

Continuing Resolutions: CRs in a Nutshell

OMB:

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In General: Continuing Resolutions

What is a CR?

“An appropriation act that provides budget authority for federal agencies, specific activities, or both to continue in operation when Congress and the President have not completed action on the regular appropriation acts by the beginning of the fiscal year.” (GAO, *A Glossary of Terms Used in the Federal Budget Process*, GAO-05-734SP (Washington, D.C.: September 2005), at 35–36)

Content of a CR:

1. General provisions that apply to all appropriations covered by the CR; and
2. Anomalies that apply to single accounts and typically deviate from some of the general provisions

General Provisions

Scope: Section 101

Which Bills specified and the funding level (rate for operations):

“...the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated ... for the several departments agencies, corporations, and other organizational units of Government for fiscal year XXXX, and for other purposes, namely:

“Sec. 101 (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year XXXX and under the authority and conditions provided in such Acts, for continuing projects or activities...that are not otherwise specifically provided for in this Act, that were conducted in fiscal year XXXX, and for which appropriations, funds, or other authority were made available in the following appropriations Acts...”

Extent and Manner: Section 103

“Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.”

Termination Date: Section 106

“Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year XXXX, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this Act; (2) the enactment into law of the applicable appropriations Act for fiscal year XXXX without any provision for such project or activity; or (3) [date].”



General Provisions: Accounting



Coverage of CR Obligations: Section 105

“Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.”

Adjustment of Accounts: Section 107

“Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.”

General Provisions: Execution

No New Starts: Section 104

“Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year XXXX.”

Limited Funding Actions: Section 108

“Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31.”

Limitation for High Initial Rate of Distribution: Section 109

“Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year XXXX because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.”

Apportionment Timing: Section 110

“This Act shall be implemented so that only the most limited funding action of that permitted in the Act shall be taken in order to provide for continuation of projects and activities..”

Furlough Restriction: Section 112

“Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year XXXX, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.”

CR Anomalies

What if the agency cannot operate under the typical CR parameters?

- Last year's funding level
 - may or may not include supplemental funding
- Last year's authority
 - No new starts
 - Is that authority expiring?



The agency proposes a CR anomaly for legislative consideration

CR Anomalies Funding Anomalies

Problem: An agency cannot operate under last year's funding level for the period of the CR

Solution: Provide a different funding level for the period of the CR

Example:

“SEC. 121. Notwithstanding section 101, amounts are provided for “Department of Commerce – Bureau of the Census – Periodic Censuses and Programs” at a rate for operations of \$7,065,707,000.” (FY 2010 CR, Pub. L. No. 111-68)

CR Anomalies

Program Anomalies

Problem: An agency did not have authority to operate a program last year or the authority to operate the way it would wish to this year.

Solution: Provide authority to operate the program during the period of the CR.

Example:

“SEC. 157. (a) Amounts provided by section 101 for “Department of Health and Human Services – Office of the Secretary – General Departmental Management” are also available for the purpose of funding the National Commission on Children and Disasters authorized under title VI of division G of Public Law 110-161 (the “title VI Commission”).” (FY 2009 CR, Pub. L. No. 110-329)

CR Anomalies

Authorization Anomalies

Problem: An agency's authorization will expire during the period of the CR.*

Solution: Provide authority to operate the program during the period of the CR (i.e., notwithstanding the expiration).

But ...

Question: Is the authorization a “Term and Condition” of last year's funding?

