

Federal Register

**MONDAY, FEBRUARY 5, 1979
PART VI**



**OFFICE OF
MANAGEMENT AND
BUDGET**



**BUDGET RESCISSIONS
AND DEFERRALS**

[3110-01-M]

**OFFICE OF MANAGEMENT AND
BUDGET****BUDGET RESCISSIONS AND DEFERRALS***To the Congress of the United States:*

In accordance with the Impoundment Control Act of 1974, I herewith report ten proposals to rescind a total of \$914.6 million in budget authority previously provided by the Congress. In addition, I am reporting six new deferrals of budget authority totalling \$1,169.8 million and six revisions to previously transmitted deferrals increasing the amount deferred by \$28.8 million.

The rescission proposals affect programs in the Departments of Energy, Health, Education and Welfare, Housing and Urban Development, the Interior, and several independent agencies.

The new deferrals and revisions to existing deferrals involve programs of the Departments of Agriculture, Commerce, Defense, Energy, the Interior, Justice, Labor, Transportation, the Treasury, and the Tennessee Valley Authority.

The details of each rescission proposal and deferral are contained in the attached reports.

THE WHITE HOUSE,
January 31, 1979.

JIMMY CARTER.

[3110-01-C]

CONVENTS OF SPECIAL MESSAGE
(in thousands of dollars)

| Recess- sion No. | Item | Budget Authority |
|---------------------|--|---------------------|
| R79-2 | Department of Energy: Fossil energy construction..... | 50,000 |
| R79-3 | Department of Health, Education and Welfare: National Institutes of Health Buildings and facilities..... | 37,000 |
| R79-4 | Health Resources Administration Health Resources..... | 167,893 |
| R79-5 | Office of Education Special projects and training..... | 22,365 |
| R79-6 | Department of Housing and Urban Development: Subsidized housing programs..... | 600,000 |
| R79-7 | New Communities Development Corporation New community assistance grants..... | 8,167 |
| R79-8 | Department of the Interior: Bureau of Mines Ballium fund..... | 3,127 |
| R79-9 | National Aeronautics and Space Administration: Research and program management..... | 2,400 |
| R79-10 | Foreign Claims Settlement Commission: Payment of Vietnam prisoner of war claims..... | 9,000 |
| R79-11 | Small Business Administration: Salaries and expenses..... | 14,665 |
| | Subtotal, rescission proposals..... | 914,617 |
| Defer- ral No. | | |
| D79-3A | Department of Agriculture: Forest Service Expenses, brush disposal..... | 37,501 |
| D79-47 | Department of Commerce: National Oceanic and Atmospheric Administration Operations, research and facilities..... | 500 |
| D79-7A | Fisheries loan fund..... | 5,637 |
| D79-9A | Department of Defense - Civil: Wildlife conservation, military reservations.... | 588 |
| D79-48 | Department of Energy: Energy Programs Uranium enrichment-operating expenses..... | 63,000 |
| D79-46A | Department of the Interior: Bureau of Land Management Oregon and California grant lands..... | 14,712 |
| D79-49 | Department of Justice: Community Relations Service Salaries and expenses..... | 572 |

CONVENTS OF SPECIAL MESSAGE
(in thousands of dollars)

| Defer- ral No. | Item | Budget Authority |
|-------------------|--|----------------------|
| D79-50 | Department of Labor: Employment and training assistance..... | 122,133 |
| D79-20A | Department of Transportation: Federal Aviation Administration: Facilities and equipment..... | 311,435 |
| D79-51 | Urban Mass Transportation Administration Urban mass transportation fund..... | 968,616 |
| D79-00A | Office of the Secretary: Antirecession financial assistance fund..... | 8 1/2 |
| D79-52 | Tennessee Valley Authority: Payment to the Tennessee Valley Authority fund. Subtotal, defaults.... | 15,000 1,7539,702 |
| | Total, rescission proposals and defaults.... | 2,454,319 |

✓ Outlays only.

SUMMARY OF SPECIAL MESSAGES
FOR FY 1979
(in thousands of dollars)

| Rescissions | Deferrals |
|---|-------------------|
| Fifth special message: | |
| New items..... | 1,169,821 |
| Change to amounts previously submitted.... | 28,777 |
| Effect of the fifth special message..... | 1,198,598 |
| Previous special messages..... | 2,866,522 |
| Total amount proposed in special messages.... | 4,065,120 1/2 |
| (in 11 rescission proposals) | (in 52 deferrals) |

This amount represents budget authority except for \$3,974,000 in two Treasury Department deferrals of outlays only (D79-40A and D79-25A).

PROPOSED RESCSSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P. L. 93-346

| | |
|------------------------------------|--|
| Agency: Department of Energy | |
| Bureau: | New budget authority (P.L. 93-465) \$ 29,709,400 |
| Appropriation title & symbol: | Other budgetary resources 62,331,000 |
| Fossil Energy Construction 89X0214 | Total budgetary resources 162,060,000 |
| | Amount proposed for rescission \$ 50,000,000 |

OMB identification code: 89-0214-0-1-271

Legal authority (in addition to sec. 1012):
 Antideficiency Act
 Other

Grant program Yes No

Type of account or fund:
 Annual
 Multiple-year (expiration date)
 No-year

Type of budget authority:
 Appropriation
 Contract authority
 Other

Justification: These funds were appropriated in fiscal year 1979 and prior years for the construction of a low/medium BTU coal gasification demonstration plant. The rescission proposal results from the conclusion reached by Administration that construction of a third coal gasification demonstration plant is not necessary given the limited market outlook for this fuel, the expected cost of the product gas, the limited technical and economic information which would be produced and the existence of adequate incentives in the private sector to construct such facilities where circumstances warrant. The two coal gasification demonstration plants which are currently supported with Federal funds are sufficient to demonstrate this technology.

Estimated Effects: If the rescission proposal is approved, the construction of a third coal gasification demonstration plant will not be undertaken in fiscal year 1979 or 1980. This will not adversely affect fossil energy research and development efforts which include an aggressive coal gasification program.

Outlay Effect: (estimated in millions of dollars)

Comparison with President's FY 1980 Budget:

- Budget outlay estimate for FY 1979..... 80.3
- Outlay savings included in the budget outlay estimate..... 10.0

Current Outlay Estimates for FY 1979:

- Without rescission..... 90.3
- With rescission..... 80.3
- Current outlay savings (line 3 - line 4)..... 10.0

Outlay savings for FY 1980..... 20.0

Outlay savings for FY 1981..... 10.0

Outlay savings for FY 1982..... 13.0

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P. L. 95-344

TITLE II - RELATED AGENCIES
Department of Energy
Fossil Energy Construction

Of the funds appropriated under this head in Public Law 95-165,
\$50,000,000 are rescinded.

| | | |
|---|------------------------------------|---------------|
| Agency Department of Health, Education, and Welfare | New budget authority (P.L. 95-480) | \$ 67,950,000 |
| Bureau National Institutes of Health | Other budgetary resources | 26,998,655 |
| Appropriation title & symbol Buildings and Facilities 75X0838 | Total budgetary resources | 94,948,655 |
| | Amount proposed for rescission | \$ 37,000,000 |

OMB identification code: 75-0838-0-1-552
Legal authority (in addition to sec. 1012):
 Antideficiency Act

Grant program Yes No
Type of account or fund:
 Annual
 Multiple-year (expiration date)
 No-year
Type of budget authority:
 Appropriation
 Contract authority
 Other

Justification: The Departments of Labor and Health, Education, and Welfare Appropriations Act, 1979 (P.L. 95-480) appropriated \$37 million to construct a four-story child health research building on the grounds of the National Institutes of Health (NIH) in Bethesda, Maryland. There is no evidence that a new intramural facility would materially improve the quality of research in this area. Research that would be done in this facility is presently being conducted at other NIH locations. Although these are located in various facilities across the NIH campus, there is no noticeable negative impact on the research effort being conducted. Therefore, these funds are proposed for rescission.

