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Congressional Action on FY2015 Appropriations Measures

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Summary

The congressional appropriations process, which provides discretionary spending for federal government agencies, assumes the annual enactment of 12 regular appropriations bills prior to the beginning of the fiscal year (October 1). One or more continuing resolutions (CRs) may be enacted if all regular appropriations bills are not completed by that time. This report provides information on the budget enforcement framework for the consideration of FY2015 appropriations measures, the status of the FY2015 regular appropriations bills as of the beginning of the fiscal year, and the enactment of FY2015 continuing appropriations.

Budget enforcement for discretionary spending under the congressional budget process has two primary sources. The first is the discretionary spending limits that are derived from the Budget Control Act of 2011 (BCA; P.L. 112-25). The FY2015 levels for those limits are about \$521.3 billion for defense spending and \$492.4 billion for nondefense spending. The second source is the limits associated with the budget resolution on both total discretionary spending and spending under the jurisdiction of each of the appropriations subcommittees. However, Congress has not adopted a FY2015 budget resolution and has instead used an alternative mechanism for budget enforcement that was enacted as part of the Bipartisan Budget Act of 2013 (P.L. 113-67). On the basis of this mechanism, the House and Senate Appropriations Committees received the total allocation for spending under their jurisdictions, and each reported 302(b) suballocations to its subcommittees prior to floor consideration of the FY2015 regular appropriations bills.

In the course of the FY2015 appropriations process, the House Appropriations Committee reported all but one of the 12 regular appropriations bills for FY2015. The House separately considered 8 regular appropriations bills on the floor and passed 7 of them. The Senate Appropriations Committee reported 8 of the 12 regular appropriations bills. Although the Senate began floor consideration of one of these bills, it did not complete it. The Senate did not separately consider any other regular FY2015 appropriations bills prior to the beginning of the fiscal year.

Because none of the FY2015 regular appropriations bills were to be enacted by the beginning of the fiscal year, a CR (H.J.Res. 124; P.L. 113-164) was enacted on September 19, 2014. This CR generally extended funding at last year's levels, with a small across-the-board reduction and certain enumerated exceptions, through December 11, 2014. Two additional CRs were enacted to extend temporary funding for all 12 regular appropriations bills through December 13 and December 17 (P.L. 113-202 and P.L. 113-203, respectively).

The regular appropriations process for 11 of the 12 regular appropriations bills was concluded on December 16, 2014, when the Consolidated and Further Continuing Appropriations Act, 2015 (H.R. 83, Divisions A-K) was enacted. A fourth CR was enacted as Division L of H.R. 83 to extend temporary funding for the Department of Homeland Security only through February 27, 2015.

This report will be updated during the FY2015 appropriations process as developments warrant.

For information on the current status of FY2015 appropriations measures, see the CRS Appropriations Status Table: FY2015, at <http://www.crs.gov/Pages/AppropriationsStatusTable.aspx>.

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Introduction

Congress uses an annual appropriations¹ process to provide discretionary spending for federal government agencies.² The responsibility for drafting legislation to provide such spending is currently divided among 12 appropriations subcommittees in each chamber, each of which is tasked with reporting a *regular appropriations* bill to cover all programs under its jurisdiction. The timetable currently associated with this process requires the enactment of these regular appropriations bills prior to the beginning of the fiscal year (October 1). If regular appropriations are not enacted by that deadline, one or more *continuing resolutions* (CRs) may be enacted to provide funds until all regular appropriations bills are completed or the fiscal year ends.³ During the fiscal year, *supplemental appropriations* may also be enacted to provide funds in addition to those in regular appropriations acts or CRs. Amounts provided in these appropriations acts are subject to limits, both procedural and statutory, which are enforced through respective mechanisms such as points of order and sequestration.

The timing and focus of the FY2015 appropriations process was affected at the outset by at least three significant factors. First, the enactment of the Bipartisan Budget Act of 2013 (P.L. 113-67) provided set levels for the FY2015 statutory discretionary spending limits on defense and nondefense spending. It also provided an alternative basis for procedural budget enforcement in the absence of a budget resolution.⁴ This agreement was enacted on December 26, 2013, about nine months ahead of FY2015. At about the time of its enactment, some observers asserted that the earliness with which funding levels had been provided could contribute to the enactment of some or all of the FY2015 appropriations bills before the fiscal year began.⁵ In addition, in establishing levels for defense and nondefense spending, some observers suggested that the debate over FY2015 appropriations would be focused on the specifics of funding various agencies and programs instead of on overall levels of budgetary resources.⁶

¹ An appropriation is a type of budget authority. *Budget authority* is authority provided by federal law to enter into contracts or other financial *obligations* that will result in immediate or future expenditures (or *outlays*) involving federal government funds. For a further explanation of these terms, see U.S. Government Accountability Office (GAO), *A Glossary of Terms Used in the Federal Budget Process*, GAO-05-734SP, September 2005, pp. 20-22, 73-74, available at <http://www.gao.gov/new.items/d05734sp.pdf>.

² The congressional budget process distinguishes between discretionary spending, which is controlled through appropriations acts, and direct (or mandatory) spending, which is controlled through permanent law. In FY2014, discretionary spending comprised an estimated 33.3% of federal government spending (Congressional Budget Office [CBO], *Updated Budget Projections: Fiscal Years 2014 to 2024*, August, 2014, Table 1-1, available at http://www.cbo.gov/sites/default/files/45653-OutlookUpdate_2014_Aug.pdf). The annual appropriations process also provides appropriations necessary to finance certain direct spending programs that lack a funding source in their authorizing statutes. Such *appropriated mandatory* or *appropriated entitlement* spending is discussed in CRS Report RS20129, *Entitlements and Appropriated Entitlements in the Federal Budget Process*, by Bill Heniff Jr.

³ Continuing appropriations acts are often referred to as *continuing resolutions* because they usually provide continuing appropriations in the form of a joint resolution rather than a bill. Continuing appropriations also are occasionally provided through a bill.

