

***In the Senate of the United States,***

*May 27 (legislative day, May 26), 2010.*

*Resolved*, That the bill from the House of Representatives (H.R. 4899) entitled “An Act making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes.”, do pass with the following

**AMENDMENTS:**

Strike out all after the enacting clause and insert:

- 1 *That the following sums are appropriated, out of any*
- 2 *money in the Treasury not otherwise appropriated, for the*
- 3 *fiscal year ending September 30, 2010, and for other pur-*
- 4 *poses, namely:*

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*TITLE I*

*CHAPTER 1*

*DEPARTMENT OF AGRICULTURE*

*FARM SERVICE AGENCY*

*AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

*ACCOUNT*

*For an additional amount for gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, to be available from funds in the Agricultural Credit Insurance Fund, as follows: guaranteed farm ownership loans, \$300,000,000; operating loans, \$650,000,000, of which \$250,000,000 shall be for unsubsidized guaranteed loans, \$50,000,000 shall be for subsidized guaranteed loans, and \$350,000,000 shall be for direct loans.*

*For an additional amount for the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: guaranteed farm ownership loans, \$1,110,000; operating loans, \$29,470,000, of which \$5,850,000 shall be for unsubsidized guaranteed loans, \$7,030,000 shall be for subsidized guaranteed loans, and \$16,590,000 shall be for direct loans.*

1        *For an additional amount for administrative expenses*  
2 *necessary to carry out the direct and guaranteed loan pro-*  
3 *grams, \$1,000,000.*

4            *EMERGENCY FOREST RESTORATION PROGRAM*

5        *For implementation of the emergency forest restoration*  
6 *program established under section 407 of the Agricultural*  
7 *Credit Act of 1978 (16 U.S.C. 2206) for expenses resulting*  
8 *from natural disasters that occurred on or after January*  
9 *1, 2010, and for other purposes, \$18,000,000, to remain*  
10 *available until expended: Provided, That the program: (1)*  
11 *shall be carried out without regard to chapter 35 of title*  
12 *44, United States Code (commonly known as the “Paper-*  
13 *work Reduction Act”) and the Statement of Policy of the*  
14 *Secretary of Agriculture effective July 24, 1971 (36 Fed.*  
15 *Reg. 13804), relating to notices of proposed rulemaking and*  
16 *public participation in rulemaking; and (2) with rules*  
17 *issued without a prior opportunity for notice and comment*  
18 *except, as determined to be appropriate by the Farm Serv-*  
19 *ice Agency, rules may be promulgated by an interim rule*  
20 *effective on publication with an opportunity for notice and*  
21 *comment: Provided further, That in carrying out this pro-*  
22 *gram, the Secretary shall use the authority provided under*  
23 *section 808(2) of title 5, United States Code: Provided fur-*  
24 *ther, That to reduce Federal costs in administering this*  
25 *heading, the emergency forest restoration program shall be*

1 *considered to have met the requirements of the National En-*  
2 *vironmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)*  
3 *for activities similar in nature and quantity to those of the*  
4 *emergency conservation program established under title IV*  
5 *of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et*  
6 *seq.).*

7 *FOREIGN AGRICULTURAL SERVICE*

8 *FOOD FOR PEACE TITLE II GRANTS*

9 *For an additional amount for “Food for Peace Title*  
10 *II Grants” for emergency relief and rehabilitation, and*  
11 *other expenses related to Haiti following the earthquake of*  
12 *January 12, 2010, and for other disaster-response activities*  
13 *relating to the earthquake, \$150,000,000, to remain avail-*  
14 *able until expended.*

15 *GENERAL PROVISIONS—THIS CHAPTER*

16 *SECTION 101. None of the funds appropriated or made*  
17 *available by this or any other Act shall be used to pay the*  
18 *salaries and expenses of personnel to carry out a biomass*  
19 *crop assistance program as authorized by section 9011 of*  
20 *Public Law 107–171 in excess of \$552,000,000 in fiscal*  
21 *year 2010 or \$432,000,000 in fiscal year 2011: Provided,*  
22 *That section 3002 shall not apply to the amount under this*  
23 *section.*

1        *SEC. 102. (a) Section 502(h)(8) of the Housing Act*  
2 *of 1949 (42 U.S.C. 1472(h)(8)) is amended to read as fol-*  
3 *lows:*

4            *“(8) FEES.—Notwithstanding paragraph*  
5 *(14)(D), with respect to a guaranteed loan issued or*  
6 *modified under this subsection, the Secretary may col-*  
7 *lect from the lender—*

8            *“(A) at the time of issuance of the guar-*  
9 *antee or modification, a fee not to exceed 3.5 per-*  
10 *cent of the principal obligation of the loan; and*

11            *“(B) an annual fee not to exceed 0.5 percent*  
12 *of the outstanding principal balance of the loan*  
13 *for the life of the loan.”.*

14        *(b) Section 739 of the Agriculture, Rural Development,*  
15 *Food and Drug Administration, and Related Agencies Ap-*  
16 *propriation Act, 2001 (H.R. 5426 as enacted by Public Law*  
17 *106–387, 115 Stat. 1549A–34) is repealed.*

18        *(c) For gross obligations for the principal amount of*  
19 *guaranteed loans as authorized by title V of the Housing*  
20 *Act of 1949, to be available from funds in the rural housing*  
21 *insurance fund, an additional amount shall be for section*  
22 *502 unsubsidized guaranteed loans sufficient to meet the re-*  
23 *maining fiscal year 2010 demand, provided that existing*  
24 *program underwriting standards are maintained, and pro-*  
25 *vided further that the Secretary may waive fees described*

1 *herein for very low- and low-income borrowers, not to exceed*  
2 *\$697,000,000 in loan guarantees.*

3 *CHAPTER 2*  
4 *DEPARTMENT OF COMMERCE*  
5 *NATIONAL TELECOMMUNICATIONS AND INFORMATION*  
6 *ADMINISTRATION*  
7 *(RESCISSION)*

8 *Of the funds made available under the heading “Na-*  
9 *tional Telecommunications and Information Administra-*  
10 *tion” for Digital-to-Analog Converter Box Program in*  
11 *prior years, \$111,500,000 are rescinded.*

12 *ECONOMIC DEVELOPMENT ADMINISTRATION*  
13 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*  
14 *Pursuant to section 703 of the Public Works and Eco-*  
15 *nomics Development Act (42 U.S.C. 3233), for an additional*  
16 *amount for “Economic Development Assistance Programs”,*  
17 *for necessary expenses related to disaster relief, long-term*  
18 *recovery, and restoration of infrastructure in States that*  
19 *experienced damage due to severe storms and flooding dur-*  
20 *ing March 2010 through May 2010 for which the President*  
21 *declared a major disaster covering an entire State or States*  
22 *with more than 20 counties declared major disasters under*  
23 *title IV of the Robert T. Stafford Disaster Relief and Emer-*  
24 *gency Assistance Act of 1974, \$49,000,000, to remain avail-*  
25 *able until expended.*

1 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*

2 *OPERATIONS, RESEARCH, AND FACILITIES*

3 *For an additional amount for “Operations, Research,*  
4 *and Facilities”, \$5,000,000, for necessary expenses related*  
5 *to commercial fishery failures as determined by the Sec-*  
6 *retary of Commerce in January 2010.*

7 *NATIONAL AERONAUTICS AND SPACE*

8 *ADMINISTRATION*

9 *EXPLORATION*

10 *The matter contained in title III of division B of Pub-*  
11 *lic Law 111–117 regarding “National Aeronautics and*  
12 *Space Administration Exploration” is amended by insert-*  
13 *ing at the end of the last proviso “: Provided further, That*  
14 *notwithstanding any other provision of law or regulation,*  
15 *funds made available for Constellation in fiscal year 2010*  
16 *for ‘National Aeronautics and Space Administration Ex-*  
17 *ploration’ and from previous appropriations for ‘National*  
18 *Aeronautics and Space Administration Exploration’ shall*  
19 *be available to fund continued performance of Constellation*  
20 *contracts, and performance of such Constellation contracts*  
21 *may not be terminated for convenience by the National Aer-*  
22 *onautics and Space Administration in fiscal year 2010”.*

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CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel,  
Army”, \$1,429,809,000.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel,  
Navy”, \$40,478,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel,  
Marine Corps”, \$145,499,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel,  
Air Force”, \$94,068,000.

RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel,  
Army”, \$5,722,000.

RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel,  
Navy”, \$2,637,000.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for “Reserve Personnel, Ma-  
rine Corps”, \$34,758,000.



1                    *RESERVE PERSONNEL, AIR FORCE*

2            *For an additional amount for “Reserve Personnel, Air*  
3 *Force”, \$1,292,000.*

4                    *NATIONAL GUARD PERSONNEL, ARMY*

5            *For an additional amount for “National Guard Per-*  
6 *sonnel, Army”, \$33,184,000.*

7                    *OPERATION AND MAINTENANCE*

8                    *OPERATION AND MAINTENANCE, ARMY*

9            *For an additional amount for “Operation and Mainte-*  
10 *nance, Army”, \$11,719,927,000, of which \$218,300,000*  
11 *shall be available to restore amounts transferred from this*  
12 *account to “Overseas Humanitarian, Disaster, and Civic*  
13 *Aid” for emergency relief activities related to Haiti fol-*  
14 *lowing the earthquake of January 12, 2010, and for other*  
15 *disaster-response activities relating to the earthquake.*

16                    *OPERATION AND MAINTENANCE, NAVY*

17            *For an additional amount for “Operation and Mainte-*  
18 *nance, Navy”, \$2,735,194,000, of which \$187,600,000 shall*  
19 *be available to restore amounts transferred from this ac-*  
20 *count to “Overseas Humanitarian, Disaster, and Civic*  
21 *Aid” for emergency relief activities related to Haiti fol-*  
22 *lowing the earthquake of January 12, 2010, and for other*  
23 *disaster-response activities relating to the earthquake.*

1           *OPERATION AND MAINTENANCE, MARINE CORPS*

2           *For an additional amount for “Operation and Mainte-*  
3 *nance, Marine Corps”, \$829,326,000, of which \$30,700,000*  
4 *shall be available to restore amounts transferred from this*  
5 *account to “Overseas Humanitarian, Disaster, and Civic*  
6 *Aid” for emergency relief activities related to Haiti fol-*  
7 *lowing the earthquake of January 12, 2010, and for other*  
8 *disaster-response activities relating to the earthquake.*

9           *OPERATION AND MAINTENANCE, AIR FORCE*

10          *For an additional amount for “Operation and Mainte-*  
11 *nance, Air Force”, \$3,835,095,000, of which \$218,400,000*  
12 *shall be available to restore amounts transferred from this*  
13 *account to “Overseas Humanitarian, Disaster, and Civic*  
14 *Aid” for emergency relief activities related to Haiti fol-*  
15 *lowing the earthquake of January 12, 2010, and for other*  
16 *disaster-response activities relating to the earthquake.*

17          *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

18                           *(INCLUDING TRANSFER OF FUNDS)*

19          *For an additional amount for “Operation and Mainte-*  
20 *nance, Defense-Wide”, \$1,236,727,000: Provided, That up*  
21 *to \$50,000,000, to remain available until expended, shall*  
22 *be available for transfer to the Port of Guam Improvement*  
23 *Enterprise Fund established by section 3512 of the Duncan*  
24 *Hunter National Defense Authorization Act for Fiscal Year*  
25 *2009 (Public Law 110–417): Provided further, That funds*

1 *transferred under the previous proviso shall be merged with*  
2 *and available for obligation for the same time period and*  
3 *for the same purposes as the appropriation to which trans-*  
4 *ferred: Provided further, That these funds may be trans-*  
5 *ferred by the Secretary of Defense only if he determines such*  
6 *amounts are required to improve facilities, relieve port con-*  
7 *gestion, and provide greater access to port facilities: Pro-*  
8 *vided further, That any amounts transferred pursuant to*  
9 *the previous three provisos shall be available to the Sec-*  
10 *retary of Transportation, acting through the Administrator*  
11 *of the Maritime Administration, to carry out under the*  
12 *Port of Guam Improvement Enterprise Program planning,*  
13 *design, and construction of projects for the Port of Guam*  
14 *to improve facilities, relieve port congestion, and provide*  
15 *greater access to port facilities: Provided further, That the*  
16 *transfer authority in this section is in addition to any other*  
17 *transfer authority available to the Department of Defense:*  
18 *Provided further, That the Secretary shall, not fewer than*  
19 *five days prior to making transfers under this authority,*  
20 *notify the congressional defense committees in writing of*  
21 *the details of any such transfer.*

22 *OPERATION AND MAINTENANCE, ARMY RESERVE*

23 *For an additional amount for “Operation and Mainte-*  
24 *nance, Army Reserve”, \$41,006,000.*

1        *OPERATION AND MAINTENANCE, NAVY RESERVE*

2        *For an additional amount for “Operation and Mainte-*  
3 *nance, Navy Reserve”, \$75,878,000.*

4        *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

5        *For an additional amount for “Operation and Mainte-*  
6 *nance, Marine Corps Reserve”, \$857,000.*

7        *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

8        *For an additional amount for “Operation and Mainte-*  
9 *nance, Air Force Reserve”, \$124,039,000.*

10       *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

11       *For an additional amount for “Operation and Mainte-*  
12 *nance, Army National Guard”, \$180,960,000.*

13       *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

14       *For an additional amount for “Operation and Mainte-*  
15 *nance, Air National Guard”, \$203,287,000.*

16                *AFGHANISTAN SECURITY FORCES FUND*

17        *For an additional amount for “Afghanistan Security*  
18 *Forces Fund”, \$2,604,000,000, to remain available until*  
19 *September 30, 2011: Provided, That such funds shall be*  
20 *available to the Secretary of Defense, notwithstanding any*  
21 *other provision of law, for the purpose of allowing the Com-*  
22 *mander, Combined Security Transition Command—Af-*  
23 *ghanistan, or the Secretary’s designee, to provide assistance,*  
24 *with the concurrence of the Secretary of State, to the secu-*  
25 *rity forces of Afghanistan, including the provision of equip-*

