

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Ms. MARKEY of Colorado). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

SUPPLEMENTAL APPROPRIATIONS
ACT, 2010

Mr. OBEY. Madam Speaker, I move that the House suspend the rules, recede from the House amendment to the Senate amendment to the bill (H.R. 4899) making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes, and concur in the Senate amendment.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:

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.

For an additional amount for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$1,000,000.

EMERGENCY FOREST RESTORATION PROGRAM

For implementation of the emergency forest restoration program established under section 407 of the Agricultural Credit Act of 1978 (16 U.S.C. 2206) for expenses resulting from natural disasters that occurred on or after January 1, 2010, and for other purposes, \$18,000,000, to remain available until expended: Provided, That the program: (1) shall be carried out without regard to chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act") and the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and (2) with rules issued without a prior opportunity for notice and comment except, as determined to be appropriate by the

Farm Service Agency, rules may be promulgated by an interim rule effective on publication with an opportunity for notice and comment: Provided further, That in carrying out this program, the Secretary shall use the authority provided under section 808(2) of title 5, United States Code: Provided further, That to reduce Federal costs in administering this heading, the emergency forest restoration program shall be considered to have met the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for activities similar in nature and quantity to those of the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.).

FOREIGN AGRICULTURAL SERVICE

FOOD FOR PEACE TITLE II GRANTS

For an additional amount for "Food for Peace Title II Grants" for emergency relief and rehabilitation, and other expenses related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake, \$150,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

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

SEC. 102. (a) Section 502(h)(8) of the Housing Act of 1949 (42 U.S.C. 1472(h)(8)) is amended to read as follows:

"(8) FEES.—Notwithstanding paragraph (14)(D), with respect to a guaranteed loan issued or modified under this subsection, the Secretary may collect from the lender—

"(A) at the time of issuance of the guarantee or modification, a fee not to exceed 3.5 percent of the principal obligation of the loan; and

"(B) an annual fee not to exceed 0.5 percent of the outstanding principal balance of the loan for the life of the loan."

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

(c) For gross obligations for the principal amount of guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, an additional amount shall be for section 502 unsubsidized guaranteed loans sufficient to meet the remaining fiscal year 2010 demand, provided that existing program underwriting standards are maintained, and provided further that the Secretary may waive fees described herein for very low- and low-income borrowers, not to exceed \$697,000,000 in loan guarantees.

CHAPTER 2

DEPARTMENT OF COMMERCE

NATIONAL TELECOMMUNICATIONS AND

INFORMATION ADMINISTRATION

(RESCISSION)

Of the funds made available under the heading "National Telecommunications and Information Administration" for Digital-to-Analog Converter Box Program in prior years, \$111,500,000 are rescinded.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Pursuant to section 703 of the Public Works and Economic Development Act (42 U.S.C. 3233), for an additional amount for "Economic Development Assistance Programs", for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in States that experienced damage due to severe storms

and flooding during March 2010 through May 2010 for which the President declared a major disaster covering an entire State or States with more than 20 counties declared major disasters under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974, \$49,000,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC

ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for "Operations, Research, and Facilities", \$5,000,000, for necessary expenses related to commercial fishery failures as determined by the Secretary of Commerce in January 2010.

NATIONAL AERONAUTICS AND SPACE

ADMINISTRATION

EXPLORATION

The matter contained in title III of division B of Public Law 111-117 regarding "National Aeronautics and Space Administration Exploration" is amended by inserting at the end of the last proviso "": Provided further, That notwithstanding any other provision of law or regulation, funds made available for Constellation in fiscal year 2010 for "National Aeronautics and Space Administration Exploration" and from previous appropriations for "National Aeronautics and Space Administration Exploration" shall be available to fund continued performance of Constellation contracts, and performance of such Constellation contracts may not be terminated for convenience by the National Aeronautics and Space Administration in fiscal year 2010".

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, Marine Corps", \$34,758,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$1,292,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$33,184,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$11,719,927,000, of which \$218,300,000 shall be available to restore amounts transferred from this account to "Overseas Humanitarian, Disaster, and Civic Aid" for emergency relief activities related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$2,735,194,000, of which \$187,600,000 shall be available to restore

amounts transferred from this account to “Overseas Humanitarian, Disaster, and Civic Aid” for emergency relief activities related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$829,326,000, of which \$30,700,000 shall be available to restore amounts transferred from this account to “Overseas Humanitarian, Disaster, and Civic Aid” for emergency relief activities related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake.

OPERATION AND MAINTENANCE, AIR FORCE

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

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$1,236,727,000: Provided, That up to \$50,000,000, to remain available until expended, shall be available for transfer to the Port of Guam Improvement Enterprise Fund established by section 3512 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417): Provided further, That funds transferred under the previous proviso shall be merged with and available for obligation for the same time period and for the same purposes as the appropriation to which transferred: Provided further, That these funds may be transferred by the Secretary of Defense only if he determines such amounts are required to improve facilities, relieve port congestion, and provide greater access to port facilities: Provided further, That any amounts transferred pursuant to the previous three provisos shall be available to the Secretary of Transportation, acting through the Administrator of the Maritime Administration, to carry out under the Port of Guam Improvement Enterprise Program planning, design, and construction of projects for the Port of Guam to improve facilities, relieve port congestion, and provide greater access to port facilities: Provided further, That the transfer authority in this section is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary shall, not fewer than five days prior to making transfers under this authority, notify the congressional defense committees in writing of the details of any such transfer.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for “Operation and Maintenance, Army Reserve”, \$41,006,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for “Operation and Maintenance, Navy Reserve”, \$75,878,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, \$857,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for “Operation and Maintenance, Air Force Reserve”, \$124,039,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, \$180,960,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, \$203,287,000.

AFGHANISTAN SECURITY FORCES FUND

For an additional amount for “Afghanistan Security Forces Fund”, \$2,604,000,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer.

IRAQ SECURITY FORCES FUND

For the “Iraq Security Forces Fund”, \$1,000,000,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, United States Forces—Iraq, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, and renovation: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

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

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, \$3,000,000, to remain available until September 30, 2012.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, \$17,055,000, to remain available until September 30, 2012.

OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, \$2,065,006,000, to remain available until September 30, 2012.

AIRCRAFT PROCUREMENT, NAVY

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

OTHER PROCUREMENT, NAVY

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

PROCUREMENT, MARINE CORPS

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

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement, Air Force”, \$174,766,000, to remain available until September 30, 2012.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$672,741,000, to remain available until September 30, 2012.

PROCUREMENT, DEFENSE-WIDE

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

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the “Mine Resistant Ambush Protected Vehicle Fund”, \$1,123,000,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: Provided further, That the Secretary shall transfer such funds only to appropriations for operations and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That the funds transferred shall be merged with and available for the same purposes and the same time period as the appropriation to which they are transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, \$44,835,000, to remain available until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$163,775,000, to remain available until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

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

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$1,134,887,000, to remain available until expended.

OTHER DEPARTMENT OF DEFENSE
PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, \$33,367,000 for operation and maintenance: Provided, That language under this heading in title VI, division A of Public Law 111–118 is amended by striking “\$15,093,539,000” and inserting in lieu thereof “\$15,121,714,000”.

DRUG INTERDICTION AND COUNTER-DRUG
ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

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

GENERAL PROVISIONS—THIS CHAPTER

SEC. 301. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)): Provided, That section 8079 of the Department of Defense Appropriations Act, 2010 (Public Law 111–118; 123 Stat. 3446) is amended by striking “fiscal year 2010 until” and all that follows and insert “fiscal year 2010.”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 302. Section 8005 of the Department of Defense Appropriations Act, 2010 (division A of Public Law 111–118) is amended by striking “\$4,000,000,000” and inserting “\$4,500,000,000”.

SEC. 303. Funds made available in this chapter to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: Provided, That upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 304. Of the funds obligated or expended by any Federal agency in support of emergency humanitarian assistance services at the request of or in coordination with the Department of Defense, the Department of State, or the U.S. Agency for International Development, on or after January 12, 2010 and before February 12, 2010, in support of the Haitian earthquake relief efforts not to exceed \$500,000 are deemed to be specifically authorized by the Congress.

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

(RESCISSIONS)

SEC. 306. (a) Of the funds appropriated in Department of Defense Appropriation Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

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

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

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

SEC. 307. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal years 2009 or 2010 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

HIGH-VALUE DETAINEE INTERROGATION GROUP
CHARTER AND REPORT

SEC. 308. (a) SUBMISSION OF CHARTER AND PROCEDURES.—Not later than 30 days after the

final approval of the charter and procedures for the interagency body established to carry out an interrogation pursuant to a recommendation of the report of the Special Task Force on interrogation and Transfer Policies submitted under section 5(g) of Executive Order 13491 (commonly known as the High-Value Detainee Interrogation Group), or not later than 30 days after the date of the enactment of this Act, whichever is later, the Director of National Intelligence shall submit to the congressional intelligence committees such charter and procedures.

(b) UPDATES.—Not later than 30 days after the final approval of any significant modification or revision to the charter or procedures referred to in subsection (a), the Director of National Intelligence shall submit to the congressional intelligence committees any such modification or revision.

(c) LESSONS LEARNED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report setting forth an analysis and assessment of the lessons learned as a result of the operations and activities of the High-Value Detainee Interrogation Group since the establishment of that group.

(d) SUBMITTAL OF CHARTER AND REPORTS TO ADDITIONAL COMMITTEES OF CONGRESS.—At the same time the Director of National Intelligence submits the charter and procedures referred to in subsection (a), any modification or revision to the charter or procedures under subsection (b), and any report under subsection (c) to the congressional intelligence committees, the Director shall also submit such matter to—

(1) the Committees on Armed Services, Homeland Security and Governmental Affairs, the Judiciary, and Appropriations of the Senate; and

(2) the Committees on Armed Services, Homeland Security, the Judiciary, and Appropriations of the House of Representatives.

CHAPTER 4

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

For an additional amount for “Investigations”, \$5,400,000: Provided, That funds provided under this heading in this chapter shall be used for studies in States affected by severe storms and flooding: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for “Mississippi River and Tributaries” to dredge eligible projects in response to, and repair damages to Federal projects caused by, natural disasters, \$18,600,000, to remain available until expended: Provided, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

OPERATION AND MAINTENANCE

For an additional amount for “Operation and Maintenance” to dredge navigation projects in response to, and repair damages to Corps projects caused by, natural disasters, \$173,000,000, to remain available until expended: Provided, That the Secretary of the Army is directed to use \$44,000,000 of the amount provided under this heading for nondisaster related emergency repairs to critical infrastructure: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly

report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

FLOOD CONTROL AND COASTAL EMERGENCIES

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

GENERAL PROVISIONS—THIS CHAPTER

EMERGENCY DROUGHT RELIEF

SEC. 401. For an additional amount for “Water and Related Resources”, \$10,000,000, for drought emergency assistance: Provided, That financial assistance may be provided under the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2201 et seq.) and any other applicable Federal law (including regulations) for the optimization and conservation of project water supplies to assist drought-plagued areas of the West.

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

RECLASSIFICATION OF CERTAIN APPROPRIATIONS
FOR THE NATIONAL NUCLEAR SECURITY ADMINISTRATION

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

(b) FISCAL YEAR 2010 APPROPRIATIONS.—The amount appropriated under the heading “Weapons Activities” under the heading “National Nuclear Security Administration” under the heading “Atomic Energy Defense Activities” under the heading “Department of Energy” under title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85; 123 Stat. 2866) and made available for LANSCE Reinvestment, PED, Los Alamos National Laboratory, Los Alamos, New Mexico, shall be made available instead for capital equipment acquisition, installation, and associated design funds for LANSCE, Los Alamos National Laboratory, Los Alamos, New Mexico.

