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(Original Signature of Member)

113TH CONGRESS
2ND SESSION

H. J. RES. _____

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 _____

JOINT RESOLUTION

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

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the following sums are hereby appropriated, out of
4 any money in the Treasury not otherwise appropriated,
5 and out of applicable corporate or other revenues, receipts,
6 and funds, for the several departments, agencies, corpora-
7 tions, and other organizational units of Government for
8 fiscal year 2015, and for other purposes, namely:

1 SEC. 101. (a) Such amounts as may be necessary,
2 at a rate for operations as provided in the applicable ap-
3 propriations Acts for fiscal year 2014 and under the au-
4 thority and conditions provided in such Acts, for con-
5 tinuing projects or activities (including the costs of direct
6 loans and loan guarantees) that are not otherwise specifi-
7 cally provided for in this joint resolution, that were con-
8 ducted in fiscal year 2014, and for which appropriations,
9 funds, or other authority were made available in the fol-
10 lowing appropriations Acts:

11 (1) The Agriculture, Rural Development, Food
12 and Drug Administration, and Related Agencies Ap-
13 propriations Act, 2014 (division A of Public Law
14 113–76).

15 (2) The Commerce, Justice, Science, and Re-
16 lated Agencies Appropriations Act, 2014 (division B
17 of Public Law 113–76).

18 (3) The Department of Defense Appropriations
19 Act, 2014 (division C of Public Law 113–76).

20 (4) The Energy and Water Development and
21 Related Agencies Appropriations Act, 2014 (division
22 D of Public Law 113–76).

23 (5) The Financial Services and General Govern-
24 ment Appropriations Act, 2014 (division E of Public
25 Law 113–76).

1 (6) The Department of Homeland Security Ap-
2 propriations Act, 2014 (division F of Public Law
3 113–76).

4 (7) The Department of the Interior, Environ-
5 ment, and Related Agencies Appropriations Act,
6 2014 (division G of Public Law 113–76).

7 (8) The Departments of Labor, Health and
8 Human Services, and Education, and Related Agen-
9 cies Appropriations Act, 2014 (division H of Public
10 Law 113–76).

11 (9) The Legislative Branch Appropriations Act,
12 2014 (division I of Public Law 113–76).

13 (10) The Military Construction and Veterans
14 Affairs, and Related Agencies Appropriations Act,
15 2014 (division J of Public Law 113–76).

16 (11) The Department of State, Foreign Oper-
17 ations, and Related Programs Appropriations Act,
18 2014 (division K of Public Law 113–76).

19 (12) The Transportation, Housing and Urban
20 Development, and Related Agencies Appropriations
21 Act, 2014 (division L of Public Law 113–76).

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

24 SEC. 102. (a) No appropriation or funds made avail-
25 able or authority granted pursuant to section 101 for the

1 Department of Defense shall be used for: (1) the new pro-
2 duction of items not funded for production in fiscal year
3 2014 or prior years; (2) the increase in production rates
4 above those sustained with fiscal year 2014 funds; or (3)
5 the initiation, resumption, or continuation of any project,
6 activity, operation, or organization (defined as any project,
7 subproject, activity, budget activity, program element, and
8 subprogram within a program element, and for any invest-
9 ment items defined as a P-1 line item in a budget activity
10 within an appropriation account and an R-1 line item that
11 includes a program element and subprogram element with-
12 in an appropriation account) for which appropriations,
13 funds, or other authority were not available during fiscal
14 year 2014.

15 (b) No appropriation or funds made available or au-
16 thority granted pursuant to section 101 for the Depart-
17 ment of Defense shall be used to initiate multi-year pro-
18 curements utilizing advance procurement funding for eco-
19 nomic order quantity procurement unless specifically ap-
20 propriated later.

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

24 SEC. 104. Except as otherwise provided in section
25 102, no appropriation or funds made available or author-

1 ity granted pursuant to section 101 shall be used to ini-
2 tiate or resume any project or activity for which appro-
3 priations, funds, or other authority were not available dur-
4 ing fiscal year 2014.

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

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

20 SEC. 107. Expenditures made pursuant to this joint
21 resolution shall be charged to the applicable appropriation,
22 fund, or authorization whenever a bill in which such appli-
23 cable appropriation, fund, or authorization is contained is
24 enacted into law.

