



UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

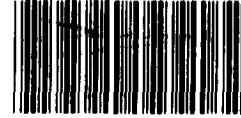
~~14842~~

116216

OFFICE OF GENERAL COUNSEL

B-200685

August 21, 1981



116216

To the President of the Senate and the
Speaker of the House of Representatives

The purpose of this letter is to report on the [status of budget authority that was proposed, but rejected, for rescission]. In the President's tenth special message for fiscal year 1981, dated June 8, 1981, the President proposed four rescissions totalling \$114.1 million in budget authority. The funds had been appropriated to the Environmental Protection Agency for Research and Development (R81-156) and Abatement and Control & Compliance (R81-157), to the National Endowment for the Arts for salaries and expenses (R81-158) and to the National Endowment for the Humanities for salaries and expenses (R81-159).

Section 1012(b) of the Impoundment Control Act requires that funds proposed for rescission be made available for obligation, unless the Congress completes action on a rescission bill within the 45-day period of continuous congressional session following the day such a proposal is received by the Congress. In our July 13, 1981, impoundment report on the President's tenth special message, we reported that the 45-day period would end on September 12, 1981. This was based on the expectation that Congress would recess on July 31, 1981, the 42nd day, which would toll the running of the 45-day period until Congress reconvened on September 10, 1981, since the 45-day period is based on days of continuous session. However, Congress actually did not recess until August 3. The three additional days of continuous congressional session between July 31 and August 3 meant that for the rescission proposals, the 45-day period ended on August 3, 1981, without the Congress having passed such a bill.

We have confirmed that on August 5, 1981, the subject budget authority was apportioned by the Office of Management and Budget to the Environmental Protection Agency, National Endowment for the Arts and National Endowment for the Humanities, and that the funds were allotted to the programs.

F. H. Barclay Jr.

For Harry R. Van Cleve
Acting General Counsel

018203