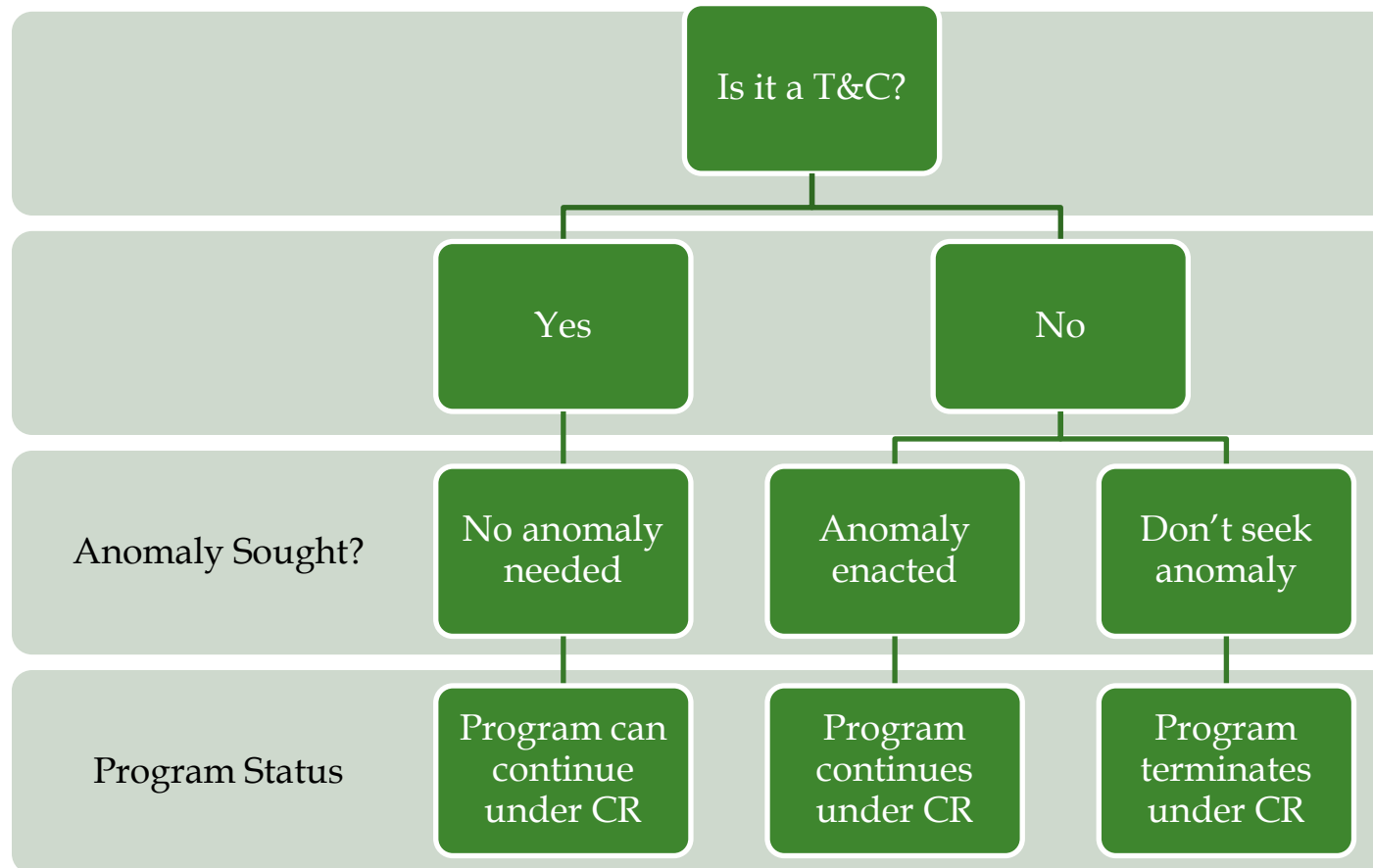
** Includes those authorization provisions typically included in appropriations acts as well those authorization provisions typically included in authorization acts.*

CR Anomalies

Authorization Anomalies (cont.)

Terms and Conditions

Terms and Conditions (T&C) - why does it matter?

