Public Law 98-107
98th Congress

Joint Resolution

Making continuing appropriations for the fiscal year 1984, and for other purposes.

Oct. 1, 1983
[H.J. Res. 368]

Continuing appropriations for fiscal year 1984.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby 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 1984, and for other purposes, namely:

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

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act, 1984 (H. Rept. 98-357, S. Rept. 98-247) under the terms and conditions provided in such Act for fiscal year 1983; and

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1984, notwithstanding section 15(a) of the State Department Basic Authorities Act of 1956 and section 701 of the United States Information and Educational Exchange Act of 1948, as amended: *Provided,* That notwithstanding any other provision of law or this joint resolution, authorities contained in Public Law 96-132, the "Department of Justice Appropriation Authorization Act, Fiscal Year 1980", shall remain in effect until the termination date of this joint resolution or until the effective date of a general Department of Justice Appropriation Authorization Act, whichever is earlier.

22 USC 2680.
22 USC 1476.
93 Stat. 1040.

(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.

(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 the House as of October 1, 1983, is different from that which would be available or granted under such Act as passed by the Senate as of October 1, 1983, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority: *Provided,* That where an item is included in only one version of an Act as passed by both Houses as of October 1, 1983, 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 appropriations Acts for the fiscal year 1983: *Provided further,* That for the purposes of this joint resolution, when an Act listed in this subsection has been reported to the Senate but not passed by the Senate as

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of October 1, 1983, it shall be deemed as having been passed by the Senate.

(4) No provision which is included in an appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act of 1983, 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 projects or activities not otherwise specifically provided for in this joint resolution and for which appropriations, funds, or other authority would be available in the following appropriation Acts:

Agriculture, Rural Development, and Related Agencies Appropriation Act, 1984 at a rate for operations and to the extent and in the manner provided for in the Act as passed the House of Representatives as of October 1, 1983: *Provided,* That appropriations or loan authorization for the following agencies or activities are available at not to exceed the following annual rates and the totals are adjusted accordingly:

Agricultural Research Service:	
Salaries and Expenses	$478,000,000
Buildings and Facilities	28,602,000
Cooperative State Research Service:	
Special grants	25,234,000
Competitive grants	17,000,000
Animal health and disease grants	5,760,000
Animal and Plant Health Inspection Service:	
Salaries and Expenses	263,259,000
Federal Crop Insurance Corporation:	
Administrative and operating expenses	200,000,000
FCIC Fund	110,000,000
Office of Rural Development Policy	2,000,000
Rural Housing Insurance Fund:	
Moderate income loans	0
Agricultural Credit Insurance Fund:	
Insured soil and water loans	30,000,000
Economic emergency loans	0
Rural Development Insurance Fund:	
Water and waste disposal loans	270,000,000
Rural Water and Waste Disposal Grants	90,000,000
Rural Electrification Administration:	
Guaranteed loans, not less than	3,360,000,000
Commodity Futures Trading Commission:	
Salaries and Expenses	26,400,000
ADP Limitation	3,626,000

7 USC 2028 note.

Provided further, That notwithstanding any other provision of law or this joint resolution, section 184 of the Omnibus Budget Reconciliation Act of 1982 (96 Stat. 785), is amended by inserting before the period at the end of paragraph (b) the following: ", or for the first three months of the fiscal year ending September 30, 1984": *Provided further,* That notwithstanding any other provision of law or this joint resolution, the provisions of subsections (f) and (i) of section 3 and section 10 of the Food Stamp Act of 1977, as amended, concerning private, nonprofit drug addic-

7 USC 2012 note.

7 USC 2012, 2019.

tion or alcoholic treatment and rehabilitation programs, shall also be applicable to publicly operated community health centers: *Provided further,* That notwithstanding any other provision of this joint resolution, no part of any of the funds appropriated or otherwise made available by this or any other Act may be used to implement mandatory monthly reporting-retrospective budgeting for the food stamp program during the first three months of the fiscal year ending September 30, 1984: *Provided further,* That, hereafter, in order to restore and maintain United States share of world markets and to restore capital of the Corporation for its operations, any restrictions or limitations on the authorities and obligations of the Commodity Credit Corporation to sell in world markets, as provided by its Charter, may be waived or suspended by the Secretary of Agriculture; and