The Administration has proposed and Congress has enacted increases in funding for clinical health research grants and contracts in recognition of the priority placed on such research. Resource increases for child health can be utilized more effectively for research projects than facility construction.

Estimated effect:
If this proposal is approved, the new child health research facility will not be built. This will have no negative impact on the quality of the research conducted in this area.

Outlay effect: (estimated in millions of dollars)

- Comparison with President's FY 1980 Budget:
- 1. Budget outlay estimated for 1979: \$65.8
- 2. Outlay savings included in the budget outlay estimate: 4.0
- Current Outlay Estimates for FY 1979:
- 3. Without rescission: 69.8
- 4. With rescission: 65.8
- 5. Current outlay savings (Line 3 - Line 4): 4.0

Outlay savings for FY 1980: 12.0
 Outlay savings for FY 1981: 19.0
 Outlay savings for FY 1982: 2.0

NOTICES

TITLE II - DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health
Buildings and Facilities

| | |
|--|----------------|
| Agency/Department of Health, Education and Welfare | |
| Bureau | |
| Health Resources Administration | |
| Appropriation title & symbol | |
| Health Resources | |
| 7390712 | |
| 736/90712 | |
| New budget authority | \$ 739,912,000 |
| (P.L. 95-480; 95-482; 95-355) | |
| Other budgetary resources | 2,281,000 |
| Total budgetary resources | \$ 742,193,000 |
| Amount proposed for rescission | \$ 167,892,000 |

OMB identification code: 73-0712-0-1-550

Legal authority (in addition to sec. 1012):
 Antideficiency Act
 Other

Grant program: Yes No

Type of account or fund:
 Annual
 Multiple-year September 30, 1979 (expiration date)
 No-year

Type of budget authority:
 Appropriation
 Contract authority
 Other

Of the funds appropriated under this head in the Departments of Labor and Health, Education, and Welfare Appropriations Act, 1979, \$27,000,000 are rescinded.

Justification: During the 1960's and 1970's, there was a major increase in the supply of health manpower, partly as a result of increased Federal institutional and student assistance to support expanded numbers of health professions students and training programs. It is estimated that the number of practitioners in the major health professions categories will increase by another 70% between 1975 and 1990. In every case, the supply increase will far exceed population growth, raising the practitioner-to-population ratios well above current levels.

The ratio of physicians to population is projected to rise from about 177 per 100,000 in 1975 to 241 per 100,000 in 1990, a 37% increase. Moreover, the number of active nurses has more than doubled since 1957 to over 1,000,000 in 1978. The outlook is also good for adequate growth in the supply of nurses during the coming decade. The current adequate supply and projected increase in the numbers of health professionals underscores the fact that special Federal subsidies are no longer required merely to increase the supply of particular categories of health professionals.

Federal support for health professions training is being redirected as part of a national health plan strategy to address the needs of the poor and underserved. The President's 1979 Budget emphasized support for service commitment scholarships rather than continued funding for institutional subsidies or non-service-related student assistance. Moreover, increased emphasis is being placed on the needs-based student assistance grant and loan programs of the Office of Education and undergraduate health professions training, e.g., nurse training.

These funds support both grant and non-grant programs.

The \$167,893,000 in health professions training funds proposed for rescission in 1979 includes funding for capitation grants, nursing student and institutional assistance, health professions non-service student loans, and emergency medical training grants. These funds have been identified as unnecessary to program needs for meeting the goal of providing health services to the medically underserved. This is in keeping with the strategy further articulated in the President's 1980 Budget to terminate capitation grants and initiate a phaseout of other institutional subsidies and student assistance programs that in the past have served to increase the supply of health professionals without regard to specialty or geographic shortages. There are more efficient and effective means for addressing health manpower needs in shortage areas than the programs supported by the training funds proposed for rescission. The Administration supports numerous approaches, including service commitment scholarships and family medicine and primary care residency training grants.

Estimated Effects: Federal support for health professions training will continue at a level of nearly \$175 million in 1979, including \$77 million for service commitment scholarships. These scholarships will support health professions training in return for service in medically underserved areas. The proposed rescission of \$168 million in institutional subsidies and non-service-related student assistance would not affect the goal of providing services to the medically underserved.

Outlay Effect: (estimated in millions of dollars)

Comparison with President's FY 1980 Budget:

- 1. Budget outlay estimate for FY 1979 \$630.4
- 2. Outlay savings, included in the budget outlay estimate..... 30.0

Current outlay estimates for FY 1979:

- 3. Without rescission 660.4
- 4. With rescission 630.4
- 5. Current outlay savings 30.0

Outlay savings for FY 1980 109.1

Outlay savings for FY 1981 28.8

HEALTH RESOURCES ADMINISTRATION
HEALTH RESOURCES

Of the funds provided for "Health resources" for fiscal year 1979 in the Departments of Labor and Health, Education, and Welfare Appropriations Act, 1979, and in P.L. 95-482, \$167,893,000 are rescinded.

Recission Proposal No: R79-5

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P. L. 93-344

| | |
|--|---|
| Agency Department of Health, Education and Welfare | New budget authority (P.L. 95-480) \$ 134,472,000 |
| Bureau Office of Education | Other budgetary resources |
| Appropriation title & symbol | Total budgetary resources 134,472,000 |
| Special projects and training 7590270 | Amount proposed for rescission \$ 22,365,000 |

OMB identification code: 75-0270-0-1-503

Grant program Yes No

Type of account or fund: Annual Multiple-year (expiration date) No-year

Legal authority (in addition to sec. 1012): Antideficiency Act Other

Type of budget authority: Appropriation Contract authority Other

Justification: Public Law 93-207 authorized a new program of formula grants to States as an incentive for State and local education agencies to carry out comprehensive career education efforts using their own financial resources. In addition, discretionary grants were authorized to demonstrate the best career education procedures at the postsecondary level.

The Administration does not believe this career education incentive program is needed or is a Federal responsibility. There is no evidence that States need Federal intervention in order to implement career education programs using their own funds. Nine States already have laws requiring career education programs or have line items in their state budgets for career education. All of the States have career education plans. Demonstration of career education programs is a valid Federal activity and authority exists to conduct such demonstrations. The Administration is proposing to reprogram \$10.1 million of the \$22.5 million enacted for Career Education Incentives in 1979 to carry out career education demonstration projects under the Special Projects Act. The remaining \$22.4 million is proposed for rescission. In addition, \$10.1 million is being requested in FY 1980 to continue the demonstration projects under the Special Projects Act.

Estimated Effects: The effect of the reprogramming and rescission proposal will be to terminate the career education incentives program in FY 1979. However, career education programs would not suffer because the Administration is requesting funding under the Special Projects Act.

Outlay Effect: (estimated in millions of dollars)

Comparison with President's FY 1980 Budget:

- Budget outlay estimate for FY 1979..... \$101.1
- Outlay savings included in the budget outlay estimate.... 4.5

Current Outlay Estimate for FY 1979:

- Without rescission..... 105.6
- With rescission..... 101.1
- Current outlay savings (line 3 - line 4)..... 4.5

Outlay savings for FY 1980..... 7.1

Outlay savings for FY 1981..... 10.8

PROPOSED REVISION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P. L. 94-344

TITLE II - DEPARTMENT OF HEALTH, EDUCATION
AND WELFARE
EDUCATION DIVISION
Office of Education
Special Projects and Training

| | | |
|---|--------------------------------------|----------------|
| Agency Department of Housing and Urban Development | Rev budget authority (P.L. _____) | \$ _____ |
| Bureau | Other budgetary resources | 600,000,000 |
| Appropriation title & symbol Subsidized Housing Programs | Total budgetary resources | 600,000,000 |
| (State Housing Finance and Develop- ment Agencies) 86X0165 | Amount proposed for rescission | \$ 600,000,000 |

OMB identification code: _____
Legal authority (in addition to sec. 1012):

86-0139-041-604 Antideficiency Act

Grant program Yes No Other _____

Type of account or fund: Annual Multiple-year _____ (expiration date) No-year _____

Type of budget authority: Appropriation Contract authority Other _____

Justification: Section 802 of the Housing and Community Development Act of 1974 (Public Law 93-383) authorized interest subsidy grants to and Federal guarantees of obligations issued by State housing finance and development agencies. The Department of Housing and Urban Development - Independent Agencies Appropriation Act, 1976 (Public Law 94-116) provided \$15,000,000 in contract authority over a 40-year period (totaling \$600,000,000). These funds were made available to State housing agencies for interest subsidies on obligations issued to finance Section 8 Lower-income housing assistance projects.

