

113TH CONGRESS
1ST SESSION

H. R. 3166

To appropriate such funds as may be necessary to ensure certain important functions of the Government continue during a Governmentwide shut-down, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2013

Mr. LATHAM introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Armed Services, Energy and Commerce, Agriculture, House Administration, Oversight and Government Reform, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To appropriate such funds as may be necessary to ensure certain important functions of the Government continue during a Governmentwide shutdown, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EMERGENCY APPROPRIATION OF FUNDS.**

4 During a Governmentwide shutdown, the Secretary
5 of the Treasury shall make available, out of any amounts
6 in the general fund of the Treasury not otherwise appro-

1 priated, such amounts as are necessary to provide for the
2 following:

3 (1) Amounts to provide pay and allowances to
4 Members of the Army, Navy, Air Force, Marine
5 Corps, and Coast Guard, including reserve compo-
6 nents thereof, who perform active service during the
7 funding gap.

8 (2) At the discretion of the Secretary of De-
9 fense, amounts to provide pay and allowances to
10 such civilian personnel of the Department of Defense
11 who are providing support to the members of the
12 Armed Forces described in paragraph (1) as the
13 Secretary considers appropriate.

14 (3) At the discretion of the Secretary of De-
15 fense, amounts to provide pay and allowances to
16 such personnel of contractors of the Department of
17 Defense who are providing direct support to the
18 members of the Armed Forces described in para-
19 graph (1) as the Secretary considers appropriate.

20 (4) Amounts necessary to carry out the author-
21 ity of the Department of the Treasury provided in
22 section 3123 of title 31, United States Code, to pay
23 with legal tender the principal and interest on debt
24 held by the public.

1 (5) Such amounts as the President certifies to
2 the Congress are necessary to carry out vital na-
3 tional security priorities.

4 (6) Amounts necessary to make payments
5 under the Medicare program under title XVIII of
6 the Social Security Act.

7 (7) Amounts necessary to make payments
8 under the Supplemental Nutrition Assistance Pro-
9 gram.

10 (8) Such amounts as the President certifies to
11 the Congress are necessary to carry out Government
12 functions necessary for protecting public health and
13 public safety.

14 **SEC. 2. EMERGENCY FUNDS TO ENSURE SOCIAL SECURITY**
15 **BENEFITS ARE PROVIDED.**

16 During a Governmentwide shutdown, the Managing
17 Trustee of the Trust Funds (as such term is used in sec-
18 tion 201(g)(1)(A) of the Social Security Act) shall make
19 available to the Commissioner of Social Security, out of
20 any or all of the Trust Funds, such amounts as the Com-
21 missioner determines to be necessary to provide for the
22 uninterrupted payment of monthly insurance benefits
23 under title II of such Act and payment of benefits under
24 the Supplemental Security Income Program under title
25 XVI of such Act.

1 **SEC. 3. PROHIBITION ON CONGRESSIONAL AND PRESI-**
2 **DENTIAL PAY DURING GOVERNMENTWIDE**
3 **SHUTDOWN.**

4 (a) **IN GENERAL.**—Members of Congress and the
5 President shall not receive basic pay during a Govern-
6 mentwide shutdown.

7 (b) **RETROACTIVE PAY PROHIBITED.**—No pay for-
8 feited in accordance with subsection (a) may be paid retro-
9 actively.

10 **SEC. 4. GOVERNMENTWIDE SHUTDOWN DEFINED.**

11 In this Act, the term “Governmentwide shutdown”
12 means any portion of a fiscal year during which none of
13 the appropriation bills for the fiscal year have become law
14 and an Act or joint resolution making continuing appro-
15 priations for the fiscal year is not in effect.

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