

AMENDMENT TO H.R. 8800
OFFERED BY MS. GOODLANDER OF NEW
HAMPSHIRE

Insert in the appropriate place in title XVII the following:

1 **Subtitle _____—Shutdown Fairness**
2 **and Defense Workforce Protec-**
3 **tion Act**

4 **SEC. __. SHORT TITLE.**

5 This subtitle may be cited as the “Shutdown Fairness
6 and Defense Workforce Protection Act”.

7 **SEC. __. APPROPRIATIONS FOR EXCEPTED EMPLOYEES.**

8 (a) DEFINITIONS.—In this section—

9 (1) the term “agency” means each authority of
10 the executive, legislative, or judicial branch of the
11 Government of the United States;

12 (2) the term “excepted employee”—

13 (A) means an employee of an agency who
14 the head of that agency determines is an ex-
15 cepted employee or an employee performing
16 emergency work, as those terms are defined by
17 the Office of Personnel Management; and

18 (B) includes—

1 (i) a contractor who—

2 (I) provides support to an em-
3 ployee described in subparagraph (A);

4 and

5 (II) is required to perform work
6 during a lapse in appropriations, as
7 determined by the head of the agency
8 with respect to which the contractor
9 provides support; and

10 (ii) a member of the Armed Forces on
11 active duty; and

12 (3) the term “excepted work” means work per-
13 formed by an excepted employee during a period
14 during which interim or full-year appropriations for
15 the applicable fiscal year are not in effect for the ap-
16 plicable agency.

17 (b) APPROPRIATIONS.—For fiscal year 2027 and any
18 fiscal year thereafter, for any period during which interim
19 continuing appropriations or full-year appropriations for
20 that fiscal year are not in effect for an agency, there are
21 appropriated to the head of the agency, out of any money
22 in the Treasury not otherwise appropriated, such sums as
23 are necessary to provide standard rates of pay, allowances,
24 pay differentials, benefits, and other payments otherwise
25 payable on a regular basis to excepted employees of the

1 agency with respect to any period of excepted work per-
2 formed by the excepted employees.

3 (c) TERMINATION.—Appropriations and funds made
4 available and authority granted under subsection (b) shall
5 be available to the head of an agency until whichever of
6 the following first occurs:

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

12 (2) The enactment into law of appropriations
13 for the agency until the end of the applicable fiscal
14 year (including a continuing appropriation) without
15 any appropriation for such purposes.

16 (d) INTERIM CONTINUING APPROPRIATIONS.—Ap-
17 propriations made available under subsection (b) may not
18 be obligated by the head of an agency during any period
19 during which continuing appropriations for the purposes
20 for which amounts are made available under subsection
21 (b) are in effect for the agency.

22 (e) CHARGING TO FULL-YEAR APPROPRIATIONS.—
23 Obligations or expenditures made by the head of an agen-
24 cy pursuant to subsection (b) shall be charged to the appli-
25 cable appropriation for the agency whenever a regular ap-

1 appropriation bill or a measure making continuing appro-
2 priations until the end of the applicable fiscal year for the
3 agency becomes law.

4 **SEC. ____ . PROHIBITION ON THE USE OF FUNDS FOR HIR-**
5 **ING FREEZES, REDUCTIONS IN FORCE, OR**
6 **UNJUSTIFIED HIRING DELAYS WITHIN THE**
7 **DEPARTMENT OF DEFENSE.**

8 (a) IN GENERAL.—None of the funds authorized to
9 be appropriated or otherwise made available for fiscal year
10 2027 and any fiscal year thereafter for the Department
11 of Defense may be used to—

12 (1) carry out a hiring freeze within the Depart-
13 ment of Defense;

14 (2) carry out a reduction in force within the
15 Department of Defense; or

16 (3) delay without cause the filling of a vacant
17 Federal civilian employee position within the Depart-
18 ment of Defense.

19 (b) APPLICATION.—For purposes of this section, the
20 term “Department of Defense” includes all military de-
21 partments, Defense Agencies, Department of Defense field
22 activities, combatant commands, and any other organiza-
23 tional element of the Department of Defense employing
24 civilian personnel.

