

116TH CONGRESS
1ST SESSION

S. 111

To make continuing appropriations for certain employees of the Department of Homeland Security and the Department of Justice in the event of a shutdown of the Federal Government.

IN THE SENATE OF THE UNITED STATES

JANUARY 10, 2019

Ms. MCSALLY introduced the following bill; which was read twice and referred to the Committee on Appropriations

A BILL

To make continuing appropriations for certain employees of the Department of Homeland Security and the Department of Justice in the event of a shutdown of the Federal Government.

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. SHORT TITLE.**

4 This Act may be cited as the “Pay Our Protectors
5 Act of 2019”.

1 **SEC. 2. CONTINUING APPROPRIATIONS FOR CERTAIN EM-**
2 **PLOYEES OF THE DEPARTMENT OF HOME-**
3 **LAND SECURITY AND THE DEPARTMENT OF**
4 **JUSTICE.**

5 (a) DEFINITION.—In this section, the term “covered
6 excepted employee” means an officer or employee—

7 (1) who is an officer or employee of an agency
8 that is subject to a lapse in appropriations during
9 fiscal year 2019;

10 (2) who is—

11 (A) an officer or employee of—

12 (i) U.S. Customs and Border Protec-
13 tion;

14 (ii) U.S. Immigration and Customs
15 Enforcement;

16 (iii) the Transportation Safety Admin-
17 istration;

18 (iv) the Coast Guard;

19 (v) the Federal Bureau of Investiga-
20 tion; or

21 (vi) the Central Intelligence Agency;

22 (B) an attorney employed by the Depart-
23 ment of Justice who prosecutes criminal of-
24 fenses; or

25 (C) an immigration judge employed by the
26 Department of Justice; and

1 (3) who is an excepted employee or an employee
2 performing emergency work, as such terms are de-
3 fined by the Office of Personnel Management.

4 (b) APPROPRIATION.—There are hereby appropriated
5 for fiscal year 2019, out of any money in the Treasury
6 not otherwise appropriated, to the head of each agency
7 that employs 1 or more covered excepted employees for
8 any period during which interim or full-year appropria-
9 tions for fiscal year 2019 are not in effect such sums as
10 are necessary to provide pay and allowances to each cov-
11 ered excepted employee of the agency.

12 (c) TERMINATION.—Appropriations made available
13 and authority granted under subsection (b) shall be avail-
14 able to the head of an agency until the earliest of—

15 (1) the enactment into law of a regular appro-
16 priations Act providing appropriations for the agen-
17 cy for fiscal year 2019;

18 (2) the enactment into law of a law providing
19 continuing or regular appropriations for the agency
20 for fiscal year 2019 that does not provide appropria-
21 tions for the purpose for which amounts are appro-
22 priated under subsection (b); or

23 (3) January 1, 2020.

24 (d) APPLICATION.—For a lapse in appropriations
25 that is in effect on the date of enactment of this Act, each

1 covered excepted employee shall be compensated for work
2 performed during the lapse in appropriations during the
3 period before such date of enactment at the standard rate
4 of compensation for the covered excepted employee at the
5 earliest date possible after such date of enactment.

