

119TH CONGRESS
1ST SESSION

S. _____

To appropriate funds for pay and allowances of Federal employees during the lapse in appropriations that began on October 1, 2025, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. VAN HOLLEN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To appropriate funds for pay and allowances of Federal employees during the lapse in appropriations that began on October 1, 2025, 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 “True Shutdown Fair-
5 ness 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;

4 (2) the term “covered individual”—

5 (A) means each employee of an agency,
6 without regard to whether, during the period of
7 the covered lapse in appropriations with respect
8 to that agency occurring before the date of en-
9 actment of this Act—

10 (i) the head of that agency determined
11 that the individual was an excepted em-
12 ployee or an employee performing emer-
13 gency work, as those terms are defined by
14 the Office of Personnel Management; or

15 (ii) the individual was subject to fur-
16 lough; and

17 (B) includes—

18 (i) a contractor who provides support
19 to an employee described in subparagraph
20 (A);

21 (ii) a member of the Armed Forces on
22 active duty; and

23 (iii) a member of a reserve component
24 who, during the covered lapse in appropria-
25 tions with respect to the applicable agency,

1 performs active service or inactive-duty
2 training;

3 (3) the term “covered lapse in appropriations”
4 means, with respect to an agency, the lapse in ap-
5 propriations with respect to that agency beginning
6 on October 1, 2025, and ending on the termination
7 date; and

8 (4) the term “termination date” means the date
9 on which, after the start of the covered lapse in ap-
10 propriations—

11 (A) there are enacted into law appropria-
12 tions for the agency (including a continuing ap-
13 propriation) that provide amounts for the pur-
14 poses for which amounts are made available
15 under subsection (b); or

16 (B) there are enacted into law appropria-
17 tions for the agency (including a continuing ap-
18 propriation) without any appropriation for such
19 purposes.

20 (b) APPROPRIATIONS.—For fiscal year 2026, there
21 are appropriated to the head of each agency with respect
22 to which there is a covered lapse in appropriations, out
23 of any money in the Treasury not otherwise appropriated,
24 such sums as are necessary to provide, with respect to the
25 covered lapse in appropriations, standard rates of pay, al-

1 lowances, pay differentials, benefits, and other payments
2 otherwise payable on a regular basis to covered individuals
3 with respect to the agency.

4 (c) TERMINATION.—Appropriations and funds made
5 available and authority granted under subsection (b) shall
6 be available to the head of an agency until the termination
7 date.

8 (d) CHARGE TO FUTURE APPROPRIATIONS.—Ex-
9 penditures made pursuant to this Act shall be charged to
10 the applicable appropriation, fund, or authorization when-
11 ever a bill in which such applicable appropriation, fund,
12 or authorization is enacted into law.

13 (e) RETROACTIVE EFFECTIVE DATE.—This section
14 shall take effect as if enacted on September 30, 2025.

15 **SEC. 3. LIMITATION ON REDUCTIONS IN FORCE.**

16 (a) DEFINITIONS.—In this section, the terms “agen-
17 cy” and “covered lapse in appropriations” have the mean-
18 ings given those terms in section 2(a).

19 (b) PROHIBITION.—During the covered lapse in ap-
20 propriations, none of the funds made available by this or
21 any other Act may be used to—

22 (1) propose or implement a reduction in force,
23 or any similar effort, to permanently reduce the
24 number of employees employed by an agency; or

1 (2) place any employee of an agency in adminis-
2 trative leave for more than 10 work days in any cal-
3 endar year.

4 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion may be construed to affect a voluntary separation
6 payment offered to an employee under section 3523 of title
7 5, United States Code.