H. J. RES. 124

Making continuing appropriations for fiscal year 2015, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

September 9, 2014

Mr. Rogers of Kentucky introduced the following joint resolution; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

JOINT RESOLUTION

Making continuing appropriations for fiscal year 2015, and for other purposes.

1 Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

2 That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2015, and for other purposes, namely:
SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2014 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this joint resolution, that were conducted in fiscal year 2014, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:


(9) The Legislative Branch Appropriations Act, 2014 (division I of Public Law 113–76).


(b) The rate for operations provided by subsection (a) is hereby reduced by 0.0554 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the
Department of Defense shall be used for: (1) the new production of items not funded for production in fiscal year 2014 or prior years; (2) the increase in production rates above those sustained with fiscal year 2014 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2014.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

Sec. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

Sec. 104. Except as otherwise provided in section 102, no appropriation or funds made available or author-
ity granted pursuant to section 101 shall be used to init-
iate or resume any project or activity for which appro-
priations, funds, or other authority were not available dur-
ing fiscal year 2014.

Sec. 105. Appropriations made and authority grant-
ed pursuant to this joint resolution shall cover all obliga-
tions or expenditures incurred for any project or activity
during the period for which funds or authority for such
project or activity are available under this joint resolution.

Sec. 106. Unless otherwise provided for in this joint
resolution or in the applicable appropriations Act for fiscal
year 2015, appropriations and funds made available and
authority granted pursuant to this joint resolution shall
be available until whichever of the following first occurs:
(1) the enactment into law of an appropriation for any
project or activity provided for in this joint resolution; (2)
the enactment into law of the applicable appropriations
Act for fiscal year 2015 without any provision for such
project or activity; or (3) December 11, 2014.

Sec. 107. Expenditures made pursuant to this joint
resolution shall be charged to the applicable appropriation,
fund, or authorization whenever a bill in which such appli-
cable appropriation, fund, or authorization is contained is
enacted into law.
Sec. 108. Appropriations made and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this joint resolution may be construed to waive any other provision of law governing the apportionment of funds.

Sec. 109. Notwithstanding any other provision of this joint resolution, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2015 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this joint resolution that would impinge on final funding prerogatives.

Sec. 110. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

Sec. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2014, and for activities under
the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2014, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2014 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2014, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this joint resolution may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of
the State Department Basic Authorities Act of 1956 (22
U.S.C. 2680), section 313 of the Foreign Relations Au-
6212), and section 504(a)(1) of the National Security Act
of 1947 (50 U.S.C. 3094(a)(1)).

Sec. 114. (a) Each amount incorporated by reference
in this joint resolution that was previously designated by
the Congress for Overseas Contingency Operations/Global
War on Terrorism pursuant to section 251(b)(2)(A) of the
Balanced Budget and Emergency Deficit Control Act of
1985 or as being for disaster relief pursuant to section
251(b)(2)(D) of such Act is designated by the Congress
for Overseas Contingency Operations/Global War on Ter-
rorism pursuant to section 251(b)(2)(A) of such Act or
as being for disaster relief pursuant to section
251(b)(2)(D) of such Act, respectively.

(b) The reduction in section 101(b) of this joint reso-
lution shall not apply to—

(1) amounts designated under subsection (a) of
this section; or

(2) amounts made available by section 101(a)
by reference to the second paragraph under the
heading “Social Security Administration—Limita-
tion on Administrative Expenses” in division H of
Public Law 113–76.
(c) Section 6 of Public Law 113–76 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism.

SEC. 115. During the period covered by this joint resolution, discretionary amounts appropriated for fiscal year 2015 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).

SEC. 116. Notwithstanding section 101, amounts are provided for “Department of Agriculture—Domestic Food Programs—Food and Nutrition Service—Commodity Assistance Program” at a rate for operations of $275,701,000, of which $208,682,000 shall be for the Commodity Supplemental Food Program.

SEC. 117. For “Department of Health and Human Services—Food and Drug Administration—Salaries and Expenses”, amounts shall be made available by this joint resolution as if “outsourcing facility fees authorized by 21 U.S.C. 379j–62,” were included after “21 U.S.C. 381,” in the second paragraph under such heading in division A of Public Law 113–76.

SEC. 118. Amounts made available by section 101 for “Department of Commerce—National Oceanic and Atmospheric Administration—Procurement, Acquisition and Construction” may be apportioned up to the rate for oper-
atations necessary to maintain the planned launch schedules
for the Joint Polar Satellite System and the Geostationary
Operational Environmental Satellite system.