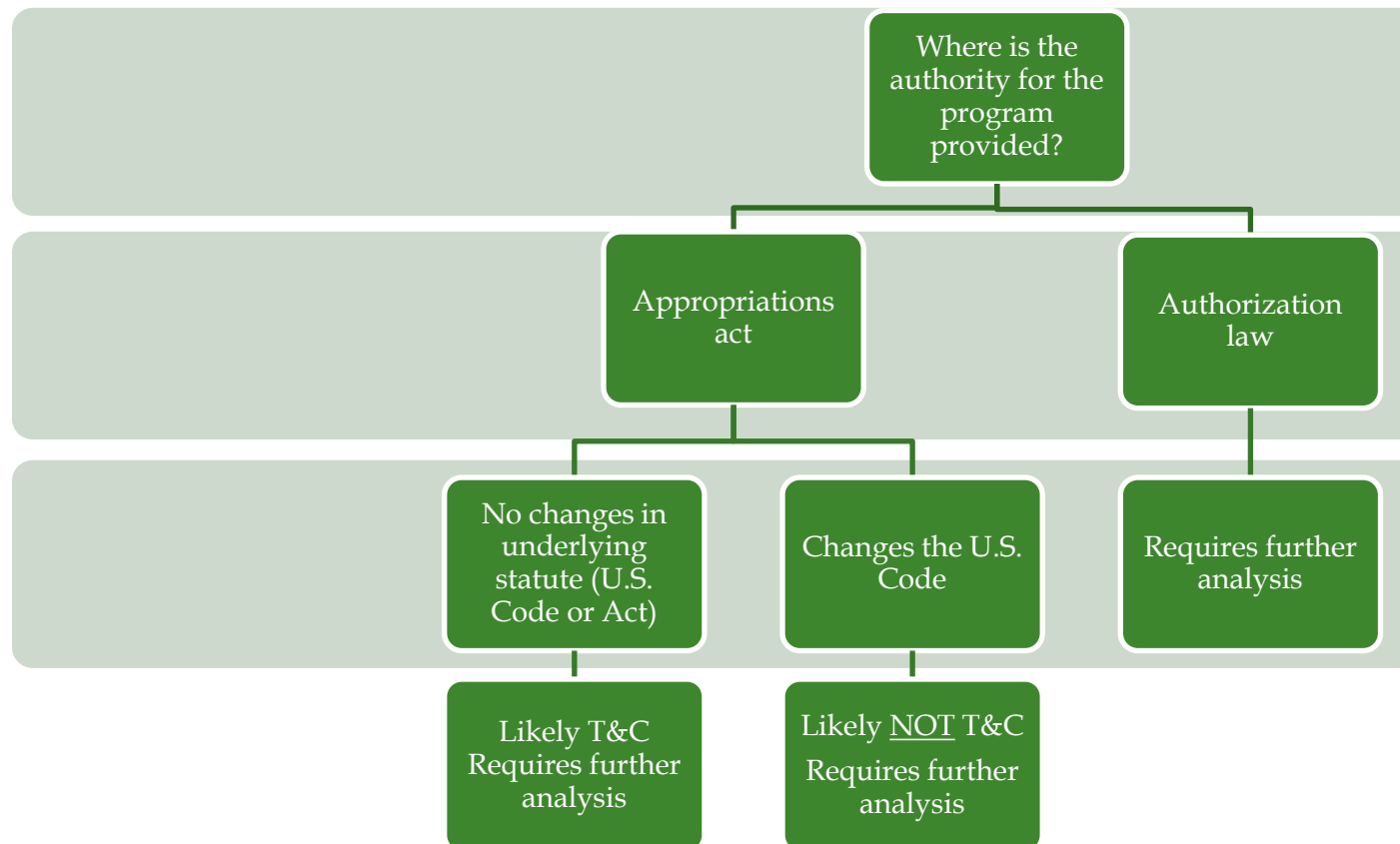


CR Anomalies

Authorization Anomalies (cont.)

Terms and Conditions (cont.)

How do we determine if it is a term and condition?



OMB's automatic apportionment of short-term CRs:



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

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OMB BULLETIN NO. 14-01

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Apportionment of the Continuing Resolution(s) for Fiscal Year 2014

1. Purpose and Background. H.R. 2775 will provide continuing appropriations for the period of October 1, 2013 through January 15, 2014. I am automatically apportioning this continuing resolution (CR) as specified in section 3 of this Bulletin for amounts provided by section 101 of the CR, as well as for amounts for any section that replaces the rate for operations provided by section 101 with a legislative anomaly that specifies an alternate rate for operations ("anomaly"). This Bulletin supplements instructions for apportionment of CRs in OMB Circular No. A-11, sections 120 and 123.