7 USC 2015 note.

Department of Interior and Related Agencies Appropriations Act, 1984 (H.R. 3363), notwithstanding any other provision of this joint resolution, except section 102, such sums as may be necessary for programs, projects, or activities provided for in such Act (H.R. 3363), to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference filed in the House of Representatives, as if such Act had been enacted into law.

Post, p. 919.

(c) Pending enactment of the Department of Defense Appropriation Act, 1984, such amounts as may be necessary for continuing activities, not otherwise specifically provided for elsewhere in this joint resolution, which were conducted in fiscal year 1983, for which provision was made in the Department of Defense Appropriation Act, 1983, but such activities shall be funded at not to exceed an annual rate for new obligational authority of $247,000,000,000, which is an increase above the current rate, and this level shall be distributed on a pro rata basis to each appropriation account utilizing the fiscal year 1984 amended budget request as the base for such distribution and shall be available under the terms and conditions provided for in the applicable appropriation Acts for fiscal year 1983: *Provided,* That no appropriation or funds made available or authority granted pursuant to this subsection shall be used to initiate multiyear procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later: *Provided further,* That none of the funds appropriated or made available pursuant to this subsection shall be available for the conversion of any full time positions in support of the Army Reserve, Air Reserve, Army National Guard, and Air National Guard by Active or Reserve Military Personnel, from civilian positions designated "military technicians" to military positions: *Provided further,* That no appropriation or funds made available or authority granted pursuant to this subsection shall be used to initiate or resume any project, activity, operation or organization which is defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for investment items is further defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or

other authority were not available during the fiscal year 1983: *Provided further,* That notwithstanding any other provision of this joint resolution, $5,000,000 is appropriated for the XXIII Olympiad as authorized by Section 304 of Public Law 98-94, and in addition the Department of Defense may provide support to the Los Angeles Olympic Organizing Committee on a reimbursable basis, with the proceeds to be credited to the current applicable appropriation accounts of the Department.

Ante, p. 628.

(d) Such amounts as may be necessary for continuing the activities, not otherwise specifically provided for in this joint resolution, which were conducted in the fiscal year 1983, and which are under the purview of the Treasury, Postal Service, and General Government Appropriation Act, under the current terms and conditions and at a rate for operations not in excess of the current rate: *Provided,* That funds appropriated by Public Law 98-8 for payment to the General Services Administration, Federal Buildings Fund, for alterations and repairs shall be excluded from the current rate established under this subsection.

Ante, p. 13.

(e) Such amounts as may be necessary for continuing the activities under the purview of the Foreign Assistance Appropriations Act as provided for in Public Law 97-377 and Public Law 98-63, under the terms and conditions, and at the rate, provided for in those Acts or at the rate provided for in the budget estimates, whichever is lower, and under the more restrictive authority, notwithstanding section 10 of Public Law 91-672, and section 15(a) of the State Department Basic Authorities Act of 1956, or any other provision of law: *Provided,* That amounts allocated to each country under this subsection shall not exceed those provided in fiscal year 1983 or those provided in the budget estimates for each country, whichever are lower, unless submitted through the regular reprograming procedures of the Committees on Appropriations, or unless otherwise specified in this paragraph.

