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1ST SESSION

S. 2721

To provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, to establish procedures and consequences in the event of a failure to enact appropriations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 4, 2025

Mr. LANKFORD (for himself, Mr. BARRASSO, Mr. DAINES, Mr. CORNYN, Mr. BUDD, Mr. CASSIDY, Mrs. BLACKBURN, Mr. TUBERVILLE, Mrs. BRITT, Ms. ERNST, and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, to establish procedures and consequences in the event of a failure to enact appropriations, 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 “Prevent Government
5 Shutdowns Act of 2025”.

1 **SEC. 2. AUTOMATIC CONTINUING APPROPRIATIONS.**

2 (a) IN GENERAL.—Subchapter I of chapter 13 of title
3 31, United States Code, is amended by adding at the end
4 the following:

5 **“§ 1311. Automatic continuing appropriations**

6 “(a) For purposes of this section—

7 “(1) the term ‘lapse in appropriations’ means a
8 time period during which—

9 “(A) the applicable full-year appropriation
10 Act for a program, project, or activity has not
11 been enacted for the current fiscal year;

12 “(B) the program, project, or activity was
13 provided funding in the preceding applicable ap-
14 propriation Act; and

15 “(C) no continuing appropriation Act is in
16 effect for such program, project, or activity;
17 and

18 “(2) the term ‘preceding applicable appropria-
19 tion Act’ means—

20 “(A) the most recent continuing appropria-
21 tion Act enacted; or

22 “(B) if no continuing appropriation Act
23 has been enacted for the current fiscal year, the
24 most recent applicable full-year appropriation
25 Act (including a full-year continuing appropria-
26 tion Act) enacted for the immediately preceding

1 fiscal year (excluding any supplemental appro-
2 piation Act).

3 “(b)(1) On and after the first day of each fiscal year,
4 if a lapse in appropriations occurs with respect to a pro-
5 gram, project, or activity, there are appropriated such
6 sums as may be necessary, at the rate for operations as
7 provided in the preceding applicable appropriation Acts,
8 under the authorities and conditions provided in such
9 Acts, for continuing programs, projects, or activities (in-
10 cluding the costs of direct loans and loan guarantees) that
11 were conducted under such Acts and for which appropria-
12 tions, funds, or other authorities were made available in
13 such Acts.

14 “(2)(A) Appropriations and funds made available and
15 authority granted under paragraph (1) shall be available
16 for a period of 14 calendar days.

17 “(B) If, at the end of the first 14 calendar-day period
18 during which appropriations and funds are made available
19 and authority is granted under paragraph (1), and the end
20 of every 14 calendar-day period thereafter, a lapse in ap-
21 propriations with respect to a program, project, or activity
22 continues, the appropriations and funds made available
23 and authority granted under paragraph (1) with respect
24 to the program, project, or activity shall be extended for
25 an additional 14 calendar-day period.

1 “(3) For entitlements and other mandatory payments
2 whose budget authority was provided for in preceding ap-
3 plicable appropriation Acts or under this section, and for
4 activities under the Food and Nutrition Act of 2008, ap-
5 propriations and funds made available for a fiscal year
6 under paragraph (1) shall be at the rate necessary to
7 maintain program levels under current law, and under the
8 authority and conditions provided in the preceding appli-
9 cable appropriation Act.

10 “(c) Appropriations and funds made available, and
11 authority granted, for any fiscal year pursuant to this sec-
12 tion for a program, project, or activity shall be available,
13 in accordance with subsection (b), for the period—

14 “(1) beginning on the first day of any lapse in
15 appropriations during such fiscal year; and

16 “(2) ending on the date of enactment of an ap-
17 propriation Act for such fiscal year with respect to
18 the account for such program, project, or activity
19 (whether or not such Act provides appropriations for
20 such program, project, or activity) or a continuing
21 appropriation Act providing funding for the pro-
22 gram, project, or activity, as applicable.

23 “(d) Expenditures made for a program, project, or
24 activity for any fiscal year pursuant to this section shall
25 be charged to the applicable appropriation, fund, or au-

1 thorization whenever an appropriation Act for such fiscal
2 year with respect to the account for a program, project,
3 or activity or a law making continuing appropriations until
4 the end of such fiscal year for such program, project, or
5 activity is enacted.