2. Amounts Provided. Section 101(a) of H.R. 2775 provides such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year (FY) 2013 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in H.R. 2775, that were conducted in FY 2013, and for which appropriations, funds, or other authority were made available in Divisions A (except section 735) through F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6).

Section 101(b) of H.R. 2775 provides that the rate for operations provided by 101(a) for each account shall be calculated to reflect the full amount of any reduction required in fiscal year 2013 pursuant to the following:

- Any provision of division G of Public Law 113-6, including section 3004; and
- The Presidential sequestration order dated March 1, 2013, except as attributable to budget authority made available by the following:
 - Sections 140(b) or 141(b) of the Continuing Appropriations Resolution, 2013 (Public Law 112-175); or
 - The Disaster Relief Appropriations Act, 2013 (Public Law 113-2).

3. Automatic Apportionments. Attachment A contains more detailed instructions on calculating the annualized amount provided by the CR. In order to calculate the amount automatically apportioned through the period ending January 15, 2014, (and any extensions thereof) multiply

OMB's automatic apportionment of short-term CRs:

the annualized amount provided by the CR in section 101 (or in an anomaly) by the percentage of the year (pro-rata) covered by the CR (e.g., for H.R. 2775 use 29.32 percent).

Unless determined otherwise by your RMO, all automatically apportioned CR funds are apportioned as Category B (lump sum), regardless of quarterly restrictions (i.e., amounts on Category A) imposed in last year's apportionments. Limitations on programs (i.e., other Category Bs) and footnotes included in last year's apportionments remain in effect under the CR.

4. Accounts with Zero Funding Excluded from Automatic Apportionment. As has been the case in recent CR Bulletins, including FY 2013, this automatic apportionment does not apply to accounts for which either the House or Senate has reported or passed a bill that provides no funding for that account at the time the CR is enacted or extended. Reported bills are those that have been filed by the full House or Senate Appropriations Committee for floor action. The agency may submit a written apportionment to OMB to request funds for such an account during the period of the CR, if needed.

5. Programs under Section 111. Funds for appropriated entitlements and other mandatories and activities under the Food and Nutrition Act of 2008, as defined in item 12 of Attachment A, are automatically apportioned amounts as needed to carry out programs at a rate to maintain program levels under current law, i.e., at the FY 2014 level less any applicable 2014 sequestration pursuant to section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA). This automatic apportionment does not, however, apply to programs with more complex funding structures. Agencies should contact their RMO representatives to determine if their account is automatically apportioned or if a written apportionment is required.

With regard to the associated discretionary administrative expenses for those programs, section 111 does not apply. The associated discretionary administrative expenses are automatically apportioned at the pro-rata level based on FY 2013 annualized levels in section 101.

6. Credit Limitations. If there was an enacted credit limitation (i.e., a limitation on loan principal or commitment level) in an account in FY 2013, then the automatic apportionment is the pro-rata share of the credit limitation or the budget authority (i.e., for subsidy cost), whichever is less. To calculate amounts available, see exhibit 123 of OMB Circular No. A-11.

7. Written Apportionments for Amounts Provided by Section 101 and Anomalies. If an agency seeks an amount for an account (under section 101 or an anomaly) that is more than the amount automatically apportioned by this Bulletin, a written apportionment must be requested from OMB. These are referred to as "exception apportionments." Each of these requests must be accompanied by a written justification that includes the legal basis for the exception apportionment. OMB expects to grant these written apportionment requests in only extraordinary circumstances.

Conversely, an RMO or an agency may determine that an amount for a program should be less than the amount automatically apportioned to ensure that an agency does not impinge on the final funding prerogatives of the Congress and to encourage prudent financial management and execution of mission. In these cases, a written apportionment will also be required.

OMB's automatic apportionment of short-term CRs:

Agencies do not need to request a new written apportionment for each extension of the CR (unless otherwise required by your RMO). Instead, in the case of accounts that receive a written apportionment at any time during the CR period, the automatic apportionment will apply to such accounts under any subsequent extensions of the CR, provided that the total amount apportioned during the CR period does not exceed the total annualized level of the CR. However, any footnotes on the written apportionment continue to apply to the accounts, when subsequently operating under the automatic apportionment.

