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AMENDMENT NO. _____ Calendar No. _____

Purpos: To amend the

AMENDMENT N^o: 0054

IN THE

sess.

By: McConnell For Shelby

To: H. J. Res. 28

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GPO: 2018 33-682 (mac)

SECTION 4. SHORT TITLE

This joint resolution may be cited as the "Further
Additional Continuing Appropriations Act, 2019".

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 SEC. 101. The Continuing Appropriations Act, 2019

4 (division C of Public Law 115-245) is further amended—

5 (1) by striking the date specified in section

6 105(3) and inserting "February 15, 2019"; and

7 (2) by adding after section 136 the following:

8 "SEC. 137. Amounts made available in this Act for

9 personnel pay, allowances, and benefits in each depart-

10 ment and agency shall be available for obligations incurred

11 pursuant to subsection (c) of section 1341 of title 31,

12 United States Code.

1 “SEC. 138. All obligations incurred and in anticipa-
2 tion of the appropriations made and authority granted by
3 this Act for the purposes of maintaining the essential level
4 of activity to protect life and property and bringing about
5 orderly termination of Government function, and for pur-
6 poses as otherwise authorized by law, are hereby ratified
7 and approved if otherwise in accord with the provisions
8 of this Act.

9 “SEC. 139. (a) If a State (or another Federal grant-
10 ee) used State funds (or the grantee’s non-Federal funds)
11 to continue carrying out a Federal program or furloughed
12 State employees (or the grantee’s employees) whose com-
13 pensation is advanced or reimbursed in whole or in part
14 by the Federal Government—

15 “(1) such furloughed employees shall be com-
16 pensated at their standard rate of compensation for
17 such period;

18 “(2) the State (or such other grantee) shall be
19 reimbursed for expenses that would have been paid
20 by the Federal Government during such period had
21 appropriations been available, including the cost of
22 compensating such furloughed employees, together
23 with interest thereon calculated under section
24 6503(d) of title 31, United States Code; and

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

7 “(b) For purposes of this section, the term ‘State’
8 and the term ‘grantee’ shall have the meaning as such
9 term is defined under the applicable Federal program
10 under subsection (a). In addition, ‘to continue carrying
11 out a Federal program’ means the continued performance
12 by a State or other Federal grantee, during the period
13 of a lapse in appropriations, of a Federal program that
14 the State or such other grantee had been carrying out
15 prior to the period of the lapse in appropriations.

16 “(c) The authority under this section applies with re-
17 spect to any period in fiscal year 2019 (not limited to peri-
18 ods beginning or ending after the date of the enactment
19 of this Act) during which there occurs a lapse in appro-
20 priations with respect to any department or agency of the
21 Federal Government which, but for such lapse in appro-
22 priations, would have paid, or made reimbursement relat-
23 ing to, any of the expenses referred to in this section with
24 respect to the program involved. Payments and reimburse-
25 ments under this authority shall be made only to the ex-

1 tent and in amounts provided in advance in appropriations
2 Acts.

3 “SEC. 140. Notwithstanding section 251(a)(1) of the
4 Balanced Budget and Emergency Deficit Control Act of
5 1985 and the timetable in section 254(a) of such Act, the
6 final sequestration report for fiscal year 2019 pursuant
7 to section 254(f)(1) of such Act and any order for fiscal
8 year 2019 pursuant to section 254(f)(5) of such Act shall
9 be issued, for the Congressional Budget Office, 10 days
10 after the date specified in section 105(3), and for the Of-
11 fice of Management and Budget, 15 days after the date
12 specified in section 105(3).

13 “SEC. 141. Section 319L(e)(1)(A) of the Public
14 Health Service Act (42 U.S.C. 247d-7e(e)(1)(A)) shall
15 continue in effect through the date specified in section
16 105(3) of this Act.

17 “SEC. 142. Section 405(a) of the Pandemic and All
18 Hazards Preparedness Act (42 U.S.C. 247d-6a note) shall
19 continue in effect through the date specified in section
20 105(3) of this Act.”.

21 SEC. 102. For the purposes of division C of Public
22 Law 115-245, the time covered by such division shall be
23 considered to include the period which began on or about
24 December 22, 2018, during which there occurred a lapse
25 in appropriations.

1 SEC. 103. Subsection (c)(2) of section 1341 of title
2 31, United States Code, is amended by inserting “, and
3 subject to the enactment of appropriations Acts ending the
4 lapse” before the period.

5 SEC. 104. For the purposes of the annual report
6 issued pursuant to section 5 of the Statutory Pay-As-You-
7 Go Act of 2010 (2 U.S.C. 934) after adjournment of the
8 second session of the 115th Congress, and for determining
9 whether a sequestration order is necessary under such sec-
10 tion, the debit for the budget year on the 5-year scorecard,
11 if any, and the 10-year scorecard, if any, shall be deducted
12 from such scorecard in 2019 and added to such scorecard
13 in 2020.

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15 ~~Additional Continuing Appropriations Act, 2019”.~~