SEC. 119. Notwithstanding any other provision of
law, except sections 106 and 107 of this joint resolution,
for “Department of Defense—Overseas Contingency Op-
erations—Operation and Maintenance—Operation and
Maintenance, Army”, up to $50,000,000, to be derived by
reducing the amount otherwise made available by section
101 for such account, may be used to conduct surface and
subsurface clearance of unexploded ordnance at closed
training ranges used by the Armed Forces of the United
States in Afghanistan: Provided, That such funds may
only be used if the training ranges are not transferred to
the Islamic Republic of Afghanistan for use by its armed
forces: Provided further, That the authority provided by
this section shall continue in effect through the earlier of
the date specified in section 106(3) of this joint resolution
or the date of the enactment of an Act authorizing appro-
priations for fiscal year 2015 for military activities of the
Department of Defense: Provided further, That such
amount is designated as provided under section 114 for
such account.

SEC. 120. The following authorities shall continue in
effect through the earlier of the date specified in section
106(3) of this joint resolution or the date of the enactment
of an Act authorizing appropriations for fiscal year 2015
for military activities of the Department of Defense:

(1) Section 1004 of the National Defense Au-
thorization Act for Fiscal Year 1991 (Public Law

(2) Section 1215 of the National Defense Au-
thorization Act for Fiscal Year 2012 (Public Law

(3) Section 127b of title 10, United States
Code, notwithstanding subsection (c)(3)(C) of such
section.

(4) Subsection (b) of section 572 of the Na-
tional Defense Authorization Act for Fiscal Year
2006 (20 U.S.C. 7703b(b)), notwithstanding para-
graph (4) of such subsection.

Sec. 121. (a) Funds made available by section 101
for “Department of Energy—Energy Programs—Ura-
nium Enrichment Decontamination and Decommissioning
Fund” may be apportioned up to the rate for operations
necessary to avoid disruption of continuing projects or ac-
tivities funded in this appropriation.

(b) The Secretary of Energy shall notify the Commit-
tees on Appropriations of the House of Representatives
and the Senate not later than 3 days after each use of the authority provided in subsection (a).

SEC. 122. (a) Funds made available by section 101 for “Department of Energy—Environmental and Other Defense Activities—Defense Environmental Cleanup” for the Waste Isolation Pilot Plant may be obligated at a rate for operations necessary to assure timely execution of activities necessary to restore and upgrade the repository.

(b) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the spending rate authority provided in this section that exceeds customary apportionment allocations.

SEC. 123. Notwithstanding any other provision of this joint resolution, except section 106, the District of Columbia may expend local funds under the heading “District of Columbia Funds” for such programs and activities under title IV of H.R. 5016 (113th Congress), as passed by the House of Representatives on July 16, 2014, at the rate set forth under “District of Columbia Funds—Summary of Expenses” as included in the Fiscal Year 2015 Budget Request Act of 2014 (D.C. Act 20–370), as modified as of the date of the enactment of this joint resolution.
Sec. 124. Notwithstanding section 101, amounts are provided for “Office of Special Counsel—Salaries and Expenses” at a rate for operations of $22,939,000.

Sec. 125. The third proviso under the heading “Small Business Administration—Business Loans Program Account” in division E of Public Law 113–76 is amended by striking “$17,500,000,000” and inserting “$18,500,000,000”: Provided, That amounts made available by section 101 for such proviso under such heading may be apportioned up to the rate for operations necessary to accommodate increased demand for commitments to general business loans under section 7(a) of the Small Business Act: Provided further, That this section shall become effective upon enactment of this joint resolution.

Sec. 126. Sections 1101(a) and 1104(a)(2)(A) of the Internet Tax Freedom Act (title XI of division C of Public Law 105–277; 47 U.S.C. 151 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “November 1, 2014”.

Sec. 127. Section 550(b) of Public Law 109–295 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “October 4, 2014”.

Sec. 128. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall
continue in effect through the date specified in section 106(3) of this joint resolution.

tion and Facilities Management”, and “U.S. Immigration and Customs Enforcement—Salaries and Expenses” shall be obligated at a rate for operations as necessary to respectively—

(1) sustain the staffing levels of U.S. Customs and Border Protection officers and Border Patrol agents in accordance with the provisos under the heading “U.S. Customs and Border Protection—Salaries and Expenses” in division F of Public Law 113–76;

(2) sustain border security and immigration enforcement operations;

(3) sustain necessary Air and Marine operations; and

(4) sustain the staffing levels of U.S. Immigration and Customs Enforcement agents, equivalent to
the staffing levels achieved on September 30, 2014, and comply with the fifth proviso under the heading “U.S. Immigration and Customs Enforcement—Salaries and Expenses” in division F of Public Law 113–76.

(b) The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

Sec. 130. Notwithstanding section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809), the authority described in such section shall continue in effect through the date specified in section 106(3) of this joint resolution.