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

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

SEC. 405. (a) The Secretary of the Army shall not be required to make a determination under the National Historic Preservation Act of 1966 (16 U.S.C. 470, et seq.) for the project for flood control, Trinity River and tributaries, Texas, authorized by section 2 of the Act entitled “An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved

March 2, 1945 [59 Stat. 18], as modified by section 5141 of the Water Resources Development Act of 2007 [121 Stat. 1253].

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

SEC. 406. (a) The Secretary of the Army may use funds made available under the heading "OPERATION AND MAINTENANCE" of this chapter to place, at full Federal expense, dredged material available from maintenance dredging of existing Federal navigation channels located in the Gulf Coast region to mitigate the impacts of the Deepwater Horizon Oil spill in the Gulf of Mexico.

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

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

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

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.

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.

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

GENERAL PROVISIONS—THIS CHAPTER

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

(RESCISSIONS)

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

(b) The third clause of the proviso directing the expenditure of funds under the heading "Alteration of Bridges" in the Department of Homeland Security Appropriations Act, 2009, is repealed, and from available balances made available for Coast Guard "Alteration of Bridges", \$5,910,848 are rescinded: Provided, That funds rescinded pursuant to this subsection shall exclude balances made available in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

(c) From the unobligated balances of appropriations made available in Public Law 111-83 to the "Office of the Federal Coordinator for Gulf Coast Rebuilding", \$700,000 are rescinded.

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

SEC. 603. The Administrator of the Federal Emergency Management Agency shall consider satisfied for Hurricane Katrina the non-Federal match requirement for assistance provided by the Federal Emergency Management Agency pursuant to section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5170c(a).

SEC. 604. Funds appropriated in Public Law 111-83 under the heading National Protection and Programs Directorate "Infrastructure Protection and Information Security" shall be available for facility upgrades and related costs to establish a United States Computer Emergency Readiness Team Operations Support Center/Continuity of Operations capability.

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

SEC. 606. Notwithstanding any other provision of law, including any agreement, the Federal share of assistance, including direct Federal assistance provided under sections 403, 406, and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5140b, 5172, and 5173), for damages resulting from FEMA-3311-EM-R1, FEMA-1894-DR, FEMA-1906-DR, FEMA-1909-DR, and all other areas Presidentially declared a disaster, prior to or following enactment, and resulting from the May 1 and 2, 2010 weather events that elicited FEMA-1909-DR, shall not be less than 90 percent of the eligible costs under such sections.

SEC. 607. (a) Not later than 30 days after the date of the enactment of this Act, the Assistant Secretary for the Transportation Security Administration shall issue a security directive that requires a commercial foreign air carrier who operates flights in and out of the United States to check the list of individuals that the Transportation Security Administration has prohibited from flying not later than 30 minutes after such list is modified and provided to such air carrier.

(b) The requirements of subsection (a) shall not apply to commercial foreign air carriers that operate flights in and out of the United States and that are enrolled in the Secure Flight program or that are Advance Passenger Information System Quick Query (AQQ) compliant.

CHAPTER 7

DEPARTMENT OF LABOR

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Departmental Management" for mine safety activities and legal services related to the Department of Labor's caseload before the Federal Mine Safety and Health Review Commission ("FMSHRC"), \$18,200,000, which shall remain available for obligation through the date that is 12 months after the date of enactment of this Act: Provided, That the Secretary of Labor may transfer such sums as necessary to the "Mine Safety and Health Administration" for enforcement and mine safety activities, which may include conference litigation functions related to the FMSHRC caseload, investigation of the Upper Big Branch Mine disaster, standards and rule-making activities, emergency response equipment purchases and upgrades, and organizational improvements: Provided further, That the Committees on Appropriations of the Senate and the House of Representatives are notified at least 15 days in advance of any transfer.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Public Health and Social Services Emergency Fund" for necessary expenses for emergency relief 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, \$220,000,000, to remain available until expended: Provided, That these funds may be transferred by the Secretary to accounts within the Department of Health and Human Services, shall be merged with the appropriation to which transferred, and shall be available only for the purposes provided herein: Provided further, That none of the funds provided in this paragraph may be transferred prior to notification of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the transfer authority provided in this paragraph is in addition

to any other transfer authority available in this or any other Act: Provided further, That funds appropriated in this paragraph may be used to reimburse agencies for obligations incurred for the purposes provided herein prior to enactment of this Act: Provided further, That funds may be used for the non-Federal share of expenditures for medical assistance furnished under title XIX of the Social Security Act, and for child health assistance furnished under title XXI of such Act, that are related to earthquake response activities: Provided further, That funds may be used for services performed by the National Disaster Medical System in connection with such earthquake, for the return of evacuated Haitian citizens to Haiti, and for grants to States and other entities to reimburse payments made for otherwise uncompensated health and human services furnished in connection with individuals given permission by the United States Government to come from Haiti to the United States after such earthquake, and not eligible for assistance under such titles: Provided further, That the limitation in subsection (d) of section 1113 of the Social Security Act shall not apply with respect to any repatriation assistance provided in response to the Haiti earthquake of January 12, 2010: Provided further, That with respect to the previous proviso, such additional repatriation assistance shall only be available from the funds appropriated herein.

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 Appropriations of the Senate and the House of Representatives.

CHAPTER 9

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

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

MILITARY CONSTRUCTION, AIR FORCE

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

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Family Housing Operation and Maintenance, Air Force”, \$7,953,000.

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

For an additional amount for “Compensation and Pensions”, \$13,377,189,000, to remain available until expended: Provided, That section 3002 shall not apply to the amount under this heading.

GENERAL PROVISION—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. 901. (a) Of the amounts made available to the Department of Veterans Affairs under the “Construction, Major Projects” account, in fiscal year 2010 or previous fiscal years, up to \$67,000,000 may be transferred to the “Filipino Veterans Equity Compensation Fund” account or may be retained in the “Construction, Major Projects” account and used by the Secretary of Veterans Affairs for such major medical facility projects (as defined under section 8104(a) of title 38, United States Code) that have been authorized by law as the Secretary considers appropriate: Provided, That any amount transferred from “Construction, Major Projects” shall be derived from unobligated balances that are a direct result of bid savings: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

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

LIMITATION ON USE OF FUNDS AVAILABLE TO THE

DEPARTMENT OF VETERANS AFFAIRS

SEC. 902. The amount made available to the Department of Veterans Affairs by this chapter under the heading “VETERANS BENEFITS ADMINISTRATION” under the heading “COMPENSATION AND PENSIONS” may not be obligated or expended until the expiration of the period for Congressional disapproval under chapter 8 of title 5, United States Code (commonly referred to as the “Congressional Review Act”), of the regulations prescribed by the Secretary of Veterans Affairs pursuant to section 1116 of title 38, United States Code, to establish a service connection between exposure of veterans to Agent Orange during service in the Republic of Vietnam during the Vietnam era and hairy cell leukemia and other chronic B cell leukemias, Parkinson’s disease, and ischemic heart disease.

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 available in this paragraph may be transferred to, and merged with, funds made avail-

able under the heading “Emergencies in the Diplomatic and Consular Service”: Provided further, That up to \$290,000 of the funds made available in this paragraph may be transferred to, and merged with, funds made available under the heading “Repatriation Loans Program Account”.

OFFICE OF INSPECTOR GENERAL

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

EMBASSY SECURITY, CONSTRUCTION, AND

MAINTENANCE

For an additional amount for “Embassy Security, Construction, and Maintenance” for necessary expenses for emergency needs in Haiti following the earthquake of January 12, 2010, \$79,000,000, 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.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL

PEACEKEEPING ACTIVITIES

For an additional amount for “Contributions for International Peacekeeping Activities” for necessary expenses for emergency security related to Haiti following the earthquake of January 12, 2010, \$96,500,000, 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.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for “International Broadcasting Operations” for necessary expenses for emergency broadcasting support and other expenses related to Haiti following the earthquake of January 12, 2010, \$3,000,000, 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.

UNITED STATES AGENCY FOR

INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OFFICE OF INSPECTOR GENERAL

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

For an additional amount for “Office of Inspector General” for necessary expenses for oversight of emergency relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, \$4,500,000, to remain available until September 30, 2012: Provided, That up to \$1,500,000 of the funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH AND CHILD SURVIVAL

For an additional amount for “Global Health and Child Survival” for necessary expenses for pandemic preparedness and response, \$45,000,000, to remain available until September 30, 2011.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for “International Disaster Assistance” for necessary expenses for emergency relief and rehabilitation, and other expenses related to Haiti following the earthquake of January 12, 2010, \$460,000,000, 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.

ECONOMIC SUPPORT FUND
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Economic Support Fund”, \$1,620,000,000, to remain available until September 30, 2012, of which not less than \$1,309,000,000 shall be made available for assistance for Afghanistan and not less than \$259,000,000 shall be made available for assistance for Pakistan: Provided, That funds appropriated under this heading in this Act and in prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for Afghanistan may be made available, after consultation with the Committees on Appropriations, for disarmament, demobilization and reintegration activities, subject to the requirements of section 904(e) in this chapter, and for a United States contribution to an internationally managed fund to support the reintegration into Afghan society of individuals who have renounced violence against the Government of Afghanistan.

For an additional amount for “Economic Support Fund” for necessary expenses for emergency relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, \$770,000,000, to remain available until September 30, 2012: Provided, That of the funds appropriated in this paragraph, up to \$120,000,000 may be transferred to the Department of the Treasury for United States contributions to a multi-donor trust fund for reconstruction and recovery efforts in Haiti: Provided further, That of the funds appropriated in this paragraph, up to \$10,000,000 may be transferred to, and merged with, funds made available under the heading “United States Agency for International Development, Funds Appropriated to the President, Operating Expenses” for administrative costs relating to the purposes provided herein and to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act: Provided further, That funds appropriated in this paragraph may be transferred to, and merged with, funds available under the heading “Development Credit Authority” for the purposes provided herein: Provided further, That such transfer authority is in addition to any other transfer authority provided by this or any other Act: Provided further, That funds made available to the Comptroller General pursuant to title I, chapter 4 of Public Law 106–31, to monitor the provision of assistance to address the effects of hurricanes in Central America and the Caribbean, shall also be available to the Comptroller General to monitor relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, and shall remain available until expended: Provided further, That funds appropriated in this paragraph may be made available to the United States Agency for International Development and the Department of State to reimburse any accounts for obligations incurred for the purpose provided herein prior to enactment of this Act.

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

DEPARTMENT OF STATE
MIGRATION AND REFUGEE ASSISTANCE

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

DEPARTMENT OF THE TREASURY
INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For an additional amount for “International Affairs Technical Assistance” for necessary ex-

penses for emergency relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, \$7,100,000, to remain available until September 30, 2012: Provided, That of the funds appropriated in this paragraph, up to \$60,000 may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.

INTERNATIONAL SECURITY ASSISTANCE
DEPARTMENT OF STATE
INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for “International Narcotics Control and Law Enforcement”, \$1,034,000,000, to remain available until September 30, 2012: Provided, That of the funds appropriated under this heading, not less than \$650,000,000 shall be made available for assistance for Iraq of which \$450,000,000 is for one-time start up costs and limited operational costs of the Iraqi police program, and \$200,000,000 is for implementation, management, security, communications, and other expenses related to such program and may be obligated only after the Secretary of State determines and reports to the Committees on Appropriations that the Government of Iraq supports and is cooperating with such program: Provided further, That funds appropriated in this chapter for assistance for Iraq shall not be subject to the limitation on assistance in section 7042(b)(1) of division F of Public Law 111–117: Provided further, That of the funds appropriated in this paragraph, not less than \$169,000,000 shall be made available for assistance for Afghanistan and not less than \$40,000,000 shall be made available for assistance for Pakistan: Provided further, That of the funds appropriated under this heading, \$175,000,000 shall be made available for assistance for Mexico for judicial reform, institution building, anti-corruption, and rule of law activities, and shall be available subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

For an additional amount for “International Narcotics Control and Law Enforcement” for necessary expenses for emergency relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, \$147,660,000, to remain available until September 30, 2012: 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.