1 SEC. 108. Appropriations made and funds made
2 available by or authority granted pursuant to this joint
3 resolution may be used without regard to the time limita-
4 tions for submission and approval of apportionments set
5 forth in section 1513 of title 31, United States Code, but
6 nothing in this joint resolution may be construed to waive
7 any other provision of law governing the apportionment
8 of funds.

9 SEC. 109. Notwithstanding any other provision of
10 this joint resolution, except section 106, for those pro-
11 grams that would otherwise have high initial rates of oper-
12 ation or complete distribution of appropriations at the be-
13 ginning of fiscal year 2015 because of distributions of
14 funding to States, foreign countries, grantees, or others,
15 such high initial rates of operation or complete distribu-
16 tion shall not be made, and no grants shall be awarded
17 for such programs funded by this joint resolution that
18 would impinge on final funding prerogatives.

19 SEC. 110. This joint resolution shall be implemented
20 so that only the most limited funding action of that per-
21 mitted in the joint resolution shall be taken in order to
22 provide for continuation of projects and activities.

23 SEC. 111. (a) For entitlements and other mandatory
24 payments whose budget authority was provided in appro-
25 priations Acts for fiscal year 2014, and for activities under

1 the Food and Nutrition Act of 2008, activities shall be
2 continued at the rate to maintain program levels under
3 current law, under the authority and conditions provided
4 in the applicable appropriations Act for fiscal year 2014,
5 to be continued through the date specified in section
6 106(3).

7 (b) Notwithstanding section 106, obligations for man-
8 datory payments due on or about the first day of any
9 month that begins after October 2014 but not later than
10 30 days after the date specified in section 106(3) may con-
11 tinue to be made, and funds shall be available for such
12 payments.

13 SEC. 112. Amounts made available under section 101
14 for civilian personnel compensation and benefits in each
15 department and agency may be apportioned up to the rate
16 for operations necessary to avoid furloughs within such de-
17 partment or agency, consistent with the applicable appro-
18 priations Act for fiscal year 2014, except that such author-
19 ity provided under this section shall not be used until after
20 the department or agency has taken all necessary actions
21 to reduce or defer non-personnel-related administrative ex-
22 penses.

23 SEC. 113. Funds appropriated by this joint resolution
24 may be obligated and expended notwithstanding section 10
25 of Public Law 91-672 (22 U.S.C. 2412), section 15 of

1 the State Department Basic Authorities Act of 1956 (22
2 U.S.C. 2680), section 313 of the Foreign Relations Au-
3 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
4 6212), and section 504(a)(1) of the National Security Act
5 of 1947 (50 U.S.C. 3094(a)(1)).

6 SEC. 114. (a) Each amount incorporated by reference
7 in this joint resolution that was previously designated by
8 the Congress for Overseas Contingency Operations/Global
9 War on Terrorism pursuant to section 251(b)(2)(A) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985 or as being for disaster relief pursuant to section
12 251(b)(2)(D) of such Act is designated by the Congress
13 for Overseas Contingency Operations/Global War on Ter-
14 rorism pursuant to section 251(b)(2)(A) of such Act or
15 as being for disaster relief pursuant to section
16 251(b)(2)(D) of such Act, respectively.

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

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

21 (2) amounts made available by section 101(a)
22 by reference to the second paragraph under the
23 heading “Social Security Administration—Limita-
24 tion on Administrative Expenses” in division H of
25 Public Law 113–76.

1 (c) Section 6 of Public Law 113–76 shall apply to
2 amounts designated in subsection (a) for Overseas Contin-
3 gency Operations/Global War on Terrorism.

4 SEC. 115. During the period covered by this joint res-
5 olution, discretionary amounts appropriated for fiscal year
6 2015 that were provided in advance by appropriations
7 Acts shall be available in the amounts provided in such
8 Acts, reduced by the percentage in section 101(b).

9 SEC. 116. Notwithstanding section 101, amounts are
10 provided for “Department of Agriculture—Domestic Food
11 Programs—Food and Nutrition Service—Commodity As-
12 sistance Program” at a rate for operations of
13 \$275,701,000, of which \$208,682,000 shall be for the
14 Commodity Supplemental Food Program.

