

Public Law 96-123
96th Congress

Joint Resolution

Making further continuing appropriations for the fiscal year 1980, and for other purposes.

Nov. 20, 1979
[H.J. Res. 440]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1980, and for other purposes, namely:

Continuing
appropriations
for fiscal year
1980.

SEC. 101. (a)(1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1979 and for which appropriations, funds or other authority would be available in the following appropriation Acts:

Foreign Assistance and Related Programs Appropriations Act, 1980, notwithstanding section 10 of Public Law 91-672, and section 15(a) of the Act entitled, "An Act to provide certain basic authority for the Department of State", approved August 1, 1956, as amended;

22 USC 2412.

Department of the Interior and Related Agencies Appropriation Act, 1980; and

22 USC 2680.

Military Construction Appropriation Act, 1980.

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act: *Provided*, That none of the funds made available by this joint resolution for Foreign Assistance and Related Programs shall be used for military or economic aid for Iran.

Iran, military or
economic aid,
prohibition.

(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 by the House as of October 1, 1979, is different from that which would be available or granted under such Act as passed by the Senate as of October 1, 1979, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an Act listed in this subsection has been passed by only one House as of October 1, 1979, or where an item is included in only one version of an Act as passed by both Houses as of October 1, 1979, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at 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 applicable appropriation Acts for the fiscal year 1979: *Provided*, That no provision which is included in an appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act of 1979, 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 continuing projects or activities which were conducted in fiscal year 1979 for which provision was made in the Department of Defense Appropriation Act, 1979, at a rate of operations not in excess of the current rate or the rate provided in the budget estimate, whichever is lower, and under the more restrictive authority.

(c) Such amounts as may be necessary for continuing the following activities, not otherwise provided for, which were conducted in fiscal year 1979, but at a rate for operations not in excess of the current rate:

42 USC 4951
note.

42 USC 241.

42 USC 241,
242a, 289f-1.
42 USC 295g-9,
296, 300d,
300k-1, 300u.

42 USC 2689c,
2689h.

42 USC 257, 246;
21 USC
1171-1180.

42 USC 4571,
4585.

22 USC 2601
note.

15 USC 57a.
FTC regulations,
restriction.

42 USC 3701
note.

activities under the Domestic Volunteer Service Act;
activities for support of nursing research under section 301 of the Public Health Service Act;

activities for support of nursing fellowships and for support of training programs and program support related to alcoholism under sections 301, 303, and 472 of the Public Health Service Act;

activities under section 789 and titles VIII, XII, XV, and XVII of the Public Health Service Act, except that activities under title XV of the Public Health Service Act shall be conducted at not to exceed an annual rate for obligations of \$169,717,000;

activities under sections 204 and 213 of the Community Mental Health Centers Act;

activities under title IV of the Drug Abuse Office and Treatment Act;

activities under titles III and V of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act;

activities under section 2 of the Indochina Migration and Refugee Assistance Act;

activities of the National Board for the Promotion of Rifle Practice;

activities of the Federal Trade Commission: *Provided*, That none of the funds made available by this joint resolution for the Federal Trade Commission may be used for the final promulgation of trade regulation rules authorized by section 18 of the Federal Trade Commission Act, as amended, nor to initiate any new activities: *Provided further*, That no new trade regulation rules promulgated under the authority of section 18 of the Federal Trade Commission Act, as amended, after August 30, 1979, are to become effective during the period covered by this joint resolution for the Federal Trade Commission, unless authorizing legislation for the Federal Trade Commission is enacted into law during such period: *Provided further*, That notwithstanding the provisions of section 102(c) of this joint resolution, the authority and funds made available herein shall remain available only until March 15, 1980;

activities under the Omnibus Crime Control and Safe Streets Act of 1968, as amended, except that such activities shall be continued at a rate of operations not in excess of appropriations contained in the Department of Justice Appropriation Act, 1980, for the Office of Justice Assistance, Research, and Statistics; activities of the Economic Development Administration; and activities of the Regional Action Planning Commissions.

(d) Notwithstanding the funding rates provided for in section 101(a), activities of the Department of State for Migration and Refugee Assistance shall be funded at not to exceed an annual rate

for obligations of \$456,241,000, notwithstanding section 15(a) of the Act entitled, "An Act to provide certain basic authority for the Department of State", approved August 1, 1956, as amended, and section 10 of Public Law 91-672.

