

AMENDMENT NO. _____ Calendar No. _____

Purpose: To amend title 31, United States Code, to provide for automatic continuing resolutions.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. _____

To establish procedures and consequences in the event of a failure to complete regular appropriations.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. PAUL to the amendment (No. HEN19686) proposed by Mr. LANKFORD

Viz:

1 Strike all after the first word and insert the following:

2 **1. SHORT TITLE.**

3 This Act may be cited as the “Government Shutdown
4 Prevention Act of 2019”.

5 **SEC. 2. AUTOMATIC CONTINUING APPROPRIATIONS.**

6 (a) IN GENERAL.—Chapter 13 of title 31, United
7 States Code, is amended by inserting after section 1310
8 the following new section:

9 **“SEC. 1311. CONTINUING APPROPRIATIONS.**

10 “(a)(1) If any appropriation measure for a fiscal year
11 is not enacted before the beginning of such fiscal year or

1 a joint resolution making continuing appropriations is not
2 in effect, there are appropriated such sums as may be nec-
3 essary to continue any program, project, or activity for
4 which funds were provided in the preceding fiscal year—

5 “(A) in the corresponding appropriation Act for
6 such preceding fiscal year; or

7 “(B) if the corresponding appropriation bill for
8 such preceding fiscal year did not become law, then
9 in a joint resolution making continuing appropria-
10 tions for such preceding fiscal year.

11 “(2)(A) Appropriations and funds made available,
12 and authority granted, for a program, project, or activity
13 for any fiscal year pursuant to this section shall be at a
14 rate of operations not in excess of the lower of—

15 “(i) 99 percent of the rate of operations pro-
16 vided for in the regular appropriation Act providing
17 for such program, project, or activity for the pre-
18 ceding fiscal year;

19 “(ii) in the absence of such an Act, 99 percent
20 of the rate of operations provided for such program,
21 project, or activity pursuant to a joint resolution
22 making continuing appropriations for such preceding
23 fiscal year; or

24 “(iii) 99 percent of the annualized rate of oper-
25 ations provided for in the most recently enacted

1 joint resolution making continuing appropriations
2 for part of that fiscal year or any funding levels es-
3 tablished under the provisions of this Act,
4 for the period of 90 days. After the first 90-day period
5 during which this subsection is in effect for that fiscal
6 year, the applicable rate of operations shall be reduced by
7 1 percentage point. For each subsequent 90-day period
8 during which this subsection is in effect for that fiscal
9 year, the applicable rate of operations shall be reduced by
10 1 percentage point. The 90-day period reductions shall ex-
11 tend beyond the last day of that fiscal year.

12 “(B) If this section is in effect at the end of a fiscal
13 year, funding levels shall continue as provided in this sec-
14 tion for the next fiscal year.

15 “(3) Appropriations and funds made available, and
16 authority granted, for any fiscal year pursuant to this sec-
17 tion for a program, project, or activity shall be available
18 for the period beginning with the first day of a lapse in
19 appropriations and ending with the date on which the ap-
20 plicable regular appropriation bill for such fiscal year be-
21 comes law (whether or not such law provides for such pro-
22 gram, project, or activity) or a continuing resolution mak-
23 ing appropriations becomes law, as the case may be.

24 “(b) An appropriation or funds made available, or au-
25 thority granted, for a program, project, or activity for any

1 fiscal year pursuant to this section shall be subject to the
2 terms and conditions imposed with respect to the appro-
3 priation made or funds made available for the preceding
4 fiscal year, or authority granted for such program, project,
5 or activity under current law.

6 “(c) Expenditures made for a program, project, or
7 activity for any fiscal year pursuant to this section shall
8 be charged to the applicable appropriation, fund, or au-
9 thorization whenever a regular appropriation bill or a joint
10 resolution making continuing appropriations until the end
11 of a fiscal year providing for such program, project, or
12 activity for such period becomes law.

13 “(d) This section shall not apply to a program,
14 project, or activity during a fiscal year if any other provi-
15 sion of law (other than an authorization of appropria-
16 tions)—

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

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

24 (b) CLERICAL AMENDMENT.—The table of sections
25 of chapter 13 of title 31, United States Code, is amended

1 by inserting after the item relating to section 1310 the

2 following new item:

“1311. Continuing appropriations.”