

118TH CONGRESS
1ST SESSION

S. RES. _____

Relating to proceedings of the Senate in the event of a partial or full
shutdown of the Federal Government.

IN THE SENATE OF THE UNITED STATES

Mr. BENNET (for himself and Ms. ERNST) submitted the following resolution;
which was referred to the Committee on _____

RESOLUTION

Relating to proceedings of the Senate in the event of a
partial or full shutdown of the Federal Government.

1 *Resolved,*

2 **SECTION 1. SHORT TITLE.**

3 This resolution may be cited as the “Shutdown Ac-
4 countability Resolution”.

5 **SEC. 2. PROCEEDINGS OF THE SENATE DURING A FULL OR**
6 **PARTIAL GOVERNMENT SHUTDOWN.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “Government shutdown” means a
9 lapse in appropriations for 1 or more agencies of the
10 Federal Government; and

1 (2) the term “Sergeant at Arms” means the
2 Sergeant at Arms and Doorkeeper of the Senate.

3 (b) CONVENING OF THE SENATE.—

4 (1) IN GENERAL.—Notwithstanding any rule or
5 order of the Senate, during the period of a Govern-
6 ment shutdown—

7 (A) the Senate shall convene at 8:00 a.m.
8 each day, unless the body is in continuous ses-
9 sion; and

10 (B) it shall not be in order to ask for, and
11 the Presiding Officer shall not entertain a re-
12 quest for, unanimous consent to change the
13 hour or day on which the Senate shall convene
14 under subparagraph (A).

15 (2) SENATE NOT IN SESSION.—If the Senate is
16 not in session on the first calendar day of a Govern-
17 ment shutdown, the majority leader, after consulta-
18 tion with the minority leader, shall notify Members
19 of the Senate that, pursuant to this standing order,
20 the Senate shall convene at 8:00 a.m. on the next
21 calendar day of the Government shutdown.

22 (c) PRESENCE OF A QUORUM.—

23 (1) IN GENERAL.—During the period of a Gov-
24 ernment shutdown, and notwithstanding any provi-
25 sion of the Standing Rules of the Senate—

1 (A) immediately after the Presiding Officer
2 takes the chair in accordance with rule IV of
3 the Standing Rules of the Senate, the Presiding
4 Officer shall direct the Clerk to call the roll to
5 ascertain the presence of a quorum; and

6 (B) 1 hour after the presence of a quorum
7 has last been demonstrated, the Presiding Offi-
8 cer shall direct the Clerk to call the roll to as-
9 certain the presence of a quorum.

10 (2) LACK OF QUORUM.—

11 (A) IN GENERAL.—If, upon a calling of the
12 roll under paragraph (1), it shall be ascertained
13 that a quorum is not present—

14 (i) the Presiding Officer shall direct
15 the Clerk to call the names of any absent
16 Senators; and

17 (ii) following the calling of the names
18 under clause (i), the Presiding Officer
19 shall, without intervening motion or de-
20 bate, submit to the Senate by a yea-and-
21 nay vote the question: “Shall the Sergeant
22 at Arms and Doorkeeper of the Senate be
23 directed to request the attendance of ab-
24 sent Senators?”.

1 (B) DIRECTION TO COMPEL ATTEND-
2 ANCE.—If a quorum is not present 15 minutes
3 after the time at which the vote on a question
4 submitted under subparagraph (A)(ii) starts,
5 the Presiding Officer shall, without intervening
6 motion or debate, submit to the Senate by a
7 yea-and-nay vote the question: “Shall the Ser-
8 geant at Arms and Doorkeeper of the Senate be
9 directed to compel the attendance of absent
10 Senators?”.

11 (C) ARREST OF ABSENT SENATORS.—Ef-
12 fective 1 hour after the Sergeant at Arms is di-
13 rected to compel the attendance of absent Sen-
14 ators under subparagraph (B), if any Senator
15 not excused under rule XII of the Standing
16 Rules of the Senate is not in attendance, the
17 Senate shall be deemed to have agreed an order
18 that reads as follows: “Ordered, That the Ser-
19 geant at Arms and Doorkeeper of the Senate be
20 directed to arrest absent Senators; that war-
21 rants for the arrests of all Senators not sick
22 nor excused be issued under the signature of
23 the Presiding Officer and attested by the Sec-
24 retary, and that such warrants be executed
25 without delay.”.

1 (D) REPORTS.—Not less frequently than
2 once per hour during proceedings to compel the
3 attendance of absent Senators, the Sergeant at
4 Arms shall submit to the Senate a report on ab-
5 sent Senators, which shall—

6 (i) be laid before the Senate;

7 (ii) identify each Senator whose ab-
8 sence is excused;

9 (iii) identify each Senator who is ab-
10 sent without excuse; and

11 (iv) for each Senator identified under
12 clause (iii), provide information on the cur-
13 rent location of the Senator.

14 (3) REGAINING THE FLOOR.—If a Senator had
15 been recognized to speak at the time a call of the
16 roll to ascertain the presence of a quorum was initi-
17 ated under paragraph (2)(A), and if the presence of
18 a quorum is established, that Senator shall be enti-
19 tled to be recognized to speak.

20 (d) ADJOURNING AND RECESSING.—During the pe-
21 riod of a Government shutdown—

22 (1) a motion to adjourn or to recess the Senate
23 shall be decided by a yea-or-nay vote;

24 (2) if a quorum is present, the Presiding Offi-
25 cer shall not entertain a request to adjourn or recess

1 the Senate by unanimous consent or to vitiate the
2 yeas and nays on such a motion by unanimous con-
3 sent;

4 (3) a motion to adjourn or a motion to recess
5 made during the period beginning at 8:00 a.m. and
6 ending at 11:59 p.m., shall only be agreed to upon
7 an affirmative vote of two-thirds of the Senators
8 present and voting, a quorum being present; and

9 (4) if the Senate must adjourn due to the ab-
10 sence of a quorum, the Senate shall reconvene 2
11 hours after the time at which it adjourns and ascer-
12 tain the presence of a quorum in accordance with
13 subsection (c)(1).

14 (e) NO SUSPENSION OF REQUIREMENTS.—The Pre-
15 siding Officer may not entertain a request to suspend the
16 operation of this standing order by unanimous consent or
17 motion.

18 (f) CONSISTENCY WITH SENATE EMERGENCY PRO-
19 CEDURES AND PRACTICES.—Nothing in this standing
20 order shall be construed in a manner that is inconsistent
21 with S. Res. 296 (108th Congress) or any other emergency
22 procedures or practices of the Senate.

23 (g) STANDING ORDER.—This section shall be a
24 standing order of the Senate.