Since enactment of the legislation, State agencies have been able to obtain financing under more favorable terms because of market conditions. The agencies have shown little or no additional interest in this program. Of the eleven contracts that were written, all have been cancelled and no funds have been utilized. Therefore, rescission of this unneeded contract authority is proposed.

Estimated Effects: This rescission proposal will terminate this unused grant program.

Outlay Effect: There is no outlay effect from this proposal because the funds would not be used if made available.

Of the funds appropriated under this head in the Departments of Labor and Health, Education, and Welfare Appropriations Act, 1979, \$2,365,000 are rescinded.

PROPOSED REVISION OF BUDGET AUTHORITY
 Report Pursuant to Section 1012 of P. L. 93-344

| | | | |
|--------------------------------|---|-----------------------------------|--------------|
| Agency | Department of Housing and Urban Development | New budget authority (P.L. _____) | \$ 8,167,000 |
| Bureau | New Community Development Corporation | Other budgetary resources | 8,167,000 |
| Appropriation title & symbol | New Community Assistance Grants 86X0149 | Total budgetary resources | 8,167,000 |
| Amount proposed for rescission | | | \$ 8,167,000 |

Appropriations and contract authority provided for in the Housing and Urban Development - Independent Agencies Appropriation Act, 1976 for interest grant payments pursuant to Section 802(c) (2) of the Housing and Community Development Act of 1974 (35 Stat. 722) are rescinded.

OMB identification code: 86-0149-0-1-451

Grant program Yes No

Type of account or fund:
 Annual
 Multiple-year (specify date)
 No-year

Type of budget authority:
 Appropriation
 Contract authority
 Other

Legal authority (in addition to sec. 1012):
 Antideficiency Act
 Other

Justification: Section 718 of the Housing and Urban Development Act of 1970, as amended, authorizes grants for distribution to developers to supplement public facility projects in existing new communities. These supplemental grants are no longer necessary for the communities which remain in the program. The communities are eligible for assistance under the Community Development Block Grant program as authorized by Title I of the Housing and Community Development Act of 1974, as amended. This program is more flexible than the supplemental grants program. Consequently, very few communities have used the supplemental grants in the past few years. In fact, there has been no new net activity in this program since September 30, 1976.

Estimated Effects: This rescission will have no effect on either the budget program of the New Community Development Corporation or the communities themselves due to the adequate availability of necessary funds under the block grant program for which new community developers are eligible recipients.

Because there has been no new activity over the past few years, it is unlikely that there would be any use of the program if the funds continued to be available.

Outlay Effect: There is no outlay effect resulting from this rescission proposal.

NOTICES

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
New Community Assistance Grants

Any amounts not administratively committed from appropriations provided for grants, as authorized by section 412 of the Housing and Urban Development Act of 1968, as amended (42 U.S.C. 3911) and sections 718 and 720 of the Housing and Urban Development Act of 1970 (42 U.S.C. 4519, 45 U.S.C. 4521), are rescinded.

PROPOSED REVISION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P. L. 93-344

| | | |
|--|--------------------------------------|--------------|
| Agency Department of the Interior | New budget authority (P.L. _____) | \$ |
| Bureau Bureau of Mines | Other budgetary resources | 20,369,000 |
| Appropriation title & symbol Helium Fund 14X4053 | Total budgetary resources | 20,369,000 |
| | Amount proposed for rescission | \$ 3,127,000 |

OMB identification code: 14-4053-0-3-306

Grant program Yes No

Type of account or fund:
 Annual
 Multiple-year (expiration date)
 30-year

Legal authority (in addition to sec. 1012):
 Antideficiency Act
 Other _____

Type of budget authority:
 Appropriation
 Contract authority
 Other (Borrowing Authority)

Justification: Since its discovery in 1893 until the early 1940's, helium was produced and sold only by the Federal Government. Demand for helium for traditional uses, such as welding and leak detection, grew over the years but was greatly expanded in the late 1950's with NASA and Defense efforts which used helium in rocket programs. Projection of such demand led to the belief that helium contracted in producing natural gas wells should be extracted and stored for future Government needs. This led to amendments of the Helium Act (50 U.S.C. 167) which authorized the Department of the Interior to enter into helium purchase contracts with natural gas producers and to stockpile the acquired helium. To this end, the Department was provided with contract and borrowing authority for helium contract purchases.

Since 1971 significant changes in helium demand have occurred. NASA and DOD efforts have either been cut back or new methods not requiring helium have been adopted. Government purchases of helium were therefore terminated in the early 1970's and the available contract authority has either lapsed or been rescinded since that time. However, a residual amount of \$3,127,000 of borrowing authority still remains available to the helium program. Since contracts by which the Government would purchase and store helium at public expense are not justifiable in view of past experience and the estimated future availability of and demand for helium, this excess amount of borrowing authority is proposed for rescission.

Estimated Effects: There are no programmatic or budgetary effects resulting from this proposal.

Outlay Effect: No effect on outlays results from this rescission proposal.

Reclamation Form No. 729-9

PROPOSED REVISION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P. L. 93-344

DEPARTMENT OF THE INTERIOR
Bureau of Mines
Helium Fund

Of the budgetary authority provided in the Department of the Interior and related agencies Appropriation Act, 1981, \$127,000 are rescinded.

| | | |
|--|------------------------------------|----------------|
| Agency National Aeronautics and Space Administration | New budget authority (P.L. 95-352) | \$ 910,500,000 |
| | Other budgetary resources | 33,300,000 |
| | Total budgetary resources | 943,800,000 |
| Appropriation title & symbol Research and program management 8090103 | Amount proposed for rescission | \$ 2,400,000 |

Legal authority (in addition to sec. 1012):

- Antideficiency Act
- Other

Type of budget authority:

- Appropriation
- Contract authority
- Other

Type of account or fund:

- Annual
- Multiple-year (expiration date)
- 30-year

Justification: The Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1979 (Public Law 95-392) provided funds for the National Aeronautics and Space Administration (NASA) to purchase an administrative aircraft for which existing aircraft may be exchanged in part payment. NASA estimates the cost to the appropriations in FY 1979 would be approximately \$2,400,000. This rescission is proposed since procurement of a new administrative aircraft at this time is: (a) not essential to carry out the objectives of the Nation's aeronautics and space programs, and (b) is not consistent with the President's desire to reduce governmental operating and administrative travel costs. Existing agency administrative aircraft and commercial airlines can adequately meet the travel requirements of NASA management.

Estimated Effects: This proposal will not significantly impact the travel needs of the agency. Existing administrative aircraft and commercial airlines can adequately meet the travel requirements of NASA.

Outlay Effect: (estimated in millions of dollars)

| | |
|---|-------|
| Comparison with President's FY 1980 Budget: | |
| 1. Budget outlay estimate for FY 1979 | 936.5 |
| 2. Outlay savings, if any, included in the budget outlay estimate | 2.4 |
| Current Outlay Estimates for FY 1979: | |
| 3. Without rescission | 938.9 |
| 4. With rescission | 936.5 |
| 5. Current outlay savings (line 3 - line 4) | 2.4 |
| Outlay savings for FY 1980 | --- |

TITLE II - INDEPENDENT AGENCIES

National Aeronautics and Space Administration
Research and Program Management

Of the funds appropriated under this head in the
Department of Housing and Urban Development - Independent
Agency Appropriation Act, 1979, \$2,400,000 are rescinded.