Sec. 131. (a) The authority provided by subsection (m)(3) of section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79) shall continue in effect through the date specified in section 106(3) of this joint resolution.

(b) For the period covered by this joint resolution, the authority provided by the provisos under the heading “Dwight D. Eisenhower Memorial Commission—Capital Construction” in division E of Public Law 112–74 shall not be in effect.
SEC. 132. Activities authorized under part A of title IV and section 1108(b) of the Social Security Act (other than under section 413(h) of such Act) shall continue through the date specified in section 106(3) of this joint resolution, in the manner authorized for fiscal year 2014 (except that the amount appropriated for section 403(b) of such Act shall be $598,000,000, and the requirement to reserve funds provided for in section 403(b)(2) of such Act shall not apply with respect to this section), and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the applicable portion of the first quarter of fiscal year 2015 at the pro rata portion of the level provided for such activities through the first quarter of fiscal year 2014.

SEC. 133. Amounts allocated to Head Start grantees from amounts identified in the seventh proviso under the heading “Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs” in Public Law 113–76 shall not be included in the calculation of the “base grant” in fiscal year 2015, as such term is used in section
640(a)(7)(A) of the Head Start Act (42 U.S.C. 9835(a)(7)(A)).

SEC. 134. The first proviso under the heading “Department of Health and Human Services—Administration for Children and Families—Low Income Home Energy Assistance” in division F of Public Law 113–76 shall be applied to amounts made available by this joint resolution by substituting “2015” for “2014”.

SEC. 135. Amounts provided by this joint resolution for “Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance” may be apportioned up to the rate for operations necessary to maintain program operations at the level provided in fiscal year 2014.

SEC. 136. Notwithstanding section 101, amounts are provided for “Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund” at a rate for operations of $1,301,430,000, of which $58,000,000 may be apportioned up to the rate for operations necessary for expenses to support acceleration of countermeasure and product advanced research and development pursuant to section 319L of the Public Health Service Act for addressing Ebola therapies.
Sec. 137. Notwithstanding section 101, amounts are provided for “Department of Health and Human Services—Centers for Disease Control and Prevention—Global Health” at a rate for operations of $413,000,000, of which $30,000,000 may be apportioned up to the rate for operations necessary to support the responses of the Centers for Disease Control and Prevention (referred to in this section as the “CDC”) to the outbreak of Ebola virus in Africa: Provided, That such funds made available for responses to the outbreak of Ebola virus in Africa shall be available for transfer by the Director of the CDC to other accounts of the CDC for such support: Provided further, That the Director of the CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of any transfer under the preceding proviso.

Sec. 138. Amounts made available by this joint resolution for “Department of Education—Rehabilitation Services and Disability Research”, “Department of Education—Departmental Management—Program Administration”, and “Department of Health and Human Services—Administration for Community Living—Aging and Disability Services Programs” may be obligated in the account and budget structure set forth in section 491 of the
Workforce Innovation and Opportunity Act (42 U.S.C. 3515e).

Sec. 139. Of the unobligated balance of amounts provided by section 108 of Public Law 111–3, $4,549,000,000 is rescinded.

Sec. 140. Section 113 of division H of Public Law 113–76 shall be applied by substituting the date specified in section 106(3) for “September 30, 2014”.

Sec. 141. (a) Notwithstanding section 101, amounts are made available for accounts in title I of division J of Public Law 113–76 at an aggregate rate for operations of $6,558,223,500.

(b) Not later than 30 days after the date of enactment of this joint resolution, the Secretary of Defense shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report delin- ing the allocation of budget authority in subsection (a) by account and project.

Sec. 142. Notwithstanding section 101, amounts are provided for “Department of Veterans Affairs—Departmental Administration—General Operating Expenses, Veterans Benefits Administration” at a rate for operations of $2,524,254,000.

Sec. 143. Notwithstanding section 101, amounts are provided for “Department of Veterans Affairs—Depart-
mental Administration—Office of Inspector General” at a rate for operations of $126,411,000.

Sec. 144. Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2014”.


Sec. 146. Section 7081(4) of division K of Public Law 113–76 shall be applied to amounts made available by this joint resolution by substituting the date specified
in section 106(3) of this joint resolution for “September 30, 2014”.

Sec. 147. The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) shall be applied through June 30, 2015, by substituting such date for “September 30, 2014” in section 7 of such Act.

Sec. 148. (a) Section 44302(f) of title 49, United States Code, is amended by striking “September 30, 2014” and inserting “the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015”.

(b) Section 44303(b) of title 49, United States Code, is amended by striking “September 30, 2014” and inserting “the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015”.

(c) Section 44310(a) of title 49, United States Code, is amended by striking “September 30, 2014” and inserting “the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015”.

This joint resolution may be cited as the “Continuing Appropriations Resolution, 2015”.

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