

PUBLIC LAW 111-322—DEC. 22, 2010

CONTINUING APPROPRIATIONS AND  
SURFACE TRANSPORTATION  
EXTENSIONS ACT, 2011

Public Law 111–322  
111th Congress

An Act

Dec. 22, 2010  
[H.R. 3082]

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

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

Continuing  
Appropriations  
and Surface  
Transportation  
Extensions Act,  
2011.  
Continuing  
Appropriations  
Amendments,  
2011.  
*Ante*, p. 3454.  
Definitions.  
5 USC 5303 note.

TITLE I—CONTINUING APPROPRIATIONS AMENDMENTS

SECTION 1. (a) The Continuing Appropriations Act, 2011 (Public Law 111–242) is further amended by—

(1) striking the date specified in section 106(3) and inserting “March 4, 2011”; and

(2) adding the following:

“SEC. 147. (a) For the purposes of this section—

“(1) the term ‘employee’—

“(A) means an employee as defined in section 2105 of title 5, United States Code; and

“(B) includes an individual to whom subsection (b), (c), or (f) of such section 2105 pertains (whether or not such individual satisfies subparagraph (A));

“(2) the term ‘senior executive’ means—

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

“(B) a member of the FBI–DEA Senior Executive Service under subchapter III of chapter 31 of title 5, United States Code;

“(C) a member of the Senior Foreign Service under chapter 4 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3961 and following); and

“(D) a member of any similar senior executive service in an Executive agency;

“(3) the term ‘senior-level employee’ means an employee who holds a position in an Executive agency and who is covered by section 5376 of title 5, United States Code, or any similar authority; and

“(4) the term ‘Executive agency’ has the meaning given such term by section 105 of title 5, United States Code.

“(b)(1) Notwithstanding any other provision of law, except as provided in subsection (e), no statutory pay adjustment which (but for this subsection) would otherwise take effect during the period beginning on January 1, 2011, and ending on December 31, 2012, shall be made.

Time period.

“(2) For purposes of this subsection, the term ‘statutory pay adjustment’ means—

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

“(B) any similar adjustment, required by statute, with respect to employees in an Executive agency.

“(c) Notwithstanding any other provision of law, except as provided in subsection (e), during the period beginning on January 1, 2011, and ending on December 31, 2012, no senior executive or senior-level employee may receive an increase in his or her rate of basic pay absent a change of position that results in a substantial increase in responsibility, or a promotion. Time period.

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

“(e) The Non-Foreign Area Retirement Equity Assurance Act of 2009 (5 U.S.C. 5304 note) shall be applied using the appropriate locality-based comparability payments established by the President as the applicable comparability payments in section 1914(2) and (3) of such Act. President.  
Applicability.

“SEC. 148. Notwithstanding section 101, the level for ‘Department of Commerce, National Telecommunications and Information Administration, Salaries and Expenses’ shall be \$40,649,000.

“SEC. 149. The following authorities shall continue in effect through the earlier of the date specified in section 106(3) of this Act or the date of enactment of the National Defense Authorization Act for Fiscal Year 2011: Extensions.

“(1) Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as amended by section 1011 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2441);

“(2) Section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 371 note), as amended by section 1012 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2441);

“(3) Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85), as amended by section 1014 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2442);

“(4) Sections 611, 612, 613, 614, 615, 616, 1106, 1222(e), 1224 and 1234 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84);

“(5) Section 631 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181); and

“(6) Section 931 of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

“SEC. 150. Subject to the availability of appropriations, the Secretary of the Navy may award a contract or contracts for up to 20 Littoral Combat Ships (LCS).

“SEC. 151. Section 8905a(d)(4)(B) of title 5, United States Code, is amended—

“(1) in clause (i), by striking ‘October 1, 2010’ and inserting ‘December 31, 2011’; and

“(2) in clause (ii)—

“(A) by striking ‘February 1, 2011’ and inserting ‘February 1, 2012’; and

“(B) by striking ‘October 1, 2010’ and inserting ‘December 31, 2011’.

“SEC. 152. Notwithstanding section 101, the level for ‘Special Inspector General for the Troubled Asset Relief Program, Salaries and Expenses’ shall be \$36,300,000.

*Ante*, p. 2508,  
2553.

“SEC. 153. Public Law 111-240 is amended in section 1114 and section 1704 by striking ‘December 31, 2010’ and inserting ‘March 4, 2011’ each time it appears and in section 1704 by adding at the end the following:

“(c) For purposes of the loans made under this section, the maximum guaranteed amount outstanding to the borrower may not exceed \$4,500,000.’

“SEC. 154. The appropriation to the Securities and Exchange Commission pursuant to this Act shall be deemed a regular appropriation for purposes of section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) and sections 13(e), 14(g), and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee).

118 Stat. 3998.

“SEC. 155. Section 302 of the Universal Service Antideficiency Temporary Suspension Act is amended by striking ‘December 31, 2010’ each place it appears and inserting ‘December 31, 2011’.

Notification.  
Deadline.

“SEC. 156. Notwithstanding section 503 of Public Law 111-83, amounts made available in this Act for the Transportation Security Administration shall be available for transfer between and within Transportation Security Administration appropriations to the extent necessary to avoid furloughs or reduction in force, or to provide funding necessary for programs and activities required by law: *Provided*, That such transfers may not result in the termination of programs, projects or activities: *Provided further*, That the House and Senate Appropriations Committees shall be notified within 15 days of such transfers.