PROPOSED RESCSSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P. L. 94-344

| | | |
|---|------------------------------------|--------------|
| Agency Foreign Claims Settlement Commission Bureau | New budget authority (P. L. _____) | \$ _____ |
| Appropriation title & symbol Payment of Vietnam Prisoner of War Claims / 79X0104 | Other budgetary resources | 10,044,000 |
| | Total budgetary resources | 10,044,000 |
| | Amount proposed for rescission 2/ | \$ 9,000,000 |

OMB identification code:
79-0104-0-1-152

Grant program Yes No

Type of account or fund:
 Annual

Multiple-year (specify term)

No-year

Justification

Public Law 91-289, approved June 24, 1970, authorizes the Foreign Claims Settlement Commission to adjudicate and certify for payment the claims of American military and civilian prisoners of war held during the Vietnam conflict, or their survivors. Before claims can be certified for payment by the Commission, the appropriate military survivors must determine the individual's POW status and, in the case of claims by the survivors of missing persons where evidence of captivity exists, it must also determine the date of death. Most of these determinations have been completed.

Appropriations totalling \$16,565,000 were provided in 1971, 1972, and 1973 to remain available until expended for the payment of Vietnam POW claims. Of the \$11,099,000 remaining available in fiscal year 1979, \$1,015,000 was transferred to the Commission's Salaries and expenses account pursuant to the Department of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act of 1979 (Public Law 95-431), \$150,000 was apportioned for the payment of any claims that may result from status determinations of the military services, and \$9,000,000 is proposed for rescission. The remaining balance of \$894,000 is considered adequate to pay any additional claims and cover any awards that may be made during the three years a claimant has to contest an adjudicated claim. That balance remains deferred.

1/ This amount is the subject of a deferral (D79-29).

2/ This amount was included in a deferral (D79-29) transmitted to the Congress on October 2, 1978.

NOTICES

Estimated Effects:

There are no programmatic or budgetary effects resulting from this rescission proposal.

Outlay Effect:

There is no outlay effect of this rescission proposal because the funds could not be used if made available.

NOTICES

Chapter X
RELATED AGENCIES

Foreign Claims Settlement Commission
Payment of Vietnam and U.S. Pueblo Prisoner of War Claims

Of the \$200 appropriated under this head in Public Law 93-50,
\$9,300,000 are available.

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 95-544

| | | |
|---|--|---------------|
| Agency: Small Business Administration Bureau: | New budget authority (P.L. 95-431) | \$200,000,000 |
| Appropriation title & symbol: | Other budgetary resources | |
| Salaries and Expenses 7390100 | Total budgetary resources | \$200,000,000 |
| | Amount proposed for rescission | \$ 14,665,000 |
| OMB identification code: 73-0100-0-1-376 | Legal authority (in addition to sec. 1012): <input type="checkbox"/> Antideficiency Act | |
| Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Other _____ | |
| Type of account or fund: <input checked="" type="checkbox"/> Annual | Type of budget authority: <input type="checkbox"/> Appropriation | |
| <input type="checkbox"/> Multiple-year _____ (expiration date) | <input type="checkbox"/> Contract authority | |
| <input type="checkbox"/> 30-year _____ | Other _____ | |

Justification

The Departments of State, Justice, Commerce, the Judiciary, and Related Agencies Appropriation Act 1979 (P.L. 95-431) provided \$200,000,000 for salaries and operational expenses of the Small Business Administration (SBA). This amount was \$34,900,000 in excess of the President's request of \$165,100,000. This proposal is to rescind \$14,665,000 of that additional funding in those areas where funds could not be spent in an efficient and effective manner.

Funds are proposed for rescission which would permit a significant expansion of the small business development center (SBDC) program beyond its current pilot stage. The SBA is now undertaking a comprehensive evaluation of its SBDC pilot program. Until results of that evaluation are available, it would be premature to provide additional funds for this program.

Funding for increased economic research and other special studies are also proposed for rescission. Before conducting more sophisticated economic policy studies, the SBA needs to concentrate on establishing a more accurate, credible data base on the performance of the small business sector in the U.S. economy. When more reliable economic and statistical data on small business is available, the SBA will be able to determine more exactly what research studies should be conducted and in what order of priority.

The rescission proposal also includes reductions in management assistance contracts and other procurement support activities. Both areas will receive significant funding increases in fiscal year 1979, and the amounts to be rescinded would, if retained, place severe strains on the agency's capability to spend funds effectively.

Finally, this proposal includes reductions in administrative expenses for non-essential travel and printing activities in support of the Administration's anti-inflation efforts to hold down Federal spending.

Estimated Effects

This rescission will reduce funding for certain activities in SBA's Salaries and Expenses budget account, but will not significantly impact the agency's essential programs.

Outlay Effect (estimated in millions of dollars)*

- Comparison with the President's FY 1980 Budget:
- Budget outlay estimate for FY 1979 185.0
 - Outlay savings included in the Budget outlay estimate 14.7
- Current outlay estimates for FY 1979:
- Without rescission..... 199.6
 - With rescission..... 185.0
 - Current outlay savings (line 3 - line 4)..... 14.7
- Outlay savings for FY 1980..... —

*Detail does not add to total due to rounding.

D79-3A

H79-11

TITLE V - RELATED AGENCIES
 Small Business Administration
 Salaries and Expenses

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of Public Law 93-344

Of the funds appropriated under this head in the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1977, \$17,357,000 are rescinded.

This report updates Deferral No. D79-3 transmitted to the Congress on October 2, 1978, and printed as House Document No. 95-392.

This revision to a deferral for the Department of Agriculture's Expenses, brush disposal account increases the amount previously reported as deferred from \$32,224,790 to \$37,501,072. This increase of \$5,276,282 is attributable to an adjustment in unobligated balances brought forward on October 1, 1978. The adjustment was necessary because the actual amount of unobligated balances brought forward was \$5,276,282 higher than had been originally estimated.

NOTICES

Deferral No: D79-47

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

| | | |
|---|--|------------------------------|
| Agency Department of Commerce Bureau National Oceanic and Atmospheric Administration (NOAA) | New budget authority (P.L. 93-344) Other budgetary resources | \$ 660,650,400 88,946,563 |
| Appropriation title & symbol Operations, research and facilities 1/ | | 749,596,... |
| Total budgetary resources | | 500,000 |
| Amount to be deferred: | | |
| Part of year | | |
| Entire year | | |

Legal authority (in addition to sec. 1013):

Antideficiency Act

Other

Type of budget authority:

Appropriation

Contract authority

Other

Type of account or fund:

Annual

Multiple-year (expiration date)

30-year

Justification: Funds were provided in the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1979, for the expansion of the National Weather Service's (NWS) community preparedness program. The additional funding and personnel are to be transferred to the new Federal Emergency Management Administration (FEMA) pursuant to Reorganization Plan No. 3 of 1978. FEMA is expected to begin operation in April, 1979. In order to allow FEMA to hire its own personnel and utilize the appropriated funds in concert with its overall mission, \$500,000 is deferred for part of the year.

This action is taken in accordance with the Antideficiency Act (31 U.S.C. 665).

Estimated Effects: This deferral will have the effect of delaying for a few months the application of these funds to the functions of the Community Preparedness Program. It will also assure continued funding of this function with the advent of FEMA. Funds not utilized in FY 1979 will be applied to meeting the cost of the program in FY 1980.

Outlay Effect: This deferral will have the effect of shifting an estimated \$400,000 in outlays from FY 1979 to FY 1980.

This account was the subject of a deferral in FY 1978.

