

Lame duck session faces funding decisions

For the first time since the Truman administration, the U.S. Congress will reconvene after the November election for a lame duck session beginning Nov. 12 to complete work on the fiscal 1981 appropriations bills, to fund government agencies and programs. Other legislation detailed below is expected to see floor action during the session.

APPROPRIATIONS: Ten of thirteen appropriations bills remain to be completed. The House has passed all but the foreign operations appropriations, while the Senate has only completed work on the HUD appropriations. A number of issues in the remaining bills are considered highly controversial, and will be hotly debated during the session.

Under *agriculture*, HRpt 96-1095 was passed by the House July 30. All funding levels for discretionary programs will be subject to debate.

An amendment to the State, Justice, and Commerce appropriations bill pertaining to the *Soviet grain embargo* was added on the Senate floor to prohibit funds for these agencies being used to continue the embargo. The amendment was passed by the Senate, but the entire appropriations bill has not; the issue is to be resolved by conference committee. Senate supporters of the amendment believe that House members who did not previously back the amendment out of courtesy to President Carter in the preelection period, will vote for the amendment now.

Labor/HEW (HRpt 96-1244) was passed by the House on Aug. 27 but has not come out of committee in the Senate. Funding for Title 6 of the CETA public service jobs programs will be contested, as it was in the continuing appropriations bill. The Senate had virtually eliminated funding for the program, later restored in conference.

Defense (HRpt 96-1317) passed the House Sept. 16. Much debate is expected over the \$5.8 billion added by

the House to the President's requests for aircraft and shipbuilding. Another controversial issue is the Maybank amendment deleted by the House. The amendment prohibits the Pentagon from spending additional monies in order to award contracts to companies in areas of high unemployment. Defense Department officials fear that if they are forced to award contracts to high unemployment areas, they will lose steady contractors, causing problems with standardized parts and a stable mobilization base.

HUD (HRpt 96-1114, SRpt 96-926) has been passed by both the Senate and House, but the conference committee has not yet reconciled the two versions. The major area to be reconciled deals with NASA funding. The House wants Congress to be able to delay any NASA program that goes over 10 percent of the level established by Congress. The Senate feels that this gives the Appropriations Committee too much power. Another major issue to be resolved in conference is the question of state funding for disaster relief. The House wants states to provide 25 percent of disaster relief, while the Senate has not set any level.

State, Justice, and Commerce (HRpt 96-1091, SRpt 96-949) was passed by the House July 23. It was taken off the Senate floor just before Congress recessed for the election, due to controversy over proposed amendments that would not allow any Justice Department funds to be used to finance school busing. Another controversial aspect of the bill includes funding for the Economic Development Administration, funded by the Senate at \$120 million over the House funding.

The State, Justice, and Commerce appropriations bill also contains cuts in the *Drug Enforcement Administration* budget that will cripple U.S. narcotics enforcement. It is scheduled for Senate floor action Nov. 12. Grassroots groups are mobilizing to stop the cuts, but there is no word yet from the Congress as to whether amendments will be offered to forestall the cuts.

Foreign operations (HRpt 96-1207) has not yet been passed by either the House or Senate. The measure includes all foreign aid programs, many of them controversial, including the funding for the Export-Import Bank. Utah Republican Senator Garn is expected to try to increase the funding for the Ex-Im Bank.

Other appropriations bills still to be passed by the Senate include the District of Columbia (HRpt 96-1271), Interior (HRpt 96-1147), Legislative branch (HRpt 96-1098), and Treasury/Postal (HRpt 96-1090).

BANKING: The *Export Trading Company bill* was passed unanimously by the Senate Sept. 3, but has faced strong opposition in the House, led by Financial Institutions Subcommittee chairman Fernand St. Germain (D-R.I.). The bill allows banks to join with corporations to form export trading companies to expand foreign sales. Many

small banks fear that the bill, which would allow banks to join trading companies across state lines, would give business to the major banks to the detriment of small, regional banks. Despite St. Germain's opposition, his staffers fear that House leadership may try to sneak it onto the House floor during the lame duck session.