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

22 SEC. 118. Amounts made available by section 101 for
23 “Department of Commerce—National Oceanic and At-
24 mospheric Administration—Procurement, Acquisition and
25 Construction” may be apportioned up to the rate for oper-

1 ations necessary to maintain the planned launch schedules
2 for the Joint Polar Satellite System and the Geostationary
3 Operational Environmental Satellite system.

4 SEC. 119. Notwithstanding any other provision of
5 law, except sections 106 and 107 of this joint resolution,
6 for “Department of Defense—Overseas Contingency Op-
7 erations—Operation and Maintenance—Operation and
8 Maintenance, Army”, up to \$50,000,000, to be derived by
9 reducing the amount otherwise made available by section
10 101 for such account, may be used to conduct surface and
11 subsurface clearance of unexploded ordnance at closed
12 training ranges used by the Armed Forces of the United
13 States in Afghanistan: *Provided*, That such funds may
14 only be used if the training ranges are not transferred to
15 the Islamic Republic of Afghanistan for use by its armed
16 forces: *Provided further*, That the authority provided by
17 this section shall continue in effect through the earlier of
18 the date specified in section 106(3) of this joint resolution
19 or the date of the enactment of an Act authorizing appro-
20 priations for fiscal year 2015 for military activities of the
21 Department of Defense: *Provided further*, That such
22 amount is designated as provided under section 114 for
23 such account.

24 SEC. 120. The following authorities shall continue in
25 effect through the earlier of the date specified in section

1 106(3) of this joint resolution or the date of the enactment
2 of an Act authorizing appropriations for fiscal year 2015
3 for military activities of the Department of Defense:

4 (1) Section 1004 of the National Defense Au-
5 thorization Act for Fiscal Year 1991 (Public Law
6 101–510; 10 U.S.C. 374 note).

7 (2) Section 1215 of the National Defense Au-
8 thorization Act for Fiscal Year 2012 (Public Law
9 112–81; 10 U.S.C. 113 note).

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

13 (4) Subsection (b) of section 572 of the Na-
14 tional Defense Authorization Act for Fiscal Year
15 2006 (20 U.S.C. 7703b(b)), notwithstanding para-
16 graph (4) of such subsection.

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

23 (b) The Secretary of Energy shall notify the Commit-
24 tees on Appropriations of the House of Representatives

1 and the Senate not later than 3 days after each use of
2 the authority provided in subsection (a).

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

9 (b) The Secretary of Energy shall notify the Commit-
10 tees on Appropriations of the House of Representatives
11 and the Senate on each use of the spending rate authority
12 provided in this section that exceeds customary apporportion-
13 ment allocations.

14 SEC. 123. Notwithstanding any other provision of
15 this joint resolution, except section 106, the District of
16 Columbia may expend local funds under the heading “Dis-
17 trict of Columbia Funds” for such programs and activities
18 under title IV of H.R. 5016 (113th Congress), as passed
19 by the House of Representatives on July 16, 2014, at the
20 rate set forth under “District of Columbia Funds—Sum-
21 mary of Expenses” as included in the Fiscal Year 2015
22 Budget Request Act of 2014 (D.C. Act 20–370), as modi-
23 fied as of the date of the enactment of this joint resolution.

1 SEC. 124. Notwithstanding section 101, amounts are
2 provided for “Office of Special Counsel—Salaries and Ex-
3 penses” at a rate for operations of \$22,939,000.

4 SEC. 125. The third proviso under the heading
5 “Small Business Administration—Business Loans Pro-
6 gram Account” in division E of Public Law 113–76 is
7 amended by striking “\$17,500,000,000” and inserting
8 “\$18,500,000,000”: *Provided*, That amounts made avail-
9 able by section 101 for such proviso under such heading
10 may be apportioned up to the rate for operations necessary
11 to accommodate increased demand for commitments to
12 general business loans under section 7(a) of the Small
13 Business Act: *Provided further*, That this section shall be-
14 come effective upon enactment of this joint resolution.

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

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

24 SEC. 128. The authority provided by section 831 of
25 the Homeland Security Act of 2002 (6 U.S.C. 391) shall

1 continue in effect through the date specified in section
2 106(3) of this joint resolution.

