

116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To appropriate funds for pay and allowances of excepted Federal employees,  
and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. JOHNSON (for himself, Ms. COLLINS, Ms. MURKOWSKI, Mr. YOUNG, Mr. ALEXANDER, and Mr. CRAMER) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To appropriate funds for pay and allowances of excepted  
Federal employees, 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 “Shutdown Fairness  
5 Act”.

6 **SEC. 2. APPROPRIATIONS.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “agency” means each authority of  
9 the executive, legislative, or judicial branch of the  
10 Government of the United States; and

1 (2) the term “excepted employee”—

2 (A) means an employee of an agency who  
3 the head of that agency determines is an ex-  
4 cepted employee or an employee performing  
5 emergency work, as those terms are defined by  
6 the Office of Personnel Management; and

7 (B) includes a contractor who—

8 (i) provides support to an employee  
9 described in subparagraph (A); and

10 (ii) is required to perform work dur-  
11 ing a lapse in appropriations, as deter-  
12 mined by the head of the agency with re-  
13 spect to which the contractor provides sup-  
14 port.

15 (b) APPROPRIATIONS.—There are appropriated for  
16 the fiscal year ending September 30, 2019, out of any  
17 money in the Treasury not otherwise appropriated, for any  
18 period during which interim or full-year appropriations for  
19 that fiscal year are not in effect, such sums as are nec-  
20 essary to provide pay and allowances to excepted employ-  
21 ees who are required to perform work during that period.

22 (c) TERMINATION.—Subject to subsection (d), appro-  
23 priations and funds made available and authority granted  
24 under subsection (b) shall be available until whichever of  
25 the following first occurs:

1           (1) The enactment into law of an appropriation  
2           (including a continuing appropriation) for any pur-  
3           pose for which amounts are made available under  
4           subsection (b).

5           (2) The enactment into law of the applicable  
6           regular or continuing appropriations resolution or  
7           other Act without any appropriation for such pur-  
8           pose.

9           (3) January 1, 2020.

10          (d) SUBSEQUENT LAPSES.—Appropriations made  
11          available under subsection (b) may not be obligated during  
12          any period during which continuing appropriations for any  
13          purpose for which amounts are made available under sub-  
14          section (b) are in effect.