

118TH CONGRESS  
1ST SESSION

# S. 2791

To amend title 14, United States Code, to make appropriations for Coast Guard pay in the event an appropriations Act expires before the enactment of a new appropriations Act, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2023

Mr. CRUZ (for himself, Ms. CANTWELL, Mr. SULLIVAN, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Appropriations

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## A BILL

To amend title 14, United States Code, to make appropriations for Coast Guard pay in the event an appropriations Act expires before the enactment of a new appropriations Act, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pay Our Coast Guard  
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) The Coast Guard is a military service and  
2 a branch of the Armed Forces of the United States  
3 at all times regardless of whether it operates as a  
4 service in the Department of Homeland Security or  
5 as a service in the Navy.

6           (2) Notwithstanding respective appropriations  
7 and except as otherwise provided in law, members of  
8 the Coast Guard should receive treatment equitable  
9 to that of other members of the Armed Forces with  
10 regard to pay and benefits.

11 **SEC. 3. COAST GUARD PAY; CONTINUATION.**

12       (a) IN GENERAL.—Chapter 27 of title 14, United  
13 States Code, is amended by adding at the end the fol-  
14 lowing:

15 **“§ 2780. Pay; continuation during lapse in appropria-**  
16 **tions**

17       “(a) IN GENERAL.—In the case of any period in  
18 which there is a Coast Guard-specific funding lapse, there  
19 are appropriated such sums as may be necessary—

20           “(1) to provide pay and allowances to military  
21 members of the Coast Guard, including the reserve  
22 component thereof, who perform active service or in-  
23 active-duty training during such period;

24           “(2) to provide pay and benefits to qualified ci-  
25 vilian employees of the Coast Guard;

1           “(3) to provide pay and benefits to qualified  
2 contract employees of the Coast Guard; and

3           “(4) to provide for—

4           “(A) the payment of a death gratuity  
5 under sections 1475 through 1477 and 1489 of  
6 title 10, with respect to members of the Coast  
7 Guard;

8           “(B) the payment or reimbursement of au-  
9 thorized funeral travel and travel related to the  
10 dignified transfer of remains and unit memorial  
11 services under section 481f of title 37, with re-  
12 spect to members of the Coast Guard; and

13           “(C) the temporary continuation of a basic  
14 allowance of housing for dependents of mem-  
15 bers of the Coast Guard dying on active duty,  
16 as authorized by section 403(1) of title 37.

17           “(b) COAST GUARD-SPECIFIC FUNDING LAPSE.—

18 For purposes of this section, a Coast Guard-specific fund-  
19 ing lapse occurs in any case in which—

20           “(1) a general appropriation bill providing ap-  
21 propriations for the Coast Guard for a fiscal year is  
22 not enacted before the beginning of such fiscal year  
23 (and no joint resolution making continuing appro-  
24 priations for the Coast Guard is in effect); and

1           “(2) a general appropriation bill providing ap-  
2           propriations for the Department of Defense for such  
3           fiscal year is enacted before the beginning of such  
4           fiscal year (or a joint resolution making continuing  
5           appropriations for the Department of Defense is in  
6           effect.

7           “(c) TERMINATION.—Appropriations and funds made  
8           available and authority granted for any fiscal year for any  
9           purpose under subsection (a) shall be available until  
10          whichever of the following first occurs:

11           “(1) The enactment into law of an appropria-  
12          tion (including a continuing appropriation) for such  
13          purpose.

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

18           “(3) The termination of availability of appro-  
19          priations for the Department of Defense.

20           “(d) RATE FOR OPERATIONS; APPLICABILITY TO AP-  
21          PROPRIATIONS ACTS.—Appropriations made pursuant to  
22          this section shall be at a rate for operations and to the  
23          extent and manner that would be provided by the perti-  
24          nent appropriations Act.

1       “(e) CHARGE TO FUTURE APPROPRIATIONS.—Ex-  
2       penditures made pursuant to this section shall be charged  
3       to the applicable appropriation, fund, or authorization  
4       whenever a bill in which such applicable appropriation,  
5       fund, or authorization is enacted into law.

6       “(f) APPORTIONMENT.—Appropriations and funds  
7       made available by or authority granted under this section  
8       may be used without regard to the time limitations for  
9       submission and approval of apportionments set forth in  
10      section 1513 of title 31, but nothing in this section may  
11      be construed to waive any other provision of law governing  
12      the apportionment of funds.

13      “(g) DEFINITIONS.—In this section:

14           “(1) QUALIFIED CIVILIAN EMPLOYEE.—The  
15           term ‘qualified civilian employee’ means a civilian  
16           employee of the Coast Guard who the Commandant  
17           determines is—

18                   “(A) providing support to members of the  
19                   Coast Guard or another Armed Force; or

20                   “(B) performing work as an excepted em-  
21                   ployee or an employee performing emergency  
22                   work, as such terms are defined by the Office  
23                   of Personnel Management.

24           “(2) QUALIFIED CONTRACT EMPLOYEE OF THE  
25           COAST GUARD.—The term ‘qualified contract em-

1        ployee of the Coast Guard’ means an individual per-  
2        forming work under a contract who the Com-  
3        mandant determines is—

4                “(A) providing support to military mem-  
5                bers or qualified civilian employees of the Coast  
6                Guard or another Armed Force; or

7                “(B) required to perform work during a  
8                lapse in appropriations.”.

9        (b) CLERICAL AMENDMENT.—The analysis for chap-  
10        ter 27 of title 14, United States Code, is amended by add-  
11        ing at the end the following:

“2780. Pay; continuation during lapse in appropriations.”.

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