116TH CONGRESS 1ST SESSION H. J. RES. 1

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	(1) is solution 105
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 8,
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) Employees furloughed as a result of a
24	lapse in appropriations beginning on or about December
25	22, 2018, and ending on the date of the enactment of this

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joint resolution shall be compensated at their standard
 rate of compensation, for the period of such lapse in ap propriations, as soon as practicable after such lapse in ap propriations ends.

5 (b) For purposes of this section, "employee" means
6 any Federal employee whose salary and expenses are pro7 vided by the amendment made by section 1(1)(C).

8 (c) All obligations incurred in anticipation of the ap-9 propriations made and authority granted by this joint res-10 olution for the purposes of maintaining the essential level of activity to protect life and property and bringing about 11 12 orderly termination of Government functions, and for pur-13 poses as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions 14 15 of this joint resolution.

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—

(1) such furloughed employees shall be compensated 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

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 territories and possessions, shall have the meaning given such 16 terms under the applicable Federal program under sub-17 section (a). In addition, "to continue carrying out a Fed-18 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.

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

Passed the House of Representatives January 3, 2019.

Attest:

Clerk.

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