

[Discussion Draft]
AMENDMENT TO SENATE AMENDMENT
TO H.R. 3082

In lieu of the matter proposed to be inserted by the
Senate amendment, insert the following:

1 SECTION 1. SHORT TITLE.

2 (a) IN GENERAL.—This Act may be cited as the
3 “[_____ Act]”.

4 (b) DIVISION A.—Division A may be cited as the
5 “Full-Year Continuing Appropriations Act, 2011”.

6 SEC. 2. TABLE OF CONTENTS.

7 The table of contents for this Act is as follows:

DIVISION A—FULL-YEAR CONTINUING APPROPRIATIONS

Title I—General Provisions

Title II—Adjustments in Funding and Other Provisions

DIVISION B—SURFACE TRANSPORTATION EXTENSION

DIVISION C—AIRPORT AND AIRWAY EXTENSION

8 SEC. 3. REFERENCES.

9 Except as expressly provided otherwise, any reference
10 to “this Act” contained in any division of this Act shall
11 be treated as referring only to the provisions of that divi-
12 sion.

1 **DIVISION A—FULL-YEAR CONTINUING**
2 **APPROPRIATIONS**

3 The following sums are hereby appropriated, out of
4 any money in the Treasury not otherwise appropriated,
5 and out of applicable corporate or other revenues, receipts,
6 and funds, for the several departments, agencies, corpora-
7 tions, and other organizational units of Government for
8 fiscal year 2011, and for other purposes, namely:

9 **TITLE I—GENERAL PROVISIONS**

10 **SEC. 1101.** (a) Such amounts as may be necessary,
11 at the level specified in subsection (c) and under the au-
12 thority and conditions provided in applicable appropria-
13 tions Acts for fiscal year 2010, for projects or activities
14 (including the costs of direct loans and loan guarantees)
15 that are not otherwise specifically provided for, and for
16 which appropriations, funds, or other authority were made
17 available in the following appropriations Acts:

18 (1) The Agriculture, Rural Development, Food
19 and Drug Administration, and Related Agencies Ap-
20 propriations Act, 2010 (Public Law 111–80).

21 (2) Division A of the Department of Defense
22 Appropriations Act, 2010 (division A of Public Law
23 111–118).

1 (3) The Energy and Water Development and
2 Related Agencies Appropriations Act, 2010 (Public
3 Law 111–85).

4 (4) The Department of Homeland Security Ap-
5 propriations Act, 2010 (Public Law 111–83) and
6 section 601 of the Supplemental Appropriations Act,
7 2010 (Public Law 111–212).

8 (5) The Department of the Interior, Environ-
9 ment, and Related Agencies Appropriations Act,
10 2010 (division A of Public Law 111–88).

11 (6) The Legislative Branch Appropriations Act,
12 2010 (division A of Public Law 111–68).

13 (7) The Consolidated Appropriations Act, 2010
14 (Public Law 111–117).

15 (8) Chapter 3 of title I of the Supplemental Ap-
16 propriations Act, 2010 (Public Law 111–212), ex-
17 cept for appropriations under the heading “Oper-
18 ation and Maintenance” relating to Haiti following
19 the earthquake of January 12, 2010, or the Port of
20 Guam: *Provided*, That the amount provided for the
21 Department of Defense pursuant to this paragraph
22 shall not exceed \$29,387,401,000: *Provided further*,
23 That the Secretary of Defense shall allocate such
24 amount to each appropriation account, budget activ-
25 ity, activity group, and subactivity group, and to

1 each program, project, and activity within each ap-
2 propriation account, in the same proportions as such
3 appropriations for fiscal year 2010.

4 (b) For purposes of this Act, the term “level” means
5 an amount.

6 (c) The level referred to in subsection (a) shall be
7 the amounts appropriated in the appropriations Acts re-
8 ferred to in such subsection, including transfers and obli-
9 gation limitations, except that—

10 (1) such level shall not include any amount pre-
11 viously designated (other than amounts in section
12 1101(a)(8)) as an emergency requirement and nec-
13 essary to meet emergency needs pursuant to sections
14 403(a) and 423(b) of S. Con. Res. 13 (111th Con-
15 gress), the concurrent resolution on the budget for
16 fiscal year 2010; and

17 (2) such level shall be calculated without regard
18 to any rescission or cancellation of funds or contract
19 authority.

20 SEC. 1102. Appropriations made by section 1101
21 shall be available to the extent and in the manner that
22 would be provided by the pertinent appropriations Act.

23 SEC. 1103. Appropriations provided by this Act that,
24 in the applicable appropriations Act for fiscal year 2010,

1 carried a multiple-year or no-year period of availability
2 shall retain a comparable period of availability.

3 SEC. 1104. Except as otherwise expressly provided in
4 this Act, the requirements, authorities, conditions, limita-
5 tions, and other provisions of the appropriations Acts re-
6 ferred to in section 1101(a) shall continue in effect
7 through the date specified in section 1106.

8 SEC. 1105. No appropriation or funds made available
9 or authority granted pursuant to section 1101 shall be
10 used to initiate or resume any project or activity for which
11 appropriations, funds, or other authority were specifically
12 prohibited during fiscal year 2010.

13 SEC. 1106. Unless otherwise provided for in this Act
14 or in the applicable appropriations Act, appropriations and
15 funds made available and authority granted pursuant to
16 this Act shall be available through September 30, 2011.

17 SEC. 1107. Expenditures made pursuant to the Con-
18 tinuing Appropriations Act, 2011 (Public Law 111-242),
19 shall be charged to the applicable appropriation, fund, or
20 authorization provided by this Act.

21 SEC. 1108. Funds appropriated by this Act may be
22 obligated and expended notwithstanding section 10 of
23 Public Law 91-672 (22 U.S.C. 2412), section 15 of the
24 State Department Basic Authorities Act of 1956 (22
25 U.S.C. 2680), section 313 of the Foreign Relations Au-

1 thORIZATION Act, Fiscal Years 1994 and 1995 (22 U.S.C.
2 6212), and section 504(a)(1) of the National Security Act
3 of 1947 (50 U.S.C. 414(a)(1)).

4 SEC. 1109. (a) With respect to any discretionary ac-
5 count for which advance appropriations were provided for
6 fiscal year 2011 or 2012 in an appropriations Act for fis-
7 cal year 2010, the levels established by section 1101 shall
8 include advance appropriations in the same amount for
9 fiscal year 2012 or 2013, respectively, with a comparable
10 period of availability.

11 (b) In addition to amounts provided by subsection
12 (a), an additional amount is provided for the following ac-
13 counts in the amounts specified:

14 (1) “Department of Veterans Affairs, Medical
15 Services”, \$2,513,985,000, which shall become avail-
16 able on October 1, 2011, and shall remain available
17 until September 30, 2012.

18 (2) “Department of Veterans Affairs, Medical
19 Support and Compliance”, \$228,000,000, which
20 shall become available on October 1, 2011, and shall
21 remain available until September 30, 2012.

22 (c) Notwithstanding subsection (a), amounts are pro-
23 vided for “Department of Veterans Affairs, Medical Fa-
24 cilities” in the amount of \$5,426,000,000, which shall be-

1 come available on October 1, 2011, and shall remain avail-
2 able until September 30, 2012.

3 SEC. 1110. (a) For entitlements and other mandatory
4 payments whose budget authority was provided in appro-
5 priations Acts for fiscal year 2010, and for activities under
6 the Food and Nutrition Act of 2008, the levels established
7 by section 1101 shall be the amounts necessary to main-
8 tain program levels under current law.

9 (b) In addition to the amounts otherwise provided by
10 section 1101, the following amounts shall be available for
11 the following accounts for advance payments for the first
12 quarter of fiscal year 2012:

13 (1) “Department of Labor, Employment Stand-
14 ards Administration, Special Benefits for Disabled
15 Coal Miners”, for benefit payments under title IV of
16 the Federal Mine Safety and Health Act of 1977,
17 \$41,000,000, to remain available until expended.

18 (2) “Department of Health and Human Serv-
19 ices, Centers for Medicare and Medicaid Services,
20 Grants to States for Medicaid”, for payments to
21 States or in the case of section 1928 on behalf of
22 States under title XIX of the Social Security Act,
23 \$86,445,289,000, to remain available until ex-
24 pended.

1 (3) “Department of Health and Human Serv-
2 ices, Administration for Children and Families, Pay-
3 ments to States for Child Support Enforcement and
4 Family Support Programs”, for payments to States
5 or other non-Federal entities under titles I, IV–D,
6 X, XI, XIV, and XVI of the Social Security Act and
7 the Act of July 5, 1960 (24 U.S.C. ch. 9),
8 \$1,200,000,000, to remain available until expended.

9 (4) “Department of Health and Human Serv-
10 ices, Administration for Children and Families, Pay-
11 ments to States for Foster Care and Permanency”,
12 for payments to States or other non-Federal entities
13 under title IV–E of the Social Security Act,
14 \$1,850,000,000.

15 (5) “Social Security Administration, Supple-
16 mental Security Income Program”, for benefit pay-
17 ments under title XVI of the Social Security Act,
18 \$13,400,000,000, to remain available until ex-
19 pended.

20 SEC. 1111. The following amounts are designated as
21 an emergency requirement and necessary to meet emer-
22 gency needs pursuant to sections 403(a) and 423(b) of
23 S. Con. Res. 13 (111th Congress), the concurrent resolu-
24 tion on the budget for fiscal year 2010:

1 (1) Amounts incorporated by reference in this
2 Act that were previously designated as available for
3 overseas deployments and other activities pursuant
4 to such concurrent resolution.

5 (2) Amounts made available pursuant to para-
6 graph (8) of section 1101(a) of this Act.

7 SEC. 1112. Any language specifying an earmark in
8 an appropriations Act for fiscal year 2010, or in a com-
9 mittee report or joint explanatory statement accom-
10 panying such an Act, shall have no legal effect with re-
11 spect to funds appropriated by this Act. For purposes of
12 this section, the term “earmark” means a congressional
13 earmark or congressionally directed spending item, as de-
14 fined in clause 9(e) of rule XXI of the Rules of the House
15 of Representatives and paragraph 5(a) of rule XLIV of
16 the Standing Rules of the Senate.

17 SEC. 1113. (a) Notwithstanding section 1101, user
18 fees for “Securities and Exchange Commission, Salaries
19 and Expenses” shall be available for obligation in the
20 amount of \$1,250,000,000: *Provided*, That the authority
21 provided in this subsection shall be deemed a regular ap-
22 propriation for purposes of section 6(b) of the Securities
23 Act of 1933 (15 U.S.C. 77f(b)) and sections 13(e), 14(g),
24 and 31 of the Securities Exchange Act of 1934 (15 U.S.C.
25 78m(e), 78n(g), and 78ee).

1 (b) Notwithstanding section 1101, the Federal Com-
2 munications Commission is authorized to assess and col-
3 lect pursuant to section 9 of title I of the Communications
4 Act of 1934 offsetting collections during fiscal year 2011
5 of \$350,634,000, and such amounts shall be available for
6 obligation until expended, of which not less than
7 \$8,279,115 shall be for the salaries and expenses of the
8 Office of Inspector General.

9 SEC. 1114. (a) For the purposes of this section—

10 (1) the term “employee”—

11 (A) means an employee as defined in sec-
12 tion 2105 of title 5, United States Code; and

13 (B) includes an individual to whom sub-
14 section (b), (c), or (f) of such section 2105 per-
15 tains (whether or not such individual satisfies
16 subparagraph (A));

17 (2) the term “senior executive” means—

18 (A) a member of the Senior Executive
19 Service under subchapter VIII of chapter 53 of
20 title 5, United States Code;

21 (B) a member of the FBI–DEA Senior
22 Executive Service under subchapter III of chap-
23 ter 31 of title 5, United States Code;

1 (C) a member of the Senior Foreign Serv-
2 ice under chapter 4 of the Foreign Service Act
3 of 1980 (22 U.S.C. 3961 and following); and

4 (D) a member of any similar senior execu-
5 tive service in an Executive agency;

6 (3) the term “senior-level employee” means an
7 employee who holds a position in an Executive agen-
8 cy and who is covered by section 5376 of title 5,
9 United States Code, or any similar authority; and

10 (4) the term “Executive agency” has the mean-
11 ing given such term by section 105 of title 5, United
12 States Code.

13 (b)(1) Notwithstanding any other provision of law, no
14 statutory pay adjustment which (but for this subsection)
15 would otherwise take effect during the period beginning
16 on January 1, 2011, and ending on December 31, 2012,
17 shall be made.

18 (2) For purposes of this subsection, the term “statu-
19 tory pay adjustment” means—

20 (A) an adjustment required under section 5303,
21 5304, 5304a, 5318, or 5343(a) of title 5, United
22 States Code; and

23 (B) any similar adjustment, required by stat-
24 ute, with respect to employees in an Executive agen-
25 cy.

1 (c) Notwithstanding any other provision of law, dur-
2 ing the period beginning on January 1, 2011, and ending
3 on December 31, 2012, no senior executive or senior-level
4 employee may receive an increase in his or her rate of
5 basic pay absent a change of position that results in a
6 substantial increase in responsibility, or a promotion.

7 (d) The President may issue guidance that Executive
8 agencies shall apply in the implementation of this section.

9 (e) For purposes of carrying out the Non-Foreign
10 Area Retirement Equity Assurance Act of 2009 (5 U.S.C.
11 5304 note) and any amendment made by such Act, with
12 respect to any non-foreign area (as referred to in section
13 1914 of such Act) in any calendar year referred to in para-
14 graph (2) or (3) of such section 1914, the preceding sub-
15 sections of this section shall be treated as if they had never
16 been enacted.

17 SEC. 1115. (a) Amounts made available by section
18 1101 shall be available for transfer by the head of the
19 agency to the extent necessary to avoid furloughs or reduc-
20 tions in force, or to provide funding necessary for pro-
21 grams and activities required by law: *Provided*, That such
22 transfers may not result in the termination of programs,
23 projects or activities: *Provided further*, That such transfers
24 shall be subject to the approval of the House and Senate
25 Appropriations Committees.

1 (b) The authorities provided by subsection (a) of this
2 section shall be in addition to any other transfer authority
3 provided elsewhere in this statute.

4 SEC. 1116. None of the funds made available in this
5 or any prior Act may be used to transfer, release, or assist
6 in the transfer or release to or within the United States,
7 its territories, or possessions Khalid Sheikh Mohammed
8 or any other detainee who—

9 (1) is not a United States citizen or a member
10 of the Armed Forces of the United States; and

11 (2) is or was held on or after June 24, 2009,
12 at the United States Naval Station, Guantanamo
13 Bay, Cuba, by the Department of Defense.

14 SEC. 1117. None of the funds appropriated or other-
15 wise made available by this Act may be obligated by any
16 covered executive agency in contravention of the certifi-
17 cation requirement of section 6(b) of the Iran Sanctions
18 Act of 1996, as included in the revisions to the Federal
19 Acquisition Regulation pursuant to such section.

1 TITLE II—ADJUSTMENTS IN FUNDING AND
2 OTHER PROVISIONS

3 CHAPTER 1—AGRICULTURE, RURAL DEVELOP-
4 MENT, FOOD AND DRUG ADMINISTRATION,
5 AND RELATED AGENCIES

6 **【SEC. 2101. Notwithstanding section 1101, the level**
7 **for each of the following accounts shall be as follows:】**

8 “Agricultural Programs, Agricultural Research
9 Service, Buildings and Facilities”, \$0;

10 “Agricultural Programs, Agricultural Marketing
11 Service, Marketing Services”, \$126,148,000;

12 “Agricultural Programs, Grain Inspection,
13 Packers and Stockyards Administration, Limitation
14 on Inspection and Weighing Services Expenses”,
15 \$50,000,000;

16 “Conservation Programs, Natural Resources
17 Conservation Service, Watershed and Flood Preven-
18 tion Operations”, \$0;

19 “Rural Development Programs, Rural Housing
20 Service, Rental Assistance Program”, \$971,593,000;

21 “Domestic Food Programs, Food and Nutrition
22 Service, Special Supplemental Nutrition Program for
23 Women, Infants, and Children (WIC)”,
24 \$6,773,372,000;

1 “Domestic Food Programs, Food and Nutrition
2 Service, Nutrition Programs Administration”,
3 \$150,801,000;

4 “Foreign Assistance and Related Programs,
5 Foreign Agricultural Service, Salaries and Ex-
6 penses”, \$187,801,000; and

7 “Related Agencies and Food and Drug Admin-
8 istration, Independent Agencies, Farm Credit Ad-
9 ministration, Limitation on Administrative Ex-
10 penses”, \$59,400,000.

11 SEC. 2102. Notwithstanding section 1101, the level
12 for “Agricultural Programs, Agriculture Buildings and
13 Facilities and Rental Payments” shall be \$260,051,000,
14 of which \$178,470,000 shall be available for payments to
15 the General Services Administration for rent; of which
16 \$13,800,000 shall be for payment to the Department of
17 Homeland Security for building security activities; and of
18 which \$67,781,000 shall be for buildings operations and
19 maintenance expenses.

20 SEC. 2103. The amounts included under the heading
21 “Agricultural Programs, National Institute of Food and
22 Agriculture, Research and Education Activities” in Public
23 Law 111-80 shall be applied to funds appropriated by this
24 division as follows: by substituting “\$317,884,000” for
25 “\$215,000,000”; by substituting “\$34,816,000” for

1 “\$29,000,000”; by substituting “\$51,000,000” for
2 “\$48,500,000”; by substituting “\$268,957,000” for
3 “\$262,482,000”; by substituting “\$2,844,000” for
4 “\$89,029,000”; by substituting “\$2,173,000” for
5 “\$1,805,000”; by substituting “\$9,699,000” for
6 “\$9,237,000”; by substituting “\$19,100,000” for
7 “\$18,250,000”; by substituting “\$4,009,000” for
8 “\$3,342,000”; and by substituting “\$3,232,000” for
9 “\$3,200,000”.

10 SEC. 2104. The amounts included under the heading
11 “Agricultural Programs, National Institute of Food and
12 Agriculture, Extension Activities” in Public Law 111-80
13 shall be applied to funds appropriated by this division as
14 follows: by substituting “\$306,227,000” for
15 “\$297,500,000”; by substituting “\$43,838,000” for
16 “\$42,677,000”; by substituting “\$69,131,000” for
17 “\$68,070,000”; by substituting “\$3,755,000” for
18 “\$3,045,000”; by substituting “\$19,886,000” for
19 “\$19,770,000”; and by substituting “\$4,377,000” for
20 “\$4,321,000”.

21 SEC. 2105. The amounts included under the heading
22 “Agricultural Programs, Animal and Plant Health Inspec-
23 tion Services, Salaries and Expenses” in Public Law 111-
24 80 shall be applied to funds appropriated by this division
25 by substituting “\$45,219,000” for “\$60,243,000”.

1 SEC. 2106. In addition to amounts otherwise appro-
2 priated or made available by this Act, \$31,875,000 is ap-
3 propriated to the Secretary of Agriculture for the costs
4 of loan and loan guarantees under the heading “Agricul-
5 tural Programs, Farm Service Agency, Agricultural Credit
6 Insurance Fund Program Account” to ensure that the fis-
7 cal year 2010 program levels for such loan and loan guar-
8 antee programs are maintained for fiscal year 2011.
9 Funds appropriated by this Act to such heading for farm
10 ownership, operating and conservation direct loans and
11 guaranteed loans may be transferred among these pro-
12 grams. The Secretary of Agriculture shall notify the Com-
13 mittees on Appropriations of the House of Representatives
14 and Senate at least 15 days in advance of any transfer.

15 SEC. 2107. Notwithstanding section 1101, the level
16 for each of the following accounts under the heading
17 “Rural Development Programs” shall be as follows:
18 “Rural Housing Service, Rural Housing Insurance Fund
19 Program Account”, \$582,409,000; “Rural Housing Serv-
20 ice, Farm Labor Program Account”, \$20,358,000; “Rural
21 Housing Service, Rural Community Facilities Program
22 Account”, \$56,579,000; “Rural Business-Cooperative
23 Service, Rural Development Loan Fund Program Ac-
24 count”, \$17,879,000; “Rural Utilities Service, Rural
25 Water and Waste Disposal Program Account”,

1 \$579,361,000; “Rural Utilities Service, Rural Electrifica-
2 tion and Telecommunications Loans Program Account”,
3 \$40,659,000; and “Rural Utilities Service, Distance
4 Learning, Telemedicine, and Broadband Program”,
5 \$78,051,000: *Provided*, That these funds are appropriated
6 to the Secretary of Agriculture to ensure that the fiscal
7 year 2010 program levels for such loan and loan guarantee
8 programs are maintained for fiscal year 2011: *Provided*
9 *further*, That the amount provided in this Act for grants
10 and administrative expenses under these accounts shall re-
11 main unchanged from fiscal year 2010.

12 SEC. 2108. Notwithstanding section 1101, the level
13 for “Domestic Food Programs, Food and Nutrition Serv-
14 ice, Child Nutrition Programs” shall be \$17,319,981,000,
15 to remain available through September 30, 2012, for nec-
16 essary expenses to carry out the Richard B. Russell Na-
17 tional School Lunch Act (42 U.S.C. 1751 et seq.), except
18 section 21, and the Child Nutrition Act of 1966 (42
19 U.S.C. 1771 et seq.), except sections 17 and 21; of which
20 such sums as are made available under section
21 14222(b)(1) of the Food, Conservation, and Energy Act
22 of 2008 (Public Law 110-246), as amended by this Act,
23 shall be merged with and available for the same time pe-
24 riod and purposes as provided herein: *Provided*, That of
25 the total amount available, \$5,000,000 shall be available

1 to be awarded as competitive grants to implement section
2 4405 of the Food, Conservation, and Energy Act of 2008
3 (Public Law 110-246), and may be awarded notwith-
4 standing the limitations imposed by sections
5 4405(b)(1)(A) and 4405(c)(1)(A): *Provided further*, That
6 section 14222(b)(1) of the Food, Conservation, and En-
7 ergy Act of 2008 is amended by adding at the end before
8 the period, “except section 21, and the Child Nutrition
9 Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17
10 and 21”.

11 SEC. 2109. Notwithstanding section 1101, the level
12 for “Domestic Food Programs, Food and Nutrition Serv-
13 ice, Commodity Assistance Program”, shall be
14 \$253,358,000, of which \$176,788,000 shall be for the
15 Commodity Supplemental Food Program.

16 SEC. 2110. Notwithstanding section 1101, the level
17 for “Related Agencies and Food and Drug Administra-
18 tion, Food and Drug Administration, Salaries and Ex-
19 penses” shall be \$3,707,611,000: *Provided*, That of the
20 amount provided under this heading, \$667,057,000 shall
21 be derived from prescription drug user fees authorized by
22 section 736 of the Federal Food, Drug, and Cosmetic Act
23 (21 U.S.C. 379h), shall be credited to this account and
24 remain available until expended, and shall not include any
25 fees pursuant to paragraphs (2) and (3) of section 736(a)

1 of such Act (21 U.S.C. 379h(a)(2)); (a)(3)) assessed for
2 fiscal year 2012 but collected in fiscal year 2011;
3 \$61,860,000 shall be derived from medical device user fees
4 authorized by section 738 of such Act (21 U.S.C. 379j),
5 and shall be credited to this account and remain available
6 until expended; \$19,448,000 shall be derived from animal
7 drug user fees authorized by such section, and shall be
8 credited to this account and remain available until ex-
9 pended; \$5,397,000 shall be derived from animal generic
10 drug user fees authorized by section 731 of such Act (21
11 U.S.C. 379f), and shall be credited to this account and
12 shall remain available until expended; and \$450,000,000
13 shall be derived from tobacco product user fees authorized
14 by section 919 of such Act (21 U.S.C. 387s) and shall
15 be credited to this account and remain available until ex-
16 pended: *Provided further*, That in addition and notwith-
17 standing any other provision under this heading, amounts
18 collected for prescription drug user fees that exceed the
19 fiscal year 2011 limitation are appropriated and shall be
20 credited to this account and remain available until ex-
21 pended: *Provided further*, That fees derived from prescrip-
22 tion drug, medical device, animal drug, animal generic
23 drug, and tobacco product assessments for fiscal year
24 2011 received during fiscal year 2011, including any such
25 fees assessed prior to fiscal year 2011 but credited for fis-

1 cal year 2011, shall be subject to the fiscal year 2011 limi-
2 tations: *Provided further*, That none of these funds shall
3 be used to develop, establish, or operate any program of
4 user fees authorized by 31 U.S.C. 9701: *Provided further*,
5 That of the total amount appropriated under this heading:
6 (1) \$856,383,000 shall be for the Center for Food Safety
7 and Applied Nutrition and related field activities in the
8 Office of Regulatory Affairs; (2) \$963,311,000 shall be
9 for the Center for Drug Evaluation and Research and re-
10 lated field activities in the Office of Regulatory Affairs;
11 (3) \$328,234,000 shall be for the Center for Biologics
12 Evaluation and Research and for related field activities
13 in the Office of Regulatory Affairs; (4) \$162,946,000 shall
14 be for the Center for Veterinary Medicine and for related
15 field activities in the Office of Regulatory Affairs; (5)
16 \$362,491,000 shall be for the Center for Devices and Ra-
17 diological Health and for related field activities in the Of-
18 fice of Regulatory Affairs; (6) \$60,975,000 shall be for
19 the National Center for Toxicological Research; (7)
20 \$421,463,000 shall be for the Center for Tobacco Prod-
21 ucts and for related field activities in the Office of Regu-
22 latory Affairs; (8) not to exceed \$141,724,000 shall be for
23 Rent and Related activities, of which \$41,951,000 is for
24 White Oak Consolidation, other than the amounts paid to
25 the General Services Administration for rent; (9) not to

1 exceed \$185,983,000 shall be for payments to the General
2 Services Administration for rent; and (10) \$224,101,000
3 shall be for other activities, including the Office of the
4 Commissioner; the Office of Foods; the Office of the Chief
5 Scientist; the Office of Policy, Planning and Budget; the
6 Office of International Programs; the Office of Adminis-
7 tration; and central services for these offices: *Provided fur-*
8 *ther*, That none of the funds made available under this
9 heading shall be used to transfer funds under section
10 770(n) of the Federal Food, Drug, and Cosmetic Act (21
11 U.S.C. 379dd): *Provided further*, That not to exceed
12 \$25,000 of the amount provided under this heading shall
13 be for official reception and representation expenses, not
14 otherwise provided for, as determined by the Commis-
15 sioner: *Provided further*, That funds may be transferred
16 from one specified activity to another with the prior ap-
17 proval of the Committees on Appropriations of both
18 Houses of Congress.

19 SEC. 2111. Notwithstanding any other provision of
20 this Act, the following set-asides included in Public Law
21 111-80 for “Congressionally Designated Projects” in the
22 following accounts for the corresponding amounts shall
23 not apply to funds appropriated by this Act:

1 (1) “Agricultural Programs, Agricultural Re-
2 search Service, Salaries and Expenses”,
3 \$44,138,000.

4 (2) “Agricultural Programs, National Institute
5 of Food and Agriculture, Research and Education
6 Activities”, \$120,054,000.

7 (3) “Agricultural Programs, National Institute
8 of Food and Agriculture, Extension Activities”,
9 \$11,831,000.

10 (4) “Agricultural Programs, Animal and Plant
11 Health Inspection Service, Salaries and Expenses”,
12 \$24,410,000.

13 (5) “Conservation Programs, Natural Re-
14 sources Conservation Service, Conservation Oper-
15 ations”, \$37,382,000.

16 SEC. 2112. Notwithstanding any other provision of
17 this Act, the following provisions included in Public Law
18 111-80 shall not apply to funds appropriated by this Act:

19 (1) The first proviso under the heading “Agri-
20 cultural Programs, Agriculture Buildings and Facili-
21 ties and Rental Payments”.

22 (2) The second proviso under the heading
23 “Conservation Programs, Natural Resources Con-
24 servation Service, Conservation Operations”.

1 (3) The set-aside of \$2,800,000 under the
2 heading “Rural Development Programs, Rural Busi-
3 ness—Cooperative Service, Rural Cooperative Devel-
4 opment Grants”.

5 (4) The second proviso under the heading
6 “Rural Development Programs, Rural Utilities Serv-
7 ice, Rural Water and Waste Disposal Account”;

8 (5) The first proviso under the heading “Do-
9 mestic Food Programs, Food and Nutrition Service,
10 Commodity Assistance Program”;

11 (6) The first proviso under the heading “For-
12 eign Assistance and Related Programs, Foreign Ag-
13 ricultural Service, McGovern-Dole International
14 Food for Education and Child Nutrition Program
15 Grants”.