96 Stat. 1830.
Ante, p. 301.
22 USC 2412.
22 USC 2680.

(f) Such amounts as may be necessary for continuing the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1983, under the terms and conditions provided in applicable appropriation Acts for the fiscal year 1983, at the current rate:

Health planning activities authorized by title XV of the Public Health Service Act;

42 USC 300k-1.

National Research Service Awards authorized by section 472(d) of the Public Health Service Act;

42 USC 289*l*-1.

National Arthritis Advisory Board, National Diabetes Advisory Board, and National Digestive Diseases Advisory Board authorized by section 437 of the Public Health Service Act;

42 USC 289c-4.

Medical Library Assistance programs authorized by title III of the Public Health Service Act;

42 USC 241.

Refugee and entrant assistance activities under the provisions of title IV of the Immigration and Nationality Act, title IV and part B of title III of the Refugee Act of 1980, and sections 501 (a) and (b) of the Refugee Education Assistance Act of 1980: *Provided,* That such funds may be expended for individuals who would meet the definition of "Cuban and Haitian entrant"

8 USC 1521.
8 USC 1522 note; 94 Stat. 110.
8 USC 1522 note.

under section 501(e) of the Refugee Education Assistance Act of 1980 but for the application of paragraph (2)(B) thereof; 8 USC 1522 note.

Child abuse prevention and treatment and adoption opportunities activities authorized by the Child Abuse Prevention and Treatment Act; 42 USC 5101 note.

Activities as at present of the Professional Standards Review Organization program authorized by titles XI and XVIII of the Social Security Act, as amended; 42 USC 1301, 1395.

Activities under the Domestic Volunteer Service Act of 1973, as amended; 42 USC 4951 note.

Emergency feeding activities as authorized by the Temporary Emergency Food Assistance Act of 1983, as amended; and *Ante*, p. 35.

Activities of the Department of Defense, Army National Guard and Army Reserve operation and maintenance and National Guard and Reserve equipment procurement.

(g) Such amounts as may be necessary for the following projects or activities, which were provided for in H.R. 3222, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1984, as reported to the House of Representatives on June 3, 1983, to the extent and in the manner provided for in such Act, and at a rate for operations, notwithstanding section 15(a) of the State Department Basic Authorities Act of 1956 and section 701 of the United States Information and Educational Exchange Act of 1948, as follows: 22 USC 2680. 22 USC 1476.

Department of Commerce: General Administration, "Special Foreign Currency Program", $693,000;

Economic and Statistical Analysis, "Salaries and Expenses", $39,337,000;

Economic Development Administration: "Economic Development Assistance Programs", $250,000,000; "Salaries and Expenses", $30,141,000;

International Trade Administration, "Operations and Administration", $169,893,000;

National Oceanic and Atmospheric Administration: "Operations, Research, and Facilities", $942,871,000; "Fisheries Loan Fund", $5,000,000;

Federal Communications Commission, "Salaries and Expenses", $86,383,000;

Federal Trade Commission, "Salaries and Expenses", $63,500,000: *Provided*, That these funds are subject to the limitations and provisions of sections 10(a) and 10(c) (notwithstanding section 10(e)), 11(b), 18, and 20 of the Federal Trade Commission Improvements Act of 1980 (Public Law 96-252; 94 Stat. 374), notwithstanding the previous provisions of this subsection; 15 USC 57a and note, 57c note.

International Trade Commission, "Salaries and Expenses", $20,737,000;

Securities and Exchange Commission, "Salaries and Expenses", $92,500,000;

Small Business Administration, "Salaries and Expenses", $236,000,000;

Department of Justice: Immigration and Naturalization Service, "Salaries and Expenses", $527,257,000;

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Notwithstanding the previous provisions of this subsection, Legal Services Corporation, "Payment to the Legal Services Corporation", $275,000,000:

Legal assistance to aliens.

Provided, That none of the funds appropriated in this Act for the Legal Services Corporation shall be expended to provide legal assistance for or on behalf of any alien unless the alien is a resident of the United States and is—

(1) an alien lawfully admitted for permanent residence as an immigrant as defined by sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15), (20));

(2) an alien who is either married to a United States citizen or is a parent or an unmarried child under the age of twenty-one years of such a citizen and who has filed an application for adjustment of status to permanent resident under the Immigration and Nationality Act, and such application has not been rejected;

8 USC 1101 note.

(3) an alien who is lawfully present in the United States pursuant to an admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157, relating to refugee admissions) or who has been granted asylum by the Attorney General under such Act; or

(4) an alien who is lawfully present in the United States as a result of the Attorney General's withholding of deportation pursuant to section 243(h) of the Immigation and Nationality Act (8 U.S.C. 1253(h)).