1 *ment, supplies, services, training, facility and infrastruc-*  
2 *ture repair, renovation, and construction, and funding:*  
3 *Provided further, That the authority to provide assistance*  
4 *under this heading is in addition to any other authority*  
5 *to provide assistance to foreign nations: Provided further,*  
6 *That contributions of funds for the purposes provided herein*  
7 *from any person, foreign government, or international orga-*  
8 *nization may be credited to this Fund, to remain available*  
9 *until expended, and used for such purposes: Provided fur-*  
10 *ther, That the Secretary shall notify the congressional de-*  
11 *fense committees in writing upon the receipt and upon the*  
12 *transfer of any contribution, delineating the sources and*  
13 *amounts of the funds received and the specific use of such*  
14 *contributions: Provided further, That the Secretary of De-*  
15 *fense shall, not fewer than 15 days prior to making trans-*  
16 *fers from this appropriation account, notify the congres-*  
17 *sional defense committees in writing of the details of any*  
18 *such transfer.*

19 *IRAQ SECURITY FORCES FUND*

20 *For the “Iraq Security Forces Fund”, \$1,000,000,000,*  
21 *to remain available until September 30, 2011: Provided,*  
22 *That such funds shall be available to the Secretary of De-*  
23 *fense, notwithstanding any other provision of law, for the*  
24 *purpose of allowing the Commander, United States*  
25 *Forces—Iraq, or the Secretary’s designee, to provide assist-*

1 *ance, with the concurrence of the Secretary of State, to the*  
2 *security forces of Iraq, including the provision of equip-*  
3 *ment, supplies, services, training, facility and infrastruc-*  
4 *ture repair, and renovation: Provided further, That the au-*  
5 *thority to provide assistance under this heading is in addi-*  
6 *tion to any other authority to provide assistance to foreign*  
7 *nations: Provided further, That contributions of funds for*  
8 *the purposes provided herein from any person, foreign gov-*  
9 *ernment, or international organization may be credited to*  
10 *this Fund, to remain available until expended, and used*  
11 *for such purposes: Provided further, That the Secretary*  
12 *shall notify the congressional defense committees in writing*  
13 *upon the receipt and upon the transfer of any contribution,*  
14 *delineating the sources and amounts of the funds received*  
15 *and the specific use of such contributions: Provided further,*  
16 *That the Secretary of Defense shall, not fewer than 15 days*  
17 *prior to making transfers from this appropriation account,*  
18 *notify the congressional defense committees in writing of*  
19 *the details of any such transfer.*

## 20 *PROCUREMENT*

### 21 *AIRCRAFT PROCUREMENT, ARMY*

22 *For an additional amount for “Aircraft Procurement,*  
23 *Army”, \$219,470,000, to remain available until September*  
24 *30, 2012.*

1     *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*  
2                                     *VEHICLES, ARMY*

3         *For an additional amount for “Procurement of Weap-*  
4 *ons and Tracked Combat Vehicles, Army”, \$3,000,000, to*  
5 *remain available until September 30, 2012.*

6                                     *PROCUREMENT OF AMMUNITION, ARMY*

7         *For an additional amount for “Procurement of Am-*  
8 *munition, Army”, \$17,055,000, to remain available until*  
9 *September 30, 2012.*

10                                    *OTHER PROCUREMENT, ARMY*

11         *For an additional amount for “Other Procurement,*  
12 *Army”, \$2,065,006,000, to remain available until Sep-*  
13 *tember 30, 2012.*

14                                    *AIRCRAFT PROCUREMENT, NAVY*

15         *For an additional amount for “Aircraft Procurement,*  
16 *Navy”, \$296,000,000, to remain available until September*  
17 *30, 2012.*

18                                    *OTHER PROCUREMENT, NAVY*

19         *For an additional amount for “Other Procurement,*  
20 *Navy”, \$31,576,000, to remain available until September*  
21 *30, 2012.*

22                                    *PROCUREMENT, MARINE CORPS*

23         *For an additional amount for “Procurement, Marine*  
24 *Corps”, \$162,927,000, to remain available until September*  
25 *30, 2012.*

1            *AIRCRAFT PROCUREMENT, AIR FORCE*

2            *For an additional amount for “Aircraft Procurement,*  
3 *Air Force”, \$174,766,000, to remain available until Sep-*  
4 *tember 30, 2012.*

5            *OTHER PROCUREMENT, AIR FORCE*

6            *For an additional amount for “Other Procurement,*  
7 *Air Force”, \$672,741,000, to remain available until Sep-*  
8 *tember 30, 2012.*

9            *PROCUREMENT, DEFENSE-WIDE*

10          *For an additional amount for “Procurement, Defense-*  
11 *Wide”, \$189,276,000, to remain available until September*  
12 *30, 2012.*

13          *MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND*

14                    *(INCLUDING TRANSFER OF FUNDS)*

15          *For an additional amount for the “Mine Resistant*  
16 *Ambush Protected Vehicle Fund”, \$1,123,000,000, to re-*  
17 *main available until September 30, 2011: Provided, That*  
18 *such funds shall be available to the Secretary of Defense,*  
19 *notwithstanding any other provision of law, to procure, sus-*  
20 *tain, transport, and field Mine Resistant Ambush Protected*  
21 *vehicles: Provided further, That the Secretary shall transfer*  
22 *such funds only to appropriations for operations and main-*  
23 *tenance; procurement; research, development, test and eval-*  
24 *uation; and defense working capital funds to accomplish the*  
25 *purpose provided herein: Provided further, That the funds*



1 *transferred shall be merged with and available for the same*  
 2 *purposes and the same time period as the appropriation*  
 3 *to which they are transferred: Provided further, That this*  
 4 *transfer authority is in addition to any other transfer au-*  
 5 *thority available to the Department of Defense: Provided*  
 6 *further, That the Secretary shall, not fewer than 10 days*  
 7 *prior to making transfers from this appropriation, notify*  
 8 *the congressional defense committees in writing of the de-*  
 9 *tails of any such transfer.*

10           *RESEARCH, DEVELOPMENT, TEST AND*  
 11   *EVALUATION*

12 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*  
 13       *For an additional amount for “Research, Develop-*  
 14 *ment, Test and Evaluation, Navy”, \$44,835,000, to remain*  
 15 *available until September 30, 2011.*

16 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*  
 17   *FORCE*

18       *For an additional amount for “Research, Develop-*  
 19 *ment, Test and Evaluation, Air Force”, \$163,775,000, to*  
 20 *remain available until September 30, 2011.*

21       *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*  
 22   *DEFENSE-WIDE*

23       *For an additional amount for “Research, Develop-*  
 24 *ment, Test and Evaluation, Defense-Wide”, \$65,138,000, to*  
 25 *remain available until September 30, 2011.*

1            *REVOLVING AND MANAGEMENT FUNDS*2                    *DEFENSE WORKING CAPITAL FUNDS*

3            *For an additional amount for “Defense Working Cap-*  
4 *ital Funds”, \$1,134,887,000, to remain available until ex-*  
5 *pended.*

6            *OTHER DEPARTMENT OF DEFENSE PROGRAMS*7                    *DEFENSE HEALTH PROGRAM*

8            *For an additional amount for “Defense Health Pro-*  
9 *gram”, \$33,367,000 for operation and maintenance: Pro-*  
10 *vided, That language under this heading in title VI, divi-*  
11 *sion A of Public Law 111–118 is amended by striking*  
12 *“\$15,093,539,000” and inserting in lieu thereof*  
13 *“\$15,121,714,000”.*

14            *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES*15                    *(INCLUDING TRANSFER OF FUNDS)*

16            *For an additional amount for “Drug Interdiction and*  
17 *Counter-Drug Activities, Defense”, \$94,000,000, to remain*  
18 *available until September 30, 2011.*

19            *GENERAL PROVISIONS—THIS CHAPTER*

20            *SEC. 301. Funds appropriated by this Act, or made*  
21 *available by the transfer of funds in this Act, for intelligence*  
22 *activities are deemed to be specifically authorized by the*  
23 *Congress for purposes of section 504(a)(1) of the National*  
24 *Security Act of 1947 (50 U.S.C. 414(a)(1)): Provided, That*  
25 *section 8079 of the Department of Defense Appropriations*

1 *Act, 2010 (Public Law 111–118; 123 Stat. 3446) is amend-*  
2 *ed by striking “fiscal year 2010 until” and all that follows*  
3 *and insert “fiscal year 2010.”.*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *SEC. 302. Section 8005 of the Department of Defense*  
6 *Appropriations Act, 2010 (division A of Public Law 111–*  
7 *118) is amended by striking “\$4,000,000,000” and insert-*  
8 *ing “\$4,500,000,000”.*

9 *SEC. 303. Funds made available in this chapter to the*  
10 *Department of Defense for operation and maintenance may*  
11 *be used to purchase items having an investment unit cost*  
12 *of not more than \$250,000: Provided, That upon determina-*  
13 *tion by the Secretary of Defense that such action is nec-*  
14 *essary to meet the operational requirements of a Com-*  
15 *mander of a Combatant Command engaged in contingency*  
16 *operations overseas, such funds may be used to purchase*  
17 *items having an investment item unit cost of not more than*  
18 *\$500,000.*

19 *SEC. 304. Of the funds obligated or expended by any*  
20 *Federal agency in support of emergency humanitarian as-*  
21 *sistance services at the request of or in coordination with*  
22 *the Department of Defense, the Department of State, or the*  
23 *U.S. Agency for International Development, on or after*  
24 *January 12, 2010 and before February 12, 2010, in support*  
25 *of the Haitian earthquake relief efforts not to exceed*

1 \$500,000 are deemed to be specifically authorized by the  
2 Congress.

3 *SEC. 305. Section 8011 of the title VIII, division A*  
4 *of Public Law 111–118 is amended by striking “within 30*  
5 *days of enactment of this Act” and inserting in lieu thereof*  
6 *“30 days prior to contract award”.*

7 *(RESCISSIONS)*

8 *SEC. 306. (a) Of the funds appropriated in Depart-*  
9 *ment of Defense Appropriation Acts, the following funds are*  
10 *hereby rescinded from the following accounts and programs*  
11 *in the specified amounts:*

12 *“Other Procurement, Air Force, 2009/2011”,*  
13 *\$5,000,000; and*

14 *“Research, Development, Test and Evaluation,*  
15 *Army, 2009/2010”, \$72,161,000.*

16 *(b) Section 3002 shall not apply to the amounts in*  
17 *this section.*

18 *SEC. 307. None of the funds provided in this chapter*  
19 *may be used to finance programs or activities denied by*  
20 *Congress in fiscal years 2009 or 2010 appropriations to the*  
21 *Department of Defense or to initiate a procurement or re-*  
22 *search, development, test and evaluation new start program*  
23 *without prior written notification to the congressional de-*  
24 *fense committees.*

1 *HIGH-VALUE DETAINEE INTERROGATION GROUP CHARTER*  
2 *AND REPORT*

3 *SEC. 308. (a) SUBMISSION OF CHARTER AND PROCE-*  
4 *DURES.—Not later than 30 days after the final approval*  
5 *of the charter and procedures for the interagency body estab-*  
6 *lished to carry out an interrogation pursuant to a rec-*  
7 *ommendation of the report of the Special Task Force on*  
8 *interrogation and Transfer Policies submitted under section*  
9 *5(g) of Executive Order 13491 (commonly known as the*  
10 *High-Value Detainee Interrogation Group), or not later*  
11 *than 30 days after the date of the enactment of this Act,*  
12 *whichever is later, the Director of National Intelligence*  
13 *shall submit to the congressional intelligence committees*  
14 *such charter and procedures.*

15 *(b) UPDATES.—Not later than 30 days after the final*  
16 *approval of any significant modification or revision to the*  
17 *charter or procedures referred to in subsection (a), the Di-*  
18 *rector of National Intelligence shall submit to the congres-*  
19 *sional intelligence committees any such modification or re-*  
20 *vision.*

21 *(c) LESSONS LEARNED.—Not later than 60 days after*  
22 *the date of the enactment of this Act, the Director of Na-*  
23 *tional Intelligence shall submit to the congressional intel-*  
24 *ligence committees a report setting forth an analysis and*  
25 *assessment of the lessons learned as a result of the oper-*

1 *ations and activities of the High-Value Detainee Interroga-*  
 2 *tion Group since the establishment of that group.*

3       (d) *SUBMITTAL OF CHARTER AND REPORTS TO ADDI-*  
 4 *TIONAL COMMITTEES OF CONGRESS.—At the same time the*  
 5 *Director of National Intelligence submits the charter and*  
 6 *procedures referred to in subsection (a), any modification*  
 7 *or revision to the charter or procedures under subsection*  
 8 *(b), and any report under subsection (c) to the congressional*  
 9 *intelligence committees, the Director shall also submit such*  
 10 *matter to—*

11           (1) *the Committees on Armed Services, Home-*  
 12 *land Security and Governmental Affairs, the Judici-*  
 13 *ary, and Appropriations of the Senate; and*

14           (2) *the Committees on Armed Services, Home-*  
 15 *land Security, the Judiciary, and Appropriations of*  
 16 *the House of Representatives.*

17                                   *CHAPTER 4*

18                   *DEPARTMENT OF DEFENSE—CIVIL*

19                                   *DEPARTMENT OF THE ARMY*

20   *CORPS OF ENGINEERS—CIVIL*

21   *INVESTIGATIONS*

22       *For an additional amount for “Investigations”,*  
 23 *\$5,400,000: Provided, That funds provided under this head-*  
 24 *ing in this chapter shall be used for studies in States af-*  
 25 *ected by severe storms and flooding: Provided further, That*

1 *the Assistant Secretary of the Army for Civil Works shall*  
2 *provide a monthly report to the Committees on Appropria-*  
3 *tions of the House of Representatives and the Senate detail-*  
4 *ing the allocation and obligation of these funds, beginning*  
5 *not later than 60 days after enactment of this Act.*

6 *MISSISSIPPI RIVER AND TRIBUTARIES*

7 *For an additional amount for “Mississippi River and*  
8 *Tributaries” to dredge eligible projects in response to, and*  
9 *repair damages to Federal projects caused by, natural dis-*  
10 *asters, \$18,600,000, to remain available until expended:*  
11 *Provided, That the Assistant Secretary of the Army for*  
12 *Civil Works shall provide a monthly report to the Commit-*  
13 *tees on Appropriations of the House of Representatives and*  
14 *the Senate detailing the allocation and obligation of these*  
15 *funds, beginning not later than 60 days after enactment*  
16 *of this Act.*

17 *OPERATION AND MAINTENANCE*

18 *For an additional amount for “Operation and Mainte-*  
19 *nance” to dredge navigation projects in response to, and*  
20 *repair damages to Corps projects caused by, natural disas-*  
21 *ters, \$173,000,000, to remain available until expended: Pro-*  
22 *vided, That the Secretary of the Army is directed to use*  
23 *\$44,000,000 of the amount provided under this heading for*  
24 *nondisaster related emergency repairs to critical infrastruc-*  
25 *ture: Provided further, That the Assistant Secretary of the*

