Congressional Record — House

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 270, noes 161, not voting 2, as follows:

[Poll No. 361]

AYES—270

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous material, on the Joint Resolution just adopted.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Continuing Appropriations, 1984

Mr. WHITTEN. Mr. Speaker, pursuant to the rule adopted today, I call up the joint resolution (H. J. Res. 388) making continuing appropriations for the fiscal year 1984, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the joint resolution, as follows:

H. J. Res. 388

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated and out of any other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1984, and for other purposes, namely:

Sec. 101. (a)(1) Such amounts as may be necessary for projects or activities not otherwise provided for in law for completion in fiscal year 1983, to be available for the joint resolution and for which appropriations, fund, or other authority would be available in the following appropriations Acts:

District of Columbia Appropriation Act, 1984; and


(3) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed the House as of October 1, 1983, is different from that which would be available or granted under such Act as passed by the Senate as of October 1, 1983, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority: Provided, That where an item is included in only one version of an Act as passed by both Houses as of October 1, 1983, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but as a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable Appropriations Acts for the fiscal year 1983.

(4) No provision which is included in an appropriation Act enumerated in this subsection which was not included in the applicable Appropriation Act of 1983, and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in the joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and the Senate.
(b) Such amounts as may be necessary for projects or activities, not otherwise specified, provided for in this joint resolution, at the rate for operations and to the extent and in the manner provided for the appropriation Acts as passed by the House of Representatives as of October 1, 1983:


Department of the Interior and Related Agencies Appropriations Act, 1984: Provided, That no funds provided in this or any other Act to agencies funded by the Interior and Related Agencies Appropriation Act, 1983 (Public Law 97-394) may be expended to take actions related to termination of programs or closure of facilities until enactment of the Interior and Related Agencies Appropriation Act, 1984; and


(c) Such amounts as may be necessary for continuing activities and programs not otherwise specifically provided for in appropriation Acts, which were conducted in the fiscal year 1983, for which provision was made in the Department of Defense Appropriation Act, 1983, as enacted in Public Law 97-377, at the current terms and conditions and at a rate for operations not in excess of the current rate or at the rate provided for in the budget estimates, whichever is lower: Provided, That no appropriation or funds made available or authority granted pursuant to section 501(c) of the Refugee Education Assistance Act of 1980 or section 501(i) of the Refugee Education Assistance Act of 1980, as amended, for the fiscal year 1983 or those provided in the budget estimates for each country, whichever is lower, unless submitted through the regular reprogramming procedures of the Committees on Appropriations, or unless otherwise specified in this paragraph.

(d) Such amounts as may be necessary for continuing the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for the fiscal year 1983, at the current rate or at the rate provided for in the budget estimates for each country, whichever is higher, unless otherwise specified in this paragraph:

(1) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(2) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(3) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(4) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(5) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(6) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(7) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(8) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(9) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(10) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(11) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(12) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(13) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(14) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(15) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(16) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(17) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(18) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(19) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(20) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(21) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:

(22) Such amounts as may be necessary for the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions and at the rate provided for in the budget estimates for each country, whichever is lower, unless otherwise specified in this paragraph:
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Sec. 108. Notwithstanding any other provision of this joint resolution except section 102, there are appropriated Postal Service Fund sufficient amounts so that postal rates for all preferred-rate mailers covered by section 3626 of Title 39, United States Code, will remain at their current level, in effect on September 1, 1983, (step 14): Provided, That mail for overseas voting and mail for overseas voting and mail for overseas military personnel shall continue to be free: Provided further, That the six-day delivery of rural delivery of mail shall continue at the 1983 level.

Sec. 110. Funds shall be available for school assistance in federally affected areas authorized by title I of the Act of September 30, 1950, and the Act of September 23, 1959, the rate of $85,000 under the terms and conditions provided in the applicable appropriation Act for fiscal year 1983.

Sec. 111. There is hereby appropriated $20,000,000 to be derived by transfer from other funds available for obligation in fiscal year 1983 in the appropriation for "Guaranteed Student Loans" for the payment of the rate of salary or basic pay, the rate of salary or basic pay receivable after the application of this section shall be treated as the rate of salary or basic pay prescribed by the Rehabilitation Act of 1983.

Sec. 112. The Appointments Committee has made appropriate findings and determinations concerning appointments to positions in the Executive Branch.

Sec. 113. This Act shall take effect immediately upon its enactment.

