

Calendar No. 3

116TH CONGRESS
1ST SESSION

S. 24

To provide for the compensation of Federal and other government employees
affected by lapses in appropriations.

IN THE SENATE OF THE UNITED STATES

JANUARY 3, 2019

Mr. CARDIN (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. KAINE, Mr. REED, Ms. HIRONO, Mr. MARKEY, Mr. JONES, Mr. DURBIN, Mr. LEAHY, Mr. VAN HOLLEN, Mr. COONS, Ms. SMITH, Mr. CARPER, Mr. WYDEN, Mrs. SHAHEEN, Ms. HASSAN, Ms. WARREN, Ms. CANTWELL, Ms. KLOBUCHAR, Ms. DUCKWORTH, Mr. BENNET, Mr. MANCHIN, Mr. WARNER, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Mr. HEINRICH, Mrs. GILLIBRAND, Ms. HARRIS, and Mr. WHITEHOUSE) introduced the following bill; which was read the first time

JANUARY 4, 2019

Read the second time and placed on the calendar

A BILL

To provide for the compensation of Federal and other
government employees affected by lapses in appropriations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Government Employee
3 Fair Treatment Act of 2019”.

4 **SEC. 2. COMPENSATION FOR FEDERAL AND OTHER GOV-**
5 **ERNMENT EMPLOYEES AFFECTED BY A**
6 **LAPSE IN APPROPRIATIONS.**

7 Section 1341 of title 31, United States Code, is
8 amended—

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

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

14 “(c)(1) In this subsection—

15 “(A) the term ‘covered lapse in appropriations’
16 means any lapse in appropriations that begins on or
17 after December 22, 2018;

18 “(B) the term ‘District of Columbia public em-
19 ployer’ means—

20 “(i) the District of Columbia Courts;

21 “(ii) the Public Defender Service for the
22 District of Columbia; or

23 “(iii) the District of Columbia government;

24 “(C) the term ‘employee’ includes an officer;
25 and

1 “(D) the term ‘excepted employee’ means an ex-
2 cepted employee or an employee performing emer-
3 gency work, as such terms are defined by the Office
4 of Personnel Management or the appropriate Dis-
5 trict of Columbia public employer, as applicable.

6 “(2) Each employee of the United States Government
7 or of a District of Columbia public employer furloughed
8 as a result of a covered lapse in appropriations shall be
9 paid for the period of the lapse in appropriations, and each
10 excepted employee who is required to perform work during
11 a covered lapse in appropriations shall be paid for such
12 work, at the employee’s standard rate of pay, at the ear-
13 liest date possible after the lapse in appropriations ends,
14 regardless of scheduled pay dates.

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

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