⁴ The aspects of the Bipartisan Budget Act that affected FY2015 budget enforcement are discussed later in this report (see “Discretionary Spending Budget Enforcement”).

⁵ See, for example, Tamar Hallerman, “Number in Hand, Appropriators to Start New Year with Omnibus,” *CQ News*, December 10, 2013.

⁶ See, for example, Paul M. Krawzak, “Implementing Budget Pact Will Put Major Debates for 2015 in Motion.” *CQ News*, December 17, 2013.

The second and third significant factors that affected the start of the FY2015 appropriations process were the late enactment of FY2014 regular appropriations and the delays in the President's budget submission to Congress. Regular appropriations for FY2014 were not enacted until January 17, 2014, more than three months after the beginning of the fiscal year.⁷ The President's budget submission followed about six weeks later, roughly one month after it was due.⁸ The bulk of the submission occurred on March 4, with additional details provided the following week.⁹ The Overseas Contingency Operations/Global War on Terrorism (OCO/GWOT) portion of the submission was not provided until June 26.¹⁰ In response to these delays, the House and Senate Appropriations Committees conducted hearings on a condensed schedule to allow committee action on the draft appropriations bills to begin during the months of April and May.¹¹

None of the FY2015 regular appropriations bills were enacted by the beginning of the fiscal year. The House Appropriations Committee reported 11 of the 12 regular appropriations bills, and the House passed 7 of these. The Senate Appropriations Committee reported 8 of the regular bills. Although one of them received floor consideration, none have been passed by the Senate. Consequently, on September 19, 2014, a FY2015 CR (P.L. 113-164) was enacted into law to provide temporary funding through December 11, 2014.¹² Two further extensions of this CR were enacted to provide temporary funding for all 12 regular appropriations bills through December 13 and December 17 (P.L. 113-202 and P.L. 113-203, respectively). On December 16, 2014, regular appropriations for 11 out of the 12 regular appropriations bills were enacted as part of the Consolidated and Further Continuing Appropriations Act (Divisions A through K of H.R. 83; the FY2015 Consolidated Act). A fourth CR was also enacted in Division L of H.R. 83 to extend temporary funding for the Department of Homeland Security through February 27, 2015.

This report provides background and analysis on congressional action related to the FY2015 appropriations process. The first section discusses the status of discretionary budget enforcement for FY2015, including the statutory spending limits and allocations normally associated with the congressional budget resolution. The second section provides information on the consideration and enactment of regular appropriations and an overview of aggregate discretionary spending. The third section discusses the legislative action on FY2015 CRs and associated budget enforcement considerations.

⁷ Regular appropriations for FY2014 were enacted in the Consolidated Appropriations Act, 2014 (P.L. 113-76).

⁸ The President's budget submission is due the first Monday in February. For information on the timing of the President's budget submission in recent years, see CRS Report R43163, *The President's Budget: Overview of Structure and Timing of Submission to Congress*, by Michelle D. Christensen.

⁹ For the FY2015 budget submission, the main budget volume, key proposals, summary tables, and appendix were submitted on March 4, 2014. The analytical perspectives and historical tables were submitted on March 10, 2014. The delay in the submission was attributed to the late completion of FY2014 regular appropriations (Paul M. Krawzak, "OMB Says Fiscal 2015 Budget Coming in Stages," *CQ News*, February 12, 2014).

¹⁰ The Overseas Contingency Operations/Global War on Terrorism (OCO/GWOT) portion of the President's budget submission includes requested budgetary resources to fund costs associated with overseas operations in Iraq and Afghanistan. The delay in this portion of the submission was attributed to the uncertain scope of future war-related operations in Afghanistan (Frank Oliveri, "Pentagon to Delay War Funding Request until Afghan Troop Decision is Final," *CQ News*, March 13, 2014).

¹¹ Tamar Hallerman, "Appropriators Outline Ambitious Schedule for Enacting Spending Bills," *CQ News*, March 6, 2014; David Rogers, "The Boys and Girls of Summer," *Politico*, April 3, 2014.

¹² For information on the current status of FY2015 appropriations measures, see the CRS Appropriations Status Table: FY2015, at <http://www.crs.gov/Pages/AppropriationsStatusTable.aspx>.

Further information with regard to the FY2015 regular appropriations bills is provided in the various CRS reports that analyze and compare the components of the current House and Senate proposals.¹³

Discretionary Spending Budget Enforcement

The framework for budget enforcement of discretionary spending under the congressional budget process has both statutory and procedural elements. The statutory elements are the discretionary spending limits derived from the Budget Control Act of 2011 (BCA; P.L. 112-25). The procedural elements are primarily associated with the budget resolution and limit both total discretionary spending and spending under the jurisdiction of each appropriations subcommittee.

Enforcement of the FY2015 Discretionary Spending Limits

The BCA imposes separate limits on defense and nondefense discretionary spending for each of the fiscal years from FY2012 through FY2021. The defense category includes all discretionary spending under budget function 050 (defense); the nondefense category includes discretionary spending in all other budget functions.¹⁴ Enacted discretionary spending may not exceed these limits,¹⁵ which are enforceable through sequestration.¹⁶ The Office of Management and Budget (OMB) evaluates enacted discretionary spending relative to the spending limits and determines if sequestration is necessary to enforce either or both of them. For FY2015 discretionary spending, the first such evaluation and any necessary enforcement are to occur within 15 calendar days after the 2014 congressional session adjourns sine die.¹⁷ For any FY2015 discretionary spending that

¹³ These reports include CRS Report R43669, *Agriculture and Related Agencies: FY2015 Appropriations*, coordinated by Jim Monke; CRS Report R43509, *Commerce, Justice, Science, and Related Agencies: FY2015 Appropriations*, coordinated by Nathan James, Jennifer D. Williams, and John F. Sargent Jr.; CRS Report R43567, *Energy and Water Development: FY2015 Appropriations*, coordinated by Mark Holt; CRS Report R43796, *Department of Homeland Security: FY2015 Appropriations*, coordinated by William L. Painter; CRS Report R43617, *Interior, Environment, and Related Agencies: FY2015 Appropriations*, by Carol Hardy Vincent; CRS Report R43557, *Legislative Branch: FY2015 Appropriations*, by R. Eric Petersen and Ida A. Brudnick; CRS Report R43569, *State, Foreign Operations, and Related Programs: FY2015 Budget and Appropriations*, by Susan B. Epstein, Alex Tiersky, and Marian L. Lawson; CRS Report R43582, *Transportation, Housing and Urban Development, and Related Agencies (THUD): FY2015 Appropriations*, by Libby Perl and David Randall Peterman; CRS Report R43547, *Veterans' Medical Care: FY2015 Appropriations*, by Sidath Viranga Panangala.

