

115TH CONGRESS
1ST SESSION

S. RES. 110

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

APRIL 4, 2017

Mr. BENNET (for himself and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Rules and Administration

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) DEFINITION.—In this section, the term “Govern-
8 ment shutdown” means a lapse in appropriations for 1
9 or more agencies of the Federal Government.

10 (b) CONVENING OF THE SENATE.—

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

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

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

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

19 (c) PRESENCE OF A QUORUM.—

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

23 (A) immediately after the Presiding Officer
24 takes the chair in accordance with rule IV of
25 the Standing Rules of the Senate, the Presiding

1 Officer shall direct the Clerk to call the roll to
2 ascertain the presence of a quorum; and

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

7 (2) LACK OF QUORUM.—

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

11 (i) the Presiding Officer shall direct
12 the Clerk to call the names of any absent
13 Senators; and

14 (ii) following the calling of the names
15 under clause (i), the Presiding Officer
16 shall, without intervening motion or de-
17 bate, submit to the Senate by a yea-and-
18 nay vote the question: “Shall the Sergeant-
19 at-Arms be directed to request the attend-
20 ance of absent Senators?”.

21 (B) DIRECTION TO COMPEL ATTEND-
22 ANCE.—If a quorum is not present 15 minutes
23 after the time at which the vote on a question
24 submitted under subparagraph (A)(ii) starts,
25 the Presiding Officer shall, without intervening

1 motion or debate, submit to the Senate by a
2 yea-and-nay vote the question: “Shall the Ser-
3 geant-at-Arms be directed to compel the attend-
4 ance of absent Senators?”.

5 (C) ARREST OF ABSENT SENATORS.—Ef-
6 fective 1 hour after the Sergeant-at-Arms is di-
7 rected to compel the attendance of absent Sen-
8 ators under subparagraph (B), if any Senator
9 not excused under rule XII of the Standing
10 Rules of the Senate is not in attendance, the
11 Senate shall be deemed to have agreed an order
12 that reads as follows: “Ordered, That the Ser-
13 geant-at-Arms be directed to arrest absent Sen-
14 ators; that warrants for the arrests of all Sen-
15 ators not sick nor excused be issued under the
16 signature of the Presiding Officer and attested
17 by the Secretary, and that such warrants be ex-
18 ecuted without delay.”.

19 (D) REPORTS.—Not less frequently than
20 once per hour during proceedings to compel the
21 attendance of absent Senators, the Sergeant-at-
22 Arms shall submit to the Senate a report on ab-
23 sent Senators, which shall—

24 (i) be laid before the Senate;

1 (ii) identify each Senator whose ab-
2 sence is excused;

3 (iii) identify each Senator who is ab-
4 sent without excuse; and

5 (iv) for each Senator identified under
6 clause (iii), provide information on the cur-
7 rent location of the Senator.

8 (3) REGAINING THE FLOOR.—If a Senator had
9 been recognized to speak at the time a call of the
10 roll to ascertain the presence of a quorum was initi-
11 ated under paragraph (2)(A), and if the presence of
12 a quorum is established, that Senator shall be enti-
13 tled to be recognized to speak.

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

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

18 (2) if a quorum is present, the Presiding Offi-
19 cer shall not entertain a request to adjourn or recess
20 the Senate by unanimous consent or to vitiate the
21 yeas and nays on such a motion by unanimous con-
22 sent;

23 (3) a motion to adjourn or a motion to recess
24 made during the period beginning at 8:00 a.m. and
25 ending at 11:59 p.m., shall only be agreed to upon

1 an affirmative vote of two-thirds of the Senators
2 present and voting, a quorum being present; and

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

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

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

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

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