16 **【SEC. 2113. The following sections of title VII of**
17 **Public Law 111-80 shall be applied to funds appropriated**
18 **by this division by substituting \$0 for the dollar amounts**
19 **included in those sections: —】**

20 **【(1) Section 718.】**

21 **【(2) Section 723.】**

22 **【(3) Section 727.】**

23 **【(4) Section 728.】**

24 **【(5) Section 738.】**

1 **【SEC. 2114. The following sections of title VII of**
2 **Public Law 111-80 shall not apply for fiscal year 2011:】**

3 **【(1) Section 716.】**

4 **【(2) Section 724.】**

5 **【(3) Section 726.】**

6 **【(4) Section 729.】**

7 **【(5) Section 735.】**

8 **【(6) Section 748.】**

9 **【SEC. 2115. The following sections of title VII of**
10 **Public Law 111-80 that authorized or required certain ac-**
11 **tions by the Secretary of Agriculture have been performed**
12 **before the date of the enactment of this division and need**
13 **not reoccur: —】**

14 **【(1) Section 737.】**

15 **【(2) Section 740.】**

16 **【(3) Section 747.】**

17 **【(4) Section 749.】**

18 SEC. 2116. Appropriations to the Department of Ag-
19 riculture made available in fiscal year 2005 to carry out
20 section 601 of the Rural Electrification Act of 1936 (7
21 U.S.C. 950bb) for the cost of direct loans shall remain
22 available until expended to disburse valid obligations made
23 in fiscal years 2005 and 2006.

24 SEC. 2117. In the case of each program established
25 or amended by the Food, Conservation, and Energy Act

1 of 2008 (Public Law 110-246), other than by title I or
2 subtitle A of title III of such Act, or programs for which
3 indefinite amounts were provided in that Act that is au-
4 thorized or required to be carried out using funds of the
5 Commodity Credit Corporation (1) such funds shall be
6 available for salaries and related administrative expenses,
7 including technical assistance, associated with the imple-
8 mentation of the program, without regard to the limitation
9 on the total amount of allotments and fund transfers con-
10 tained in section 11 of the Commodity Credit Corporation
11 Charter Act (15 U.S.C. 714i); and (2) the use of such
12 funds for such purpose shall not be considered to be a
13 fund transfer or allotment for purposes of applying the
14 limitation on the total amount of allotments and fund
15 transfers contained in such section.

16 SEC. 2118. With respect to any loan or loan guar-
17 antee program administered by the Secretary of Agri-
18 culture that has a negative credit subsidy score for fiscal
19 year 2011, the program level for the loan or loan guar-
20 antee program, for the purposes of the Federal Credit Re-
21 form Act of 1990, shall be the program level established
22 pursuant to such Act for fiscal year 2010.

23 SEC. 2119. Notwithstanding section 1101, section
24 102(e) of chapter 1 of title I of the Supplemental Appro-
25 priations Act, 2010 (Public Law 111-212) that addresses

1 guaranteed loans in the rural housing insurance fund shall
2 remain in effect through the date specified in section
3 1106.

4 SEC. 2120. In paragraph (1) of section 721 of Public
5 Law 111-80, strike “\$1,180,000,000” and insert
6 “\$1,318,000,000”.

7 SEC. 2121. The following provisions of Public Law
8 111-80 shall be applied to funds appropriated by this divi-
9 sion by substituting “2010”, “2011” and “2012” for the
10 terms “2009”, “2010”, and “2011”, respectively, in each
11 instance that such terms appear:

12 (1) The second paragraph under the heading
13 “Agricultural Programs, Animal and Plant Health
14 Inspection Service, Salaries and Expenses”.

15 (2) The second proviso under the heading “Ag-
16 ricultural Programs, Food Safety and Inspection
17 Service”.

18 (3) The first proviso in the second paragraph
19 under the heading “Rural Development Programs,
20 Rural Housing Service, Rural Housing Insurance
21 Fund Program Account”.

22 (4) The fifth proviso under the heading “Rural
23 Development Programs, Rural Housing Service,
24 Rental Assistance Program”.

1 (5) The proviso under the heading “Rural De-
2 velopment Programs, Rural Housing Service, Mutual
3 and Self-Help Housing Grants”.

4 (6) The first proviso under the heading “Rural
5 Development Programs, Rural Housing Service,
6 Rural Housing Assistance Grants”.

7 (7) The seventh proviso under the heading
8 “Rural Development Programs, Rural Housing Serv-
9 ice, Rural Community Facilities Program Account”.

10 (8) The third proviso under the heading “Rural
11 Development Programs, Rural Business—Coopera-
12 tive Service, Rural Business Program Account”.

13 (9) The four availability of funds clauses under
14 the heading “Rural Development Programs, Rural
15 Business—Cooperative Service, Rural Development
16 Loan Fund Program Account”.

17 (10) The fifth proviso under the heading
18 “Rural Development Programs, Rural Utilities Serv-
19 ice, Rural Water and Waste Disposal Program Ac-
20 count”.

21 (11) Sections 713, 717, and 746.

22 SEC. 2122. Notwithstanding section 1101, the level
23 for “Commodity Futures Trading Commission” shall be
24 \$261,000,000, to remain available until September 30,
25 2012.

1 reau of Alcohol, Tobacco, Firearms and Explosives, Con-
2 struction”, \$0; “Department of Justice, Federal Prison
3 System, Salaries and Expenses”, \$6,472,726,000; and
4 “Department of Justice, Federal Prison System, Build-
5 ings and Facilities”, \$194,155,000.

6 SEC. 2202. Notwithstanding section 1101, the level
7 for “Department of Commerce, United States Patent and
8 Trademark Office, Salaries and Expenses” shall be
9 \$2,262,000,000, to remain available until expended: *Pro-*
10 *vided*, That the sum herein appropriated from the general
11 fund shall be reduced as offsetting collections assessed and
12 collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41
13 and 376 are received during fiscal year 2011, so as to re-
14 sult in a fiscal year 2011 appropriation from the general
15 fund estimated at \$0: *Provided further*, That during fiscal
16 year 2011, should the total amount of offsetting fee collec-
17 tions, and the surcharge provided herein, be less than
18 \$2,262,000,000, this amount shall be reduced accordingly:
19 *Provided further*, That any amount received in excess of
20 \$2,262,000,000 in fiscal year 2011, in an amount up to
21 \$200,000,000, shall remain available until expended: *Pro-*
22 *vided further*, That there shall be a surcharge of 15 per-
23 cent, rounded by standard arithmetic rules, on fees
24 charged or authorized by subsections 41(a), (b), and
25 (d)(1) of section 41, and by section 132(b), of title 35,

1 United States Code, as administered under Public Law
2 108–447 and this Act: *Provided further*, That the sur-
3 charge established under the previous proviso shall be sep-
4 arate from, and in addition to, any other surcharge that
5 may be required pursuant to any provision of title 35,
6 United States Code: *Provided further*, That the surcharge
7 established in the previous 2 provisions shall take effect
8 on the date that is 10 days after the date of enactment
9 of this Act, and shall remain in effect during fiscal year
10 2011: *Provided further*, That the receipts collected as a
11 result of these surcharges shall be available, within the
12 amounts provided herein, to the United States Patent and
13 Trademark Office without fiscal year limitation, for all au-
14 thorized activities and operations of the Office: *Provided*
15 *further*, That within the amounts appropriated,
16 \$1,000,000 shall be transferred to “Department of Com-
17 merce, Office of Inspector General” for activities associ-
18 ated with carrying out investigations and audits related
19 to the United States Patent and Trademark Office.

20 SEC. 2203. Notwithstanding section 1101, the level
21 for “Department of Justice, Community Oriented Policing
22 Services” shall be \$597,500,000: *Provided*, That the
23 amounts included under that heading in division B of Pub-
24 lic Law 111–117 shall be applied in the same manner to
25 funds appropriated by this Act, except that

1 “\$15,000,000” shall be substituted for “\$40,385,000”,
2 “\$0” shall be substituted for “\$25,385,000”,
3 “\$1,500,000” shall be substituted for “\$170,223,000”,
4 and “\$0” shall be substituted for “\$168,723,000”.

5 SEC. 2204. Notwithstanding section 1101, the level
6 for “Department of Justice, Office of Justice Programs,
7 State and Local Law Enforcement Assistance” shall be
8 \$1,349,500,000: *Provided*, That the amounts included
9 under that heading in division B of Public Law 111–117
10 shall be applied in the same manner to funds appropriated
11 by this Act, except that “\$0” shall be substituted for
12 “\$185,268,000”.

13 SEC. 2205. Notwithstanding section 1101, the level
14 for “Department of Justice, Office of Justice Programs,
15 Juvenile Justice Programs” shall be \$332,500,000: *Pro-*
16 *vided*, That the amounts included under that heading in
17 division B of Public Law 111–117 shall be applied in the
18 same manner to funds appropriated by this Act, except
19 that “\$0” shall be substituted for “\$91,095,000”.

20 SEC. 2206. Notwithstanding section 1101, the level
21 for the following accounts of the National Aeronautics and
22 Space Administration shall be as follows: “Science”,
23 \$5,005,600,000; “Exploration”, \$3,706,000,000; “Space
24 Operations”, \$5,247,900,000; “Aeronautics”,
25 \$1,138,600,000; “Education”, \$180,000,000; “Cross

1 Agency Support”, \$3,085,700,000; “Construction and En-
2 vironmental Compliance and Remediation”,
3 \$508,700,000; and “Office of Inspector General”,
4 \$37,500,000: *Provided*, That within the funds provided for
5 “Space Operations”, not less than \$989,100,000 shall be
6 for Space Shuttle operations, production, research, devel-
7 opment, and support, \$2,745,000,000 shall be for Inter-
8 national Space Station operations, production, research,
9 development, and support, \$688,800,000 shall be for
10 Space and Flight Support, and \$825,000,000 shall be for
11 additional Space Shuttle costs, launch complex develop-
12 ment only for activities at the Kennedy Space Center re-
13 lated to the civil, nondefense launch complex, use at other
14 National Aeronautics and Space Administration flight fa-
15 cilities that are currently scheduled to launch cargo to the
16 International Space Station, and development of ground
17 operations for the heavy lift launch vehicle and the Orion
18 multipurpose crew vehicle: *Provided further*, That within
19 the funds provided for “Aeronautics”, \$579,600,000 shall
20 be for aeronautics research and development activities,
21 and \$559,000,000 shall be for space technology activities
22 proposed for “Aeronautics” and exploration technology
23 and demonstration program activities proposed for “Ex-
24 ploration” in the National Aeronautics and Space Admin-
25 istration congressional justification that accompanied the

1 President’s Fiscal Year 2011 budget: *Provided further,*
2 That within the funds provided for “Exploration”, not less
3 than \$1,200,000,000 shall be for the Orion multipurpose
4 crew vehicle, not less than \$250,000,000 shall be for com-
5 mercial crew, not less than \$300,000,000 shall be for com-
6 mercial cargo development, and not less than
7 \$1,800,000,000 shall be for the heavy lift launch vehicle
8 system: *Provided further,* That the initial lift capability for
9 the heavy lift launch vehicle system shall be not less than
10 130 tons and that the upper stage and other core elements
11 shall be simultaneously developed: *Provided further,* That
12 the provisos limiting the use of funds under the heading
13 “National Aeronautics and Space Administration, Explo-
14 ration” in division B of Public Law 111–117 shall not
15 apply to funds appropriated by this Act: *Provided further,*
16 That of funds provided under the headings “Space Oper-
17 ations” and “Exploration” in this Act, up to \$60,000,000
18 may be transferred to “Department of Commerce, Eco-
19 nomic Development Administration, Economic Develop-
20 ment Assistance Programs” to spur regional economic
21 growth in areas impacted by Shuttle retirement and Ex-
22 ploration programmatic changes: *Provided further,* That
23 following the retirement of the space shuttle orbiters, the
24 National Aeronautics and Space Administration shall bear
25 any costs that normally would be associated with

1 surplusing the orbiters, including taking hazardous orbiter
2 systems offline, and any shuttle recipient other than the
3 Smithsonian Institution shall bear costs for transportation
4 and for preparing the surplused orbiter for display: *Pro-*
5 *vided further*, That should the Administrator determine
6 that the Smithsonian Institution is an appropriate venue
7 for an orbiter, such orbiter shall be made available to the
8 Smithsonian at no or nominal cost: *Provided further*, That
9 any funds received by the National Aeronautics and Space
10 Administration as a result of the disposition of any orbiter
11 shall be available only as provided in subsequent appro-
12 priations Acts: *Provided further*, That funds made avail-
13 able for “Space Operations” in excess of those specified
14 for Space Shuttle, International Space Station, and Space
15 and Flight support may be transferred to “Construction
16 and Environmental Compliance and Remediation” for con-
17 struction activities only at National Aeronautics and
18 Space Administration owned facilities: *Provided further*,
19 That funds so transferred shall not be subject to section
20 505(a)(1) of division B of Public Law 111–117 or to the
21 transfer limitations for the National Aeronautics and
22 Space Administration described in the Administrative Pro-
23 visions of that Act, and shall be available until September
24 30, 2015, only after notification of such transfers to the
25 House and Senate Committees on Appropriations.

1 SEC. 2207. Of the funds made available for “Depart-
2 ment of Commerce, Bureau of the Census, Periodic Cen-
3 suses and Programs” in division B of Public Law 111–
4 117, \$1,740,000,000 is rescinded.

5 SEC. 2208. Section 529 of division B of Public Law
6 111–117 shall not apply to this Act.

7 SEC. 2209. The Departments of Commerce and Jus-
8 tice, the National Aeronautics Space Administration, and
9 the National Science Foundation are directed to submit
10 spending plans, signed by the respective department or
11 agency head, to the House and Senate Committees on Ap-
12 propriations within 60 days of enactment of this Act.

13 SEC. 2210. None of the funds provided to the Depart-
14 ment of Justice in this or any prior Act shall be available
15 for the acquisition of any facility that is to be used wholly
16 or in part for the incarceration or detention of any indi-
17 vidual detained at Naval Station, Guantanamo Bay, Cuba,
18 as of June 24, 2009.

19 CHAPTER 3—DEFENSE

20 SEC. 2301. Notwithstanding section 1101 of this Act,
21 the level for the “Defense Health Program” shall be
22 \$32,097,203,000; of which \$30,952,369,000 shall be for
23 operation and maintenance, of which not to exceed 2 per-
24 cent shall remain available until September 30, 2012, and
25 of which up to \$16,212,121,000 may be available for con-

1 tracts entered into under the TRICARE program; of
2 which \$519,921,000, to remain available for obligation
3 until September 30, 2013, shall be for procurement; and
4 of which \$624,913,000, to remain available for obligation
5 until September 30, 2012, shall be for research, develop-
6 ment, test and evaluation.

7 SEC. 2302. Amounts provided by section 1101 of this
8 Act for “Defense Health Program, Department of De-
9 fense” shall be available: (1) for the purposes provided
10 under section 1704 of the National Defense Authorization
11 Act for Fiscal Year 2010 (Public Law 111–84), (2) for
12 transfer to the Joint Department of Defense-Department
13 of Veterans Affairs Medical Facility Demonstration Fund
14 under such section 1704, and (3) for operations of the
15 integrated Captain James A. Lovell Federal Health Care
16 Center, consisting of the North Chicago Veterans Affairs
17 Medical Center, and Navy Ambulatory Care Center, and
18 supporting facilities designated as a combined federal
19 medical facility as described by section 706 of the Duncan
20 Hunter National Defense Authorization Act for Fiscal
21 Year 2010 (Public Law 110–417).

22 SEC. 2303. (a) The authority provided by section
23 1202 of the National Defense Authorization Act for Fiscal
24 Year 2006 (Public Law 109–163), as amended by section
25 1222 of the National Defense Authorization Act for Fiscal

1 Year 2010 (Public Law 111–84; 123 Stat. 2518), and the
2 authority provided by section 1222(e) of the National De-
3 fense Authorization Act for Fiscal Year 2010 (Public Law
4 111–84), shall continue in effect through the date speci-
5 fied in section 1106 of this Act.

6 (b) Notwithstanding section 1101 of this Act, the
7 level available for the “Commander’s Emergency Response
8 Program” shall be \$500,000,000: *Provided*, That projects
9 (including ancillary or related elements in connection with
10 each project) executed under this authority shall not ex-
11 ceed \$20,000,000: *Provided further*, That the Secretary of
12 Defense shall notify the congressional defense committees
13 in writing of any project with a total anticipated cost for
14 completion of \$5,000,000 not less than 15 days prior to
15 obligating funds.

16 SEC. 2304. The authority provided by section 1234
17 of the National Defense Authorization Act for Fiscal Year
18 2010 (Public Law 111–84; 123 Stat. 2532) shall continue
19 in effect through the earlier of the date of enactment of
20 the National Defense Authorization Act for Fiscal Year
21 2011 or December 31, 2011.

22 SEC. 2305. The authority provided by section 1224
23 of the National Defense Authorization Act for Fiscal Year
24 2010 (Public Law 111–84; 123 Stat. 2521) shall continue
25 in effect through the earlier of the date of enactment of

1 the National Defense Authorization Act for Fiscal Year
2 2011 or December 31, 2011.

3 SEC. 2306. Notwithstanding any other provision of
4 law, of the amount provided to the Department of Defense
5 by section 1101 of this Act for “Operation and Mainte-
6 nance”, up to \$75,000,000 may be obligated and expended
7 for purposes of building the capacity of Yemeni Ministry
8 of Interior forces to conduct counterterrorism operations,
9 subject to the direction and control of the Secretary of
10 Defense, with the concurrence of the Secretary of State:
11 *Provided*, That the Secretary of Defense shall, not fewer
12 than 15 days prior to providing assistance under this sec-
13 tion, submit to the congressional defense committees a no-
14 tice setting forth the assistance to be provided, including
15 the types of such assistance, the budget for such assist-
16 ance, and the completion date for the provision of such
17 assistance.

18 SEC. 2307. All funds provided by section 1101 of this
19 Act for the “Joint Improvised Explosive Device Defeat
20 Fund” may be used for staff and infrastructure costs.

21 SEC. 2308. The authority provided by section 1014
22 of the Duncan Hunter National Defense Authorization
23 Act for Fiscal Year 2009 (Public Law 110–417), shall
24 continue in effect through the earlier of the date of enact-

1 ment of the National Defense Authorization Act for Fiscal
2 Year 2011 or December 31, 2011.

3 SEC. 2309. Section 8905a(d)(4)(B) of title 5, United
4 States Code, is amended—

5 (1) in clause (i), by striking “October 1, 2010”
6 and inserting “December 31, 2011”; and

7 (2) in clause (ii)—

8 (A) by striking “February 1, 2011” and
9 inserting “February 1, 2012”; and

10 (B) by striking “October 1, 2010” and in-
11 serting “December 31, 2011”.

12 SEC. 2310. There is hereby established in the Treas-
13 ury of the United States the “Afghanistan Infrastructure
14 Fund”. Of the funds made available in section 1101 of
15 this Act, \$400,000,000 is available for the “Afghanistan
16 Infrastructure Fund”, to remain available until September
17 30, 2012: *Provided*, That such sums shall be available for
18 infrastructure projects in Afghanistan, notwithstanding
19 any other provision of law, which shall be undertaken by
20 the Secretary of State, unless the Secretary of State and
21 the Secretary of Defense jointly decide that a specific
22 project will be undertaken by the Department of Defense:
23 *Provided further*, That the infrastructure referred to in the
24 preceding proviso is in support of the counterinsurgency
25 strategy, requiring funding for facility and infrastructure

1 projects, including water, power, and transportation
2 projects and related maintenance and sustainment costs:
3 *Provided further*, That the authority to undertake such in-
4 frastructure projects is in addition to any other authority
5 to provide assistance to foreign nations: *Provided further*,
6 That any projects funded by this appropriation shall be
7 jointly formulated and concurred in by the Secretary of
8 State and Secretary of Defense: *Provided further*, That
9 funds may be transferred to the Department of State for
10 purposes of undertaking projects, which funds shall be
11 considered to be economic assistance under the Foreign
12 Assistance Act of 1961 for purposes of making available
13 the administrative authorities contained in that Act: *Pro-*
14 *vided further*, That the transfer authority in the preceding
15 proviso is in addition to any other authority available to
16 the Department of Defense to transfer funds: *Provided*
17 *further*, That any unexpended funds transferred to the
18 Secretary of State under this authority shall be returned
19 to the Afghanistan Infrastructure Fund if the Secretary
20 of State, in coordination with the Secretary of Defense,
21 determines that the project cannot be implemented for any
22 reason, or that the project no longer supports the counter-
23 insurgency strategy in Afghanistan: *Provided further*, That
24 any funds returned to the Secretary of Defense under the
25 previous proviso shall be available for use under this sec-

1 tion and shall be treated in the same manner as funds
2 not transferred to the Secretary of State: *Provided further,*
3 That contributions of funds for the purposes provided
4 herein to the Secretary of State in accordance with section
5 635(d) of the Foreign Assistance Act from any person,
6 foreign government, or international organization may be
7 credited to such Fund, to remain available until expended,
8 and used for such purposes: *Provided further,* That not
9 later than 45 days after the end of each fiscal quarter,
10 the Inspector General of the Department of State or the
11 Inspector General of the United States Agency for Inter-
12 national Development, as appropriate, shall provide to the
13 appropriate committees of Congress an assessment in
14 writing of whether the funds provided herein to the De-
15 partment of State or United States Agency for Inter-
16 national Development are being used in the intended man-
17 ner: *Provided further,* That the Secretary of Defense shall,
18 not fewer than 15 days prior to making transfers to or
19 from, or obligations from, the Fund, notify the appro-
20 priate committees of Congress in writing of the details of
21 any such transfer: *Provided further,* That the “appropriate
22 committees of Congress” are the Committees on Armed
23 Services, Foreign Relations, and Appropriations of the
24 Senate and the Committees on Armed Services, Foreign

1 Affairs, and Appropriations of the House of Representa-
2 tives.

3 SEC. 2311. The authority provided by section 1021
4 of the Ronald W. Reagan National Defense Authorization
5 Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat.
6 2042), as amended by section 1011 of the National De-
7 fense Authorization Act for Fiscal Year 2010 (Public Law
8 111–84; 123 Stat. 2441), shall continue in effect through
9 the earlier of the date of enactment of the National De-
10 fense Authorization Act for Fiscal Year 2011 or the date
11 specified in section 1106 of this Act.

12 SEC. 2312. The authority provided by section 1022
13 of the National Defense Authorization Act for Fiscal Year
14 2004 (Public Law 108–136; 10 U.S.C. 371 note), as
15 amended by section 1012 of the National Defense Author-
16 ization Act for Fiscal Year 2010 (Public Law 111–84; 123
17 Stat. 2441), shall continue in effect through the earlier
18 of the date of enactment of the National Defense Author-
19 ization Act for Fiscal Year 2011 or the date specified in
20 section 1106 of this Act.

21 SEC. 2313. The authority provided by section 1033
22 of the National Defense Authorization Act for Fiscal Year
23 1998 (Public Law 105–85), as amended by section 1014
24 of the National Defense Authorization Act for Fiscal Year
25 2010 (Public Law 111–84; 123 Stat. 2442), shall continue

1 in effect through the earlier of the date of enactment of
2 the National Defense Authorization Act for Fiscal Year
3 2011 or the date specified in section 1106 of this Act.

4 SEC. 2314. The Secretary of the Navy may award
5 a contract or contracts for up to 20 Littoral Combat Ships
6 subject to the availability of appropriated funds for such
7 purpose.

8 SEC. 2315. In addition to amounts otherwise made
9 available by this Act, \$2,770,300,000, is appropriated for
10 title I of Division A of the Department of Defense Appro-
11 priations Act, 2010 (division A of Public Law 111–118).

12 SEC. 2316. The authority provided by sections 611,
13 612, 613, 614, 615, and 616 of the National Defense Au-
14 thorization Act for Fiscal Year 2010 (Public Law 111–
15 84) shall continue in effect through the earlier of the date
16 of enactment of the National Defense Authorization Act
17 for Fiscal Year 2011 or December 31, 2011.

18 SEC. 2317. The authority provided by section 631 of
19 the National Defense Authorization Act for Fiscal Year
20 2008 (Public Law 110–181) shall continue in effect
21 through the earlier of the date of enactment of the Na-
22 tional Defense Authorization Act for Fiscal Year 2011 or
23 December 31, 2011.

24 SEC. 2318. Notwithstanding subsection (b) of section
25 310 of the Supplemental Appropriations Act, 2009 (Public

1 Law 111–32; 123 Stat. 1870), a claim described in that
2 subsection that is submitted before the date specified in
3 section 1106 of this Act shall be treated as a claim for
4 which payment may be made under such section 310.

5 SEC. 2319. The authority provided by section 1071
6 of the National Defense Authorization Act for Fiscal Year
7 2010 (Public Law 111–84) shall continue in effect
8 through the earlier of the date of enactment of the Na-
9 tional Defense Authorization Act for Fiscal Year 2011 or
10 December 31, 2011.

11 SEC. 2320. The authority provided by section 931 of
12 the National Defense Authorization Act for Fiscal Year
13 2007 (Public Law 109–364) shall continue in effect
14 through the earlier of the date of enactment of the Na-
15 tional Defense Authorization Act for Fiscal Year 2011 or
16 December 31, 2011.

17 SEC. 2321. The authority provided by section 1106
18 of the National Defense Authorization Act for Fiscal Year
19 2010 (Public Law 111–84) shall continue in effect
20 through the earlier of the date of enactment of the Na-
21 tional Defense Authorization Act for Fiscal Year 2011 or
22 December 31, 2011.

23 SEC. 2322. (a) EXTENSION OF WAIVER.— Para-
24 graph (1) of section 941(b) of the Duncan Hunter Na-
25 tional Defense Authorization Act for Fiscal Year 2009

1 (Public Law 110–417; 122 Stat. 4577; 10 U.S.C. 184
2 note) is amended by striking “fiscal years 2009 and 2010”
3 and inserting “fiscal years 2009 through 2011.”

4 (b) ANNUAL REPORT.—Paragraph (3) of such sec-
5 tion 941(b) is amended by striking “in 2010 and 2011”
6 and inserting “in each year through 2012.”

7 SEC. 2323. Notwithstanding section 1101 of this Act,
8 section 8006 and 8076 of the Department of Defense Ap-
9 propriations Act, 2010 (division A of Public Law 111–
10 118), shall not be applicable during the current fiscal year.

11 SEC. 2324. Notwithstanding any other provision of
12 law, during fiscal year 2011, not more than \$150,000,000
13 of the funds made available for overseas contingency oper-
14 ations operation and maintenance may be obligated and
15 expended for purposes of the Task Force for Business and
16 Stability Operations, subject to the direction and control
17 of the Secretary of Defense, with concurrence of the Sec-
18 retary of State, to carry out strategic business and eco-
19 nomic assistance activities in support of Operation Endur-
20 ing Freedom: *Provided*, That the Secretary of Defense
21 shall, not fewer than 15 days prior to the use of the au-
22 thority provided in this section, submit to the congres-
23 sional defense committees a notice setting forth the
24 projects to be initiated, including the budget and the com-
25 pletion date for each project.

1 SEC. 2325. Subsection (a) of section 2808 of the Mili-
2 itary Construction Authorization Act for Fiscal Year 2004
3 (division B of Public Law 108–136; 117 Stat. 1723), as
4 amended by section 2806 of the Military Construction Au-
5 thorization Act for Fiscal Year 2010 (division B of Public
6 Law 111–84; 123 Stat. 2660), shall continue in effect
7 through the date specified in section 1106 of this Act.

8 SEC. 2326. Of the amounts made available to the De-
9 partment of Defense in section 1101 of this Act, the Sec-
10 retary of Defense shall provide \$205,000,000 to the gov-
11 ernment of Israel for the procurement of the Iron Dome
12 defense system to counter short-range rocket threats.

13 SEC. 2327. (a) None of the amounts made available
14 and no authority provided pursuant to section 1101 of this
15 Act to the Department of Defense shall be used for—

16 (1) the new production of items not funded for
17 production in fiscal year 2010 or prior years;

18 (2) the increase in production rates or levels of
19 effort above those sustained with amounts made
20 available for fiscal year 2010; or

21 (3) the initiation, resumption, or continuation
22 of any project, activity, operation, or organization
23 (defined as any project, subproject, activity, budget
24 activity, program element, and subprogram within
25 an O–1 line, R–1 program element and P–1 line

1 item in a budget activity within an appropriation ac-
2 count) for which appropriations, funds, or other au-
3 thority were not available during fiscal year 2010 ex-
4 cept as approved and described in subsection (b).

