

DOCUMENT RESUME

00290 - [A1051735]

[Impoundment of Department of the Army, Corps of Engineers, Construction Funds]. B-115398; OGC-77-13. March 21, 1977. 2 pp.

Report to the Congress; by Elmer B. Staats, Comptroller General.

Contact: Office of the General Counsel: Special Studies and Analysis.

Budget Function: Miscellaneous: Impoundment Control Act of 1974 (1005).

Organization Concerned: Department of the Army: Corps of Engineers.

Congressional Relevance: Congress.

Authority: H. Rept. 94-1297P.L. 94-355. Impoundment Control Act of 1974, sec. 1015(a).

A deferral of Department of the Army, Corps of Engineers, budget authority is reported under Section 1015(a) of the Impoundment Control Act. This section requires the Comptroller General to report to the Congress whenever he finds that a reserve has been established or a budget authority has been deferred and the President has failed to transmit a special message to Congress with respect to such reserve or deferral. Findings/Conclusions: In 1976, Congress appropriated almost \$1.5 billion to the Corps of Engineers for river and harbor, flood control, shore protection, and related projects. Of this amount, \$9.5 million was earmarked for construction activities at the Meramec Park Lake in Missouri. Corps of Engineers budget documents disclosed \$2,665,000 in budget authority that has not been made available for obligation; these funds were intended for use in construction activities for the Meramec Lake project. This budgetary reserve was only recently established, and it is uncertain when a special message on the deferred funds will reach Congress. (RRS)



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

March 21, 1977

B-115398

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

This letter reports a deferral of Department of the Army, Corps of Engineers, budget authority that has not yet been reported to the Congress pursuant to the provisions of the Impoundment Control Act of 1974.

Section 1015(a) of the Impoundment Control Act requires the Comptroller General to report to the Congress whenever he finds that the President, the Director of the Office of Management and Budget, the head of any department or agency of the United States or any other officer or employee of the United States has ordered, permitted, or approved the establishment of a reserve or deferral of budget authority and the President has failed to transmit a special message with respect to such reserve or deferral. This report is submitted in accordance with the requirement imposed by section 1015(a) and consequently has the same effect as if it were a deferral message transmitted by the President.

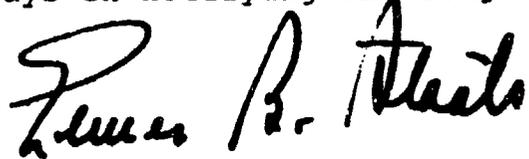
In the Public Works for Water and Power Development and Energy Research Appropriation Act, 1977, Public Law 94-355, July 12, 1976, Congress appropriated to the Corps of Engineers almost \$1.5 billion for river and harbor, flood control, shore protection, and related projects under the heading Construction, General. Of this amount, the conferees on the appropriation act earmarked \$9.5 million for construction activities at the Meramec Park Lake, Missouri. See H.R.Rep. (Conf.) No. 94-1297, 94th Cong., 2d Sess. 23 (1976).

In reviewing the budget documents disclosing the Corps of Engineers' fiscal year 1977 plans for use of its current appropriation, we have identified \$2,665,000 in budget authority that has not been made available for obligation. These funds were intended for use in construction activities for the Meramec Park Lake project.

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While this budgetary reserve was only recently established (March 14, 1977) and we understand that OMB is processing a special message on the deferred funds, it, nevertheless, is uncertain when such a report will ultimately reach the Congress. Therefore, under the circumstances, we conclude that exercise of our authority under section 1015(a) is appropriate to avoid any delays in notifying the Congress of the impoundment.

A handwritten signature in black ink, appearing to read "James B. Stacks". The signature is written in a cursive, somewhat stylized font.

Comptroller General
of the United States