

115TH CONGRESS
2D SESSION

H. R. 4966

To make continuing appropriations for pay for certain training for members of the National Guard and of the reserve components of the Armed Forces in the event of a shutdown of the Federal Government, to prohibit the furlough of such members during such a shutdown, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2018

Mr. KELLY of Mississippi introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on Armed Services, 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 make continuing appropriations for pay for certain training for members of the National Guard and of the reserve components of the Armed Forces in the event of a shutdown of the Federal Government, to prohibit the furlough of such members during such a 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,*

1 **SECTION 1. CONTINUING APPROPRIATIONS FOR CERTAIN**
2 **TRAINING FOR MEMBERS OF THE NATIONAL**
3 **GUARD AND OF THE RESERVE COMPONENTS**
4 **OF ARMED FORCES.**

5 (a) APPROPRIATIONS.—Subject to subsection (c),
6 there are hereby appropriated for fiscal year 2018, out of
7 any money in the Treasury not otherwise appropriated,
8 for any period during which a Government shutdown is
9 in effect, such sums as are necessary to provide pay and
10 allowances to—

11 (1) covered members for training duty—

12 (A) in the course of performing—

13 (i) active service;

14 (ii) inactive-duty training; or

15 (iii) Active Guard and Reserve duty

16 under section 328 of title 32, United
17 States Code;

18 (B) that occurs during such period; and

19 (C) that the Secretary concerned deter-
20 mines was scheduled before the beginning of
21 such period; and

22 (2) civilian personnel of the Department of De-
23 fense (and the Department of Homeland Security in
24 the case of the Coast Guard) whom the Secretary
25 concerned determines are providing support to cov-

1 ered members for purposes described in paragraph
2 (1).

3 (b) EXEMPTION FROM FURLOUGH.—Subject to sub-
4 section (c), any covered member and all civilian personnel
5 described in subsection (a)(2) shall be exempt from any
6 furlough order for any period during which a Government
7 shutdown is in effect.

8 (c) TERMINATION.—Appropriations and funds made
9 available and exemptions from furlough granted pursuant
10 to this section shall be available until whichever of the fol-
11 lowing occurs first:

12 (1) The enactment into law of an appropriation
13 (including a continuing appropriation) for any pur-
14 pose for which amounts are made available in sub-
15 section (a).

16 (2) The enactment into law of the applicable
17 regular or continuing appropriations resolution or
18 other Act without any appropriation for such pur-
19 pose.

20 (3) The end of the 30th consecutive day on
21 which a Government shutdown is in effect.

22 (d) DETERMINATION OF GOVERNMENT SHUT-
23 DOWN.—For purposes of this section, a Government shut-
24 down shall be considered to be in effect if there is a lapse
25 in appropriations for any purpose for which amounts are

1 made available in subsection (a) as a result of a failure
2 to enact a regular appropriations bill or continuing resolu-
3 tion.

4 (e) DEFINITIONS.—In this section:

5 (1) The term “covered members” consists of—

6 (A) members of the National Guard; and

7 (B) members of the reserve components of
8 the Armed Forces.

9 (2) In this section, the term “Secretary con-
10 cerned” means—

11 (A) the Secretary of Defense with respect
12 to matters concerning the Department of De-
13 fense; and

14 (B) the Secretary of Homeland Security
15 with respect to matters concerning the Coast
16 Guard.

17 (3) The terms “Armed Forces”, “active serv-
18 ice”, and “inactive-duty training” have the meanings
19 given such terms in section 101 of title 10, United
20 States Code.

21 (4) The term “reserve components of the
22 Armed Forces” means the components named in
23 section 10101 of title 10, United States Code.

1 (5) The term “National Guard” has the mean-
2 ing given such term in section 101(3) of title 32,
3 United States Code.

4 (6) The term “furlough” has the meaning given
5 such term in section 7511(a)(5) of title 5, United
6 States Code.

○