5 (b) The Secretary of Defense, with the approval of
6 the Director of the Office of Management and Budget,
7 may make a single transfer request to realign funds for
8 execution in fiscal year 2011, to include new starts, in-
9 creases in production or levels of effort, and other realign-
10 ments to meet military requirements for which funds were
11 not provided for during fiscal year 2010. The transfer of
12 funds for such purposes shall be accomplished using the
13 procedures established in section 8005 of the Department
14 of Defense Appropriations Act, 2010 (division A of Public
15 Law 111–118), by not later than 60 days after the date
16 of enactment of this Act: *Provided*, That with the excep-
17 tion of funding provided in title I of the Department of
18 Defense Appropriations Act, 2010 and for the “Defense
19 Health Program” in section 2301 of this Act, the program
20 base from which realignments are proposed shall be the
21 allocations as prescribed in section 1101 of this Act: *Pro-*
22 *vided further*, That transfers made in the realignment re-
23 programming shall not be taken into account for purposes
24 of the limitation on the amount of funds that may be
25 transferred under section 8005 of the Department of De-

1 fense Appropriation Act, 2010 (division A of Public Law
2 111–118).

3 (c) Subsequent to a transfer under subsection (b), the
4 Secretary of Defense shall submit to the congressional de-
5 fense committees reports on the baseline for application
6 of reprogramming and transfer authorities for fiscal year
7 2011 as provided in section 8007 of the Department of
8 Defense Appropriations Act, 2010 (division A of Public
9 Law 111–118).

10 SEC. 2328. None of the amounts appropriated or au-
11 thorities granted pursuant to section 1101 of this Act for
12 the National Intelligence Program shall be used for new
13 projects or sub-projects for which funds were not provided
14 for in fiscal year 2010 or for increases in level of effort
15 for previously funded projects or sub-projects above the
16 fiscal year 2010 funded level unless the congressional in-
17 telligence committees are notified in accordance with the
18 regular reprogramming procedures.

19 SEC. 2329. Of the funds available in section 1101 of
20 this Act, \$250,000,000 is appropriated for “Operation and
21 Maintenance, Defense-Wide”, to be available until ex-
22 pended: *Provided*, That such funds shall only be available
23 to the Secretary of Defense, acting through the Office of
24 Economic Adjustment of the Department of Defense, or
25 for transfer to the Secretary of Education, notwith-

1 standing any other provision of law, to make grants, con-
2 clude cooperative agreements, or supplement other federal
3 funds to construct, renovate, repair, or expand elementary
4 and secondary public schools on military installations in
5 order to address capacity or facility condition deficiencies
6 at such schools: *Provided further*, That in making such
7 funds available, the Office of Economic Adjustment or the
8 Secretary of Education shall give priority consideration to
9 those military installations with schools having the most
10 serious capacity or facility condition deficiencies, as deter-
11 mined by the Secretary of Defense.

12 SEC. 2330. Of the amounts provided to the Depart-
13 ment of Defense in section 1101 of this Act for operation
14 and maintenance, \$300,000,000, shall be for “Operation
15 and Maintenance, Defense-Wide”, to remain available
16 until expended. Such funds may be available for the Office
17 of Economic Adjustment, notwithstanding any other pro-
18 vision of law, for transportation infrastructure improve-
19 ments associated with medical facilities related to rec-
20 ommendations of the Defense Base Closure and Realign-
21 ment Commission.

22 SEC. 2331. None of the amounts appropriated or oth-
23 erwise made available or authorities provided pursuant to
24 section 1101 of this Act for the Department of Defense
25 shall be used to initiate multi-year procurements.

1 SEC. 2332. In addition to amounts otherwise made
2 available by this Act, \$2,000,000 is appropriated for the
3 National Commission for the Review of the Research and
4 Development Programs of the United States.

5 CHAPTER 4—ENERGY AND WATER
6 DEVELOPMENT, AND RELATED AGENCIES

7 SEC. 2401. Sections 106, 107, 109 through 125, 203,
8 205 through 211, and 314 of the Energy Water and De-
9 velopment and Related Agencies Appropriations Act, 2010
10 (Public Law 111–85) shall not apply to funds appro-
11 priated in this Act.

12 SEC. 2402. The Secretary of the Army, acting
13 through the Chief of Engineers, may waive the limitation
14 concerning total project costs in section 902 of the Water
15 Resources Development Act of 1986 (33 U.S.C. 2280), if
16 such limitation would be exceeded during fiscal year 2011
17 for any project that receives funds provided in this Act.

18 SEC. 2403. Notwithstanding section 1101, the level
19 for “Corps of Engineers—Civil—Construction” shall be
20 \$1,839,000,000.

21 SEC. 2404. All of the provisos under the heading
22 “Corps of Engineers—Civil—Construction” in Public Law
23 111–85 shall not apply to funds appropriated in this Act.

24 SEC. 2405. The proviso under the heading “Corps of
25 Engineers—Civil—Mississippi River and Tributaries” in

1 Public Law 111–85 shall not apply to funds appropriated
2 in this Act.

3 SEC. 2406. The authority provided by section 126 of
4 Public Law 111–85, which continues in effect through the
5 date specified in section 1106 of this Act, shall include
6 the authority to undertake such modifications or emer-
7 gency measures as the Secretary of the Army determines
8 to be appropriate to prevent aquatic nuisance species from
9 dispersing into the Great Lakes by way of any hydrologic
10 connection between the Great Lakes and the Mississippi
11 River.

12 SEC. 2407. The last four provisos under the heading
13 “Department of the Interior—Bureau of Reclamation—
14 Water and Related Resources” in Public Law 111–85
15 shall not apply to funds appropriated in this Act.

16 SEC. 2408. Notwithstanding section 1101, the level
17 for each of the following accounts under the heading “De-
18 partment of Energy—Energy Programs” shall be as fol-
19 lows: “Advanced Technology Vehicles Manufacturing
20 Loan Program”, \$9,998,000; “Office of the Inspector
21 General”, \$42,850,000; “Electricity Delivery and Energy
22 Reliability”, \$158,982,000; “Nuclear Energy”,
23 \$768,637,000; “Strategic Petroleum Reserve”,
24 \$209,861,000.

1 SEC. 2409. The first proviso under the heading “De-
2 partment of Energy—Energy Programs—Science” in title
3 III of the Energy and Water Development Appropriations
4 Act, 2010 (Public Law 111–85) shall not apply to funds
5 appropriated in this Act.

6 SEC. 2410. Up to a total of \$300,000,000 of funds
7 provided by section 1101 for “Department of Energy—
8 Energy Programs—Energy Efficiency and Renewable En-
9 ergy” and “Department of Energy—Energy Programs—
10 Science” may be transferred by the Secretary of Energy
11 to “Advanced Research Projects Agency—Energy”: *Pro-*
12 *vided*, That of the funds transferred, the Director of the
13 Advanced Research Projects Agency—Energy shall have
14 the authority to fix basic pay and payments in addition
15 to basic pay without regard to the civil service laws, pro-
16 vided that aggregate pay does not exceed the Vice Presi-
17 dent’s salary as specified in 3 U.S.C. 104.

18 SEC. 2411. Notwithstanding section 1101, subject to
19 section 502 of the Congressional Budget Act of 1974,
20 amounts necessary to support commitments to guarantee
21 loans under title XVII of the Energy Policy Act of 2005,
22 not to exceed a total principal amount of
23 \$10,000,000,000, to remain available until committed:
24 *Provided*, That of such amount \$7,000,000,000 is for nu-
25 clear power facilities and \$3,000,000,000 is for fossil en-

1 ergy technologies: *Provided further*, That these amounts
2 are in addition to authorities provided in any other Act:
3 *Provided further*, That for amounts collected pursuant to
4 section 1702(b)(2) of the Energy Policy Act of 2005, the
5 source of such payment received from borrowers may not
6 be a loan or other debt obligation that is guaranteed by
7 the Federal Government: *Provided further*, That pursuant
8 to section 1702(b)(2) of the Energy Policy Act of 2005,
9 no appropriations are available to pay the subsidy cost of
10 such guarantees for nuclear power facilities or fossil en-
11 ergy technologies: *Provided further*, That none of the loan
12 guarantee authority made available in this Act shall be
13 available for commitments to guarantee loans for any
14 projects with respect to which funds, personnel, or prop-
15 erty (tangible or intangible) of any Federal agency, instru-
16 mentality, personnel, or affiliated entity are expected be
17 used (directly or indirectly) through acquisitions, con-
18 tracts, demonstrations, exchanges, grants, incentives,
19 leases, procurements, sales, other transaction authority, or
20 other arrangements, to support the project or to obtain
21 goods or services from the project: *Provided further*, That
22 the previous proviso shall not be interpreted as precluding
23 the use of the loan guarantee authority in this Act for
24 commitments to guarantee loans for (1) projects as a re-
25 sult of such projects benefitting from otherwise allowable

1 Federal income tax benefits; (2) projects as a result of
2 such projects benefitting from being located on Federal
3 land pursuant to a lease or right-of-way agreement for
4 which all consideration for all uses is (A) paid exclusively
5 in cash, (B) deposited in the Treasury as offsetting re-
6 ceipts, and (C) equal to the fair market value as deter-
7 mined by the head of the relevant Federal agency; (3)
8 projects as a result of such projects benefitting from Fed-
9 eral insurance programs, including under section 170 of
10 the Atomic Energy Act of 1954 (42 U.S.C. 2210; com-
11 monly known as the “Price-Anderson Act”); or (4) electric
12 generation projects using transmission facilities owned or
13 operated by a Federal Power Marketing Administration
14 or the Tennessee Valley Authority that have been author-
15 ized, approved, and financed independent of the project
16 receiving the guarantee: *Provided further*, That none of the
17 loan guarantee authority made available in this Act shall
18 be available for any project unless the Director of the Of-
19 fice of Management and Budget has certified in advance
20 in writing that the loan guarantee and the project comply
21 with the provisos under this section: *Provided further*,
22 That in addition to amounts otherwise made available by
23 this Act, \$306,000,000 is appropriated for the cost of loan
24 guarantees for projects that employ new or significantly
25 improved technologies or commercial renewable energy

1 systems, or both, and efficient end-use energy technologies
2 under section 1703 of the Energy Policy Act of 2005, to
3 remain available until expended: *Provided further*, That of
4 the authority provided for commitments to guarantee
5 loans under “Department of Energy—Energy Pro-
6 grams—Title 17 Innovative Technology Loan Guarantee
7 Program” in title III of division C of Public Law 111–
8 8 and title III of division C of Public Law 110–161,
9 \$18,000,000,000 is rescinded: *Provided further*, That an
10 additional amount for necessary administrative expenses
11 to carry out this Loan Guarantee program, \$58,000,000
12 is appropriated, to remain available until expended: *Pro-
13 vided further*, That \$58,000,000 of the fees collected pur-
14 suant to section 1702(h) of the Energy Policy Act of 2005
15 shall be credited as offsetting collections to this account
16 to cover administrative expenses and shall remain avail-
17 able until expended, so as to result in a final fiscal year
18 2011 appropriations from the general fund estimated at
19 not more than \$0: *Provided further*, That fees collected
20 under such section 1702(h) in excess of the amount appro-
21 priated for administrative expenses shall not be available
22 until appropriated.

23 SEC. 2412. Notwithstanding section 1101, the level
24 for “Atomic Energy Defense Activities—National Nuclear
25 Security Administration—Weapons Activities” shall be

1 \$7,008,835,000: *Provided*, That \$624,000,000 of such
2 amount shall be available only upon the Senate giving its
3 advice and consent to the ratification of the Treaty be-
4 tween the United States of America and the Russian Fed-
5 eration on Measures for the Further Reduction and Limi-
6 tation of Strategic Offensive Arms (commonly known as
7 the “New START Treaty”).

8 SEC. 2413. All of the provisos under the heading
9 “Atomic Energy Defense Activities—National Nuclear Se-
10 curity Administration—Weapons Activities” in title III of
11 the Energy and Water Development Appropriations Act,
12 2010 (Public Law 111–85) shall not apply to funds appro-
13 priated in this Act.

14 SEC. 2414. Notwithstanding section 1101, the level
15 for “Atomic Energy Defense Activities—National Nuclear
16 Security Administration—Defense Nuclear Nonprolifera-
17 tion” shall be \$2,575,000,000.

18 SEC. 2415. The first proviso under the heading
19 “Atomic Energy Defense Activities—National Nuclear Se-
20 curity Administration—Office of the Administrator” in
21 title III of the Energy and Water Development Appropria-
22 tions Act, 2010 (Public Law 111–85) shall not apply to
23 funds appropriated in this Act.

24 SEC. 2416. Notwithstanding section 1101, the level
25 for “Department of Energy—Environmental and Other

1 Defense Activities—Defense Environmental Cleanup”
2 shall be \$5,263,031,000, of which \$33,700,000 shall be
3 transferred to the “Uranium Enrichment Decontamina-
4 tion and Decommissioning Fund”.

5 SEC. 2417. (a) Notwithstanding any other provision
6 of law, no funds appropriated in this or any other Act
7 may be used in fiscal year 2011 to transfer, sell, barter,
8 distribute, or otherwise provide more than 3,300,000
9 pounds of natural uranium equivalent of uranium in any
10 form from the Department of Energy’s inventory.

11 (b) Any transfer, sale, barter, distribution, or other
12 provision of uranium in any form under subsection (a)
13 shall be carried out consistent with the Department of En-
14 ergy’s Excess Uranium Inventory Management Plan,
15 dated December 16, 2008.

16 (c) The prohibition in subsection (a) shall not apply
17 to the transfer, sale, barter, distribution, or other provi-
18 sion of uranium in any form for use in initial reactor
19 cores.

20 (d) Not less than 30 days prior to the transfer, sale,
21 barter, distribution, or other provision of uranium in any
22 form in accordance with this section, the Secretary of En-
23 ergy shall notify the Committees on Appropriations of the
24 House of Representatives and the Senate. Such notifica-
25 tion shall include the following information:

1 (1) The amount of uranium to be transferred,
2 sold, bartered, distributed, or otherwise provided.

3 (2) The estimated market value of the uranium.

4 (3) The expected date of the transfer, sale, bar-
5 ter, distribution, or provision of the uranium.

6 (4) The recipient of uranium.

7 SEC. 2418. Notwithstanding section 1105, no appro-
8 priation, funds, or authority made available pursuant to
9 section 1101 for the Department of Energy shall be used
10 to initiate or resume any project or activity or to initiate
11 Requests For Proposals or similar arrangements (includ-
12 ing Requests for Quotations, Requests for Information,
13 and Funding Opportunity Announcements) for a program
14 or activity if the program or activity has not been funded
15 by Congress, unless prior approval is received from the
16 Committees on Appropriations of the House of Represent-
17 atives and the Senate.

18 SEC. 2419. During the period specified in section
19 1106 of this Act, section 15751(b) of title 40, United
20 States Code, shall not apply to the Northern Border Re-
21 gional Commission.

22 SEC. 2420. Within 30 days of enactment of this Act,
23 the Department of Energy, Corps of Engineers—Civil,
24 and Bureau of Reclamation shall submit to the Commit-
25 tees on Appropriations of the House of Representatives

1 and the Senate a spending, expenditure, or operating plan
2 for fiscal year 2011 at a level of detail below the account
3 level.

4 CHAPTER 5—FINANCIAL SERVICES AND
5 GENERAL GOVERNMENT

6 SEC. 2501. Notwithstanding section 1101, the level
7 for each of the following accounts of the Department of
8 the Treasury shall be as follows: “Departmental Offices,
9 Salaries and Expenses”, \$320,088,000; “Special Inspector
10 General for the Troubled Asset Relief Program, Salaries
11 and Expenses”, \$36,300,000; “Treasury Inspector Gen-
12 eral for Tax Administration, Salaries and Expenses”,
13 \$155,452,000; “Financial Management Service, Salaries
14 and Expenses”, \$235,253,000; “Alcohol and Tobacco Tax
15 and Trade Bureau, Salaries and Expenses”,
16 \$101,000,000; and “Bureau of the Public Debt, Admin-
17 istering the Public Debt”, \$185,985,000.

18 SEC. 2502. Notwithstanding section 1101, under the
19 heading “Department of the Treasury, Departmental Of-
20 fices, Salaries and Expenses” in division C of Public Law
21 111–117, the requirement to transfer funds to the Na-
22 tional Academy of Sciences for a carbon audit of the tax
23 code shall not apply to funds appropriated by this Act.

24 SEC. 2503. Notwithstanding section 1101, under the
25 heading “Department of the Treasury, Department-wide

1 Systems and Capital Investments Programs” in division
2 C of Public Law 111–117, the first proviso shall not apply
3 to funds appropriated by this Act.

4 SEC. 2504. Notwithstanding section 1101, under the
5 heading “Alcohol and Tobacco Tax and Trade Bureau”
6 in division C of Public Law 111–117, the first proviso
7 shall not apply to funds appropriated by this Act.

8 SEC. 2505. Of the unobligated balances available
9 under the heading “Treasury Forfeiture Fund”,
10 \$350,000,000 is rescinded.

11 SEC. 2506. Notwithstanding section 1101, the re-
12 quirement to transfer funds to the Capital Magnet Fund
13 under the heading “Department of the Treasury, Commu-
14 nity Development Financial Institutions Fund Program
15 Account” in title I of division C of Public Law 111–117
16 shall not apply to funds appropriated by this Act, and the
17 funds subject to such transfer shall remain with the aggre-
18 gate amount of funds provided under the first paragraph
19 under such heading in such Public Law.

20 SEC. 2507. Notwithstanding section 1101, the level
21 for each of the following accounts of the Internal Revenue
22 Service shall be as follows: “Taxpayer Services”,
23 \$2,338,215,000; “Operations Support”, \$4,159,884,000;
24 “Business Systems Modernization”, \$363,897,000; and

1 “Health Insurance Tax Credit Administration”,
2 \$18,987,000.

3 SEC. 2508. Notwithstanding section 1101, the level
4 for “Internal Revenue Service, Enforcement” shall be
5 \$5,675,500,000, of which not less than \$171,500,000
6 shall be for enforcement related to offshore tax evasion.

7 SEC. 2509. Notwithstanding section 1101, the level
8 for each of the following accounts shall be \$0: “Executive
9 Office of the President and Funds Appropriated to the
10 President, Partnership Fund for Program Integrity Inno-
11 vation”; “Office of National Drug Control Policy,
12 Counterdrug Technology Assessment Center”; “District of
13 Columbia, Federal Payment for Consolidated Laboratory
14 Facility”; “Election Assistance Commission, Election Re-
15 form Programs”.

16 SEC. 2510. Notwithstanding section 1101, the level
17 for each of the following accounts shall be as follows: “Ex-
18 ecutive Office of the President and Funds Appropriated
19 to the President, White House Repair and Restoration”,
20 \$2,005,000; “Executive Office of the President and Funds
21 Appropriated to the President, National Security Council
22 and Homeland Security Council”, \$13,984,000; “The Ju-
23 diciary, Fees of Jurors and Commissioners”, \$52,410,000;
24 “The Judiciary, Vaccine Injury Compensation Trust
25 Fund”, \$4,785,000; “Administrative Conference of the

1 United States”, \$2,750,000; “Federal Deposit Insurance
2 Corporation, Office of the Inspector General”,
3 \$47,916,000; “Harry S Truman Scholarship Founda-
4 tion”, \$1,010,000; “Office of Special Counsel, Salaries
5 and Expenses”, \$19,435,000.

6 SEC. 2511. Any expenses incurred by the Election
7 Assistance Commission using amounts appropriated under
8 the heading “Election Assistance Commission, Election
9 Reform Programs” in the Transportation, Treasury, and
10 Independent Agencies Appropriations Act, 2004 (Public
11 Law 108–199; 118 Stat. 327) for any program or activity
12 which the Commission is authorized to carry out under
13 the Help America Vote Act of 2002 shall be considered
14 to have been incurred for the programs and activities de-
15 scribed under such heading.

16 SEC. 2512. Notwithstanding section 1101, the level
17 for “The Judiciary, Courts of Appeals, District Courts,
18 and Other Judicial Services, Salaries and Expenses” shall
19 be \$5,137,236,000; *Provided*, That notwithstanding sec-
20 tion 302 of division C of Public Law 111–117, not to ex-
21 ceed \$101,962,000 shall be available for transfer between
22 accounts to maintain fiscal year 2010 operating levels.

23 SEC. 2513. Section 203(c) of the Judicial Improve-
24 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
25 note), is amended—

1 “(1) in the third sentence (relating to the Dis-
2 trict of Kansas), by striking “19 years” and insert-
3 ing “20 years”;

4 “(2) in the sixth sentence (relating to the
5 Northern District of Ohio), by striking “19 years”
6 and inserting “20 years”; and

7 “(3) in the seventh sentence (relating to the
8 District of Hawaii), by striking “16 years” and in-
9 serting “17 years”.”.

10 SEC. 2514. Notwithstanding any other provision of
11 this Act, except section 1106, the District of Columbia
12 may expend local funds for programs and activities under
13 the heading “District of Columbia Funds” for such pro-
14 grams and activities under title IV of S. 3677 (111th Con-
15 gress), as reported by the Committee on Appropriations
16 of the Senate, at the rate set forth under “District of Co-
17 lumbia Funds” as included in the Fiscal Year 2011 Budg-
18 et Request Act (D.C. Act 18–448), as modified as of the
19 date of the enactment of this Act.

20 SEC. 2515. Notwithstanding section 1101, the limits
21 set forth in section 702 of division C of Public Law 111–
22 117 shall not apply to any vehicle that is a commercial
23 item and which operates on emerging motor vehicle tech-
24 nology, including electric, plug-in hybrid electric, and hy-
25 drogen fuel cell vehicles.

1 SEC. 2516. Notwithstanding section 1101, the aggre-
2 gate amount of new obligational authority provided under
3 the heading “General Services Administration, Real Prop-
4 erty Activities, Federal Buildings Fund, Limitations on
5 Availability of Revenue” for Federal buildings and court-
6 houses and other purposes of the Fund shall be
7 \$8,294,561,000, of which \$492,722,000 is provided for
8 “Construction and Acquisition” and \$566,067,000 is pro-
9 vided for “Repairs and Alterations”: *Provided*, That the
10 Administrator of General Services is authorized to initiate
11 design, construction, repair, alteration, leasing, and other
12 projects through existing authorities of the Administrator:
13 *Provided further*, That the General Services Administra-
14 tion shall submit a detailed plan, by project, regarding the
15 use of funds to the Committees on Appropriations of the
16 House of Representatives and the Senate within 30 days
17 of enactment of this section and will provide notification
18 to the Committees within 15 days prior to any changes
19 regarding the use of these funds.

20 SEC. 2517. The matter pertaining to the amount of
21 \$1,000,000 under the heading “General Services Adminis-
22 tration, Operating Expenses” in division C of Public Law
23 111–117 (123 Stat. 3190) shall not apply to funds appro-
24 priated by this Act.

1 SEC. 2518. Notwithstanding section 1101, the level
2 for each of the following accounts of the National Archives
3 and Records Administration shall be as follows: “Oper-
4 ating Expenses”, \$348,689,000; “Office of Inspector Gen-
5 eral”, \$4,250,000; “Electronic Records Archives”,
6 \$72,000,000; “Repairs and Restoration” , \$11,848,000;
7 and “National Historical Publications and Records Com-
8 mission, Grants Program”, \$10,000,000.

9 SEC. 2519. Public Law 109–115 is amended, under
10 the heading “National Archives and Records Administra-
11 tion, Repairs and Restoration”, by striking “of which
12 \$1,500,000 is to construct a new regional archives and
13 records facility in Anchorage, Alaska,”.

14 SEC. 2520. Division H of Public Law 108–447 is
15 amended, under the heading “National Archives and
16 Records Administration, Repairs and Restoration”, by
17 striking “of which \$3,000,000 is for site preparation and
18 construction management to construct a new regional ar-
19 chives and records facility in Anchorage, Alaska, and”.

20 SEC. 2521. Public Law 111–240 is amended in sec-
21 tion 1114 and section 1704 by striking “December 31,
22 2010” and inserting “September 30, 2011” each time it
23 appears and in section 1704 by adding at the end the fol-
24 lowing: “(c) For purposes of the loans made under this

1 section, the maximum guaranteed amount outstanding to
2 the borrower may not exceed \$4,500,000.”.

3 SEC. 2522. Notwithstanding section 1101, the level
4 for “United States Postal Service, Payment to the Postal
5 Service Fund” shall be \$29,000,000; and, in addition,
6 \$74,905,000, which shall not be available for obligation
7 until October 1, 2011.

8 SEC. 2523. Of the unobligated balances of prior year
9 appropriations available under the heading “Privacy and
10 Civil Liberties Oversight Board”, \$1,500,000 is rescinded.

11 SEC. 2524. Section 617 of division C of Public Law
12 111–117 is amended by striking “December 31, 2009”
13 and inserting “December 31, 2010”.

14 SEC. 2525. Of the unobligated balances of prior year
15 appropriations available under the heading “Federal Com-
16 munications Commission, Salaries and Expenses”,
17 \$2,800,000 is rescinded.

18 SEC. 2526. Section 710 of division C of Public Law
19 111–117 is amended in subsection (c) by striking “Sep-
20 tember 30, 2009” and inserting “September 30,
21 2010” and in subsection (e) by striking “September 30,
22 2009” and inserting “September 30, 2010”.

23 SEC. 2527. Section 805(b) of division C of Public
24 Law 111–117 is amended by striking “November 1,
25 2010” and inserting “November 1, 2011”.

1 SEC. 2528. Section 302 of the Universal Service
2 Antideficiency Temporary Suspension Act is amended by
3 striking “December 31, 2010”, each place it appears and
4 inserting “December 31, 2011.”

5 CHAPTER 6—HOMELAND SECURITY

6 SEC. 2601. Within 30 days after the date of enact-
7 ment of this Act, the Department of Homeland Security
8 shall submit to the Committees on Appropriations of the
9 House of Representatives and the Senate an expenditure
10 plan for fiscal year 2011 at a level of specificity below
11 the account level and consistent with the detailed funding
12 table contained in Public Law 111–83.

13 SEC. 2602. Notwithstanding section 1101, the level
14 for “Office of the Under Secretary for Management” shall
15 be \$366,617,000, of which \$129,384,000 shall remain
16 available until expended for headquarters consolidation
17 and improvements.

18 SEC. 2603. Notwithstanding section 1101, the level
19 for “Office of the Federal Coordinator for Gulf Coast Re-
20 building” shall be \$0.

21 SEC. 2604. Notwithstanding section 1101, the level
22 for each of the following accounts shall be as follows:
23 “U.S. Customs and Border Protection, Salaries and Ex-
24 penses”, \$8,208,013,000; “U.S. Customs and Border Pro-
25 tection, Automation Modernization”, \$347,575,000; “U.S.

1 Customs and Border Protection, Border Security Fencing,
2 Infrastructure, and Technology”, \$574,173,000; “U.S.
3 Customs and Border Protection, Construction and Facili-
4 ties Management”, \$275,740,000.

5 SEC. 2605. Notwithstanding section 1101, the level
6 for each of the following accounts shall be as follows:
7 “U.S. Immigration and Customs Enforcement, Salaries
8 and Expenses”, \$5,437,834,000; “U.S. Immigration and
9 Customs Enforcement, Automation Modernization”,
10 \$84,700,000.

11 SEC. 2606. Notwithstanding section 1101, the level
12 for each of the following accounts shall be as follows:
13 “Transportation Security Administration, Aviation Secu-
14 rity”, \$5,269,490,000, of which \$320,000,000 shall be for
15 the purchase and installation of explosives detection sys-
16 tems; “Transportation Security Administration, Surface
17 Transportation Security”, \$137,558,000; “Transportation
18 Security Administration, Federal Air Marshals”,
19 \$926,711,000: *Provided*, That in applying the second pro-
20 viso under the Aviation Security heading with respect to
21 amounts made available by this Act, “9 percent” shall be
22 substituted for “28 percent”: *Provided further*, That secu-
23 rity service fees authorized under section 44940 of title
24 49, United States Code, shall be credited to the “Aviation
25 Security” appropriation as offsetting collections and shall

1 be available only for aviation security: *Provided further*,
2 That the sum appropriated under the Aviation Security
3 heading from the general fund shall be reduced on a dol-
4 lar-for-dollar basis as such offsetting collections are re-
5 ceived during fiscal year 2011, so as to result in a final
6 fiscal year appropriation from the general fund estimated
7 at not more than \$3,169,490,000.

