H. J. RES.

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

IN THE HOUSE OF REPRESENTATIVES

Mrs. LOWEY introduced the following joint resolution; which was referred to the Committee on _____________________________

JOINT RESOLUTION

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

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Continuing Appropriations Act, 2019 (division C of Public Law 115–245) is further amended—

(1) in section 105—

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

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

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

(C) by adding at the end the following:

“(4) with respect to appropriations and funds made available, and other authorities granted, pursuant to section 101(5) of this joint resolution for the Department of Homeland Security, February 8, 2019.”; and

(2) in section 110, by adding at the end the following:

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

Sec. 2. (a) Employees furloughed as a result of a lapse in appropriations beginning on or about December 22, 2018, and ending on the date of the enactment of this joint resolution shall be compensated at their standard rate of compensation, for the period of such lapse in ap-
appropriations, as soon as practicable after such lapse in ap-
propriations ends.

(b) For purposes of this section, “employee” means any Federal employee whose salary and expenses are pro-
vided by the amendment made by section 1(1)(C).

(c) All obligations incurred in anticipation of the ap-
propriations made and authority granted by this joint res-
olution for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government functions, and for pur-
poses as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this joint resolution.

Sec. 3. (a) If a State (or another Federal grantee) used State funds (or the grantee’s non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee’s employees) whose com-
ensation is advanced or reimbursed in whole or in part by the Federal Government—

(1) such furloughed employees shall be com-
penated at their standard rate of compensation for such period;

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

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

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

(c) The authority under this section applies with re-
spect to the period of a lapse in appropriations beginning
on or about December 22, 2018, and ending on the date
of enactment of this joint resolution with respect to the
Department of Homeland Security which, but for such
lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.