To provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and to prohibit consideration of other matters in the Senate if appropriations are not enacted.

IN THE SENATE OF THE UNITED STATES

Mr. Kaine introduced the following bill; which was read twice and referred to the Committee on ________

A BILL

To provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and to prohibit consideration of other matters in the Senate if appropriations are not enacted.

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 “End Shutdowns Act”.
SEC. 2. AUTOMATIC CONTINUING APPROPRIATIONS; RE-
quirement to consider appropriations measures.

(a) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by adding at the end the fol-
lowing:

“§1311. Automatic continuing appropriations; re-
quirement to consider appropriations measures

“(a)(1)(A) On and after October 1 of each fiscal year, if an appropriation Act for such fiscal year with respect to the account for a program, project, or activity has not been enacted and continuing appropriations are not in ef-
fect with respect to the program, project, or activity, there are appropriated such sums as may be necessary to con-
tinue, at the rate for operations specified in subparagraph (B), the program, project, or activity if funds were pro-
vided for the program, project, or activity during the pre-
ceding fiscal year.

“(B) The rate for operations specified in this sub-
paragraph with respect to a program, project, or activity is the rate for operations for the preceding fiscal year for the program, project, or activity—

“(i) provided in the corresponding appropriation Act for such preceding fiscal year;
'"(ii) if the corresponding appropriation bill for
such preceding fiscal year was not enacted, provided
in the law providing continuing appropriations for
such preceding fiscal year; or

"(iii) if the corresponding appropriation bill and
a law providing continuing appropriations for such
preceding fiscal year were not enacted, provided
under this section for such preceding fiscal year.

"(2)(A) On and after October 1 of each fiscal year,
if continuing appropriations for such fiscal year are in ef-
fect under paragraph (1) for any program, project, or ac-
tivity, except as provided in subparagraph (B), it shall not
be in order in the Senate to move to proceed to any mat-
ter, including any privileged matter, other than a measure
making regular or continuing appropriations for such fis-
cal year.

"(B)(i) During a period described in subparagraph
(A), it shall be in order to move to proceed to legislation
determined by the majority leader, with the concurrence
of the minority leader, to be emergency legislation.

"(ii) For purposes of clause (i), the term 'emergency'
means a situation that is related to the prevention or miti-
gation of, or response to, loss of life or property, an act
of terror, or a threat to national security.
“(C) This paragraph may not be waived or suspended in the Senate.

“(D) This paragraph is enacted—

“(i) as an exercise of the rulemaking power of the Senate and as such it is deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate during a period described in subparagraph (A); and

“(ii) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

“(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available for the period beginning with the first day of any lapse in appropriations during such fiscal year and ending with the date on which the applicable regular appropriation bill for such fiscal year is enacted (whether or not such law provides appropriations for such program, project, or activity) or a law making continuing appropriations for the program, project, or activity is enacted, as the case may be.
“(4) Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)(1)) and the timetable in section 254(a) of such Act (2 U.S.C. 904(a)), for any fiscal year for which appropriations and funds are made available under this section, the final sequestration report for such fiscal year pursuant to section 254(f)(1) of such Act (2 U.S.C. 904(f)(1)) and any order for such fiscal year pursuant to section 254(f)(5) of such Act (2 U.S.C. 901(f)(5)) shall be issued—

“(A) for the Congressional Budget Office, 10 days after the date on which appropriation Acts providing funding for the entire Federal Government through the end of such fiscal year have been enacted; and

“(B) for the Office of Management and Budget, 15 days after the date on which appropriation Acts providing funding for the entire Federal Government through the end of such fiscal year have been enacted.

“(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding
fiscal year, or authority granted for such program, project, or activity under current law.

“(c) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation Act, or a law making continuing appropriations until the end of such fiscal year, for such program, project, or activity is enacted.

“(d) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period; or

“(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue for such period.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 13 of title 31, United States Code, is amended by adding at the end the following:

“1311. Automatic continuing appropriations; requirement to consider appropriations measures.”.