3 SEC. 129. (a) Amounts made available by section 101
4 for the Department of Homeland Security for “U.S. Cus-
5 toms and Border Protection—Salaries and Expenses”,
6 “U.S. Customs and Border Protection—Border Security
7 Fencing, Infrastructure, and Technology”, “U.S. Customs
8 and Border Protection—Air and Marine Operations”,
9 “U.S. Customs and Border Protection—Construction and
10 Facilities Management”, and “U.S. Immigration and Cus-
11 toms Enforcement—Salaries and Expenses” shall be obli-
12 gated at a rate for operations as necessary to respec-
13 tively—

14 (1) sustain the staffing levels of U.S. Customs
15 and Border Protection officers and Border Patrol
16 agents in accordance with the provisos under the
17 heading “U.S. Customs and Border Protection—Sal-
18 aries and Expenses” in division F of Public Law
19 113–76;

20 (2) sustain border security and immigration en-
21 forcement operations;

22 (3) sustain necessary Air and Marine oper-
23 ations; and

24 (4) sustain the staffing levels of U.S. Immigra-
25 tion and Customs Enforcement agents, equivalent to

1 the staffing levels achieved on September 30, 2014,
2 and comply with the fifth proviso under the heading
3 “U.S. Immigration and Customs Enforcement—Sal-
4 aries and Expenses” in division F of Public Law
5 113–76.

6 (b) The Secretary of Homeland Security shall notify
7 the Committees on Appropriations of the House of Rep-
8 resentatives and the Senate on each use of the authority
9 provided in this section.

10 SEC. 130. Notwithstanding section 810 of the Fed-
11 eral Lands Recreation Enhancement Act (16 U.S.C.
12 6809), the authority described in such section shall con-
13 tinue in effect through the date specified in section 106(3)
14 of this joint resolution.

15 SEC. 131. (a) The authority provided by subsection
16 (m)(3) of section 8162 of the Department of Defense Ap-
17 propriations Act, 2000 (40 U.S.C. 8903 note; Public Law
18 106–79) shall continue in effect through the date specified
19 in section 106(3) of this joint resolution.

20 (b) For the period covered by this joint resolution,
21 the authority provided by the provisos under the heading
22 “Dwight D. Eisenhower Memorial Commission—Capital
23 Construction” in division E of Public Law 112–74 shall
24 not be in effect.

1 SEC. 132. Activities authorized under part A of title
2 IV and section 1108(b) of the Social Security Act (other
3 than under section 413(h) of such Act) shall continue
4 through the date specified in section 106(3) of this joint
5 resolution, in the manner authorized for fiscal year 2014
6 (except that the amount appropriated for section 403(b)
7 of such Act shall be \$598,000,000, and the requirement
8 to reserve funds provided for in section 403(b)(2) of such
9 Act shall not apply with respect to this section), and out
10 of any money in the Treasury of the United States not
11 otherwise appropriated, there are hereby appropriated
12 such sums as may be necessary for such purpose. Grants
13 and payments may be made pursuant to this authority
14 through the applicable portion of the first quarter of fiscal
15 year 2015 at the pro rata portion of the level provided
16 for such activities through the first quarter of fiscal year
17 2014.

18 SEC. 133. Amounts allocated to Head Start grantees
19 from amounts identified in the seventh proviso under the
20 heading “Department of Health and Human Services—
21 Administration for Children and Families—Children and
22 Families Services Programs” in Public Law 113–76 shall
23 not be included in the calculation of the “base grant” in
24 fiscal year 2015, as such term is used in section

1 640(a)(7)(A) of the Head Start Act (42 U.S.C.
2 9835(a)(7)(A)).

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

9 SEC. 135. Amounts provided by this joint resolution
10 for “Department of Health and Human Services—Admin-
11 istration for Children and Families—Refugee and Entrant
12 Assistance” may be apportioned up to the rate for oper-
13 ations necessary to maintain program operations at the
14 level provided in fiscal year 2014.

15 SEC. 136. Notwithstanding section 101, amounts are
16 provided for “Department of Health and Human Serv-
17 ices—Office of the Secretary—Public Health and Social
18 Services Emergency Fund” at a rate for operations of
19 \$1,301,430,000, of which \$58,000,000 may be appor-
20 tioned up to the rate for operations necessary for expenses
21 to support acceleration of countermeasure and product ad-
22 vanced research and development pursuant to section
23 319L of the Public Health Service Act for addressing
24 Ebola therapies.