FUNDS APPROPRIATED TO THE PRESIDENT
FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for “Foreign Military Financing Program”, \$100,000,000, to remain available until September 30, 2012, of which not less than \$50,000,000 shall be made available for assistance for Pakistan and not less than \$50,000,000 shall be made available for assistance for Jordan.

GENERAL PROVISIONS—THIS CHAPTER
EXTENSION OF AUTHORITIES

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

ALLOCATIONS

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

- (1) “Diplomatic and Consular Programs”.
- (2) “Economic Support Fund”.
- (3) “International Narcotics Control and Law Enforcement”.

(b) For the purposes of implementing this section, and only with respect to the tables included in the report accompanying this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as appropriate, may propose deviations to the amounts referred in subsection (a), subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

SPENDING PLANS AND NOTIFICATION PROCEDURES

SEC. 1003. (a) **SPENDING PLANS.**—Not later than 45 days after enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, and the Broadcasting Board of Governors, shall submit reports to the Committees on Appropriations detailing planned uses of funds appropriated in this chapter, except for funds appropriated under the headings “International Disaster Assistance” and “Migration and Refugee Assistance”.

(b) **OBLIGATION REPORTS.**—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, and the Broadcasting Board of Governors, shall submit reports to the Committees on Appropriations not later than 90 days after enactment of this Act, and every 180 days thereafter until September 30, 2012, on obligations, expenditures, and program outputs and outcomes.

(c) **NOTIFICATION.**—Funds made available in this chapter shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961, except for funds appropriated under the headings “International Disaster Assistance” and “Migration and Refugee Assistance”.

AFGHANISTAN

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

(b) Funds appropriated in this chapter and in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement” that are available for assistance for Afghanistan may be obligated only if the Secretary of State reports to the Committees on Appropriations that prior to the disbursement of funds, representatives of the Afghan national, provincial or local government, local communities and civil society organizations, as appropriate, will be consulted and participate in the design of programs, projects, and activities, and following such disbursement will participate in implementation and oversight, and progress will be measured against specific benchmarks.

(c)(1) Funds appropriated in this chapter may be made available for assistance for the Government of Afghanistan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Afghanistan is—

(A) cooperating with United States reconstruction and reform efforts;

(B) demonstrating a commitment to accountability by removing corrupt officials, implementing fiscal transparency and other necessary reforms of government institutions, and facilitating active public engagement in governance and oversight of public resources; and

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

(2) If at any time after making the determination required in paragraph (1) the Secretary receives credible information that the factual basis for such determination no longer exists, the Secretary should suspend assistance and promptly inform the relevant Afghan authorities that

such assistance is suspended until sufficient factual basis exists to support the determination.

(d) Funds appropriated in this chapter and in prior Acts that are available for assistance for Afghanistan may be made available to support reconciliation with, or reintegration of, former combatants only if the Secretary of State determines and reports to the Committees on Appropriations that—

(1) Afghan women are participating at national, provincial and local levels of government in the design, policy formulation and implementation of the reconciliation or reintegration process, and women's internationally recognized human rights are protected in such process; and

(2) such funds will not be used to support any pardon, immunity from prosecution or amnesty, or any position in the Government of Afghanistan or security forces, for any leader of an armed group responsible for crimes against humanity, war crimes, or other violations of internationally recognized human rights.

(e) Funds appropriated in this chapter that are available for assistance for Afghanistan may be made available to support the work of the Independent Electoral Commission and the Electoral Complaints Commission in Afghanistan only if the Secretary of State determines and reports to the Committees on Appropriations that—

(1) the Independent Electoral Commission has no members or other employees who participated in, or helped to cover up, acts of fraud in the 2009 elections for president in Afghanistan, and the Electoral Complaints Commission is a genuinely independent body with all the authorities that were invested in it under Afghanistan law as of December 31, 2009, and with no members appointed by the President of Afghanistan; and

(2) the central Government of Afghanistan has taken steps to ensure that women are able to exercise their rights to political participation, whether as candidates or voters.

(f)(1) Not more than 45 days after enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committees on Appropriations a strategy to address the needs and protect the rights of Afghan women and girls, including planned expenditures of funds appropriated in this chapter, and detailed plans for implementing and monitoring such strategy.

(2) Such strategy shall be coordinated with and support the goals and objectives of the National Action Plan for Women of Afghanistan and the Afghan National Development Strategy and shall include a defined scope and methodology to measure the impact of such assistance.

(g)(1) Notwithstanding section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) and requirements for awarding task orders under task and delivery order contracts under section 303J of such Act (41 U.S.C. 253j), the Secretary of State may award task orders for police training in Afghanistan under current Department of State contracts for police training.

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

PAKISTAN

SEC. 1005. (a) Funds appropriated in this chapter and in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Foreign Military Financing Program" and "Pakistan Counterinsurgency Capability Fund" shall be made available—

(1) in a manner that promotes unimpeded access by humanitarian organizations to detainees, internally displaced persons, and other

Pakistani civilians adversely affected by the conflict; and

(2) in accordance with section 620J of the Foreign Assistance Act of 1961, and the Secretary of State shall inform relevant Pakistani authorities of the requirements of section 620J and of its application, and regularly monitor units of Pakistani security forces that receive United States assistance and the performance of such units.

(b)(1) Of the funds appropriated in this chapter under the heading "Economic Support Fund" for assistance for Pakistan, \$5,000,000 shall be made available through the Bureau of Democracy, Human Rights and Labor, Department of State, for human rights programs in Pakistan, including training of government officials and security forces, and assistance for human rights organizations.

(2) Not later than 90 days after enactment of this Act and prior to the obligation of funds under this subsection, the Secretary of State shall submit to the Committees on Appropriations a human rights strategy in Pakistan including the proposed uses of funds.

(c) Of the funds appropriated in this chapter under the heading "Economic Support Fund" for assistance for Pakistan, up to \$1,500,000 should be made available to the Department of State and the United States Agency for International Development for the lease of aircraft to implement programs and conduct oversight in northwestern Pakistan, which shall be coordinated under the authority of the United States Chief of Mission in Pakistan.

IRAQ

SEC. 1006. (a) The uses of aircraft in Iraq purchased or leased with funds made available under the headings "International Narcotics Control and Law Enforcement" and "Diplomatic and Consular Affairs" in this chapter and in prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the United States Chief of Mission in Iraq.

(b) The terms and conditions of section 1106(b) of Public Law 111-32 shall apply to funds made available in this chapter for assistance for Iraq under the heading "International Narcotics Control and Law Enforcement".

(c) Of the funds appropriated in this chapter and in prior acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Diplomatic and Consular Programs" and "Embassy Security, Construction, and Maintenance" for Afghanistan, Pakistan and Iraq, up to \$300,000,000 may, after consultation with the Committees on Appropriations, be transferred between, and merged with, such appropriations for activities related to security for civilian led operations in such countries.

HAITI

SEC. 1007. (a) Funds appropriated in this chapter and in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" that are available for assistance for Haiti may be obligated only if the Secretary of State reports to the Committees on Appropriations that prior to the disbursement of funds, representatives of the Haitian national, provincial or local government, local communities and civil society organizations, as appropriate, will be consulted and participate in the design of programs, projects, and activities, and following such disbursement will participate in implementation and oversight, and progress will be measured against specific benchmarks.

(b)(1) Funds appropriated in this chapter under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" may be made available for assistance for the Government of Haiti only if the Secretary of State determines and reports to the

Committees on Appropriations that the Government of Haiti is—

(A) cooperating with United States reconstruction and reform efforts; and

(B) demonstrating a commitment to accountability by removing corrupt officials, implementing fiscal transparency and other necessary reforms of government institutions, and facilitating active public engagement in governance and oversight of public resources.

(2) If at any time after making the determination required in paragraph (1) the Secretary receives credible information that the factual basis for making such determination no longer exists, the Secretary should suspend assistance and promptly inform the relevant Haitian authorities that such assistance is suspended until sufficient factual basis exists to support the determination.

(c)(1) Funds appropriated in this chapter for bilateral assistance for Haiti may be provided as direct budget support to the central Government of Haiti only if the Secretary of State reports to the Committees on Appropriations that the Government of the United States and the Government of Haiti have agreed, in writing, to clear and achievable goals and objectives for the use of such funds, and have established mechanisms within each implementing agency to ensure that such funds are used for the purposes for which they were intended.

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

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

(d) Funds appropriated in this chapter that are made available for assistance for Haiti shall be made available, to the maximum extent practicable, in a manner that emphasizes the participation and leadership of Haitian women and directly improves the security, economic and social well-being, and political status of Haitian women and girls.

(e) Funds appropriated in this chapter may be made available for assistance for Haiti notwithstanding any other provision of law, except for section 620J of the Foreign Assistance Act of 1961 and provisions of this chapter.

HAITI DEBT RELIEF

SEC. 1008. (a) For an additional amount for "Contribution to the Inter-American Development Bank", "Contribution to the International Development Association", and "Contribution to the International Fund for Agricultural Development", to cancel Haiti's existing debts and repayments on disbursements from loans committed prior to January 12, 2010, and for the United States share of an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, to the extent separately authorized in this chapter, in furtherance of providing debt relief for Haiti in view of the Cancun Declaration of March 21, 2010, a total of \$212,000,000, to remain available until September 30, 2012.

(b) Up to \$40,000,000 of the amounts appropriated under the heading "Department of the Treasury, Debt Restructuring" in prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used to cancel Haiti's existing debts and repayments on disbursements from loans committed prior to January 12, 2010, to the Inter-American Development Bank, the International Development Association, and the International Fund for Agricultural Development, and for the United States share of an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank in furtherance of providing debt relief to Haiti in view of the Cancun Declaration of March 21, 2010.

HAITI DEBT RELIEF AUTHORITY

SEC. 1009. The Inter-American Development Bank Act, Public Law 86-147, as amended (22

U.S.C. 283 et seq.), is further amended by adding at the end thereof the following new section:

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

“(a) VOTE AUTHORIZED.—In accordance with section 5 of this Act, the United States Governor of the Bank is authorized to vote in favor of a resolution to increase the resources of the Fund for Special Operations up to \$479,000,000, in furtherance of providing debt relief for Haiti in view of the Cancun Declaration of March 21, 2010, which provides that:

“(1) Haiti’s debts to the Fund for Special Operations are to be cancelled;

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

“(3) undisbursed balances of existing loans of the Fund for Special Operations to Haiti are to be converted to grants; and

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

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

“(1) up to \$240,000,000 to the Fund for Special Operations;

“(2) up to \$8,000,000 to the International Fund For Agricultural Development (IFAD); and

“(3) up to \$4,000,000 for the International Development Association (IDA).

“(c) AUTHORIZATION OF APPROPRIATIONS.—To pay for the contribution authorized under subsection (b), there are authorized to be appropriated, without fiscal year limitation, for payment by the Secretary of the Treasury \$212,000,000, for the United States contribution to the Fund for Special Operations.”.

MEXICO

SEC. 1010. (a) For purposes of funds appropriated in this chapter and in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading “International Narcotics Control and Law Enforcement” that are made available for assistance for Mexico, the provisions of paragraphs (1) through (3) of section 7045(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8) shall apply and the report required in paragraph (1) shall be based on a determination by the Secretary of State of compliance with each of the requirements in paragraph (1)(A) through (D).