The requirements described in this section are not intended to address the written apportionments for accounts with zero funding. That requirement is described in section 4 above.



Sylvia M. Burwell
Director

Attachment(s)

Attachment A: Continuing Resolution Frequently Asked Questions

Attachment B: Non-CHIMP Cancellations Recurring in a 2014 Continuing Resolution

Attachment C: Changes in Mandatory Programs Recurring in a 2014 Continuing Resolution

OMB's automatic apportionment of short-term CRs: Example of Attachment A *(page 1 out of seven pages)*

Attachment A

Continuing Resolution Frequently Asked Questions

1. What is the rate for operations provided by the continuing resolution (CR)?

To calculate the FY 2014 CR rate for operations (annualized level):

- take the full year amount enacted in the appropriations acts making funds available for FY 2013 (i.e., FY 2013 enacted appropriations net of any account specific rescissions and bill rescissions). *Attachment B identifies the recurring account specific rescissions/reductions and item 2 provides further instructions on bill rescissions;*
- add or subtract transfers mandated by law (only "shall transfer," not "may transfer" or "shall transfer up to" language);
- reduce the calculated total level by the amount of the across-the-board reductions required in fiscal year 2013 by sections 3001 and 3004 of Division G of the Consolidated and Further Continuing Appropriations Act, 2013. *Item 3 provides further instructions;*
- reduce the calculated total level by the sequester amount required in fiscal year 2013 by the Presidential sequestration order dated March 1, 2013. *Item 4 provides further instructions.*

2. What funding levels must apply the FY 2012 0.16 percent ATB reduction (section 436, Public Law 112-74) and the FY 2012 0.189 percent ATB reduction (section 527, Public Law 112-74) to the calculation of the FY 2014 CR rate for operations?

The 0.16 percent ATB reduction in section 436 of division E of Public Law 112-74 only applies to funding levels in titles I through IV of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012. Further, the 0.16 percent ATB only applies to the first dollar amount in the paragraph under the heading "Bureau of Indian Affairs, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians" and the distribution of the reduction under that heading shall otherwise be at the discretion of the Secretary of the Interior.

The 0.189 percent ATB reduction in section 527 of division F of Public Law 112-74 only applies to funding levels in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012. The 0.189 percent ATB does not apply to discretionary authority appropriated for the Federal Pell Grants program under the heading "Department of Education, Student Financial Assistance."

Anomalies from Public Law 113-6 and H.R. 2775 are exempt from applying the 0.16 percent and the 0.189 percent ATB reduction.



OMB's automatic apportionment of short-term CRs: Example of Attachment B *(page 1 out of three pages)*

ATTACHMENT B: Non-CHIMP¹ Cancellations Recurring in a 2014 Continuing Resolution (budget authority in millions of dollars)

Appropriations Bill:

Cancellations of Unobligated Balances:

Agriculture and Rural Development:

USDA, Distance Learning, Telemedicine, and Broadband Program.....

-18 --

Commerce, Justice, Science:

DOJ, Working Capital Fund.....

-26 -26

DOJ, Violent Crime Reduction Program.....

-1 --

DOJ, Buildings and Facilities.....

-65 -30

DOJ, Research, Evaluation, and Statistics.....

-4 -4

DOJ, State and Local Law Enforcement Assistance.....

-32 -32

DOJ, Juvenile Justice Programs.....

-7 -7

DOJ, Community Oriented Policing Services.....

-12 -12

DOJ, Violence against Women Prevention and Prosecution Programs.....

-12 -12

Total, Commerce, Justice, Science.....

-159 -123

Defense:

DOD, Operation and Maintenance, Defense-wide.....

-21 -21

DOD, Procurement, Defense-wide.....

-16 -16

DOD, Procurement, Marine Corps.....

-133 -133

DOD, Aircraft Procurement, Navy.....

-63 -19

DOD, Weapons Procurement, Navy.....

-58 -36

DOD, Procurement of Ammunition, Navy and Marine Corps.....

-16 -16

DOD, Shipbuilding and Conversion, Navy.....

-441 -326

DOD, Aircraft Procurement, Army.....

