

119TH CONGRESS
2D SESSION

S. 4174

To provide a premium payment to employees who worked without receiving pay during the shutdown of the Department of Homeland Security of 10 percent of the pay the employees should have received during the shutdown.

IN THE SENATE OF THE UNITED STATES

MARCH 24, 2026

Mr. GALLEGO introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To provide a premium payment to employees who worked without receiving pay during the shutdown of the Department of Homeland Security of 10 percent of the pay the employees should have received during the shutdown.

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. PREMIUM PAYMENT TO DHS WORKERS RE-**
4 **QUIRED TO WORK WITHOUT PAY DURING**
5 **SHUTDOWN.**

6 (a) DEFINITIONS.—In this section:

1 (1) COVERED LAPSE IN APPROPRIATIONS.—The
2 term “covered lapse in appropriations” means the
3 lapse in appropriations that began on February 14,
4 2026.

5 (2) HOURS WORKED WITHOUT PAY.—The term
6 “hours worked without pay”, with respect to an un-
7 paid employee, means any hours worked by the un-
8 paid employee during the covered lapse in appropria-
9 tions for which the unpaid employee did not receive
10 pay during the period of the covered lapse in appro-
11 priations.

12 (3) UNPAID EMPLOYEE.—The term “unpaid
13 employee”—

14 (A) means an employee—

15 (i) employed by an agency affected by
16 the covered lapse in appropriations;

17 (ii) who performed work for the agen-
18 cy described in clause (i) during the cov-
19 ered lapse in appropriations; and

20 (iii) who did not receive pay for any
21 of the work described in clause (ii) during
22 the period of the covered lapse in appro-
23 priations; and

24 (B) does not include an employee of an
25 agency affected by the covered lapse in appro-

1 priations who received pay during the period of
2 the covered lapse in appropriations for any of
3 the work performed by the employee during the
4 covered lapse in appropriations.

5 (b) PREMIUM PAYMENT.—Not later than 1 day after
6 the end of the covered lapse in appropriations, the head
7 of each agency employing unpaid employees shall make a
8 1-time payment to each unpaid employee of the agency
9 in the amount equal to 10 percent of the product obtained
10 by multiplying—

11 (1) the number of hours worked without pay by
12 the unpaid employee; by

13 (2) the hourly rate of basic pay of the unpaid
14 employee.

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