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

(1) the United States multi-year strategy for the region, including a description of key challenges in the source, transit, and demand zones; the key objectives of the strategy; and a detailed description of outcome indicators for measuring progress toward such objectives;

(2) the integration of diplomatic, administration of justice, law enforcement, civil society,

economic development, demand reduction, and other assistance to achieve such objectives;

(3) progress in phasing out law enforcement activities of the militaries of each recipient country, as applicable; and

(4) governmental efforts to investigate and prosecute violations of internationally recognized human rights.

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

EL SALVADOR

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

DEMOCRATIC REPUBLIC OF THE CONGO

SEC. 1012. Of the funds appropriated in this chapter under the heading “Economic Support Fund”, \$15,000,000 shall be made available for necessary expenses for emergency security and humanitarian assistance for civilians, particularly women and girls, in the eastern region of the Democratic Republic of the Congo.

INTERNATIONAL SCIENTIFIC COOPERATION

SEC. 1013. Funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for science and technology centers in the former Soviet Union may be used to support productive, non-military projects that engage scientists and engineers who have no weapons background, but whose competence could otherwise be applied to weapons development, provided such projects are executed through existing science and technology centers and notwithstanding sections 503 and 504 of the FREEDOM Support Act (Public Law 102–511), and following consultation with the Committees on Appropriations, the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

INTERNATIONAL RENEWABLE ENERGY AGENCY

SEC. 1014. For fiscal year 2011 and thereafter, the President is authorized to accept the statute of, and to maintain membership of the United States in, the International Renewable Energy Agency, and the United States’ assessed contributions to maintain such membership may be paid from funds appropriated for “Contributions to International Organizations”.

OFFICE OF INSPECTOR GENERAL PERSONNEL

SEC. 1015. (a) Funds appropriated in this chapter for the United States Agency for International Development Office of Inspector General (OIG) may be made available to contract with United States citizens for personal services when the Inspector General determines that the personnel resources of the OIG are otherwise insufficient.

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

(2) Contracts under this paragraph shall not exceed a term of 2 years unless the Inspector General determines that exceptional circumstances justify an extension of up to 1 additional year, and contractors under this paragraph shall not be considered employees of the Federal Government for purposes of title 5, United States Code, or members of the Foreign Service for purposes of title 22, United States Code.

(b)(1) The Inspector General may waive subsections (a) through (d) of section 8344, and subsections (a) through (e) of section 8468 of title 5, United States Code, and subsections (a) through (d) of section 4064 of title 22, United States

Code, on behalf of any re-employed annuitant serving in a position within the OIG to facilitate the assignment of persons to positions in Iraq, Pakistan, Afghanistan, and Haiti or to positions vacated by members of the Foreign Service assigned to those countries.

(2) The authority provided in paragraph (1) shall be exercised on a case-by-case basis for positions for which there is difficulty recruiting or retaining a qualified employee or to address a temporary emergency hiring need, individuals employed by the OIG under this paragraph shall not be considered employees for purposes of subchapter III of chapter 83 of title 5, United States Code, or chapter 84 of such title, and the authorities of the Inspector General under this paragraph shall terminate on October 1, 2012.

AUTHORITY TO REPROGRAM FUNDS

SEC. 1016. Of the funds appropriated by this chapter for assistance for Afghanistan, Iraq and Pakistan, up to \$100,000,000 may be made available pursuant to the authority of section 451 of the Foreign Assistance Act of 1961, as amended, for assistance in the Middle East and South Asia regions if the President finds, in addition to the requirements of section 451 and certifies and reports to the Committees on Appropriations, that exercising the authority of this section is necessary to protect the national security interests of the United States: Provided, That the Secretary of State shall consult with the Committees on Appropriations prior to the reprogramming of such funds, which shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the funding limitation otherwise applicable to section 451 of the Foreign Assistance Act of 1961 shall not apply to this section: Provided further, That the authority of this section shall expire upon enactment of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2011.

SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION

(INCLUDING RESCISSION)

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

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

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.

CONSUMER ASSISTANCE TO RECYCLE AND SAVE
PROGRAM
(RESCISSION)

Of the amounts made available for the Consumer Assistance to Recycle and Save Program, \$44,000,000 in unobligated balances are rescinded.

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT
COMMUNITY PLANNING AND DEVELOPMENT
COMMUNITY DEVELOPMENT FUND

For an additional amount for the “Community Development Fund”, for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing, and economic revitalization in areas affected by severe storms and flooding from March 2010 through May 2010 for which the President declared a major disaster covering an entire State or States with more than 20 counties declared major disasters under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974, \$100,000,000, to remain available until expended, for activities authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93-383): Provided, That funds shall be awarded directly to the State or unit of general local government at the discretion of the Secretary: Provided further, That prior to the obligation of funds a grantee shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: Provided further, That funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: Provided further, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: Provided further, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State or subdivision thereof under the Community Development Fund: Provided further, That a State or subdivision thereof may use up to 5 percent of its allocation for administrative costs: Provided further, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by a State or subdivision thereof explaining why such waiver is required to facilitate the use of such funds or guarantees, if the Secretary finds that such waiver would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: Provided further, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: Provided further, That the Secretary shall obligate to a State or subdivision thereof not less than 50 percent of the funding provided under this heading within 90 days after the enactment of this Act.

TITLE II

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount, in addition to amounts provided elsewhere in this Act, for “Economic Development Assistance Programs”, to carry out planning, technical assistance and

other assistance under section 209, and consistent with section 703(b), of the Public Works and Economic Development Act (42 U.S.C. 3149, 3233), in States affected by the incidents related to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, \$5,000,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION
OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount, in addition to amounts provided elsewhere in this Act, for “Operations, Research, and Facilities”, \$13,000,000, to remain available until expended, for responding to economic impacts on fishermen and fishery-dependent businesses: Provided, That the amounts appropriated herein are not available unless the Secretary of Commerce determines that resources provided under other authorities and appropriations including by the responsible parties under the Oil Pollution Act, 33 U.S.C. 2701, et seq., are not sufficient to respond to economic impacts on fishermen and fishery-dependent business following an incident related to a spill of national significance declared under the National Contingency Plan provided for under section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605).

For an additional amount, in addition to amounts provided elsewhere in this Act, for “Operations, Research, and Facilities”, for activities undertaken including scientific investigations and sampling as a result of the incidents related to the discharge of oil and the use of oil dispersants that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, \$7,000,000, to remain available until expended. These activities may be funded through the provision of grants to universities, colleges and other research partners through extramural research funding.

DEPARTMENT OF HEALTH AND HUMAN
SERVICES

FOOD AND DRUG ADMINISTRATION
SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, Food and Drug Administration, Department of Health and Human Services, for food safety monitoring and response activities in connection with the incidents related to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, \$2,000,000, to remain available until expended.

DEPARTMENT OF THE INTERIOR

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the “Office of the Secretary, Salaries and Expenses” for increased inspections, enforcement, investigations, environmental and engineering studies, and other activities related to emergency offshore oil spill incidents in the Gulf of Mexico, \$29,000,000, to remain available until expended: Provided, That such funds may be transferred by the Secretary to any other account in the Department of the Interior to carry out the purposes provided herein.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL
ACTIVITIES

For an additional amount for “Salaries and Expenses, General Legal Activities”, \$10,000,000, to remain available until expended, for litigation expenses resulting from incidents related to the discharge of oil that began in 2010 in con-

nection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon.

ENVIRONMENTAL PROTECTION AGENCY
SCIENCE AND TECHNOLOGY

For an additional amount for “Science and Technology” for a study on the potential human and environmental risks and impacts of the release of crude oil and the application of dispersants, surface washing agents, bioremediation agents, and other mitigation measures listed in the National Contingency Plan Product List (40 C.F.R. Part 300 Subpart J), as appropriate, \$2,000,000, to remain available until expended: Provided, That the study shall be performed at the direction of the Administrator of the Environmental Protection Agency, in coordination with the Secretary of Commerce and the Secretary of the Interior: Provided further, That the study may be funded through the provision of grants to universities and colleges through extramural research funding.

GENERAL PROVISION—THIS TITLE

DEEPWATER HORIZON

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

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

(2) by striking “advance. Amounts” and inserting the following: “advance; (2) in the case of discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, may, without further appropriation, obtain one or more advances from the Oil Spill Liability Trust Fund as needed, up to a maximum of \$100,000,000 for each advance, the total amount of all advances not to exceed the amounts available under section 9509(c)(2) of the Internal Revenue Code of 1986 (26 U.S.C. 9509(c)(2)), and within 7 days of each advance, shall notify Congress of the amount advanced and the facts and circumstances necessitating the advance; and (3) amounts”.

PROHIBITION ON FINES AND LIABILITY

SEC. 2002. None of the funds made available by this Act shall be used to levy against any person any fine, or to hold any person liable for construction or renovation work performed by the person, in any State under the final rule entitled “Lead; Renovation, Repair, and Painting Program; Lead Hazard Information Pamphlet; Notice of Availability; Final Rule” (73 Fed. Reg. 21692 (April 22, 2008)), and the final rule entitled “Lead; Amendment to the Opt-out and Record-keeping Provisions in the Renovation, Repair, and Painting Program” signed by the Administrator on April 22, 2010.

RIGHT-OF-WAY

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

(1) not later than 30 days after the date of enactment of this Act, amend Right-of-Way Grants No. NVN-49781/IDI-26446/NVN-85211/NVN-85210 of the Bureau of Land Management to shift the 200-foot right-of-way for the 500-kilovolt transmission line project to the alignment depicted on the maps entitled “Southwest Intertie Project” and dated December 10, 2009, and May 21, 2010, and approve the construction, operation and maintenance plans of the project; and

(2) not later than 90 days after the date of enactment of this Act, issue a notice to proceed with construction of the project in accordance with the amended grants and approved plans described in paragraph (1).

(b) Notwithstanding any other provision of law, the Secretary of Energy may provide or facilitate federal financing for the project described in subsection (a) under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115) or the Energy Policy Act of 2005 (42 U.S.C. 15801 et seq.), based on the comprehensive reviews and consultations performed by the Secretary of the Interior.

FUNDING FOR ENVIRONMENTAL AND FISHERIES IMPACTS

SEC. 2004. (1) FISHERIES DISASTER RELIEF.—For an additional amount, in addition to other amounts provided in this Act for the National Oceanic and Atmospheric Administration, \$15,000,000 to be available to provide fisheries disaster relief under section 312 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a) related to a commercial fishery failure due to a fishery resource disaster in the Gulf of Mexico that resulted from the Deepwater Horizon oil discharge.

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

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

(4) IN GENERAL.—Of the amounts appropriated or made available under division B, title I of Public Law 111-117 that remain unobligated as of the date of the enactment of this Act under Procurement, Acquisition, and Construction for the National Oceanic and Atmospheric Administration, \$26,000,000 of the amounts appropriated are hereby rescinded.

TITLE III
GENERAL PROVISIONS—THIS ACT

AVAILABILITY OF FUNDS

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

EMERGENCY DESIGNATION

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

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

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

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

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

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

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

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

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

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

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

SEC. 3006. For fiscal years 2010 and 2011—

(1) the National Park Service Recreation Fee Program account may be available for the cost of adjustments and changes within the original scope of contracts for National Park Service projects funded by Public Law 111-5 and for associated administrative costs when no funds are otherwise available for such purposes;

(2) notwithstanding section 430 of division E of Public Law 111-8 and section 444 of Public Law 111-88, the Secretary of the Interior may utilize unobligated balances for adjustments and changes within the original scope of projects funded through division A, title VII, of Public Law 111-5 and for associated administrative costs when no funds are otherwise available;

(3) the Secretary of the Interior shall ensure that any unobligated balances utilized pursuant to paragraph (2) shall be derived from the bureau and account for which the project was funded in Public Law 111-5; and

(4) the Secretary of the Interior shall consult with the Committees on Appropriations prior to making any charges authorized by this section.