The House will try for final passage of the *Credit Control Act* provision of the Council on Wage and Price Stability authorization bill to phase out the Credit Control Act of 1969. The Act presently allows the White House full control over all credit allocation, and was used by the Carter administration to invoke compulsory credit regulation by the Federal Reserve Board.

A *thrift institutions amendment* to a House-passed bill (H.R. 5625) that prohibits banks and bank holding companies from acquiring thrift institutions must be passed again by the House since the tacked-on amendment to strike a medal for A. Phillip Randolph has been introduced.

The *Farm Credit Act of 1980* passed the Senate unanimously, and includes provisions to allow the Bank for Cooperatives to engage in international trade, and strengthens the Federal Credit Administration, giving it added power to discount money to nonmember institutions.

REVENUE SHARING: *General Revenue Sharing* legislation (H.R. 7112) that allocates funds for 39 localities expired the last week in September and must be passed by the Congress.

INTERIOR: The *Alaska lands* bill, which keeps millions of acres of Alaska lands from development by mining, oil, and forest products industries, has been passed in different versions by the House and Senate. Opponents of the much more restrictive House version hope to avoid a conference committee, trying through private negotiations to eliminate the more extreme House provisions. But the actual compromising is not expected until the lame duck session begins.

NATIONAL SECURITY Floor debate is planned on the *Agent Identity Disclosure Bill* (H.R. 5615, S. 2216) which imposes a jail sentence and fines on those who disclose the identities of intelligence agents.

ENERGY: Approval of close to 100 Carter *appointees* has been held up by the Republicans, pending the outcome of the November elections. The appointees include the members of the Synthetic Fuels Corporation board and the chairman of the Nuclear Regulatory Commission, Albert Carnesale.

The *Northwest Power Bill* (S. 885) to allow the Bonneville, Washington Power Authority to purchase power

from other utilities, combine it with Bonneville's hydro-electrically-generated energy, and sell it more cheaply to regional industries and utilities will come up on the House floor, despite Oregon Democrat Jim Weaver's minifilibuster in the prerecess session. The legislation has already passed the Senate, and is critical to avoid jurisdictional squabbles among states, utilities, and industries in the region and an energy shortage early in the decade. Environmental opposition has centered on the legislation as a government boondoggle for industry.

Legislation to establish four demonstration sites to deal with reprocessed *nuclear waste* sponsored by Cong. Mike McCormack (D-Wash.) may get onto the House floor during the lame duck session. McCormack's legislation for unlicensed, demonstration sites would circumvent environmentalist attempts to stall permanent waste disposal by sidestepping many of the controversial issues involved in a final solution such as states' rights and waste site licensing.

A bill to promote *coal slurry pipelines* (pipelines to transport pulverized coal mixed with water) will probably see action on the House floor during the lame duck session, but sources indicate that the Senate will want to delay it to the next session in order to study the issue more fully.

DRUGS: The Senate version of the massive criminal code reform (S. 1722) contains a provision to virtually *decriminalize possession of marijuana*, while the House version leaves existing criminal penalties essentially intact. Sen. Charles Mathias (R-Md.) reportedly has clear sailing with an amendment to knock out the decrim section of S. 1722, restoring existing law along the lines of the House version. The real fight will be over whether action on S. 1722 is ever completed in the Senate. Any number of controversial issues, such as gun control or the death penalty could provoke a conservative filibuster that may kill the bill in the time-short lame duck session. Speculation on the Hill is that if Reagan wins, Republican Sen. Orrin Hatch of Utah, who has helped work out compromises on the bill, will allow it to die, knowing that executive branch impetus for the reform would disappear.

LABOR: Congressional action on *extending unemployment benefits* an additional 10 weeks in hard-hit states is still awaiting resolution in the lame duck session. The simple benefit extension, whose passage was expected during the September session, was stalled when a group of senators added cost-cutting amendments that would cut up to 25 states out of extension eligibility. The House refused to accede to Senate amendments and sent the bill to conference pending the reconvening of Congress.