart-
 17 mental Administration—General Operating Expenses, Vet-
 18 erans Benefits Administration” at a rate for operations of
 19 \$2,455,490,000.

20 SEC. 137. The authority provided by the penultimate
 21 proviso under the heading “Department of Housing and
 22 Urban Development—Rental Assistance Demonstration” in
 23 division C of Public Law 112–55 shall continue in effect
 24 through the date specified in section 106(3) of this joint res-
 25 olution.

- 1 *This joint resolution may be cited as the “Continuing*
- 2 *Appropriations Resolution, 2014”.*

Attest:

Secretary.

113TH CONGRESS
1ST SESSION

H. J. RES. 59

AMENDMENT