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

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

SEC. 3008. Of the amounts appropriated for the Edward Byrne Memorial Justice Assistance Grant Program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) under the heading “STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE” under the heading “OFFICE OF JUSTICE PROGRAMS” under the heading “STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES” under title II of the Omnibus Appropriations Act, 2009 (Public Law 111-8; 123 Stat. 579), at the discretion of the Attorney General, the amounts to be made available to Genesee County, Michigan for assistance for individuals transitioning from prison in Genesee County, Michigan pursuant to the joint statement of managers accompanying that Act may be made available to My Brother’s Keeper of Genesee County, Michigan to provide assistance for individuals transitioning from prison in Genesee County, Michigan.

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

“(i) requiring inspections of any container containing a firearm or ammunition; and

“(ii) the temporary suspension of firearm carriage service if credible intelligence information indicates a threat related to the national rail system or specific routes or trains.”.

PUBLIC AVAILABILITY OF CONTRACTOR INTEGRITY AND PERFORMANCE DATABASE

SEC. 3010. Section 872(e)(1) of the Clean Contracting Act of 2008 (subtitle G of title VIII of Public Law 110-417; 41 U.S.C. 417b(e)(1)) is amended by adding at the end the following:

“In addition, the Administrator shall post all such information, excluding past performance reviews, on a publicly available Internet website.”.

ASSESSMENTS ON GUANTANAMO BAY DETAINEES

SEC. 3011. (a) SUBMISSION OF INFORMATION RELATED TO DISPOSITION DECISIONS.—Not later than 45 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the participants of the interagency review of Guantanamo Bay detainees conducted pursuant to Executive Order 13492 (10 U.S.C. 801 note), shall fully inform the congressional intelligence committees concerning the basis for the disposition decisions reached by the Guantanamo Review Task Force, and shall

provide to the congressional intelligence committees—

(1) the written threat analyses prepared on each detainee by the Guantanamo Review Task Force established pursuant to Executive Order 13492; and

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

(b) FUTURE SUBMISSIONS.—In addition to the analyses, assessments, and information required under subsection (a) and not later than 10 days after the date that a threat assessment described in subsection (a) is disseminated, the Director of National Intelligence shall provide to the congressional intelligence committees—

(1) any new threat assessment prepared by any element of the intelligence community of a Guantanamo Bay detainee who remains in detention or is pending release or transfer; and

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

(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term “congressional intelligence committees” has the meaning given that term in section 3(7) of the National Security Act of 1947 (50 U.S.C. 401a(7)).

SEC. 3012. Of the amounts appropriated for the Edward Byrne Memorial Justice Assistance Grant Program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) under the heading “STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE” under the heading “OFFICE OF JUSTICE PROGRAMS” under the heading “STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES” under title II of the Omnibus Appropriations Act, 2009 (Public Law 111-8; 123 Stat. 579), at the discretion of the Attorney General, the amounts to be made available to the Marcus Institute, Atlanta, Georgia, to provide remediation for the potential consequences of childhood abuse and neglect, pursuant to the joint statement of managers accompanying that Act, may be made available to the Georgia State University Center for Healthy Development, Atlanta, Georgia.

COASTAL IMPACT ASSISTANCE

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

“(e) EMERGENCY FUNDING.—

“(1) IN GENERAL.—In response to a spill of national significance under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), at the request of a producing State or coastal political subdivision and notwithstanding the requirements of part 12 of title 43, Code of Federal Regulations (or a successor regulation), the Secretary may immediately disburse funds allocated under this section for 1 or more individual projects that are—

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

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

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

“(3) STATE REQUIREMENTS.—

“(A) ADDITIONAL INFORMATION.—If the Secretary approves a project for funding under this subsection that is included in a plan previously approved under subsection (c), not later than 90 days after the date of the funding approval, the producing State or coastal political subdivision shall submit to the Secretary any additional information that the Secretary determines to be necessary to ensure that the project is in compliance with subsection (d).

“(B) AMENDMENT TO PLAN.—If the Secretary approves a project for funding under this subsection that is not included in a plan previously approved under subsection (c), not later than 90 days after the date of the funding approval, the producing State or coastal political subdivision shall submit to the Secretary for approval an

amendment to the plan that includes any projects funded under paragraph (1), as well as any information about such projects that the Secretary determines to be necessary to ensure that the project is in compliance with subsection (d).

“(C) LIMITATION.—If a producing State or coastal political subdivision does not submit the additional information or amendments to the plan required by this paragraph, or if, based on the information submitted by the Secretary determines that the project is not in compliance with subsection (d), by the deadlines specified in this paragraph, the Secretary shall not disburse any additional funds to the producing State or the coastal political subdivisions until the date on which the additional information or amendment to the plan has been approved by the Secretary.”

This Act may be cited as the “Supplemental Appropriations Act, 2010”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 4899.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, I have a double and conflicting obligation on this matter. As chairman of the committee, I have an obligation to this House to bring this war supplemental before the House to allow this institution to work its will. But I also have the obligation of my conscience to indicate by my individual vote my profound skepticism that this action will accomplish much more than to serve as a recruiting incentive for those who most want to do us ill.

Last year, as the administration was undertaking its Afghanistan review, I expressed my concern that the best policy in the world could not succeed if we did not have the tools on the ground, namely, the effective cooperation of the governments of Afghanistan and Pakistan, to accomplish it. I submit today that those critical tools are not at hand.

The Afghan Government has not demonstrated the focused determination, reliability, and judgment necessary to bring this effort to a rational and successful conclusion. Even if we could have greater confidence in that government's capacity, it would likely take so long that it will obliterate our ability to make the kinds of long-term investments in our own country that are so desperately needed.

We have appropriated over \$1 trillion for the wars in Iraq and Afghanistan to date, more than \$700 billion to Iraq and \$300 billion for Afghanistan. These wars have been paid for with borrowed money. What's happened with this bill

is a good indication of the tensions in the false choices that we face. The bill started in March as a domestic disaster relief and youth summer jobs bill, and the Senate added war funding. Then we tried to do something about other emergencies this year, such as the loss of more than 100,000 teachers' jobs because of devastating State and local budget cuts, border security vulnerabilities, and a shortfall in Pell Grant funding because more students qualify for aid due to the economic recession.

The House tried to fund those emergencies, which were largely paid for with offsets to other programs, but now, true to form, virtually everything we've attempted to do this year to address the economic crisis and emergencies on the domestic side of the ledger has fallen by the wayside. And on the current course, we will face the very same situation again next year and the following year as well.

Military experts tell us that it could take up to 10 more years to achieve any acceptable outcome in Afghanistan. We've already been there 9 years. I believe that is too high a price to pay. Now, to those who say we must pay it because we're going after al Qaeda, I would note that Afghanistan is where al Qaeda used to be. Today, there are fewer than 100 al Qaeda in Afghanistan, which was publicly confirmed last month by CIA Chief Panetta. Al Qaeda has relocated to other countries and regions.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OBEY. I yield myself 1 additional minute.

I have the highest respect and appreciation for our troops who have done everything asked of them, but they are being let down by the inability of the governments of Afghanistan and, in some instances, Pakistan to do their parts. I would be willing to support additional war funding provided that Congress would vote up or down explicitly on whether or not to continue this policy after a new National Intelligence Estimate is produced. But absent that discipline, I cannot look my constituents in the eye and say that this operation will hurt our enemies more than it hurts us, and so I will reluctantly vote “no.”

I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, our first job as Members of Congress is to support our troops, the men and women who are in harm's way protecting our country. It has been 6 months since the President sent the supplemental funding request to the Congress. The package we're considering today is, ironically, the very same clean emergency spending package the Senate approved on May 27, precisely 2 months ago. The delay in passing this legislation was caused by one thing and only one thing: the House Democratic leadership majority's continuing and unwavering appetite for spending.

The Senate passed its clean version of the supplemental in May and sent it to the House for speedy approval. Instead of quickly passing it and sending it to the President's desk, however, House Democrats spent weeks negotiating with themselves over just how much nonemergency spending could be placed on the backs of our troops.

Senate Democrats and the White House sent strong signals that adding billions in domestic nonemergency spending would further delay funding for our troops as well as critical disaster assistance to areas of our country in desperate need, but that advice was ignored by the House majority. Fortunately, the Senate, last week, wisely rejected the House majority's effort to piggyback tens of billions of dollars of additional spending onto the package. The Senate has sent back to the House the very same clean emergency supplemental it sent 2 months ago. Today, the House must do the right thing and approve this funding. We cannot afford to wait another minute to get this long overdue package to the President.

I applaud the Senate for rejecting billions of dollars of nonemergency spending placed on the backs of the troops. Let's support our men and women in uniform, support disaster assistance for areas of the country in great need, and pass this spending bill.

I urge an “aye” vote, and I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I yield 3 minutes to the distinguished chair of the Defense Appropriations Subcommittee, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Madam Speaker, I rise in strong support of the supplemental. The Under Secretary of Defense, Mr. Hale, advises that the operation and maintenance accounts will begin to exhaust available obligation authority in early August. The Under Secretary has made it very clear that we have to get this funding enacted.

The Senate bill includes \$32.8 billion, \$352 million below the President's request for operations, personnel costs, and equipment reconstitution related to overseas contingency operations in Iraq and Afghanistan, and for emergency relief activities related to the earthquake relief.

□ 1050

The bill includes funding in the following major categories:

For military personnel, \$1.8 billion;

For operations and maintenance, the bill includes \$24.6 billion;

Also, for the Afghanistan-Iraq Security Forces Fund, the bill includes requested funds of \$2.6 billion for the Afghan Forces Fund and \$1 billion for the Iraq Security Readiness programs;

The bill funds key readiness programs to prepare military forces for combat operations and other missions, including for OPTEMPO flying hours, steaming days, depot maintenance, training, spare parts, and base operations;

Regarding troop expansion in Afghanistan, the bill fully funds additional units to support the troop expansion in Afghanistan;

The bill provides \$50 million for the Department of Defense to transfer to the Department of Transportation for port activities in Guam;

It also reimburses \$72.5 million to the Navy for emergency flood repairs;

The bill includes \$4.9 billion for procurement. This would include aircraft-vehicle force protection and other equipment;

For research, development, test, and evaluation, the bill provides \$273.7 million for R, D, T, and E, which is a few million below the President's request;

Regarding the Revolving Management Fund, the bill would provide \$1.1 billion for defense work and capital funds. It would also provide \$33.4 million for the defense health program. The bill includes \$94 million for drug interdiction and counterdrug activities in Afghanistan, Pakistan, and Central Asia;

For the Joint Improvised Explosive Device, that money from JIEDDO would be transferred to the Army.

I just think it is clear that we have got to pass this bill today, this supplemental, and get this behind us as we move on to the 2011 bill. As stated, the Secretary and the comptroller pointed out that, by mid-August, we will start running out of funds for key crucial accounts, and they will have to start making adjustments that will be ridiculous, so we must get this done today.

Mr. LEWIS of California. Madam Speaker, I yield 3 minutes to our leader on the Homeland Security subcommittee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

Madam Speaker, while there should be no higher priority for Congress than to provide for our common defense, the Democrats have chosen to delay, abuse, and exploit this wartime funding bill—no committee markup, the circumvention of regular order, and the exploitation of our national security needs in order to bail out the special interests. Perhaps most disturbing is the inexplicable 6-month delay that has kept our brave troops waiting far too long.

Madam Speaker, the sheer criticality of this war and disaster supplemental should transcend the inconvenience of election year politics. Sadly, that is not the case this year. This episode in political futility has brought us right back to where we should have been all along—funding our critical needs with a clean bill. Because of this calamitous process, we leave a glaring omission—failing to address the President's recently requested enhancements to border security and to fight the murderous drug war.