6 “(e) Appropriations and funds made available by, or
7 authority granted pursuant to, this section may be used
8 without regard to the time limitations for submission and
9 approval of apportionments set forth in section 1513 of
10 this title, but nothing in this section shall be construed
11 to waive any other provision of law governing the appor-
12 tionment of funds.

13 “(f) Notwithstanding any other provision of this sec-
14 tion, except for subsection (c), for those programs that
15 would otherwise have high initial rates of operation or
16 complete distribution of appropriations at the beginning
17 of the applicable fiscal year because of distributions of
18 funding to States, foreign countries, grantees, or others,
19 such high initial rates of operation or complete distribu-
20 tion shall not be made, and no grants shall be awarded
21 for such programs funded by this section that would im-
22 pinge on final funding prerogatives.

23 “(g) This section shall be implemented so that only
24 the most limited funding action of that permitted shall be

1 taken in order to provide for continuation of programs,
 2 projects, and activities.

3 “(h) This section shall not apply to a program,
 4 project, or activity for any period during a fiscal year, if
 5 any other provision of law (other than an authorization
 6 of appropriations or an appropriation Act for a prior fiscal
 7 year making carryover funds available)—

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

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

15 “(i)(1) Subject to paragraph (2), the head of an
 16 agency may, with the approval of the Office of Manage-
 17 ment and Budget, transfer funds made available to such
 18 agency for an appropriation account pursuant to this sec-
 19 tion to any other appropriation account of such agency.

20 “(2) Not more than 5 percent of any appropriation
 21 account may be transferred to another appropriation ac-
 22 count under paragraph (1).

23 “(3) The authority provided by this subsection to
 24 transfer appropriated funds—

1 “(A) is in addition to any other transfer au-
2 thority provided elsewhere in this section;

3 “(B) may be used only to provide funds for
4 items relating to activities necessary for a program,
5 project, or activity that have a higher priority than
6 the programs, projects, or activities carried out
7 using amounts from the accounts from which the
8 funds are transferred; and

9 “(C) may not be used to provide funds for an
10 item for which Congress has specifically denied
11 funds.

12 “(4) The head of an agency executing a transfer
13 under this subsection shall promptly notify the Committee
14 on Appropriations of the Senate and the Committee on
15 Appropriations of the House of Representatives of any
16 transfer of funds to or from any appropriation.

17 “(j) There shall be an expedited procedure for con-
18 gressional review and adoption of a joint resolution con-
19 taining anomalies transmitted by the President.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 for chapter 13 of title 31, United States Code, is amended
22 by inserting after the item relating to section 1310 the
23 following:

“1311. Automatic continuing appropriations.”.

24 **SEC. 3. TIMELY ENACTMENT OF APPROPRIATION ACTS.**

25 (a) DEFINITIONS.—In this section—

1 (1) the term “covered officer or employee”
2 means—

3 (A) an officer or employee of the Office of
4 Management and Budget;

5 (B) a Member of Congress; or

6 (C) an employee of the personal office of a
7 Member of Congress, a committee of either
8 House of Congress, or a joint committee of
9 Congress;

10 (2) the term “covered period”—

11 (A) means any period of automatic con-
12 tinuing appropriations; and

13 (B) with respect to the legislative branch—

14 (i) does not include any period of
15 automatic continuing appropriations that
16 occurs during the period—

17 (I) beginning at the time at
18 which general appropriation Acts pro-
19 viding funding for the entire Federal
20 Government (including a continuing
21 appropriation Act) have been enacted
22 or passed in identical form by both
23 Houses and transmitted to Secretary
24 of the Senate or Clerk of the House

1 for enrollment and presentment to the
 2 President for his signature; and

3 (II) ending at the time at which
 4 1 or more general appropriation
 5 Acts—

6 (aa) are vetoed by the Presi-
 7 dent; or

8 (bb) do not become law
 9 without the President’s signature
 10 under article I, section 7 of the
 11 Constitution of the United States
 12 based on an adjournment of the
 13 Congress; and