1 *Army for Civil Works shall provide a monthly report to*  
2 *the Committees on Appropriations of the House of Rep-*  
3 *resentatives and the Senate detailing the allocation and ob-*  
4 *ligation of these funds, beginning not later than 60 days*  
5 *after enactment of this Act.*

6 *FLOOD CONTROL AND COASTAL EMERGENCIES*

7 *For an additional amount for “Flood Control and*  
8 *Coastal Emergencies”, as authorized by section 5 of the Act*  
9 *of August 18, 1941 (33 U.S.C. 701n), for necessary expenses*  
10 *relating to natural disasters as authorized by law,*  
11 *\$20,000,000, to remain available until expended: Provided,*  
12 *That the Assistant Secretary of the Army for Civil Works*  
13 *shall provide a monthly report to the Committees on Appro-*  
14 *priations of the House of Representatives and the Senate*  
15 *detailing the allocation and obligation of these funds, begin-*  
16 *ning not later than 60 days after enactment of this Act.*

17 *GENERAL PROVISIONS—THIS CHAPTER*

18 *EMERGENCY DROUGHT RELIEF*

19 *SEC. 401. For an additional amount for “Water and*  
20 *Related Resources”, \$10,000,000, for drought emergency as-*  
21 *sistance: Provided, That financial assistance may be pro-*  
22 *vided under the Reclamation States Emergency Drought*  
23 *Relief Act of 1991 (43 U.S.C. 2201 et seq.) and any other*  
24 *applicable Federal law (including regulations) for the opti-*



1 *mization and conservation of project water supplies to as-*  
2 *sist drought-plagued areas of the West.*

3       *SEC. 402. Funds made available in the Energy and*  
4 *Water Development and Related Agencies Appropriations*  
5 *Act, 2010 (Public Law 111–85), under the account “Weap-*  
6 *ons Activities” shall be available for the purchase of not*  
7 *to exceed one aircraft.*

8 *RECLASSIFICATION OF CERTAIN APPROPRIATIONS FOR THE*  
9       *NATIONAL NUCLEAR SECURITY ADMINISTRATION*

10       *SEC. 403. (a) FISCAL YEAR 2009 APPROPRIATIONS.—*  
11 *The matter under the heading “Weapons Activities” under*  
12 *the heading “National Nuclear Security Administration”*  
13 *under the heading “Atomic Energy Defense Activities”*  
14 *under the heading “Department of Energy” under title III*  
15 *of division C of the Omnibus Appropriations Act, 2009*  
16 *(Public Law 111–8; 123 Stat. 621) is amended by striking*  
17 *“the 09–D–007 LANSCE Refurbishment, PED,” and in-*  
18 *serting “capital equipment acquisition, installation, and*  
19 *associated design funds for LANSCE,”.*

20       *(b) FISCAL YEAR 2010 APPROPRIATIONS.—The*  
21 *amount appropriated under the heading “Weapons Activi-*  
22 *ties” under the heading “National Nuclear Security Admin-*  
23 *istration” under the heading “Atomic Energy Defense Ac-*  
24 *tivities” under the heading “Department of Energy” under*  
25 *title III of the Energy and Water Development and Related*

1 *Agencies Appropriations Act, 2010 (Public Law 111–85;*  
2 *123 Stat. 2866) and made available for LANSCE Reinvest-*  
3 *ment, PED, Los Alamos National Laboratory, Los Alamos,*  
4 *New Mexico, shall be made available instead for capital*  
5 *equipment acquisition, installation, and associated design*  
6 *funds for LANSCE, Los Alamos National Laboratory, Los*  
7 *Alamos, New Mexico.*

8       *SEC. 404. (a) Section 104(c) of the Reclamation States*  
9 *Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c))*  
10 *is amended by striking “September 30, 2010” and inserting*  
11 *“September 30, 2012” in lieu thereof.*

12       *(b) Section 301 of the Reclamation States Emergency*  
13 *Drought Relief Act of 1991 (43 U.S.C. 2241) is amended*  
14 *by striking “through 2010” and inserting “through 2012”*  
15 *in lieu thereof.*

16       *SEC. 405. (a) The Secretary of the Army shall not be*  
17 *required to make a determination under the National His-*  
18 *toric Preservation Act of 1966 (16 U.S.C. 470, et seq.) for*  
19 *the project for flood control, Trinity River and tributaries,*  
20 *Texas, authorized by section 2 of the Act entitled “An Act*  
21 *authorizing the construction, repair, and preservation of*  
22 *certain public works on rivers and harbors, and for other*  
23 *purposes”, approved March 2, 1945 [59 Stat. 18], as modi-*  
24 *fied by section 5141 of the Water Resources Development*  
25 *Act of 2007 [121 Stat. 1253].*

1       **(b)** *The Federal Highway Administration is exempt*  
2 *from the requirements of 49 U.S.C. 303 and 23 U.S.C. 138*  
3 *for any highway project to be constructed in the vicinity*  
4 *of the Dallas Floodway, Dallas, Texas.*

5       **SEC. 406. (a)** *The Secretary of the Army may use*  
6 *funds made available under the heading “OPERATION AND*  
7 *MAINTENANCE” of this chapter to place, at full Federal ex-*  
8 *pense, dredged material available from maintenance dredg-*  
9 *ing of existing Federal navigation channels located in the*  
10 *Gulf Coast region to mitigate the impacts of the Deepwater*  
11 *Horizon Oil spill in the Gulf of Mexico.*

12       **(b)** *The Secretary of the Army shall coordinate the*  
13 *placement of dredged material with appropriate Federal*  
14 *and Gulf Coast State agencies.*

15       **(c)** *The placement of dredged material pursuant to this*  
16 *section shall not be subject to a least-cost-disposal analysis*  
17 *or to the development of a Chief of Engineers report.*

18       **(d)** *Nothing in this section shall affect the ability or*  
19 *authority of the Federal Government to recover costs from*  
20 *an entity determined to be a responsible party in connec-*  
21 *tion with the Deepwater Horizon Oil spill pursuant to the*  
22 *Oil Pollution Act of 1990 or any other applicable Federal*  
23 *statute for actions undertaken pursuant to this section.*

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*CHAPTER 5*

*DEPARTMENT OF THE TREASURY*

*DEPARTMENTAL OFFICES*

*SALARIES AND EXPENSES*

*For an additional amount for “Salaries and Expenses” for necessary expenses for emergency relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake, \$690,000, to remain available until expended: Provided, That funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.*

*OFFICE OF INSPECTOR GENERAL*

*SALARIES AND EXPENSES*

*(RESCISSION)*

*Of the amounts made available for necessary expenses of the Office of Inspector General under this heading in Public Law 111–117, \$1,800,000 are rescinded: Provided, That section 3002 shall not apply to the amount under this heading.*

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*DISTRICT OF COLUMBIA*

*FEDERAL FUNDS*

*FEDERAL PAYMENT TO THE PUBLIC DEFENDER SERVICE*

*FOR THE DISTRICT OF COLUMBIA*

*(INCLUDING RESCISSION)*

*For an additional amount for “Federal Payment to the Public Defender Service for the District of Columbia”, \$700,000, to remain available until September 30, 2012.*

*Of the funds provided under this heading for “Federal Payment to the District of Columbia Public Defender Service” in title IV of division D of Public Law 111–8, \$700,000 are rescinded: Provided, That section 3002 shall not apply to the amounts under this heading.*

*INDEPENDENT AGENCY*

*FINANCIAL CRISIS INQUIRY COMMISSION*

*SALARIES AND EXPENSES*

*For the necessary expenses of the Financial Crisis Inquiry Commission established pursuant to section 5 of the Fraud Enforcement and Recovery Act of 2009 (Public Law 111–21), \$1,800,000, to remain available until February 15, 2011: Provided, That section 3002 shall not apply to the amount under this heading.*

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*CHAPTER 6*

*DEPARTMENT OF HOMELAND SECURITY*

*COAST GUARD*

*OPERATING EXPENSES*

*For an additional amount for “Operating Expenses” for necessary expenses and other disaster-response activities related to Haiti following the earthquake of January 12, 2010, \$50,000,000, to remain available until September 30, 2012.*

*ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS*

*For an additional amount for “Acquisition, Construction, and Improvements”, \$15,500,000, to remain available until September 30, 2014, for aircraft replacement.*

*FEDERAL EMERGENCY MANAGEMENT AGENCY*

*DISASTER RELIEF*

*(INCLUDING TRANSFER OF FUNDS)*

*For an additional amount for “Disaster Relief”, \$5,100,000,000, to remain available until expended, of which \$5,000,000 shall be transferred to the Department of Homeland Security Office of the Inspector General for audits and investigations related to disasters.*

*UNITED STATES CITIZENSHIP AND IMMIGRATION*

*SERVICES*

*For an additional amount for “United States Citizenship and Immigration Services” for necessary expenses and*

1 *other disaster response activities related to Haiti following*  
2 *the earthquake of January 12, 2010, \$10,600,000, to remain*  
3 *available until September 30, 2011.*

4 **GENERAL PROVISIONS—THIS CHAPTER**

5 *SEC. 601. Notwithstanding the 10 percent limitation*  
6 *contained in section 503(c) of Public Law 111–83, for fiscal*  
7 *year 2010, the Secretary of Homeland Security may trans-*  
8 *fer to the fund established by 8 U.S.C. 1101 note, up to*  
9 *\$20,000,000, from appropriations available to the Depart-*  
10 *ment of Homeland Security: Provided, That the Secretary*  
11 *shall notify the Committees on Appropriations of the Senate*  
12 *and House of Representatives 5 days in advance of such*  
13 *transfer.*

14 **(RESCISSIONS)**

15 *SEC. 602. (a) The following unobligated balances made*  
16 *available pursuant to section 505 of Public Law 110–329*  
17 *are rescinded: \$2,200,000 from Coast Guard “Operating*  
18 *Expenses”; \$1,800,000 from the “Office of the Secretary and*  
19 *Executive Management”; and \$489,152 from “Analysis and*  
20 *Operations”.*

21 *(b) The third clause of the proviso directing the ex-*  
22 *penditure of funds under the heading “Alteration of*  
23 *Bridges” in the Department of Homeland Security Appro-*  
24 *priations Act, 2009, is repealed, and from available bal-*  
25 *ances made available for Coast Guard “Alteration of*

1 *Bridges*”, \$5,910,848 are rescinded: Provided, That funds  
2 rescinded pursuant to this subsection shall exclude balances  
3 made available in the American Recovery and Reinvest-  
4 ment Act of 2009 (Public Law 111–5).

5 (c) From the unobligated balances of appropriations  
6 made available in Public Law 111–83 to the “Office of the  
7 Federal Coordinator for Gulf Coast Rebuilding”, \$700,000  
8 are rescinded.

9 (d) Section 3002 shall not apply to the amounts in  
10 this section.

11 SEC. 603. *The Administrator of the Federal Emer-*  
12 *gency Management Agency shall consider satisfied for Hur-*  
13 *ricane Katrina the non-Federal match requirement for as-*  
14 *sistance provided by the Federal Emergency Management*  
15 *Agency pursuant to section 404(a) of the Robert T. Stafford*  
16 *Disaster Relief and Emergency Assistance Act, 42 U.S.C.*  
17 *5170c(a).*

18 SEC. 604. *Funds appropriated in Public Law 111–83*  
19 *under the heading National Protection and Programs Di-*  
20 *rectorate “Infrastructure Protection and Information Secu-*  
21 *rity” shall be available for facility upgrades and related*  
22 *costs to establish a United States Computer Emergency*  
23 *Readiness Team Operations Support Center/Continuity of*  
24 *Operations capability.*



1       *SEC. 605. Two C-130J aircraft funded elsewhere in*  
2 *this Act shall be transferred to the Coast Guard.*

3       *SEC. 606. Notwithstanding any other provision of law,*  
4 *including any agreement, the Federal share of assistance,*  
5 *including direct Federal assistance provided under sections*  
6 *403, 406, and 407 of the Robert T. Stafford Disaster Relief*  
7 *and Emergency Assistance Act (42 U.S.C. 5140b, 5172, and*  
8 *5173), for damages resulting from FEMA-3311-EM-RI,*  
9 *FEMA-1894-DR, FEMA-1906-DR, FEMA-1909-DR,*  
10 *and all other areas Presidentially declared a disaster, prior*  
11 *to or following enactment, and resulting from the May 1*  
12 *and 2, 2010 weather events that elicited FEMA-1909-DR,*  
13 *shall not be less than 90 percent of the eligible costs under*  
14 *such sections.*

15       *SEC. 607. (a) Not later than 30 days after the date*  
16 *of the enactment of this Act, the Assistant Secretary for the*  
17 *Transportation Security Administration shall issue a secu-*  
18 *rity directive that requires a commercial foreign air carrier*  
19 *who operates flights in and out of the United States to check*  
20 *the list of individuals that the Transportation Security Ad-*  
21 *ministration has prohibited from flying not later than 30*  
22 *minutes after such list is modified and provided to such*  
23 *air carrier.*

24       *(b) The requirements of subsection (a) shall not apply*  
25 *to commercial foreign air carriers that operate flights in*

1 *and out of the United States and that are enrolled in the*  
 2 *Secure Flight program or that are Advance Passenger In-*  
 3 *formation System Quick Query (AQQ) compliant.*

4 *CHAPTER 7*

5 *DEPARTMENT OF LABOR*

6 *DEPARTMENTAL MANAGEMENT*

7 *SALARIES AND EXPENSES*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For an additional amount for “Departmental Manage-*  
 10 *ment” for mine safety activities and legal services related*  
 11 *to the Department of Labor’s caseload before the Federal*  
 12 *Mine Safety and Health Review Commission*  
 13 *(“FMSHRC”), \$18,200,000, which shall remain available*  
 14 *for obligation through the date that is 12 months after the*  
 15 *date of enactment of this Act: Provided, That the Secretary*  
 16 *of Labor may transfer such sums as necessary to the “Mine*  
 17 *Safety and Health Administration” for enforcement and*  
 18 *mine safety activities, which may include conference litiga-*  
 19 *tion functions related to the FMSHRC caseload, investiga-*  
 20 *tion of the Upper Big Branch Mine disaster, standards and*  
 21 *rulemaking activities, emergency response equipment pur-*  
 22 *chases and upgrades, and organizational improvements:*  
 23 *Provided further, That the Committees on Appropriations*  
 24 *of the Senate and the House of Representatives are notified*  
 25 *at least 15 days in advance of any transfer.*