While I intend to support this vital bill, I must emphatically state that abusing the process and failing to deliver on our country's emergency needs is a failure of leadership of the highest

order. The American people deserve much better.

Mr. OBEY. I yield 2 minutes to the chairwoman of the Foreign Operations Appropriations Subcommittee, the distinguished gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Madam Speaker, I rise in support of providing urgently needed funds for our troops and diplomats to address the most pressing international crisis.

This bill provides approximately \$3.7 billion for State Department operations and assistance programs in Afghanistan, Pakistan, and Iraq, which are critical, not to continue war but to execute the President's strategy to bring home our troops.

My subcommittee is addressing serious concerns about the oversight of our assistance in Afghanistan. The administration must expend every dime of these funds responsibly and efficiently to advance our security interests.

An additional \$1.8 billion will aid recovery efforts in Haiti where 1,450,000 people remain displaced and struggle daily to survive. Other international assistance includes \$175 million for Mexico for counternarcotics programs and \$150 million in economic and military assistance for Jordan, an important ally facing increased economic and security pressures.

While I am pleased this bill includes an increased responsibility for airlines to check passenger lists against the TSA's issued No Fly List to prevent continued air security breakdowns, I am deeply disappointed it has been stripped of funding to help prevent teacher layoffs—an emergency in our districts. I hope the House will provide additional funds to preserve and create jobs in the coming months to continue our economic recovery.

Mr. LEWIS of California. Madam Speaker, I yield 3 minutes to our leader on the Armed Services Committee, the gentleman from California, BUCK MCKEON.

Mr. MCKEON. I thank the gentleman for yielding.

Madam Speaker, I rise today in strong support of the long delayed troop funding supplemental. The failure to pass this supplemental before the August work period would result in severe consequences to our military departments.

Last Thursday, Undersecretaries of the Army, Navy, and Air Force testified at our committee that, without this supplemental, their services will be dangerously close to the point of having to furlough Department of Defense employees. According to Robert Work, Undersecretary of the Navy, the failure to pass the supplemental before the recess would "hamstring the department's operations for the remainder of the year and significantly disrupt operations within the department."

Madam Speaker, these are departments at war. The President sent us his troop funding request in February. Our

former commander in Afghanistan, General McChrystal, urged its passage by Memorial Day. Secretary of Defense Robert Gates said if the supplemental were not passed by the Fourth of July recess, the department would have to resort to doing stupid things. Now we are 60 days past Memorial Day.

Those of us here in Congress cannot lose sight of the broader perspective. Our brave military men and women and their civilian counterparts are in the midst of a tough fight that is critical to U.S. national security. Cutting off their funding in the middle of that fight is tantamount to abandonment. I have confidence that General Petraeus and our troops will succeed in Afghanistan if given the time, space, and resources they need to complete their mission.

In December and again when we tapped General Petraeus, the President reminded us of why we are in Afghanistan. It was the epicenter of where al Qaeda planned and launched the 9/11 attacks against innocent Americans. The timeline for success in Afghanistan can not be dictated by arbitrary political clocks here in Washington. It must be driven by the operational clock in Kabul, Kandahar, and the Afghan countryside. We all hope and pray that this goal can be accomplished by July 2011, but conditions on the ground must dictate the pace of any withdrawal.

The Democratic leadership in the House has tried to advance their domestic political agenda on the backs of our forces while at the same time permitting one antiwar measure after another to be debated on the House floor. This is cynical and wrong.

A vote on a clean troop funding bill is long overdue. We should have accomplished this work months ago, not in the last minutes before we adjourn for the August work period. We must send this troop funding to the President without further delay. I encourage all Members to send a clear message to our military men and women by supporting this critical troop funding bill.

This Congress believes in you. We support you and we honor your dedication.

□ 1100

Mr. OBEY. I yield 2 minutes to the distinguished gentleman from Texas (Mr. EDWARDS), the chairman of the Military Construction Subcommittee.

Mr. EDWARDS of Texas. Madam Speaker, I rise today in strong support of this bill which will provide our service men and women the vital support they need to carry out their missions in Afghanistan and Iraq. This bill also strongly supports America's veterans by including \$13.4 billion in funds for Vietnam veterans exposed to agent orange. And I thank Chairman OBEY for his strong support of this provision.

Last October VA Secretary Shinseki announced that the VA had found linkages between agent orange and three additional diseases, Parkinson's disease, ischemic heart disease and B cell

leukemia. This presumption allows veterans who served in the Vietnam War and who have these diseases to have these benefits expedited.

Rick Weidman, director of government relations at the Vietnam Veterans of America, says this bill “provides some measure of justice to these very ill Vietnam veterans and their families by making the funds available for vitally needed health care and just compensation to replace their lost earnings due to these illnesses.”

Passage of this bill, Madam Speaker, would mean that 86,000 Vietnam veterans or their survivors, at long last, who were previously denied disability compensation, would now be eligible for retroactive payments. In addition, the VA anticipates that approximately 67,400 new claims will be filed.

It is important that we pass this bill in support of both our active duty service men and women and our veterans to send a clear message that our country is grateful for those who serve today and will never forget those who served in years past.

I urge swift passage of this bill.

Mr. LEWIS of California. Madam Speaker, I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the gentleman from Missouri (Mr. SKELTON), the distinguished chairman of the Armed Services Committee.

Mr. SKELTON. Madam Speaker, today we take a vital step toward fulfilling one of Congress' most basic and important responsibilities. We will provide the men and women of the United States military with the resources they need to carry out their missions in Iraq and Afghanistan, missions for which they are risking their lives.

While I wish we would have been able to send a bill to the President sooner, passage of this bill today will ensure that funding is provided to the Department of Defense without any operational disruptions.

Without this bill, the Department of Defense would be forced to use inefficient and costly budget workarounds throughout the month of August. According to testimony the Armed Services Committee received last week, without this bill the Department of Defense would be forced in September to furlough thousands of civilian employees and would even be forced to reprogram funding to pay the troops.

Instead, by passing this bill today on a strong bipartisan vote, we can uphold the best traditions of Congress in support of our national security.

Mr. LEWIS of California. Madam Speaker, I have no further requests for time, and I continue to reserve the balance of my time.

Mr. OBEY. I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. MCGOVERN), a key member of the Rules Committee.

Mr. MCGOVERN. I thank Chairman OBEY for yielding me the time and for his incredible leadership on so many issues.

Madam Speaker, after nearly 10 years, thousands of American troops killed or wounded, and hundreds of billions of dollars of borrowed money, I believe we must radically change our policy in Afghanistan.

Of all the disturbing things in the recent Rolling Stone article about this war, the most disturbing was this: a senior adviser to General McChrystal said that if the American people paid more attention to the war, it would become even less popular.

Well, after seeing the documents published yesterday, it's clear what he was talking about: corruption and incompetence in the Afghan Government, questions about the role of the Pakistani intelligence services.

Madam Speaker, the same old same old is simply not working, and it's costing us dearly. At a time when the American people are suffering through the worst economy in generations, we're told that we can't afford to extend unemployment benefits. We're told that we can't afford to help States keep cops on the beat or teachers in the classroom. We're told we can't afford to help more families send their kids to college.

But today, we're asked to borrow another \$33 billion for nation-building in Afghanistan.

Well, with all due respect, Madam Speaker, I think we need to do some more nation-building here at home.

All of us are dedicated to defeating al Qaeda wherever they are, but our current policy in Afghanistan is deeply flawed. Occupying Afghanistan in support of a corrupt and incompetent government will continue to claim the lives of our soldiers. It will continue to bankrupt us, and it will not enhance our national security.

This is not just the President's war. It's our war too. Congress has an obligation to ask the tough questions and demand straight answers. We must not simply kick the can down the road and hope for the best.

Our troops and their families have made incredible sacrifices. They deserve a policy worthy of those sacrifices. It is a mistake to give this administration yet another blank check for this war.

I urge my colleagues to vote “no” on this bill and make it clear that Congress demands a different approach.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Wikileaks released 92,000 previously secret documents, totaling 200,000 pages, any one of which could conceivably be a case for a congressional hearing, which demonstrate that Congress has not been given a true account of the war by either the military or by two administrations. It would be good if Congress had announced hearings once WikiLeaks documents came forward.

But what we've learned is this: our troops are being placed in mortal peril because of poor logistics, countless in-

nocent civilians killed by mistake, an Afghanistan Government which is hopelessly corrupt, Pakistan intelligence collaborating with the Taliban against the U.S., the Pentagon understating the fire power of the insurgents, a top Pakistani general visiting a suicide bombing school monthly.

Will we go deeper in this war in Afghanistan despite an abundance of information that it's time to get out?

We need to make the decision now. Today, vote against the supplemental.

Mr. OBEY. I yield 2 minutes to the distinguished gentlewoman from California (Ms. LEE).

Ms. LEE of California. I thank the gentleman for yielding and for his leadership.

Madam Speaker, less than a month ago Congress finally began the debate on the war in Afghanistan that should have really been held 9 years ago.

While evidence continues to mount that our military engagement in Afghanistan has become a quagmire of corruption and ill-defined objectives, the bill under consideration will provide, if you can believe this, another \$37 billion for the wars in Afghanistan and Iraq that have already cost this Nation more than \$1 trillion.

Congress cannot continue to write a blank check for a war in Afghanistan that has ultimately made our country less safe. Our brave men and women in uniform have been put in an impossible situation in Afghanistan where there is no military solution.

It is time to provide funding for only their safe and orderly withdrawal. No more funding for combat operations.

It's a shame and disgrace that we cannot support justice long overdue for black farmers, or youth employment programs, or teachers, firefighters and police officers who need their jobs, or temporary assistance for needed families.

The Congressional Black Caucus continues to fight for jobs here in our own country. Let's not spend another dollar to escalate America's longest war. The costs of this war are too enormous in blood and treasure.

I urge my colleagues to stand in opposition to a policy of war without end, and vote against this bill, and really begin to look at our priorities and our own country.

Yes, we need to help continue to stabilize, actually, regionally, in terms of Afghanistan and the Middle East and the wars that our young men and women have served in so well. But, no, we cannot continue to do it in the way that we have done it. And so I respectfully ask for a “no” vote.

It's time to change direction in Afghanistan. It's time to vote for jobs in our own country.

□ 1110

Mr. LEWIS of California. I continue to reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the distinguished chairman.

Having recently returned from Afghanistan, I can say to you that our soldiers are resilient, and the people of Afghanistan are looking for their government to provide them with the leadership and the resources to improve their quality of life. But our plan is not working.

And now that we have two of our trusted and wonderful naval personnel missing, and we realize that this is a place that needs a plan, we cannot continue to support this war when the Government of Afghanistan will not stand up. They will have the necessary security forces. They need to be in front of the line.

And we need to provide moneys for Pell grants, for teachers, and firefighters, and police officers, for the settlement for black farmers, 100,000 of them, and for youth jobs and summer jobs for people in America who are unemployed, and those families who need support as a bridge to carry them over.

I believe in this Nation, and I believe in our soldiers. I salute them. And I believe it is time to bring them home with honors. They are our heroes. They have done what they needed to do in Afghanistan. They provided for a democratic government. It's time now to bring them home with honor. Vote "no" on this supplemental.

Mr. LEWIS of California. Madam Speaker, I am prepared to yield 2 minutes, by way of a colloquy, to my colleague, the chairman of the Subcommittee on National Defense, the gentleman from Washington, NORM DICKS.

Mr. DICKS. I appreciate the gentleman yielding to me.

The purpose for this is just to discuss the situation. The Secretary of Defense and the comptroller have made it very clear that money for our troops in the field in Afghanistan and Iraq will start running out by August 7. So we have a responsibility to the men and women who are serving this country in harm's way—and we've seen the horrific injuries that these people have suffered—to make certain that they have the resources to conduct this operation until

something different is the policy of the United States.

