
Updated December 14, 2004

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**Title:** Defense Authorization and Appropriations Bills: A Chronology, FY1970-FY2005

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**Security Classification:**
- Report: unclassified
- Abstract: unclassified
- This Page: unclassified

**Pages:** 32
Summary

The passage of the Department of Defense (DOD) authorization and appropriations bills through Congress often does not follow the course laid out in textbooks on legislative procedure. Tracking DOD authorization or appropriation bills can often be confusing and time-consuming; this has been particularly true in recent years, when continuing resolutions containing the DOD and other appropriation bills have been passed in lieu of the traditional 13 appropriations bills for the entire U.S. government.

This report is a research aid, which lists the DOD authorization bills (Table 1) and appropriations bills (Table 2). This includes all the pertinent information on the passage of these bills through the legislative process: bill numbers, report numbers, dates reported and passed, recorded vote numbers and vote tallies, dates of passage of the conference reports with their numbers and votes, vetoes, substitutions, dates of final passage, and public law numbers. Table 3 shows real growth or decline in national defense funding for FY1940-FY2009. Table 4 gives a more detailed picture of both regular and supplemental defense appropriations from the 103rd Congress to the present (FY1993-FY2005). Table 5 shows the President’s DOD appropriations budget requests for FY1950-FY2005 vs. final amount enacted. Finally, key definitions are included. This report will be updated as legislative activity warrants.
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The DOD Authorization-Appropriations Process

The Congress oversees the defense budget primarily through two yearly bills: the defense authorization and defense appropriations bills. Tables 1 and 2 present the DOD authorization and appropriations bills. The authorization bill establishes the agencies responsible for defense and sets the policies under which money will be spent: it authorizes the money to be spent. The appropriations bill actually appropriates the money.

Ideally, the authorization-appropriations process should proceed in an orderly sequence with each step of the process generating a part of the paper trail. All of these steps should be documented in the Congressional Record as well as in many other official documents of the Congress, in private publications such as Congressional Quarterly Weekly Report and United States Code Congressional and Administrative News (USCCAN), and on the Internet [http://thomas.loc.gov/].

In the simplest case, the process begins with the President’s submitting his proposal (initially formulated by the Department of Defense and formally submitted by the President through the White House Office of Management and Budget) to the defense authorizing and appropriations committees.

Then, for example, for the defense authorization bill, hearings are held by the appropriate House committees and subcommittees. The bill is marked up and an authorization bill is reported out, usually with a written, numbered report. This bill is debated in the House, amended or not as the case may be, and passed by the House with the vote noted in the Congressional Record. In the simplest situation this bill would then be sent to the Senate, debated and passed. However, the Senate can amend the House bill or report out its own bill, debate, amend, and pass it.

If each Chamber passes its own version, the stage is set for a conference committee to harmonize the two versions. This usually results in a printed conference report, which is then voted on by each Chamber to complete congressional action on the bill, which then is sent to the President for his consideration.

Ideally, after the authorization bill is passed the appropriations bill goes through this same process. Although conceptually a sequential process, authorization and appropriations bills can be considered at the same time or even passed in reverse order.
Other patterns also emerge. For instance, the Senate can report out a bill, then substitute the text of the Senate bill for the text of the bill passed by the House while retaining the House bill number. The House can also use this procedure. A Senate or House bill can also have part of the other chamber’s bill inserted into it, or can be so heavily amended that it is unclear whether it is the Senate or House bill that is really being passed.

Other circumstances can also occur which make it hard to track a bill and its contents. Bills are sometimes reported out without reports. Instead of recorded votes, in which each Member is recorded as voting for or against the bill, voice votes can be taken, in which no individual Member’s vote can be identified. Bills can be approved by unanimous consent even though they may contain thousands of separate provisions, thus making it impossible to say for sure if a Member really supported a particular provision. Senate bills can be reported out before House bills. An appropriations bill can be passed before an authorization bill.

Sometimes, after the September 30 fiscal year deadline has passed and work has not been completed on the regular appropriations bills, the Congress passes a continuing resolution (CR) instead of some or all of the 13 separate bills which fund the operations of the government. The CR can be temporary or permanent. Each year is unique, and it is rare that the “usual” pattern is followed.