8 SEC. 2607. Section 514 of Public Law 111–83 is
9 amended to read as follows:

10 “SEC. 514. (a) The Assistant Secretary of Homeland
11 Security (Transportation Security Administration) shall
12 work with air carriers and airports to ensure that the
13 screening (as that term is defined in section 44901(g)(5)
14 of title 49, United States Code), increases incrementally
15 each quarter until the requirement under section
16 44901(g)(2)(B) of such title is met.

17 “(b) Not later than 120 days after the end of each
18 quarter, the Assistant Secretary shall submit to the Com-
19 mittees on Appropriations of the Senate and the House
20 of Representatives a report on air cargo inspection statis-
21 ties by airport and air carrier detailing the incremental
22 progress being made to meet the requirement of section
23 44901(g)(2)(B) of title 49, United States Code.

24 “(c) Not later than 180 days after the date of the
25 enactment of the Full-Year Continuing Appropriations

1 Act, 2011, the Assistant Secretary shall submit to the
2 Committees on Appropriations of the Senate and the
3 House of Representatives, a report that either—

4 “(1) certifies that the requirement for screening
5 all air cargo on passenger aircraft by the deadline
6 under section 44901(g) of title 49, United States
7 Code has been met; or

8 “(2) includes a strategy to comply with the re-
9 quirements under section 44901(g) of title 49,
10 United States Code, including—

11 “(A) a plan to meet the requirement under
12 section 44901(g) of title 49, United States
13 Code, to screen 100 percent of air cargo trans-
14 ported on passenger aircraft arriving in the
15 United States in foreign air transportation (as
16 that term is defined in section 40102 of that
17 title); and

18 “(B) specification of—

19 “(i) the percentage of such air cargo
20 that is being screened; and

21 “(ii) the schedule for achieving screen-
22 ing of 100 percent of such air cargo.

23 “(d) The Assistant Secretary shall continue to submit
24 reports described in subsection (c)(2) every 180 days
25 thereafter until the Assistant Secretary certifies that the

1 Transportation Security Administration has achieved
2 screening of 100 percent of such air cargo.”.

3 SEC. 2608. (a) CIVIL PENALTIES.—Section
4 46301(a)(5)(A)(i) of title 49, United States Code, is
5 amended—

6 (1) by striking “or chapter 449” and inserting
7 “chapter 449”; and

8 (2) by inserting “, or section 46314(a)” after
9 “44909”).

10 (b) CRIMINAL PENALTIES.—Section 46314(b) of title
11 49, United States Code, is amended to read as follows:

12 “(b) CRIMINAL PENALTY.—A person violating sub-
13 section (a) of this section shall be fined under title 18,
14 imprisoned for not more than 10 years, or both.”.

15 (c) NOTICE OF PENALTIES.—Section 46314 of title
16 49, United States Code, is amended by adding at the end
17 the following new subsection:

18 “(c) NOTICE OF PENALTIES.—

19 “(1) IN GENERAL.—Each operator of an air-
20 port in the United States that is required to estab-
21 lish an air transportation security program pursuant
22 to section 44903(c) shall ensure that signs that meet
23 such requirements as the Secretary of Homeland Se-
24 curity may prescribe providing notice of the pen-
25 alties imposed under sections 46301(a)(5)(A)(i) and

1 subsection (b) of this section, are displayed near all
2 screening locations, all locations where passengers
3 exit the sterile area, and such other locations at the
4 airport as the Secretary of Homeland Security deter-
5 mines appropriate.

6 “(2) EFFECT OF SIGNS ON PENALTIES.—An in-
7 dividual shall be subject to the penalty provided for
8 under section 46301(a)(5)(A)(i) and subsection (b)
9 of this section without regard to whether or not
10 signs are displayed at an airport as required by
11 paragraph (1).”.

12 SEC. 2609. Notwithstanding section 1101, the level
13 for “Coast Guard, Operating Expenses” shall be
14 \$6,913,113,000, of which \$241,503,000 made available
15 for overseas deployments and other activities is designated
16 as an emergency requirement and necessary to meet emer-
17 gency needs pursuant to sections 403(a) and 423(b) of
18 S. Con. Res. 13 (111th Congress), the concurrent resolu-
19 tion on the budget for fiscal year 2010: *Provided*, That
20 the Coast Guard may decommission one Medium Endur-
21 ance Cutter, two High Endurance Cutters, four HU-25
22 aircraft, the Maritime Intelligence Fusion Center and one
23 Maritime Safety and Security Team, and make staffing
24 changes at the Coast Guard Investigative Service as out-
25 lined in its budget justification documents for fiscal year

1 2011 as submitted to the Committees on Appropriations
2 of the Senate and House of Representatives.

3 SEC. 2610. Notwithstanding section 1101, the level
4 for “Coast Guard, Acquisition, Construction, and Im-
5 provements” shall be \$1,477,985,000, of which
6 \$2,000,000 shall be derived from the Coast Guard Hous-
7 ing Fund, established by section 687 of title 14, United
8 States Code, and shall remain available until expended for
9 military family housing, of which \$73,200,000 shall be for
10 vessels, small boats, critical infrastructure and related
11 equipment, of which \$36,000,000 shall be for other equip-
12 ment, of which \$69,200,000 shall be for shore facilities
13 and aids to navigation facilities, of which \$106,083,000
14 shall be available for personnel compensation and benefits
15 and related costs; and of which \$1,191,502,000 shall be
16 for the Integrated Deepwater Systems program: *Provided*,
17 That of the funds made available for the Integrated Deep-
18 water Systems program, \$103,000,000 is for aircraft and
19 \$933,002,000 is for surface ships.

20 SEC. 2611. Notwithstanding section 1101, the level
21 for “Coast Guard, Alteration of Bridges” shall be \$0.

22 SEC. 2612. (a) Subject to subsection (b), for fiscal
23 year 2011, the Coast Guard may enter into agreements
24 under section 1535 of title 31, United States Code, with
25 the Secretary of the Navy for the disposal of Coast Guard

1 vessels in accordance with sections 7305 and 7305a of title
2 10, United States Code.

3 (b) Any agreement entered into under subsection (a)
4 shall be at no additional cost to the United States Navy.

5 SEC. 2613. In addition to amounts otherwise made
6 available by this Act to “United States Secret Service”,
7 \$14,000,000 is appropriated for costs associated with pro-
8 tection to be provided to candidates in the 2012 presi-
9 dential campaign and \$7,000,000 is appropriated for costs
10 associated with implementation of the United States Se-
11 cret Service Uniformed Division Modernization Act of
12 2010 (Public Law 111–282).

13 SEC. 2614. Notwithstanding section 1101, the level
14 for “National Protection and Programs Directorate, In-
15 frastructure Protection and Information Security” shall be
16 \$878,316,000.

17 SEC. 2615. Notwithstanding section 1101, the level
18 for “United States Visitor and Immigrant Status Indi-
19 cator Technology” shall be \$339,263,000.

20 SEC. 2616. Notwithstanding section 1101, the level
21 for “Federal Emergency Management Agency, State and
22 Local Programs” shall be \$2,913,058,000: *Provided*, That
23 4.5 percent of the amount provided shall be transferred
24 to the Federal Emergency Management Agency “Manage-
25 ment and Administration” account for program adminis-

1 tration: *Provided further*, That paragraph (10) and sub-
2 paragraphs (B) and (C) of paragraph (13) under the
3 heading “Federal Emergency Management Agency, State
4 and Local Programs” in Public Law 111–83 shall not
5 apply to funds appropriated by this Act: *Provided further*,
6 That \$12,558,000 is available under paragraph (12)
7 under such heading in such public law, to be competitively
8 awarded.

9 SEC. 2617. Notwithstanding section 1101, in fiscal
10 year 2011, funds shall not be available from the National
11 Flood Insurance Fund under section 1310 of the National
12 Flood Insurance Act of 1968 (42 U.S.C. 4017) for oper-
13 ating expenses in excess of \$110,000,000, and for agents’
14 commissions and taxes in excess of \$963,339,000: *Pro-*
15 *vided*, That notwithstanding section 1101, for activities
16 under the National Flood Insurance Act of 1968 (42
17 U.S.C. 4001 et seq.) and the Flood Disaster Protection
18 Act of 1973 (42 U.S.C. 4001 et seq.), the level shall be
19 \$169,000,000, which shall be derived from offsetting col-
20 lections assessed and collected under 1308(d) of the Na-
21 tional Flood Insurance Act of 1968 (42 U.S.C. 4015(d)),
22 of which not to exceed \$22,145,000 shall be available for
23 salaries and expenses associated with flood mitigation and
24 flood insurance operations; and not less than
25 \$146,855,000 shall be available for flood plain manage-

1 ment and flood mapping, which shall remain available
2 until September 30, 2012.

3 SEC. 2618. Notwithstanding the requirement under
4 section 34(a)(1)(A) of the Federal Fire Prevention and
5 Control Act of 1974 (15 U.S.C. 2229a(a)(1)(A)) that
6 grants must be used to increase the number of firefighters
7 in fire departments, the Secretary of Homeland Security,
8 in making grants under section 34 of such Act using the
9 funds appropriated for fiscal year 2011, shall grant waiv-
10 ers from the requirements of subsections (a)(1)(B), (c)(1),
11 (c)(2), and (c)(4)(A) of such section: *Provided further*,
12 That section 34(a)(1)(E) of such Act shall not apply with
13 respect to funds appropriated for fiscal year 2011 for
14 grants under section 34 of such Act: *Provided further*,
15 That the Secretary of Homeland Security, in making
16 grants under section 34 of such Act, shall ensure that
17 funds appropriated for fiscal year 2011 are made available
18 for the retention of firefighters.

19 SEC. 2619. Notwithstanding section 1101, the level
20 for “Federal Emergency Management Agency, National
21 Predisaster Mitigation Fund” shall be \$85,000,000.

22 SEC. 2620. Notwithstanding section 1101, the level
23 for “Federal Emergency Management Agency, Disaster
24 Relief” shall be increased by \$130,000,000.

1 SEC. 2621. Section 203 (m) of the Robert T. Stafford
2 Disaster Relief and Emergency Assistance Act (42 U.S.C.
3 5133(m)) is amended by striking “September 30, 2010”
4 and inserting “September 30, 2011”.

5 SEC. 2622. Notwithstanding section 1101, the level
6 for “United States Citizenship and Immigration Services”
7 shall be \$306,400,000, of which \$176,000,000 shall be for
8 processing applications for asylum or refugee status, and
9 of which \$103,400,000 is for the E-Verify Program, as
10 authorized by section 402 of the Illegal Immigration Re-
11 form and Immigrant Responsibility Act (8 U.S.C. 1324a
12 note): *Provided*, That none of the funds made available
13 in this section shall be available for development of the
14 system commonly known as the “REAL ID hub”.

15 SEC. 2623. Notwithstanding section 1101, the level
16 for “Federal Law Enforcement Training Center, Acquisi-
17 tion, Construction, Improvements, and Related Expenses”
18 shall be \$38,456,000.

19 SEC. 2624. Notwithstanding section 1101, the level
20 for “Science and Technology, Research, Development, Ac-
21 quisition, and Operations” shall be \$821,906,000: *Pro-*
22 *vided*, That the final proviso under this heading in Public
23 Law 111–83 (related to the National Bio- and Agro-de-
24 fense Facility) shall have no effect with respect to all
25 amounts available under this heading.

1 SEC. 2625. Notwithstanding section 1101, the level
2 for “Domestic Nuclear Detection Office, Research, Devel-
3 opment, and Operations” shall be \$299,537,000.

4 SEC. 2626. Section 560 of Public Law 111–83 (123
5 Stat. 2181) is amended to read as follows:

6 “SEC. 560 (a) No funding provided in this or pre-
7 vious appropriations Acts shall be used for construction
8 of the National Bio- and Agro-defense Facility in Manhat-
9 tan, Kansas until—

10 “(1) the Department of Homeland Security has
11 completed 50 percent of National Bio- and Agro-de-
12 fense Facility design planning and submitted a re-
13 vised site-specific biosafety and biosecurity mitiga-
14 tion risk assessment that describes how to signifi-
15 cantly reduce risks of conducting essential research
16 and diagnostic testing at the National Bio- and
17 Agro-defense Facility and addresses shortcomings
18 identified in the National Academy of Sciences’ eval-
19 uation of the initial site-specific biosafety and bio-
20 security mitigation risk assessment; and

21 “(2) the National Academy of Sciences submits
22 an evaluation of the revised site-specific biosafety
23 and biosecurity mitigation risk assessment.

1 “(b) The revised site-specific biosafety and biosecu-
2 rity mitigation risk assessment required by subsection (a)
3 shall—

4 “(1) include a quantitative risk assessment for
5 foot-and-mouth disease virus, in particular epidemio-
6 logical and economic impact modeling to determine
7 the overall risk of operating the facility for its ex-
8 pected 50-year life span, taking into account strate-
9 gies to mitigate risk of foot-and-mouth disease virus
10 release from the laboratory and ensure safe oper-
11 ations at the approved National Bio- and Agro-de-
12 fense Facility site;

13 “(2) address the impact of surveillance, re-
14 sponse, and mitigation plans (developed in consulta-
15 tion with local, State, and national authorities and
16 appropriate stakeholders) if a release occurs, to de-
17 tect and control the spread of disease; and

18 “(3) include overall risks of the most dangerous
19 pathogens the Department of Homeland Security ex-
20 pects to hold in the National Bio- and Agro-defense
21 Facility’s biosafety level 4 facility, and effectiveness
22 of mitigation strategies to reduce those risks.

23 “(c) The Secretary of Homeland Security shall enter
24 into a contract with the National Academy of Sciences to
25 evaluate the adequacy and validity of the risk assessment

1 required by subsection (a). The National Academy of
2 Sciences shall submit a report on such evaluation within
3 4 months after the date the Department of Homeland Se-
4 curity concludes its risk assessment.”.

5 SEC. 2627. From the unobligated balances for “Oper-
6 ations” of funds transferred to the Department of Home-
7 land Security when it was created in 2003, \$1,891,657
8 is rescinded.

9 SEC. 2628. From the unobligated balances available
10 for prior fiscal years for “U.S. Customs and Border Pro-
11 tection, Construction” for construction projects,
12 \$99,772,000 is rescinded: *Provided*, That the amounts re-
13 scinded under this section shall be limited to amounts
14 available under this section for Border Patrol projects and
15 facilities.

16 SEC. 2629. From the unobligated balances of funds
17 for the “Violent Crime Reduction Program” transferred
18 to the Department of Homeland Security when it was es-
19 tablished in 2003, \$4,912,245 is rescinded.

20 SEC. 2630. From the unobligated balances of prior
21 year appropriations made available for “U.S. Customs and
22 Border Protection, Salaries and Expenses” transferred to
23 the Department of Homeland Security when it was estab-
24 lished in 2003, \$18,122,393 is rescinded.

1 SEC. 2631. From the unobligated balances of prior
2 year appropriations made available for “Federal Emer-
3 gency Management Agency, National Pre-Disaster Mitiga-
4 tion Fund”, \$18,173,641 is rescinded.

5 SEC. 2632. From the unobligated balances of funds
6 for the “Office for Domestic Preparedness” transferred to
7 the Department of Homeland Security when it was estab-
8 lished, \$10,568,964 is rescinded.

9 SEC. 2633. From unobligated balances of prior year
10 appropriations made available for United States Citizen-
11 ship and Immigration Services for the program commonly
12 known as the “REAL ID hub”, \$16,500,000 is rescinded.

13 SEC. 2634. From the unobligated balances of prior
14 year appropriations made available for “Science and Tech-
15 nology, Research, Development, Acquisition, and Oper-
16 ations”, \$32,000,000 is rescinded.

17 SEC. 2635. Of the unobligated balances of funds
18 made available in the Department of the Treasury For-
19 feiture Fund established by section 9703 of title 31,
20 United States Code, that was added to such title by sec-
21 tion 638 of Public Law 102–393, \$22,600,000 is re-
22 scinded.

23 SEC. 2636. Section 550(b) of the Department of
24 Homeland Security Appropriations Act, 2007 (Public Law

1 109–295; 6 U.S.C. 121 note), is amended by striking “on
2 October 4, 2010” and inserting “on October 4, 2011”.

3 SEC. 2637. Section 532(a) of Public Law 109-295
4 (120 Stat. 1384), as amended by section 519 of Public
5 Law 111-83 (123 Stat 2171), is amended by striking
6 “2010” and inserting “2011”.

7 SEC. 2638. Section 831 of the Homeland Security
8 Act of 2002 (6 U.S.C. 391), as amended by section 531
9 of Public Law 111-83 (123 Stat 2174), is amended—

10 (1) in subsection (a), by striking “Until Sep-
11 tember 30, 2009” and inserting “Until September
12 30, 2010,”; and

13 (2) in subsection (d)(1), by striking “September
14 30, 2009,” and inserting “September 30, 2010,”.

15 CHAPTER 7—INTERIOR, ENVIRONMENT, AND
16 RELATED AGENCIES

17 SEC. 2701. Notwithstanding section 1101, the level
18 for each of the following accounts shall be as follows: “Bu-
19 reau of Land Management, Management of Lands and
20 Resources”, \$971,306,000; “National Park Service, Na-
21 tional Recreation and Preservation”, \$62,586,000; “Min-
22 erals Management Service, Oil Spill Research”,
23 \$11,768,000; “Indian Health Service, Indian Health Fa-
24 cilities”, \$443,320,000; “Smithsonian Institution, Legacy
25 Fund”, \$0; “Dwight D. Eisenhower Memorial Commis-

1 sion, Salaries and Expenses”, \$0; and “Dwight D. Eisen-
2 hower Memorial Commission, Capital Construction”, \$0.

3 SEC. 2702. Notwithstanding any other provision of
4 this Act, the funding level for “National Park Service,
5 Park Partnership Project Grants” shall be \$0 and the
6 matter pertaining to this same account in division A of
7 Public Law 111–88 shall not apply to funds appropriated
8 by this Act.

9 SEC. 2703. Notwithstanding section 1101, the last
10 proviso under the heading “National Park Service, Con-
11 struction” in division A of Public Law 111–88 shall not
12 apply to funds appropriated by this Act.

13 SEC. 2704. Notwithstanding section 1101, the level
14 for “United States Geological Survey, Surveys, Investiga-
15 tions, and Research” shall be \$1,125,090,000, of which
16 \$53,500,000 shall be for satellite operations, and of which
17 \$4,807,000 shall be for deferred maintenance and capital
18 improvement projects that exceed \$100,000 in cost.

19 SEC. 2705. Notwithstanding section 1101, the provi-
20 sions under the heading “Minerals Management Service,
21 Royalty and Offshore Minerals Management” in division
22 A of Public Law 111–88 shall be applied to funds appro-
23 priated by this Act as follows: by substituting
24 “\$271,113,000” for “\$175,217,000”; by substituting
25 “\$113,174,000” for “\$89,374,000”; by substituting

1 “\$154,890,000” for “\$156,730,000” each place it ap-
2 pears; and by substituting “fiscal year 2011” for “fiscal
3 year 2010” each place it appears.

4 SEC. 2706. Notwithstanding section 1101, the provi-
5 sions under the heading “Bureau of Indian Affairs, Oper-
6 ation of Indian Programs” in division A of Public Law
7 111–88 shall be applied to funds appropriated by this Act
8 as follows: by substituting “\$2,355,965,000” for
9 “\$2,335,965,000”; by substituting “\$200,000,000” for
10 “\$166,000,000” in the matter pertaining to contract sup-
11 port costs; by substituting “\$85,000,000” for
12 “\$74,915,000” in the matter pertaining to welfare assist-
13 ance payments; by substituting “\$597,449,000” for
14 “\$568,702,000” in the matter pertaining to school oper-
15 ations costs of Bureau-funded schools and other education
16 programs; and by substituting “\$53,899,000” for
17 “\$43,373,000” in the matter pertaining to administrative
18 cost grants for school operations.

19 SEC. 2707. The matter pertaining to Public Law
20 109–379 (regarding the Isleta Pueblo settlement) under
21 the heading “Bureau of Indian Affairs, Indian Land and
22 Water Claim Settlements and Miscellaneous Payments to
23 Indians” in division A of Public Law 111–88 shall not
24 apply to funds appropriated by this Act.

1 SEC. 2708. Notwithstanding section 1101, the level
2 for “Environmental Protection Agency, Environmental
3 Programs and Management” shall be \$2,840,779,000, of
4 which \$455,441,000 shall be for the Geographic Programs
5 specified in the explanatory statement accompanying Pub-
6 lic Law 111–88, except that the funding level for the
7 Great Lakes Restoration Initiative shall be \$322,000,000.

8 SEC. 2709. Notwithstanding section 1101, the level
9 for “Environmental Protection Agency, State and Tribal
10 Assistance Grants” shall be \$4,813,446,000, of which \$0
11 shall be for special project grants.

12 SEC. 2710. Notwithstanding section 1101, the
13 amounts included under the heading “Administrative Pro-
14 visions, Environmental Protection Agency” in division A
15 of Public Law 111–88 shall be applied to funds appro-
16 priated by this Act by substituting “\$322,000,000” for
17 “\$475,000,000”.

18 SEC. 2711. Of the unobligated balances available for
19 “Environmental Protection Agency, State and Tribal As-
20 sistance Grants”, \$10,000,000 is rescinded: *Provided*,
21 That no amounts may be rescinded from amounts that
22 were designated by Congress as an emergency requirement
23 pursuant to a concurrent resolution on the budget or the
24 Balanced Budget and Emergency Deficit Control Act of
25 1985, as amended.

1 SEC. 2712. Notwithstanding section 1101, the level
2 for “Forest Service, National Forest System” shall be
3 \$1,581,339,000, of which \$30,000,000 shall be deposited
4 in the Collaborative Forest Landscape Restoration Fund
5 for ecological restoration treatments as authorized by 16
6 U.S.C. 7303(f).

7 SEC. 2713. Notwithstanding section 1101, the level
8 for the “Indian Health Service, Indian Health Services”
9 shall be \$3,797,227,000, and the provisions under such
10 heading shall be applied to funds appropriated by this Act
11 by substituting “\$816,759,000” for “\$779,347,000” in
12 the matter pertaining to contract medical care; by sub-
13 stituting “\$404,332,000” for “\$398,490,000” in the mat-
14 ter pertaining to contract support costs; and in section
15 409 of division A of Public Law 111–88 by substituting
16 “111–8, and 111–88” for “and 111–8” and by sub-
17 stituting “2010” for “2009”.

18 SEC. 2714. The matter pertaining to methyl
19 isocyanate in the last proviso under the heading “Chemical
20 Safety and Hazard Investigation Board, Salaries and Ex-
21 penses” in division A of Public Law 111–88 shall not
22 apply to funds appropriated by this Act.

23 SEC. 2715. Notwithstanding section 1101, the provi-
24 sions under the heading “National Gallery of Art, Repair,
25 Restoration and Renovation of Buildings” in division A

1 of Public Law 111–88 shall be applied to funds appro-
2 priated by this Act by substituting “\$42,250,000” for
3 “\$40,000,000” in the matter pertaining to repair of the
4 National Gallery’s East Building façade.

5 SEC. 2716. The first proviso under the heading
6 “John F. Kennedy Center for the Performing Arts, Oper-
7 ations and Maintenance” in division A of Public Law 111–
8 88 is amended by striking “until expended” and all that
9 follows and inserting “until September 30, 2011.”.

10 SEC. 2717. The contract authority provided for fiscal
11 year 2011 for “National Park Service, Land and Water
12 Conservation Fund” by 16 U.S.C. 460l–10a is rescinded.

13 SEC. 2718. (a) Notwithstanding any other provision
14 of this Act, the Secretary of the Interior may enter into
15 multiyear cooperative agreements with nonprofit organiza-
16 tions and other appropriate entities, and may enter into
17 multiyear contracts in accordance with the provisions of
18 section 304B of the Federal Property and Administrative
19 Services Act of 1949 (41 U.S.C. 254e) (except that the
20 5 year term restriction in subsection (d) shall not apply),
21 for the long-term care and maintenance of excess wild
22 free-roaming horses and burros by such organizations or
23 entities on private land. Such cooperative agreements and
24 contracts may not exceed 10 years, subject to renewal at
25 the discretion of the Secretary.

1 (b) During fiscal year 2011 and subsequent fiscal
2 years, in carrying out work involving cooperation with any
3 State or political subdivision thereof, the Bureau of Land
4 Management may record obligations against accounts re-
5 ceivable from any such entities.

6 SEC. 2719. During fiscal year 2011, the Secretary
7 of the Interior, in order to implement a reorganization of
8 the Bureau of Ocean Energy Management, Regulation,
9 and Enforcement, may establish accounts, transfer funds
10 among and between the offices and bureaus affected by
11 the reorganization, and take any other administrative ac-
12 tions necessary in conformance with the Appropriations
13 Committee reprogramming procedures described in the
14 joint explanatory statement of the managers accom-
15 panying Public Law 111–88.

16 SEC. 2720. Notwithstanding any other provision of
17 this Act, during fiscal year 2011 and subsequent fiscal
18 years, the Secretary of Agriculture, acting through the
19 Forest Service, may carry out a program, to be known
20 as the “Legacy Road and Trail Remediation program”,
21 to conduct urgently needed decommissioning of Forest
22 Service roads, forest road and trail repair and mainte-
23 nance and associated activities, and removal of fish pas-
24 sage barriers on National Forest System lands, especially
25 in areas where Forest Service roads may be contributing

1 to water quality problems in streams and water bodies
2 supporting threatened, endangered, or sensitive species or
3 community water sources.

4 SEC. 2721. Notwithstanding section 1101, section
5 423 of Public Law 111–88 (123 Stat. 2961), concerning
6 the distribution of geothermal energy receipts, shall have
7 no force or effect and the provisions of section 3003(a)
8 of Public Law 111–212 (124 Stat. 2338) shall apply for
9 fiscal year 2011.

10 SEC. 2722. The authority provided by section 337 of
11 the Department of the Interior and Related Agencies Ap-
12 propriations Act, 2005 (Public Law 108–447; 118 Stat.
13 3102), as amended, shall remain in effect until the date
14 specified in section 1106 of this Act.

15 SEC. 2723. Section 433 of division A of Public Law
16 111–88 (regarding Forest Service cabin user fees) is
17 amended by striking “2010” and “2009” and inserting
18 “2011” and “2010”, respectively.

19 SEC. 2724. Section 11(c)(1) of the Outer Continental
20 Shelf Lands Act (43 U.S.C. 1340(c)(1)) is amended by
21 striking “within thirty days” and inserting “within ninety
22 days”.

23 SEC. 2725. Notwithstanding section 1101, the level
24 for section 415 of division A of Public Law 111–88 shall
25 be \$0.

1 SEC. 2726. Within 30 days after the date of the en-
2 actment of this Act, each of the following departments and
3 agencies shall submit to the House and Senate Commit-
4 tees on Appropriations a spending, expenditure, or oper-
5 ating plan for fiscal year 2011 at a level of detail below
6 the account level:

- 7 (1) Department of Agriculture, Forest Service.
- 8 (2) Department of the Interior.
- 9 (3) Environmental Protection Agency.
- 10 (4) Indian Health Service.
- 11 (5) Smithsonian Institution.
- 12 (6) National Gallery of Art.
- 13 (7) National Endowment for the Arts.
- 14 (8) National Endowment for the Humanities.

15 SEC. 2727. (a) MODIFICATION.—

16 (1) IN GENERAL.—The first sentence of section
17 19 of the Act of June 18, 1934 (commonly known
18 as the “Indian Reorganization Act”) (25 U.S.C.
19 479), is amended—

20 (A) by striking “The term” and inserting
21 “Effective beginning on June 18, 1934, the
22 term”; and

23 (B) by striking “any recognized Indian
24 tribe now under Federal jurisdiction” and in-
25 serting “any federally recognized Indian tribe”.

1 (2) EFFECTIVE DATE.—The amendments made
2 by paragraph (1) shall take effect as if included in
3 the Act of June 18, 1934 (commonly known as the
4 “Indian Reorganization Act”) (25 U.S.C. 479), on
5 the date of enactment of that Act.