1            *DEPARTMENT OF HEALTH AND HUMAN*  
2                            *SERVICES*  
3                            *OFFICE OF THE SECRETARY*  
4    *PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*  
5                            *(INCLUDING TRANSFER OF FUNDS)*

6            *For an additional amount for “Public Health and So-*  
7 *cial Services Emergency Fund” for necessary expenses for*  
8 *emergency relief and reconstruction aid, and other expenses*  
9 *related to Haiti following the earthquake of January 12,*  
10 *2010, and for other disaster-response activities relating to*  
11 *the earthquake, \$220,000,000, to remain available until ex-*  
12 *pendent: Provided, That these funds may be transferred by*  
13 *the Secretary to accounts within the Department of Health*  
14 *and Human Services, shall be merged with the appropria-*  
15 *tion to which transferred, and shall be available only for*  
16 *the purposes provided herein: Provided further, That none*  
17 *of the funds provided in this paragraph may be transferred*  
18 *prior to notification of the Committees on Appropriations*  
19 *of the House of Representatives and the Senate: Provided*  
20 *further, That the transfer authority provided in this para-*  
21 *graph is in addition to any other transfer authority avail-*  
22 *able in this or any other Act: Provided further, That funds*  
23 *appropriated in this paragraph may be used to reimburse*  
24 *agencies for obligations incurred for the purposes provided*  
25 *herein prior to enactment of this Act: Provided further,*

1 *That funds may be used for the non-Federal share of ex-*  
2 *penditures for medical assistance furnished under title XIX*  
3 *of the Social Security Act, and for child health assistance*  
4 *furnished under title XXI of such Act, that are related to*  
5 *earthquake response activities: Provided further, That funds*  
6 *may be used for services performed by the National Disaster*  
7 *Medical System in connection with such earthquake, for the*  
8 *return of evacuated Haitian citizens to Haiti, and for*  
9 *grants to States and other entities to reimburse payments*  
10 *made for otherwise uncompensated health and human serv-*  
11 *ices furnished in connection with individuals given permis-*  
12 *sion by the United States Government to come from Haiti*  
13 *to the United States after such earthquake, and not eligible*  
14 *for assistance under such titles: Provided further, That the*  
15 *limitation in subsection (d) of section 1113 of the Social*  
16 *Security Act shall not apply with respect to any repatri-*  
17 *ation assistance provided in response to the Haiti earth-*  
18 *quake of January 12, 2010: Provided further, That with*  
19 *respect to the previous proviso, such additional repatriation*  
20 *assistance shall only be available from the funds appro-*  
21 *priated herein.*

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*RELATED AGENCY*

*FEDERAL MINE SAFETY AND HEALTH REVIEW*

*COMMISSION*

*SALARIES AND EXPENSES*

*For an additional amount for “Federal Mine Safety and Health Review Commission, Salaries and Expenses”\$3,800,000, to remain available for obligation for 12 months after enactment of this Act.*

*CHAPTER 8*

*HOUSE OF REPRESENTATIVES*

*PAYMENT TO WIDOWS AND HEIRS OF DECEASED*

*MEMBERS OF CONGRESS*

*For a payment to Joyce Murtha, widow of John P. Murtha, late a Representative from Pennsylvania, \$174,000: Provided, That section 3002 shall not apply to this appropriation.*

*CAPITOL POLICE*

*GENERAL EXPENSES*

*For an additional amount for “Capitol Police, General Expenses” to purchase and install the indoor coverage portion of the new radio system for the Capitol Police, \$12,956,000, to remain available until September 30, 2012: Provided, That the Chief of the Capitol Police may not obligate any of the funds appropriated under this heading without approval of an obligation plan by the Committees on*

1 *Appropriations of the Senate and the House of Representa-*  
2 *tives.*

3 *CHAPTER 9*

4 *MILITARY CONSTRUCTION*

5 *MILITARY CONSTRUCTION, ARMY*

6 *For an additional amount for “Military Construction,*  
7 *Army”, \$242,296,000, to remain available until September*  
8 *30, 2012: Provided, That notwithstanding any other provi-*  
9 *sion of law, such funds may be obligated and expended to*  
10 *carry out planning and design and military construction*  
11 *projects not otherwise authorized by law.*

12 *MILITARY CONSTRUCTION, AIR FORCE*

13 *For an additional amount for “Military Construction,*  
14 *Air Force”, \$406,590,000, to remain available until Sep-*  
15 *tember 30, 2012: Provided, That notwithstanding any other*  
16 *provision of law, such funds may be obligated and expended*  
17 *to carry out planning and design and military construction*  
18 *projects not otherwise authorized by law.*

19 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*  
20 *FORCE*

21 *For an additional amount for “Family Housing Oper-*  
22 *ation and Maintenance, Air Force”, \$7,953,000.*

1            *DEPARTMENT OF VETERANS AFFAIRS*2                    *VETERANS BENEFITS ADMINISTRATION*3                            *COMPENSATION AND PENSIONS*

4            *For an additional amount for “Compensation and*  
5 *Pensions”, \$13,377,189,000, to remain available until ex-*  
6 *pended: Provided, That section 3002 shall not apply to the*  
7 *amount under this heading.*

8            *GENERAL PROVISION—THIS CHAPTER*9                    *(INCLUDING TRANSFER OF FUNDS)*

10            *SEC. 901. (a) Of the amounts made available to the*  
11 *Department of Veterans Affairs under the “Construction,*  
12 *Major Projects” account, in fiscal year 2010 or previous*  
13 *fiscal years, up to \$67,000,000 may be transferred to the*  
14 *“Filipino Veterans Equity Compensation Fund” account or*  
15 *may be retained in the “Construction, Major Projects” ac-*  
16 *count and used by the Secretary of Veterans Affairs for such*  
17 *major medical facility projects (as defined under section*  
18 *8104(a) of title 38, United States Code) that have been au-*  
19 *thorized by law as the Secretary considers appropriate: Pro-*  
20 *vided, That any amount transferred from “Construction,*  
21 *Major Projects” shall be derived from unobligated balances*  
22 *that are a direct result of bid savings: Provided further,*  
23 *That no amounts may be transferred from amounts that*  
24 *were designated by Congress as an emergency requirement*  
25 *pursuant to the Concurrent Resolution on the Budget or*

1 *the Balanced Budget and Emergency Deficit Control Act*  
2 *of 1985, as amended.*

3 (b) *Section 3002 shall not apply to the amount in this*  
4 *section.*

5 *LIMITATION ON USE OF FUNDS AVAILABLE TO THE*  
6 *DEPARTMENT OF VETERANS AFFAIRS*

7 *SEC. 902. The amount made available to the Depart-*  
8 *ment of Veterans Affairs by this chapter under the heading*  
9 *“VETERANS BENEFITS ADMINISTRATION” under the head-*  
10 *ing “COMPENSATION AND PENSIONS” may not be obligated*  
11 *or expended until the expiration of the period for Congres-*  
12 *sional disapproval under chapter 8 of title 5, United States*  
13 *Code (commonly referred to as the “Congressional Review*  
14 *Act”), of the regulations prescribed by the Secretary of Vet-*  
15 *erans Affairs pursuant to section 1116 of title 38, United*  
16 *States Code, to establish a service connection between expo-*  
17 *sure of veterans to Agent Orange during service in the Re-*  
18 *public of Vietnam during the Vietnam era and hairy cell*  
19 *leukemia and other chronic B cell leukemias, Parkinson’s*  
20 *disease, and ischemic heart disease.*



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*CHAPTER 10*

*DEPARTMENT OF STATE*

*ADMINISTRATION OF FOREIGN AFFAIRS*

*DIPLOMATIC AND CONSULAR PROGRAMS*

*(INCLUDING TRANSFER OF FUNDS)*

*For an additional amount for “Diplomatic and Consular Programs”, \$1,261,000,000, to remain available until September 30, 2011: Provided, That the Secretary of State may transfer up to \$149,500,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon concurrence of the head of such department or agency and after consultation with the Committees on Appropriations, to support operations in and assistance for Afghanistan and Pakistan and to carry out the provisions of the Foreign Assistance Act of 1961.*

*For an additional amount for “Diplomatic and Consular Programs” for necessary expenses for emergency relief, rehabilitation, and reconstruction support, and other expenses related to Haiti following the earthquake of January 12, 2010, \$65,000,000, to remain available until September 30, 2011: Provided, That funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act: Provided further, That up to \$3,700,000 of the funds made*

1 *available in this paragraph may be transferred to, and*  
2 *merged with, funds made available under the heading*  
3 *“Emergencies in the Diplomatic and Consular Service”:*  
4 *Provided further, That up to \$290,000 of the funds made*  
5 *available in this paragraph may be transferred to, and*  
6 *merged with, funds made available under the heading “Re-*  
7 *patriation Loans Program Account”.*

8 *OFFICE OF INSPECTOR GENERAL*

9 *For an additional amount for “Office of Inspector*  
10 *General” for necessary expenses for oversight of operations*  
11 *and programs in Afghanistan, Pakistan, and Iraq,*  
12 *\$3,600,000, to remain available until September 30, 2013.*

13 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

14 *For an additional amount for “Embassy Security,*  
15 *Construction, and Maintenance” for necessary expenses for*  
16 *emergency needs in Haiti following the earthquake of Janu-*  
17 *ary 12, 2010, \$79,000,000, to remain available until ex-*  
18 *pendent: Provided, That funds appropriated in this para-*  
19 *graph may be used to reimburse obligations incurred for*  
20 *the purposes provided herein prior to enactment of this Act.*

21 *INTERNATIONAL ORGANIZATIONS*

22 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

23 *ACTIVITIES*

24 *For an additional amount for “Contributions for*  
25 *International Peacekeeping Activities” for necessary ex-*

1 *penses for emergency security related to Haiti following the*  
2 *earthquake of January 12, 2010, \$96,500,000, to remain*  
3 *available until September 30, 2011: Provided, That funds*  
4 *appropriated in this paragraph may be used to reimburse*  
5 *obligations incurred for the purposes provided herein prior*  
6 *to enactment of this Act.*

7 *RELATED AGENCY*

8 *BROADCASTING BOARD OF GOVERNORS*

9 *INTERNATIONAL BROADCASTING OPERATIONS*

10 *For an additional amount for “International Broad-*  
11 *casting Operations” for necessary expenses for emergency*  
12 *broadcasting support and other expenses related to Haiti*  
13 *following the earthquake of January 12, 2010, \$3,000,000,*  
14 *to remain available until September 30, 2011: Provided,*  
15 *That funds appropriated in this paragraph may be used*  
16 *to reimburse obligations incurred for the purposes provided*  
17 *herein prior to enactment of this Act.*

18 *UNITED STATES AGENCY FOR INTERNATIONAL*

19 *DEVELOPMENT*

20 *FUNDS APPROPRIATED TO THE PRESIDENT*

21 *OFFICE OF INSPECTOR GENERAL*

22 *For an additional amount for “Office of Inspector*  
23 *General” for necessary expenses for oversight of operations*  
24 *and programs in Afghanistan and Pakistan, \$3,400,000, to*  
25 *remain available until September 30, 2013.*

1        *For an additional amount for “Office of Inspector*  
2 *General” for necessary expenses for oversight of emergency*  
3 *relief, rehabilitation, and reconstruction aid, and other ex-*  
4 *penses related to Haiti following the earthquake of January*  
5 *12, 2010, \$4,500,000, to remain available until September*  
6 *30, 2012: Provided, That up to \$1,500,000 of the funds ap-*  
7 *propriated in this paragraph may be used to reimburse ob-*  
8 *ligations incurred for the purposes provided herein prior*  
9 *to enactment of this Act.*

10                    *BILATERAL ECONOMIC ASSISTANCE*

11                    *FUNDS APPROPRIATED TO THE PRESIDENT*

12                    *GLOBAL HEALTH AND CHILD SURVIVAL*

13        *For an additional amount for “Global Health and*  
14 *Child Survival” for necessary expenses for pandemic pre-*  
15 *paredness and response, \$45,000,000, to remain available*  
16 *until September 30, 2011.*

17                    *INTERNATIONAL DISASTER ASSISTANCE*

18        *For an additional amount for “International Disaster*  
19 *Assistance” for necessary expenses for emergency relief and*  
20 *rehabilitation, and other expenses related to Haiti following*  
21 *the earthquake of January 12, 2010, \$460,000,000, to re-*  
22 *main available until expended: Provided, That funds ap-*  
23 *propriated in this paragraph may be used to reimburse ob-*  
24 *ligations incurred for the purposes provided herein prior*  
25 *to enactment of this Act.*

1                                    *ECONOMIC SUPPORT FUND*  
2                                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For an additional amount for “Economic Support*  
4 *Fund”, \$1,620,000,000, to remain available until Sep-*  
5 *tember 30, 2012, of which not less than \$1,309,000,000 shall*  
6 *be made available for assistance for Afghanistan and not*  
7 *less than \$259,000,000 shall be made available for assist-*  
8 *ance for Pakistan: Provided, That funds appropriated*  
9 *under this heading in this Act and in prior Acts making*  
10 *appropriations for the Department of State, foreign oper-*  
11 *ations, and related programs that are made available for*  
12 *assistance for Afghanistan may be made available, after*  
13 *consultation with the Committees on Appropriations, for*  
14 *disarmament, demobilization and reintegration activities,*  
15 *subject to the requirements of section 904(e) in this chapter,*  
16 *and for a United States contribution to an internationally*  
17 *managed fund to support the reintegration into Afghan so-*  
18 *ciety of individuals who have renounced violence against*  
19 *the Government of Afghanistan.*

20            *For an additional amount for “Economic Support*  
21 *Fund” for necessary expenses for emergency relief, rehabili-*  
22 *tation, and reconstruction aid, and other expenses related*  
23 *to Haiti following the earthquake of January 12, 2010,*  
24 *\$770,000,000, to remain available until September 30,*  
25 *2012: Provided, That of the funds appropriated in this*