There are several types of votes: voice votes, teller votes, division votes, unanimous consent votes, but only when there is a recorded vote will there be a vote number and vote tally in the Congressional Record. The section below is based on “Methods of Voting in the House and Senate: Putting Member’s Positions on the Record,” from Congressional Quarterly’s Guide to Congress, 4th ed., 1991, p. 430-31.

**Methods of Voting**

- **Division vote** — those in favor or opposed stand, and the chair takes a head count: only vote totals are announced and there is no record of how individual Members voted.

- **Recorded vote** — Members vote electronically, each recorded vote is given a sequential number and vote totals plus how each Member voted are recorded in the Congressional Record.

- **Teller vote** — an older method in which Members were counted as they passed between chair appointed tellers for the “ayes” and “noes”; only vote totals announced and no record of how individual Members voted.

- **Unanimous consent vote** — usually reserved for non-controversial legislation.

- **Voice vote** — the presiding officer calls for the “ayes” and then the “noes,” Members shout in chorus on one side or the other, and the chair decides the result.
## Table 1. Authorization Bills

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**Abbreviations and Symbols:**
- **H** indicates that the Senate passed a bill with a House resolution number,
- **S** indicates that the House passed a bill with a Senate resolution number; ¹
- ( — ) dashes mean no original Senate bill, House bill number used;
- vv = voice vote, uc = unanimous consent vote, dv = a division vote.
Notes:

a. After passing H.R. 14000 by recorded vote # 200, the House passed S. 2546 by voice vote and laid H.R. 14000 on the table.

b. Senate reported out a substitute bill for H.R. 15495 as passed the House.

c. Senate substituted text of S. 3000, then passed H.R. 14592 in lieu.

d. Senate passed H.R. 6674 in lieu of S. 920.

e. Senate passed H.R. 10929 in lieu of S. 2571.


g. Senate agreed to House amendments. No conference was held.

h. House passed H.R. 4040, laid it on the table by voice vote, then passed S. 428 in lieu by voice vote.

i. H.R. 3519 had a three-part report; this date is for the earliest report.

j. House passed S. 815 in lieu of H.R. 3519.

k. Senate substituted text of S. 2723, then passed H.R. 5167.

l. Senate inserted text of H.R. 2969 into S. 675, then passed it by voice vote.

m. Senate substituted text of S. 2723, then passed H.R. 5167.


o. House inserted text of H.R. 4428, then passed S. 2638.

p. Senate inserted text of S. 1174, then passed H.R. 1748.

q. Senate folded text of S. 2355 into H.R. 4264, then passed it.

r. After the initial bill was vetoed, an amended version was added to an existing bill on military base closures — H.R. 4481.

s. H.R. 4481 had a four-part report; the date is that of the earliest report.

t. Senate inserted text of S. 1352, then passed H.R. 2461.

u. Senate inserted text of S. 2884, then passed H.R. 4739.

v. Senate inserted text of S. 1507, then passed H.R. 2100.

w. Senate inserted text of S. 3114, then passed H.R. 5006.

x. Senate inserted text of S. 1298, then passed H.R. 2401.

y. House passed S. 2182 by voice vote on 7/25/94 after substituting the text of H.R. 4301 as passed the House.

z. Senate inserted text of S. 2182, then passed H.R. 4301.

aa. After veto of H.R. 1530 and failure to override, an amended conference report on S. 1124 was passed. The President signed P.L. 104-106 on 2/10/96.

bb. Senate struck all but the enacting clause and substituted division A of S. 1026.

c. Senate substituted text of S. 1745, then passed H.R. 3230.

dd. Senate passed S. 936, inserted text of S. 936 into H.R. 1119, then passed H.R. 1119 by voice vote.

e. Senate passed S. 2057 by roll call vote # 181 on 6/25/98, then struck all but the enacting clause of H.R. 3616, inserted the text of S. 2057, then passed H.R. 3616 on 6/25/98 by unanimous consent.

ff. House passed H.R. 1401 on 6/10/99 by roll call vote # 191, 365-58, then the bill was laid on the table. Subsequently, on 6/14/00 the House struck all but the enacting clause of S. 1059, substituted the text of H.R. 1401, and passed S.1059 without objection.