6 (b) RATIFICATION AND CONFIRMATION OF AC-
7 TIONS.—Any action taken by the Secretary of the Interior
8 pursuant to the Act of June 18, 1934 (commonly known
9 as the “Indian Reorganization Act”) (25 U.S.C. 461 et
10 seq.) for any Indian tribe that was federally recognized
11 on the date of the action is ratified and confirmed, to the
12 extent such action is subjected to challenge based on
13 whether the Indian tribe was federally recognized or under
14 Federal jurisdiction on June 18, 1934, ratified and con-
15 firmed as fully ratified and confirmed as fully to all intents
16 and purposes as if the action had, by prior act of Con-
17 gress, been specifically authorized and directed.

18 (c) EFFECT ON OTHER LAWS.—

19 (1) IN GENERAL.—Nothing in this Act or the
20 amendments made by this Act affects—

21 (A) the application or effect of any Federal
22 law other than the Act of June 18, 1934 (25
23 U.S.C. 461 et seq.) (as amended by subsection
24 (a)); or

1 (B) any limitation on the authority of the
2 Secretary of the Interior under any Federal law
3 or regulation other than the Act of June 18,
4 1934 (25 U.S.C. 461 et seq.) (as so amended).

5 (2) REFERENCES IN OTHER LAWS.—An express
6 reference to the Act of June 18, 1934 (25 U.S.C.
7 461 et seq.), contained in any other Federal law
8 shall be considered to be a reference to that Act as
9 amended by subsection (a).

10 CHAPTER 8—LABOR, HEALTH AND HUMAN
11 SERVICES, EDUCATION, AND RELATED
12 AGENCIES

13 SEC. 2801. (a) Notwithstanding section 1101, the
14 level for “Department of Labor, Employment and Train-
15 ing Administration, Training and Employment Services”
16 shall be \$1,906,530,000 plus reimbursements, of which
17 (1) \$879,961,000 shall be available for obligation for the
18 period July 1, 2011, through June 30, 2012, of which
19 \$68,450,000 shall be available for pilots, demonstrations,
20 and research activities;(2) \$1,026,569,000 shall be avail-
21 able for obligation for the period April 1, 2011, through
22 June 30, 2012, for youth activities; and(3) no funds shall
23 be available for the Career Pathways Innovation Fund.

24 (b) Notwithstanding section 1101, the level for “De-
25 partment of Labor, Employment and Training Adminis-

1 tration, Community Service Employment for Older Ameri-
2 cans” shall be \$620,425,000, to remain available through
3 June 30, 2012, and the first and second provisos under
4 such heading in division D of Public Law 111–117 shall
5 not apply to funds appropriated by this Act.

6 (c) Notwithstanding section 1101, the level which
7 may be expended from the Employment Security Adminis-
8 tration Account in the Unemployment Trust Fund for ad-
9 ministrative expenses of “Department of Labor, Employ-
10 ment and Training Administration, State Unemployment
11 Insurance and Employment Service Operations” shall be
12 \$4,154,490,000 (which includes all amounts available to
13 conduct in-person reemployment and eligibility assess-
14 ments and unemployment insurance improper payment re-
15 views), of which \$3,375,645,000 shall be available for un-
16 employment compensation State operations and
17 \$50,519,000 shall be available for Federal administration
18 of foreign labor certifications. For purposes of this section,
19 the first proviso under such heading in division D of Pub-
20 lic Law 111–117 shall be applied by substituting “2011”
21 and “6,051,000” for “2010” and “5,059,000”, respec-
22 tively.

23 SEC. 2802. Funds appropriated by section 1101 of
24 this Act to the Department of Labor’s Employment and
25 Training Administration for technical assistance services

1 to grantees may be transferred to “Department of Labor,
2 Employment and Training Administration, Program Ad-
3 ministration” if it is determined that those services will
4 be more efficiently performed by Federal staff.

5 SEC. 2803. Notwithstanding section 1101, the level
6 for “Department of Labor, Employee Benefits Security
7 Administration, Salaries and Expenses” shall be
8 \$164,861,000.

9 SEC. 2804. Notwithstanding section 1101, the level
10 for “Department of Labor, Mine Safety and Health Ad-
11 ministration, Salaries and Expenses” shall be
12 \$381,493,000, of which up to \$15,000,000 shall be avail-
13 able to the Secretary of Labor to be transferred to “De-
14 partmental Management, Salaries and Expenses” for ac-
15 tivities related to the Department of Labor’s caseload be-
16 fore the Federal Mine Safety and Health Review Commis-
17 sion and the amounts included under the heading “De-
18 partment of Labor, Mine Safety and Health Administra-
19 tion, Salaries and Expenses” in division D of Public Law
20 111–117 shall be applied to funds appropriated in this Act
21 during fiscal year 2011 by substituting “\$1,350,000” for
22 “\$1,000,000”.

23 SEC. 2805. Funds appropriated by section 1101 of
24 this Act for “Department of Labor, Bureau of Labor Sta-
25 tistics, Salaries and Expenses” may be obligated and ex-

1 pended to implement an alternative approach to the Local-
2 ity Pay Survey component of the National Compensation
3 Survey.

4 SEC. 2806. Notwithstanding section 1101, the level
5 for “Department of Labor, Departmental Management,
6 Office of Job Corps” shall be \$1,027,205,000 (which may
7 be administered within the Employment and Training Ad-
8 ministration pursuant to section 108 of division D of Pub-
9 lic Law 111–117), of which \$993,015,000 shall be avail-
10 able to meet the operational needs of Job Corps centers.
11 The Secretary of Labor may transfer up to 25 percent
12 of appropriations made available in this Act for construc-
13 tion, renovation, and acquisition of Job Corps centers, the
14 Secretary of Labor may transfer up to 25 percent to meet
15 the operational needs of Job Corps centers.

16 SEC. 2807. (a) Of the unobligated balances available
17 in “Department of Labor, Working Capital Fund”,
18 \$3,900,000 are permanently rescinded, to be derived solely
19 from amounts available in the Investment in Reinvention
20 Fund (other than amounts that were designated by the
21 Congress as an emergency requirement pursuant to a con-
22 current resolution on the budget or the Balanced Budget
23 and Emergency Deficit Control Act of 1985).

24 (b) Public Law 85—67 is amended by striking the
25 third proviso under the heading “Working Capital Fund”

1 (as added by Public Law 104–34) and relating to estab-
2 lishment of an Investment in Reinvestment Fund.

3 SEC. 2808. Notwithstanding section 102 of division
4 D of Public Law 111–117, not to exceed 1 percent of any
5 discretionary funds (pursuant to the Balanced Budget and
6 Emergency Deficit Control Act of 1985) that are appro-
7 priated for the current fiscal year for the Department of
8 Labor in this Act may be transferred among appropria-
9 tions, but no such appropriation to which such funds are
10 transferred may be increased by more than 3 percent by
11 any such transfer: *Provided*, That the transfer authority
12 granted by this section shall be available only to meet un-
13 anticipated needs and shall not be used to create any new
14 program or to fund any project or activity for which no
15 funds are provided in this Act: *Provided further*, That the
16 Committees on Appropriations are notified at least 15
17 days in advance of any transfer.

18 SEC. 2809. (a) Notwithstanding section 1101, the
19 level for “Department of Health and Human Services,
20 Health Resources and Services Administration, Health
21 Resources and Services” shall be \$7,270,520,000, of
22 which (1) not more than \$100,000,000 shall be available
23 until expended for carrying out the provisions of Public
24 Law 104–73 and for expenses incurred by the Department
25 of Health and Human Services pertaining to administra-

1 tive claims made under such law; (2) not less than
2 \$1,992,865,000 shall remain available through September
3 30, 2013 for Parts A and B of title XXVI of the Public
4 Health Service Act (hereafter in this chapter, “PHS
5 Act”), of which not less than \$895,000,000 shall be for
6 State AIDS Drug Assistance Programs under the terms
7 and conditions of sections 2616 and 311(c) of the PHS
8 Act; and (3) of which not less than \$612,954,000 shall
9 be available for health professions programs under titles
10 VII and VIII and section 340G of the PHS Act.

11 (b) The eighteenth and nineteenth provisos under the
12 heading “Department of Health and Human Services,
13 Health Resources and Services Administration, Health
14 Resources and Services” in division D of Public Law 111–
15 117 shall not apply to funds appropriated by this Act.

16 (c) Sections 340G–1(d)(1) and (d)(2), 747(c)(2),
17 751(j)(2), and 765(e) of the PHS Act shall not apply to
18 funds made available in this Act for “Department of
19 Health and Human Services, Health Resources and Serv-
20 ices Administration, Health Resources and Services”.

21 (d) For any program operating under section 751 of
22 the PHS Act on or before January 1, 2009, the Secretary
23 of Health and Human Services may waive any of the re-
24 quirements contained in sections 751(d)(2)(A) and
25 751(d)(2)(B) of such Act.

1 SEC. 2810. (a) Notwithstanding section 1101, the
2 level for the first paragraph under the heading “Depart-
3 ment of Health and Human Services; Centers for Disease
4 Control and Prevention; Disease Control, Research, and
5 Training” shall be \$6,251,352,000, of which (1)
6 \$150,137,000 shall be available until expended to provide
7 screening and treatment for first response emergency serv-
8 ices personnel, residents, students, and others related to
9 the September 11, 2001 terrorist attacks on the World
10 Trade Center; (2) \$12,000,000 shall remain available
11 until expended for acquisition of real property, equipment,
12 construction, and renovation of facilities, including nec-
13 essary repairs and improvements to laboratories leased or
14 operated by the Centers for Disease Control and Preven-
15 tion; and (3) \$527,234,000 shall remain available until ex-
16 pended for the Strategic National Stockpile under section
17 319F-2 of the PHS Act.

18 (b) Paragraphs (1) through (3) of section 2821(b)
19 of the PHS Act shall not apply to funds made available
20 in this Act.

21 (c) Notwithstanding section 1101, funds appro-
22 priated for “Department of Health and Human Services;
23 Centers for Disease Control and Prevention; Disease Con-
24 trol, Research, and Training” shall also be available to
25 carry out title II of the Immigration and Nationality Act

1 and sections 4001, 4004, 4201, and 4301 of the Patient
2 Protection and Affordable Care Act.

3 SEC. 2811. Notwithstanding section 1101, the level
4 for “Department of Health and Human Services, National
5 Institutes of Health, National Institute of Allergy and In-
6 fectious Diseases” shall be \$4,818,275,000 and the re-
7 quirement under this heading in division D of Public Law
8 111–117 for a transfer from Biodefense Countermeasures
9 funds shall not apply.

10 SEC. 2812. Of the amount provided by section 1101
11 for “Department of Health and Human Services, National
12 Institutes of Health, Office of the Director” (including
13 amounts available for the Common Fund and the Direc-
14 tor’s Discretionary Fund), up to \$25,000,000 shall be
15 available to implement the CURES Acceleration Network
16 authorized by section 402C of the PHS Act.

17 SEC. 2813. (a) Notwithstanding section 1101, the
18 level for “Department of Health and Human Services,
19 Substance Abuse and Mental Health Services Administra-
20 tion, Substance Abuse and Mental Health Services” shall
21 be \$3,417,106,000.

22 (b) The second proviso under the heading “Depart-
23 ment of Health and Human Services, Substance Abuse
24 and Mental Health Services Administration, Substance
25 Abuse and Mental Health Services” in division D of Public

1 Law 111–117 shall not apply to funds appropriated by
2 this Act.

3 SEC. 2814. Notwithstanding section 1101, the level
4 for amounts transferred from the Federal Hospital Insur-
5 ance and Supplementary Medical Insurance Trust Funds
6 for “Department of Health and Human Services, Centers
7 for Medicare and Medicaid Services, Program Manage-
8 ment” shall not exceed \$3,623,113,000, of which
9 \$9,120,000 shall remain available through September 30,
10 2012 for Medicare contracting reform activities.

11 SEC. 2815. Notwithstanding section 1101, the level
12 for “Department of Health and Human Services, Centers
13 for Medicare and Medicaid Services, Health Care Fraud
14 and Abuse Control” shall be \$461,000,000 and shall re-
15 main available through September 30, 2012, of which (1)
16 \$274,640,000 shall be for the Medicare Integrity Program
17 at the Centers for Medicare and Medicaid Services, includ-
18 ing administrative costs, to conduct oversight activities for
19 Medicare Advantage and the Medicare Prescription Drug
20 Program authorized in title XVIII of the Social Security
21 Act and for activities listed in section 1893 of such Act;
22 (2) \$78,057,000 shall be for the Department of Health
23 and Human Services Office of Inspector General to carry
24 out fraud and abuse activities authorized by section
25 1817(k)(3) of such Act; (3) \$34,400,000 shall be for the

1 Medicaid and Children’s Health Insurance Program
2 (“CHIP”) program integrity activities; and (4)
3 \$73,903,000 shall be for the Department of Justice to
4 carry out fraud and abuse activities authorized by section
5 1817(k)(3) of such Act.

6 SEC. 2816. (a) Notwithstanding section 1101, the
7 level for “Department of Health and Human Services, Ad-
8 ministration for Children and Families, Children and
9 Families Services Programs” shall be \$9,643,532,000, of
10 which—

11 (1) \$44,500,000 shall be for grants to States
12 for adoption incentive payments as authorized by
13 section 473A of the Social Security Act;

14 (2) \$7,548,783,000 shall be for making pay-
15 ments under the Head Start Act; and, for purposes
16 of allocating such funds under the Head Start Act,
17 the term “base grant” as used in subsection
18 (a)(7)(A) of section 640 of such Act with respect to
19 funding provided to a Head Start agency (including
20 each Early Head Start agency) for fiscal year 2010
21 shall be deemed to include an amount obtained by
22 multiplying 50 percent of the funds appropriated
23 under “Department of Health and Human Services,
24 Administration for Children and Families, Children
25 and Family Services Programs” in Public Law 111–

1 5 and provided to such agency for carrying out ex-
2 pansion of Head Start programs, as that phrase is
3 used in subsection (a)(4)(D) of such section 640,
4 and provided to such agency as the ongoing funding
5 level for operations in the 12 month budget period
6 beginning in fiscal year 2010 (“expansion grants”),
7 by a fraction whose numerator is the number of chil-
8 dren actually enrolled in that agency’s Head Start
9 program in slots funded by such expansion grants as
10 of October 30, 2010, and whose denominator is the
11 client population number included in the obligating
12 documents for such expansion grants for that agen-
13 cy’s Head Start program for such budget period;
14 and

15 (3) \$766,000,000 shall be for making payments
16 under the Community Service Block Grant
17 (“CSBG”) Act and of which \$56,000,000 shall be
18 for section 680(a)(2) of the CSBG Act.

19 (b) Notwithstanding section 611(d)(1) of title VI of
20 division G of Public Law 110–161, the National Commis-
21 sion on Children and Disasters shall terminate on October
22 1, 2011.

23 SEC. 2817. (a) Notwithstanding section 1101, funds
24 appropriated for “Department of Health and Human
25 Services, Administration on Aging, Aging Services Pro-

1 grams” shall also be available to carry out subtitle B of
2 title XX of the Social Security Act and for necessary ad-
3 ministrative expenses to carry out title XVII of the PHS
4 Act.

5 (b) Amounts otherwise available in this Act to carry
6 out activities relating to Aging and Disability Resource
7 Centers, under subsections (a)(20)(B)(iii) and (b)(8) of
8 section 202 of the Older Americans Act of 1965, shall
9 be reduced by any amounts made available for fiscal year
10 2011 for such purposes under section 2405 of the Patient
11 Protection and Affordable Care Act.

12 SEC. 2818. (a) The amounts included under the
13 heading “Department of Health and Human Services, Of-
14 fice of the Secretary, General Departmental Management”
15 in division D of Public Law 111–117 shall be applied to
16 funds appropriated by this Act by substituting
17 “538,318,000” for “\$493,377,000” and such amounts
18 shall also be available to carry out title XXVII of the PHS
19 Act.

20 (b) None of the funds made available in this Act shall
21 be available for carrying out activities specified under sec-
22 tion 2003(b)(2) or (3) of title XX of the PHS Act.

23 SEC. 2819. Notwithstanding section 1101, the level
24 for “Department of Health and Human Services, Office

1 of the Secretary, Office of Medicare Hearings and Ap-
2 peals” shall be \$77,798,000.

3 SEC. 2820. Notwithstanding section 1101, the level
4 for “Department of Health and Human Services, Office
5 of the Secretary, Office of Inspector General” shall be
6 \$60,754,000.

7 SEC. 2821. Notwithstanding section 1101, the
8 amount provided from the General Fund of the Treasury
9 for “Department of Health and Human Services, Office
10 of the Secretary, Office for Civil Rights” shall be
11 \$41,068,000.

12 SEC. 2822. (a) Notwithstanding section 1101, the
13 level for “Department of Health and Human Services, Of-
14 fice of the Secretary, Public Health and Social Services
15 and Emergency Fund” shall be \$1,134,303,000, of which
16 (1) \$403,194,000 shall remain available through Sep-
17 tember 30, 2012 to support advanced research and devel-
18 opment pursuant to section 319L of the Public Health
19 Service Act and which shall be derived by transfer from
20 funds transferrred to “Department of Health and Human
21 Services, Office of the Secretary, Public Health and Social
22 Services Emergency Fund” by Public Law 111–117 in the
23 fourth paragraph under such heading; (2) \$78,167,000
24 shall be for expenses necessary to prepare for and respond
25 to an influenza pandemic, none of which shall be available

1 past September 30, 2011; and (3) \$35,000,000 shall be
2 for expenses necessary for fit-out and other costs related
3 to a competitive lease procurement to renovate or replace
4 the existing headquarters building for Public Health Serv-
5 ice agencies and other components of the the Department
6 of Health and Human Services.

7 (b) Of the amounts provided under the heading “De-
8 partment of Health and Human Services, Office of the
9 Secretary, Public Health and Social Services Emergency
10 Fund” in Public Laws 111–8 and 111–117 and available
11 for expenses necessary to prepare for and respond to an
12 influenza pandemic, \$170,000,000 may also be used (1)
13 to plan, conduct, and support research to advance regu-
14 latory science to improve the ability to determine safety,
15 effectiveness, quality, and performance of medical counter-
16 measure products against chemical, biological, radio-
17 logical, and nuclear agents including influenza virus;
18 and(2) to analyze, conduct, and improve regulatory review
19 and compliance processes for such products.

20 SEC. 2823. (a) Not later than 45 days after enact-
21 ment of this Act, the Secretary of Health and Human
22 Services shall transfer from “Prevention and Public
23 Health Fund”—

1 (1) \$20,000,000 to “Health Resources and
2 Services” for an additional amount to carry out sec-
3 tions 766, 767, 768, and 776 of the PHS Act;

4 (2) \$630,000,000 to “Disease Control, Re-
5 search, and Training” for an additional amount to
6 carry out section 306 of the PHS Act, subsections
7 (a), (j), (k)(1), (k)(2)(A), (l), and (m) of section 317
8 of the PHS Act, and sections 317G, 399U, 1706,
9 and 2821 of the PHS Act; sections 4001, 4004,
10 4201, 4301 of the Patient Protection and Affordable
11 Care Act; Public Law 99–252; Public Law 99–474;
12 the Environmental Public Health Tracking Program
13 under authority of section 301 of the PHS Act; the
14 Racial and Ethnic Approaches to Community Health
15 program under authority of section 1703 of the
16 PHS Act; the activities of the Office of Smoking and
17 Health under authority of sections 317 and 1701 of
18 the PHS Act; and State grants for chronic disease
19 activities under section 317 (k)(2)(B) of the PHS
20 Act;

21 (3) \$88,000,000 to “Substance Abuse and Men-
22 tal Health Services” for an additional amount for
23 suicide prevention activities and to carry out sections
24 505, 509, and 520(k) of the PHS Act; and

1 (4) \$12,000,000 to “Healthcare Research and
2 Quality” for an additional amount to carry out sec-
3 tions 902(a)(7) and 915(a) of the PHS Act.

4 (b) Not later than 60 days after enactment of this
5 Act, the Secretary of Health and Human Services shall
6 submit an operating plan to the Committees on Appropria-
7 tions detailing the amounts allocated to the programs
8 identified in subsection (a).

9 SEC. 2824. Notwithstanding section 206 of division
10 D of Public Law 111–117, not to exceed 1 percent of any
11 discretionary funds (pursuant to the Balanced Budget and
12 Emergency Deficit Control Act of 1985) that are appro-
13 priated by this Act for the current fiscal year for agencies
14 of the Department of Health and Human Services for
15 which funds were provided in such division may be trans-
16 ferred among appropriations, but no such appropriation
17 to which such funds are transferred may be increased by
18 more than 3 percent by any such transfer: *Provided fur-*
19 *ther*, That the transfer authority granted by this section
20 shall be available only to meet unanticipated needs and
21 shall not be used to create any new program or to fund
22 any project or activity for which no funds are provided
23 in this Act: *Provided further*, That the Committees on Ap-
24 propriations are notified at least 15 days in advance of
25 any transfer.

1 SEC. 2825. Hereafter, no funds appropriated in this
2 or any previous or subsequent Act shall be subject to the
3 allocation requirements of section 1707A(e) of the PHS
4 Act.

5 SEC. 2826. Hereafter, no funds appropriated in this
6 or any previous or subsequent Act shall be available for
7 transfer under section 274 of the PHS Act.

8 SEC. 2827. Federal administrative costs for activities
9 authorized subsequent to enactment of division D of Pub-
10 lic Law 111–117 may be funded from the relevant appro-
11 priations provided in this Act for administrative costs.

12 SEC. 2828. Notwithstanding section 1101, the level
13 for “Department of Education, School Improvement Pro-
14 grams” shall be \$3,340,003,000, of which \$3,358,993,000
15 shall become available on July 1, 2011, and remain avail-
16 able through September 30, 2012, and for purposes of this
17 section, up to \$11,500,000 of the funds available for the
18 Foreign Language Assistance Program shall be available
19 for activities described in the 12th proviso under such
20 heading in division D of Public Law 111–117.

21 SEC. 2829. (a) Notwithstanding section 1101, the
22 level for “Department of Education, Innovation and Im-
23 provement” shall be \$1,620,123,000, of which
24 \$614,628,000 shall be available to carry out part D of
25 title V of the Elementary and Secondary Education Act

1 of 1965, including up to \$25,000,000 of such funds to
2 remain available until September 30, 2012, and of which
3 not more than \$300,000,000 may be used to make awards
4 to States under section 14006 of division A of Public Law
5 111–5 in accordance with the applicable requirements of
6 that section.

7 (b) The seventeenth and eighteenth provisos under
8 the heading “Department of Education, Innovation and
9 Improvement” in division D of Public Law 111–117 shall
10 not apply to funds appropriated by this Act.

11 SEC. 2830. Notwithstanding section 1101, the level
12 for “Department of Education, Safe Schools and Citizen-
13 ship Education” shall be \$384,841,000, of which (1)
14 funds provided to carry out subpart 3 of part C of title
15 II of the Elementary and Secondary Education Act of
16 1965 (“ESEA”) shall be available to the Secretary of
17 Education for competitive grants to nonprofit organiza-
18 tions that have demonstrated effectiveness in the develop-
19 ment and implementation of civic learning programs, with
20 priority for those programs that demonstrate innovation,
21 scalability, accountability, and a focus on underserved
22 populations and (2) funds shall not be available for activi-
23 ties authorized under subpart 3 of part D of title V of
24 the ESEA.

1 SEC. 2831. Notwithstanding section 1101, the level
2 for “Department of Education, Rehabilitation Services
3 and Disability Research” shall be \$3,501,766,000.

4 SEC. 2832. Within the funds provided by section
5 1101 for “Department of Education, Special Institutions
6 for Persons with Disabilities, National Technical Institute
7 for the Deaf”, amounts designated for construction shall
8 also be available for any other authorized purpose under
9 such heading.

10 SEC. 2833. Notwithstanding section 1101, the level
11 for “Department of Education; Career, Technical, and
12 Adult Education” shall be \$1,200,447,000, of which
13 \$1,196,047,000 shall become available on July 1, 2011,
14 and shall remain available through September 30, 2012.

15 SEC. 2834. (a) Notwithstanding section 1101, the
16 level for “Department of Education, Student Financial
17 Assistance” shall be \$24,963,809,000.

18 (b) The maximum Pell Grant for which a student
19 shall be eligible during award year 2011–2012 shall be
20 \$4,860.

21 (c) Of the funds made available under section
22 401A(e)(1)(E) of the Higher Education Act of 1965,
23 \$597,000,000 is rescinded.

24 SEC. 2835. Notwithstanding sections 1101 and 1103,
25 the level for “Department of Education, Student Aid Ad-

1 ministration” shall be \$994,000,000, which shall remain
2 available through September 30, 2012.

3 SEC. 2836. Notwithstanding section 1101, the level
4 for “Department of Education, Higher Education” shall
5 be \$2,177,915,000.

6 SEC. 2837. Of the amount provided by section 1101
7 for “Department of Education, Institute of Education
8 Sciences” and notwithstanding section 174(d) and (e) of
9 the Education Sciences Reform Act of 2002, \$69,650,000
10 may be used to continue the contracts for the Regional
11 Educational Laboratories for one additional year.

12 SEC. 2838. Notwithstanding section 1101, the level
13 for “Department of Education, Departmental Manage-
14 ment, Program Administration” shall be \$465,000,000, of
15 which up to \$17,000,000 shall remain available until ex-
16 pended for relocation of, and renovation of buildings occu-
17 pied by, Department staff.

18 SEC. 2839. Notwithstanding section 1101, the level
19 for “Corporation for National and Community Service,
20 National Service Trust” shall be \$217,000,000.

21 SEC. 2840. Notwithstanding section 1101, the level
22 for “Corporation for Public Broadcasting” for fiscal year
23 2011 shall be \$36,000,000 and shall not be available for
24 fiscal stabilization grants and the public radio interconnec-
25 tion system.

1 SEC. 2841. Notwithstanding section 1101, the level
2 for “Federal Mine Safety and Health Review Commission,
3 Salaries and Expenses” shall be \$15,706,000.

4 SEC. 2842. Notwithstanding section 1101, the level
5 for “Institute of Museum and Library Services, Office of
6 Museum and Library Services: Grants and Administra-
7 tion” shall be \$265,869,000.

8 SEC. 2843. Notwithstanding section 1101, the level
9 for “Medicare Payment Advisory Commission, Salaries
10 and Expenses” shall be \$12,850,000.

11 SEC. 2844. Notwithstanding section 1101, the level
12 for “Railroad Retirement Board, Dual Benefits Payments
13 Account” shall be \$57,000,000.

14 SEC. 2845. (a) Notwithstanding section 1101, the
15 level for “Social Security Administration, Payments to So-
16 cial Security Trust Funds” shall be \$21,404,000, and in
17 addition may be used to carry out section 217(g) of the
18 Social Security Act.

19 (b) Notwithstanding section 1101, the level for the
20 first paragraph under the heading “Social Security Ad-
21 ministration, Limitation on Administrative Expenses”
22 shall be \$11,240,500,000.

23 (c) Notwithstanding section 1101, the level for the
24 first paragraph under the heading “Social Security Ad-
25 ministration, Supplemental Security Income Program”

1 shall be \$40,320,200,000, of which \$3,587,200,000 shall
2 be for administrative expenses.

3 (d) Upon enactment of this Act, \$325,000,000 of the
4 remaining unobligated balances of funds appropriated for
5 “Social Security Administration, Limitation on Adminis-
6 trative Expenses” for fiscal years 2010 and prior years
7 (other than funds appropriated in Public Law 111–5)
8 shall be made part of and merged with other funds in such
9 account available without fiscal year limitation for invest-
10 ment in information technology and telecommunications
11 hardware and software infrastructure, and of such funds
12 \$325,000,000 is rescinded.

13 SEC. 2846. Notwithstanding any other provision of
14 law, for purposes of making payments under section
15 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d))
16 for discharges occurring during the reclassification period
17 beginning on October 1, 2011, the Secretary of Health
18 and Human Services shall treat—

19 (1) hospitals located in the State of Maine as
20 being reclassified to the Boston-Quincy, MA Core
21 Based Statistical Area;

22 (2) hospitals located in the State of Rhode Is-
23 land as being reclassified to the Boston-Quincy, MA
24 Core Based Statistical Area;

1 (3) hospitals with CMS certification numbers
2 360068, 360259, 360074, 360048, 360112, 360081,
3 360262 and 360090 as being reclassified to the Ann
4 Arbor, MI Core Based Statistical Area;

5 (4) hospitals located in Orange County, New
6 York that were reclassified under the authority of
7 section 508 of the Medicare Prescription Drug, Im-
8 provement and Modernization Act of 2003 (Public
9 Law 108–173) as being reclassified to the New
10 York-White Plains-Wayne, NY-NJ Core Based Sta-
11 tistical Area; and

12 (5) hospitals located in Ulster County, New
13 York as being reclassified to the New York-White
14 Plains-Wayne, NY–NJ Core Based Statistical Area.

