

Union Calendar No. 406

97TH CONGRESS } HOUSE OF REPRESENTATIVES } REPORT
2d Session } No. 97-659

REPORT

ON

SUBDIVISION OF BUDGET TOTALS AGREED TO IN FIRST CONCURRENT RESOLUTION ON THE BUDGET (S. CON. RES. 92) FOR FISCAL YEAR 1983

PURSUANT TO SECTION 302(B)(2) OF THE CONGRESSIONAL
BUDGET ACT OF 1974 AND SECTION 8 OF THE CONFERENCE
REPORT (H. REPT. NO. 97-614) ON S. CON. RES. 92



JULY 23, 1982.—Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION,
Washington, D.C., July 23, 1982.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: By direction of the Committee on Public Works and Transportation, after consultation with the appropriate Senate committees, I submit herewith the Committee's Report pursuant to Section 302(b)(2) of the Congressional Budget Act of 1974 and Section 8 of the Conference Report (H. Rept. No. 97-614) on S. Con. Res. 92.

The report is based on the allocations for fiscal year 1983 of the First Concurrent Resolution on the Budget for Fiscal Year 1983 (S. Con. Res. 92).

Sincerely,

JAMES J. HOWARD,
Chairman.

(III)

ALLOCATION OF BUDGET TOTALS TO PROGRAMS
 UNDER THE FIRST CONCURRENT BUDGET RESO-
 LUTION FOR FISCAL YEAR 1983

JULY 23, 1982.—Committed to the Committee of the Whole House on the State
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Mr. HOWARD, from the Committee on Public Works and
 Transportation, submitted the following

R E P O R T

[Pursuant to section 302(b)(2) of the Congressional Budget Act of 1974 and
 section 8 of the conference report on S. Con. Res. 92]

I. ALLOCATION OF BUDGET TOTALS TO PROGRAMS UNDER FIRST CONCURRENT
 BUDGET RESOLUTION FOR FISCAL YEAR 1983

In compliance with Section 302(b)(2) of the Congressional Budget Act of 1974 and Section 8 of the Conference Report on S. Con. Res. 92, the Committee on Public Works and Transportation submits to the House the following report subdividing among its programs budget authority, outlays, and entitlement authority allocated to the Committee in the joint statement of managers accompanying the Conference Report on the First Concurrent Resolution on the Budget for Fiscal Year 1983, S. Con. Res. 92, and further subdividing such allocation between current level (uncontrollable) and discretionary action (other) amounts.

With respect to the First Concurrent Resolution on the Budget for Fiscal Year 1983, said Conference Report has allocated to the Committee on Public Works and Transportation total budget authority of \$11,341 million, outlays of \$1,217 million, and new entitlement authority of \$72 million. The amounts of budget authority, outlays and entitlement authority allocated to the Committee on Public Works and Transportation are distributed by budget functions as follows:

ALLOCATION OF BUDGET TOTAL TO COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

[In millions of dollars]

	Budget authority	Outlays	Entitlement authority
CURRENT LEVEL			
270 Energy.....	1,622	1,500	0
300 Natural resources and environment.....	80	83	0
400 Transportation.....	4,718	-5	71
450 Community and regional development.....	6	9	0
Subtotal.....	6,426	1,587	71
DISCRETIONARY ACTION			
300 Natural resources and environment.....	-370	-370	0
400 Transportation.....	5,285	0	1
Subtotal.....	4,915	-370	1
Committee total.....	11,341	1,217	72

II. ALLOCATION TO PROGRAMS

For the reasons noted following this section and in accordance with amounts allocated to the Committee in the joint explanatory statement accompanying said conference report, the Committee has tentatively subdivided budget authority, outlays, and entitlement authority as follows:

[In millions of dollars, fiscal year 1983]

	Budget authority	Outlays	Entitlement authority
A. CURRENT LEVEL			
Tennessee Valley Authority fund	1,622	1,500	0
Rivers and harbors contributed funds (Corps of Engineers)	71	71	0
Permanent appropriations (Water resources)	2	2	0
Coast Guard pollution fund	7	10	0
Federal-aid highways	4,580	0	0
Highway-related safety grants	10	0	0
Trust fund share of highway safety programs (NHTSA)	102	0	0
CAB payments to air carriers	0	0	71
St. Lawrence Seaway Development Corporation	0	-5	0
Regional Development Commissions (Department of Commerce)	0	3	0
Appalachian Regional Commission miscellaneous trust funds	6	5	0
Subtotal	16,400	11,586	71
B. DISCRETIONARY ACTION			
Federal-aid highways	4,712	0	0
Grants-in-aid for airports	600	0	0
Other programs	-370	-370	0
Entitlement programs	0	0	1
Subtotal	4,942	-370	1

¹ Rounds to \$6,399 and \$1,587 as per sec. 302(a) allocation, and revision thereto.