gg. Senate struck all after the Enacting Clause and substituted the language of S.2549 amended, then passed H.R. 4205 in lieu of S. 2549 with an amendment. H.R. 4205 enacted into law the text of H.R. 5408 as introduced on 10/6/00.
hh. House struck all after the enacting clause, substituted the text of H.R. 2586 which had passed the House on 9/28 by a vote of y398-n17 (#359) and passed S. 1438 (which replaced S.1416, which had been reported out with Report 107-62 on 9/12) without objection.

ii. Senate struck all after the enacting clause, then substituted text of S. 2514 as amended and passed by the Senate on 6/27 by a vote of y97-n2 (#165), and passed H.R. 4546.

jj. Senate struck all after the enacting clause, then substituted the text of S. 1050 which had passed the Senate on 5/22 by a vote of y98-n1 (#194), and passed H.R. 1588.

kk. Senate struck all after the enacting clause, then substituted the text of S. 2400 which had passed the Senate on 6/23/04 by a vote of y97-n0 (#146), and passed H.R. 2400.
## Table 2. Appropriation Bills

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Abbreviations and Symbols:

H indicates that the Senate passed a bill with a House resolution number,
S indicates that the House passed a bill with a Senate resolution number;
( — ) dashes mean no original Senate bill, House bill number used;
vv = voice vote, uc = unanimous consent vote, dv = a division vote.
Notes:
a. Vote on second conference report. First conference report (91-1759) passed by the House 328-30 but tabled in the Senate.
b. House agreed to Tunney amendment banning any funding for activities in Angola, thus clearing this bill to be sent to the President.
c. A continuing resolution, which was passed instead of the normal DOD appropriations bill.
d. Senate incorporated text of S. 2039 into H.R. 4185, then passed it.
e. Both House and Senate bills were incorporated into this continuing resolution, which was passed instead of the normal DOD appropriations bill.
g. Updated version of P.L. 99-500.
h. Senate passed S. 3189 on 10/15/90, then vitiﬁed this action on 10/16/90, and passed H.R. 5803 in lieu.
i. Senate passed S. 1087, amended by recorded vote # 397 on 9/5/95, then passed H.R. 2126 in lieu on 9/8/95 by voice vote.
j. The President allowed H.R. 2126 to become law without his signature.
k. Senate substituted the text of S. 1894, then passed H.R. 3610.
l. Senate passed S. 1005, amended by vote # 176 on 7/15/97, then inserted text of S. 1005 into H.R. 2266, and passed it in lieu on 7/29/97 by voice vote.
m. President Clinton used his line item veto power to veto several items in this law.

n. Senate passed H.R. 4103 in lieu of S. 2132.
o. On 7/28/99 the Senate vitiﬁed previous passage of its own defense appropriations bill (S. 1122, 6/8/99, vote # 158, 93-4), and passed H.R. 2561 after striking all but the enacting clause and inserting the text of S. 1122.
p. On 6/18/00 the Senate struck all but the enacting clause of H.R. 4576 and substituted the language of S. 2593, and on 6/13/00 the Senate passed H.R. 4576 amended.
q. Reported out with an amendment in the nature of a substitute.
r. On 7/18 the committee on appropriations reported an amendment in the nature of a substitute with written report 107-213, which was passed as amended by unanimous consent on 8/1, then substituted for the text of H.R. 5010 which was then passed on 8/1 by a vote of y95-n3 (#204)
s. Senate passed H.R. 2658 as amended.
t. Senate struck all but the enacting clause and substituted the text of S. 2559, then passed H.R. 4613.
u. President Clinton used his line item veto power to veto several items in this law.

w. Senate passed H.R. 4103 in lieu of S. 2132.
x. On 7/28/99 the Senate vitiﬁed previous passage of its own defense appropriations bill (S. 1122, 6/8/99, vote # 158, 93-4), and passed H.R. 2561 after striking all but the enacting clause and inserting the text of S. 1122.
y. On 6/18/00 the Senate struck all but the enacting clause of H.R. 4576 and substituted the language of S. 2593, and on 6/13/00 the Senate passed H.R. 4576 amended.
z. Reported out with an amendment in the nature of a substitute.
a. On 7/18 the committee on appropriations reported an amendment in the nature of a substitute with written report 107-213 which was passed as amended by unanimous consent on 8/1, then substituted for the text of H.R. 5010 which was then passed on 8/1 by a vote of y95-n3 (#204)
b. Senate passed H.R. 2658 as amended.
c. Senate struck all but the enacting clause and substituted the text of S. 2559, then passed H.R. 4613.
Definitions

This section taken from CRS Report 93-317, A Defense Budget Primer.