Deferral No: 078-1A

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

| | | |
|--|--|------------------------------|
| Agency Department of Agriculture Bureau Forest Service | New budget authority (P.L. 93 USC 490) Other budgetary resources | \$ 36,902,000 45,111,072* |
| Appropriation title & symbol Expenses, Brush Disposal 1/ | | 82,013,072* |
| Total budgetary resources | | 37,501,072* |
| Amount to be deferred: | | |
| Part of year | | |
| Entire year | | |

Legal authority (in addition to sec. 1013):

Antideficiency Act

Other

Type of budget authority:

Appropriation

Contract authority

Other

Type of account or fund:

Annual

Multiple-year (expiration date)

30-year

Justification: Purchases of National Forest timber deposit the estimated cost to the Forest Service of the disposal of brush and other debris resulting from their cutting operations pursuant to 16 USC 490. The deposits becoming available in the current year are estimated and the related disposal operations are planned for the following year. Efficient program planning and accomplishment is facilitated by operating a stable program well within the funds available in any one year for this purpose. An appropriation of \$44.5 million has been requested by the Forest Service for this program in the current fiscal year compared with \$37.8 million in 1978 and \$39.5 million in 1977. The current fiscal year reserve of \$37.5 million was established pursuant to the Antideficiency Act (31 USC 665) as a reserve for contingencies compared with reserves of \$34.5 million in 1978 and \$22.3 million in 1977.

Disposal operations related to deposits made during certain periods of the year cannot be initiated until weather conditions permit. Thus, seasonal factors frequently require deferring the use of deposits until the following fiscal year.

Estimated Effects: There are no programmatic or budgetary effects that result from this deferral action. Rather, the reserve merely reflects the seasonal nature of program funding requirements.

Outlay Effect: There is no outlay effect of this deferral because the funds could not be used if made available.

This account was the subject of a similar deferral in FY 1978.

* Revised from previous report.

D79-7A

Deferral No: D79-7A

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P. L. 93-344

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of Public Law 93-344

| | | |
|--|---|------------------|
| Agency Department of Commerce Bureau National Oceanic and Atmospheric Administration | New budget authority (P.L. _____) Other budgetary resources | \$ 6,237,189* |
| Appropriation title & symbol Fisheries Loan Fund 1/ 137/04317 | Total budgetary resources | 6,237,189* |

This report updates Deferral No. D79-7 transmitted to the Congress on October 2, 1978, and printed as House Document No. 95-392. This revision to a deferral for the Commerce Department's Fisheries Loan Fund increases the amount previously reported as deferred from \$5,428,795 to \$5,637,189. This increase of \$208,394 is attributable to an adjustment in unobligated balances brought forward on October 1, 1978. The adjustment was necessary because the actual amount of unobligated balances brought forward was \$208,394 higher than had been originally estimated.

| | | |
|--|----|------------|
| Amount to be deferred: Part of year | \$ | 5,637,189* |
| Entire year | \$ | 5,637,189* |

Legal authority (in addition to sec. 1013):
 Antideficiency Act

Grant program Yes No

Type of account or fund:
 Annual
 Multiple-year September 30, 1980
(expiration date)
 10-year

Type of budget authority:
 Appropriation
 Contract authority
 Other 16 U.S.C. 742c

Justification: This fund was established pursuant to the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742c). Its purpose is to provide funds for loans to segments of the fishing industry unable to obtain commercial loans on reasonable terms for financing the cost of purchasing, constructing, equipping, maintaining, repairing and operating new or used fishing vessels or gear.

In 1965, the Act was amended to require the National Oceanic and Atmospheric Administration (NOAA) to pay interest to the Treasury on the difference between the available funds and the cash balance at the end of the year. The current program covers the 1979 interest liability of \$980,000 and provides \$20,000 for the care and preservation of collateral throughout the year. Of the total budgetary resources in the fund, only these amounts are presently planned for expenditure in 1979 to support the estimated program requirements.

On February 20, 1973, the Administrator of NOAA declared a moratorium on accepting further loan applications effective March 1, 1973, due to a level of loans outstanding and loan applications pending which exceeded the Fund's capital. Additionally, the General Accounting Office concluded in a report issued February 22, 1973, that loans made from the Fisheries Loan Fund (1) allowed the continued use of inefficient vessels rather than improving vessels and equipment for more efficient and profitable fishing, and (2) maintained or added vessels to segments of the fishing industry which were considered to have excess, but not necessarily efficient harvesting capacity. GAO recommended that

This account was the subject of a similar deferral in FY 1978.
* Revised from previous report.

NOTICES

D79-9A

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of Public Law 93-344

the Secretary of Commerce develop criteria for evaluating vessel efficiency and priorities for directing these program funds.

The Department has determined that legislative clarification of the Act is needed to establish criteria for directing the fund. Draft legislation is being prepared. This reserve is in accordance with the Antideficiency Act (31 U.S.C. 665) the funds could not be used effectively until there is clarification of legislative intent.

Estimated Effects: Under the existing laws and regulations the proposed deferral has no effect on the Fisheries Loan Fund activities as planned for FY 1979.

Outlay Effect: No outlay effect results from this deferral action.

This report updates Deferral No. D79-9 transmitted to the Congress on October 2, 1978, and printed as House Document No. 95-392.

This revision to a deferral of Department of Defense wildlife conservation funds increases the amount previously reported as deferred from \$457,975 to \$587,790. This increase of \$129,815 is attributable to an adjustment in unobligated balances brought forward on October 1, 1978. The adjustment was necessary because the actual amount of unobligated balances brought forward was \$129,815 higher than had been originally estimated.

079-9A

requirements are identified.

Estimated Effects: These deferrals have no programmatic or budgetary effect because the funds could not be obligated if made available.

Outlay Effect: There is no outlay effect of this deferral because the funds could not be used if made available.

Deferral No: 079-9A

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-144

| | | |
|---|--|-------------|
| Agency Department of Defense-Civil | New budget authority (16 U.S.C. 670f (a)) | \$ 998,000 |
| Subtotal | Other budgetary resources | 587,790* |
| Appropriation title & symbol | Total budgetary resources | 1,485,790* |
| See coverage section below | Amount to be deferred: | |
| | Part of Year | \$ 587,790* |
| | Entire Year | |
| OMB Identification code: See Coverage section below | Legal authority (in addition to sec. 1013): | |
| | <input checked="" type="checkbox"/> Antideficiency Act | |
| | <input type="checkbox"/> Other | |
| Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Type of budget authority: | |
| Type of account or fund: <input type="checkbox"/> Annual | <input checked="" type="checkbox"/> Appropriation | |
| <input type="checkbox"/> Multiple-year (expiration date) | <input type="checkbox"/> Contract authority | |
| <input checked="" type="checkbox"/> 30-year | <input type="checkbox"/> Other | |
| Coverage <input checked="" type="checkbox"/> | | |

| Appropriation | Symbol | OMB Identification Code | Amount |
|----------------------------------|---------|-------------------------|-------------------|
| Wildlife conservation, Army | 21X1500 | 21-1500-0-1-303 | Deferred 3442,248 |
| Wildlife conservation, Navy | 17X1501 | 17-1501-0-1-303 | 103,376 |
| Wildlife conservation, Air Force | 57X1502 | 57-1502-0-1-303 | 42,166 |
| | | | 3587,790 |

Justification: These are permanent appropriations. The budgetary resources consist of anticipated receipts and obligated balances generated from hunting and fishing fees collected on military reservations, pursuant to 16 U.S.C. 670. They may be used only in accordance with the purpose of the law—to carry out a program of natural resource conservation.

Since appropriations have been made for all known program requirements, prudent financial management requires the deferral of the balance of the funds, which could not be used effectively during the current year even if made available for obligation. These funds are being deferred under the provisions of the Antideficiency Act (31 U.S.C. 665). Full appropriation is not requested by the Services because (1) installations may be accumulating funds over a period of time to fund a major project, and (2) there is a seasonal relationship between the collection of fees and their subsequent expenditure. Part of the fees are collected during the winter and spring months, while most of the program work is performed during the summer and fall months. This necessitates that funds collected in a prior year be deferred in order to be available to finance the program during the summer and fall months. Additional amounts will be appropriated if program

* These amounts were the subject of a similar deferral during FY 1978. Revised from previous report.

