

Indochinese Refugee Reports

Information Exchange Project American Public Welfare Association
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SUPPLEMENTARY ISSUE

CONTINUING RESOLUTION STALLED IN CONGRESS

October 1, 1979---The start of the new fiscal year finds H.J. Res. 404 --making continuing appropriations for various federal agencies and programs whose appropriations bills have not made it through Congress -- stalled in a House/Senate fight over the Congressional pay raise and abortion language. Along with many other programs, the Indochinese Refugee Assistance Program (IRAP) expired on September 30.

House and Senate conferees reached a compromise on the resolution on Friday, September 28, which the House then approved in a recorded vote, while insisting on its stricter abortion language. The Senate later that night then voted down the resolution by a vote of 9 to 55. On Friday the House recessed until October 9. Although a *pro forma* session of the House will be held on Tuesday, October 2, no legislative action will be taken on that day or on any other day of the week-long recess.

The Senate must now decide whether to hold to its disagreement on the abortion language or come up with a compromise or simply reconsider the vote. The continuing resolution is expected to be taken up again on Monday, October 1, after 6:00 p.m. in the evening, in deference to the Jewish holy day.

Language for Refugee Programs

The language for funding HEW's Indochinese Refugee Assistance Program (IRAP) is not in dispute. Sec. 101(f) reads:

"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:

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

The IRAP program was particularly in jeopardy because it not only lacked an authorizing bill (the Refugee Act of 1979 has not yet passed the House), it was also not funded through the HEW FY'80 appropriations bill. The wording of the resolution ensures that funding will continue in spite of these problems, and yet another complication-- the increased numbers of refugees entering each month.

The Chairman of the House Appropriations Committee, Rep. Jamie L. Whitten

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(D-Miss.), made this intent clear in his opening remarks on the resolution:

"Provision is made in section 101(f) for a number of programs at the current rate. Included are some health and related programs, certain refugee assistance, and certain justice and economic development activities. It is the intention that the resolution, by virtue of the recommendation of the [Appropriations] Subcommittee on the Department of Labor and Health, Education, and Welfare, ... provide funds to continue reimbursement for cash assistance, medicaid, social services, and training for Indochinese refugees to take care of the 14,000 refugees that are now arriving each month. This is to assure all states that Federal funds will not be cut off while Congress is considering new authorizing legislation for this and other refugee programs."

H.R. 4473, making appropriations for foreign assistance and related programs, has yet to clear the Senate. The Department of State's migration and refugee assistance funds are included in this bill. The continuing resolution provides for funding at a rate not to exceed an annual rate of \$456,241,000 for State's refugee programs -- the level of funding provided in that bill as it passed the House. (See inside, page 4.)

HEW Contingency Plans

On September 12, the Special Programs Staff of the Office of Family Assistance at HEW announced, by a telegram to Regional SSA Commissioners, that states would be able to make October cash assistance payments to Indochinese refugees under certain specified conditions -- regardless of the status of either the Refugee Act or the continuing resolution. States which had funds left over from their FY'79 IRAP agreement with HEW could use those funds to make cash assistance payments to eligible refugees *provided that* by September 30 the state had determined the eligibility of each assistance case and the amount of the October assistance payment. In addition, that information must have been entered into state accounting records by September 30. In effect, the funds were allotted in September, still within the fiscal year, but the checks will be issued in October. The authorization did not increase any state funds under the IRAP agreement, and did not include funds for medical services or for staff or administrative costs occurring after September 30.

California and Texas, the two states with the largest Indochinese refugee populations, will be making October cash assistance payments using FY'79 funds, as will Louisiana, Colorado and Virginia. The Information Exchange Project was unable to reach other states at the time of printing to inquire about their ability to make payments in this manner.

NOTE: If the continuing resolution is enacted before our next publishing date, we will notify our readers through a special mailing.

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SUPPLEMENTARY ISSUE

CONTINUING RESOLUTION SIGNED INTO LAW

After several weeks of haggling over language for abortion funding and a congressional pay raise, the House and Senate agreed to the conference report on H.J. Res. 412 on Friday, October 12. The resolution, making continuing appropriations for Fiscal Year 1980, was signed into law as P.L. 96-86 by President Carter at 10:00 p.m. on the same day.

The Indochinese Refugee Assistance Program will operate under P.L. 96-86 until November 20, when the continuing resolution expires, or until passage of the Refugee Act of 1979 or some other authorizing legislation.

For further details on the continuing resolution and other refugee legislation, see inside, lead future, and Issue Number 12, Supplement.

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