I just hope that we can have a bipartisan vote here today of people who understand their responsibility and recognize that we've got to provide the funding. If we don't get the funding done today, Mr. HOYER has already said we're not going home. We're going to stay here until we get this done.

So I think this is a responsibility of this Congress. We have had months to work on this thing. And it's now time to get the job done. I hope that we can have bipartisan support on both sides of the aisle for this supplemental.

It isn't the supplemental that I wanted. I had I think a much better bill. But the reality is time has run out. We've got to do it now.

Mr. LEWIS of California. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. LEWIS of California. I very much appreciate the leadership that my colleague is providing on the Defense Subcommittee of Appropriations. He knows very clearly that Secretary Gates is faced with his back against the wall. We've got to deliver this supplemental now. And I applaud very much his leadership in connection with this effort. I thank the gentleman.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. I wish to address the security of our citizens. Here's a headline July 26 that we're going to see repeated across the country in the next year: "Linwood Cops Face Job Cuts." We are facing a 25 percent reduction of police officers in Linwood, Washington, because we can't pay for them, our first line of security in our neighborhoods. But today we would be voting for something on the order of over several years of about \$4 billion to train police officers in Kabul, Afghanistan.

It is wrong to be borrowing money from China, laying off American police officers, to train police officers in Afghanistan. And it is wrong because it

isn't showing respect for the few families that are fighting this war, our troops and their families, while the rest of us go to the beach and not be fiscally responsible for this war.

If we're going to fight this war, we should pay for it. And we should pay for it in a way that keeps our cops on the beat, our first line of security.

Mr. LEWIS of California. Madam Speaker, I yield myself the balance of my time.

In closing, I want to one more time express my deep appreciation for the Senate, of all things, for rejecting billions of dollars of nonemergency spending placed on the backs of our troops. Let's support our men and women in uniform, support disaster assistance for areas of the country in need, and pass this spending bill today.

I yield back the balance of my time.

Mr. OBEY. I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 2½ minutes.

Mr. OBEY. Madam Speaker, I don't know when it was that this Congress has suddenly decided that when we talk about critical needs that that does not include border security, that that does not include meeting our obligation to those students in this country who are eligible for Pell Grants who also must get funding in this bill, and our school children, who do a whole lot better if they don't lose 100,000 teachers out of the classroom nationwide.

The second point I would make is simply this. If the Pakistani and Afghan Governments were doing half the job that American troops are doing in this war, I wouldn't be worried about supporting this bill. But tragically, they aren't. And the biggest favor we can do those troops is to recognize that reality.

As I indicated, I will vote "no" on this piece of legislation.

DISCLOSURE OF EARMARKS

The following table lists the congressional earmarks (as defined in clause 9(e) of rule XXI) contained in the Senate amendment to H.R. 4899. The Senate amendment does not contain any limited tax or tariff benefits as defined in paragraphs (f) or (g) of clause 9 of rule XXI.

TITLE I—CHAPTER 2—DEPARTMENT OF COMMERCE
(Congressionally directed spending items)

Agency	Account	Project	Amount	Requester(s)	
				Senate	House
DOC	EDA	Economic Development Assistance Programs	\$49,000,000	(1)	
DOC	NOAA—ORF	Commercial Fisheries Failures	\$5,000,000	(1)	Young (AK)

TITLE I—CHAPTER 4—DEPARTMENT OF DEFENSE, CIVIL
(Congressionally directed spending items)

Agency	Account	Project	Amount	Requester(s)	
				Senate	House
Corps of Engineers & FHWA	GP	Dallas Floodway, TX		(1)	Edwards (TX); Johnson, Eddie Bernice

TITLE I—CHAPTER 6—DEPARTMENT OF HOMELAND SECURITY

[Congressionally directed spending items]

Agency	Account	Project	Amount	Requester(s)	
				Senate	House
FEMA	GP	Reimbursements for Presidentially Declared Disasters—KY, MS, TN, RI		(1)	Kennedy; Langevin
FEMA	GP	Match Requirement for Hurricane Katrina—MS		(1)	

TITLE I—CHAPTER 11—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Congressionally directed spending items]

Agency	Account	Project	Amount	Requester(s)	
				Senate	House
HUD	CPD	Community Development Fund	\$100,000,000	(1)	Davis (TN); Langevin

TITLE II—DEPARTMENT OF THE INTERIOR

[Congressionally directed spending items]

Agency	Account	Project	Amount	Requester(s)	
				Senate	House
BLM	GP	Southwest Intertie Project		(1)	

TITLE III—GENERAL PROVISIONS

[Congressionally directed spending items]

Agency	Account	Recipient	Project	Amount	Requester(s)	
					Senate	House
DOJ	OJP-Byrne	Georgia State University, Atlanta, GA	Remediation For The Potential Consequences of Childhood Abuse and Neglect.	\$100,000	(1)	Bishop (GA)
DOJ	OJP-Byrne	My Brother's Keeper of Genesee County, Flint, MI.	Assistance for Those Transitioning From Prison	\$100,000	(1)	Kildee

¹ Included in the Senate amendment to H.R. 4899.

Ms. BORDALLO. Madam Speaker, I rise in strong support of H.R. 4899, the Supplemental Appropriations Act of 2010. This legislation provides crucial funding to our servicemen and women who are serving in harm's way and protecting our Nation.

In addition, this legislation will provide funding to maintain America's strategic posture in the Pacific region. H.R. 4899 includes \$50 million in funding for the Port of Guam. Specifically, the legislation authorizes the Department of Defense to transfer \$50 million of operations and maintenance funds to the Port of Guam Improvement Enterprise Fund within the Maritime Administration. The \$50 million in funding is critical to begin necessary infrastructure improvements and modernization projects at the Port of Guam.

The 110th Congress took positive action when it authorized the Port of Guam Improvement Enterprise Fund as section 3512 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417). This provision, which I sponsored, codified an important relationship between the Maritime Administration and the Port Authority of Guam. The provision was critical to ensuring that the Federal Government would bring its expertise to assist the Port of Guam in beginning necessary improvements.

The Port of Guam has repeatedly been identified as a potential chokepoint for the delivery of materials, supplies and personnel to support the realignment of military forces to Guam. Further, the Port's operational capabilities are critical to maintaining civilian economic development on the island. If these improvements are not made, the realignment of military forces to Guam would be severely delayed, add additional costs to future military construction and could hinder the island's economy. Furthermore, in September 2009 the United States Transportation Command designated Guam as the 16th strategic port in

the United States. Strategic port designation indicated the importance of the Port of Guam to our economic and military posture in the Asia-Pacific region.

The \$50 million in transfer authority for the Port of Guam in H.R. 4899 marks an important step toward ensuring the success of the military build-up on Guam and the future economic development of the island. After the Port of Guam was denied critical Recovery Act funding, the Obama Administration took quick action and requested the transfer authority. This demonstrates the Administration's commitment to address our island's longstanding infrastructure needs and I appreciate its support and leadership on this matter. I would also like to thank my colleagues in Congress for their support, in particular Congressman DAVID OBEY, Chairman of the House Committee on Appropriations; Congressman NORM DICKS, Chairman of the Subcommittee on Defense and Congressman JOHN OLVER, Chairman of the Subcommittee on Transportation, Housing and Urban Development and Related Agencies.

Mr. BOEHNER. Madam Speaker, while I'm concerned about why this critical troop funding bill was delayed, I am pleased the House is finally focused on meeting the most pressing needs of our troops and our Nation. I told the president three months ago that Republicans would work with him to pass a clean troop funding bill through Congress.

Unfortunately, this funding was delayed for months while Democrats sought to add billions in unnecessary, unrelated spending to the bill. This is unacceptable, especially when we're borrowing 41 cents of every dollar we spend from our kids and grandkids.

As we vote today, we should take a moment to reflect on the sacrifices our troops and their families have made, and continue to make, in Iraq and Afghanistan. For nine years, we have asked our troops to leave their families and

risk their lives to advance freedom abroad and protect our security at home. They have met every challenge presented to them, and continue pushing themselves every day to carry out a long, difficult, and dangerous mission.

As our troops continue their fight, it is imperative that Congress provide the resources they need, and remain committed to supporting them in the mission we have sent them on.

Denying terrorists a safe haven in Afghanistan is critical to the safety and security of our country. Going forward, I hope we will focus our attention on supporting our troops in a timely manner and promoting our long-term national security at home and abroad.

Ms. MCCOLLUM. Madam Speaker, across our country there are communities, businesses, and families that continue to struggle to escape an economic recession that has caused far reaching hardship and too much pain. Congress has a responsibility to ensure the economic security of the American people, as well as defend the national security of the Nation. This appropriations bill does not adequately meet the needs of the American people and I will not vote to pass it.

Today's vote on the emergency supplemental appropriation provides \$37 billion to continue the wars in Afghanistan and Iraq, plus nearly \$3 billion for the crisis in Haiti. There is also \$13 billion in funds for Vietnam War era veterans which I strongly support. To my great dismay the funds previously passed by the House to address urgent domestic needs such as securing our borders, preventing 100,000 teachers from layoffs, creating youth summer jobs, and financing Pell grants for higher education have been stripped from this bill by the U.S. Senate. Unlike the war funding which is financed by deficit spending, the House fully paid for the domestic priorities that were removed. It is simply unacceptable to abandon the serious needs of our

communities while calling the war in Afghanistan—the longest war in the history of the United States—an “emergency.”

Since 2001, following the September 11th attack on the U.S., I have supported military action in Afghanistan to remove the Taliban from power and eliminate al-Qaeda. During this time U.S. and NATO troops have bravely pursued a military strategy that has provided the Afghan people with an opportunity to rebuild their country and determine their own future. It is now time for Afghans to be fully responsible for their own destiny without dependence on 100,000 U.S. troops.

After nine years of war and more than \$300 billion of war funds added to our national debt, it is clear that an open ended U.S. military presence in Afghanistan is not acceptable to Afghans or Americans. President Obama is correct to have established a July 2011 date to begin withdrawal of U.S. forces. Still I question whether an additional eleven months of U.S. troops in combat will result in a security and political environment that will be significantly improved from what exists today. I believe now is the time for a movement away from an expanded military presence in Afghanistan towards a strategic drawdown of U.S. troops and a refocus on a counter-terrorism strategy to prevent al-Qaeda from again taking root.

On July 1, 2010 during debate on this supplemental bill, I supported amendments to move towards ending the U.S. military presence in Afghanistan by putting limits on the funds appropriated. Unfortunately those amendments failed. I voted for the “Lee Amendment” to limit the use of military funding for Afghanistan to activities related to the safe withdrawal of troops and the continued protection of civilian and military personnel in the country. I also voted for the “McGovern, Obey, Jones Amendment” which calls for a plan for the safe, orderly and expeditious redeployment of U.S. troops from Afghanistan. Today’s vote allows no such amendments to be offered.

It was a surprise to listen today to one of my Republican colleagues, the Armed Services ranking member, who stated during debate on this bill that the U.S. will succeed in Afghanistan if Congress only gives the military the “time, space and resources.” This Republican call for apparently endless resources for Afghanistan is in sharp contrast to their policies here at home in which “no” is their position on providing emergency assistance for our own citizens.

Madam Speaker, I would like to commend the courage and determination of all U.S. troops who are serving in Afghanistan or have served there since 2002. The Afghan people suffered mercilessly under the Taliban regime and it was U.S. and NATO troops who freed them from a medieval existence. It is not an appropriate role for U.S. troops to rebuild a country that has experienced 30 years of war nor can they provide on-going security for a government which has not earned the trust of its own people.

U.S. troops deserve a mission that is clear and achievable so they can return safely home with the knowledge that they have helped to keep America secure and allowed the Afghan people to make their own future. It is now time for the Afghan people to make that future.

