



REP. TOM PRICE, M.D. (R-GA), CHAIRMAN
 PAUL TELLER, EXECUTIVE DIRECTOR
 424 CANNON HOUSE OFFICE BUILDING
 WASHINGTON, DC 20515

rsc.price.house.gov ph (202) 226-9717 / fax (202) 226-1633

Legislative Bulletin.....March 6, 2009

Contents:

H.J.Res. 38—Making further continuing appropriations for fiscal year 2009, and for other purposes.

H.J.Res. 38—Making further continuing appropriations for fiscal year 2009, and for other purposes. (*Obey, D-Wisconsin*)

Order of Business: H.J.Res. 38 is scheduled to be considered Wednesday, March 6, 2009 under a closed rule.

Summary: H.J.Res. 38 extends the current continuing resolution (CR), which funds the federal agencies and programs in appropriations bills not yet signed into law, through Wednesday, March 11, 2009. The CR would otherwise expire at the end of today. This continued funding would be made pursuant to Public Law 110-329, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act.

Additional Background: The formula used to determine spending levels is based on the non-emergency FY 2008 spending levels, with some exceptions noted below.

The CR counts FY 2008 emergency spending as part of the operating rate for the following programs:

- \$150 million for Food and Drug Administration (FDA) Salaries and Expenses, as provided in the Supplemental Appropriations Act of 2008 (PL 110-252).
- \$143.5 million for FBI, Salaries and Expenses, as provided by the FY 2008 omnibus (PL 110-161).
- \$110 million for the Department of Labor, Employment and Training Administration, as provided in the Supplemental Appropriations Act of 2008 (PL 110-252).
- \$272 million (out of the \$575 million provided by the FY 2008 omnibus) for Diplomatic and Consular Programs.
- \$76.7 million for Embassy Security as provided in the Supplemental Appropriations Act of 2008 (PL 110-252).

The CR specifies a different operating rate than non-emergency FY 2008 funding for several programs, including:

- WIC: \$6.7 billion, \$638 million or 9.6% above last year.
- Rental Service Program: \$997 million, \$524.3 million or 110.9% above last year.
- Department of Agriculture Commodity Assistance Program: \$234 million.
- Department of Commerce: \$2.906 billion for the Bureau of the Census—Periodic Censuses and Programs. This is a \$1.879 billion increase or 183% above last year.
- Bureau of Prison—Salaries and Expenses: \$5.4 billion.
- Federal Office of Detention Trustee: \$1.246 billion, \$20 million or 1.6% more than last year.
- GSA Presidential Transition Expenses: \$8.52 million
- Postal Rate Commission: \$14 million
- Postal Service, IG: \$233 million
- Corporation for National and Community Service: \$23.8 million
- Pell Grants: \$18.6 billion, \$2.5 billion or 15.5% above last year.
- Voting Rights Act Federal Observers: \$3.4 million
- IRS Taxpayer Services: \$67.9 million
- Executive Office of President, Email Restoration: \$5.7 million
- Presidential Transition Administrative Support: \$8 million
- DTV Transition: \$200 million for digital-to-analog converter box program.
- DC Emergency and Security Costs: \$15 million

Enacting a CR through the end of FY 2009 (September 30th of this year) would save \$19 billion compared to the \$410 billion omnibus (H.R. 1105) that passed the House on February 25, 2009.

The omnibus passed the House on February 25, 2009 by a vote of [248 to 175](#). The Senate has been considering the legislation this week, and as of last night, Senator Reid [lacked the votes](#) for cloture.

Committee Action: The legislation was introduced today and has not been considered by any committee.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A cost estimate is not available, but if the CR were enacted through the rest of FY 2009, spending would be \$19 billion lower than the level set in the House-passed omnibus.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No CBO score is available.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

Constitutional Authority: No committee report citing constitutional authority is available.

RSC Staff Contact: Brad Watson, brad.watson@mail.house.gov, (202) 226-9719