III. CURRENT LEVEL CHANGE

In the case of Function 400, Transportation, it is the Committee's understanding, as confirmed by staff of the Budget Committee, that the current level sec. 302(a) allocation amount for FY 83 is \$4,691 million in budget authority and not \$4,718 million. It is the further understanding of the Committee that the \$27 million difference represents funding for the trust fund share of certain highway programs (FHWA) which require reauthorization action and should, therefore, have been allocated to the Committee under the category of discretionary action.

In submitting this report, the Committee has adjusted the current level to reflect a \$27 million transfer to discretionary action (i.e., Federal-aid highways). This is being done with the full knowledge and concurrence of the Budget Committee.

The Committee's overall totals remain unchanged.

IV. ADDITIONAL COMMENTS

The Committee wishes to note the following:

This report represents action taken by the Committee in order to permit House consideration of H.R. 2643, the Airport and Airway Improvement Act (i.e., ADAP).

The Committee has chosen to subdivide some of its funding to "other programs" since the time pressure of bringing the ADAP legislation to the floor precludes a more detailed breakdown at this time.

Not every Member of the Committee necessarily agrees with each of the details, and all reserve their rights regarding subsequent revisions, if any are deemed necessary.

This report in no way prejudges the legislative process, nor forecloses any options or alternatives regarding areas within the legislative jurisdiction of the Committee.

A number of other options available to the Committee to meet its overall report requirements (including, but not limited to, reducing discretionary action budget authority below the levels indicated in this report, reducing current level budget authority, rescinding unobligated balances, etc.) require further study and analysis.

The Conference Report allocation to the Committee on Public Works and Transportation includes a negative \$370 million in budget authority and outlays for fiscal year 1983. In formulating this allocation, the staff of the Budget Committee has determined that the amount should be achieved by imposing inland waterway user fees of \$30 million; deep-water port user fees of \$335 million; and recreation user fees of \$5 million. However, the Committee has chosen to allocate at this time the -\$370 to "other programs." In so doing, the Committee wishes to state that it has serious reservations with regard to including user fees in the section 302 allocation. The purpose of the section 302 report is to allocate "budget authority," that is, the authority to enter into obligations which will result in immediate or future outlays, among the appropriate House and Senate committees. The Committee is in the process of looking into the appropriateness of treating user fees as budget authority for the purpose of the section 302 report. The Committee also wishes to note the following statement which appears in the statement of managers accompanying the Budget Resolution Conference Report:

The Conference substitute assumes that certain user fees will be increased, but the managers agree that the budget may be implemented without the imposition of the specific user fees assumed.

In light of these issues, the Committee is continuing to review the options available to it with respect to this matter.

The Committee also anticipates that between the time this report is filed and conference reports on spending bills are finalized, changes could occur within the economy which could affect certain Federal programs. This could create a shifting of priorities which would in turn have a significant impact on the budget as well as individual spending bills. The Committee is concerned that such shifting of priorities, together with any added budget requirements, would also impact on the subcommittee subdivisions contained in this report and necessitate subsequent changes; and

The Committee reserves the right to make any necessary revisions to the section 302(b) report at a later date as may be deemed necessary and appropriate.

The Committee wishes to note further the following guidelines, which were provided to our staff by staff of the Budget Committee (note: this Committee has not had an opportunity to thoroughly review these guidelines and therefore reserves judgment on these at this time):

Allocating to "other programs" is a proper program subdivision within the meaning of section 302(b)(2) of the Budget Act.

Neither the Budget Act nor the First Concurrent Resolution on the Budget for fiscal year 1983 prohibits a committee from filing revised section 302(b) reports.

The so-called deferred enrollment provision (section 4) of the Budget Resolution will terminate when Congress completes action on a second budget resolution, or if it fails to do so, on October 1, at which time any spending bill which is either ready to be enrolled or which is enacted after October 1 may proceed to final enrollment.

The deferred enrollment requirement may be waived by rule, resolution, or unanimous consent and such waiver is necessary only in the House in which the bill in conference originated.

Only discretionary level budget authority, as subdivided in the section 302(b) report, will be the basis for judging whether or not a bill may be enrolled.

A bill which only authorizes the enactment of new budget authority is not a spending bill within the meaning of section 4 of the Budget Resolution; nor may it be construed to be so upon failure of a committee to meet all of its section 302(b) savings assumptions.

A bill which provides legislative savings (i.e., negative budget authority) regardless of the amount of such savings or its relationship to either a committee's 302(b) subdivision or total will not be subject to deferred enrollment.

