

97<sup>TH</sup> CONGRESS } HOUSE OF REPRESENTATIVES { REPORT  
 1st Session } { No. 97-223

## CONTINUING APPROPRIATIONS, 1982

SEPTEMBER 14, 1981.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WHITTEN, from the Committee on Appropriations,  
 submitted the following

### REPORT

[To accompany H.J. Res. 325]

The Committee on Appropriations, to whom was referred House Joint Resolution 325 making continuing appropriations until November 1, 1981, and for other purposes, report the same to the House without amendment and with the recommendation that the joint resolution be passed.

#### STATUS OF APPROPRIATIONS BILLS

The Committee on Appropriations has now reported 9 of the 13 regular annual appropriation bills for the fiscal year beginning October 1. It is expected that three additional bills will be reported in the near future and that only one bill will not be acted upon by the Committee before the beginning of the new fiscal year. The House had passed five appropriation bills before the August recess. Two more were passed last week and more are scheduled for House consideration.

While the majority of the bills will have been acted upon by the House, the Senate has had only limited opportunity to consider bills because of the lateness of the appropriations cycle this year due to the submission of massive budget revisions by the Executive Branch. Consequently, it is expected that only a relatively few bills will have been sent to the President before the beginning of the new fiscal year.

#### NEED FOR CONTINUING RESOLUTION

In view of the unavoidable delays in the appropriations process, it is essential that interim financing authority be enacted in order to provide for the orderly continued operation of the government pending the enactment of the regular appropriation bills. The accompanying joint resolution provides continuing appropriations at restrictive rates based on the bills status in the legislative process on the last day of the

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current fiscal year. This continuing authority is effective for only one month and its applicability to various federal programs ceases as the individual appropriation bills are signed into law.

It is the objective of the Appropriations Committee of the House and Senate to clear bills to be sent to the President as soon as possible. The five bills passed by the House in July are under consideration at some stage in the Senate or in conference and it is hoped that they are finalized before the beginning of the new fiscal year. The continuing resolution therefore includes interim financing for activities under the remaining eight appropriation bills.

#### LEVELS OF FUNDING UNDER THE RESOLUTION

As stated above, the continuing resolution provides temporary financing for federal programs at restrictive rates for one month or until the regular appropriations bills are enacted. It is based upon the status of the individual bills as of the last day of the current fiscal year. In summary, the operating levels which obtain under the resolution are as follows:

1. Section 101(a) provides continuing authority for five appropriation bills. Under this section, where the particular appropriation bill has passed both Houses as of October 1, 1981, and the amount as passed by the House is different than that as passed by the Senate, projects or activities are continued under the lesser amount or more restrictive authority. Where the particular appropriation bill has passed only the House as of October 1, 1981, the rate of operation shall not exceed the rate provided by the House or the current rate, whichever is lower. Where an item is provided in only one version of an Act as passed by both Houses it continues at a rate not exceeding the current rate or the rate permitted by the action of one House, whichever is lower. The 5 bills provided for under this subsection include: Commerce, Justice, State, and the Judiciary; District of Columbia; Labor, Health and Human Services, and Education; Military Construction; and Transportation.

2. Section 101(b) provides continuing authority for the Defense and Foreign Assistance programs at the current rate or the rate of the budget estimate, whichever is lower.

3. Section 101(c) provides continuing authority for the Legislative Branch at the rate and under the provisions of the House-reported bill.

4. Section 101(d) provides continuing authority at the current level for certain activities not otherwise provided for.

5. The resolution does not augment appropriations contained in the regular bills for fiscal year 1982. Section 105 provides that expenditures made pursuant to the continuing resolution shall be charged to the applicable appropriation or fund when the regular bill is enacted into law.

The resolution provides for the continuation of the existing provisions of law regarding the prohibition of federally funded abortions, and the prohibition against preventing the implementation of programs of voluntary prayer and meditation in the public schools. These provisions would remain effective during the one month period of the continuing resolution.

## CONTINUATION OF ACTIVITIES UNDER MERGED ACCOUNTS

In a number of instances, the fiscal year 1982 Appropriation bills reflect revised account structures. In many instances this is in response to the budget requests submitted by the Executive Branch or changes included in revised basic authorizing legislation now enacted into law. In accordance with the traditional intent of continuing resolutions, the Committee expects that rates for funding activities conducted in fiscal year 1981 under multiple accounts but provided for under a merged account in fiscal year 1982 be subjected to the same measures applicable to the activities as if they were not merged. For instance, if several activities were conducted in fiscal year 1981 under an appropriation bill which had passed only the House of Representatives as of October 1, 1981, and were included and provided for in a single merged account in the 1982 bill, the level of funding which would obtain would be the current rate (adding each separate account to arrive at the total) or the rate provided for each activity in the merged account, whichever is lower. The Committee expects officials of the various departments and agencies, the Office of Management and Budget, the Department of the Treasury, and the General Accounting Office to observe this principle in requesting, approving, and reviewing warrants under the continuing resolution.