¹⁴ For further information with regard to budget functions, see CRS Report 98-280, *Functional Categories of the Federal Budget*, by Bill Heniff Jr.

¹⁵ There is certain spending that is effectively exempt from these statutory discretionary spending limits pursuant to Section 251(b) of the Balanced Budget and Emergency Deficit Control Act (BBEDCA). This includes budget authority designated as emergency requirements, OCO/GWOT, disaster relief, or budget authority for certain program integrity initiatives.

¹⁶ Sequestration involves the automatic cancellation of budget authority through largely across-the-board reductions of nonexempt programs and activities. Procedures for discretionary spending sequestration are provided by the BBEDCA, as amended by the Budget Control Act of 2011 (BCA). For further information about these procedures, see CRS Report R41965, *The Budget Control Act of 2011*, by Bill Heniff Jr., Elizabeth Rybicki, and Shannon M. Mahan.

¹⁷ BBEDCA, §251(a)(1). In general, an adjournment sine die terminates an annual session of Congress. Unless otherwise specified by law, the latest this adjournment can occur is January 3, 2015. For further information with regard to sine die adjournments of a congressional session, see CRS Report R42977, *Sessions, Adjournments, and Recesses of Congress*, by Richard S. Beth and Jessica Tollestrup.

becomes law after the session ends, evaluation and any enforcement of the limits are to occur 15 days after enactment.¹⁸

To achieve additional budgetary savings, the BCA as originally enacted included procedures to lower the amount of the initial spending limits for each of the fiscal years from FY2014 through FY2021.¹⁹ However, the Bipartisan Budget Act of 2013 amended the BCA to set the FY2014 and FY2015 limits at specific levels.²⁰ The limits for FY2015 discretionary spending are \$521.272 billion for defense spending and \$492.356 billion for nondefense spending.

Enforcement of Discretionary Spending Associated with the Budget Resolution

The procedural elements of budget enforcement generally stem from requirements under the Congressional Budget Act of 1974 (CBA) that are associated with the adoption of an annual budget resolution.²¹ Through this CBA process, the Appropriations Committee in each chamber receives a procedural limit on the total amount of discretionary budget authority for the upcoming fiscal year, referred to as a 302(a) allocation.²² The Appropriations Committee subsequently divides this allocation among the 12 subcommittees, referred to as a 302(b) suballocation.²³ The 302(b) suballocation restricts the amount of budget authority available to each subcommittee for the agencies, projects, and activities under its jurisdiction, effectively acting as a cap on each of the 12 regular appropriations bills. Enforcement of the 302(a) allocation and 302(b) suballocations occurs through points of order.²⁴

As of the date of this report, Congress has not adopted a FY2015 budget resolution. The House agreed to a budget resolution (H.Con.Res. 96) on April 10, 2014, and the measure was placed on the Senate calendar the following day.²⁵ No further action occurred. The Senate did not consider a budget resolution for FY2015.

¹⁸ BBEDCA, §251(a)(6).

¹⁹ The lowering of the limits each fiscal year was triggered when the joint committee process provided for in the BCA did not result in the enactment of legislation to achieve a targeted level of spending reductions. The procedures for reducing these limits are in §251A of the BBEDCA. For a description of these procedures, see Office of Management and Budget (OMB), *OMB Sequestration Preview Report to the President and Congress for Fiscal Year 2015*, March 10, 2014, pp. 3-5, available at http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/sequestration/sequestration_preview_report_march2014.pdf.

²⁰ P.L. 113-67, Division A, §101(a)(1) and (b).

²¹ P.L. 93-344; 88 Stat. 297; 2 USC 601-688. Procedural budget enforcement may also be established through other methods, such as through provisions in the budget resolution.

²² Congressional Budget Act, §302(a).

²³ *Ibid.*, §302(b).

²⁴ Primarily, the Appropriations Committee allocations are enforced through points of order under the Congressional Budget Act §302(f) and §311. Enforcement of the statutory spending caps may occur through points of order that are raised during House or Senate floor consideration, under the Congressional Budget Act, §314(f) (in the House and Senate) or 312(b) (in the Senate only). For further information with regard to points of order in the congressional budget process, see CRS Report 97-865, *Points of Order in the Congressional Budget Process*, by James V. Saturno.

²⁵ In the House Budget Committee report accompanying H.Con.Res. 96, the 302(a) allocation to the House Appropriations Committee was \$1.0137 trillion, which was the total of the statutory discretionary spending limits (H.Rept. 113-403, p. 139). The House version of the budget resolution further assumed a breakdown between defense and nondefense discretionary spending that complied with the limits applicable to each category (p. 13).