1 *paragraph, up to \$120,000,000 may be transferred to the*  
2 *Department of the Treasury for United States contributions*  
3 *to a multi-donor trust fund for reconstruction and recovery*  
4 *efforts in Haiti: Provided further, That of the funds appro-*  
5 *priated in this paragraph, up to \$10,000,000 may be trans-*  
6 *ferred to, and merged with, funds made available under the*  
7 *heading “United States Agency for International Develop-*  
8 *ment, Funds Appropriated to the President, Operating Ex-*  
9 *penses” for administrative costs relating to the purposes*  
10 *provided herein and to reimburse obligations incurred for*  
11 *the purposes provided herein prior to enactment of this Act:*  
12 *Provided further, That funds appropriated in this para-*  
13 *graph may be transferred to, and merged with, funds avail-*  
14 *able under the heading “Development Credit Authority” for*  
15 *the purposes provided herein: Provided further, That such*  
16 *transfer authority is in addition to any other transfer au-*  
17 *thority provided by this or any other Act: Provided further,*  
18 *That funds made available to the Comptroller General pur-*  
19 *suant to title I, chapter 4 of Public Law 106–31, to monitor*  
20 *the provision of assistance to address the effects of hurri-*  
21 *canes in Central America and the Caribbean, shall also be*  
22 *available to the Comptroller General to monitor relief, reha-*  
23 *bilitation, and reconstruction aid, and other expenses re-*  
24 *lated to Haiti following the earthquake of January 12,*  
25 *2010, and shall remain available until expended: Provided*

1 *further, That funds appropriated in this paragraph may*  
2 *be made available to the United States Agency for Inter-*  
3 *national Development and the Department of State to reim-*  
4 *burse any accounts for obligations incurred for the purpose*  
5 *provided herein prior to enactment of this Act.*

6 *For an additional amount for “Economic Support*  
7 *Fund” for necessary expenses for assistance for Jordan,*  
8 *\$100,000,000, to remain available until September 30,*  
9 *2012.*

10 *DEPARTMENT OF STATE*

11 *MIGRATION AND REFUGEE ASSISTANCE*

12 *For an additional amount for “Migration and Refugee*  
13 *Assistance” for necessary expenses for assistance for refugees*  
14 *and internally displaced persons, \$165,000,000, to remain*  
15 *available until expended.*

16 *DEPARTMENT OF THE TREASURY*

17 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

18 *For an additional amount for “International Affairs*  
19 *Technical Assistance” for necessary expenses for emergency*  
20 *relief, rehabilitation, and reconstruction aid, and other ex-*  
21 *penses related to Haiti following the earthquake of January*  
22 *12, 2010, \$7,100,000, to remain available until September*  
23 *30, 2012: Provided, That of the funds appropriated in this*  
24 *paragraph, up to \$60,000 may be used to reimburse obliga-*

1 *tions incurred for the purposes provided herein prior to en-*  
2 *actment of this Act.*

3 *INTERNATIONAL SECURITY ASSISTANCE*

4 *DEPARTMENT OF STATE*

5 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

6 *ENFORCEMENT*

7 *For an additional amount for “International Nar-*  
8 *cotics Control and Law Enforcement”, \$1,034,000,000, to*  
9 *remain available until September 30, 2012: Provided, That*  
10 *of the funds appropriated under this heading, not less than*  
11 *\$650,000,000 shall be made available for assistance for Iraq*  
12 *of which \$450,000,000 is for one-time start up costs and*  
13 *limited operational costs of the Iraqi police program, and*  
14 *\$200,000,000 is for implementation, management, security,*  
15 *communications, and other expenses related to such pro-*  
16 *gram and may be obligated only after the Secretary of State*  
17 *determines and reports to the Committees on Appropria-*  
18 *tions that the Government of Iraq supports and is cooper-*  
19 *ating with such program: Provided further, That funds ap-*  
20 *propriated in this chapter for assistance for Iraq shall not*  
21 *be subject to the limitation on assistance in section*  
22 *7042(b)(1) of division F of Public Law 111–117: Provided*  
23 *further, That of the funds appropriated in this paragraph,*  
24 *not less than \$169,000,000 shall be made available for as-*  
25 *sistance for Afghanistan and not less than \$40,000,000 shall*



1 *be made available for assistance for Pakistan: Provided fur-*  
2 *ther, That of the funds appropriated under this heading,*  
3 *\$175,000,000 shall be made available for assistance for Mex-*  
4 *ico for judicial reform, institution building, anti-corrup-*  
5 *tion, and rule of law activities, and shall be available sub-*  
6 *ject to prior consultation with, and the regular notification*  
7 *procedures of, the Committees on Appropriations.*

8 *For an additional amount for “International Nar-*  
9 *cotics Control and Law Enforcement” for necessary ex-*  
10 *penses for emergency relief, rehabilitation, and reconstruc-*  
11 *tion aid, and other expenses related to Haiti following the*  
12 *earthquake of January 12, 2010, \$147,660,000, to remain*  
13 *available until September 30, 2012: Provided, That funds*  
14 *appropriated in this paragraph may be used to reimburse*  
15 *obligations incurred for the purposes provided herein prior*  
16 *to enactment of this Act.*

17 *FUNDS APPROPRIATED TO THE PRESIDENT*

18 *FOREIGN MILITARY FINANCING PROGRAM*

19 *For an additional amount for “Foreign Military Fi-*  
20 *nancing Program”, \$100,000,000, to remain available until*  
21 *September 30, 2012, of which not less than \$50,000,000*  
22 *shall be made available for assistance for Pakistan and not*  
23 *less than \$50,000,000 shall be made available for assistance*  
24 *for Jordan.*

1            *GENERAL PROVISIONS—THIS CHAPTER*2                            *EXTENSION OF AUTHORITIES*

3            *SEC. 1001. Funds appropriated in this chapter may*  
4 *be obligated and expended notwithstanding section 10 of*  
5 *Public Law 91–672 (22 U.S.C. 2412), section 15 of the*  
6 *State Department Basic Authorities Act of 1956 (22 U.S.C.*  
7 *6212), and section 504(a)(1) of the National Security Act*  
8 *of 1947 (50 U.S.C. 414(a)(1)).*

9                            *ALLOCATIONS*

10           *SEC. 1002. (a) Funds appropriated in this chapter for*  
11 *the following accounts shall be made available for programs*  
12 *and countries in the amounts contained in the respective*  
13 *tables included in the report accompanying this Act:*

14                    (1) *“Diplomatic and Consular Programs”.*

15                    (2) *“Economic Support Fund”.*

16                    (3) *“International Narcotics Control and Law*  
17 *Enforcement”.*

18           (b) *For the purposes of implementing this section, and*  
19 *only with respect to the tables included in the report accom-*  
20 *panying this Act, the Secretary of State and the Adminis-*  
21 *trator of the United States Agency for International Devel-*  
22 *opment, as appropriate, may propose deviations to the*  
23 *amounts referred in subsection (a), subject to the regular*  
24 *notification procedures of the Committees on Appropria-*

1 *tions and section 634A of the Foreign Assistance Act of*  
2 *1961.*

3 *SPENDING PLANS AND NOTIFICATION PROCEDURES*

4 *SEC. 1003. (a) SPENDING PLANS.—Not later than 45*  
5 *days after enactment of this Act, the Secretary of State, in*  
6 *consultation with the Administrator of the United States*  
7 *Agency for International Development, and the Broad-*  
8 *casting Board of Governors, shall submit reports to the*  
9 *Committees on Appropriations detailing planned uses of*  
10 *funds appropriated in this chapter, except for funds appro-*  
11 *riated under the headings “International Disaster Assist-*  
12 *ance” and “Migration and Refugee Assistance”.*

13 *(b) OBLIGATION REPORTS.—The Secretary of State, in*  
14 *consultation with the Administrator of the United States*  
15 *Agency for International Development, and the Broad-*  
16 *casting Board of Governors, shall submit reports to the*  
17 *Committees on Appropriations not later than 90 days after*  
18 *enactment of this Act, and every 180 days thereafter until*  
19 *September 30, 2012, on obligations, expenditures, and pro-*  
20 *gram outputs and outcomes.*

21 *(c) NOTIFICATION.—Funds made available in this*  
22 *chapter shall be subject to the regular notification proce-*  
23 *dures of the Committees on Appropriations and section*  
24 *634A of the Foreign Assistance Act of 1961, except for funds*

1 *appropriated under the headings “International Disaster*  
2 *Assistance” and “Migration and Refugee Assistance”.*

3 *AFGHANISTAN*

4 *SEC. 1004. (a) The terms and conditions of sections*  
5 *1102(a), (b)(1), (c), and (d) of Public Law 111–32 shall*  
6 *apply to funds appropriated in this chapter that are avail-*  
7 *able for assistance for Afghanistan.*

8 *(b) Funds appropriated in this chapter and in prior*  
9 *Acts making appropriations for the Department of State,*  
10 *foreign operations, and related programs under the head-*  
11 *ings “Economic Support Fund” and “International Nar-*  
12 *cotics Control and Law Enforcement” that are available for*  
13 *assistance for Afghanistan may be obligated only if the Sec-*  
14 *retary of State reports to the Committees on Appropriations*  
15 *that prior to the disbursement of funds, representatives of*  
16 *the Afghan national, provincial or local government, local*  
17 *communities and civil society organizations, as appro-*  
18 *priate, will be consulted and participate in the design of*  
19 *programs, projects, and activities, and following such dis-*  
20 *bursement will participate in implementation and over-*  
21 *sight, and progress will be measured against specific bench-*  
22 *marks.*

23 *(c)(1) Funds appropriated in this chapter may be*  
24 *made available for assistance for the Government of Afghan-*  
25 *istan only if the Secretary of State determines and reports*

1 *to the Committees on Appropriations that the Government*  
2 *of Afghanistan is—*

3           (A) *cooperating with United States reconstruc-*  
4 *tion and reform efforts;*

5           (B) *demonstrating a commitment to account-*  
6 *ability by removing corrupt officials, implementing*  
7 *fiscal transparency and other necessary reforms of*  
8 *government institutions, and facilitating active public*  
9 *engagement in governance and oversight of public re-*  
10 *sources; and*

11           (C) *respecting the internationally recognized*  
12 *human rights of Afghan women.*

13       (2) *If at any time after making the determination re-*  
14 *quired in paragraph (1) the Secretary receives credible in-*  
15 *formation that the factual basis for such determination no*  
16 *longer exists, the Secretary should suspend assistance and*  
17 *promptly inform the relevant Afghan authorities that such*  
18 *assistance is suspended until sufficient factual basis exists*  
19 *to support the determination.*

20       (d) *Funds appropriated in this chapter and in prior*  
21 *Acts that are available for assistance for Afghanistan may*  
22 *be made available to support reconciliation with, or re-*  
23 *integration of, former combatants only if the Secretary of*  
24 *State determines and reports to the Committees on Appro-*  
25 *priations that—*

1           (1) *Afghan women are participating at national,*  
2           *provincial and local levels of government in the de-*  
3           *sign, policy formulation and implementation of the*  
4           *reconciliation or reintegration process, and women’s*  
5           *internationally recognized human rights are protected*  
6           *in such process; and*

7           (2) *such funds will not be used to support any*  
8           *pardon, immunity from prosecution or amnesty, or*  
9           *any position in the Government of Afghanistan or se-*  
10          *curity forces, for any leader of an armed group re-*  
11          *sponsible for crimes against humanity, war crimes, or*  
12          *other violations of internationally recognized human*  
13          *rights.*

14          (e) *Funds appropriated in this chapter that are avail-*  
15          *able for assistance for Afghanistan may be made available*  
16          *to support the work of the Independent Electoral Commis-*  
17          *sion and the Electoral Complaints Commission in Afghani-*  
18          *stan only if the Secretary of State determines and reports*  
19          *to the Committees on Appropriations that—*

20                 (1) *the Independent Electoral Commission has*  
21                 *no members or other employees who participated in,*  
22                 *or helped to cover up, acts of fraud in the 2009 elec-*  
23                 *tions for president in Afghanistan, and the Electoral*  
24                 *Complaints Commission is a genuinely independent*  
25                 *body with all the authorities that were invested in it*

1        *under Afghanistan law as of December 31, 2009, and*  
2        *with no members appointed by the President of Af-*  
3        *ghanistan; and*

4            (2) *the central Government of Afghanistan has*  
5        *taken steps to ensure that women are able to exercise*  
6        *their rights to political participation, whether as can-*  
7        *didates or voters.*

8        (f)(1) *Not more than 45 days after enactment of this*  
9        *Act, the Secretary of State, in consultation with the Admin-*  
10       *istrator of the United States Agency for International De-*  
11       *velopment, shall submit to the Committees on Appropria-*  
12       *tions a strategy to address the needs and protect the rights*  
13       *of Afghan women and girls, including planned expenditures*  
14       *of funds appropriated in this chapter, and detailed plans*  
15       *for implementing and monitoring such strategy.*

16        (2) *Such strategy shall be coordinated with and sup-*  
17       *port the goals and objectives of the National Action Plan*  
18       *for Women of Afghanistan and the Afghan National Devel-*  
19       *opment Strategy and shall include a defined scope and*  
20       *methodology to measure the impact of such assistance.*

21        (g)(1) *Notwithstanding section 303 of the Federal*  
22       *Property and Administrative Services Act of 1949 (41*  
23       *U.S.C. 253) and requirements for awarding task orders*  
24       *under task and delivery order contracts under section 303J*  
25       *of such Act (41 U.S.C. 253j), the Secretary of State may*

1 *award task orders for police training in Afghanistan under*  
2 *current Department of State contracts for police training.*

3 *(2) Any task order awarded under paragraph (1) shall*  
4 *be for a limited term and shall remain in performance only*  
5 *until a successor contract or contracts awarded by the De-*  
6 *partment of Defense using full and open competition have*  
7 *entered into full performance after completion of any start-*  
8 *up or transition periods.*

9 *PAKISTAN*

10 *SEC. 1005. (a) Funds appropriated in this chapter*  
11 *and in prior Acts making appropriations for the Depart-*  
12 *ment of State, foreign operations, and related programs*  
13 *under the headings “Foreign Military Financing Program”*  
14 *and “Pakistan Counterinsurgency Capability Fund” shall*  
15 *be made available—*

16 *(1) in a manner that promotes unimpeded access*  
17 *by humanitarian organizations to detainees, inter-*  
18 *nally displaced persons, and other Pakistani civilians*  
19 *adversely affected by the conflict; and*

20 *(2) in accordance with section 620J of the For-*  
21 *ign Assistance Act of 1961, and the Secretary of*  
22 *State shall inform relevant Pakistani authorities of*  
23 *the requirements of section 620J and of its applica-*  
24 *tion, and regularly monitor units of Pakistani secu-*