D79-46A

Deferral No: D79-48

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

| | | |
|--|---|-----------------|
| Agency Department of Energy | New budget authority (P.L. 93-462) | \$4,818,431,000 |
| Bureau | Other budgetary resources | 2,141,289,000 |
| Appropriation title & symbol/ Uranium Enrichment-Operating Expenses 89X0226 | Total budgetary resources | 6,959,720,000 |
| Operating Expenses - 89X0210 | Amount to be deferred: Part of year | \$ |
| | Entire year | 63,000,000 |
| CIS identification code: 89-0226-01-271 | Legal authority (in addition to sec. 1013): <input checked="" type="checkbox"/> Antideficiency Act <input type="checkbox"/> Other | |
| Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Type of budget authority: <input checked="" type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input type="checkbox"/> Other | |
| Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (expiration date) <input checked="" type="checkbox"/> 30-year | | |

Justification: These funds were provided in FY 1979 and prior years to enable the Department of Energy to furnish uranium enrichment services to domestic and foreign utilities. The current anticipated demand for these services has shifted from 1979 to 1980 which would result in decreased production in 1979 with a corresponding production increase in 1980. The deferral would permit this shift to occur and would more correctly correlate production with demand, eliminating unnecessary additions to stockpiles in FY 1979.

This deferral action is taken in accordance with the Antideficiency Act (31 U.S.C. 665), which authorizes the President to establish reserves to effect savings whenever savings are made possible through changes in requirements or greater efficiency of operations.

Estimated Effect: Presently, enriched uranium production is scheduled to be lower in 1980 than in 1979. Shifting of production into 1980 thus tends to equalize continuing production levels, which will actually decrease the cost of individual plant operation. In addition, present estimates for production in 1980 are so low that the Department of Energy would be subject to penalties in 1980 for not using power which has already been ordered to run the plants. This deferral would allow production to increase sufficiently to forestall any such penalties.

Outlay Effect: The net effect on outlays will be to shift \$63 million in outlays from 1979 into 1980.

These funds were appropriated to Energy Science and Defense Activities-Operating Expenses (89X0210). The President's Budget for 1980 displays the funds in Uranium Enrichment-Operating Expenses (89X0226).

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of Public Law 93-344

This report updates Deferral No. D79-46 transmitted to the Congress on December 12, 1978.

This revision to a deferral for the Interior Department's Oregon and California Great Lands account increases the amount previously reported as deferred from \$12,811,000 to \$14,712,058. This increase of \$1,901,058 is attributable to an unobligated balance brought forward on October 1, 1978, that was \$3,221,058 higher than anticipated when the deferral was first reported. This increase is partially offset by an allocation of \$1,320,000 to the Forest Service.

NOTICES

Estimated Effects: There will be no programmatic impact from this deferral in FY 1979.

Outlay Effect: There is no outlay effect resulting from this deferral.

Deferral No: D79-46A

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P. L. 95-344

| | |
|---|---|
| Agency: Department of the Interior | New budget authority: \$5,000,000 1/ |
| Bureau: Bureau of Land Management | (P.L. 95-465) 21,151,058* |
| Appropriation title & symbol: Oregon and California Grant Lands 2/ 1450136 | Other budgetary resources 76,151,058* |
| | Total budgetary resources 14,712,058* |
| | Amount to be deferred: \$ |
| | Part of year |
| | Entire year 14,712,058* |
| CIE identification code: 14-5136-0-2-302 | Legal authority (in addition to sec. 1013): <input checked="" type="checkbox"/> Antideficiency Act |
| Grant program <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Type of budget authority: <input type="checkbox"/> Appropriation <input type="checkbox"/> Contract authority <input checked="" type="checkbox"/> Other Appropriated Receipts |
| Type of account or fund: <input type="checkbox"/> Annual <input type="checkbox"/> Multiple-year (specify date) <input checked="" type="checkbox"/> No-year | |

Justification: The Interior and Related Agencies Appropriation Act of 1979 includes an indefinite no-year appropriation equivalent to 25 percent of timber sale receipts from re-vested Oregon and California Railroad grant lands. The appropriated receipts provide for management, development, and protection of Federal Oregon and California grant lands including the construction and maintenance of roads. Because the appropriation is based on receipts collected in the same fiscal period and the receipts are based on the timber harvested, the total amount which will be available for obligation can only be estimated. We only may actual receipts vary from estimates, but receipts for the last two months of the fiscal period are not known in time to make programmatic adjustments to offset a possible shortfall between estimated and actual amounts. Deferral is planned to cushion fluctuating receipt levels. This deferral is taken pursuant to the Antideficiency Act (31 U.S.C. 665).

Receipts for FY 1978 were \$172,579,472 with an actual unobligated balance of \$21,151,058 carried forward in FY 1979 of which \$1,320,000 will be allocated to the Forest Service. New budget authority available in 1979 under terms of the appropriation is estimated to equal \$55,000,000. Total resources for this program equal \$76,151,058. The FY 1979 obligation program is \$60,119,000 resulting in a deferral of \$14,712,058.

1/ Estimated. The appropriation is for "an amount equivalent to 25 percent of the aggregate of all receipts during the current fiscal year from the re-vested Oregon and California Railroad grant lands."

2/ This account was the subject of a similar deferral during FY 1978.
Revised from previous report.

NOTICES

Deferral No: D79-50

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 95-344

| | | | |
|------------------------------------|--|---------------------------------------|----------------|
| Agency | Department of Labor | New budget authority (P.L. 95-482) | \$ 120,200,000 |
| Bureau | Employment and Training Administration | Other budgetary resources | 120,500,000 |
| Appropriation title & symbol | | Total budgetary resources | 360,300,000 |
| Employment and Training Assistance | | Amount to be deferred: | |
| 1690174 | | Part of year | \$ |
| | | Entire year | 122,133,000 |

Legal authority (in addition to sec. 1013):

Antideficiency Act

OMB identification code:

16-0174-0-1-504

Grant program Yes No

Type of account or fund:

Annual

Multiple-year September 30, 1980

(expiration date)

30-year

Type of budget authority:

Appropriation

Contract authority

Other

This deferral would delay until 1980 obligation of \$122,133,000 which is available for the 1979 Summer Youth Program, established in Part 6, Title IV of the Comprehensive Employment and Training Act (CETA), P.L. 95-482, the continuing resolution for 1979, provided funding for 1979 at the 1978 funding level of 1.165 million part-time summer jobs, and section 112(c) of P.L. 95-524 (CETA reauthorization) extends the availability of all 1979 CETA funds which are unobligated at the end of 1979 through fiscal year 1980.

The Administration has determined that the 1979 program should be funded at 1 million jobs, approximately the level of service actually provided in 1978. This judgment is based on the potential for efficient use of funds and on the benefits of the summer program relative to other youth training and employment programs. The excess summer funds will be carried over into 1980 and used to help support the 1980 summer youth program.

Estimated Effect: This deferral will maintain the 1979 program at the 1 million summer job level achieved in 1978.

Outlay Effect: This deferral will reduce outlays in 1979 by \$112,362,000.

While the current account is an annual account, unobligated balances have been reappropriated for availability in 1980.

Deferral No: D79-49

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 95-344

| | | | |
|------------------------------|-----------------------------|---------------------------------------|--------------|
| Agency | Department of Justice | New budget authority (P.L. 95-311) | \$ 5,353,000 |
| Bureau | Community Relations Service | Other budgetary resources | --- |
| Appropriation title & symbol | | Total budgetary resources | 5,353,000 |
| Salaries and expenses | | Amount to be deferred: | |
| 1590500 | | Part of year | \$ 572,000 |
| | | Entire year | |

Legal authority (in addition to sec. 1013):

Antideficiency Act

OMB identification code:

15-0500-0-1-752

Grant program Yes No

Type of account or fund:

Annual

Multiple-year

(expiration date)

30-year

Type of budget authority:

Appropriation

Contract authority

Other

Funds totalling \$572,000 of annual budget authority provided to the Community Relations Service (CRS) salaries and expenses account are being deferred pending Congressional approval and enactment of a transfer of these funds to the Drug Enforcement Administration in the Department of Justice.