Both the House and Senate have used an alternative mechanism for FY2015 procedural budget enforcement that was enacted as part of the Bipartisan Budget Act.²⁶ Section 115 of that act provided the chair of the House Budget Committee the authority to enter a statement into the *Congressional Record* between April 15, 2014, and May 15, 2014, that included an allocation for the House Appropriations Committee. This allocation was required to be consistent with the FY2015 discretionary spending limits. Section 116 provided similar authority to the Senate Budget Committee chair. Once filed, the allocation would be enforceable as if it had been associated with a budget resolution adopted by Congress. The House statement was filed in the *Congressional Record* on April 29; the Senate statement was filed on May 5.²⁷

Based upon the budget enforcement provided via this alternative mechanism, the House and Senate Appropriations Committees each reported 302(b) suballocations to their subcommittees prior to floor consideration of the FY2015 regular appropriations bills. In the House, interim suballocations were reported on April 29 for two subcommittees—Legislative Branch and Military Construction and Veterans Affairs.²⁸ These were later superseded by allocations for all 12 subcommittees on May 19.²⁹ In the Senate, 302(b) suballocations were reported on May 22.³⁰

Regular Appropriations

The House and Senate currently provide annual appropriations in 12 regular appropriations bills. Each of these bills may be considered and enacted separately, but it is also possible for two or more of them to be combined into an omnibus vehicle for consideration and enactment.³¹ Alternatively, if some of these bills are not enacted, funding for the projects and activities therein may be provided through a full-year CR.³² None of the FY2015 regular appropriations bills were enacted by the beginning of the fiscal year, October 1, 2014. Final action for 11 out of the 12 regular appropriations bills occurred with the enactment of the Consolidated and Further Continuing Appropriations Act (Divisions A through K of H.R. 83; the FY2015 Consolidated Act) on December 16, 2014.

²⁶ For further information, see CRS Report R43535, *Provisions in the Bipartisan Budget Act of 2013 as an Alternative to a Traditional Budget Resolution*, by Megan S. Lynch.

²⁷ “Publication of Budgetary Material,” *Congressional Record*, daily edition, vol. 160, no. 62 (April 29, 2014), pp. H3288-H3289; “Budget Committee Submissions,” *Congressional Record*, daily edition, vol. 160, no. 66 (May 5, 2014), pp. S2641-S2642.

²⁸ H.Rept. 113-425. In the House Appropriations Committee report on the interim suballocations, the committee explained that the other 10 suballocations were delayed because the Congressional Budget Office (CBO) updated baseline and reestimate of the President’s budget were not yet available (p. 2).

²⁹ H.Rept. 113-454. The House Appropriations Committee reported further revisions to these suballocations on June 17, 2014 (H.Rept. 113-474).

³⁰ These Senate Appropriations Committee suballocations were revised on June 17 (S.Rept. 113-193), July 29 (S.Rept. 113-222), August 5 (S.Rept. 113-241), and December 12, 2014 (S.Rept. 113-312).

³¹ For further information with regard to omnibus appropriations acts, CRS Report RL32473, *Omnibus Appropriations Acts: Overview of Recent Practices*, by Jessica Tollestrup.

³² Full-year CRs provide budget authority through the end of the fiscal year. For background on full-year CRs, see CRS Report R42647, *Continuing Resolutions: Overview of Components and Recent Practices*, by Jessica Tollestrup.

House Action

Committee

Table 1 lists the 12 regular appropriations bills, along with the associated date of subcommittee approval, date reported to the House, and report number. Subcommittee and full committee action on approving and reporting regular appropriations bills occurred over about a 16-week period. In total, 11 regular appropriations bills were approved by subcommittees and reported to the House by the House Appropriations Committee.

The first regular appropriations bills to be approved in subcommittee were the Military Construction and Veterans Affairs, and Related Agencies appropriations bill (H.R. 4486) and the Legislative Branch appropriations bill (H.R. 4487), both on April 3, 2014. This was reportedly the earliest that a House appropriations subcommittee had approved a regular appropriations bill in several decades.³³ Those same bills were also the first regular appropriations bills to be reported to the House, which occurred on April 17. In total, three regular appropriations bills were approved by their respective subcommittees during the month of April, four in May, three in June, and one in July. Of these, the House Appropriations Committee reported two in each of April and May, five in June, and the remaining two in July. The final bill reported to the House was the Department of the Interior, Environment, and Related Agencies appropriations bill (H.R. 5171), on July 23.

Table 1. FY2015 Regular Appropriations Bills: House Appropriations Committee Action

Regular Appropriations Bill Title ^a (Bill Number)	Date of Subcommittee Approval	Date Bill Reported to the House	Report No.
MCVA (H.R. 4486)	April 3, 2014	April 17, 2014	H.Rept. 113-416
LB (H.R. 4487)	April 3, 2014	April 17, 2014	H.Rept. 113-417
CJS (H.R. 4660)	April 30, 2014	May 15, 2014	H.Rept. 113-448
THUD (H.R. 4745)	May 7, 2014	May 27, 2014	H.Rept. 113-464
AG (H.R. 4800)	May 20, 2014	June 4, 2014	H.Rept. 113-468
DHS (H.R. 4903)	May 28, 2014	June 19, 2014	H.Rept. 113-481
DOD (H.R. 4870)	May 30, 2014	June 13, 2014	H.Rept. 113-473
EW (H.R. 4923)	June 10, 2014	June 20, 2014	H.Rept. 113-486
SFO (H.R. 5013)	June 17, 2014	June 27, 2014	H.Rept. 113-499
FSGG (H.R. 5016)	June 18, 2014	July 2, 2014	H.Rept. 113-508
INT (H.R. 5171)	July 9, 2014	July 23, 2014	H.Rept. 113-551
LHHS (NA)	—	—	—

Source: Congressional Research Service (CRS) analysis of data available through the Legislative Information System (LIS; lis.gov) and the CRS FY2015 Appropriations Status Table (<http://www.crs.gov/pages/AppropriationsStatusTable.aspx>).

³³ Connor O'Brien, "Panel Backs Military Construction-VA Spending Bill," *CQ Markup & Vote Coverage*, April 2014.

- a. AG = Agriculture, Rural Development, Food and Drug Administration, and Related Agencies; CJS = Commerce, Justice, Science, and Related Agencies; DOD = Department of Defense; EW = Energy and Water Development and Related Agencies; FSGG = Financial Services and General Government; DHS = Department of Homeland Security; INT = Department of the Interior, Environment, and Related Agencies; LHHS = Departments of Labor, Health and Human Services, and Education, and Related Agencies; LB = Legislative Branch; MCVA = Military Construction and Veterans Affairs, and Related Agencies; SFO = Department of State, Foreign Operations, and Related Programs; THUD = Transportation, Housing and Urban Development, and Related Agencies.