14 (ii) includes any period of automatic
 15 continuing appropriations that is not a pe-
 16 riod described in clause (i) and that follows
 17 a veto or a failure to become law (as de-
 18 scribed in item (bb) of clause (i)(II)) of 1
 19 or more general appropriation Acts;

20 (3) the term “Member of Congress” has the
 21 meaning given that term in section 2106 of title 5,
 22 United States Code;

23 (4) the term “National Capital Region” has the
 24 meaning given that term in section 8702 of title 40,
 25 United States Code; and

1 (5) the term “period of automatic continuing
2 appropriations” means a period during which auto-
3 matic continuing appropriations under section 1311
4 of title 31, United States Code, as added by section
5 2 of this Act, are in effect with respect to 1 or more
6 programs, projects, or activities.

7 (b) LIMITS ON TRAVEL EXPENDITURES.—

8 (1) LIMITS ON OFFICIAL TRAVEL.—

9 (A) LIMITATION.—Except as provided in
10 subparagraph (B), no amounts may be obli-
11 gated or expended for official travel by a cov-
12 ered officer or employee during a covered pe-
13 riod.

14 (B) EXCEPTIONS.—

15 (i) RETURN TO DC.—If a covered offi-
16 cer or employee is away from the seat of
17 Government on the date on which a cov-
18 ered period begins, funds may be obligated
19 and expended for official travel for a single
20 return trip to the seat of Government by
21 the covered officer or employee.

22 (ii) TRAVEL IN NATIONAL CAPITAL
23 REGION.—During a covered period,
24 amounts may be obligated and expended
25 for official travel by a covered officer or

1 employee from one location in the National
2 Capital Region to another location in the
3 National Capital Region.

4 (iii) NATIONAL SECURITY EVENTS.—

5 During a covered period, if a national se-
6 curity event that triggers a continuity of
7 operations or continuity of Government
8 protocol occurs, amounts may be obligated
9 and expended for official travel by a cov-
10 ered officer or employee for any official
11 travel relating to responding to the na-
12 tional security event or implementing the
13 continuity of operations or continuity of
14 Government protocol.

15 (2) RESTRICTION ON USE OF CAMPAIGN

16 FUNDS.—Section 313 of the Federal Election Cam-
17 paign Act of 1971 (52 U.S.C. 30114) is amended—

18 (A) in subsection (a)(2), by striking “for
19 ordinary” and inserting “except as provided in
20 subsection (d), for ordinary”; and

21 (B) by adding at the end the following:

22 “(d) RESTRICTION ON USE OF CAMPAIGN FUNDS
23 FOR OFFICIAL TRAVEL DURING AUTOMATIC CONTINUING
24 APPROPRIATIONS.—

1 “(1) IN GENERAL.—Except as provided in para-
 2 graph (2), during a covered period (as defined in
 3 section 3 of the Prevent Government Shutdowns Act
 4 of 2025), a contribution or donation described in
 5 subsection (a) may not be obligated or expended for
 6 travel in connection with duties of the individual as
 7 a holder of Federal office.

8 “(2) RETURN TO DC.—If the individual is away
 9 from the seat of Government on the date on which
 10 a covered period (as so defined) begins, a contribu-
 11 tion or donation described in subsection (a) may be
 12 obligated and expended for travel by the individual
 13 to return to the seat of Government.”.

14 (c) PROCEDURES IN THE SENATE AND HOUSE OF
 15 REPRESENTATIVES.—

16 (1) IN GENERAL.—During a covered period, in
 17 the Senate and the House of Representatives—

18 (A) it shall not be in order to move to pro-
 19 ceed to any matter except for—

20 (i) a measure making appropriations
 21 for the fiscal year during which the covered
 22 period begins;

23 (ii) any motion required to determine
 24 the presence of or produce a quorum;

1 (iii) a reconciliation bill or resolution
2 considered pursuant to section 310 of the
3 Congressional Budget Act of 1974 (2
4 U.S.C. 641);

