

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 367**  
**OFFERED BY MR. DEFAZIO**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Pay Our Coast Guard  
3 Parity Act of 2019”.

**4 SEC. 2. FINDINGS.**

5       The Congress makes the following findings:

6           (1) The Coast Guard is a military service and  
7 a branch of the Armed Forces of the United States  
8 at all times regardless of whether it operates as a  
9 service in the Department of Homeland of Security  
10 or as a service in the Navy.

11           (2) Notwithstanding respective appropriations  
12 and except as otherwise provided in law, members of  
13 the Coast Guard should receive treatment equitable  
14 to that of other members of the Armed Forces with  
15 regard to pay and benefits.

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

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

5 **“§ 2780. Pay; continuation during lapse in appropria-**  
6 **tions.**

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

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

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

16 “(3) to provide pay and benefits to qualified  
17 contract employee of the Coast Guard;

18 “(4) to provide for—

19 “(A) the payment of a death gratuity  
20 under sections 1475 through 1477 and 1489 of  
21 title 10, with respect to members of the Coast  
22 Guard;

23 “(B) the payment or reimbursement of au-  
24 thorized funeral travel and travel related to the  
25 dignified transfer of remains and unit memorial

1 services under section 481f of title 37, with re-  
2 spect to members of the Coast Guard; and

3 “(C) the temporary continuation of a basic  
4 allowance of housing for dependents of mem-  
5 bers of the Coast Guard dying on active duty,  
6 as authorized by section 403(1) of title 37; and

7 “(5) to provide for Coast Guard retired pay, in-  
8 cluding the payment of obligations otherwise charge-  
9 able to lapsed appropriations for this purpose, pay-  
10 ments under the Retired Serviceman’s Family Pro-  
11 tection and Survivor Benefits Plans, payment for ca-  
12 reer status bonuses, payment of continuation pay  
13 under section 356 of title 37, concurrent receipts,  
14 combat-related special compensation, and payments  
15 for medical care of retired personnel and their de-  
16 pendents under chapter 55 of title 10.

17 “(b) COAST GUARD-SPECIFIC FUNDING LAPSE.—For  
18 purposes of this section, a Coast Guard-specific funding  
19 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 an appropria-  
15          tion (including a continuing appropriation) for the  
16          Coast Guard without provision for such purpose.

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

19           “(4) The date that is 180 days after the begin-  
20          ning of the Coast Guard-specific funding lapse.

21           “(d) RATE FOR OPERATIONS; APPLICABILITY TO AP-  
22          PROPRIATION ACTS.—Appropriations made pursuant this  
23          section shall be available at a rate for operations and to  
24          the extent and in the manner that would be provided by  
25          the pertinent 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) The term ‘qualified civilian employee’  
15 means a civilian employee of the Coast Guard whom  
16 the Commandant determines is—

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

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

23               “(2) The term ‘qualified contract employee of  
24 the Coast Guard’ means an individual performing

1 work under a contract whom the Commandant de-  
2 termines is—

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

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

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

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