An alien who is lawfully present in the United States as a result of being granted conditional entry pursuant to section 203(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic natural calamity shall be deemed, for purposes of section 1007 b)(11) of the Legal Services Corporation Act, to be an alien described in subparagraph (C) of such section: *Provided further*, That none of the funds appropriated in this Act for the Legal Services Corporation shall be used by the Corporation in making grants or entering into contracts for legal assistance unless the Corporation insures that the recipient is either (a) a private attorney or attorneys (for the sole purpose of furnishing legal assistance to eligible clients) or (b) a qualified nonprofit organization chartered under the laws of one of the States for the primary purpose of furnishing legal assistance to eligible clients, the majority of the board of directors or other governing body of which organization is comprised of attorneys who are admitted to practice in one of the States and who are appointed to terms of office on such board or body by the governing bodies of State, county, or municipal bar associations the membership of which represents a majority of the attorneys practicing law in the locality in which the organization is to provide legal assistance: *Provided further*, That none of the funds appropriated in this Act shall be expended by the Legal Services Corporation to participate in litigation unless the Corporation or a recipient of the Corporation is a party, or a recipient is

42 USC 2996f.

Grants or contracts.

representing an eligible client in litigation in which the interpretation of this title or a regulation promulgated under this title is an issue, and shall not participate on behalf of any client other than itself: *Provided further,* That none of the funds appropriated in this Act shall be available to any recipient to be used—

Prohibited funding to influence Federal, State, local agencies, Members of Congress or elected officials.

(A) to pay for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or other device, intended or designed to influence any decision by a Federal, State, or local agency, except where legal assistance is provided by an employee of a recipient to an eligible client on a particular application, claim, or case, which directly involves the client's legal rights and responsibilities, or

(B) to influence any Member of Congress or any other Federal, State, or local elected official to favor or oppose any Acts, bills, resolutions, or similar legislation, or any referendum, initiative, constitutional amendment, or any similar procedure of the Congress, any State legislature, any local council, or any similar governing body, except that this subsection shall not preclude such funds from being used in connection with communications made in response to any Federal, State, or local official, upon the formal request of such official: *Provided further,* That none of the funds appropriated in this Act for the Legal Services Corporation shall be used to bring a class action suit against the Federal government or any State or local government unless (1) the project director of a recipient has expressly approved the filing of such an action in accordance with policies established by the governing body of such recipient; (2) the class relief which is the subject of such an action is sought for the primary benefit of individuals who are eligible for legal assistance; and (3) that prior to filing such an action, the recipient project director has determined that the government entity is not likely to change the policy or practice in question, that the policy or practice will continue to adversely affect eligible clients, that the recipient has given notice of its intention to seek class relief and that responsible efforts to resolve without litigation the adverse effects of the policy or practice have not been successful or would be adverse to the interest of the clients: *Provided further,* That none of the funds appropriated in this Act for the Legal Services Corporation shall be expended for any purpose prohibited or limited by or contrary to section 11 of H.R. 3480, as passed the House of Representatives on June 18, 1981: *Provided further,* That notwithstanding any regulation, guideline, or rule of the Corporation, the funds appropriated in this Act for the Legal Services Corporation shall be used by the Corporation in making grants or entering into contracts under section 1006(a) (1) and (3) so as to insure that funding for each such current grantee and contractor is maintained in 1984 at the annualized level at which each such grantee and contractor was funded in 1983, or in the same proportion which total appropriations to the Corporation in fiscal year 1984 bear to the total appropriations to the Corporation in fiscal year 1983, until action is taken by directors of the Corporation who have been confirmed in accordance

Class action suit.