5 (iv) a bill or resolution addressing the
6 statutory limit on the public debt under
7 section 3101 of title 31, United States
8 Code;

9 (v) a measure that relates to an emer-
10 gency or disaster declared by the Presi-
11 dent; or

12 (vi) on and after the 30th calendar
13 day after the first day of a covered pe-
14 riod—

15 (I) the nomination of an indi-
16 vidual—

17 (aa) to a position at level I
18 of the Executive Schedule under
19 section 5312 of title 5, United
20 States Code; or

21 (bb) to serve as Chief Jus-
22 tice of the United States or an
23 Associate Justice of the Supreme
24 Court of the United States; or

1 (II) a measure extending the pe-
2 riod during which a program, project,
3 or activity is authorized to be carried
4 out (without substantive change to the
5 program, project, or activity or any
6 other program, project, or activity)
7 if—

8 (aa) an appropriation Act
9 with respect to the program,
10 project, or activity for the fiscal
11 year during which the covered pe-
12 riod occurs has not been enacted;
13 and

14 (bb) the program, project, or
15 activity has expired since the be-
16 ginning of such fiscal year or will
17 expire during the 30-day period
18 beginning on the date of the mo-
19 tion;

20 (B) it shall not be in order to move to re-
21 cess or adjourn for a period of more than 23
22 hours; and

23 (C) at noon each day, or immediately fol-
24 lowing any constructive convening of the Senate
25 under rule IV, paragraph 2 of the Standing

1 Rules of the Senate, the Presiding Officer shall
2 direct the clerk to determine whether a quorum
3 is present.

4 (2) WAIVER.—

5 (A) LIMITATION ON PERIOD.—It shall not
6 be in order in the Senate or the House of Rep-
7 resentatives to move to waive any provision of
8 paragraph (1) for a period that is longer than
9 7 days.

10 (B) SUPERMAJORITY VOTE.—A provision
11 of paragraph (1) may only be waived or sus-
12 pended upon an affirmative vote of two-thirds
13 of the Members of the applicable House of Con-
14 gress, duly chosen and sworn.

15 **SEC. 4. BUDGETARY EFFECTS.**

16 (a) CLASSIFICATION OF BUDGETARY EFFECTS.—
17 The budgetary effects of this Act and the amendments
18 made by this Act shall be estimated as if this Act and
19 the amendments made by this Act are discretionary appro-
20 priation Acts for purposes of section 251 of the Balanced
21 Budget and Emergency Deficit Control Act of 1985 (2
22 U.S.C. 901).

23 (b) BASELINE.—For purposes of calculating the
24 baseline under section 257 of the Balanced Budget and
25 Emergency Deficit Control Act of 1985 (2 U.S.C. 907),

1 the provision of budgetary resources under section 1311
2 of title 31, United States Code, as added by this Act, for
3 an account shall be considered to be a continuing appro-
4 priation in effect for such account for less than the entire
5 current year.

6 (c) ENFORCEMENT OF DISCRETIONARY SPENDING
7 LIMITS.—

8 (1) IN GENERAL.—For purposes of enforcing
9 the discretionary spending limits under section
10 251(a) of the Balanced Budget and Emergency Def-
11 icit Control Act of 1985 (2 U.S.C. 901(a)), the
12 budgetary resources made available under section
13 1311 of title 31, United States Code, as added by
14 this Act, shall be considered part-year appropria-
15 tions for purposes of section 251(a)(4) of the Bal-
16 anced Budget and Emergency Deficit Control Act of
17 1985 (2 U.S.C. 901(a)(4)).

18 (2) APPLICATION.—If a report under section
19 254(f) of the Balanced Budget and Deficit Control
20 Act of 1985 (2 U.S.C. 904(f)) is required during a
21 lapse in appropriations, the due date of such report
22 shall be the later of—

23 (A) the date specified in section 251(a)(1)
24 of such Act (2 U.S.C. 901(a)(1)); or

1 (B) the date that is 30 calendar days after
2 the first day of the lapse in appropriations.

3 **SEC. 5. EFFECTIVE DATE.**

4 This Act and the amendments made by this Act shall
5 take effect on September 30, 2025.