Of the 12 regular appropriations bills for FY2015, only one was not reported to the House. The Departments of Labor, Health and Human Services, and Education and Related Agencies appropriations bill was neither approved by the subcommittee nor considered by the full committee.

Floor

Table 2 presents the eight regular appropriations bills that were considered on the House floor, along with the date consideration was initiated, the date consideration was concluded, and the vote on final passage. Such consideration occurred over about an 11-week period.

Table 2. FY2015 Regular Appropriations Bills: House Initial Consideration

Regular Appropriations Bill Title ^a (Bill Number)	Date Consideration Initiated ^b	Date Consideration Concluded	Vote on Final Passage
MCVA (H.R. 4486)	April 30, 2014	April 30, 2014	416-1
LB (H.R. 4487)	May 1, 2014	May 1, 2014	402-14
CJS (H.R. 4660)	May 28, 2014	May 30, 2014	321-87
THUD (H.R. 4745)	June 9, 2014	June 10, 2014	229-192
AG (H.R. 4800)	June 11, 2014	—	—
DOD (H.R. 4870)	June 18, 2014	June 20, 2014	340-73
EW (H.R. 4923)	July 9, 2014	July 10, 2014	253-170
FSGG (H.R. 5016)	July 14, 2014	July 16, 2014	228-195

Source: CRS analysis of data available through LIS and the CRS FY2015 Appropriations Status Table (<http://www.crs.gov/pages/AppropriationsStatusTable.aspx>).

- a. AG = Agriculture, Rural Development, Food and Drug Administration, and Related Agencies; CJS = Commerce, Justice, Science, and Related Agencies; DOD = Department of Defense; EW = Energy and Water Development and Related Agencies; FSGG = Financial Services and General Government; LB = Legislative Branch; MCVA = Military Construction and Veterans Affairs, and Related Agencies; THUD = Transportation, Housing and Urban Development, and Related Agencies.
- b. In each instance, consideration was initiated after the adoption of a special rule providing for the terms of debate and amendment. For MCVA (H.R. 4486), CJS (H.R. 4660), and THUD (H.R. 4745), consideration was initiated by an open rule. For LB (H.R. 4487), consideration was initiated by a structured rule. For the remaining 4 bills, AG (H.R. 4800), DOD (H.R. 4870), EW (H.R. 4923), and FSGG (H.R. 5016), consideration was initiated by a modified-open rule, which generally limited debate on each amendment to 10 minutes. For further information on the initial consideration of appropriations bills on the House floor, see CRS Report R42933, *Regular Appropriations Bills: Terms of Initial Consideration and Amendment in the House, FY1996-FY2015*, by Jessica Tollestrup.

The first bill to be considered on the House floor was the Military Construction and Veterans Affairs, and Related Agencies appropriations bill (H.R. 4486). Consideration was initiated on April 30, and the House passed the bill on the same day by a vote of 416-1. The House considered and passed two bills during the month of May and two in June. A third bill, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill (H.R. 4800), was considered and amended on the House floor on June 11 without a vote on final passage.³⁴ The House considered and passed the final two bills in July. The last floor action on initial consideration of individual regular appropriations bills occurred on July 16 with the passage of the Financial Services and General Government appropriations bill by a vote of 228-195.

Status of Statutory Discretionary Budget Enforcement Prior to the Beginning of the Fiscal Year

OMB projected the budgetary levels of the House regular appropriations bills on August 20, 2014.³⁵ Defense discretionary spending subject to the BCA limits was projected to be about \$521.261 billion, which is about \$0.11 billion below the defense limit. When defense spending designated under Section 251(b) of the Balanced Budget and Emergency Deficit Control Act (BBEDCA) for Overseas Contingency Operation/Global War on Terrorism (OCO/GWOT) was accounted for, the total amount of defense discretionary spending was projected to be about \$579.835 billion.³⁶ Nondefense discretionary spending subject to the BCA limits was projected to be about \$487.724 billion, which is about \$4.632 billion below the nondefense limit. When nondefense spending designated as for OCO/GWOT, continuing disability reviews and redeterminations, health care fraud and abuse control, or disaster relief was accounted for, the total amount of nondefense discretionary spending was projected to be about \$504.260 billion.

Senate Action

Committee

Table 3 lists the 12 regular appropriations bills and their associated date of subcommittee approval, date reported to the Senate, and report number. Subcommittee and full committee action on approving and reporting regular appropriations occurred over about an eight-week period. In total, 11 regular appropriations bills were approved by subcommittees and 8 were reported to the Senate by the Senate Appropriations Committee.

The first regular appropriations bills to be approved by a subcommittee were the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill (S.

³⁴ Reportedly, House consideration of the Agriculture appropriations bill was halted in part due to upcoming majority leadership changes as well as to issues associated with the school lunch and Women, Infants, and Children nutrition programs (Philip Brasher, "Agriculture Spending Bill Sidetracked in House," *CQ News*, June 12, 2014; Tamar Hallerman, "House Leadership Turmoil Latest Obstacle for Spending Bills," *CQ News*, June 12, 2014).

³⁵ These calculations were based on the most recent appropriations action that had occurred in the House as of the date of that report—the 302(b) allocation, subcommittee-reported bill, committee-reported bill, or House-passed bill. See OMB Sequestration Update Report to the President and Congress for FY2015, August 20, 2014, pp. 9-10, available at http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/sequestration/sequestration_update_august2014.pdf.

³⁶ See footnote 15.

2389) and the Military Construction and Veterans Affairs, and Related Agencies appropriations bill (H.R. 4486), on May 20, 2014. Both of these bills were reported to the Senate on May 22. In total, two regular appropriations bills were approved by their respective subcommittees in May, eight in June, and one in July. The full committee pattern of reporting to the Senate was similar, with two bills reported in May, five in June, and one in July. The final bill to be approved in subcommittee and reported to the Senate was the Department of Defense appropriations bill (H.R. 4870), on July 17, 2014.