These funds are proposed for transfer because of a reduction in CRS overhead and a reduction in the CRS staff due to implementation of a new management system that will, among other improvements, more efficiently target the Service toward cases that hold the largest potential for CRS impact.

Estimated Effect

Funds not used by the CRS because of overhead reduction and management improvements are proposed for transfer to the Drug Enforcement Administration to defray the costs of increased pay in FY 1979.

Outlay Effect

This deferral action will have the effect of reducing outlays in FY 1979 for CRS by \$572 thousand, offset by an increase of the same amount in outlays for DEA.

Deferral No: D79-20A
DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1014(c) of P.L. 95-344

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of Public Law 95-344

This report updates Deferral No. D79-20 transmitted to the Congress on October 2, 1978, and printed as House Document No. 95-392.

This revision to a deferral for facilities and equipment (Airport and airway trust fund) in the Federal Aviation Administration increases the amount previously reported as deferred from \$290,176,286 to \$311,434,629. This increase of \$21,258,343 is attributable to an adjustment in unobligated balances brought forward on October 1, 1978. The adjustment was necessary because the actual amount of unobligated balances brought forward was \$21,258,343 higher than had been originally estimated.

| | | | |
|--|--|--|-----------------|
| Agency | Department of Transportation | New budget authority | \$ 282,297,000 |
| Bureau | Federal Aviation Administration | (P.L. 95-344) | 335,755,429* |
| Appropriation title & symbol | Facilities and Equipment (Airport and Airway Trust Fund), FAA 1/ | Other budgetary resources | 518,052,679* |
| 698107 | | Total budgetary resources | \$ 853,347,699 |
| 697/98107 | | Amount to be deferred: | |
| 698/08107 | | Part of year | \$ 311,434,629* |
| 699/18107 | | Entire year | |
| CIS identification code: | | Legal authority (in addition to sec. 1013): | |
| 69-8107-0-7-402 | | <input checked="" type="checkbox"/> Antideficiency Act | |
| Grant program | | <input type="checkbox"/> Other | |
| Type of account or fund: | | Type of budget authority: | |
| <input type="checkbox"/> Annual | | <input checked="" type="checkbox"/> Appropriation | |
| 697/98107 Sept. 30, 1978 | | <input type="checkbox"/> Contract authority | |
| 698/08107 Sept. 30, 1980 | | <input type="checkbox"/> Other | |
| <input checked="" type="checkbox"/> Multiple-year 697/18107 Sept. 30, 1981 | | | |
| (expiration date) | | | |
| No-year | | | |

Justification: Funds from this account are used to procure specific Congressionally approved facilities and equipment for the expansion and modernization of the national airway system. Projects financed from this account include construction of buildings and purchase of new equipment for new or improved air traffic control towers, automation of the en route airway control system and expansion and improvement in the navigational and landing aid systems. These funds were appropriated in the Department of Transportation and Related Agencies Appropriation Act of 1979 and prior years. The estimated total cost for each project is included in the budget submission and appropriation for the year in which it is requested. Because of the lengthy procurement and construction time for interrelated new facilities and complex equipment systems, it is not possible to obligate all funds necessary to complete each project in the year funds are appropriated. Therefore, it is necessary to apportion funds so that sufficient resources will be available in future periods to complete these projects. This deferral action is consistent with the Congressional intent to provide multi-year funding for the total costs of these projects and is taken under provisions of the Antideficiency Act (31 U.S.C. 665) which requires that funds be apportioned so as to achieve their most effective and economical use.

This account was the subject of a similar deferral in FY 1978.
 None of these funds is deferred.
 Revised from previous report.

Estimated Effects:

This deferral action is consistent with normal operation for this program. The amount deferred could not be economically used if made available in FY 1979 because of the planned multi-year procurement, construction, and installation cycle.

Outlay Effect:

There is no outlay effect of this deferral because the funds could not be used if made available.

Deferral No: D79-51

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P. L. 95-144

| | | |
|---|--|----------------|
| Agency: Department of Transportation | New budget authority | 32,361,600,000 |
| Bureau: Urban Mass Transportation Administration | (P.L. 95-335) | |
| Appropriation: Title & symbol | Other budgetary resources | 2,129,516,204 |
| Urban Mass Transportation Fund (Interstate Transfers) | Total budgetary resources | 4,491,116,204 |
| 69X1119 | Amount to be deferred: | |
| | Part of year | \$ |
| | Entire year | 968,616,204 |
| OMB identification code: 50-11119-0-1-401 | Legal authority (in addition to sec. 1013): | |
| Grant program: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | <input checked="" type="checkbox"/> Antideficiency Act | |
| Type of account or fund: Annual <input type="checkbox"/> Multiple-year <input checked="" type="checkbox"/> 2c-year <input type="checkbox"/> | Other: <input type="checkbox"/> | |
| | Type of budget authority: | |
| | <input checked="" type="checkbox"/> Appropriation | |
| | <input checked="" type="checkbox"/> Contract authority | |
| | Other: <input type="checkbox"/> | |

Justification: The Interstate transfer grant program was authorized by the Federal Aid Highway Act of 1973, as amended. It provides Federal financing to allow States and localities to withdraw a planned Interstate highway segment, and substitute locally planned and programmed public transportation needs. These funds are available locally prior years, and the Federal-Aid Highway Acts of 1973 and 1976.

A program level of \$700 million is planned for Interstate transfer grants in FY 1979 which is consistent with the level proposed for this activity in the public transportation legislative proposal which the Administration submitted to the 95th Congress. This program level is in the general range approved by the Congress in appropriations acts in recent years for Interstate transfer grants.

This deferral is proposed to maintain budgetary control in the same way that obligation limitations in appropriations acts have been used in prior years. No limitation bill included a provision that prior year contract authority would no longer be available for obligation after September 30, 1978. As enacted, however, P.L. 95-599 continues the use of contract authority as well as appropriations. The amount deferred is not expected to be used in FY 1979. This deferral action is taken in accordance with the Antideficiency Act (31 U.S.C. 665).

NOTICES

D79-51

Estimated effects: This deferral action will have no programmatic effects. A total of \$700 million in obligations is expected in 1979 which is consistent with the budget plan.

Outlay Effect: There is no outlay effect of this deferral because the funds are not expected to be used if made available.

7100

D79-40A

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014 (c) of Public Law 93-344.

This report updates Deferral No. D79-40 transmitted to the Congress on December 7, 1978.

This revision of a deferral for the Antirecession financial assistance fund in the Office of the Secretary of the Treasury increases the amount previously reported as deferred from \$5,000 to \$8,234. This increase of \$3,234 results from allocation adjustments of newly recognized governments.

NOTICES

NOTICES

Deferral No: D79-52

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

| | | | |
|------------------------------|---|---|--|
| Agency Bureau | Tennessee Valley Authority | New budget authority (P.L. 93-344) | \$ 154,531,000 |
| | | Other budgetary resources | 89,823,000 |
| | | Total budgetary resources | 244,354,000 |
| Appropriation title & symbol | Payment to the Tennessee Valley Authority Fund 6X4110 | Amount to be deferred: Part of year | \$ |
| | | Entire year | 15,000,000 |
| OMB identification code: | 64-4110-0-3-999 | Legal authority (in addition to sec. 1013): | <input type="checkbox"/> Antideficiency Act |
| | | | <input checked="" type="checkbox"/> Other P.L. 95-482, TVA Act of 1933 |
| Grant program | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Type of budget authority: | <input checked="" type="checkbox"/> Appropriation |
| Type of account or fund: | <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Multiple-year (expiration date) | | <input type="checkbox"/> Contract authority |
| | | | <input type="checkbox"/> Other |

Justification:

Several endangered mussel species have been identified as inhabiting the Duck River in the vicinity of the Columbia Dam. Several snail species which have been proposed for listing as threatened or endangered are also found in this area. Completion of the Columbia Reservoir as presently designed would impound a portion of the Duck River that contains at least one endangered species of mussel, (the birdwing pearl mussel), and two of the species of snails which have been proposed for listing as threatened (Oulton's river and the genticulate river snails).