-47 -47

DOD, Procurement of Ammunition, Army.....

-15 --

DOD, Other Procurement, Army.....

-288 -180

DOD, Aircraft Procurement, Air Force.....

-487 -394

DOD, Missile Procurement, Air Force.....

-53 -53

DOD, Other Procurement, Air Force.....

-66 -56

DOD, Research, Development, Test, and Evaluation, Navy.....

-247 --

DOD, Research, Development, Test and Evaluation, Army.....

-41 --

DOD, Research, Development, Test, and Evaluation, Air Force.....

-149 --

Total, Defense.....

-2,141 -1,297

Energy and Water Development:

DOE, Northeast Home Heating Oil Reserve.....

-6 -6

Homeland Security:

DHS, Departmental Operations.....

-1 -1

DHS, Analysis and Operations.....

-3 -1

DHS, Salaries and Expenses [United States Secret Service].....

-2 --

DHS, Federal Air Marshals.....

-1 -1

DHS, Aviation Security.....

-2 --

DHS, Surface Transportation Security.....

-22 --

DHS, Salaries and expenses [Federal Law Enforcement Training Center].....

-1 -1

DHS, Immigration and Customs Enforcement.....

-4 -4

DHS, Construction [Immigration and Customs Enforcement].....

-3 -3

DHS, Customs and Border Protection.....

-1 -1

DHS, Border Security Fencing, Infrastructure, and Technology.....

-73 -73

DHS, Operating Expenses [United States Coast Guard].....

-18 -7

DHS, Reserve Training.....

-1 --

DHS, Acquisition, Construction, and Improvements (U.S. Coast Guard).....

-156 -105

DHS, Infrastructure Protection and Information Security.....

-2 -2

DHS, State and Local Programs.....

-1 --

DHS, National Pre-disaster Mitigation Grants.....

-3 -1

DHS, National Pre-disaster Mitigation Fund.....

-12 -12

Total, Homeland Security.....

-306 -212



OMB's automatic apportionment of short-term CRs: Example of Attachment C

ATTACHMENT C: Changes in Mandatory Programs Recurring in a 2014 Continuing Resolution (Budget authority in millions of dollars)

<u>CHIMPs by Appropriations Subcommittee:</u>	2013 Enacted ¹	2014 CR
Agriculture and Rural Development:		
USDA, Funds for Strengthening Markets, Income, and Supply (Section 32).....	-112	-87
USDA, Watershed Rehabilitation Program.....	-165	-153
USDA, Energy Assistance Payments.....	-28	—
USDA, Farm Security and Rural Investment Programs.....	-293	-234
USDA, Rural Economic Development Grants (Cushion of Credit).....	-180	-164
USDA, Child Nutrition Programs (Obligation Delay).....	-115	-118
Total, Agriculture and Rural Development.....	-893	-756
Commerce, Justice, and Science:		
DOC, NOAA, Promote and Develop Fishery Products Transfer.....	-119	-119
DOJ, Assets Forfeiture Fund.....	-723	-723
DOJ, Crime Victims Fund (Obligation Delay).....	-9,225	-9,106
DHS, Citizenship and Immigration Services Transfer.....	-4	-4
Total, Commerce, Justice, and Science.....	-10,071	-9,952
Financial Services:		
Treasury, Forfeiture Fund.....	-950	-950
FDIC, Deposit Insurance Fund Transfer to the OIG.....	-35	-35
Postal Service, Transfers to the OIG & Postal Regulatory Commission (PRC).....	-255	-255
Postal Service, Discretionary Offsetting Collections for Transfers to the OIG & PRC.....	+255	+255
Total, Financial Services.....	-985	-985
Interior and Environment:		
USDA, Capital Improvement and Maintenance.....	-12	-17
DOI, Mineral Leasing and Associated Payments.....	-38	-40
DOI, NPS, Land Acquisition and State Assistance.....	-30	-28
DOI, Compact for Free Association.....	+13	+13
Total, Interior and Environment.....	-67	-72
Labor, HHS, and Education:		
Labor, MSHA Approval and Certification Fee to be Deposited in Expenditure Account.....	+2	—
HHS, Children's Health Insurance Fund.....	-6,368	-6,368
HHS, CMS Federal Hospital Insurance Trust Fund.....	-62	+33
HHS, CMS Supplementary Medical Insurance Trust Fund.....	-104	-9
Total, Labor, HHS, and Education.....	-6,532	-6,344
Transportation and Housing and Urban Development:		
Transportation, Department-wide, Section 3004 Across-the-Board cut to contract authority.....	-106	—
Grants-in-aid for Airports.....	-7	—
Federal-aid Highways.....	-79	—
Motor Carrier Safety Grants.....	-1	—
Motor Carrier Safety Operations and Programs.....	-1	—
Highway Traffic Safety Grants.....	-1	—
Transit Formula Grants.....	-17	—
TOTAL, Changes to Mandatory Programs (CHIMPs).....	-18,654	-18,109