Table 3. FY2015 Regular Appropriations Bills: Senate Appropriations Committee Action

Regular Appropriations Bill Title ^a (Bill Number)	Date of Subcommittee Approval	Date Bill Reported to the Senate	Report No.
AG (S. 2389)	May 20, 2014	May 22, 2014	S.Rept. 113-164
MCVA (H.R. 4486)	May 20, 2014	May 22, 2014	S.Rept. 113-174
CJS (S. 2437)	June 3, 2014	June 5, 2014	S.Rept. 113-181
THUD (S. 2438)	June 3, 2014	June 5, 2014	S.Rept. 113-182
LB (H.R. 4487)	June 10, 2014	June 19, 2014	S.Rept. 113-196
LHHS (NA) ^b	June 10, 2014	—	—
SFO (S. 2499)	June 17, 2014	June 19, 2014	S.Rept. 113-195
EW (NA) ^c	June 17, 2014	—	—
FSGG (NA) ^d	June 24, 2014	—	—
DHS (S. 2534)	June 24, 2014	June 26, 2014	S.Rept. 113-198
DOD (H.R. 4870)	July 15, 2014	July 17, 2014	S.Rept. 113-211
INT (NA) ^e	—	—	—

Source: CRS analysis of data available through LIS and the CRS FY2015 Appropriations Status Table (<http://www.crs.gov/pages/AppropriationsStatusTable.aspx>).

- a. AG = Agriculture, Rural Development, Food and Drug Administration, and Related Agencies; CJS = Commerce, Justice, Science, and Related Agencies; DOD = Department of Defense; EW = Energy and Water Development and Related Agencies; FSGG = Financial Services and General Government; DHS = Department of Homeland Security; INT = Department of the Interior, Environment, and Related Agencies; LHHS = Departments of Labor, Health and Human Services, and Education, and Related Agencies; LB = Legislative Branch; MCVA = Military Construction and Veterans Affairs, and Related Agencies; SFO = Department of State, Foreign Operations, and Related Programs; THUD = Transportation, Housing and Urban Development, and Related Agencies.
- b. The Labor, Health and Human Services, Education, and Related Agencies Subcommittee-reported draft bill and report are available at <http://www.appropriations.senate.gov/news/fy15-lhhs-subcommittee-reported-bill-and-draft-report>.
- c. The Energy and Water Development Subcommittee-reported draft bill and report are available at <http://www.appropriations.senate.gov/news/fy-2015-ew-subcommittee-reported-bill-and-draft-report>.
- d. The Financial Services and General Government Subcommittee-reported draft bill and report are available at <http://www.appropriations.senate.gov/news/fy15-fsgg-subcommittee-reported-bill-and-draft-report>.
- e. The Interior, Environment, and Related Agencies Subcommittee Chairman’s recommended bill text and draft report are available at <http://www.appropriations.senate.gov/news/fy15-interior-subcommittee-bill-draft-report>.

Four of the 12 regular appropriations bills were not reported to the Senate. The Labor, Health and Human Services, and Education, and Related Agencies; Energy and Water Development; and Financial Services and General Government subcommittees all reported regular appropriations bills to the full committee, but no further action occurred.³⁷ The Departments of the Interior, Environment, and Related Agencies appropriations bill was neither approved by the subcommittee nor considered by the full committee.³⁸

Floor

The only regular appropriations bill to receive initial floor consideration in the Senate was the Commerce, Justice, Science, and Related Agencies appropriations bill (H.R. 4660). Prior to the bill being brought to the floor, Senator Mikulski, chairwoman of the Senate Appropriations Committee, indicated her intention to propose an amendment that would add to the bill the texts of two additional regular appropriations bills—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies; and Transportation, Housing and Urban Development, and Related Agencies.³⁹ This was to allow initial floor consideration of those appropriations to occur in the same legislative vehicle.⁴⁰ On June 12, the motion to proceed was made in the Senate and cloture was filed on that motion. Cloture was invoked on the motion to proceed on June 17 by a vote of 95-3. The motion to proceed was agreed to on June 19 by a voice vote, but no further proceedings occurred after that time.⁴¹

Status of Statutory Discretionary Budget Enforcement Prior to the Beginning of the Fiscal Year

OMB projected the budgetary levels of the Senate regular appropriations bills on August 20, 2014.⁴² Defense discretionary spending subject to the BCA limits was projected to be about \$521.306 billion, which is about \$0.034 billion in excess of the defense limit. When defense spending designated under Section 251(b) of the BBEDCA for OCO/GWOT was accounted for, the total amount of defense discretionary spending subject to the BCA limits was projected to be about \$579.880 billion. Nondefense discretionary spending subject to the BCA limits was projected to be about \$488.603 billion, which was about \$3.753 billion below the nondefense

³⁷ See notes b-d to **Table 3** for links to the subcommittee-reported draft bill and report.

³⁸ See note e to **Table 3** for the link to the subcommittee chairman's recommended draft bill text and report.

³⁹ Tamar Hallerman, "Agriculture, C-J-S, Transportation-HUD Bills Headed to Senate Floor," *CQ News*, June 11, 2014).

⁴⁰ This approach was similar to what occurred with the FY2012 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill (H.R. 2112, 112th Cong.), to which the texts of two bills were added during initial floor consideration (Commerce, Justice, Science, and Related Agencies; and Transportation, Housing and Urban Development, and Related Agencies).

⁴¹ Reportedly, no further consideration occurred because the Senate was unable to reach a unanimous consent agreement on how to proceed with the amendment process (Tamar Hallerman and Sarah Chacko, "'Minibus' Debate off to a Slow Start in the Senate," *CQ News*, June 18, 2014; Niels Lesniewski, "Reid Parks 'Minibus' Spending Bill in Amendment Dispute," *CQ News*, June 19, 2014).

⁴² These calculations were based on the most recent appropriations action that had occurred in the Senate as of the date of that report—the 302(b) allocation, subcommittee-reported bill, committee-reported bill, or Senate-passed bill. See Executive Office of the President, *OMB Sequestration Update Report to the President and Congress for FY2015*, August 20, 2014, pp. 9-10, available at http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/sequestration/sequestration_update_august2014.pdf.

limit. When nondefense spending designated as for OCO/GWOT, continuing disability reviews and redeterminations, health care fraud and abuse control, or disaster relief was accounted for, the total amount of nondefense discretionary spending was projected to be about \$505.139 billion.