The Fish and Wildlife Service has issued a biological opinion that the completion of the Columbia Dam project as presently planned will jeopardize the continued existence of the three endangered mussel species--the birdwing pearl mussel and two others. Accordingly, in light of the U.S. Supreme Court's June 15, 1978, decision in the Tellico case, (Tennessee Valley Authority v. Hill, 46 U.S.L.W. 4673 (U.S. June 15, 1978)), it would be unlawful to complete the project as originally designed absent delisting of the affected species, a modification to the Fish and Wildlife Service's biological opinion, or an exemption under the 1978 Endangered Species Act amendments.

Deferral No: D79-40A

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

| | | | |
|------------------------------|---|---|--|
| Agency Bureau | Department of the Treasury Office of the Secretary | New budget authority (P.L. 93-344) | \$ 2,278,233 |
| | | Other budgetary resources | 2,278,233 |
| | | Total budgetary resources | 4,556,466 |
| Appropriation title & symbol | Antirecession Financial Assistance Fund 208/90108 1/ 2/ | Amount to be deferred: Part of year 2/ | \$ 8,226* |
| | | Entire year | |
| OMB identification code: | 20-0108-0-1-852 | Legal authority (in addition to sec. 1013): | <input checked="" type="checkbox"/> Antideficiency Act |
| | | | <input checked="" type="checkbox"/> Other P.L. 94-369 & P.L. 95-30 |
| Grant program | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Type of budget authority: | <input checked="" type="checkbox"/> Appropriation |
| Type of account or fund: | <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Multiple-year (expiration date) | | <input type="checkbox"/> Contract authority |
| | | | <input type="checkbox"/> Other |

Justification

The Antirecession Financial Assistance Fund provides for federal economic assistance to State and local governments to help prevent those governments from taking budget relief actions which are injurious to national economic health. Scheduled payments are made on a quarterly basis. This deferral represents payments which have been withheld from various governments for reasons of noncompliance with the requirements of the Public Works Employment Act of 1976 (P.L. 94-369).

Estimated Effects

The release of these funds is contingent upon the various government's compliance with the law by submitting required forms and reports.

Outlay Effect

There is no outlay effect of this deferral. The funds will be made available this fiscal year.

1/ This account was the subject of a similar deferral during FY 1978.

2/ This account is the subject of another deferral, D79-23A.

3/ Outlays only.

4/ Revised from previous report.

D79-52

In addition, completion of the project as planned is dependent upon issuance by the Corps of Engineers of a permit for placement of fill material under section 404 of the Clean Water Act. The section 404 permit cannot be issued without a certification issued by the State of Tennessee under section 401 of the Clean Water Act that discharges authorized by the permit will not cause violation of State water quality standards. The State's certification is being held up by an administrative appeal filed by environmental groups which oppose the project. In addition, EPA's regional staff has stated that EPA will disapprove, pursuant to section 404(b) of the Clean Water Act, the Corps' issuance of a section 404 permit on endangered species grounds should the Corps ultimately propose to do so.

As a result of these legal impediments to completion of the project, TVA must curtail certain construction activities at Columbia until a solution to the problem is found. TVA is studying alternative approaches to the project that are economical and in accordance with applicable law. The study will be completed in fiscal year 1979 and should indicate the future course of the project. Therefore, \$15,000,000 is deferred pending completion of this study.

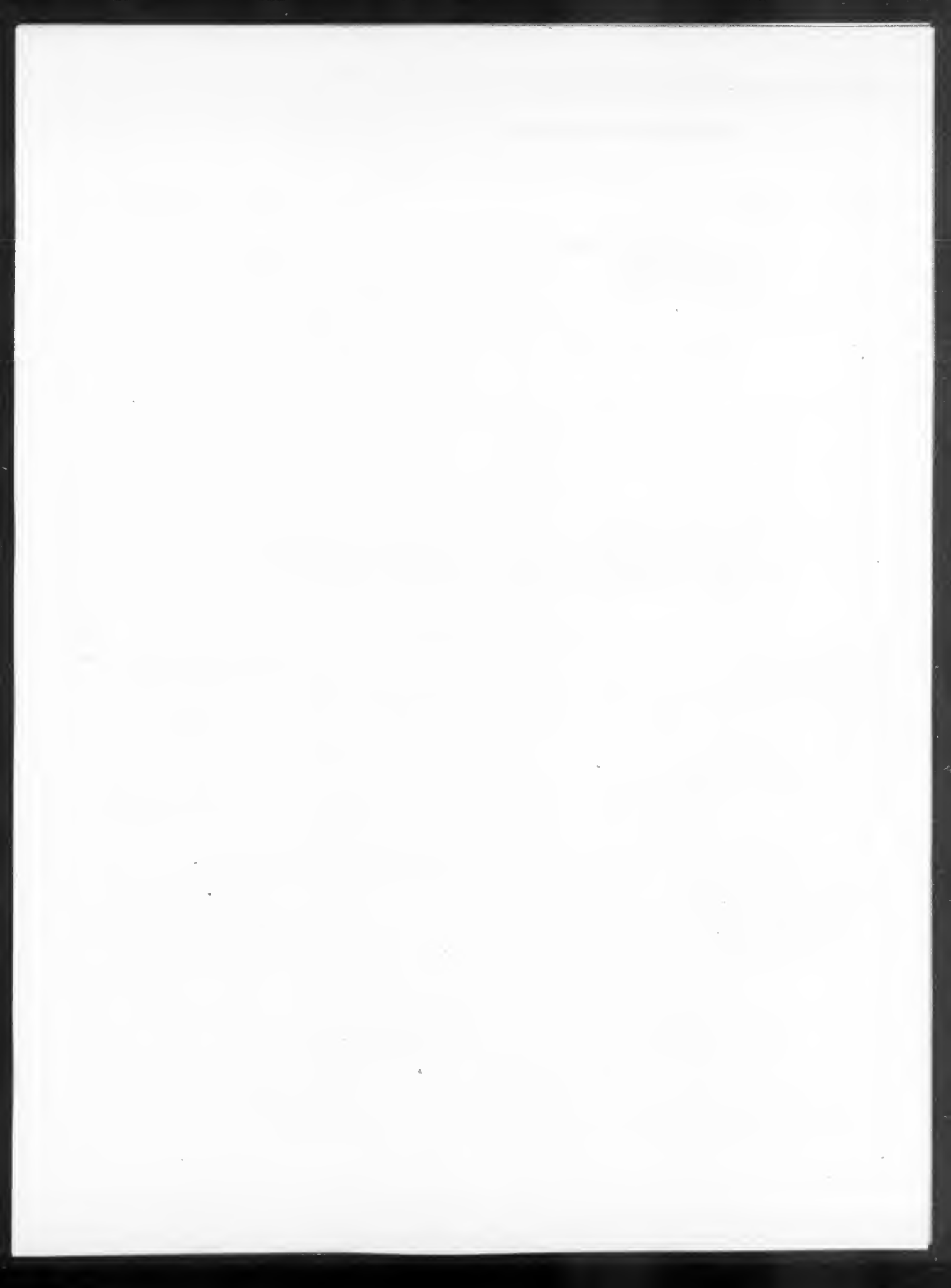
Estimated Effect:

The construction of various portions of the Columbia Dam will be delayed pending resolution of the legal and environmental problems discussed above. It is expected that this delay will result in a \$15 million unobligated balance at the end of FY 1979 in the Tennessee Valley Authority Fund. This balance would then be available for obligation in subsequent fiscal years.

Outlay Effect:

There is no outlay effect from this deferral.

[FR Doc. 79-3973 Filed 2-1-79; 2:23 pm]



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