42 USC 2996e.

42 USC 2996c.

with section 1004(a) of the Legal Services Corporation Act: *Provided further*, That no member of the Board of Directors of the Legal Services Corporation shall be compensated for his services to the Corporation except for the payment of an attendance fee at meetings of the Board at a rate not to exceed the highest daily rate for grade fifteen (15) of the General Schedule and necessary travel expenses to attend Board meetings in accordance with the Standard Government Travel Regulations: *Provided further*, That no officer or employee of the Legal Services Corporation or a recipient program shall be reimbursed for membership in a private club, or be paid severance pay in excess of what would be paid a Federal employee for comparable service;

5 USC 5332 note.

Department of State: Administration of Foreign Affairs: "Salaries and Expenses", $1,120,000,000; "Reopening Consulates", $2,500,000; "Representation Allowances", $4,148,000; "Acquisition, Operation, and Maintenance of Buildings Abroad", $202,889,000; "Acquisition, Operation, and Maintenance of Buildings Abroad (Special Foreign Currency Program)", $10,012,000; "Payment to the American Institute in Taiwan", $9,380,000; "Payment to the Foreign Service Retirement and Disability Fund", $102,753,000;

International Organizations and Conferences: "Contributions to International Organizations", $520,515,000;

International Commissions: International Boundary and Water Commission, United States and Mexico, "Construction", $672,000; "American Sections, International Commissions", $3,426,000; "International Fisheries Commissions", $8,876,000;

Other: "Asia Foundation", $9,900,000;

United States Information Agency: "Salaries and Expenses (Special Foreign Currency Program)", $10,450,000; "Center for Cultural and Technical Interchange Between East and West", $18,362,000; "Acquisition and Construction of Radio Facilities", $34,013,000.

(h) Notwithstanding any other provision of this joint resolution, except section 102, such sums as may be necessary for programs, projects, or activities provided for in the District of Columbia Appropriation Act, 1984 (H.R. 3415), to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference (98-379), filed in the House of Representatives on September 22, 1983, as if such Act had been enacted into law.

Post, p. 819.

(i) Notwithstanding any other provision of this joint resolution, except section 102, such sums as may be necessary for programs, projects, or activities provided for in the Military Construction Appropriation Act, 1984, (H.R. 3263), to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report Number 98-378), filed in the House of Representatives on September 22, 1983, as if such Act had been enacted into law.

Post, p. 795.

Effective date.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall be available from October 1, 1983, 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) November 10, 1983, whichever first occurs.

SEC. 103. 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. 104. 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. 105. Any appropriation for the fiscal year 1984 required to be apportioned pursuant to subchapter II of chapter 15 of title 31, United States Code, may be apportioned on a basis indicating the need (to the extent any such increases cannot be absorbed within available appropriations) for a supplemental or deficiency estimate of appropriation to the extent necessary to permit payment of such pay increases as may be granted pursuant to law to civilian officers and employees and to active and retired military personnel. Each such appropriation shall otherwise be subject to the requirements of subchapter II of chapter 15 of title 31, United States Code.

31 USC 1511.

SEC. 106. No part of any appropriation contained in, or funds made available by this or any other Act, shall be available for any agency to pay to the Administrator of the General Services Administration a rate per square foot for rental of space and services (established pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended) which is in excess of 14 per centum higher than the rate per square foot established for the space and services by the General Services Administration for the fiscal year 1982.

Rental payment for space and services to GSA.

40 USC 490.

SEC. 107. No provision in any appropriation Act for the fiscal year 1984 referred to in section 101 of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 102(c) of this joint resolution.

SEC. 108. Notwithstanding any other provision of this joint resolution except section 102, there are appropriated to the Postal Service Fund sufficient amounts so that postal rates for all preferred-rate mailers covered by section 3626 of title 39, United States Code, shall be continued at the rates in effect on September 1, 1983 (step 14): *Provided,* That mail for overseas voting and mail for the blind shall continue to be free: *Provided further,* That six-day delivery and rural delivery of mail shall continue at the 1983 level.

Postal rates for preferred-rate mailers.

Postal delivery.
39 USC 403 note.