15 Any reclassification effected under this section shall be
16 treated as a decision of the Medicare Geographic Classi-
17 fication Review Board under section 1886(d) of such Act
18 and subject to budget neutrality under paragraph (8)(D)
19 of such section. For any hospital located in the State of
20 Massachusetts that is reclassified under section
21 1886(d)(10) of the Social Security Act (42 U.S.C.
22 1395ww(d)(10)) to the Boston-Quincy, MA Core Based
23 Statistical Area, the Secretary of Health and Human
24 Services shall calculate its wage index pursuant to section
25 1886(d)(8)(C)(i) of such Act in a manner that excludes

1 the wage data of the hospitals that are reclassified under
2 paragraphs (1) and (2), unless including such hospitals
3 would otherwise increase such wage index.

4 CHAPTER 9—LEGISLATIVE BRANCH

5 SEC. 2901. Notwithstanding section 1101, the level
6 for each of the following accounts of the Senate shall be
7 as follows: “Salaries, Officers and Employees”,
8 \$185,982,000; “Salaries, Officers and Employees, Office
9 of the Sergeant at Arms and Doorkeeper”, \$77,000,000;
10 “Contingent Expenses of the Senate, Secretary of the Sen-
11 ate”, \$6,200,000; and “Contingent Expenses of the Sen-
12 ate, Sergeant at Arms and Doorkeeper of the Senate”,
13 \$142,401,000.

14 SEC. 2902. Section 8 of the Legislative Branch Ap-
15 propriations Act, 1990 (31 U.S.C. 1535 note) is amended
16 by striking paragraph (3) and inserting the following: “(3)
17 Agreement under paragraph (1) shall be in accordance
18 with regulations prescribed by the Committee on Rules
19 and Administration of the Senate.”.

20 SEC. 2903. Notwithstanding section 1101, the level
21 for “House of Representatives, Salaries and Expenses”
22 shall be \$1,371,172,000, to be allocated in accordance
23 with an allocation plan submitted by the Chief Administra-
24 tive Officer of the House of Representatives and approved

1 by the Committee on Appropriations of the House of Rep-
2 resentatives.

3 SEC. 2904. Notwithstanding section 1101, the level
4 for each of the following accounts of the Capitol Police
5 shall be as follows: “Salaries”, \$279,224,000, of which
6 \$1,945,000 shall remain available until September 30,
7 2014; and “General Expenses”, \$57,985,000.

8 SEC. 2905. (a) Notwithstanding section 1018(d) of
9 the Legislative Branch Appropriations Act, 2003 (2
10 U.S.C. 1907(d)), the use of any funds appropriated to the
11 United States Capitol Police during fiscal year 2003 for
12 transfer relating to the Truck Interdiction Monitoring
13 Program to the working capital fund established under
14 section 328 of title 49, United States Code, is ratified.

15 (b) Nothing in subsection (a) may be construed to
16 waive sections 1341, 1342, 1349, 1350, or 1351 of title
17 31, United States Code, or subchapter II of chapter 15
18 of such title (commonly known as the “Anti-Deficiency
19 Act”).

20 SEC. 2906. Notwithstanding section 1101, the level
21 for “Congressional Budget Office, Salaries and Expenses”
22 shall be \$46,905,000.

23 SEC. 2907. Notwithstanding section 1101, the level
24 for each of the following accounts of the Architect of the
25 Capitol shall be as follows: “General Administration”,

1 \$109,294,000, of which \$7,499,000 shall remain available
2 until September 30, 2015; “Capitol Building”,
3 \$54,616,000, of which \$27,226,000 shall remain available
4 until September 30, 2015; “Capitol Grounds”,
5 \$9,988,000; “Senate Office Buildings”, \$81,112,000, of
6 which \$19,474,000 shall remain available until September
7 30, 2015; “House Office Buildings”, \$75,619,000, of
8 which \$25,323,000 shall remain available until September
9 30, 2015; “Capitol Power Plant”, \$109,069,000, of which
10 \$15,100,000 shall remain available until September 30,
11 2015; “Library Buildings and Grounds”, \$44,396,000, of
12 which \$17,457,000 shall remain available until September
13 30, 2015; “Capitol Police Buildings, Grounds and Secu-
14 rity”, \$26,266,000, of which \$6,436,000 shall remain
15 available until September 30, 2015; “Botanic Garden”,
16 \$13,834,000, of which \$1,505,000 shall remain available
17 until September 30, 2015; and “Capitol Visitor Center”,
18 \$22,771,000. In addition, notwithstanding section 1101,
19 \$40,000,000, to remain available until expended, shall be
20 available under “Architect of the Capitol, House Office
21 Buildings” for a payment to the House Historic Buildings
22 Revitalization Trust Fund.

23 SEC. 2908. (a) Notwithstanding section 1101, the
24 level for “Government Accountability Office, Salaries and
25 Expenses” shall be \$558,430,000.

1 (b) Notwithstanding section 1101, the amount appli-
2 cable under the first proviso under the heading “Govern-
3 ment Accountability Office, Salaries and Expenses” in the
4 Legislative Branch Appropriations Act, 2010 (Public Law
5 111–68) shall be \$9,400,000, the amount applicable under
6 the second proviso under such heading shall be
7 \$3,100,000, and the amount applicable under the third
8 proviso under such heading shall be \$7,000,000.

9 CHAPTER 10—MILITARY CONSTRUCTION,
10 VETERANS AFFAIRS, AND RELATED AGENCIES

11 SEC. 3001. Notwithstanding section 1101, the level
12 for each of the following accounts of the Department of
13 Defense for projects and activities included in the most
14 recently submitted future years defense program or that
15 are necessary to support overseas contingency operations
16 shall be as follows: “Military Construction, Army”,
17 \$4,885,000,000; “Military Construction, Navy and Marine
18 Corps”, \$3,517,000,000; “Military Construction, Air
19 Force”, \$1,592,000,000; “Military Construction, Defense-
20 Wide”, \$3,095,000,000; “Military Construction, Army
21 National Guard”, \$874,000,000; “Military Construction,
22 Air National Guard”, \$177,000,000; “Military Construc-
23 tion, Army Reserve”, \$318,000,000; “Military Construc-
24 tion, Navy Reserve”, \$62,000,000; “Military Construc-
25 tion, Air Force Reserve”, \$8,000,000”; “Family Housing

1 Construction, Army”, \$92,000,000; “Family Housing
2 Construction, Navy and Marine Corps”, \$186,000,000;
3 “Family Housing Construction, Air Force”, \$78,000,000;
4 and “Family Housing Construction, Defense-Wide”, \$0.
5 Within 45 days of the enactment of this section, the De-
6 partment of Defense shall submit a project-level expendi-
7 ture plan for fiscal year 2011 for the accounts funded in
8 this section.

9 SEC. 3002. Notwithstanding section 1111, of the
10 total amount specified in section 3001 for “Military Con-
11 struction, Army”, “Military Construction, Air Force”, and
12 “Military Construction, Defense-Wide”, \$1,257,000,000
13 for Overseas Deployments and Other Activities is des-
14 ignated as an emergency requirement and necessary to
15 meet emergency needs pursuant to sections 403(a) and
16 423(b) of S. Con. Res. 13 (111th Congress), the concur-
17 rent resolution on the budget for fiscal year 2010.

18 SEC. 3003. Notwithstanding section 1101, the level
19 for each of the following accounts of the Department of
20 Defense for projects and activities authorized by law shall
21 be as follows: “North Atlantic Treaty Organization Secu-
22 rity Investment Program”, \$259,000,000; “Homeowners
23 Assistance Fund”, \$17,000,000; “Chemical Demilitariza-
24 tion Construction, Defense-Wide”, \$125,000,000; “De-
25 partment of Defense Base Closure Account 1990”,

1 \$360,000,000; and “Department of Defense Base Closure
2 Account 2005”, \$2,354,000,000.

3 SEC. 3004. Notwithstanding any other provision of
4 this Act, the following provisions included in title I of divi-
5 sion E of Public Law 111–117 shall not apply to funds
6 appropriated by this Act: the first, second, and last pro-
7 visos, and the set-aside of \$350,000,000, under the head-
8 ing “Military Construction, Army”; the first and last pro-
9 visos under the heading “Military Construction, Navy and
10 Marine Corps”; the first, second, and last provisos under
11 the heading “Military Construction, Air Force”; the sec-
12 ond, third, fourth, and last provisos under the heading
13 “Military Construction, Defense-Wide”; the first, second,
14 and last provisos, and the set-aside of \$30,000,000, under
15 the heading “Military Construction, Army National
16 Guard”; the first, second, and last provisos, and the set-
17 aside of \$30,000,000, under the heading “Military Con-
18 struction, Air National Guard”; the first, second, and last
19 provisos, and the set-aside of \$30,000,000, under the
20 heading “Military Construction, Army Reserve”; the first,
21 second, and last provisos, the set-aside of \$20,000,000,
22 and the set-aside of \$35,000,000, under the heading
23 “Military Construction, Navy Reserve”; the first, second,
24 and last provisos, and the set-aside of \$55,000,000, under
25 the heading “Military Construction, Air Force Reserve”;

1 the proviso under the heading “Family Housing Construc-
2 tion, Army”; the proviso under the heading “Family
3 Housing Construction, Navy and Marine Corps”; the pro-
4 viso under the heading “Family Housing Construction,
5 Air Force”; the proviso under the heading “Family Hous-
6 ing Construction, Defense-Wide”; and the proviso under
7 the heading “Chemical Demilitarization Construction, De-
8 fense-Wide”.

9 SEC. 3005. Sections 129 and 130 of division E of
10 Public Law 111–117 shall not apply to funds appropriated
11 by this Act.

12 SEC. 3006. Notwithstanding any other provision of
13 this Act, the following provisions included in title IV of
14 division E of Public Law 111–117 shall not apply to funds
15 appropriated by this Act: the proviso under “Military Con-
16 struction, Army”; and the proviso under “Military Con-
17 struction, Air Force”.

18 SEC. 3007. Notwithstanding any other provision of
19 law, funds made available to the Department of Defense
20 by this chapter may be obligated and expended to carry
21 out planning and design and military construction projects
22 not otherwise authorized by law.

23 SEC. 3008. Notwithstanding any other provision of
24 law, funds made available to “North Atlantic Treaty Orga-
25 nization Security Investment Program” by this chapter

1 may be obligated and expended for purposes of section
2 2806 of title 10, United States Code, and sections 2501
3 and 2502 of the National Defense Authorization Act for
4 Fiscal Year 2010 (Public Law 111–84).

5 SEC. 3009. Notwithstanding section 1101, the level
6 for “Department of Veterans Affairs, Departmental Ad-
7 ministration, General Operating Expenses” shall be
8 \$2,546,276,000, of which not less than \$2,148,776,000
9 shall be for the Veterans Benefits Administration.

10 SEC. 3010. Notwithstanding section 1101, the level
11 for “Department of Veterans Affairs, Departmental Ad-
12 ministration, Information Technology Systems” shall be
13 \$3,162,501,000.

14 SEC. 3011. Notwithstanding section 1101, the level
15 for “Department of Veterans Affairs, Departmental Ad-
16 ministration, Construction, Major Projects” shall be
17 \$1,151,036,000. Within 30 days of the enactment of this
18 section, the Department shall submit to the Committees
19 on Appropriations of the House of Representatives and the
20 Senate a spending plan for fiscal year 2011 at a level of
21 detail below the account level.

22 SEC. 3012. Notwithstanding section 1101, the level
23 for “Department of Veterans Affairs, Departmental Ad-
24 ministration, Construction, Minor Projects” shall be
25 \$467,700,000.

1 SEC. 3013. Notwithstanding section 1101, the level
2 for “Department of Veterans Affairs, Departmental Ad-
3 ministration, Grants for Construction of State Extended
4 Care Facilities” shall be \$85,000,000.

5 SEC. 3014. Notwithstanding any other provision in
6 this chapter, sections 230, 231, and 232 of division E of
7 Public Law 111–117 shall not apply to funds appropriated
8 by this Act.

9 SEC. 3015. Notwithstanding section 1101, the level
10 for “Department of Defense—Civil, Cemeterial Expenses,
11 Army, Salaries and Expenses”, shall be \$50,340,000.

12 SEC. 3016. Notwithstanding section 1101, the level
13 for “Armed Forces Retirement Home, Trust Fund”, shall
14 be \$71,200,000, of which \$2,000,000 shall be for renova-
15 tion of physical plants.

16 SEC. 3017. (a) Of the funds appropriated in division
17 E of Public Law 111–117, the following amounts which
18 became available on October 1, 2010, are hereby rescinded
19 from the following accounts of the Department of Vet-
20 erans Affairs in the amounts specified: “Medical services”,
21 \$1,015,000,000; “Medical support and compliance”,
22 \$145,000,000; and “Medical facilities”, \$145,000,000.

23 (b) An additional amount is appropriated to the fol-
24 lowing accounts of the Department of Veterans Affairs in
25 the amounts specified, to remain available until September

1 30, 2012: “Medical services”, \$1,015,000,000; “Medical
2 support and compliance”, \$145,000,000; and “Medical fa-
3 cilities”, \$145,000,000.

4 SEC. 3018. Amounts provided to the Department of
5 Veterans Affairs for “Medical services”, “Medical support
6 and compliance”, “Medical facilities”, “Construction,
7 minor projects”, and “Information technology systems”
8 for fiscal year 2011 shall be available, through the date
9 specified by section 1106 of this Act: (1) for transfer to
10 the Joint Department of Defense-Department of Veterans
11 Affairs Medical Facility Demonstration Fund, established
12 by section 1704 of Public Law 111–84, and (2) for oper-
13 ations of the integrated Captain James A. Lovell Federal
14 Health Care Center, consisting of the North Chicago Vet-
15 eran Affairs Medical Center, and Navy Ambulatory Care
16 Center, and supporting facilities designated as a combined
17 Federal medical facility as described by section 706 of
18 Public Law 110–417.

19 SEC. 3019. Such sums as may be deposited to the
20 Medical Care Collections Fund pursuant to section 1729A
21 of title 38, United States Code, for health care provided
22 at the Captain James A. Lovell Federal Health Care Cen-
23 ter shall also be available: (1) for transfer to the Joint
24 Department of Defense-Department of Veterans Affairs
25 Medical Facility Demonstration Fund, established by sec-

1 tion 1704 of Public Law 111–84, and (2) for operations
2 of the integrated Captain James A. Lovell Federal Health
3 Care Center, consisting of the North Chicago Veteran Af-
4 fairs Medical Center and Navy Ambulatory Care Center,
5 and supporting facilities designated as a combined Federal
6 medical facility as described by section 706 of Public Law
7 110–417.

8 CHAPTER 11—STATE, FOREIGN OPERATIONS,
9 AND RELATED PROGRAMS

10 SEC. 3101. For purposes of this chapter, the term
11 “division F of Public Law 111–117” means the Depart-
12 ment of State, Foreign Operations, and Related Programs
13 Appropriations Act, 2010 (division F of Public Law 111–
14 117).

15 SEC. 3102. Notwithstanding section 1101, the level
16 for each of the following accounts shall be as follows: “Ad-
17 ministration of Foreign Affairs, Diplomatic and Consular
18 Programs”, \$8,971,529,000; “Administration of Foreign
19 Affairs, Civilian Stabilization Initiative”, \$35,000,000;
20 “International Organizations, Contributions to Inter-
21 national Organizations”, \$1,575,430,000; “International
22 Commissions, International Boundary and Water Com-
23 mission, United States and Mexico, Construction”,
24 \$26,900,000; “International Commissions, International
25 Fisheries Commissions”, \$51,000,000; “Related Agency,

1 Broadcasting Board of Governors, Broadcasting Capital
2 Improvements”, \$6,875,000; “Related Programs, United
3 States Institute of Peace”, \$44,050,000, which shall not
4 be used for construction activities; “United States Agency
5 for International Development, Funds Appropriated to the
6 President, Civilian Stabilization Initiative”, \$15,000,000;
7 “United States Agency for International Development,
8 Funds Appropriated to the President, Capital Investment
9 Fund”, \$173,000,000; “Bilateral Economic Assistance,
10 Funds Appropriated to the President, International Fund
11 for Ireland”, \$15,000,000; “Bilateral Economic Assist-
12 ance, Funds Appropriated to the President, Democracy
13 Fund”, \$115,000,000, of which \$68,500,000 shall be
14 made available for the Human Rights and Democracy
15 Fund of the Bureau of Democracy, Human Rights and
16 Labor, Department of State, and \$46,500,000 shall be
17 made available for the Office of Democracy and Govern-
18 ance of the Bureau for Democracy, Conflict, and Human-
19 tarian Assistance, United States Agency for International
20 Development; “Bilateral Economic Assistance, Funds Ap-
21 propriated to the President, Assistance for Europe, Eur-
22 asia and Central Asia”, \$709,000,000; “Bilateral Eco-
23 nomic Assistance, Department of the Treasury, Debt Re-
24 structuring”, \$56,000,000; “Multilateral Assistance,
25 Funds Appropriated to the President, International Devel-

1 opment Association”, \$1,235,000,000; “Multilateral As-
2 sistance, Funds Appropriated to the President, Contribu-
3 tion to the Inter-American Development Bank”,
4 \$21,000,000; “Multilateral Assistance, Funds Appro-
5 priated to the President, Contribution to the African De-
6 velopment Fund”, \$150,000,000; “International Security
7 Assistance, Department of State, Nonproliferation, Anti-
8 terrorism, Demining and Related Programs”,
9 \$740,000,000; “International Security Assistance, De-
10 partment of State, Peacekeeping Operations”,
11 \$285,000,000; “International Security Assistance, Funds
12 Appropriated to the President, International Military
13 Education and Training”, \$107,000,000; “International
14 Security Assistance, Funds Appropriated to the President,
15 Pakistan Counterinsurgency Capability Fund”,
16 \$700,000,000, which shall remain available until Sep-
17 tember 30, 2012, and shall be available to the Secretary
18 of State under the terms and conditions provided for this
19 Fund in Public Law 111–32 and Public Law 111–212;
20 and “International Security Assistance, Funds Appro-
21 priated to the President, Foreign Military Financing Pro-
22 gram”, \$5,440,000,000, of which not less than
23 \$3,000,000,000 shall be available for grants only for
24 Israel and \$1,300,000,000 shall be available for grants
25 only for Egypt and \$300,000,000 shall be available for

1 assistance for Jordan: *Provided*, That the dollar amount
2 in the fourth proviso under the heading “International Se-
3 curity Assistance, Funds Appropriated to the President,
4 Foreign Military Financing Program” in division F of
5 Public Law 111–117 shall be deemed to be \$789,000,000
6 for the purpose of applying funds appropriated under such
7 heading by this Act.

8 SEC. 3103. Notwithstanding section 1101, the dollar
9 amount in the seventh proviso under the heading “Bilat-
10 eral Economic Assistance, Funds Appropriated to the
11 President, Economic Support Fund” in division F of Pub-
12 lic Law 111–117 shall be deemed to be \$200,000,000 for
13 the purpose of applying funds appropriated under such
14 heading by this Act: *Provided*, That the ninth through the
15 fourteenth provisos under the heading “Bilateral Eco-
16 nomic Assistance, Funds Appropriated to the President,
17 Economic Support Fund” in division F of Public Law
18 111–117 shall not apply to assistance for Afghanistan
19 under this Act: *Provided further*, That the dollar amount
20 in section 7042(f)(1) in division F of Public Law 111–
21 117 shall be deemed to be \$550,400,000.

22 SEC. 3104. Notwithstanding section 1101, the level
23 for each of the following accounts shall be \$0: “Adminis-
24 tration of Foreign Affairs, Buying Power Maintenance Ac-
25 count” and “Multilateral Assistance, Funds Appropriated

1 to the President, Contribution to the Asian Development
2 Fund”.

3 SEC. 3105. **[(a)]** **[In addition to amounts otherwise**
4 **made available in this Act, \$12,000,000 is appropriated**
5 **for “Bilateral Economic Assistance, Funds Appropriated**
6 **to the President, Economic Support Fund” for activities**
7 **specified in section 7071(j) of division F of Public Law**
8 **111-117.]**

9 **[(b)]** **[For purposes of the amount made available**
10 **by this Act for “Export-Import Bank of the United States,**
11 **Administrative Expenses”, project specific transaction**
12 **costs, including direct and indirect costs incurred in claims**
13 **settlements, and other costs for systems infrastructure di-**
14 **rectly supporting transactions, shall not be considered ad-**
15 **ministrative expenses.]**

16 (c) Of the unobligated balances available from funds
17 appropriated under the heading “Export and Investment
18 Assistance, Export-Import Bank of the United States,
19 Subsidy Appropriation” in the Department of State, For-
20 eign Operations, and Related Programs Appropriations
21 Act, 2009 (division H, Public Law 111-8) and under such
22 heading in prior Acts making appropriations for the De-
23 partment of State, foreign operations, and related pro-
24 grams, **[\$160,000,000]** is rescinded.

1 SEC. 3106. (a) Notwithstanding any other provision
2 of this Act, the dollar amounts under paragraphs (1)
3 through (4) under the heading “Administration of Foreign
4 Affairs, Diplomatic and Consular Programs” in division
5 F of Public Law 111–117 shall not apply to funds appro-
6 priated by this Act: *Provided*, That the dollar amounts to
7 be derived from fees collected under paragraph (5)(A)
8 under such heading shall be “\$1,702,904” and
9 “\$505,000”, respectively.

10 (b) Notwithstanding any other provision of this Act,
11 the following provisions in division F of Public Law 111–
12 117 shall not apply to funds appropriated by this Act:

13 (1) Section 7034(l).

14 (2) Section 7042(a), (b)(1), (c), and (d)(1).

15 (3) In section 7045:

16 (A) The first sentence of subsection (c).

17 (B) The first sentence of subsection (e)(1).

18 (C) The first sentence of subsection (f).

19 (D) Subsection (h).

20 (4) Section 7070(b).

21 (5) The third proviso under the heading “Ad-
22 ministration of Foreign Affairs, Civilian Stabiliza-
23 tion Initiative”.

24 (6) The fourth proviso under the heading “Bi-
25 lateral Economic Assistance, Funds Appropriated to

1 the President, Assistance for Europe, Eurasia and
2 Central Asia”.

3 SEC. 3107. (a) Section 1115(d) of Public Law 111–
4 32 is amended by striking “October 1, 2010” and insert-
5 ing “October 1, 2011”.

6 (b) Section 824(g)(2)(A) of the Foreign Service Act
7 of 1980 (22 U.S.C. 4064(g)(2)(A)) is amended by striking
8 “October 1, 2010” and inserting “October 1, 2011”.

9 (c) Section 61(a)(2) of the State Department Basic
10 Authorities Act of 1956 (22 U.S.C. 2733(a)(2)) is amend-
11 ed by striking “October 1, 2010” and inserting “October
12 1, 2011”.

13 (d) Section 625(j)(1)(B) of the Foreign Assistance
14 Act of 1961 (22 U.S.C. 2385(j)(1)(B)) is amended by
15 striking “October 1, 2010” and inserting “October 1,
16 2011”.

17 (e) Section 1(b)(2) of the Passport Act of June 4,
18 1920 (22 U.S.C. 214(b)(2)) is amended by striking “Sep-
19 tember 30, 2010” and inserting “September 30, 2011”.

20 (f) The authority provided by section 1334 of the
21 Foreign Affairs Reform and Restructuring Act of 1998
22 (22 U.S.C. 6553) shall remain in effect until September
23 30, 2011.

24 (g) Section 404(b)(2)(B)(vi) of the Foreign Relations
25 Authorization Act, Fiscal Years 1994 and 1995 (22

1 U.S.C. 287e note) is amended by striking “calendar year
2 2010,” and inserting “calendar years 2010 and 2011,”.

3 (h) The Foreign Operations, Export Financing, and
4 Related Programs Appropriations Act, 1990 (Public Law
5 101–167) is amended—

6 (1) in section 599D (8 U.S.C. 1157 note)—

7 (A) in subsection (b)(3), by striking “and
8 2010” and inserting “2010, and 2011”; and

9 (B) in subsection (e), by striking “2010”
10 each place it appears and inserting “2011”; and

11 (2) in section 599E (8 U.S.C. 1255 note) in
12 subsection (b)(2), by striking “2010” and in-
13 serting “2011”; and

14 (2) in section 599E (8 U.S.C. 1255 note) in
15 subsection (b)(2), by striking “2010” and inserting
16 “2011”.

17 SEC. 3108. (a) The second proviso under the heading
18 “International Security Assistance, Department of State,
19 Peacekeeping Operations” in division F of Public Law
20 111–117 shall be applied by substituting the following:
21 “*Provided further*, That up to \$55,918,000 may be used
22 to pay assessed expenses of international peacekeeping ac-
23 tivities in Somalia, except that up to an additional
24 \$20,000,000 may be made available for such purpose sub-

1 ject to prior consultation with, and the regular notification
2 procedures of, the Committees on Appropriations:”.

3 (b) Section 7034 of division F of Public Law 111–
4 117 shall be applied to funds appropriated by this Act
5 by—

6 (1) substituting \$75,000,000 for the dollar
7 amount in subsection (j); and

8 (2) substituting \$20,000,000 for the dollar
9 amount in subsection (m)(5).

10 (c) Section 7043 of division F of Public Law 111–
11 117 shall be applied to funds appropriated by this Act by
12 substituting the following for subsection (b):

13 “(b) LIMITATION.—None of the funds appropriated
14 or otherwise made available in title VI of this Act under
15 the heading ‘Export-Import Bank of the United States’
16 may be used by the Export-Import Bank of the United
17 States to provide any new financing (including loans,
18 guarantees, other credits, insurance, and reinsurance) to
19 any person that is subject to sanctions under paragraph
20 (2) or (3) of section 5(a) of the Iran Sanctions Act of
21 1996 (Public Law 104–172).”.

22 (d) Section 7045(b) of division F of Public Law 111–
23 117 shall be applied to funds appropriated by this Act by
24 substituting the following for paragraph (2):

1 “(2) Of the funds appropriated under the head-
2 ing ‘Debt Restructuring’ in this Act, up to
3 \$36,000,000 may be made available for the United
4 States share of an increase in the resources of the
5 Fund for Special Operations of the Inter-American
6 Development Bank in furtherance of providing debt
7 relief to Haiti in view of the Cancun Declaration of
8 March 21,2010.”.

9 (e)(1) Section 7046(a) of division F of Public Law
10 111–117 shall be applied to funds appropriated by this
11 Act by substituting “\$453,995,000” for the dollar
12 amount.

13 (2) The dollar amount in the sixteenth proviso under
14 the heading “Bilateral Economic Assistance, Funds Ap-
15 propriated to the President, Economic Support Fund” in
16 division F of Public Law 111–117 shall be deemed to be
17 “\$195,000,000”.

18 (3) The dollar amount in the seventh proviso of the
19 first paragraph under the heading “International Security
20 Assistance, Funds Appropriated to the President, Foreign
21 Military Financing Program” in division F of Public Law
22 111–117 shall be deemed to be “\$44,500,000” for the
23 purpose of applying funds appropriated under such head-
24 ings by this Act.

1 (f) Section 7081(d) of division F of Public Law 111–
2 117 shall be applied to funds appropriated by this Act by
3 substituting the following for the second proviso: “: *Pro-*
4 *vided further*, That funds appropriated under title III of
5 this Act for tropical forest programs shall be used for pur-
6 poses including to implement and enforce section 8204 of
7 Public Law 110–246, shall not be used to support or pro-
8 mote the expansion of industrial scale logging into primary
9 tropical forests, and shall be subject to prior consultation
10 with, and the regular notification procedures of, the Com-
11 mittees on Appropriations”.