- **Appropriation** — One form of budget authority provided by Congress permitting Federal agencies to incur obligations and to make payments out of the Treasury for specific purposes. Appropriated funds must be spent for purposes specifically designated by Congress but are not necessarily spent in the year in which they are provided.

- **Authorization** — Establishes or maintains a Government program or agency by defining its scope. May set a specific limit on how much Congress can appropriate for that program. Authorizing legislation is normally a prerequisite for appropriation. An authorization does not make money available.

- **Continuing Resolution** — Legislation enacted by Congress to provide budget authority for Federal agencies and programs in lieu of regular appropriations acts. CRs may be temporary (providing only stop-gap funding until passage of regular appropriations acts) or full-year (substituting for one or more regular appropriations acts).

- **Supplemental Appropriation** — An act appropriating funds in addition to what is provided in a regular annual appropriation act. Military and DOD civilian pay raises are often funded in supplemental appropriation acts.
Table 3. Real Growth/Decline in National Defense Funding, FY1940-2009
(current and constant FY2005 dollars in billions)

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Source: CRS, based on Department of Defense data.
# Table 4: National Defense Appropriations Since FY1993
(budget authority in millions of dollars)

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## FY1996

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## FY1998

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**Notes:**

a. Administration rescissions request includes $4.8 billion in authority for the Secretary of Defense to make cuts in previously appropriated funds up to that amount.

b. Of the enacted amount, $1,838 million was for pay and benefit improvements beginning in FY2000. Senate considered only the conference report.

c. Total enacted includes $7,200 million in emergency appropriations.

d. Request also proposed $3,061 million of advance FY2001 appropriations.

e. Supplemental FY2000 appropriations provided in the regular FY2001 defense appropriations bill.

f. The bill appropriated $40 billion for counter-terrorism, reconstruction etc., of which $20 billion was available when released by the President and another $20 billion required subsequent
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approval in a later appropriations act. The total shown here is the amount of the initial $20 billion made available for defense programs, which CBO is scoring as FY2001 funding.
g. Amount of the second $20 billion for counter-terrorism, etc., provided for national defense programs in the emergency supplemental appropriations bill attached to the regular defense appropriations bill, which CBO scored as FY2002 funding.

h. Congress appropriated $14,381.6 million for defense (including military construction), but $1,011.9 billion was provided as contingent emergency appropriations, which the President did not designate as an emergency.
### Table 5: Congressional Action on Annual Department of Defense Appropriations Requests: FY1950-FY2005
(new budget authority in millions of current year dollars)

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**Sources:** For FY1950-74, Department of Defense FAD Table 809, issued Oct. 21, 1974; for FY1975-82, and FY1989-2005, annual Appropriations Committee conference reports; for FY1983-88, Department of Defense Comptroller, annual reports on congressional action on appropriations requests (FAD-28 tables).

**Note:** Amounts are for the basic Department of Defense appropriations bill only. Amounts exclude military construction (including family housing), military assistance program, and, except for FY1999, supplemental appropriations. Before the mid-1980s, supplemental appropriations were provided annually for pay raises and sometimes included substantial amounts for contingencies. In the FY1951 budget, Congress provided $32.8 billion in supplemental appropriations mainly for Korean War costs. Congress also provided supplemental appropriations of $12.0 billion in FY1966 and $12.2 billion in FY1967, mainly for Vietnam War costs. Supplemental amounts in other years ranged from zero in FY1953, FY1954, FY1955, and FY1957 to $4.8 billion in FY1974. Total for FY1999 includes $7,586 million in supplemental appropriations for Department of Defense programs normally provided in the regular Defense Appropriations bill. FY2005 level does not include emergency appropriations of $26,339 million.