1 *“International Narcotics Control and Law Enforcement”*  
 2 *and “Diplomatic and Consular Affairs” in this chapter and*  
 3 *in prior Acts making appropriations for the Department*  
 4 *of State, foreign operations, and related programs shall be*  
 5 *coordinated under the authority of the United States Chief*  
 6 *of Mission in Iraq.*

7 *(b) The terms and conditions of section 1106(b) of Pub-*  
 8 *lic Law 111–32 shall apply to funds made available in this*  
 9 *chapter for assistance for Iraq under the heading “Inter-*  
 10 *national Narcotics Control and Law Enforcement”.*

11 *(c) Of the funds appropriated in this chapter and in*  
 12 *prior acts making appropriations for the Department of*  
 13 *State, foreign operations, and related programs under the*  
 14 *headings “Diplomatic and Consular Programs” and “Em-*  
 15 *bassy Security, Construction, and Maintenance” for Af-*  
 16 *ghanistan, Pakistan and Iraq, up to \$300,000,000 may,*  
 17 *after consultation with the Committees on Appropriations,*  
 18 *be transferred between, and merged with, such appropria-*  
 19 *tions for activities related to security for civilian led oper-*  
 20 *ations in such countries.*

21 *HAITI*

22 *SEC. 1007. (a) Funds appropriated in this chapter*  
 23 *and in prior Acts making appropriations for the Depart-*  
 24 *ment of State, foreign operations, and related programs*  
 25 *under the headings “Economic Support Fund” and “Inter-*

1 *national Narcotics Control and Law Enforcement” that are*  
2 *available for assistance for Haiti may be obligated only if*  
3 *the Secretary of State reports to the Committees on Appro-*  
4 *priations that prior to the disbursement of funds, represent-*  
5 *atives of the Haitian national, provincial or local govern-*  
6 *ment, local communities and civil society organizations, as*  
7 *appropriate, will be consulted and participate in the design*  
8 *of programs, projects, and activities, and following such dis-*  
9 *bursement will participate in implementation and over-*  
10 *sight, and progress will be measured against specific bench-*  
11 *marks.*

12 *(b)(1) Funds appropriated in this chapter under the*  
13 *headings “Economic Support Fund” and “International*  
14 *Narcotics Control and Law Enforcement” may be made*  
15 *available for assistance for the Government of Haiti only*  
16 *if the Secretary of State determines and reports to the Com-*  
17 *mittees on Appropriations that the Government of Haiti*  
18 *is—*

19 *(A) cooperating with United States reconstruc-*  
20 *tion and reform efforts; and*

21 *(B) demonstrating a commitment to account-*  
22 *ability by removing corrupt officials, implementing*  
23 *fiscal transparency and other necessary reforms of*  
24 *government institutions, and facilitating active public*

1        *engagement in governance and oversight of public re-*  
2        *sources.*

3        *(2) If at any time after making the determination re-*  
4        *quired in paragraph (1) the Secretary receives credible in-*  
5        *formation that the factual basis for making such determina-*  
6        *tion no longer exists, the Secretary should suspend assist-*  
7        *ance and promptly inform the relevant Haitian authorities*  
8        *that such assistance is suspended until sufficient factual*  
9        *basis exists to support the determination.*

10       *(c)(1) Funds appropriated in this chapter for bilateral*  
11       *assistance for Haiti may be provided as direct budget sup-*  
12       *port to the central Government of Haiti only if the Sec-*  
13       *retary of State reports to the Committees on Appropriations*  
14       *that the Government of the United States and the Govern-*  
15       *ment of Haiti have agreed, in writing, to clear and achiev-*  
16       *able goals and objectives for the use of such funds, and have*  
17       *established mechanisms within each implementing agency*  
18       *to ensure that such funds are used for the purposes for which*  
19       *they were intended.*

20       *(2) The Secretary should suspend any such direct*  
21       *budget support to an implementing agency if the Secretary*  
22       *has credible evidence of misuse of such funds by any such*  
23       *agency.*

24       *(3) Any such direct budget support shall be subject to*  
25       *prior consultation with the Committees on Appropriations.*

1       (d) *Funds appropriated in this chapter that are made*  
2 *available for assistance for Haiti shall be made available,*  
3 *to the maximum extent practicable, in a manner that em-*  
4 *phasizes the participation and leadership of Haitian*  
5 *women and directly improves the security, economic and*  
6 *social well-being, and political status of Haitian women*  
7 *and girls.*

8       (e) *Funds appropriated in this chapter may be made*  
9 *available for assistance for Haiti notwithstanding any*  
10 *other provision of law, except for section 620J of the For-*  
11 *eign Assistance Act of 1961 and provisions of this chapter.*

12                                   *HAITI DEBT RELIEF*

13       *SEC. 1008. (a) For an additional amount for “Con-*  
14 *tribution to the Inter-American Development Bank”, “Con-*  
15 *tribution to the International Development Association”,*  
16 *and “Contribution to the International Fund for Agricul-*  
17 *tural Development”, to cancel Haiti’s existing debts and re-*  
18 *payments on disbursements from loans committed prior to*  
19 *January 12, 2010, and for the United States share of an*  
20 *increase in the resources of the Fund for Special Operations*  
21 *of the Inter-American Development Bank, to the extent sep-*  
22 *arately authorized in this chapter, in furtherance of pro-*  
23 *viding debt relief for Haiti in view of the Cancun Declara-*  
24 *tion of March 21, 2010, a total of \$212,000,000, to remain*  
25 *available until September 30, 2012.*

1       (b) Up to \$40,000,000 of the amounts appropriated  
2 under the heading “Department of the Treasury, Debt Re-  
3 structuring” in prior Acts making appropriations for the  
4 Department of State, foreign operations, and related pro-  
5 grams may be used to cancel Haiti’s existing debts and re-  
6 payments on disbursements from loans committed prior to  
7 January 12, 2010, to the Inter-American Development  
8 Bank, the International Development Association, and the  
9 International Fund for Agricultural Development, and for  
10 the United States share of an increase in the resources of  
11 the Fund for Special Operations of the Inter-American De-  
12 velopment Bank in furtherance of providing debt relief to  
13 Haiti in view of the Cancun Declaration of March 21, 2010.

14                                   HAITI DEBT RELIEF AUTHORITY

15       SEC. 1009. The Inter-American Development Bank  
16 Act, Public Law 86–147, as amended (22 U.S.C. 283 et  
17 seq.), is further amended by adding at the end thereof the  
18 following new section:

19       **“SEC. 40. AUTHORITY TO VOTE FOR AND CONTRIBUTE TO**  
20                                   **AN INCREASE IN RESOURCES OF THE FUND**  
21                                   **FOR SPECIAL OPERATIONS; PROVIDING DEBT**  
22                                   **RELIEF TO HAITI.**

23       “(a) VOTE AUTHORIZED.—In accordance with section  
24 5 of this Act, the United States Governor of the Bank is  
25 authorized to vote in favor of a resolution to increase the

1 *resources of the Fund for Special Operations up to*  
2 *\$479,000,000, in furtherance of providing debt relief for*  
3 *Haiti in view of the Cancun Declaration of March 21, 2010,*  
4 *which provides that:*

5           “(1) *Haiti’s debts to the Fund for Special Oper-*  
6           *ations are to be cancelled;*

7           “(2) *Haiti’s remaining local currency conversion*  
8           *obligations to the Fund for Special Operations are to*  
9           *be cancelled;*

10           “(3) *undisbursed balances of existing loans of the*  
11           *Fund for Special Operations to Haiti are to be con-*  
12           *verted to grants; and*

13           “(4) *the Fund for Special Operations is to make*  
14           *available significant and immediate grant financing*  
15           *to Haiti as well as appropriate resources to other*  
16           *countries remaining as borrowers within the Fund for*  
17           *Special Operations, consistent with paragraph 6 of*  
18           *the Cancun Declaration of March 21, 2010.*

19           “(b) *CONTRIBUTION AUTHORITY.—To the extent and*  
20           *in the amount provided in advance in appropriations Acts*  
21           *the United States Governor of the Bank may, on behalf of*  
22           *the United States and in accordance with section 5 of this*  
23           *Act, contribute up to \$252,000,000 to the Fund for Special*  
24           *Operations, which will provide for debt relief of:*





1 *with each of the requirements in paragraph (1)(A) through*  
2 *(D).*

3       **(b)** *Funds appropriated in this chapter under the*  
4 *heading “International Narcotics Control and Law En-*  
5 *forcement” that are available for assistance for Mexico may*  
6 *be made available only after the Secretary of State submits*  
7 *a report to the Committees on Appropriations detailing a*  
8 *coordinated, multi-year, interagency strategy to address the*  
9 *causes of drug-related violence and other organized criminal*  
10 *activity in Central and South America, Mexico, and the*  
11 *Caribbean, which shall describe—*

12           **(1)** *the United States multi-year strategy for the*  
13 *region, including a description of key challenges in*  
14 *the source, transit, and demand zones; the key objec-*  
15 *tives of the strategy; and a detailed description of out-*  
16 *come indicators for measuring progress toward such*  
17 *objectives;*

18           **(2)** *the integration of diplomatic, administration*  
19 *of justice, law enforcement, civil society, economic de-*  
20 *velopment, demand reduction, and other assistance to*  
21 *achieve such objectives;*

22           **(3)** *progress in phasing out law enforcement ac-*  
23 *tivities of the militaries of each recipient country, as*  
24 *applicable; and*

1           (4) *governmental efforts to investigate and pros-*  
 2           *ecute violations of internationally recognized human*  
 3           *rights.*

4           (c) *Of the funds appropriated in this chapter under*  
 5           *the heading “Diplomatic and Consular Programs”, up to*  
 6           *\$5,000,000 may be made available for armored vehicles and*  
 7           *other emergency diplomatic security support for United*  
 8           *States Government personnel in Mexico.*

9   *EL SALVADOR*

10          *SEC. 1011. Of the funds appropriated in this chapter*  
 11          *under the heading “Economic Support Fund”, \$25,000,000*  
 12          *shall be made available for necessary expenses for emergency*  
 13          *relief and reconstruction assistance for El Salvador related*  
 14          *to Hurricane/Tropical Storm Ida.*

15   *DEMOCRATIC REPUBLIC OF THE CONGO*

16          *SEC. 1012. Of the funds appropriated in this chapter*  
 17          *under the heading “Economic Support Fund”, \$15,000,000*  
 18          *shall be made available for necessary expenses for emergency*  
 19          *security and humanitarian assistance for civilians, par-*  
 20          *ticularly women and girls, in the eastern region of the*  
 21          *Democratic Republic of the Congo.*

22   *INTERNATIONAL SCIENTIFIC COOPERATION*

23          *SEC. 1013. Funds appropriated in prior Acts making*  
 24          *appropriations for the Department of State, foreign oper-*  
 25          *ations, and related programs that are made available for*

1 *science and technology centers in the former Soviet Union*  
2 *may be used to support productive, non-military projects*  
3 *that engage scientists and engineers who have no weapons*  
4 *background, but whose competence could otherwise be ap-*  
5 *plied to weapons development, provided such projects are*  
6 *executed through existing science and technology centers*  
7 *and notwithstanding sections 503 and 504 of the FREE-*  
8 *DOM Support Act (Public Law 102–511), and following*  
9 *consultation with the Committees on Appropriations, the*  
10 *Committee on Foreign Relations of the Senate and the Com-*  
11 *mittee on Foreign Affairs of the House of Representatives.*

12 *INTERNATIONAL RENEWABLE ENERGY AGENCY*

13 *SEC. 1014. For fiscal year 2011 and thereafter, the*  
14 *President is authorized to accept the statute of, and to*  
15 *maintain membership of the United States in, the Inter-*  
16 *national Renewable Energy Agency, and the United States’*  
17 *assessed contributions to maintain such membership may*  
18 *be paid from funds appropriated for “Contributions to*  
19 *International Organizations”.*

20 *OFFICE OF INSPECTOR GENERAL PERSONNEL*

21 *SEC. 1015. (a) Funds appropriated in this chapter for*  
22 *the United States Agency for International Development*  
23 *Office of Inspector General (OIG) may be made available*  
24 *to contract with United States citizens for personal services*

1 *when the Inspector General determines that the personnel*  
2 *resources of the OIG are otherwise insufficient.*

3           (1) *Not more than 5 percent of the OIG per-*  
4 *sonnel (determined on a full-time equivalent basis), as*  
5 *of any given date, are serving under personal services*  
6 *contracts.*

7           (2) *Contracts under this paragraph shall not ex-*  
8 *ceed a term of 2 years unless the Inspector General*  
9 *determines that exceptional circumstances justify an*  
10 *extension of up to 1 additional year, and contractors*  
11 *under this paragraph shall not be considered employ-*  
12 *ees of the Federal Government for purposes of title 5,*  
13 *United States Code, or members of the Foreign Serv-*  
14 *ice for purposes of title 22, United States Code.*

15       (b)(1) *The Inspector General may waive subsections*  
16 *(a) through (d) of section 8344, and subsections (a) through*  
17 *(e) of section 8468 of title 5, United States Code, and sub-*  
18 *sections (a) through (d) of section 4064 of title 22, United*  
19 *States Code, on behalf of any re-employed annuitant serv-*  
20 *ing in a position within the OIG to facilitate the assign-*  
21 *ment of persons to positions in Iraq, Pakistan, Afghanistan,*  
22 *and Haiti or to positions vacated by members of the For-*  
23 *ign Service assigned to those countries.*

24       (2) *The authority provided in paragraph (1) shall be*  
25 *exercised on a case-by-case basis for positions for which*

1 *there is difficulty recruiting or retaining a qualified em-*  
2 *ployee or to address a temporary emergency hiring need,*  
3 *individuals employed by the OIG under this paragraph*  
4 *shall not be considered employees for purposes of subchapter*  
5 *III of chapter 83 of title 5, United States Code, or chapter*  
6 *84 of such title, and the authorities of the Inspector General*  
7 *under this paragraph shall terminate on October 1, 2012.*