¹ All FY 2013 CHIMPs have been rebased as mandatory and are not included in any FY 2013 Enacted levels. They are only displayed for comparison purposes.

² Amounts recurring in the Federal Hospital Insurance Trust Fund correspond to funding for High Risk Pools, the Community-based Care Transition Program cancellation (CCTP), and the Independent Payment Advisory Board cancellation (IPAB). Amounts recurring in the Supplementary Medical Insurance Trust Fund correspond to CCTP and IPAB.

³ As stated in Section 3 of Attachment A, for budget accounts that contain contract authority subject to an obligation limitation, the obligation limitation is subject to the section 3004 reduction. The contract authority level is not provided by section 101(a), and is therefore not reduced.



Common CR questions received by both OMB/Treasury:

- What's the difference between a short term and a long term CR?
- What are exception apportionments?
- Are nonexpenditure transfers covered under a CR?
- Are reprogrammings allowed under a CR?

Common CR questions received by both OMB/Treasury:

- Will an appropriation warrant be processed during a CR?
- What types of appropriation warrants are processed during a CR?
- What should be reported in GTAS/FACTS II?
- When is a CR recorded?

Fiscal Service's Appropriation Warrant process during a short-term CR:

Short-term CR:

- Generally no Appropriation Warrants are processed
 - Exceptions include direct appropriations with the CR legislation

Example:

“SEC. 134. Notwithstanding any other provision of this Act, for payment in equal shares to the children and grandchildren of Robert C. Byrd, \$193,400 is appropriated.”

Fiscal Service's Appropriation Warrant process during a full-year CR:

Full-year CR:

- Appropriation Warrants are processed and issued based on the annualized level of funding

Note:

Determination of the annualized level of funding is coordinated between Fiscal Service, OMB and Federal Program Agencies

Fiscal Service's Appropriation Warrant process during a full-year CR:

Federal Program Agencies must submit to Fiscal Service the following:

- The legislative authority (Public Law)
- Account symbols for the current FY and the amount for each account
- A contact personal for additional information
- The appropriate official's signature (the person authorized to request an appropriation under a continuing resolution)

Common CR questions received by both OMB/Treasury:

What USSGL account is used to record a CR?

Account Number: 109000

Account Title: Fund Balance With Treasury Under a
Continuing Resolution

Normal Balance: Debit

Definition: The amount equal to the funding provided under a continuing resolution and apportioned in accordance with Office of Management and Budget's automatic apportionment bulletin. Pursuant to a continuing resolution or enacted annual appropriation act, **the account may be used while awaiting a warrant to be issued for an appropriation** by the U. S. Department of the Treasury's Bureau of the Fiscal Service. The balance in this account will adjust to zero when the U.S. Department of the Treasury's Bureau of Fiscal Service issues a warrant and must adjust to zero by yearend. This account does not close at yearend.