Sec. 114. (a) Notwithstanding any other provision of law, no part of any of the funds appropriated for the fiscal year ending September 30, 1984, by this Act or any other Act, may be used for services performed by a school in providing educational services to the children of employees of the United States Government who are employed in the Washington, D.C., area.

(b) Notwithstanding the provisions of any law governing the rate of pay of the headlady or lady of the school shall be paid at the rate of $3,000 per annum, effective immediately upon the date of enactment of this Act.

(c) Notwithstanding any other provision of law, the rate of pay of the headlady or lady of the school shall be paid at the rate of $3,000 per annum, effective immediately upon the date of enactment of this Act.

(d) Notwithstanding any other provision of law, no part of any of the funds appropriated for the fiscal year ending September 30, 1984, by this Act or any other Act, may be used for services performed by a school in providing educational services to the children of employees of the United States Government who are employed in the Washington, D.C., area.

(e) Notwithstanding any other provision of law, no part of any of the funds appropriated for the fiscal year ending September 30, 1984, by this Act or any other Act, may be used for services performed by a school in providing educational services to the children of employees of the United States Government who are employed in the Washington, D.C., area.

(f) Notwithstanding any other provision of law, no part of any of the funds appropriated for the fiscal year ending September 30, 1984, by this Act or any other Act, may be used for services performed by a school in providing educational services to the children of employees of the United States Government who are employed in the Washington, D.C., area.

Sec. 115. Mr. WHITTED. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 368, and that I may include tabular and extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER. The gentleman from Mississippi (Mr. WHITTED) is recognized for 1 hour.

Mr. WHITTED. Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts (Mr. CONREY), for purposes of debate only, pending which I yield myself such time as I may require.

The SPEAKER. The gentleman from Mississippi is recognized.

Mr. WHITTED. Mr. Speaker, I bring to the Members today a resolution that is urgent and essential.

On September 22, the Appointments Committee reported a continuing resolution, which is necessary for the completion of work in the House Chamber and yard and for the completion of work on all 13 appropriation bills making money available for the carrying on of the operations of the Government after this Friday. Under an opinion of the Attorney General, Government activities except those dealing with health, safety, and defense must cease at midnight on September 30, 1983, if appropriations for the agencies involved have not been enacted.

The resolution reported last week has been the case increasingly in the last few days, ended up as the vehicle where just about every controversy existing in Congress was addressed.

Mr. Speaker, because 19 amendments were adopted in the committee on the resolution last week, it attracted considerable controversy and it did not appear reasonable to have the resolution enacted by the end of the week.

After consulting with some of the senior members of the Committee on Appropriations, a simplified continuing resolution (H.J. Res. 368) was introduced which in effect continues the operations of the Government basically at about the same level as we have now.

Mr. Speaker, it is unfortunate that this resolution has to be considered under somewhat unusual circumstances. May I suggest that this is not the fault of the Appropriations Committee. Over the years, your committee has a fine record of fiscal responsibility and timely action. For 37 of the last 40 years, the Appropriations Committee has recommended funding at or below the President's budget requests.

The major reason we have had to resort to unusual practices this year is the inability of the legislative committees to resolve numerous controversial issues. I do not blame the legislative committees. But because certain issues are not resolved by the legislative process, there is a growing tendency to try to resolve them in the continuing resolution, which must be enacted by the start of the fiscal year. The amendments the Appropriations Committee dealt with last week were not exclusively concerned with legislative provisions and issues more properly addressed by the legislative committees. Very few of the amendments were concerned with money or spending issues.

We hate to be faced with this situation in which we find ourselves today, but with the end of the fiscal year fast approaching there was no other sensible way to proceed. The operation of the Government must not be suspended because legislative issues are not resolved properly and in a timely manner. Continuing resolutions, by their very nature, must be enacted promptly. But they are temporary, stop-gap measures and should not be used as vehicles for every legislative controversy.

Mr. Speaker, for the benefit of my colleagues, I would like to explain the various provisions of House Joint Resolution 368 which are before the House today.

House Joint Resolution 368 provides temporary funding for the new fiscal year beginning October 1 for programs under 9 of the 13 regular appropriation bills. The following four bills have already become law: HUD-Independent Agencies (Public Law 98-45), Energy and Water Development (Public Law 98-50), Legislative Branch (Public Law 98-51), and Transportation (Public Law 98-78).

The resolution becomes effective at midnight September 30 and expires November 15, a period of only 46 days. The provisions of the continuing resolution are temporary and the additional appropriation bills become law.

However, since all appropriation bills will not be enacted by September 30, timely enactment of this joint resolution is absolutely necessary in order to provide for the orderly continuation