

## Calendar No. 229

114TH CONGRESS  
1ST SESSION**S. 2035**

To provide for the compensation of Federal employees affected by a lapse  
in appropriations.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2015

Mr. CARDIN (for himself, Mr. REID, Ms. BALDWIN, Mr. CARPER, Mrs. GILLI-  
BRAND, Ms. HIRONO, Mr. KAINE, Mr. LEAHY, Ms. MIKULSKI, Mrs. SHA-  
HEEN, and Mr. WARNER) introduced the following bill; which was read  
the first time

SEPTEMBER 16, 2015

Read the second time and placed on the calendar

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**A BILL**

To provide for the compensation of Federal employees  
affected by a lapse in appropriations.

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 “Federal Employee Fair  
5 Treatment Act of 2015”.

1 **SEC. 2. COMPENSATION FOR FEDERAL EMPLOYEES AF-**  
2 **FFECTED BY A LAPSE IN APPROPRIATIONS.**

3 Section 1341 of title 31, United States Code, is  
4 amended—

5 (1) in subsection (a)(1), by striking “An offi-  
6 cer” and inserting “Except as specified in this sub-  
7 chapter or any other provision of law, an officer”;  
8 and

9 (2) by adding at the end the following:

10 “(c)(1) In this subsection—

11 “(A) the term ‘covered lapse in appropriations’  
12 means a lapse in appropriations that begins on or  
13 after October 1, 2015; and

14 “(B) the term ‘excepted employee’ means an ex-  
15 cepted employee or an employee performing emer-  
16 gency work, as such terms are defined by the Office  
17 of Personnel Management.

18 “(2) Each Federal employee furloughed as a result  
19 of a covered lapse in appropriations shall be paid for the  
20 period of the lapse in appropriations, and each excepted  
21 employee who is required to perform work during a cov-  
22 ered lapse in appropriations shall be paid for such work,  
23 at the employee’s standard rate of pay at the earliest date  
24 possible after the lapse in appropriations ends, regardless  
25 of scheduled pay dates.

1       “(3) During a covered lapse in appropriations, each  
2 excepted employee who is required to perform work shall  
3 be entitled to use leave under chapter 63 of title 5, or  
4 any other applicable law governing the use of leave by the  
5 excepted employee, for which compensation shall be paid  
6 at the earliest date possible after the lapse in appropria-  
7 tions ends, regardless of scheduled pay dates.”.

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