12 SEC. 3109. Section 7076 of division F of Public Law
13 111–117 shall be applied to funds appropriated by this
14 Act by substituting the following for the section:

15 (a) LIMITATION.—None of the funds appropriated or
16 otherwise made available by this Act under the headings
17 “Economic Support Fund” and “International Narcotics
18 Control and Law Enforcement” may be obligated for as-
19 sistance for Afghanistan until the Secretary of State, in
20 consultation with the Administrator of the United States
21 Agency for International Development (USAID), certifies
22 and reports to the Committees on Appropriations that—

23 (1) The Government of Afghanistan is—

24 (A) demonstrating a commitment to reduce
25 corruption and improve governance, including

1 by investigating, prosecuting, sanctioning and/
2 or removing corrupt officials from office and to
3 implement financial transparency and account-
4 ability measures for government institutions
5 and officials (including the Central Bank) as
6 well as to conduct oversight of public resources;

7 (B) taking significant steps to facilitate ac-
8 tive public participation in governance and over-
9 sight; and

10 (C) taking credible steps to protect the
11 internationally recognized human rights of Af-
12 ghan women.

13 (2) There is a unified United States Govern-
14 ment anti-corruption strategy for Afghanistan that
15 is adequately funded, and is being implemented in
16 conjunction with relevant Afghan authorities.

17 (3) Funds will be programmed to support and
18 strengthen the capacity of Afghan public and private
19 institutions and entities to reduce corruption and to
20 improve transparency and accountability of national,
21 provincial and local governments, such as—

22 (A) the High Office of Oversight;

23 (B) the Control and Audit Office;

24 (C) the Afghan Criminal Justice Task
25 Force;

1 (D) the Afghan Judicial Security Unit;

2 (E) the Anti-Corruption Tribunal, and the
3 Attorney General's Anti-Corruption Unit;

4 (F) the training and mentoring of judicial
5 personnel;

6 (G) the training and mentoring of Afghan
7 Government personnel in financial management,
8 budgeting, and independent oversight of public
9 funds; and

10 (H) Afghan civil society organizations and
11 media institutions that play an important role
12 in government oversight.

13 (4) Representatives of Afghan national, provin-
14 cial or local governments, local communities and civil
15 society organizations, as appropriate, will be con-
16 sulted and participate in the design of programs,
17 projects, and activities, including participation in im-
18 plementation and oversight, and the development of
19 specific benchmarks to measure progress and out-
20 comes.

21 (5) Funds will be used to train and deploy addi-
22 tional United States Government direct-hire per-
23 sonnel to improve monitoring and control of assist-
24 ance to ensure that funds are used for the intended

1 purpose and do not support illicit and/or corrupt ac-
2 tivities.

3 (6) A framework and methodology is being uti-
4 lized to assess national, provincial, local and sector
5 level fiduciary risks relating to public financial man-
6 agement of United States Government assistance.

7 (b) DIRECT GOVERNMENT-TO-GOVERNMENT ASSIST-
8 ANCE.—

9 (1) Funds appropriated or otherwise made
10 available by this Act for assistance for Afghanistan
11 may not be made available for direct government-to-
12 government assistance unless the Secretary of State
13 certifies to the Committees on Appropriations that
14 the relevant Afghan implementing agency has been
15 assessed and considered qualified to manage such
16 funds and the Government of the United States and
17 the Government of Afghanistan have agreed, in writ-
18 ing, to clear and achievable goals and objectives for
19 the use of such funds, and have established mecha-
20 nisms within each implementing agency to ensure
21 that such funds are used for the purposes for which
22 they were intended: *Provided*, That the Secretary of
23 State should suspend any direct government-to-gov-
24 ernment assistance to an implementing agency if the
25 Secretary has credible information of misuse of such

1 funds by any such agency: *Provided further*, That
2 any such assistance shall be subject to prior con-
3 sultation with, and the regular notification proce-
4 dures of, the Committees on Appropriations.

5 (2) Funds appropriated or otherwise made
6 available by this Act for assistance for Afghanistan
7 may be made available as a United States contribu-
8 tion to the Afghanistan Reconstruction Trust Fund
9 (ARTF) unless the Secretary of State determines
10 and reports to the Committees on Appropriations
11 that the World Bank Monitoring Agent of the
12 ARTF is unable to conduct its financial control and
13 audit responsibilities due to restrictions on security
14 personnel by the Government of Afghanistan.

15 (c) ASSISTANCE FOR OPERATIONS.—

16 (1) Funds appropriated under the headings
17 “Economic Support Fund” and “International Nar-
18 cotics Control and Law Enforcement” in this Act
19 that are available for assistance for Afghanistan—

20 (A) shall be made available, to the max-
21 imum extent practicable, in a manner that em-
22 phasizes the participation of Afghan women,
23 and directly improves the security, economic
24 and social well-being, and political status, and
25 protects the rights of, Afghan women and girls

1 and complies with sections 7062 and 7063 of
2 this Act, including support for the Afghan Inde-
3 pendent Human Rights Commission, the Af-
4 ghan Ministry of Women’s Affairs, and women-
5 led nongovernmental organizations;

6 (B) may be made available for a United
7 States contribution to an internationally-man-
8 aged fund to support the reconciliation with
9 and disarmament, demobilization and reintegra-
10 tion into Afghan society of former combatants
11 who have renounced violence against the Gov-
12 ernment of Afghanistan: *Provided*, That funds
13 may be made available to support reconciliation
14 and reintegration activities only if—

15 (i) Afghan women are participating at
16 national, provincial and local levels of gov-
17 ernment in the design, policy formulation
18 and implementation of the reconciliation or
19 reintegration process, and such process up-
20 holds steps taken by the Government of
21 Afghanistan to protect the internationally
22 recognized human rights of Afghan women;
23 and

24 (ii) such funds will not be used to
25 support any pardon or immunity from

1 prosecution, or any position in the Govern-
2 ment of Afghanistan or security forces, for
3 any leader of an armed group responsible
4 for crimes against humanity, war crimes,
5 or other violations of internationally recog-
6 nized human rights.

7 (C) may be made available for a United
8 States contribution to the North Atlantic Trea-
9 ty Organization/International Security Assist-
10 ance Force Post-Operations Humanitarian Re-
11 lief Fund; and

12 (D) should be made available, notwith-
13 standing any provision of law that restricts as-
14 sistance to foreign countries, for cross border
15 stabilization and development programs between
16 Afghanistan and Pakistan or between either
17 country and the Central Asian republics.

18 (2) Programs and activities funded under titles
19 III and IV of this Act that provide training for for-
20 eign police, judicial, and military personnel shall ad-
21 dress, where appropriate, gender-based violence.

22 (3) The authority contained in section 1102(c)
23 of Public Law 111–32 shall continue in effect during
24 fiscal year 2011 and shall apply as included in part
25 of this Act.

1 (4) The Coordinator for Rule of Law at the
2 United States Embassy in Kabul, Afghanistan shall
3 be consulted on the use of all funds appropriated by
4 this Act for rule of law programs in Afghanistan.

5 (5) None of the funds made available by this
6 Act may be used by the United States Government
7 to enter into a permanent basing rights agreement
8 between the United States and Afghanistan.

9 (6) The Secretary of State, after consultation
10 with the USAID Administrator, shall submit to the
11 Committees on Appropriations not later than 45
12 days after enactment of this Act, and prior to the
13 initial obligation of funds, a detailed spending plan
14 for assistance for Afghanistan which shall include
15 clear and achievable goals, benchmarks for meas-
16 uring progress, and expected results: *Provided*, That
17 such plan shall not be considered as meeting the no-
18 tification requirements under section 7015 of divi-
19 sion F of Public Law 111-117 or under section
20 634A of the Foreign Assistance Act of 1961.

21 (7) Any significant modification to the scope,
22 objectives, or implementation mechanisms of United
23 States assistance programs in Afghanistan shall be
24 subject to prior consultation with, and the regular
25 notification procedures of, the Committees on Ap-

1 appropriations, except that the prior consultation re-
2 quirement may be waived in a manner consistent
3 with section 7015(e) of this Act.

4 (d) OVERSIGHT.—

5 (1) The Special Inspector General for Afghani-
6 stan Reconstruction, the Inspector General of the
7 Department of State and the Inspector General of
8 USAID, shall jointly develop and submit to the
9 Committees on Appropriations within 45 days of en-
10 actment of this Act a coordinated audit and inspec-
11 tion plan of United States assistance for, and civil-
12 ian operations in, Afghanistan.

13 (2) Of the funds appropriated in this Act under
14 the heading “Economic Support Fund” for assist-
15 ance for Afghanistan, \$3,000,000 shall be trans-
16 ferred to, and merged with, funds made available
17 under the heading “Office of Inspector General” in
18 title I of this Act, for increased oversight of pro-
19 grams in Afghanistan and shall be in addition to
20 funds otherwise available for such purposes: *Pro-*
21 *vided*, That \$1,500,000 shall be for the Special In-
22 spector General for Afghanistan Reconstruction.

23 (3) Of the funds appropriated in this Act under
24 the heading “Economic Support Fund” for assist-
25 ance for Afghanistan, \$1,500,000 shall be trans-

1 ferred to, and merged with, funds appropriated
2 under the heading “Office of Inspector General” in
3 title II of this Act for increased oversight of pro-
4 grams in Afghanistan and shall be in addition to
5 funds otherwise available for such purposes.

6 (e) MODIFICATION TO PRIOR PROVISIONS.—

7 (1) Section 1004(c)(1)(C) of Public Law 111–
8 212 is amended to read as follows:

9 “(C) taking credible steps to protect the inter-
10 nationally recognized human rights of Afghan
11 women.”.

12 (2) Section 1004(d)(1) of Public Law 111–212
13 is amended to read as follows:

14 “(1) Afghan women are participating at na-
15 tional, provincial and local levels of government in
16 the design, policy formulation and implementation of
17 the reconciliation or reintegration process, and such
18 process upholds steps taken by the Government of
19 Afghanistan to protect the internationally recognized
20 human rights of Afghan women; and”.

21 (3) Section 1004(e)(1) of Public Law 111–212
22 is amended to read as follows:.

23 “(1) based on information available to the Sec-
24 retary, the Independent Electoral Commission has
25 no members or other employees who participated in,

1 or helped to cover up, acts of fraud in the 2009
2 presidential election in Afghanistan, and the Elec-
3 toral Complaints Commission is a genuinely inde-
4 pendent body with all the authorities that were in-
5 vested in it under Afghan law as of December 31,
6 2009; and”.

7 SEC. 3110. In addition to amounts otherwise made
8 available by this Act, \$100,000,000, to remain available
9 until expended, is appropriated for payment as a contribu-
10 tion to a global food security fund by the Secretary of the
11 Treasury.

12 SEC. 3111. (a) CONTRIBUTION TO THE ASIAN DE-
13 VELOPMENT BANK.—In addition to amounts otherwise
14 made available by this Act, \$106,586,000, to remain avail-
15 able until expended, is appropriated for payment to the
16 Asian Development Bank by the Secretary of the Treasury
17 for the United States share of the paid-in portion of the
18 increase in capital stock.

19 (b) LIMITATION ON CALLABLE CAPITAL SUBSCRIP-
20 TIONS.—The United States Governor of the Asian Devel-
21 opment Bank may subscribe without fiscal year limitation
22 to the callable capital portion of the United States share
23 of such capital stock in an amount not to exceed
24 \$2,558,048,769.

1 (c) AMENDMENT.—The Asian Development Bank
2 Act (22 U.S.C. 285 et seq.), is amended by adding at the
3 end the following:

4 “NINTH REPLENISHMENT

5 “SEC. 33. (a) The United States Governor of the
6 Bank is authorized to contribute, on behalf of the United
7 States, \$461,000,000 to the ninth replenishment of the
8 resources of the Fund, subject to obtaining the necessary
9 appropriations.

10 “(b) In order to pay for the United States contribu-
11 tion provided for in subsection (a), there are authorized
12 to be appropriated, without fiscal year limitation,
13 \$461,000,000 for payment by the Secretary of the Treas-
14 ury.

15 “FIFTH CAPITAL INCREASE

16 “SEC. 34. (a) Subscription Authorized.

17 “(1) The United States Governor of the Bank
18 may subscribe on behalf of the United States to
19 1,104,420 additional shares of the capital stock of
20 the Bank.

21 “(2) Any subscription by the United States to
22 capital stock of the Bank shall be effective only to
23 such extent or in such amounts as are provided in
24 advance in appropriations Acts.

25 “(b) Authorization of Appropriations—

1 “(1) In order to pay for the increase in the
2 United States subscription to the Bank provided for
3 in subsection (a), there are authorized to be appro-
4 priated, without fiscal year limitation,
5 \$13,323,173,083, for payment by the Secretary of
6 the Treasury.

7 “(2) Of the amount authorized to be appro-
8 priated under paragraph (1)—

9 “(A) \$532,929,240 is authorized to be ap-
10 propriated for paid in shares of the Bank; and

11 “(B) \$12,790,243,843 is authorized to be
12 appropriated for callable shares of the Bank,
13 for payment by the Secretary of the Treasury.”.

14 CHAPTER 12—TRANSPORTATION, AND HOUS-
15 ING AND URBAN DEVELOPMENT, AND RE-
16 LATED AGENCIES

17 SEC. 3201. Notwithstanding section 1101, the level
18 for “Federal Aviation Administration, Operations” shall
19 be \$9,542,983,000, of which \$4,559,000,000 shall be de-
20 rived from the Airport and Airway Trust Fund, of which
21 no less than \$7,473,299,000 shall be for air traffic organi-
22 zation activities; no less than \$1,253,020,000 shall be for
23 aviation regulation and certification activities; not to ex-
24 ceed \$15,237,000 shall be available for commercial space
25 transportation activities; not to exceed \$113,681,000 shall

1 be available for financial services activities; not to exceed
2 \$100,428,000 shall be available for human resources pro-
3 gram activities; not to exceed \$341,977,000 shall be avail-
4 able for region and center operations and regional coordi-
5 nation activities; not to exceed \$196,063,000 shall be
6 available for staff offices; and not to exceed \$49,278,000
7 shall be available for information services.

8 SEC. 3202. The amounts included under the heading
9 “Federal Aviation Administration, Grants-in-Aid for Air-
10 ports (Liquidation of Contract Authorization)” in division
11 A of Public Law 111–117 shall be applied to funds appro-
12 priated by this Act by substituting “\$3,550,000,000” for
13 “\$3,000,000,000”.

14 SEC. 3203. Notwithstanding section 1101, the level
15 for “Federal Highway Administration, Surface Transpor-
16 tation Priorities” shall be \$0.

17 SEC. 3204. Notwithstanding section 1101, no funds
18 are provided for activities described in section 122 of title
19 I of division A of Public Law 111–117.

20 SEC. 3205. Of the amount made available for “Motor
21 Carrier Safety Grants, (Liquidation of Contract Author-
22 ization), (Limitation on Obligations), (Highway Trust
23 Fund)” for the commercial driver’s license information
24 system modernization program, \$3,000,000 shall be made
25 available for audits of new entrant motor carriers to carry

1 out section 4107(b) of Public Law 109–59, and 31104(a)
2 of title 49, United States Code, and \$5,000,000 shall be
3 made available for the commercial driver’s license im-
4 provements program to carry out section 31313 of title
5 49, United States Code.

6 SEC. 3206. Notwithstanding section 1101, the level
7 for “Federal Railroad Administration, Safety and Oper-
8 ations” shall be \$176,950,000.

9 SEC. 3207. Notwithstanding section 1101, the level
10 for “Federal Railroad Administration, Capital Assistance
11 for High Speed Rail Corridors and Intercity Passenger
12 Rail Service” shall be \$1,000,000,000.

13 SEC. 3208. Notwithstanding section 1101, the level
14 for “Maritime Administration, Operations and Training”
15 shall be \$155,750,000, of which \$11,240,000 shall remain
16 available until expended for maintenance and repair of
17 training ships at State Maritime Academies, and of which
18 \$15,000,000 shall remain available until expended for cap-
19 ital improvements at the United States Merchant Marine
20 Academy, of which \$59,057,000 shall be available for op-
21 erations at the United States Merchant Marine Academy,
22 and of which \$6,000,000 shall remain available until ex-
23 pended for the Secretary’s reimbursement of overcharged
24 midshipmen fees for academic years 2003–2004 through
25 2008–2009 and such action shall be final and conclusive.

1 SEC. 3209. Notwithstanding section 1101, the level
2 for each of the following accounts under the heading
3 “Pipeline and Hazardous Materials Safety Administra-
4 tion” shall be as follows: “Operational Expenses (Pipeline
5 Safety Fund), \$21,496,000”; “Hazardous Materials Safe-
6 ty”, \$39,098,000, of which \$1,699,000 shall remain avail-
7 able until September 30, 2013; and “Pipeline Safety
8 (Pipeline Safety Fund) (Oil Spill Liability Trust Fund)”,
9 \$106,919,000, of which \$18,905,000 shall be derived from
10 the Oil Spill Liability Trust Fund and shall remain avail-
11 able until September 30, 2013, of which \$88,014,000 shall
12 be derived from the Pipeline Safety Fund, of which
13 \$47,332,000 shall remain available until September 30,
14 2013.

15 SEC. 3210. Notwithstanding section 1101, section
16 186 of title I of division A of Public Law 111–117 shall
17 not apply to fiscal year 2011.

18 SEC. 3211. Notwithstanding section 1101, the level
19 for “Department of Housing and Urban Development,
20 Personnel Compensation and Benefits, Housing” shall be
21 \$390,885,000.

22 SEC. 3212. Notwithstanding section 1101, the level
23 for “Department of Housing and Urban Development,
24 Personnel Compensation and Benefits, Office of the Gov-

1 ernment National Mortgage Association” shall be
2 \$14,000,000.

3 SEC. 3213. Notwithstanding section 1101, the level
4 for “Department of Housing and Urban Development,
5 Public and Indian Housing, Tenant-Based Rental Assist-
6 ance” shall be \$14,838,998,000, to remain available until
7 expended, shall be available on October 1, 2010 (in addi-
8 tion to the \$4,000,000,000 previously appropriated under
9 such heading that will become available on October 1,
10 2010), and notwithstanding section 1109, an additional
11 \$4,000,000,000, to remain available until expended, shall
12 be available on October 1, 2011: *Provided*, That of the
13 amounts available for such heading, \$16,993,998,000
14 shall be for activities specified in paragraph (1) and
15 \$145,000,000 shall be for activities specified in paragraph
16 (2) under such heading of division A of Public Law 111-
17 117: *Provided further*, That of the amounts made available
18 for activities under paragraph (2) under such heading of
19 division A of Public Law 111-117, \$25,000,000 shall be
20 available to provide tenant protection assistance, not oth-
21 erwise provided under this paragraph, to residents resid-
22 ing in low-vacancy areas and who may have to pay rents
23 greater than 30 percent of household income, as the result
24 of (1) the maturity of a HUD-insured, HUD-held or sec-
25 tion 202 loan that requires the permission of the Secretary

1 prior to loan payment, (2) the expiration of a rental assist-
2 ance contract for which the tenants are not eligible for
3 enhanced voucher or tenant protection assistance under
4 existing law, or (3) the expiration of affordability restric-
5 tions accompanying a mortgage or preservation program
6 administered by the Secretary: *Provided further*, That
7 such tenant protection assistance made available under
8 the previous proviso may be provided under the authority
9 of section 8(t) of the United States Housing Act of 1937
10 (42 U.S.C. 1937f(t)): *Provided further*, That the Secretary
11 shall issue guidance to implement the previous two pro-
12 visos, including but not limited to requirements for defin-
13 ing eligible at-risk households, within 120 days of the en-
14 actment of this Act.

15 SEC. 3214. The seventh proviso in paragraph (1)
16 under the heading “Department of Housing and Urban
17 Development, Public and Indian Housing, Tenant-Based
18 Rental Assistance” in division A of Public Law 111–117
19 shall be applied in fiscal year 2011 by inserting before the
20 colon at the end the following: “; (5) for one-time adjust-
21 ments of renewal funding for public housing agencies in
22 receivership with approved fungibility plans for calendar
23 year 2009 as authorized in section 11003 of the Consoli-
24 dated Security, Disaster Assistance, and Continuing Ap-
25 propriations Act, 2009 (Public Law 110–329); or (6) to

1 adjust allocations for public housing agencies to prevent
2 termination of assistance to families receiving assistance
3 under the disaster voucher program, as authorized by
4 chapter 9 of title I of division B of Public Law 109–148
5 under the heading “Tenant-Based Rental Assistance”.

6 SEC. 3215. Notwithstanding section 1101, the level
7 for “Department of Housing and Urban Development,
8 Community Planning and Development, Community De-
9 velopment Fund” shall be \$4,255,000,000, of which
10 \$3,990,000,000 shall be for carrying out the community
11 development block grant program under title I of the
12 Housing and Community Development Act of 1974, as
13 amended: *Provided*, That none of the funds made available
14 by this section for such account may be used for grants
15 for the Economic Development Initiative or Neighborhood
16 Initiatives activities.

17 SEC. 3216. Notwithstanding section 1101, the level
18 for “Department of Housing and Urban Development,
19 Community Planning and Development, Homeless Assist-
20 ance Grants” shall be \$2,055,000,000.

21 SEC. 3217. Notwithstanding section 1101, the level
22 for “Department of Housing and Urban Development,
23 Housing Programs, Project-Based Rental Assistance”
24 shall be \$9,276,000,000, of which \$8,950,000,000 shall
25 be for activities specified in paragraph (1) under such

1 heading in division A of Public Law 111–117 and
2 \$326,000,000 shall be available for activities specified in
3 paragraph (2) under such heading in such public law.

4 SEC. 3218. Notwithstanding section 1101, the level
5 for “Department of Housing and Urban Development,
6 Housing Programs, Energy Innovation Fund” shall be \$0.

7 SEC. 3219. The heading “Department of Housing
8 and Urban Development, Housing Program, Other As-
9 sisted Housing Programs, Rental Housing Assistance”
10 shall be applied by inserting “, or extensions of up to one
11 year for expiring contracts,” after “for amendments to
12 contracts”.

13 SEC. 3220. Notwithstanding section 1101, the level
14 under the heading “Department of Housing and Urban
15 Development, Housing Programs, Rent Supplement (Re-
16 scission)” shall be \$40,060,000.

17 SEC. 3221. Notwithstanding section 1101, the level
18 for “Department of Housing and Urban Development,
19 Federal Housing Administration, Mutual Mortgage Insur-
20 ance Program Account” for administrative contract ex-
21 penses shall be \$221,125,000.

22 SEC. 3222. The first proviso in the first paragraph
23 under the heading “Department of Housing and Urban
24 Development, Federal Housing Administration, General
25 and Special Risk Program Account” in division A of Pub-

1 lie Law 111–117 shall be applied in fiscal year 2011 by
2 substituting ‘\$20,000,000,000’ for ‘\$15,000,000,000’.

3 SEC. 3223. Notwithstanding section 1101, the level
4 for “Department of Housing and Urban Development,
5 Management and Administration, Working Capital Fund”
6 shall be \$228,500,000.

7 SEC. 3224. Notwithstanding section 1101, the level
8 for “National Railroad Passenger Corporation, Office of
9 Inspector General, Salaries and Expenses” shall be
10 \$19,350,000.

11 SEC. 3225. Notwithstanding section 1101, the level
12 under the heading “United States Interagency Council on
13 Homelessness, Operating Expenses” shall be \$3,930,000.

14 SEC. 3226. Section 209 of the McKinney-Vento
15 Homeless Assistance Act (42 U.S.C. 11319) is repealed.

16 **DIVISION B—SURFACE** 17 **TRANSPORTATION EXTENSION**

18 **SEC. 4001. SHORT TITLE; RECONCILIATION OF FUNDS.**

19 (a) **SHORT TITLE.**—This division may be cited as the
20 “Surface Transportation Extension Act of 2010, Part II”.

21 (b) **RECONCILIATION OF FUNDS.**—The Secretary of
22 Transportation shall reduce the amount apportioned or al-
23 located for a program, project, or activity under this divi-
24 sion in fiscal year 2011 by amounts apportioned or allo-
25 cated pursuant to the Surface Transportation Extension

1 Act of 2010 for the period beginning on October 1, 2010,
2 and ending on December 31, 2010.

3 **TITLE I—FEDERAL-AID**
4 **HIGHWAYS**

5 **SEC. 4101. EXTENSION OF FEDERAL-AID HIGHWAY PRO-**
6 **GRAMS.**

7 (a) IN GENERAL.—Section 411 of the Surface Trans-
8 portation Extension Act of 2010 (Public Law 111–147;
9 124 Stat. 78) is amended—

10 (1) by striking “the period beginning on Octo-
11 ber 1, 2010, and ending on December 31, 2010”
12 each place it appears (except in subsection (c)(2))
13 and inserting “fiscal year 2011”;

14 (2) in subsection (a) by striking “December 31,
15 2010” and inserting “September 30, 2011”;

16 (3) in subsection (b)(2) by striking “ $\frac{1}{4}$ of”;

17 (4) in subsection (c)—

18 (A) in paragraph (2)—

19 (i) by striking “ $\frac{1}{4}$ of”; and

20 (ii) by striking “the period beginning
21 on October 1, 2010, and ending on Decem-
22 ber 31, 2010,” and inserting “fiscal year
23 2011”;

24 (B) in paragraph (4)—

1 (i) in subparagraph (A)(ii) by striking
2 “, except that during such period obliga-
3 tions subject to such limitation shall not
4 exceed $\frac{1}{4}$ of the limitation on obligations
5 included in an Act making appropriations
6 for fiscal year 2011”; and

7 (ii) in subparagraph (B)(ii)(II) by
8 striking “\$159,750,000” and inserting
9 “\$639,000,000”; and

10 (C) by striking paragraph (5);

11 (5) in subsection (d)—

12 (A) by striking “ $\frac{1}{4}$ of” each place it ap-
13 pears; and

14 (B) in paragraph (2)(A)—

15 (i) in the matter preceding clause (i)
16 by striking “apportioned under sections
17 104(b) and 144 of title 23, United States
18 Code,” and inserting “specified in section
19 105(a)(2) of title 23, United States Code
20 (except the high priority projects pro-
21 gram),”; and

22 (ii) in clause (ii) by striking “appor-
23 tioned under such sections of such Code”
24 and inserting “specified in such section

1 105(a)(2) (except the high priority projects
2 program)”; and

3 (6) in subsection (e)(1)(B) by striking “¼”.

4 (b) ADMINISTRATIVE EXPENSES.—Section 412(a)(2)
5 of the Surface Transportation Extension Act of 2010
6 (Public Law 111–147; 124 Stat. 83) is amended—

7 (1) by striking “\$105,606,250” and inserting
8 “\$422,425,000”; and

9 (2) by striking “the period beginning on Octo-
10 ber 1, 2010, and ending on December 31, 2010”
11 and inserting “fiscal year 2011”.

12 **TITLE II—EXTENSION OF NA-**
13 **TIONAL HIGHWAY TRAFFIC**
14 **SAFETY ADMINISTRATION**
15 **HIGHWAY SAFETY PROGRAMS**

16 **SEC. 4201. EXTENSION OF NATIONAL HIGHWAY TRAFFIC**
17 **SAFETY ADMINISTRATION HIGHWAY SAFETY**
18 **PROGRAMS.**

19 (a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Sec-
20 tion 2001(a)(1) of SAFETEA–LU (119 Stat. 1519) is
21 amended by striking “and \$58,750,000 for the period be-
22 ginning on October 1, 2010, and ending on December 31,
23 2010.” and inserting “and \$235,000,000 for fiscal year
24 2011.”.

1 (b) HIGHWAY SAFETY RESEARCH AND DEVELOP-
2 MENT.—Section 2001(a)(2) of SAFETEA–LU (119 Stat.
3 1519) is amended by striking “and \$27,061,000 for the
4 period beginning on October 1, 2010, and ending on De-
5 cember 31, 2010.” and inserting “and \$108,244,000 for
6 fiscal year 2011.”.

7 (c) OCCUPANT PROTECTION INCENTIVE GRANTS.—
8 Section 2001(a)(3) of SAFETEA–LU (119 Stat. 1519)
9 is amended by striking “and \$6,250,000 for the period
10 beginning on October 1, 2010, and ending on December
11 31, 2010.” and inserting “and \$25,000,000 for fiscal year
12 2011.”.

13 (d) SAFETY BELT PERFORMANCE GRANTS.—Section
14 2001(a)(4) of SAFETEA–LU (119 Stat. 1519) is amend-
15 ed by striking “and \$31,125,000 for the period beginning
16 on October 1, 2010, and ending on December 31, 2010.”
17 and inserting “and \$124,500,000 for fiscal year 2011.”.