8 *AUTHORITY TO REPROGRAM FUNDS*

9 *SEC. 1016. Of the funds appropriated by this chapter*  
10 *for assistance for Afghanistan, Iraq and Pakistan, up to*  
11 *\$100,000,000 may be made available pursuant to the au-*  
12 *thority of section 451 of the Foreign Assistance Act of 1961,*  
13 *as amended, for assistance in the Middle East and South*  
14 *Asia regions if the President finds, in addition to the re-*  
15 *quirements of section 451 and certifies and reports to the*  
16 *Committees on Appropriations, that exercising the author-*  
17 *ity of this section is necessary to protect the national secu-*  
18 *rity interests of the United States: Provided, That the Sec-*  
19 *retary of State shall consult with the Committees on Appro-*  
20 *priations prior to the reprogramming of such funds, which*  
21 *shall be subject to the regular notification procedures of the*  
22 *Committees on Appropriations: Provided further, That the*  
23 *funding limitation otherwise applicable to section 451 of*  
24 *the Foreign Assistance Act of 1961 shall not apply to this*  
25 *section: Provided further, That the authority of this section*

1 *shall expire upon enactment of the Department of State,*  
2 *Foreign Operations, and Related Programs Appropriations*  
3 *Act, 2011.*

4 *SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN*

5 *RECONSTRUCTION*

6 *(INCLUDING RESCISSION)*

7 *SEC. 1017. (a) Of the funds appropriated under the*  
8 *heading “Department of State, Administration of Foreign*  
9 *Affairs, Office of Inspector General” and authorized to be*  
10 *transferred to the Special Inspector General for Afghanistan*  
11 *Reconstruction in title XI of Public Law 111–32,*  
12 *\$7,200,000 are rescinded.*

13 *(b) For an additional amount for “Department of*  
14 *State, Administration of Foreign Affairs, Office of Inspector*  
15 *General” which shall be available for the Special Inspector*  
16 *General for Afghanistan Reconstruction for reconstruction*  
17 *oversight in Afghanistan, \$7,200,000, and shall remain*  
18 *available until September 30, 2011.*

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*CHAPTER 11*

*DEPARTMENT OF TRANSPORTATION*

*NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*

*HIGHWAY TRAFFIC SAFETY GRANTS*

*(HIGHWAY TRUST FUND)*

*(INCLUDING RESCISSION)*

*Of the amounts provided for Safety Belt Performance Grants in Public Law 111–117, \$15,000,000 shall be available to pay for expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under subtitle C of title X of Public Law 109–59 and chapter 301 and part C of subtitle VI of title 49, United States Code, and for the planning or execution of programs authorized under section 403 of title 23, United States Code: Provided, That such funds shall be available until September 30, 2011, and shall be in addition to the amount of any limitation imposed on obligations in fiscal year 2011.*

*Of the amounts made available for Safety Belt Performance Grants under section 406 of title 23, United States Code, \$25,000,000 in unobligated balances are permanently rescinded: Provided, That section 3002 shall not apply to the amounts under this heading.*

## 1 CONSUMER ASSISTANCE TO RECYCLE AND SAVE PROGRAM

## 2 (RESCISSION)

3 *Of the amounts made available for the Consumer As-*  
4 *sistance to Recycle and Save Program, \$44,000,000 in un-*  
5 *obligated balances are rescinded.*

## 6 DEPARTMENT OF HOUSING AND URBAN

## 7 DEVELOPMENT

## 8 COMMUNITY PLANNING AND DEVELOPMENT

## 9 COMMUNITY DEVELOPMENT FUND

10 *For an additional amount for the “Community Devel-*  
11 *opment Fund”, for necessary expenses related to disaster*  
12 *relief, long-term recovery, and restoration of infrastructure,*  
13 *housing, and economic revitalization in areas affected by*  
14 *severe storms and flooding from March 2010 through May*  
15 *2010 for which the President declared a major disaster cov-*  
16 *ering an entire State or States with more than 20 counties*  
17 *declared major disasters under title IV of the Robert T.*  
18 *Stafford Disaster Relief and Emergency Assistance Act of*  
19 *1974, \$100,000,000, to remain available until expended, for*  
20 *activities authorized under title I of the Housing and Com-*  
21 *munity Development Act of 1974 (Public Law 93–383):*  
22 *Provided, That funds shall be awarded directly to the State*  
23 *or unit of general local government at the discretion of the*  
24 *Secretary: Provided further, That prior to the obligation of*  
25 *funds a grantee shall submit a plan to the Secretary detail-*



1 *ing the proposed use of all funds, including criteria for eli-*  
2 *gibility and how the use of these funds will address long-*  
3 *term recovery and restoration of infrastructure: Provided*  
4 *further, That funds provided under this heading may be*  
5 *used by a State or locality as a matching requirement,*  
6 *share, or contribution for any other Federal program: Pro-*  
7 *vided further, That such funds may not be used for activi-*  
8 *ties reimbursable by, or for which funds are made available*  
9 *by, the Federal Emergency Management Agency or the*  
10 *Army Corps of Engineers: Provided further, That funds al-*  
11 *located under this heading shall not adversely affect the*  
12 *amount of any formula assistance received by a State or*  
13 *subdivision thereof under the Community Development*  
14 *Fund: Provided further, That a State or subdivision thereof*  
15 *may use up to 5 percent of its allocation for administrative*  
16 *costs: Provided further, That in administering the funds*  
17 *under this heading, the Secretary of Housing and Urban*  
18 *Development may waive, or specify alternative require-*  
19 *ments for, any provision of any statute or regulation that*  
20 *the Secretary administers in connection with the obligation*  
21 *by the Secretary or the use by the recipient of these funds*  
22 *or guarantees (except for requirements related to fair hous-*  
23 *ing, nondiscrimination, labor standards, and the environ-*  
24 *ment), upon a request by a State or subdivision thereof ex-*  
25 *plaining why such waiver is required to facilitate the use*

1 *of such funds or guarantees, if the Secretary finds that such*  
2 *waiver would not be inconsistent with the overall purpose*  
3 *of title I of the Housing and Community Development Act*  
4 *of 1974: Provided further, That the Secretary shall publish*  
5 *in the Federal Register any waiver of any statute or regula-*  
6 *tion that the Secretary administers pursuant to title I of*  
7 *the Housing and Community Development Act of 1974 no*  
8 *later than 5 days before the effective date of such waiver:*  
9 *Provided further, That the Secretary shall obligate to a*  
10 *State or subdivision thereof not less than 50 percent of the*  
11 *funding provided under this heading within 90 days after*  
12 *the enactment of this Act.*

13 *TITLE II*

14 *DEPARTMENT OF COMMERCE*

15 *ECONOMIC DEVELOPMENT ADMINISTRATION*

16 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

17 *For an additional amount, in addition to amounts*  
18 *provided elsewhere in this Act, for “Economic Development*  
19 *Assistance Programs”, to carry out planning, technical as-*  
20 *sistance and other assistance under section 209, and con-*  
21 *sistent with section 703(b), of the Public Works and Eco-*  
22 *nomic Development Act (42 U.S.C. 3149, 3233), in States*  
23 *affected by the incidents related to the discharge of oil that*  
24 *began in 2010 in connection with the explosion on, and*

1 *sinking of, the mobile offshore drilling unit Deepwater Ho-*  
2 *rizon, \$5,000,000, to remain available until expended.*

3 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*  
4 *OPERATIONS, RESEARCH, AND FACILITIES*

5 *For an additional amount, in addition to amounts*  
6 *provided elsewhere in this Act, for “Operations, Research,*  
7 *and Facilities”, \$13,000,000, to remain available until ex-*  
8 *pended, for responding to economic impacts on fishermen*  
9 *and fishery-dependent businesses: Provided, That the*  
10 *amounts appropriated herein are not available unless the*  
11 *Secretary of Commerce determines that resources provided*  
12 *under other authorities and appropriations including by*  
13 *the responsible parties under the Oil Pollution Act, 33*  
14 *U.S.C. 2701, et seq., are not sufficient to respond to eco-*  
15 *nomie impacts on fishermen and fishery-dependent business*  
16 *following an incident related to a spill of national signifi-*  
17 *cance declared under the National Contingency Plan pro-*  
18 *vided for under section 105 of the Comprehensive Environ-*  
19 *mental Response, Compensation, and Liability Act of 1980*  
20 *(42 U.S.C. 9605).*

21 *For an additional amount, in addition to amounts*  
22 *provided elsewhere in this Act, for “Operations, Research,*  
23 *and Facilities”, for activities undertaken including sci-*  
24 *entific investigations and sampling as a result of the inci-*  
25 *dents related to the discharge of oil and the use of oil*

1 *dispersants that began in 2010 in connection with the ex-*  
2 *plosion on, and sinking of, the mobile offshore drilling unit*  
3 *Deepwater Horizon, \$7,000,000, to remain available until*  
4 *expended. These activities may be funded through the provi-*  
5 *sion of grants to universities, colleges and other research*  
6 *partners through extramural research funding.*

7           *DEPARTMENT OF HEALTH AND HUMAN*  
8                           *SERVICES*

9                           *FOOD AND DRUG ADMINISTRATION*

10                           *SALARIES AND EXPENSES*

11         *For an additional amount for “Salaries and Ex-*  
12 *penses”, Food and Drug Administration, Department of*  
13 *Health and Human Services, for food safety monitoring*  
14 *and response activities in connection with the incidents re-*  
15 *lated to the discharge of oil that began in 2010 in connec-*  
16 *tion with the explosion on, and sinking of, the mobile off-*  
17 *shore drilling unit Deepwater Horizon, \$2,000,000, to re-*  
18 *main available until expended.*

19           *DEPARTMENT OF THE INTERIOR*

20                           *DEPARTMENTAL OFFICES*

21                           *OFFICE OF THE SECRETARY*

22                           *SALARIES AND EXPENSES*

23                           *(INCLUDING TRANSFER OF FUNDS)*

24         *For an additional amount for the “Office of the Sec-*  
25 *retary, Salaries and Expenses” for increased inspections,*

1 *enforcement, investigations, environmental and engineering*  
2 *studies, and other activities related to emergency offshore*  
3 *oil spill incidents in the Gulf of Mexico, \$29,000,000, to*  
4 *remain available until expended: Provided, That such funds*  
5 *may be transferred by the Secretary to any other account*  
6 *in the Department of the Interior to carry out the purposes*  
7 *provided herein.*

8 *DEPARTMENT OF JUSTICE*

9 *LEGAL ACTIVITIES*

10 *SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES*

11 *For an additional amount for “Salaries and Expenses,*  
12 *General Legal Activities”, \$10,000,000, to remain available*  
13 *until expended, for litigation expenses resulting from inci-*  
14 *dents related to the discharge of oil that began in 2010 in*  
15 *connection with the explosion on, and sinking of, the mobile*  
16 *offshore drilling unit Deepwater Horizon.*

17 *ENVIRONMENTAL PROTECTION AGENCY*

18 *SCIENCE AND TECHNOLOGY*

19 *For an additional amount for “Science and Tech-*  
20 *nology” for a study on the potential human and environ-*  
21 *mental risks and impacts of the release of crude oil and*  
22 *the application of dispersants, surface washing agents, bio-*  
23 *remediation agents, and other mitigation measures listed*  
24 *in the National Contingency Plan Product List (40 C.F.R.*  
25 *Part 300 Subpart J), as appropriate, \$2,000,000, to remain*

1 *available until expended: Provided, That the study shall be*  
2 *performed at the direction of the Administrator of the Envi-*  
3 *ronmental Protection Agency, in coordination with the Sec-*  
4 *retary of Commerce and the Secretary of the Interior: Pro-*  
5 *vided further, That the study may be funded through the*  
6 *provision of grants to universities and colleges through ex-*  
7 *tramural research funding.*

8 **GENERAL PROVISION—THIS TITLE**

9 **DEEPWATER HORIZON**

10 *SEC. 2001. Section 6002(b) of the Oil Pollution Act*  
11 *of 1990 (33 U.S.C. 2752) is amended in the second sentence:*

12 *(1) by inserting “: (1)” before “may obtain an*  
13 *advance” and after “the Coast Guard”;*

14 *(2) by striking “advance. Amounts” and insert-*  
15 *ing the following: “advance; (2) in the case of dis-*  
16 *charge of oil that began in 2010 in connection with*  
17 *the explosion on, and sinking of, the mobile offshore*  
18 *drilling unit Deepwater Horizon, may, without fur-*  
19 *ther appropriation, obtain one or more advances from*  
20 *the Oil Spill Liability Trust Fund as needed, up to*  
21 *a maximum of \$100,000,000 for each advance, the*  
22 *total amount of all advances not to exceed the*  
23 *amounts available under section 9509(c)(2) of the In-*  
24 *ternal Revenue Code of 1986 (26 U.S.C. 9509(c)(2)),*  
25 *and within 7 days of each advance, shall notify Con-*

1 *gress of the amount advanced and the facts and cir-*  
2 *cumstances necessitating the advance; and (3)*  
3 *amounts”.*

4 *PROHIBITION ON FINES AND LIABILITY*

5 *SEC. 2002. None of the funds made available by this*  
6 *Act shall be used to levy against any person any fine, or*  
7 *to hold any person liable for construction or renovation*  
8 *work performed by the person, in any State under the final*  
9 *rule entitled “Lead; Renovation, Repair, and Painting Pro-*  
10 *gram; Lead Hazard Information Pamphlet; Notice of Avail-*  
11 *ability; Final Rule” (73 Fed. Reg. 21692 (April 22, 2008)),*  
12 *and the final rule entitled “Lead; Amendment to the Opt-*  
13 *out and Recordkeeping Provisions in the Renovation, Re-*  
14 *pair, and Painting Program” signed by the Administrator*  
15 *on April 22, 2010.*

16 *RIGHT-OF-WAY*

17 *SEC. 2003. (a) Notwithstanding any other provision*  
18 *of law, the Secretary of the Interior shall—*

19 *(1) not later than 30 days after the date of en-*  
20 *actment of this Act, amend Right-of-Way Grants No.*  
21 *NVN-49781/IDI-26446/NVN-85211/NVN-85210 of*  
22 *the Bureau of Land Management to shift the 200-foot*  
23 *right-of-way for the 500-kilovolt transmission line*  
24 *project to the alignment depicted on the maps entitled*  
25 *“Southwest Intertie Project” and dated December 10,*  
26 *2009, and May 21, 2010, and approve the construc-*

1        *tion, operation and maintenance plans of the project;*  
2        *and*

3            *(2) not later than 90 days after the date of en-*  
4        *actment of this Act, issue a notice to proceed with*  
5        *construction of the project in accordance with the*  
6        *amended grants and approved plans described in*  
7        *paragraph (1).*

8        *(b) Notwithstanding any other provision of law, the*  
9        *Secretary of Energy may provide or facilitate federal fi-*  
10       *nancing for the project described in subsection (a) under*  
11       *the American Recovery and Reinvestment Act of 2009 (Pub-*  
12       *lic Law 111–5; 123 Stat. 115) or the Energy Policy Act*  
13       *of 2005 (42 U.S.C. 15801 et seq.), based on the comprehen-*  
14       *sive reviews and consultations performed by the Secretary*  
15       *of the Interior.*

16       *FUNDING FOR ENVIRONMENTAL AND FISHERIES IMPACTS*

17       *SEC. 2004. (1) FISHERIES DISASTER RELIEF.—For*  
18       *an additional amount, in addition to other amounts pro-*  
19       *vided in this Act for the National Oceanic and Atmospheric*  
20       *Administration, \$15,000,000 to be available to provide fish-*  
21       *eries disaster relief under section 312 of the Magnuson-Ste-*  
22       *vens Fishery Conservation and Management Act (16 U.S.C.*  
23       *1861a) related to a commercial fishery failure due to a fish-*  
24       *ery resource disaster in the Gulf of Mexico that resulted*  
25       *from the Deepwater Horizon oil discharge.*



1           (2) *EXPANDED STOCK ASSESSMENT OF FISHERIES.*—For an additional amount, in addition to  
2           other amounts provided in this Act for the National  
3           Oceanic and Atmospheric Administration,  
4           \$10,000,000 to conduct an expanded stock assessment  
5           of the fisheries of the Gulf of Mexico. Such expanded  
6           stock assessment shall include an assessment of the  
7           commercial and recreational catch and biological  
8           sampling, observer programs, data management and  
9           processing activities, the conduct of assessments, and  
10          follow-up evaluations of such fisheries.  
11

12          (3) *ECOSYSTEM SERVICES IMPACTS STUDY.*—For  
13          an additional amount, in addition to other amounts  
14          provided for the Department of Commerce, \$1,000,000  
15          to be available for the National Academy of Sciences  
16          to conduct a study of the long-term ecosystem service  
17          impacts of the Deepwater Horizon oil discharge. Such  
18          study shall assess long-term costs to the public of lost  
19          water filtration, hunting, and fishing (commercial  
20          and recreational), and other ecosystem services associ-  
21          ated with the Gulf of Mexico.