22 USC 2680.

22 USC 2412.

(e) Such amounts as may be necessary for projects or activities which were conducted in fiscal year 1979 and for which provision was made in the Department of Transportation and Related Agencies Appropriation Act, 1979, or chapter X of the Supplemental Appropriations Act, 1979, at a rate of operations not in excess of the current rate or the rate provided in the budget estimate, whichever is lower, and under the more restrictive authority: *Provided*, That the Panama Canal Commission is authorized to incur obligations at the rate of operations, and to the extent and in the manner provided for in H.R. 4440 as passed the House of Representatives on September 18, 1979, to meet operational and capital requirements of the Panama Canal in conformance with applicable legislation and the Panama Canal Treaty of 1977, notwithstanding the provisions of section 106 of this joint resolution: *Provided further*, That the Interstate Commerce Commission is authorized to incur obligations for payments for directed rail service at the rate of operations and to the extent and manner provided for in H.R. 4440 as passed by the House of Representatives on September 18, 1979.

92 Stat. 435.

Ante, p. 119.

(f) Such amounts as may be necessary for the programs or activities of the Federal Inspector for the Alaska Gas Pipeline, at a rate of operations not in excess of 35 per centum of the fiscal year 1980 budget estimate.

(g) Such amounts as may be necessary for projects or activities provided for in the Departments of Labor, and Health, Education, and Welfare and Related Agencies Appropriation Act, 1980 (H.R. 4389), at a rate of operations, and to the extent and in the manner, provided for in such Act as adopted by the House of Representatives on August 2, 1979, notwithstanding the provisions of section 106 of this joint resolution.

(h) To carry out title II of the Indochina Refugee Children Assistance Act of 1976 (Public Law 95-561), \$12,000,000, notwithstanding the provisions of section 106 of this joint resolution: *Provided*, That this amount shall become available for obligation only upon submission to Congress by the President of a budget estimate pursuant to law.

92 Stat. 2363.

20 USC 1211b

note.

Budget estimate,
submission to
Congress.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall be available from November 20, 1979, and shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) September 30, 1980, whichever first occurs.

SEC. 103. Appropriations and funds made available or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 665(d)(2) of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 104. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 105. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 106. No appropriation or fund made available or authority granted pursuant to this joint resolution shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1979.

Alaska Railroad,
restriction on
use of Federal
funds.

SEC. 107. None of the funds contained in this Act shall be used for the reorganization of the Alaska Railroad Office of the Chief Counsel, Office of Real Estate or Office of Financial Planning, or for the consolidation of those Offices into the Office of the Alaska Railroad General Manager.

SEC. 108. All obligations incurred in anticipation of the appropriations and authority provided in this joint resolution are hereby ratified and confirmed if otherwise in accordance with the provisions of this joint resolution.

Abortions,
restriction on
use of Federal
funds.

SEC. 109. Notwithstanding any other provision of this joint resolution except section 102, none of the funds provided by this joint resolution shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term; or except for such medical procedures necessary for the victims of rape or incest when such rape or incest has been reported promptly to a law enforcement agency or public health service;

Nor are payments prohibited for drugs or devices to prevent implantation of the fertilized ovum, or for medical procedures necessary for the termination of an ectopic pregnancy.

Iran, military or
economic aid,
prohibition.

SEC. 110. Notwithstanding any other provision of this joint resolution, except section 102, none of the funds provided by this joint resolution shall be used for military or economic aid for Iran.

SEC. 111. For an additional amount for "Executive Office of the President, Office of the Special Representative for Trade Negotiations, Salaries and Expenses", \$3,800,000, of which not to exceed \$15,000 shall be available for official reception and representation expenses.

SEC. 112. For an additional amount for "Public Law 480", \$24,000,000. The amount for titles I and III shall be reduced by \$34,528,000 and the amount for title II shall be increased by \$58,528,000. The authorized program level for title II is increased by \$50,362,000. Funds provided in this section shall remain available until expended.

Approved November 20, 1979.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-609 (Comm. on Appropriations) and No. 96-646 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 125 (1979):

Nov. 13, considered and passed House.

Nov. 15, considered and passed Senate, amended.

Nov. 16, House agreed to conference report; receded from its disagreement and concurred in Senate amendment No. 6; receded from its disagreement and concurred with an amendment to Senate amendment No. 5. Senate agreed to conference report and House amendment.