18 (e) STATE TRAFFIC SAFETY INFORMATION SYSTEM
19 IMPROVEMENTS.—Section 2001(a)(5) of SAFETEA–LU
20 (119 Stat. 1519) is amended by striking “and \$8,625,000
21 for the period beginning on October 1, 2010, and ending
22 on December 31, 2010.” and inserting “and \$34,500,000
23 for fiscal year 2011.”.

24 (f) ALCOHOL-IMPAIRED DRIVING COUNTER-
25 MEASURES INCENTIVE GRANT PROGRAM.—Section

1 2001(a)(6) of SAFETEA-LU (119 Stat. 1519) is amend-
2 ed by striking “and \$34,750,000 for the period beginning
3 on October 1, 2010, and ending on December 31, 2010.”
4 and inserting “and \$139,000,000 for fiscal year 2011.”.

5 (g) NATIONAL DRIVER REGISTER.—Section
6 2001(a)(7) of SAFETEA-LU (119 Stat. 1520) is amend-
7 ed by striking “and \$1,029,000 for the period beginning
8 on October 1, 2010, and ending on December 31, 2010.”
9 and inserting “and \$4,116,000 for fiscal year 2011.”.

10 (h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—
11 Section 2001(a)(8) of SAFETEA-LU (119 Stat. 1520)
12 is amended by striking “and \$7,250,000 for the period
13 beginning on October 1, 2010, and ending on December
14 31, 2010.” and inserting “and \$29,000,000 for fiscal year
15 2011.”.

16 (i) MOTORCYCLIST SAFETY.—Section 2001(a)(9) of
17 SAFETEA-LU (119 Stat. 1520) is amended by striking
18 “and \$1,750,000 for the period beginning on October 1,
19 2010, and ending on December 31, 2010.” and inserting
20 “and \$7,000,000 for fiscal year 2011.”.

21 (j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFE-
22 TY INCENTIVE GRANTS.—Section 2001(a)(10) of
23 SAFETEA-LU (119 Stat. 1520) is amended by striking
24 “and \$1,750,000 for the period beginning on October 1,

1 2010, and ending on December 31, 2010.” and inserting
2 “and \$7,000,000 for fiscal year 2011.”.

3 (k) ADMINISTRATIVE EXPENSES.—Section
4 2001(a)(11) of SAFETEA-LU (119 Stat. 1520) is
5 amended by striking “and \$6,332,000 for the period be-
6 ginning on October 1, 2010, and ending on December 31,
7 2010.” and inserting “and \$25,328,000 for fiscal year
8 2011.”.

9 **SEC. 4202. EXTENSION OF FEDERAL MOTOR CARRIER SAFE-**
10 **TY ADMINISTRATION PROGRAMS.**

11 (a) MOTOR CARRIER SAFETY GRANTS.—Section
12 31104(a)(7) of title 49, United States Code, is amended
13 by striking “\$52,679,000 for the period beginning on Oc-
14 tober 1, 2010, and ending on December 31, 2010.” and
15 inserting “\$209,000,000 for fiscal year 2011.”.

16 (b) ADMINISTRATIVE EXPENSES.—Section
17 31104(i)(1)(G) of title 49, United States Code, is amend-
18 ed by striking “\$61,036,000 for the period beginning on
19 October 1, 2010, and ending on December 31, 2010.” and
20 inserting “\$244,144,000 for fiscal year 2011.”.

21 (c) GRANT PROGRAMS.—Section 4101(c) of
22 SAFETEA-LU (119 Stat. 1715) is amended—

23 (1) in paragraph (1)—

24 (A) by striking “and” after “2009,”; and

1 (B) by striking “and \$6,301,000 for the
2 period beginning on October 1, 2010, and end-
3 ing on December 31, 2010” and inserting “and
4 \$25,000,000 for fiscal year 2011”;

5 (2) in paragraph (2) by striking “and
6 \$8,066,000 for the period beginning on October 1,
7 2010, and ending on December 31, 2010” and in-
8 serting “and \$32,000,000 for fiscal year 2011”;

9 (3) in paragraph (3) by striking “and
10 \$1,260,000 for the period beginning on October 1,
11 2010, and ending on December 31, 2010” and in-
12 serting “and \$5,000,000 for fiscal year 2011”;

13 (4) in paragraph (4) by striking “and
14 \$6,301,000 for the period beginning on October 1,
15 2010, and ending on December 31, 2010” and in-
16 serting “and \$25,000,000 for fiscal year 2011”; and

17 (5) in paragraph (5) by striking “and \$756,000
18 for the period beginning on October 1, 2010, and
19 ending on December 31, 2010” and inserting “and
20 \$3,000,000 for fiscal year 2011”.

21 (d) HIGH-PRIORITY ACTIVITIES.—Section
22 31104(k)(2) of title 49, United States Code, is amended
23 by striking “and \$3,781,000 for the period beginning on
24 October 1, 2010, and ending on December 31, 2010” and
25 inserting “and \$15,000,000 for fiscal year 2011”.

1 (e) NEW ENTRANT AUDITS.—Section
2 31144(g)(5)(B) of title 49, United States Code, is amend-
3 ed by striking “(and up to \$7,310,000 for the period be-
4 ginning on October 1, 2010, and ending on December 31,
5 2010)”.

6 (f) COMMERCIAL DRIVER’S LICENSE INFORMATION
7 SYSTEM MODERNIZATION.—Section 4123(d)(6) of
8 SAFETEA–LU (119 Stat. 1736) is amended by striking
9 “\$2,016,000 for the period beginning on October 1, 2010,
10 and ending on December 31, 2010.” and inserting
11 “\$8,000,000 for fiscal year 2011.”.

12 (g) OUTREACH AND EDUCATION.—Section 4127(e)
13 of SAFETEA–LU (119 Stat. 1741) is amended by strik-
14 ing “and 2010” and all that follows before “to carry out”
15 and inserting “2010, and 2011”.

16 (h) GRANT PROGRAM FOR COMMERCIAL MOTOR VE-
17 HICLE OPERATORS.—Section 4134(c) of SAFETEA–LU
18 (119 Stat. 1744) is amended by striking “2009, 2010, and
19 \$252,000 for the period beginning on October 1, 2010,
20 and ending on December 31, 2010,” and inserting
21 “2011”.

22 (i) MOTOR CARRIER SAFETY ADVISORY COM-
23 MITTEE.—Section 4144(d) of SAFETEA–LU (119 Stat.
24 1748) is amended by striking “December 31, 2010” and
25 inserting “September 30, 2011”.

1 (j) WORKING GROUP FOR DEVELOPMENT OF PRAC-
2 TICES AND PROCEDURES TO ENHANCE FEDERAL-STATE
3 RELATIONS.—Section 4213(d) of SAFETEA-LU (49
4 U.S.C. 14710 note; 119 Stat. 1759) is amended by strik-
5 ing “December 31, 2010” and inserting “September 30,
6 2011”.

7 **SEC. 4203. ADDITIONAL PROGRAMS.**

8 (a) HAZARDOUS MATERIALS RESEARCH
9 PROJECTS.—Section 7131(c) of SAFETEA-LU (119
10 Stat. 1910) is amended by striking “through 2010” and
11 all that follows before “shall be available” and inserting
12 “through 2011”.

13 (b) DINGELL-JOHNSON SPORT FISH RESTORATION
14 ACT.—Section 4 of the Dingell-Johnson Sport Fish Res-
15 toration Act (16 U.S.C. 777c) is amended—

16 (1) in subsection (a) by striking “For each of
17 fiscal years 2006” and all that follows before para-
18 graph (1) and inserting the following: “For each of
19 fiscal years 2006 through 2011, the balance of each
20 annual appropriation made in accordance with the
21 provisions of section 3 remaining after the distribu-
22 tions for administrative expenses and other purposes
23 under subsection (b) and for multistate conservation
24 grants under section 14 shall be distributed as fol-
25 lows:”; and

1 (2) in subsection (b)(1)(A) by striking the first
2 sentence and inserting the following: “From the an-
3 nual appropriation made in accordance with section
4 3, for each of fiscal years 2006 through 2011, the
5 Secretary of the Interior may use no more than the
6 amount specified in subparagraph (B) for the fiscal
7 year for expenses for administration incurred in the
8 implementation of this Act, in accordance with this
9 section and section 9.”.

10 (c) SURFACE TRANSPORTATION PROJECT DELIVERY
11 PILOT PROGRAM.—Section 327(i)(1) of title 23, United
12 States Code, is amended by striking “6 years after” and
13 inserting “7 years after”.

14 (d) IMPLEMENTATION OF FUTURE STRATEGIC HIGH-
15 WAY RESEARCH PROGRAM.—Section 510 of title 23,
16 United States Code, is amended by adding at the end the
17 following:

18 “(h) IMPLEMENTATION.—Notwithstanding any other
19 provision of this section, the Secretary may use funds
20 made available to carry out this section for implementa-
21 tion of research products related to the future strategic
22 highway research program, including development, dem-
23 onstration, evaluation, and technology transfer activi-
24 ties.”.

1 **TITLE III—PUBLIC**
2 **TRANSPORTATION PROGRAMS**

3 **SEC. 4301. ALLOCATION OF FUNDS FOR PLANNING PRO-**
4 **GRAMS.**

5 Section 5305(g) of title 49, United States Code, is
6 amended by striking “2010, and for the period beginning
7 October 1, 2010, and ending December 31, 2010,” and
8 inserting “2011”.

9 **SEC. 4302. SPECIAL RULE FOR URBANIZED AREA FORMULA**
10 **GRANTS.**

11 Section 5307(b)(2) of title 49, United States Code,
12 is amended—

13 (1) in the paragraph heading by striking “2010,
14 AND THE PERIOD BEGINNING OCTOBER 1, 2010, AND
15 ENDING DECEMBER 31, 2010” and inserting “2011”;

16 (2) in subparagraph (A) by striking “2010, and
17 the period beginning October 1, 2010, and ending
18 December 31, 2010,” and inserting “2011,”; and

19 (3) in subparagraph (E)—

20 (A) in the subparagraph heading by strik-
21 ing “2010 AND DURING THE PERIOD BEGINNING
22 OCTOBER 1, 2010, AND ENDING DECEMBER 31,
23 2010” and inserting “2011”; and

24 (B) in the matter preceding clause (i) by
25 striking “In fiscal years 2008 through 2010,

1 and during the period beginning October 1,
2 2010, and ending December 31, 2010,” and in-
3 sserting “In each of fiscal years 2008 through
4 2011”.

5 **SEC. 4303. ALLOCATING AMOUNTS FOR CAPITAL INVEST-**
6 **MENT GRANTS.**

7 Section 5309(m) of title 49, United States Code, is
8 amended—

9 (1) in paragraph (2)—

10 (A) in the paragraph heading by striking
11 “2010 AND OCTOBER 1, 2010, THROUGH DECEM-
12 BER 31, 2010” and inserting “2011”;

13 (B) in the matter preceding subparagraph
14 (A) by striking “2010, and during the period
15 beginning October 1, 2010, and ending Decem-
16 ber 31, 2010,” and inserting “2011”; and

17 (C) in subparagraph (A)(i) by striking
18 “2010, and \$50,000,000 for the period begin-
19 ning October 1, 2010, and ending December
20 31, 2010,” and inserting “2011”;

21 (2) in paragraph (6)—

22 (A) in subparagraph (B) by striking
23 “2010, and \$3,750,000 shall be available for
24 the period beginning October 1, 2010, and end-

1 ing December 31, 2010,” and inserting “2011”;
2 and

3 (B) in subparagraph (C) by striking
4 “2010, and \$1,250,000 shall be available for
5 the period beginning October 1, 2010 and end-
6 ing December 31, 2010,” and inserting “2011”;
7 and

8 (3) in paragraph (7)—

9 (A) in subparagraph (A)—

10 (i) by striking “(A) FERRY BOAT SYS-
11 TEMS.—” and all that follows through “(i)
12 FISCAL YEAR 2006 THROUGH 2010.—
13 \$10,000,000 shall be available in each of
14 fiscal years 2006 through 2010” and in-
15 serting the following:

16 “(A) FERRY BOAT SYSTEMS.—
17 \$10,000,000 shall be available in each of fiscal
18 years 2006 through 2011”;

19 (ii) by striking clause (ii);

20 (iii) by redesignating subclauses (I)
21 through (VIII) as clauses (i) through (viii),
22 respectively, and moving the text of such
23 clauses 2 ems to the left; and

24 (iv) by inserting a period at the end
25 of clause (iv) (as so redesignated);

1 (B) by striking subparagraph (B)(vi) and
2 inserting the following:

3 “(vi) \$13,500,000 for fiscal year
4 2011.”;

5 (C) in subparagraph (C) by striking “, and
6 during the period beginning October 1, 2010,
7 and ending December 31, 2010,”;

8 (D) in subparagraph (D) by striking “,
9 and not less than \$8,750,000 shall be available
10 for the period beginning October 1, 2010, and
11 ending December 31, 2010,”; and

12 (E) in subparagraph (E) by striking “, and
13 \$750,000 shall be available for the period be-
14 ginning October 1, 2010, and ending December
15 31, 2010,”.

16 **SEC. 4304. APPORTIONMENT OF FORMULA GRANTS FOR**
17 **OTHER THAN URBANIZED AREAS.**

18 Section 5311(c)(1)(F) of title 49, United States
19 Code, is amended to read as follows:

20 “(F) \$15,000,000 for fiscal year 2011.”.

21 **SEC. 4305. APPORTIONMENT BASED ON FIXED GUIDEWAY**
22 **FACTORS.**

23 Section 5337 of title 49, United States Code, is
24 amended—

1 (1) in subsection (a), in the matter preceding
2 paragraph (1), by striking “2010” and inserting
3 “2011”; and

4 (2) by striking subsection (g).

5 **SEC. 4306. AUTHORIZATIONS FOR PUBLIC TRANSPOR-**
6 **TATION.**

7 (a) FORMULA AND BUS GRANTS.—Section 5338(b)
8 of title 49, United States Code, is amended—

9 (1) by striking paragraph (1)(F) and inserting
10 the following:

11 “(F) \$8,360,565,000 for fiscal year
12 2011.”; and

13 (2) in paragraph (2)—

14 (A) in subparagraph (A) by striking
15 “\$28,375,000 for the period beginning October
16 1, 2010, and ending December 31, 2010,” and
17 inserting “\$113,500,000 for fiscal year 2011”;

18 (B) in subparagraph (B) by striking
19 “\$1,040,091,250 for the period beginning Octo-
20 ber 1, 2010, and ending December 31, 2010,”
21 and inserting “\$4,160,365,000 for fiscal year
22 2011”;

23 (C) in subparagraph (C) by striking
24 “\$12,875,000 for the period beginning October

1 1, 2010, and ending December 31, 2010,” and
2 inserting “\$51,500,000 for fiscal year 2011”;

3 (D) in subparagraph (D) by striking
4 “\$416,625,000 for the period beginning Octo-
5 ber 1, 2010 and ending December 31, 2010,”
6 and inserting “\$1,666,500,000 for fiscal year
7 2011”;

8 (E) in subparagraph (E) by striking
9 “\$246,000,000 for the period beginning Octo-
10 ber 1, 2010 and ending December 31, 2010,”
11 and inserting “\$984,000,000 for fiscal year
12 2011”;

13 (F) in subparagraph (F) by striking
14 “\$33,375,000 for the period beginning October
15 1, 2010 and ending December 31, 2010,” and
16 inserting “\$133,500,000 for fiscal year 2011”;

17 (G) in subparagraph (G) by striking
18 “\$116,250,000 for the period beginning Octo-
19 ber 1, 2010 and ending December 31, 2010,”
20 and inserting “\$465,000,000 for fiscal year
21 2011”;

22 (H) in subparagraph (H) by striking
23 “\$41,125,000 for the period beginning October
24 1, 2010 and ending December 31, 2010,” and
25 inserting “\$164,500,000 for fiscal year 2011”;

1 (I) in subparagraph (I) by striking
2 “\$23,125,000 for the period beginning October
3 1, 2010 and ending December 31, 2010,” and
4 inserting “\$92,500,000 for fiscal year 2011”;

5 (J) in subparagraph (J) by striking
6 “\$6,725,000 for the period beginning October
7 1, 2010 and ending December 31, 2010,” and
8 inserting “\$26,900,000 for fiscal year 2011”;

9 (K) in subparagraph (K) by striking
10 “\$875,000 for the period beginning October 1,
11 2010 and ending December 31, 2010,” and in-
12 serting “\$3,500,000 for fiscal year 2011”;

13 (L) in subparagraph (L) by striking
14 “\$6,250,000 for the period beginning October
15 1, 2010 and ending December 31, 2010,” and
16 inserting “\$25,000,000 for fiscal year 2011”;

17 (M) in subparagraph (M) by striking
18 “\$116,250,000 for the period beginning Octo-
19 ber 1, 2010 and ending December 31, 2010,”
20 and inserting “\$465,000,000 for fiscal year
21 2011”; and

22 (N) in subparagraph (N) by striking
23 “\$2,200,000 for the period beginning October
24 1, 2010 and ending December 31, 2010,” and
25 inserting “\$8,800,000 for fiscal year 2011”.

1 (b) CAPITAL INVESTMENT GRANTS.—Section
2 5338(c)(6) of title 49, United States Code, is amended
3 to read as follows:

4 “(6) \$2,000,000,000 for fiscal year 2011.”.

5 (c) RESEARCH AND UNIVERSITY RESEARCH CEN-
6 TERS.—Section 5338(d) of title 49, United States Code,
7 is amended—

8 (1) in paragraph (1)—

9 (A) in the matter preceding subparagraph
10 (A) by striking “\$17,437,500 for the period be-
11 ginning October 1, 2010, and ending December
12 31, 2010” and inserting “\$69,750,000 for fiscal
13 year 2011”; and

14 (B) in subparagraph (A) by striking “fiscal
15 year 2009” and inserting “each of fiscal years
16 2009, 2010, and 2011”;

17 (2) in paragraph (2)(A)—

18 (A) in clauses (i), (ii), and (iii) by striking
19 “2009” and inserting “2011”; and

20 (B) in clauses (v), (vi), (vii), and (viii) by
21 striking “and 2009” and inserting “through
22 2011”; and

23 (3) by striking paragraph (3) and inserting the
24 following:

1 “(3) FUNDING.—If the Secretary determines
2 that a project or activity described in paragraph (2)
3 received sufficient funds in fiscal year 2010, or a
4 previous fiscal year, to carry out the purpose for
5 which the project or activity was authorized, the
6 Secretary may not allocate any amounts under para-
7 graph (2) for the project or activity for fiscal year
8 2011, or any subsequent fiscal year.”.

9 (d) ADMINISTRATION.—Section 5338(e)(6) of title
10 49, United States Code, is amended to read as follows:

11 “(6) \$98,911,000 for fiscal year 2011.”.

12 **SEC. 4307. AMENDMENTS TO SAFETEA-LU.**

13 (a) CONTRACTED PARATRANSIT PILOT.—Section
14 3009(i)(1) of SAFETEA-LU (119 Stat. 1572) is amend-
15 ed by striking “2010, and for the period beginning Octo-
16 ber 1, 2010, and ending December 31, 2010” and insert-
17 ing “2011”.

18 (b) PUBLIC-PRIVATE PARTNERSHIP PILOT PRO-
19 GRAM.—Section 3011 of SAFETEA-LU (49 U.S.C. 5309
20 note; 119 Stat. 1588) is amended—

21 (1) in subsection (c)(5) by striking “2010 and
22 the period beginning October 1, 2010, and ending
23 December 31, 2010” and inserting “2011”; and

1 (2) in subsection (d) by striking “2010, and for
2 the period beginning October 1, 2010, and ending
3 December 31, 2010” and inserting “2011”.

4 (c) ELDERLY INDIVIDUALS AND INDIVIDUALS WITH
5 DISABILITIES PILOT PROGRAM.—Section 3012(b)(8) of
6 SAFETEA-LU (49 U.S.C. 5310 note; 119 Stat. 1593)
7 is amended by striking “December 31, 2010” and insert-
8 ing “September 30, 2011”.

9 (d) OBLIGATION CEILING.—Section 3040(7) of
10 SAFETEA-LU (119 Stat. 1639) is amended to read as
11 follows:

12 “(7) \$10,507,752,000 for fiscal year 2011, of
13 which not more than \$8,360,565,000 shall be from
14 the Mass Transit Account.”.

15 (e) PROJECT AUTHORIZATIONS FOR NEW FIXED
16 GUIDEWAY CAPITAL PROJECTS.—Section 3043 of
17 SAFETEA-LU (119 Stat. 1640) is amended—

18 (1) in subsection (b), in the matter preceding
19 paragraph (1), by striking “2010, and for the period
20 beginning October 1, 2010, and ending December
21 31, 2010,” and inserting “2011”; and

22 (2) in subsection (c), in the matter preceding
23 paragraph (1), by striking “2010, and for the period
24 beginning October 1, 2010, and ending December
25 31, 2010,” and inserting “2011”.

1 (f) ALLOCATIONS FOR NATIONAL RESEARCH AND
2 TECHNOLOGY PROGRAMS.—Section 3046 of SAFETEA-
3 LU (49 U.S.C. 5338 note; 119 Stat. 1706) is amended—

4 (1) in subsection (b) by striking “or period”;

5 (2) by striking subsection (c) and inserting the
6 following:

7 “(c) ADDITIONAL APPROPRIATIONS.—The Secretary
8 shall allocate amounts appropriated pursuant to section
9 5338(d) of title 49, United States Code, for national re-
10 search and technology programs under sections 5312,
11 5314, and 5322 of such title for fiscal years 2010 and
12 2011, in amounts equal to the amounts allocated for fiscal
13 year 2009 under each of paragraphs (2), (3), (5), (6), and
14 (8) through (25) of subsection (a).”; and

15 (3) in subsection (d)—

16 (A) by striking “2009” and inserting
17 “2010”; and

18 (B) by striking “2010” and inserting
19 “2011”.

20 **SEC. 4308. LEVEL OF OBLIGATION LIMITATIONS.**

21 (a) HIGHWAY CATEGORY.—Section 8003(a) of
22 SAFETEA-LU (2 U.S.C. 901 note; 119 Stat. 1917) is
23 amended—

24 (1) in paragraph (6) by striking “for the period
25 beginning on October 1, 2009, and ending on Sep-

1 tember 30, 2010,” and inserting “for fiscal year
2 2010,”; and

3 (2) by striking paragraph (7) and inserting the
4 following:

5 “(7) for fiscal year 2011, \$42,469,970,178.”.

6 (b) MASS TRANSIT CATEGORY.—Section 8003(b) of
7 SAFETEA-LU (2 U.S.C. 901 note; 119 Stat. 1917) is
8 amended—

9 (1) in paragraph (6) by striking “for the period
10 beginning on October 1, 2009, and ending on De-
11 cember 31, 2010,” and inserting “for fiscal year
12 2010,”; and

13 (2) by striking paragraph (7) and inserting the
14 following:

15 “(7) for fiscal year 2011, \$10,338,065,000.”.

16 **TITLE IV—EXTENSION OF**
17 **EXPENDITURE AUTHORITY**

18 **SEC. 4401. EXTENSION OF EXPENDITURE AUTHORITY.**

19 (a) HIGHWAY TRUST FUND.—Section 9503 of the
20 Internal Revenue Code of 1986 is amended—

21 (1) by striking “December 31, 2010 (January
22 1, 2011, in the case of expenditures for administra-
23 tive expenses)” in subsections (b)(6)(B) and (c)(1)
24 and inserting “October 1, 2011”,

1 (2) by striking “the Surface Transportation Ex-
2 tension Act of 2010” in subsections (c)(1) and
3 (e)(3) and inserting “the Surface Transportation
4 Extension Act of 2010, Part II”, and
5 (3) by striking “January 1, 2011” in subsection
6 (e)(3) and inserting “October 1, 2011”.

7 (b) SPORT FISH RESTORATION AND BOATING TRUST
8 FUND.—Section 9504 of the Internal Revenue Code of
9 1986 is amended—

10 (1) by striking “Surface Transportation Exten-
11 sion Act of 2010” each place it appears in sub-
12 section (b)(2) and inserting “Surface Transportation
13 Extension Act of 2010, Part II”, and

14 (2) by striking “January 1, 2011” in subsection
15 (d)(2) and inserting “October 1, 2011”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on December 31, 2010.

18 **DIVISION C—AIRPORT AND** 19 **AIRWAY EXTENSION**

20 **SEC. 5001. SHORT TITLE.**

21 This division may be cited as the “Airport and Air-
22 way Extension Act of 2010, Part IV”.

1 **SEC. 5002. EXTENSION OF TAXES FUNDING AIRPORT AND**
2 **AIRWAY TRUST FUND.**

3 (a) FUEL TAXES.—Subparagraph (B) of section
4 4081(d)(2) of the Internal Revenue Code of 1986 is
5 amended by striking “December 31, 2010” and inserting
6 “September 30, 2011”.

7 (b) TICKET TAXES.—

8 (1) PERSONS.—Clause (ii) of section
9 4261(j)(1)(A) of the Internal Revenue Code of 1986
10 is amended by striking “December 31, 2010” and
11 inserting “September 30, 2011”.

12 (2) PROPERTY.—Clause (ii) of section
13 4271(d)(1)(A) of such Code is amended by striking
14 “December 31, 2010” and inserting “September 30,
15 2011”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on January 1, 2011.

18 **SEC. 5003. EXTENSION OF AIRPORT AND AIRWAY TRUST**
19 **FUND EXPENDITURE AUTHORITY.**

20 (a) IN GENERAL.—Paragraph (1) of section 9502(d)
21 of the Internal Revenue Code of 1986 is amended—

22 (1) by striking “January 1, 2011” and insert-
23 ing “October 1, 2011”; and

24 (2) by inserting “or the Airport and Airway Ex-
25 tension Act of 2010, Part IV” before the semicolon
26 at the end of subparagraph (A).

1 (b) CONFORMING AMENDMENT.—Paragraph (2) of
2 section 9502(e) of such Code is amended by striking “Jan-
3 uary 1, 2011” and inserting “October 1, 2011”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect on January 1, 2011.

6 **SEC. 5004. EXTENSION OF AIRPORT IMPROVEMENT PRO-**
7 **GRAM.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
9 48103(8) of title 49, United States Code, is amended to
10 read as follows:

11 “(8) \$3,700,000,000 for fiscal year 2011.”.

12 (b) PROJECT GRANT AUTHORITY.—Section 47104(c)
13 of such title is amended by striking “December 31, 2010,”
14 and inserting “September 30, 2011,”.

15 **SEC. 5005. EXTENSION OF EXPIRING AUTHORITIES.**

16 (a) Section 40117(l)(7) of title 49, United States
17 Code, is amended by striking “January 1, 2011.” and in-
18 serting “October 1, 2011.”.

19 (b) Section 44302(f)(1) of such title is amended—

20 (1) by striking “December 31, 2010,” and in-
21 serting “September 30, 2011,”; and

22 (2) by striking “March 31, 2011,” and insert-
23 ing “December 31, 2011,”.

1 (c) Section 44303(b) of such title is amended by
2 striking “March 31, 2011,” and inserting “December 31,
3 2011,”.

4 (d) Section 47107(s)(3) of such title is amended by
5 striking “January 1, 2011.” and inserting “October 1,
6 2011.”.

7 (e) Section 47115(j) of such title is amended by strik-
8 ing “fiscal years 2004 through 2010, and for the portion
9 of fiscal year 2011 ending before January 1, 2011,” and
10 inserting “fiscal years 2004 through 2011,”.

11 (f) Section 47141(f) of such title is amended by strik-
12 ing “December 31, 2010.” and inserting “September 30,
13 2011.”.

14 (g) Section 49108 of such title is amended by striking
15 “December 31, 2010,” and inserting “September 30,
16 2011,”.

17 (h) Section 161 of the Vision 100—Century of Avia-
18 tion Reauthorization Act (49 U.S.C. 47109 note) is
19 amended by striking “fiscal year 2009 or 2010, or in the
20 portion of fiscal year 2011 ending before January 1,
21 2011,” and inserting “fiscal year 2009, 2010, or 2011”.

22 (i) Section 186(d) of such Act (117 Stat. 2518) is
23 amended by striking “for fiscal years ending before Octo-
24 ber 1, 2010, and for the portion of fiscal year 2011 ending

1 before January 1, 2011,” and inserting “for fiscal years
2 ending before October 1, 2011,”.

3 (j) The amendments made by this section shall take
4 effect on January 1, 2011.

