

grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

“(b) For purposes of this section, the term ‘State’ and the term ‘grantee’ shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, ‘to continue carrying out a Federal program’ means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

“(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.

“SEC. 140. Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 and the timetable in section 254(a) of such Act, the final sequestration report for fiscal year 2019 pursuant to section 254(f)(1) of such Act and any order for fiscal year 2019 pursuant to section 254(f)(5) of such Act shall be issued, for the Congressional Budget Office, 10 days after the date specified in section 105(3), and for the Office of Management and Budget, 15 days after the date specified in section 105(3).

“SEC. 141. Section 319L(e)(1)(A) of the Public Health Service Act (42 U.S.C. 247d-7e(e)(1)(A)) shall continue in effect through the date specified in section 105(3) of this Act.

“SEC. 142. Section 405(a) of the Pandemic and All Hazards Preparedness Act (42 U.S.C. 247d-6a note) shall continue in effect through the date specified in section 105(3) of this Act.”

SEC. 102. For the purposes of division C of Public Law 115-245, the time covered by such division shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

SEC. 103. Subsection (c)(2) of section 1341 of title 31, United States Code, is amended by inserting “, and subject to the enactment of appropriations Acts ending the lapse” before the period.

SEC. 104. For the purposes of the annual report issued pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the second session of the 115th Congress, and for determining whether a sequestration order is necessary under such section, the debit for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2019 and added to such scorecard in 2020.

**SA 55.** Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to the joint resolution H.J. Res. 31, making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

The Continuing Appropriations Act, 2019 (division C of Public Law 115-245) is further amended—

(1) in section 105—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3)—

(i) by inserting “except as provided in paragraph (4),” before “December”; and

(ii) by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(4) with respect to appropriations and funds made available, and other authorities granted, pursuant to section 101(5) of this joint resolution for the Department of Homeland Security, February 15, 2019.”; and

(2) in section 110, by adding at the end the following:

“(c) With respect to mandatory payments whose budget authority was provided in the Department of Homeland Security Appropriations Act, 2018 (division F of Public Law 115-141), subsections (a) and (b) shall be applied by substituting ‘section 105(4)’ for ‘section 105(3)’ each place it appears.”.

#### FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that H.J. Res. 28 be considered read a second time and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 28) making further continuing appropriations for fiscal year 2019, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. MCCONNELL. I ask unanimous consent that the amendment at the desk be considered and agreed to and the joint resolution, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 54) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This joint resolution may be cited as the “Further Additional Continuing Appropriations Act, 2019”.

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115-245) is further amended—

(1) by striking the date specified in section 105(3) and inserting “February 15, 2019”; and

(2) by adding after section 136 the following:

“SEC. 137. Amounts made available in this Act for personnel pay, allowances, and benefits in each department and agency shall be available for obligations incurred pursuant to subsection (c) of section 1341 of title 31, United States Code.

“SEC. 138. All obligations incurred and in anticipation of the appropriations made and authority granted by this Act for the purposes of maintaining the essential level of activity to protect life and property and

bringing about orderly termination of Government function, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this Act.

“SEC. 139. (a) If a State (or another Federal grantee) used State funds (or the grantee’s non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee’s employees) whose compensation is advanced or reimbursed in whole or in part 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

“(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

“(b) For purposes of this section, the term ‘State’ and the term ‘grantee’ shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, ‘to continue carrying out a Federal program’ means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

“(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.

“SEC. 140. Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 and the timetable in section 254(a) of such Act, the final sequestration report for fiscal year 2019 pursuant to section 254(f)(1) of such Act and any order for fiscal year 2019 pursuant to section 254(f)(5) of such Act shall be issued, for the Congressional Budget Office, 10 days after the date specified in section 105(3), and for the Office of Management and Budget, 15 days after the date specified in section 105(3).

“SEC. 141. Section 319L(e)(1)(A) of the Public Health Service Act (42 U.S.C. 247d-7e(e)(1)(A)) shall continue in effect through the date specified in section 105(3) of this Act.

“SEC. 142. Section 405(a) of the Pandemic and All Hazards Preparedness Act (42 U.S.C. 247d-6a note) shall continue in effect through the date specified in section 105(3) of this Act.”

SEC. 102. For the purposes of division C of Public Law 115-245, the time covered by such division shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

SEC. 103. Subsection (c)(2) of section 1341 of title 31, United States Code, is amended by

inserting “, and subject to the enactment of appropriations Acts ending the lapse” before the period.

SEC. 104. For the purposes of the annual report issued pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the second session of the 115th Congress, and for determining whether a sequestration order is necessary under such section, the debit for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2019 and added to such scorecard in 2020.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

Mr. McCONNELL. I know of no further debate on the joint resolution, as amended.

The PRESIDING OFFICER. If there is no further debate, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The joint resolution (H.J. Res. 28), as amended, was passed.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE DEPARTMENT OF HOMELAND SECURITY FOR FISCAL YEAR 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that H.J. Res. 31 be considered read a second time and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 31) making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. McCONNELL. I ask unanimous consent that the amendment at the desk be considered and agreed to and the joint resolution, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 55) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

The Continuing Appropriations Act, 2019 (division C of Public Law 115-245) is further amended—

(1) in section 105—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3)—

(i) by inserting “except as provided in paragraph (4),” before “December”; and

(ii) by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(4) with respect to appropriations and funds made available, and other authorities granted, pursuant to section 101(5) of this joint resolution for the Department of Homeland Security, February 15, 2019.”; and

(2) in section 110, by adding at the end the following:

“(c) With respect to mandatory payments whose budget authority was provided in the Department of Homeland Security Appropriations Act, 2018 (division F of Public Law 115-141), subsections (a) and (b) shall be applied by substituting ‘section 105(4)’ for ‘section 105(3)’ each place it appears.”.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

Mr. McCONNELL. I know of no further debate on the joint resolution, as amended.

The PRESIDING OFFICER. If there is no further debate, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The joint resolution (H.J. Res. 31), as amended, was passed.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I ask unanimous consent that it be in order at this time for me to request a conference with the House on H.J. Res. 31.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### COMPOUND MOTION

Mr. McCONNELL. I move to insist upon the Senate amendment, request a conference with the House, and authorize the Presiding Officer to appoint conferees with respect to H.J. Res. 31.

I know of no further debate on the motion.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the motion.

The motion was agreed to.

#### APPOINTMENT OF CONFEREES

The Presiding Officer appointed Mr. SHELBY, Mrs. CAPITO, Mr. HOEVEN, Mr. BLUNT, Mr. LEAHY, Mr. DURBIN, and Mr. TESTER conferees on the part of the Senate.

#### HONORING THE LIFE OF HARRIS L. WOFFORD, JR.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 31, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 31) honoring the life of Harris L. Wofford, Jr.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 31) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

#### SIGNING AUTHORITY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the majority leader be authorized to sign duly enrolled bills or joint resolutions today through Monday, January 28.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR MONDAY, JANUARY 28, 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, January 28; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 1; finally, that notwithstanding the provisions of rule XXII, at 5:30 p.m. on Monday, the motion to proceed to the motion to reconsider cloture on the motion to proceed to S. 1 on January 8 be agreed to, the motion to reconsider cloture on the motion to proceed to S. 1 be agreed to, and the Senate vote on the motion to invoke cloture on the motion to proceed, upon reconsideration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 3 P.M. MONDAY

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the provisions of S. Res. 31 and do so as a further mark of respect for the late Harris Wofford, Jr., former Senator for the Commonwealth of Pennsylvania.