

119TH CONGRESS
1ST SESSION

S. 3001

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

IN THE SENATE OF THE UNITED STATES

OCTOBER 9, 2025

Mr. JOHNSON (for himself, Mr. CRAPO, Mr. COTTON, Mr. RISCH, and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on Appropriations

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.—For fiscal year 2026, or any
16 fiscal year thereafter, for any period during which interim
17 or full-year appropriations for that fiscal year are not in
18 effect for an agency, there are appropriated to the head
19 of the agency, out of any money in the Treasury not other-
20 wise appropriated, such sums as are necessary to provide
21 pay and allowances to excepted employees of the agency
22 who are required to perform work during that period.

23 (c) TERMINATION.—Appropriations and funds made
24 available and authority granted under subsection (b) shall

1 be available to the head of an agency until whichever of
 2 the following first occurs:

3 (1) The enactment into law of appropriations
 4 for the agency until the end of the applicable fiscal
 5 year (including a continuing appropriation) that pro-
 6 vide amounts for the purposes for which amounts
 7 are made available under subsection (b).

8 (2) The enactment into law of appropriations
 9 for the agency until the end of the applicable fiscal
 10 year (including a continuing appropriation) without
 11 any appropriation for such purposes.

12 (d) SUBSEQUENT LAPSES.—Appropriations made
 13 available under subsection (b) may not be obligated by the
 14 head of an agency during any period during which con-
 15 tinuing appropriations for the purposes for which amounts
 16 are made available under subsection (b) are in effect for
 17 the agency.

18 (e) CHARGING TO FULL-YEAR APPROPRIATIONS.—
 19 Expenditures made by the head of an agency pursuant to
 20 subsection (b) shall be charged to the applicable appro-
 21 priation for the agency whenever a regular appropriation
 22 bill or a measure making continuing appropriations until
 23 the end of the applicable fiscal year for the agency be-
 24 comes law.

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