The FY2015 Consolidated Act (H.R. 83, Divisions A through K)

On December 9, the House and Senate Appropriations Committee Chairs announced an omnibus appropriations package that combined an agreement on 11 of the 12 regular appropriations bills into a single vehicle, referred to in this report as the FY2015 Consolidated Act.⁴³ This agreement was to be considered as a House amendment to a Senate amendment to an unrelated bill (H.R. 83).⁴⁴ After adopting a special rule that provided for the consideration of the amendment (H.Res. 776),⁴⁵ the House concurred in the Senate amendment with an amendment by a vote of 219-206, on December 11.⁴⁶ On December 13, cloture was invoked in the Senate on the motion to concur in the House amendment by a vote of 77-19. After disposing of a point of order against the motion to concur, the Senate agreed to the motion that same day by a vote of 56-40.⁴⁷ The bill was signed into law by the President on December 16, 2014.

Prior to consideration on the House floor, CBO estimated the discretionary appropriations that would be provided through the enactment of H.R. 83, Divisions A through L. This included the budgetary effects of the 11 annual regular appropriations acts contained in those divisions, as well as the annualized budget authority for the part-year CR for the Department of Homeland Security. These are listed in **Table 4**, below. CBO estimated that appropriations subject to the FY2015 discretionary spending limits would not exceed those levels. When adjustments to the limits were accounted for, total appropriations were projected to be about \$1.1 billion.

⁴³ The one remaining regular appropriations bill, for the Department of Homeland Security, was funded by temporary continuing appropriations in Division L of the agreement through February 27, 2015. This is discussed further in the report section “H.R. 83, Division L”.

⁴⁴ H.R. 83 was originally passed by the House as a bill “To require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, and for other purposes.” The text of the bill was subsequently amended by the Senate. House action on resolving differences deleted the Senate amendment and inserted the text of the omnibus appropriations package.

⁴⁵ Pursuant to provisions in H.Res. 776, H.Con.Res. 122 was considered to have passed the House upon the adoption of the special rule. H.Con.Res. 122 was an enrollment resolution to amend the long title of the bill to be “Making consolidated appropriations for the fiscal year ending September 30, 2015, and for other purposes”. This enrollment resolution was agreed to in the Senate by unanimous consent on December 13, 2014. For further information on enrollment resolutions, see CRS Report RL34480, *Enrollment of Legislation: Relevant Congressional Procedures*, by Valerie Heitshusen.

⁴⁶ For further background on House proceedings related to the FY2015 Consolidated Act, see Emily Ethridge, “‘Cromnibus’ Set for House Floor Debate,” *CQ News*, December 10, 2014; Tamar Hallerman, “Democrats’ Opposition Forces Delay in Omnibus Vote,” *CQ News*, December 11, 2014; Tamar Hallerman, “House Narrowly Passes ‘Cromnibus’ to Avoid Shutdown,” *CQ News*, December 11, 2014.

⁴⁷ The Constitutional point of order was determined by the Senate to be not well taken by a vote of 22-74. For further information on Senate proceedings related to the FY2015 Consolidated Act see Niels Lesniewski, “Reid Hopes for Quick ‘Cromnibus’ Passage, Getaway,” *CQ News*, December 12, 2014; Niels Lesniewski, “Senate Rejects Cruz Point of Order on Obama’s Immigration Action,” *CQ News*, December 13, 2014; Tamar Hallerman, “Senate Clears Sprawling Fiscal 2015 Spending Package,” *CQ News*, December 13, 2014.

Table 4. CBO Estimate of H.R. 83, the Consolidated and Further Continuing Appropriations Act, 2015, Divisions A-L

(amounts in millions)

	Budget Authority	Outlays
Regular Appropriations ^a		
Defense ^b	521,272	556,132
Nondefense ^c	492,076	596,779
<i>Total:</i>	<i>1,013,348</i>	<i>1,152,911</i>
Adjustments ^d		
Overseas Contingency Operations	73,706	32,891
Disaster Relief	5,717	321
Program Integrity Initiatives	1,484	1,277
Emergency Requirements	5,405	1,527
Total Appropriations	1,099,660	1,188,927

Source: CBO, "H.R. 83, the Consolidated and Further Continuing Appropriations Act, 2015, Divisions A-L, as Posted on the Website of the House Committee on Rules on December 9, 2014," December 10, 2014 (available at <http://www.cbo.gov/sites/default/files/cbofiles/attachments/HR83.pdf>).

- Regular appropriations include all budget authority that is subject to the statutory discretionary spending limits.
- Defense spending is all spending that is under budget function 050.
- Nondefense spending is all spending that is not under budget function 050.
- Such adjustments to the spending limits are pursuant to Section 251(b) of the BBEDCA. See footnote 15 of this report for further information.

Continuing Resolutions

Because none of the FY2015 regular appropriations bills were to be enacted by the beginning of the fiscal year, a CR (H.J.Res. 124; P.L. 113-164) was enacted on September 19, 2014. This CR generally extended funding at last year's levels, with a small across-the-board reduction and certain enumerated exceptions, through December 11, 2014.⁴⁸ Two additional CRs were enacted to extend temporary funding for all 12 regular appropriations bills through December 13 and December 17 (P.L. 113-202 and P.L. 113-203, respectively). A fourth CR was enacted as part of the Consolidated and Further Continuing Appropriations Act to extend temporary funding for the Department of Homeland Security through February 27, 2015 (Division L, H.R. 83).

