H. R. 3166

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.

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 Representatives of the United States of America in Congress assembled,

2 SECTION 1. EMERGENCY APPROPRIATION OF FUNDS.

3 During a Governmentwide shutdown, the Secretary of the Treasury shall make available, out of any amounts in the general fund of the Treasury not otherwise appro-
priated, such amounts as are necessary to provide for the following:

(1) Amounts to provide pay and allowances to Members of the Army, Navy, Air Force, Marine Corps, and Coast Guard, including reserve components thereof, who perform active service during the funding gap.

(2) At the discretion of the Secretary of Defense, amounts to provide pay and allowances to such civilian personnel of the Department of Defense who are providing support to the members of the Armed Forces described in paragraph (1) as the Secretary considers appropriate.

(3) At the discretion of the Secretary of Defense, amounts to provide pay and allowances to such personnel of contractors of the Department of Defense who are providing direct support to the members of the Armed Forces described in paragraph (1) as the Secretary considers appropriate.

(4) Amounts necessary to carry out the authority of the Department of the Treasury provided in section 3123 of title 31, United States Code, to pay with legal tender the principal and interest on debt held by the public.
(5) Such amounts as the President certifies to
the Congress are necessary to carry out vital na-
tional security priorities.

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

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

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

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

During a Governmentwide shutdown, the Managing
Trustee of the Trust Funds (as such term is used in sec-
tion 201(g)(1)(A) of the Social Security Act) shall make
available to the Commissioner of Social Security, out of
any or all of the Trust Funds, such amounts as the Com-
missioner determines to be necessary to provide for the
uninterrupted payment of monthly insurance benefits
under title II of such Act and payment of benefits under
the Supplemental Security Income Program under title
XVI of such Act.
SEC. 3. PROHIBITION ON CONGRESSIONAL AND PRESIDENTIAL PAY DURING GOVERNMENTWIDE SHUTDOWN.

(a) IN GENERAL.—Members of Congress and the President shall not receive basic pay during a Governmentwide shutdown.

(b) RETROACTIVE PAY PROHIBITED.—No pay forfeited in accordance with subsection (a) may be paid retroactively.

SEC. 4. GOVERNMENTWIDE SHUTDOWN DEFINED.

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