

116TH CONGRESS
1ST SESSION

H. J. RES. 31

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2019

Received; read the first time

JOINT RESOLUTION

Making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 SECTION 1. The Continuing Appropriations Act,
4 2019 (division C of Public Law 115–245) is further
5 amended—

1 (1) in section 105—

2 (A) in paragraph (2), by striking “or” at
3 the end;

4 (B) in paragraph (3)—

5 (i) by inserting “except as provided in
6 paragraph (4),” before “December”; and

7 (ii) by striking the period at the end
8 and inserting “; or”; and

9 (C) by adding at the end the following:

10 “(4) with respect to appropriations and funds
11 made available, and other authorities granted, pur-
12 suant to section 101(5) of this joint resolution for
13 the Department of Homeland Security, February 28,
14 2019.”; and

15 (2) in section 110, by adding at the end the fol-
16 lowing:

17 “(c) With respect to mandatory payments whose
18 budget authority was provided in the Department of
19 Homeland Security Appropriations Act, 2018 (division F
20 of Public Law 115–141), subsections (a) and (b) shall be
21 applied by substituting ‘section 105(4)’ for ‘section
22 105(3)’ each place it appears.”.

23 SEC. 2. (a) Amounts appropriated by operation of the
24 amendments made by section 1 for the salaries and ex-
25 penses of employees shall be available for payment of sala-

1 ries in accordance with section 1341(c) of title 31, United
2 States Code (as added by the Government Employee Fair
3 Treatment Act of 2019).

4 (b) All obligations incurred in anticipation of the ap-
5 propriations made and authority granted by this joint res-
6 olution for the purposes of maintaining the essential level
7 of activity to protect life and property and bringing about
8 orderly termination of Government functions, and for pur-
9 poses as otherwise authorized by law, are hereby ratified
10 and approved if otherwise in accord with the provisions
11 of this joint resolution, and for purposes of such obliga-
12 tions the time period covered by this joint resolution shall
13 be considered to include the period beginning on or about
14 December 22, 2018, during which there occurred a lapse
15 in appropriations.

16 SEC. 3. (a) If a State (or another Federal grantee)
17 used State funds (or the grantee's non-Federal funds) to
18 continue carrying out a Federal program or furloughed
19 State employees (or the grantee's employees) whose com-
20 pensation is advanced or reimbursed in whole or in part
21 by the Federal Government—

22 (1) such furloughed employees shall be com-
23 pensated at their standard rate of compensation for
24 such period;

1 (2) the State (or such other grantee) shall be
2 reimbursed for expenses that would have been paid
3 by the Federal Government during such period had
4 appropriations been available, including the cost of
5 compensating such furloughed employees, together
6 with interest thereon calculated under section
7 6503(d) of title 31, United States Code; and

8 (3) the State (or such other grantee) may use
9 funds available to the State (or the grantee) under
10 such Federal program to reimburse such State (or
11 the grantee), together with interest thereon cal-
12 culated under section 6503(d) of title 31, United
13 States Code.

14 (b) For purposes of this section, the term “State”
15 and the term “grantee”, including United States terri-
16 tories and possessions, shall have the meaning given such
17 terms under the applicable Federal program under sub-
18 section (a). In addition, “to continue carrying out a Fed-
19 eral program” means the continued performance by a
20 State or other Federal grantee, during the period of a
21 lapse in appropriations, of a Federal program that the
22 State or such other grantee had been carrying out prior
23 to the period of the lapse in appropriations.

24 (c) The authority under this section applies with re-
25 spect to the period of a lapse in appropriations beginning

1 on or about December 22, 2018, and ending on the date
2 of enactment of this joint resolution with respect to the
3 Department of Homeland Security which, but for such
4 lapse in appropriations, would have paid, or made reim-
5 bursement relating to, any of the expenses referred to in
6 this section with respect to the program involved. Pay-
7 ments and reimbursements under this authority shall be
8 made only to the extent and in amounts provided in ad-
9 vance in appropriations Acts.

Passed the House of Representatives January 24,
2019.

Attest:

KAREN L. HAAS,

Clerk.