Posting Logic for recording a CR:

Example:

- Annualized level of appropriation 100,000
- CR available for obligation 5,000

411900 Other Appropriations Realized	100,000
445000 Unapportioned Authority	100,000
109000 FBWT under a Continuing Resolution	5,000**
310100 Unexpended Appropriations – Appropriations Received	5,000**

** Record amount available from CR

Posting Logic for recording a CR:

Record Authority Temporarily Unavailable

445000 Unapportioned Authority	95,000
439500 Authority Unavailable For Obligation	
Pursuant to Public Law – Temporary	95,000

Record Payment not Previously Accrued

480100 Undelivered Orders – Obligations, Unpaid	1,000
490200 Delivered Orders – Obligations, Paid	1,000
610000 Operating Expenses	1,000
101000 Fund Balance with Treasury	1,000
310700 Unexpended Appropriations - Used	1,000
570000 Expended Appropriations	1,000

Posting Logic for recording a CR:

Appropriation Enacted

Adjust USSGL account 109000 to zero

439500 Authority Unavailable For Obligation

Pursuant to Public Law – Temporary 95,000

445000 Unapportioned Authority 95,000

101000 Fund Balance with Treasury 100,000**

109000 FBWT under a Continuing Resolution 5,000

310100 Unexpended Appropriations –
Appropriations Received 95,000**

Adjust based on amount received in appropriation act.

Common CR questions received by both OMB/Treasury:

- During a CR, should an anticipated appropriation be recorded?
- Do continuing resolutions apply to special or trust fund?

Common CR questions received by both OMB/Treasury:

- If an agency continues to operate a program based on the previous year's budget authority but there's no funding for the program when the legislation is signed is the federal government and/or agency responsible for the obligations made?
 - If so, what are the procedures for liquidating the obligations?
 - ✓ *OMB Circular A-11, section 123.13*



CR resources:

OMB Circular A-11, Section 123 and Section 120 Exhibits F, G, and H

Appropriations Provided by a Continuing Resolution Scenario

http://www.fms.treas.gov/ussgl/approved_scenarios/continuing_resolution_october_2005.pdf

Treasury Financial Manual, Volume I, Part 2, Chapter 2000, subsection 2025.20.

GAO Redbook Volume II, Chapter 8



Appendix

Appendix

History of Continuing Resolutions

The following History of Continuing Resolutions was compiled from GAO reports GAO-09-8799 and GAO-06-382SP, and Congressional Research Service report CRS RL30343

Appendix

History of Continuing Resolutions: Overview

- CRs date from at least the late 1870s and have been part of the regular appropriations process for more than 50 years.
- With the exception of three fiscal years (FY 1989, FY 1995, FY 1997), at least one CR has been enacted each fiscal year since 1955.¹
- Over the past 35 years the nature, scope, and durations of CRs has expanded.
- From the early 1970s - 1987, CRs expanded from interim funding measures (brief) to providing funding in lieu of appropriations bill through the end of the fiscal year.
- In some cases these measures included the full text of regular appropriations bills and/or substantive legislation.
- CRs are attractive vehicles for substantive legislation because they are considered must-pass legislation.
- Since 1988 CRs have tended to be interim funding measures with less substantive legislation.²

1 Congress enacted two FY 1977 CRs but these acts did not temporarily fund any FY 1977 regular appropriations bills because all the bills became law on or before the start of the new fiscal year.

2 Since 1988, there have been only three full-year CRs. An FY 1992 CR provided full-year funding for one regular appropriations bill, an FY 2007 full-year measure continued funding for nine of the 11 regular bills, and an FY 2011 full-year CR funded 11 of the 12 regular bills.

Appendix

History of Continuing Resolutions: Statistics and Trivia

- From 1962-1981, 85 percent of the appropriations bills for Federal agencies were enacted after the start of the fiscal year and thus required CRs.
- For 24 of the 28 FYs between FY 1977 and FY 2004, Congress did not complete action on a majority of the 13 regular appropriations by the start of the fiscal year.
 - In eight of those years they did not finish any of the bills by the start of the new year.
- For FY 1978-FY 1988, Congress enacted a full-year CR each year.
- Twenty-one CRs were enacted for FY 2001.
- In 1995, significant budgetary conflict over spending priorities occurred between Congress and the Administration, within Congress, and within the political parties as well.
 - Due in part to these differences, there were two partial Government shutdowns in the winter of 1995-1996; the first lasted for five days and the second, for 21 days.
 - Instead of resolving the FY 1996 conflicts in the form of one or more CRs, Congress created an omnibus measure for FY 1996.