

116TH CONGRESS  
1ST SESSION

# S. 186

To ensure timely completion of the concurrent resolution on the budget and regular appropriations bills, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 17, 2019

Ms. ERNST (for herself, Mr. LANKFORD, and Mr. PERDUE) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To ensure timely completion of the concurrent resolution on the budget and regular appropriations bills, and for other purposes.

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 “No Budget, No Recess  
5 Act”.

6 **SEC. 2. NO BUDGET, NO RECESS.**

7 Section 300 of the Congressional Budget Act of 1974  
8 (2 U.S.C. 631) is amended—

1           (1) by striking “The timetable” and inserting  
2 the following:

3           “(a) IN GENERAL.—The timetable”; and

4           (2) by adding at the end the following:

5           “(b) NO BUDGET, NO RECESS.—

6           “(1) LIMITS IN THE SENATE AND HOUSE OF  
7 REPRESENTATIVES.—The procedures specified in  
8 paragraphs (2), (3), and (4) shall apply in the Sen-  
9 ate and the procedures specified in paragraphs (2),  
10 (3), and (5) shall apply in the House of Representa-  
11 tives—

12           “(A) on and after April 15 of each year,  
13 if the Senate and House of Representatives  
14 have not adopted a concurrent resolution on the  
15 budget for the next fiscal year; and

16           “(B) on and after August 1 of each year,  
17 if the Senate and House of Representatives  
18 have not passed, individually or collectively, all  
19 the regular appropriations bills for the next fis-  
20 cal year.

21           “(2) NO RECESS OR ADJOURNMENT.—During a  
22 period described in paragraph (1), it shall not be in  
23 order in the Senate or the House of Representatives  
24 to move to recess or to adjourn for more than 8  
25 hours.

1 “(3) NO OFFICIAL TRAVEL.—

2 “(A) IN GENERAL.—Except as provided in  
3 subparagraph (B), during a period described in  
4 paragraph (1), no amounts may be obligated or  
5 expended for official travel by a Member of  
6 Congress.

7 “(B) RETURN TO DC.—If a Member of  
8 Congress is away from the seat of Government  
9 when a period described in paragraph (1) be-  
10 gins, funds may be obligated and expended for  
11 official travel by the Member of Congress to re-  
12 turn to the seat of Government.

13 “(4) ADDITIONAL LIMITS IN THE SENATE.—

14 “(A) DETERMINATION OF PRESENCE OF A  
15 QUORUM.—Notwithstanding any provision of  
16 the Standing Rules of the Senate, in the Sen-  
17 ate, during each day during a period described  
18 in paragraph (1), the Presiding Officer shall di-  
19 rect the Clerk to call the roll to ascertain the  
20 presence of a quorum—

21 “(i) at noon; and

22 “(ii) at 6:00 p.m.

23 “(B) LACK OF QUORUM.—

24 “(i) IN GENERAL.—If, upon a calling  
25 of the roll under subparagraph (A), it shall

1 be ascertained that a quorum is not  
2 present—

3 “(I) the Presiding Officer shall  
4 direct the Clerk to call the names of  
5 any absent Senators; and

6 “(II) following the calling of the  
7 names under subclause (I), the Pre-  
8 siding Officer shall, without inter-  
9 vening motion or debate, submit to  
10 the Senate by a yea-and-nay vote the  
11 question: ‘Shall the Sergeant-at-Arms  
12 be directed to request the attendance  
13 of absent Senators?’.

14 “(ii) DIRECTION TO COMPEL ATTEND-  
15 ANCE.—If a quorum is not present 30  
16 minutes after the time at which the vote  
17 on a question submitted under clause  
18 (i)(II) starts, the Presiding Officer shall,  
19 without intervening motion or debate, sub-  
20 mit to the Senate by a yea-and-nay vote  
21 the question: ‘Shall the Sergeant-at-Arms  
22 be directed to compel the attendance of ab-  
23 sent Senators?’.

24 “(iii) ARREST OF ABSENT SEN-  
25 ATORS.—Effective 30 minutes after the

1 Sergeant-at-Arms is directed to compel the  
2 attendance of absent Senators under clause  
3 (ii), if any Senator not excused under rule  
4 XII of the Standing Rules of the Senate is  
5 not in attendance, the Senate shall be  
6 deemed to have agreed an order that reads  
7 as follows: ‘Ordered, That the Sergeant-at-  
8 Arms be directed to arrest absent Sen-  
9 ators, that warrants for the arrests of all  
10 Senators not sick nor excused be issued  
11 under the signature of the Presiding Offi-  
12 cer and attested by the Secretary, and that  
13 such warrants be executed without delay.’.

14 “(iv) REPORTS.—Not less frequently  
15 than once per hour during proceedings to  
16 compel the attendance of absent Senators,  
17 the Sergeant-at-Arms shall submit to the  
18 Senate a report on absent Senators, which  
19 shall—

20 “(I) be laid before the Senate;

21 “(II) identify each Senator whose  
22 absence is excused;

23 “(III) identify each Senator who  
24 is absent without excuse; and

1                   “(IV) for each Senator identified  
2                   under subclause (III), provide infor-  
3                   mation on the current location of the  
4                   Senator.

5                   “(C) REGAINING THE FLOOR.—If a Sen-  
6                   ator had been recognized to speak at the time  
7                   a call of the roll to ascertain the presence of a  
8                   quorum was initiated under subparagraph (A),  
9                   and if the presence of a quorum is established,  
10                  that Senator shall be entitled to be recognized  
11                  to speak.

12                  “(D) NO SUSPENSION OF REQUIRE-  
13                  MENTS.—The Presiding Officer may not enter-  
14                  tain a request to suspend the operation of this  
15                  paragraph by unanimous consent or motion.

16                  “(E) CONSISTENCY WITH SENATE EMER-  
17                  GENCY PROCEDURES AND PRACTICES.—Nothing  
18                  in this paragraph shall be construed in a man-  
19                  ner that is inconsistent with S. Res. 296 (108th  
20                  Congress) or any other emergency procedures  
21                  or practices of the Senate.

22                  “(5) ADDITIONAL LIMITS IN THE HOUSE OF  
23                  REPRESENTATIVES.—Notwithstanding any provision  
24                  of the Rules of the House of Representatives, in the  
25                  House of Representatives, during each day during a

1 period described in paragraph (1), each Member of  
2 the House of Representatives shall record his or her  
3 presence for purposes of establishing a quorum at  
4 noon and 6:00 p.m.

5 “(6) NO WAIVER.—Notwithstanding section  
6 904(b), paragraphs (2), (3), (4), and (5) of this sub-  
7 section may not be waived or suspended in the Sen-  
8 ate or the House of Representatives.

9 “(7) PERMANENT LAW.—Notwithstanding sec-  
10 tion 904(a), paragraph (3) of this subsection is not  
11 enacted as an exercise of the rulemaking power of  
12 the Senate or the House of Representatives.”.

13 **SEC. 3. COMPLETION OF HOUSE ACTION ON REGULAR AP-**  
14 **PROPRIATIONS BILLS.**

15 Section 309 of the Congressional Budget Act of 1974  
16 (2 U.S.C. 640) is amended by inserting “or August” after  
17 “July”.

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