

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.

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## 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

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## 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 approp-  
16 riations 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 appropria-  
22 ted 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.

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