The Committee recognizes, as should others involved in the federal budget and appropriation process, that continuing resolutions are interim, stop-gap financing devices and are not intended to replace regular annual appropriation bills. The Committee has attempted to keep the continuing resolution as simple as possible and enlists the support and cooperation of the financial officials in administering the orderly operations under the continuing resolution.

## COMPLIANCE WITH THE RESOLUTION

The Committee continues to feel that it is essential that officials responsible for administering programs during the period covered by the resolution take only the limited action necessary for orderly continuation of projects and activities, preserving to the maximum extent possible the flexibility of Congress in arriving at final decisions. Accordingly, the rates of operation for programs and activities under the resolution are to be interpreted as ceilings and not as mandatory spending levels. This is necessary in order to preserve congressional prerogatives in the course of the regular authorization and appropriation process. The Committee expects that departments and agencies will carefully avoid the obligation of funds, for specific budget line items or program allocations on which congressional committees may have expressed strong criticism, at rates which would impinge upon discretionary decisions otherwise available to the Congress.

In this connection, it is noted that section 101(b) provides that funds made available by this joint resolution may not be expended at a rate in excess of that incurred during the prior fiscal year. With respect to the military personnel appropriations of the Department of Defense, the Committee intends that this limitation also apply individually to the rates for all pay, allowances (including travel allowances), bonuses, or comparable monetary payments (other

than basic pay, and allowances for subsistence and quarters) in effect for such payments on September 30, 1981 unless an increase in such rates is required by law.

#### PROTECTION FROM INSECT EMERGENCIES

The Committee recognizes that the Secretary of Agriculture has a need for a funding mechanism which would allow immediate response to the depredations of animal and plant diseases and infestations such as the Medfly in California. The reason for this need is simply that these problems fluctuate from year to year. Permitting the Secretary to borrow from other USDA accounts in order to cope with such emergencies is a prudent way of being prepared for emergencies.

It is important to note that animal and plant diseases and infestations do not know anything about state lines, or about the distinction between rural and urban areas. One example is the gypsy moth, which is now known to be in at least 19 states and spreading rapidly. In 1980 the gypsy moth defoliated 5 million acres of forests in the six New England States, New York, New Jersey, and Pennsylvania, an eight-fold increase over 1979. Defoliation has also occurred for the first time in Maryland and Michigan. In addition, new infestations have been found in California, Washington, Oregon, Nebraska, Ohio, Illinois, Virginia, and Wisconsin. More acres were defoliated in 1980 than had been defoliated cumulatively in the preceding five years. Trees have been denuded of leaves resulting in loss of recreation land and timber production, and soil erosion as well. This, in turn, creates water pollution problems for cities. One thing leads to another. The same sequence applies to numerous insect pests which devastate large areas of the country, such as the fruit flies, the Southern pine beetle, the fire ant and the spruce budworm. These pests represent enormous costs to our economy, costs which we all must ultimately bear.

Authority to meet such emergencies was included in H.R. 4119, the Agriculture Appropriations Bill for 1982, which passed the House on July 27, and is also included in the appropriations bill as it now stands in the other body. The purpose of providing this authority in this resolution is to make our intent quite clear, and to permit the Secretary to be fully and immediately responsive to any emergency which may arise.

#### INFLATIONARY IMPACT STATEMENT

Clause 2(1)(4) of rule XI of the House of Representatives requires that each Committee report on a bill or resolution shall contain a statement as to whether enactment of such bill or resolution may have an inflationary impact on prices and costs in the operation of the national economy.

The accompanying resolution simply extends the availability of funds and authorities for ongoing programs of the Federal Government for which fiscal year 1982 appropriations will not be enacted by October 1. The philosophy of the continuing resolution is to provide funding for the orderly continuation of existing programs for the interim period until regular appropriation bills are enacted. By definition, such programs have previously been authorized and funded by the Congress and signed into law.

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In view of the fact that this resolution merely represents a temporary extension of existing and previously approved programs, and considering the restrictive levels of funding which obtain under the mechanics of the resolution, it is the judgment of the Committee that its enactment will not have an additional inflationary impact on prices and costs in the operation of the national economy.