



Lt. Gen. Brian T. Kelly
USAF (Ret)
President and CEO

CONGRESS:

Pass the **Shutdown Fairness Act (S. 3168/H.R. 7137)** and work to ensure all uniformed service officers are covered by the bill.

Shutdown Fairness Act: Ensure Servicemembers Receive Pay and Benefits

THE ISSUE

When Congress fails to pass timely appropriations, servicemembers continue to report for duty despite no guarantee of timely pay or benefits. Government shutdowns and funding lapses have become a recurring feature of the federal budget process, creating ongoing uncertainty for those in uniform and their families.

While lawmakers negotiate funding, active duty servicemembers are required to serve without assurance they will receive a paycheck. At the same time, reserve component members are often forced to suspend inactive duty training, disrupting mission readiness and jeopardizing retirement service credit. These disruptions are not isolated events; they are the predictable result of a budget process that has relied on continuing resolutions and last-minute fixes for decades.

THE ACTION

Passing the Shutdown Fairness Act (S. 3168) would ensure members of the armed forces continue to receive pay and benefits during a lapse in appropriations while Congress determines funding for the remainder of government operations.

The legislation also allows National Guard and Reserve members to continue performing inactive duty training during funding gaps, protecting both readiness and retirement credit accrual. MOAA supports the addition of an amendment to extend these protections to all members of the uniformed services, ensuring no one in uniform is left without pay due to political gridlock.

KEY FACTS

- **Chronic Budget Uncertainty:** Government shutdowns and delayed appropriations are frequent. The first FY 2026 shutdown was ended by the 208th continuing resolution since 1977.
- **Service Without Pay:** During a lapse in appropriations, active duty servicemembers are required to continue performing their duties despite no guarantee



of timely pay or delivery of benefits.

- **Readiness and Retirement Impacts:** Reserve component members are often forced to suspend inactive duty training, limiting support to active forces and disrupting the ability to earn a “good year” toward retirement.
- **Family Financial Strain:** Servicemembers must still cover essential expenses — including rent or mortgage payments, utilities, child care, and commuting costs — often relying on loans or outside assistance that carry long-term financial consequences.
- **Uniformed Service Impact:** The act does not yet specify protections for officers of NOAA. Their inclusion should be part of the final passage.

READINESS AND FAIRNESS

Servicemembers will continue to show up for duty regardless of whether the government is open. Requiring them to serve without pay undermines readiness, strains families, and erodes trust in the commitments made to the all-volunteer force. A permanent solution to ensure servicemember pay during funding lapses removes uncertainty from future shutdowns, protects retention, and affirms that those who serve will not be treated as leverage in budget negotiations.



Cmdr. René Campos, USN (Ret)
Senior Director
legis@moaa.org

PHOTOS: TOP: BLOOMBERG CREATIVE/GETTY IMAGES; LEFT: MIKE MORONES/STAFF