SEC. 109. Funds shall be available for school assistance in federally affected areas authorized by title I of the Act of September 30, 1950, and the Act of September 23, 1950, at an annual rate of $585,000,000, under the terms and conditions provided in the applicable appropriation Act for fiscal year 1983; and funds shall be available for Departmental Management, "Salaries and Expenses" under the Department of Education at the current rate of operations.

SEC. 110. (a) Notwithstanding any other provision of law, no part of any of the funds appropriated for the fiscal year ending September 30, 1984, by this Act or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code, or any employee covered by section 5348 of that title, in an amount—

5 USC 5343 note.

5 USC 5348.

(1) during the period from October 1, 1983, until the next applicable wage survey adjustment becomes effective, which exceeds the rate which was payable for the applicable grade and step of the applicable wage schedule on September 30, 1983, in accordance with section 107(a) of Public Law 97-377; and

5 USC 5343 note.

(2) during the period consisting of the remainder of the fiscal year ending September 30, 1984, which exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) of this subsection by more than the overall average percentage of the adjustment in the General Schedule during the fiscal year ending September 30, 1984.

5 USC 5332 note.

(b) Notwithstanding the provisions of section 9(b) of Public Law 92-392 or section 704(b) of Public Law 95-454, the provisions of subsection (a) of this section shall apply (in such manner as the Office of Personnel Management shall prescribe) to any prevailing rate employee to whom such section 9(b) applies, except that the provisions of subsection (a) may not apply to any increase in a wage schedule or rate which is required by the terms of a contract entered into before the date of enactment of this Act.

5 USC 5343 note.

(c) Notwithstanding any other provision of law, no prevailing rate employee described in paragraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, may be paid during the fiscal year ending September 30, 1984, at a rate which exceeds the rate which was payable for the applicable grade and step of the applicable wage schedule on September 30, 1983, except to the extent a higher rate would be payable under subsection (a) of this section were subsection (a) applicable to wage schedules and rates for prevailing rate employees described in such paragraphs (B) and (C) of section 5342(a)(2).

Regulations.

(d) For the purpose of this section, the rate payable to any employee who is covered by this section and who is paid from a schedule which was not in existence on September 30, 1983, shall be determined under regulations prescribed by the President.

(e) The provisions of this section shall apply only with respect to pay for services performed by any affected employee after the date of enactment of this Act.

(f) For the purpose of administering any provision of law, rule, or regulation which provides premium pay, retirement, life insurance, or any other employee benefit, which requires any deduction or contribution, or which imposes any requirement or limitation, on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

Supervisory pay plan.

(g) Notwithstanding the limitations imposed on prevailing rate pay pursuant to subsection (a) of this section, such limitations may not apply to wage adjustments for prevailing rate supervisors provided by the supervisory pay plan published in the Federal Register on March 30, 1983.

5 CFR Part 532.

Transfer from available funds.

SEC. 111. There is hereby appropriated $20,000,000 to be derived by transfer from funds available for obligation in fiscal year 1983 in the appropriation for "Guaranteed Student Loans", to remain available for obligation until September 30, 1984, to enable the Secretary of Education to comply with the consent decree entered in United States district court in the case of the United States of America against the Board of Education for the City of Chicago (80 C 5124) on September 24, 1980.

SEC. 112. All obligations incurred in anticipation of the appropriations and authority provided in this joint resolution for the purposes of maintaining the minimum level of essential activities necessary to protect life and property and bringing about orderly termination of other functions are hereby ratified and confirmed if otherwise in accordance with the provisions of this joint resolution.

Approved October 1, 1983.

LEGISLATIVE HISTORY—H.J. Res. 368:

HOUSE REPORT No. 98-397 (Comm. of Conference).
CONGRESSIONAL RECORD, Vol. 129 (1983):
Sept. 28, considered and passed House.
Sept. 29, considered and passed Senate, amended.
Sept. 30, House agreed to conference report; concurred in Senate amendments with amendments. Senate agreed to conference report; concurred in House amendments.