H.J.Res. 124 (P.L. 113-164)

The Continuing Appropriations Resolution for FY2015 was introduced by Representative Harold Rogers, chairman of the House Appropriations Committee, on September 9, 2014. The following

⁴⁸ For a brief overview of the components of this CR, see CRS Report IN10148, *H.J.Res. 124, the FY2015 Continuing Resolution*, by Jessica Tollestrup.

week, on September 16, the House adopted a special rule (H.Res. 722) allowing for the consideration of an amendment that authorized the President to arm and train vetted elements of Syrian opposition groups and that provided for the potential use of funds for those purposes.⁴⁹ The next day, after debate on H.J.Res. 124 and the Syria amendment thereto was completed, the House adopted the amendment by a vote of 273-156 and passed the CR by a vote of 319-108. On September 18, the Senate invoked cloture on the CR by a vote of 73-27. It then passed the CR on that same day by a vote of 78-22.⁵⁰ The President signed the CR into law on September 19.

According to the Congressional Budget Office (CBO), the annualized⁵¹ budget authority for regular appropriations provided in the CR that is subject to the BCA limits was \$1,012.236 billion.⁵² When spending designated as for OCO/GWOT, continuing disability reviews and redeterminations, health care fraud abuse control, or disaster relief is included, the total amount of annualized budget authority in the CR was \$1,110.678 billion.⁵³

CBO also estimated that annualized spending in the CR would exceed one of the two statutory discretionary spending limits.⁵⁴ Defense spending in the CR was estimated to total \$517.689 billion, which is about \$3.583 billion below the defense limit, but nondefense spending was estimated to total \$494.547 billion, which was about \$2.191 billion above the nondefense limit. However, the BCA limits are first enforced within 15 calendar days after the congressional session adjourns sine die, and the funds in this CR were superseded by the enactment of H.R. 83 prior to that time.⁵⁵

H.J.Res. 130 (P.L. 113-202) and H.J.Res. 131 (P.L. 113-203)

As congressional action was occurring on H.R. 83, which would complete the annual appropriations process for 11 out of the 12 regular appropriations bills, it became evident that additional time would be needed to complete that action. On December 10, 2014, Representative Harold Rogers, chairman of the House Appropriations Committee, introduced H.J.Res. 130, to extend the effectiveness the first FY2015 CR two additional days—to December 13, 2014. On

⁴⁹ The special rule also self-executed an amendment making certain technical corrections to the CR. For the text of the amendments to the CR, see H.Rept. 113-600 that accompanied H.Res. 722. For further information on the Syria-related CR provisions, see CRS Report R43720, *U.S. Military Action Against the Islamic State: Answers to Frequently Asked Legal Questions*, by Michael John Garcia and Jennifer K. Elsea.

⁵⁰ The Senate had previously adopted a unanimous consent agreement that provided the terms for proceeding to the measure, disposing of the cloture motion, and voting on final passage. See Senate debate, *Congressional Record*, daily edition, vol. 160, no. 133 (September 17, 2014), p. S5684.

⁵¹ The amount of annualized budget authority is an extrapolation of the budget authority that would be provided if the CR were to expire at the end of the fiscal year.

⁵² This amount is generally equal to the total of the statutory discretionary spending limits for the previous fiscal year (FY2014).

⁵³ CBO, “The Continuing Appropriations Resolution, 2015 (H.J.Res. 124), Including the Amendment in Part A of H.Rept. 113-600, as Approved by the House Committee on Rules on September 15, 2014,” available at http://www.cbo.gov/sites/default/files/hjres124_0.pdf.

⁵⁴ CBO, “The Continuing Appropriations Resolution, 2015 (H.J.Res. 124), Including the Amendment in Part A of H.Rept. 113-600, as Approved by the House Committee on Rules on September 15, 2014, Regular Appropriations Only,” available at http://www.cbo.gov/sites/default/files/hjres124_0.pdf.

⁵⁵ BBEDCA, §251(a)(6). Unless otherwise specified by law, the latest that this adjournment can occur is January 3, 2015. For further information with regard to sine die adjournments of a congressional session, see CRS Report R42977, *Sessions, Adjournments, and Recesses of Congress*, by Richard S. Beth and Jessica Tollestrup.

December 11, this measure was agreed to in the House without objection and passed the Senate by a voice vote. It was signed into law by the President on December 12, 2014 (P.L. 113-202). That same day, the chairman of the House Appropriations Committee introduced another CR, H.J.Res. 131, to further extend the effectiveness of the first FY2015 CR through December 17, 2014. The measure passed the House without objection and the Senate by a voice vote. It was signed into law on December 13, 2014 (P.L. 113-203). These temporary appropriations measures were superseded by the enactment of H.R. 83 on December 16, 2014.

H.R. 83, Division L

Although annual appropriations for 11 of the regular appropriations bills were enacted as part of H.R. 83 (Divisions A-L), Congress did not include annual funding for the Department of Homeland Security (DHS) as part of the package. The exclusion of annual appropriations for DHS was, in large part, due to the lack of consensus on how Congress would respond to the Obama Administration's announcement of immigration-related executive action that had occurred the previous month.⁵⁶ Some congressional critics of the Administration's proposal suggested that annual appropriations for DHS be used as the vehicle to respond to those actions.⁵⁷ Consequently Division L of H.R. 83 contained an extension of the DHS funding provided in the first CR, through February 27, 2015. This CR also made a few modifications to the first CR, including the addition of two provisions related to DHS (Section 101 of Division L).

Congressional consideration of H.R. 83 is discussed in the report section entitled, "The FY2015 Consolidated Act (H.R. 83, Divisions A through K)."

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⁵⁶ For further information on these actions, see CRS Report WSLG1125, *The Obama Administration's Announced Immigration Initiative: A Primer*, by Michael John Garcia and Michael John Garcia.

⁵⁷ For further information about how this debate unfolded prior to congressional consideration of H.R. 83, see Emily Ethridge and Tamar Hallerman, "Defunding Obama's Immigration Moves May Prove Difficult," *CQ News*, November 20, 2014; Emma Dumain and Emily Ethridge, "Price Pushes Plan to Separate Immigration Funding from Omnibus," *CQ News*, November 25, 2014; Emma Dumain and Matt Fuller, "House GOP Floats Multi-Pronged Approach to Avert Government Shutdown," *CQ News*, December 2, 2014; David Rogers, "Lawmakers Iron Out Money Details for a Deal," *Politico*, December 4, 2014.