22          (4) *IN GENERAL.*—Of the amounts appropriated  
23          or made available under division B, title I of Public  
24          Law 111–117 that remain unobligated as of the date  
25          of the enactment of this Act under Procurement, Ac-

1 *quisition, and Construction for the National Oceanic*  
2 *and Atmospheric Administration, \$26,000,000 of the*  
3 *amounts appropriated are hereby rescinded.*

### 4 *TITLE III*

#### 5 *GENERAL PROVISIONS—THIS ACT*

##### 6 *AVAILABILITY OF FUNDS*

7 *SEC. 3001 No part of any appropriation contained in*  
8 *this Act shall remain available for obligation beyond the*  
9 *current fiscal year unless expressly so provided herein.*

##### 10 *EMERGENCY DESIGNATION*

11 *SEC. 3002. Unless otherwise specified, each amount in*  
12 *this Act is designated as an emergency requirement and*  
13 *necessary to meet emergency needs pursuant to sections*  
14 *403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the*  
15 *concurrent resolution on the budget for fiscal year 2010.*

16 *SEC. 3003. (a) Notwithstanding any other provision*  
17 *of law, for fiscal year 2010 only, all funds received from*  
18 *sales, bonuses, royalties, and rentals under the Geothermal*  
19 *Steam Act of 1970 (30 U.S.C. §§ 1001 et seq.) shall be de-*  
20 *posited in the Treasury, of which—*

21 *(1) 50 percent shall be used by the Secretary of*  
22 *the Treasury to make payments to States within the*  
23 *boundaries of which the leased land and geothermal*  
24 *resources are located;*

1           (2) 25 percent shall be used by the Secretary of  
2           the Treasury to make payments to the counties within  
3           the boundaries of which the leased land or geothermal  
4           resources are located; and

5           (3) 25 percent shall be deposited in miscellaneous  
6           receipts.

7           (b) Section 3002 shall not apply to this section.

8           SEC. 3004. (a) Public Law 111–88, the Interior, Envi-  
9           ronment, and Related Agencies Appropriations Act, 2010,  
10          is amended under the heading “Office of the Special Trustee  
11          for American Indians” by—

12           (1) striking “\$185,984,000” and inserting  
13           “\$176,984,000”; and

14           (2) striking “\$56,536,000” and inserting  
15           “\$47,536,000”.

16          (b) Section 3002 shall not apply to the amounts in  
17          this section.

18          SEC. 3005. Section 502(c) of the Chesapeake Bay Ini-  
19          tiative Act of 1998 (16 U.S.C. 461 note; Public Law 105–  
20          312) is amended by striking “2008” and inserting “2011”.

21          SEC. 3006. For fiscal years 2010 and 2011—

22           (1) the National Park Service Recreation Fee  
23           Program account may be available for the cost of ad-  
24           justments and changes within the original scope of  
25           contracts for National Park Service projects funded

1       by *Public Law 111–5* and for associated administra-  
2       tive costs when no funds are otherwise available for  
3       such purposes;

4               (2) notwithstanding section 430 of division E of  
5       *Public Law 111–8* and section 444 of *Public Law*  
6       *111–88*, the Secretary of the Interior may utilize un-  
7       obligated balances for adjustments and changes with-  
8       in the original scope of projects funded through divi-  
9       sion A, title VII, of *Public Law 111–5* and for associ-  
10      ated administrative costs when no funds are otherwise  
11      available;

12              (3) the Secretary of the Interior shall ensure that  
13      any unobligated balances utilized pursuant to para-  
14      graph (2) shall be derived from the bureau and ac-  
15      count for which the project was funded in *Public Law*  
16      *111–5*; and

17              (4) the Secretary of the Interior shall consult  
18      with the Committees on Appropriations prior to mak-  
19      ing any charges authorized by this section.

20      *SEC. 3007. (a) Section 205(d) of the Federal Land*  
21      *Transaction Facilitation Act (43 U.S.C. 2304(d)) is*  
22      *amended by striking “10 years” and inserting “11 years”.*

23              (b) *Section 3002 shall not apply to this section.*

24      *SEC. 3008. Of the amounts appropriated for the Ed-*  
25      *ward Byrne Memorial Justice Assistance Grant Program*

1 *under subpart 1 of part E of title I of the Omnibus Crime*  
2 *Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et*  
3 *seq.) under the heading “STATE AND LOCAL LAW ENFORCE-*  
4 *MENT ASSISTANCE” under the heading “OFFICE OF JUSTICE*  
5 *PROGRAMS” under the heading “STATE AND LOCAL LAW*  
6 *ENFORCEMENT ACTIVITIES” under title II of the Omnibus*  
7 *Appropriations Act, 2009 (Public Law 111–8; 123 Stat.*  
8 *579), at the discretion of the Attorney General, the amounts*  
9 *to be made available to Genesee County, Michigan for as-*  
10 *sistance for individuals transitioning from prison in Gen-*  
11 *esee County, Michigan pursuant to the joint statement of*  
12 *managers accompanying that Act may be made available*  
13 *to My Brother’s Keeper of Genesee County, Michigan to pro-*  
14 *vide assistance for individuals transitioning from prison in*  
15 *Genesee County, Michigan.*

16 *SEC. 3009. Section 159(b)(2)(C) of title I of division*  
17 *A of the Consolidated Appropriations Act, 2010 (49 U.S.C.*  
18 *24305 note) is amended by striking clauses (i) and (ii) and*  
19 *inserting the following:*

20 *“(i) requiring inspections of any con-*  
21 *tainer containing a firearm or ammuni-*  
22 *tion; and*

23 *“(ii) the temporary suspension of fire-*  
24 *arm carriage service if credible intelligence*  
25 *information indicates a threat related to the*

1                   *national rail system or specific routes or*  
2                   *trains.”.*

3       *PUBLIC AVAILABILITY OF CONTRACTOR INTEGRITY AND*  
4                   *PERFORMANCE DATABASE*

5       *SEC. 3010. Section 872(e)(1) of the Clean Contracting*  
6 *Act of 2008 (subtitle G of title VIII of Public Law 110–*  
7 *417; 41 U.S.C. 417b(e)(1)) is amended by adding at the*  
8 *end the following: “In addition, the Administrator shall*  
9 *post all such information, excluding past performance re-*  
10 *views, on a publicly available Internet website.”.*

11                   *ASSESSMENTS ON GUANTANAMO BAY DETAINEES*

12       *SEC. 3011. (a) SUBMISSION OF INFORMATION RE-*  
13 *LATED TO DISPOSITION DECISIONS.—Not later than 45*  
14 *days after the date of the enactment of this Act, the Director*  
15 *of National Intelligence, in coordination with the partici-*  
16 *pants of the interagency review of Guantanamo Bay detain-*  
17 *ees conducted pursuant to Executive Order 13492 (10*  
18 *U.S.C. 801 note), shall fully inform the congressional intel-*  
19 *ligence committees concerning the basis for the disposition*  
20 *decisions reached by the Guantanamo Review Task Force,*  
21 *and shall provide to the congressional intelligence commit-*  
22 *tees—*

23                   *(1) the written threat analyses prepared on each*  
24                   *detainee by the Guantanamo Review Task Force es-*  
25                   *tablished pursuant to Executive Order 13492; and*

1           (2) *access to the intelligence information that*  
2           *formed the basis of any such specific assessments or*  
3           *threat analyses.*

4           (b) *FUTURE SUBMISSIONS.—In addition to the anal-*  
5           *yses, assessments, and information required under sub-*  
6           *section (a) and not later than 10 days after the date that*  
7           *a threat assessment described in subsection (a) is dissemi-*  
8           *nated, the Director of National Intelligence shall provide*  
9           *to the congressional intelligence committees—*

10           (1) *any new threat assessment prepared by any*  
11           *element of the intelligence community of a Guanta-*  
12           *namo Bay detainee who remains in detention or is*  
13           *pending release or transfer; and*

14           (2) *access to the intelligence information that*  
15           *formed the basis of such threat assessment.*

16           (c) *CONGRESSIONAL INTELLIGENCE COMMITTEES DE-*  
17           *FINED.—In this section, the term “congressional intelligence*  
18           *committees” has the meaning given that term in section*  
19           *3(7) of the National Security Act of 1947 (50 U.S.C.*  
20           *401a(7)).*

21           *SEC. 3012. Of the amounts appropriated for the Ed-*  
22           *ward Byrne Memorial Justice Assistance Grant Program*  
23           *under subpart 1 of part E of title I of the Omnibus Crime*  
24           *Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et*  
25           *seq.) under the heading “STATE AND LOCAL LAW ENFORCE-*

1 *MENT ASSISTANCE” under the heading “OFFICE OF JUSTICE*  
2 *PROGRAMS” under the heading “STATE AND LOCAL LAW*  
3 *ENFORCEMENT ACTIVITIES” under title II of the Omnibus*  
4 *Appropriations Act, 2009 (Public Law 111–8; 123 Stat.*  
5 *579), at the discretion of the Attorney General, the amounts*  
6 *to be made available to the Marcus Institute, Atlanta, Geor-*  
7 *gia, to provide remediation for the potential consequences*  
8 *of childhood abuse and neglect, pursuant to the joint state-*  
9 *ment of managers accompanying that Act, may be made*  
10 *available to the Georgia State University Center for*  
11 *Healthy Development, Atlanta, Georgia.*

12 *COASTAL IMPACT ASSISTANCE*

13 *SEC. 3013. Section 31 of the Outer Continental Shelf*  
14 *Lands Act (43 U.S.C. 1356a) is amended by adding at the*  
15 *end the following:*

16 *“(e) EMERGENCY FUNDING.—*

17 *“(1) IN GENERAL.—In response to a spill of na-*  
18 *tional significance under the Oil Pollution Act of*  
19 *1990 (33 U.S.C. 2701 et seq.), at the request of a pro-*  
20 *ducing State or coastal political subdivision and not-*  
21 *withstanding the requirements of part 12 of title 43,*  
22 *Code of Federal Regulations (or a successor regula-*  
23 *tion), the Secretary may immediately disburse funds*  
24 *allocated under this section for 1 or more individual*  
25 *projects that are—*

26 *“(A) consistent with subsection (d); and*



1           “(B) specifically designed to respond to the  
2           spill of national significance.

3           “(2) APPROVAL BY SECRETARY.—The Secretary  
4           may, in the sole discretion of the Secretary, approve,  
5           on a project by project basis, the immediate disbursement  
6           of the funds under paragraph (1).

7           “(3) STATE REQUIREMENTS.—

8           “(A) ADDITIONAL INFORMATION.—If the  
9           Secretary approves a project for funding under  
10          this subsection that is included in a plan pre-  
11          viously approved under subsection (c), not later  
12          than 90 days after the date of the funding ap-  
13          proval, the producing State or coastal political  
14          subdivision shall submit to the Secretary any ad-  
15          ditional information that the Secretary deter-  
16          mines to be necessary to ensure that the project  
17          is in compliance with subsection (d).

18          “(B) AMENDMENT TO PLAN.—If the Sec-  
19          retary approves a project for funding under this  
20          subsection that is not included in a plan pre-  
21          viously approved under subsection (c), not later  
22          than 90 days after the date of the funding ap-  
23          proval, the producing State or coastal political  
24          subdivision shall submit to the Secretary for ap-  
25          proval an amendment to the plan that includes

1           *any projects funded under paragraph (1), as well*  
2           *as any information about such projects that the*  
3           *Secretary determines to be necessary to ensure*  
4           *that the project is in compliance with subsection*  
5           *(d).*

6           “(C) *LIMITATION.—If a producing State or*  
7           *coastal political subdivision does not submit the*  
8           *additional information or amendments to the*  
9           *plan required by this paragraph, or if, based on*  
10          *the information submitted by the Secretary de-*  
11          *termines that the project is not in compliance*  
12          *with subsection (d), by the deadlines specified in*  
13          *this paragraph, the Secretary shall not disburse*  
14          *any additional funds to the producing State or*  
15          *the coastal political subdivisions until the date*  
16          *on which the additional information or amend-*  
17          *ment to the plan has been approved by the Sec-*  
18          *retary.”.*

19          *This Act may be cited as the “Supplemental Appro-*  
20          *priations Act, 2010”.*

Amend the title so as to read: “Making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes.”.

Attest:

*Secretary.*

11<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H.R. 4899**

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**AMENDMENTS**