

116TH CONGRESS  
1ST SESSION

# S. 113

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

JANUARY 14, 2019

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

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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—

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

4           (2) the term “excepted employee”—

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

10           (B) includes a contractor who—

11               (i) provides support to an employee  
12       described in subparagraph (A); and

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

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

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

5           (1) The enactment into law of an appropriation  
6       (including a continuing appropriation) for any pur-  
7       pose for which amounts are made available under  
8       subsection (b).

9           (2) The enactment into law of the applicable  
10      regular or continuing appropriations resolution or  
11      other Act without any appropriation for such pur-  
12      pose.

13          (3) January 1, 2020.

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

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