Mr. BRALEY of Iowa. Madam Speaker, I rise today in support of this bill but also to

voice my strong concerns with the direction of the wars in Iraq and Afghanistan. While I fully support ensuring the safety of our Nation’s troops, I have serious concerns over the provisions of this bill related to the funding of the conflicts. I have long advocated a responsible withdrawal from Afghanistan and believe that the continued funding of these wars outside of the appropriations process without a plan in place for withdrawal is reckless and wasteful. I firmly believe that Congress must require a responsible exit strategy from Afghanistan and work to ensure that the withdrawal of U.S. forces from Iraq remains on track.

Over the weekend, severe weather across Iowa caused heavy rains, thunderstorms, hail, tornadoes, and flooding that devastated numerous communities in my district. I support this bill today for the \$5.1 billion included to replenish the Federal Emergency Management Agency’s Disaster Relief Fund, which has been operating at a dangerously low level since the beginning of this year, halting recovery projects in Iowa and across the country from past disasters. With the recent disasters in my district, I believe this continued funding is vital to ensure that my constituents and other citizens who are faced with disaster have the necessary assistance to recover and rebuild from these devastating storms.

I applaud the House and Senate for acting today to ensure appropriate funding is available for disaster recovery and for other provisions in support of veterans, but I do not support another blank check for the wars in Iraq and Afghanistan.

Mr. VAN HOLLEN. Madam Speaker, I support President Obama’s request to provide our troops with the equipment and support they need for their mission. We also owe it to our troops to have a realistic strategy that is worthy of their sacrifice.

The toughest decisions we face as a nation are questions of war and peace. Whenever we ask the men and women of our armed forces to put their lives at risk, the President and Members of Congress have a solemn obligation to consider all the facts and exercise their best judgment for the country.

More than 8 years ago, our nation was the target of a terrorist attack launched by al Qaeda operating out of Afghanistan. The United Nations unanimously passed a resolution supporting the right of the United States to respond forcefully to that attack. Our NATO allies universally backed our actions, invoking the provisions of the NATO charter stating that an attack on one was an attack on all. Today, largely because the Bush administration diverted attention and resources away from this region to Iraq, Osama bin Laden and al Qaeda continue to regain strength and plot attacks against Americans from along the Afghanistan-Pakistan border. The Bush Administration also failed to persuade Pakistan to confront the Afghan Taliban insurgents operating inside Pakistan with the support of al Qaeda.

While there is no doubt that al Qaeda operates in parts of Yemen, Sudan, Somalia, and other areas, the Afghanistan-Pakistan border region remains the operational and ideological center for al Qaeda’s global operations. The President is right to conclude that allowing al Qaeda to operate there unchecked poses a serious security risk to the U.S. and American citizens around the world.

President Obama has developed a carefully considered and comprehensive “counterinsur-

gency” strategy for Afghanistan and Pakistan that relies not only on the use of troops but also the use of civilian resources.

The strategy has four parts. First, American and NATO forces will accelerate the training and deployment of the Afghan national security forces, both army and police. This will allow U.S. forces to begin returning home starting in July of next year. Second, in the interim, U.S. and Afghan forces will reverse the Taliban’s momentum by working to stabilize major population centers.

Third, the strategy engages Pakistan as a full partner in these efforts. As a result of better coordination between our two countries, for the first time since the beginning of the war, al Qaeda and the Taliban are being genuinely challenged by the Pakistan military.

Finally, the U.S. will work with its partners in Afghanistan and Pakistan to create a more effective civilian strategy—with the goal of establishing sustainable economic opportunities for Afghans and strengthening the country’s national and local governance structures. As the 9–11 Commission determined, extremist groups exploit the poor socioeconomic conditions, such as high unemployment, in the border areas to gain adherents to their cause. With this in mind, I introduced the Afghanistan-Pakistan Security and Prosperity Enhancement Act, which will allow the President to designate Reconstruction Opportunity Zones, ROZs, in Afghanistan and parts of Pakistan and allow qualified businesses duty-free access to U.S. markets for designated products. This legislation, which has passed the House and is pending in the Senate, would help create meaningful job opportunities for young people who are currently vulnerable to the lure of extremism.

The President’s strategy contains a timeline which initiates a responsible redeployment of American troops in July of next year. He has established this timeline to send a clear message to the Afghan government that they must take seriously their role in creating a stable Afghanistan and to communicate to the people of Afghanistan that the U.S. has no interest in an open-ended engagement in their country.

During floor consideration of the House bill, I supported the McGovern/Obey Amendment, which would codify the president’s plan to initiate a responsible drawdown of U.S. forces beginning a year from now. That amendment required that by April 4, 2011, the president submit to Congress a redeployment plan that is consistent with the policy he announced in December 2009. That amendment did not pass and the Senate bill did not contain a similar amendment.

The choice we face today is to cut off all funds for our troops in the field and operations in Afghanistan or support President Obama’s request to provide the resources necessary to support the strategy outlined in his speech of December 2009. I oppose the immediate withdrawal of all U.S. and NATO forces in Afghanistan for two reasons. First, it would immediately strengthen the hand of the most extremist Taliban leaders (those most closely tied to al Qaeda), undercutting any leverage behind ongoing efforts to get some Taliban fighters to lay down their arms and undermining Afghan President Hamid Karzai’s new initiative to reach a political accommodation with those members of the Taliban open to national reconciliation. If such a political solution is undermined and the old Taliban regime

retakes control of Afghanistan, they will again turn that country into a safe haven for expanded al Qaeda operations. It would also lead to the return of an extreme Taliban regime that encourages horrendous acts like pouring gasoline into the eyes of girls who attempt to go to school.

Second, the immediate withdrawal of U.S. and NATO forces would weaken Pakistan's resolve to confront the Pakistani Taliban, the Afghan Taliban, and al Qaeda. The most promising development over the last year has been the Government of Pakistan's willingness to fight the growing menace of the Pakistani Taliban. In addition, very recently, the Pakistani government has also shown a willingness to confront elements of the Afghan Taliban. The capture of Mullah Bandar, the operational chief of the Afghan Taliban, and two Afghan Taliban shadow governors, demonstrates this progress. The withdrawal of U.S. forces from Afghanistan would sabotage those nascent efforts. Why should the Pakistani forces confront the Afghan Taliban if the U.S. walks away now?

There are no guarantees of success in Afghanistan and Pakistan. But, we do know that failure to confront al Qaeda would leave Americans constantly exposed to another attack like that perpetrated on September 11, 2001.

Madam Speaker, I support adoption of the FY10 Supplemental Appropriations bill.

Mr. GARY G. MILLER of California. Madam Speaker, I rise in support of H.R. 4899, the Supplemental Appropriations Act for Fiscal Year 2010. Overall, this legislation provides necessary war funding and essential support for our Nation's military—without arbitrary benchmarks or timetables that would tie the hands of our military commanders—and much needed assistance for several other emergency needs.

For the men and women in uniform fighting in the defense of freedom, this troop funding bill is long overdue. Although the President had requested emergency funding in February, House Democrats have finally brought a clean version of the Supplemental Appropriations bill after multiple and convoluted attempts to attach expensive and controversial items on the legislation.

Approving this clean supplemental quickly and getting it to our military leaders is a top priority. Inaction would force our commanders to begin making compromising budget decisions that could negatively affect our military readiness. It would also signal to our enemies a lack of resolve that could undermine our mission in several very dangerous areas of the world.

In addition to providing our troops with this necessary funding, the bill also contains \$162 million to support the victims of the Gulf oil spill. Although I own stock in Transocean, I did not place the funding for the oil spill in the legislation and do not consider it a conflict of interest to vote for this bill. All in all, this funding represents less than .3 percent of the entire funding contained in the bill.

Mr. BLUMENAUER. Madam Speaker, as a nation, we face challenges ranging from education shortfalls and growing energy needs to a slowly recovering job market. We cannot afford to escalate the Afghan war with a credit card. The mounting loss of life and widespread corruption gives no indication that more money and more boots on the ground will achieve success in Afghanistan.

We need success at home. The elements in the bill for veterans exposed to Agent Orange and for FEMA are a start. I cannot support a bill that spends \$37 billion in Afghanistan while denying \$10 billion for teacher jobs, \$1 billion for summer youth employment, \$5 billion for Pell grants, and \$701 million for border security. My votes signal in the strongest possible terms that this war must be wound down and not escalated.

Across Oregon, our priorities are helping small businesses, creating jobs, and supporting our schools.

We need to start making the right choices. This means drawing down from a costly war that Americans and Afghans want to end, and investing in a better, more productive future for our country.

Mr. OBEY. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY) that the House suspend the rules, recede from the House amendment to the Senate amendment to the bill, H.R. 4899, and concur in the Senate amendment.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. OBEY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1120

SURFACE TRANSPORTATION EARMARK RESCISSION, SAVINGS, AND ACCOUNTABILITY ACT

Ms. MARKEY of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5730) to rescind earmarks for certain surface transportation projects.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5730

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Surface Transportation Earmark Rescission, Savings, and Accountability Act".

SEC. 2. RESCISSION OF ALLOCATED PROJECT FUNDS.

(a) ISTEAA AND STURAA.—The unobligated balances available on December 31, 2010, under sections 1103(b), 1104(b), 1105(f), 1106(a), 1106(b), 1107(b), and 1108(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240) and subsections (c) and (d) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (Public Law 100-17) are rescinded.

(b) TEA 21.—The unobligated balance available on September 30, 2011, under section 1602 of the Transportation Equity Act for the 21st Century (Public Law 105-178) for each project for which less than 10 percent of the amount authorized for such project

under such section has been obligated is rescinded.

SEC. 3. REPEAL OF APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM CORRIDOR DESIGNATION.

Section 1117(d) of the Transportation Equity Act for the 21st Century (112 Stat. 161) is repealed and the designation made by that section shall no longer be effective.

SEC. 4. RESCISSION OF UNDESIGNATED HIGH PRIORITY PROJECT FUNDS.

Of the amounts authorized for fiscal years 2005 through 2009 in section 1101(a)(16) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59) to carry out the high priority projects program under section 117 of title 23, United States Code, that are not allocated for projects described in section 1702 of such Act, \$8,190,355 are rescinded.

SEC. 5. REPORT.

Not later than October 31, 2011, and not later than October 31 of each year thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report identifying each project authorized under section 1602 of the Transportation Equity Act for the 21st Century (Public Law 105-178), sections 1301, 1302, 1702, and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59), and section 144(f) of title 23, United States Code, that has inactive funds or that has been completed in the previous fiscal year. Such report shall include, for each such project—

(1) the amount of funds authorized under such section;

(2) the unobligated balance of such funds; and

(3) a reference to the public law, section number, and project number under which such project was authorized.

The SPEAKER pro tempore (Mr. HARE). Pursuant to the rule, the gentlewoman from Colorado (Ms. MARKEY) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado.

Ms. MARKEY of Colorado. I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of my bill, H.R. 5730, the Surface Transportation Earmark Rescission, Savings, and Accountability Act. The bill will eliminate a total of \$713 million in contract authority for 309 old transportation earmarks. In short, this bill will prevent our deficit from rising by another \$713 million.

In today's fiscal climate, we must be judicious in our spending. And my legislation follows the commonsense principle of use it or lose it.

Before I came to Congress, I owned several small businesses. One of my businesses was a small coffee and ice cream shop called Huckleberry's. With a shop that sells food, the use it or lose it principle is intrinsic. We would not buy more perishable foods than we would sell; otherwise, we were at a loss.

Every small business owner knows that when you are working on a tight budget, you cannot afford wasteful spending. And that, Mr. Speaker, is exactly what these earmarks are. By targeting these earmarks, my legislation will deliver real savings.