1 SEC. 137. Notwithstanding section 101, amounts are
2 provided for “Department of Health and Human Serv-
3 ices—Centers for Disease Control and Prevention—Global
4 Health” at a rate for operations of \$413,000,000, of
5 which \$30,000,000 may be apportioned up to the rate for
6 operations necessary to support the responses of the Cen-
7 ters for Disease Control and Prevention (referred to in
8 this section as the “CDC”) to the outbreak of Ebola virus
9 in Africa: *Provided*, That such funds made available for
10 responses to the outbreak of Ebola virus in Africa shall
11 be available for transfer by the Director of the CDC to
12 other accounts of the CDC for such support: *Provided fur-*
13 *ther*, That the Director of the CDC shall notify the Com-
14 mittees on Appropriations of the House of Representatives
15 and the Senate not later than 30 days after the date of
16 any transfer under the preceding proviso.

17 SEC. 138. Amounts made available by this joint reso-
18 lution for “Department of Education—Rehabilitation
19 Services and Disability Research”, “Department of Edu-
20 cation—Departmental Management—Program Adminis-
21 tration”, and “Department of Health and Human Serv-
22 ices—Administration for Community Living—Aging and
23 Disability Services Programs” may be obligated in the ac-
24 count and budget structure set forth in section 491 of the

1 Workforce Innovation and Opportunity Act (42 U.S.C.
2 3515e).

3 SEC. 139. Of the unobligated balance of amounts pro-
4 vided by section 108 of Public Law 111–3,
5 \$4,549,000,000 is rescinded.

6 SEC. 140. Section 113 of division H of Public Law
7 113–76 shall be applied by substituting the date specified
8 in section 106(3) for “September 30, 2014”.

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

13 (b) Not later than 30 days after the date of enact-
14 ment of this joint resolution, the Secretary of Defense
15 shall submit to the Committees on Appropriations of the
16 House of Representatives and the Senate a report delin-
17 eating the allocation of budget authority in subsection (a)
18 by account and project.

19 SEC. 142. Notwithstanding section 101, amounts are
20 provided for “Department of Veterans Affairs—Depart-
21 mental Administration—General Operating Expenses,
22 Veterans Benefits Administration” at a rate for operations
23 of \$2,524,254,000.

24 SEC. 143. Notwithstanding section 101, amounts are
25 provided for “Department of Veterans Affairs—Depart-

1 mental Administration—Office of Inspector General” at
2 a rate for operations of \$126,411,000.

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

7 SEC. 145. Amounts made available by section 101 for
8 “Broadcasting Board of Governors—International Broad-
9 casting Operations”, “Bilateral Economic Assistance—
10 Funds Appropriated to the President—Economic Support
11 Fund”, “International Security Assistance—Department
12 of State—International Narcotics Control and Law En-
13 forcement”, “International Security Assistance—Depart-
14 ment of State—Nonproliferation, Anti-terrorism,
15 Demining and Related Programs”, and “International Se-
16 curity Assistance—Funds Appropriated to the Presi-
17 dent—Foreign Military Financing Program” shall be obli-
18 gated at a rate for operations as necessary to sustain as-
19 sistance for Ukraine and independent states of the Former
20 Soviet Union and Central and Eastern Europe to counter
21 external, regional aggression and influence.

22 SEC. 146. Section 7081(4) of division K of Public
23 Law 113–76 shall be applied to amounts made available
24 by this joint resolution by substituting the date specified

1 in section 106(3) of this joint resolution for “September
2 30, 2014”.

3 SEC. 147. The Export-Import Bank Act of 1945 (12
4 U.S.C. 635 et seq.) shall be applied through June 30,
5 2015, by substituting such date for “September 30, 2014”
6 in section 7 of such Act.

7 SEC. 148. (a) Section 44302(f) of title 49, United
8 States Code, is amended by striking “September 30,
9 2014” and inserting “the date specified in section 106(3)
10 of the Continuing Appropriations Resolution, 2015”.

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

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

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