“SEC. 157. Up to \$21,880,000 from ‘Coast Guard, Acquisition, Construction, and Improvements’ and ‘Coast Guard, Alteration of Bridges’ may be transferred to ‘Coast Guard, Operating Expenses’: *Provided*, That the Coast Guard may decommission one Medium Endurance Cutter, two High Endurance Cutters, four HU-25 aircraft, the Maritime Intelligence Fusion Center, and one Maritime Safety and Security Team, and make staffing changes at the Coast Guard Investigative Service, as outlined in its budget justification documents for fiscal year 2011 as submitted to the Committees on Appropriations of the Senate and House of Representatives.

“SEC. 158. Notwithstanding section 101, the final proviso under the heading ‘Science and Technology, Research, Development, Acquisition, and Operations’ in Public Law 111-83 (related to the National Bio- and Agro-defense Facility) shall have no effect with respect to all amounts available under this heading.

“SEC. 159. Notwithstanding sections 101 and 128, amounts are provided for ‘Department of the Interior—Minerals Management Service—Royalty and Offshore Minerals Management’ in the manner authorized in Public Law 111-88 for fiscal year 2010, except that for fiscal year 2011 the amounts specified in division A of Public Law 111-88 shall be modified by substituting—

“(1) ‘\$200,110,000’ for ‘\$175,217,000’;

“(2) ‘\$102,231,000’ for ‘\$89,374,000’;

“(3) ‘\$154,890,000’ for ‘\$156,730,000’ each place it appears;

and

“(4) ‘fiscal year 2011’ shall be substituted for ‘fiscal year 2010’ each place it appears.

“SEC. 160. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation, and Enforcement, may establish accounts, transfer funds among and between the offices and bureaus affected by the reorganization, and take any other administrative actions necessary in conformance with the Appropriations Committee reprogramming procedures described in the joint explanatory statement of the managers accompanying Public Law 111–88 (House of Representatives Report 111–316).

“SEC. 161. Notwithstanding section 101, section 423 of Public Law 111–88 (123 Stat. 2961), concerning the distribution of geothermal energy receipts, shall have no force or effect and the provisions of section 3003(a) of Public Law 111–212 (124 Stat. 2338) shall apply for fiscal year 2011.

“SEC. 162. Notwithstanding section 109, of the funds made available by section 101 for payments under subsections (b) and (d) of section 2602 of the Low Income Home Energy Assistance Act of 1981, the Department of Health and Human Services shall obligate the same amount during the period covered by this continuing resolution as was obligated for such purpose during the comparable period during fiscal year 2010.

“SEC. 163. (a) A ‘highly qualified teacher’ includes a teacher who meets the requirements in 34 CFR 200.56(a)(2)(ii), as published in the Federal Register on December 2, 2002. 20 USC 7801 note.

“(b) This provision is effective on the date of enactment of this provision through the end of the 2012–2013 academic year. Effective date.

“SEC. 164. (a) Notwithstanding section 101, the level for ‘Department of Education, Student Financial Assistance’ to carry out subpart 1 of part A of title IV of the Higher Education Act of 1965 shall be \$23,162,000,000. Grants.

“(b) The maximum Pell Grant for which a student shall be eligible during award year 2011–2012 shall be \$4,860. 20 USC 1070a note.

“SEC. 165. (a) Notwithstanding section 1018(d) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(d)), the use of any funds appropriated to the United States Capitol Police during fiscal year 2003 for transfer relating to the Truck Interdiction Monitoring Program to the working capital fund established under section 328 of title 49, United States Code, is ratified.

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

“(c) Notwithstanding section 106 of this Act, the use of the funds described under subsection (a) of this section shall apply without fiscal year limitation. Applicability.

“SEC. 166. Notwithstanding section 101, amounts are provided for ‘Department of Veterans Affairs, Departmental Administration, General Operating Expenses’ at a rate for operations of \$2,546,276,000, of which not less than \$2,148,776,000 shall be for the Veterans Benefits Administration.”

(b) This section may be cited as the “Continuing Appropriations Amendments, 2011”.

Surface  
Transportation  
Extension Act of  
2010, Part II.

## TITLE II—EXTENSION OF CURRENT SURFACE TRANSPORTATION PRO- GRAMS

### SEC. 2001. SHORT TITLE; RECONCILIATION OF FUNDS.

23 USC 101 note.

(a) This title may be cited as the “Surface Transportation Extension Act of 2010, Part II”.

Time period.

(b) RECONCILIATION OF FUNDS.—The Secretary of Transportation shall reduce the amount apportioned or allocated for a program, project, or activity under this title in fiscal year 2011 by amounts apportioned or allocated pursuant to the Surface Transportation Extension Act of 2010 for the period beginning on October 1, 2010, and ending on December 31, 2010.

## Subtitle A—Federal-Aid Highways

### SEC. 2101. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

Time period.

(a) IN GENERAL.—Section 411 of the Surface Transportation Extension Act of 2010 (Public Law 111–147; 124 Stat. 78) is amended—

(1) by striking “the period beginning on October 1, 2010, and ending on December 31, 2010” each place it appears (except in subsection (c)(2)) and inserting “the period beginning on October 1, 2010, and ending on March 4, 2011”;

(2) in subsection (a) by striking “December 31, 2010” and inserting “March 4, 2011”;

(3) in subsection (b)(2) by striking “ $\frac{1}{4}$ ” and inserting “ $\frac{155}{365}$ ”;

(4) in subsection (c)—

(A) in paragraph (2)—

(i) by striking “ $\frac{1}{4}$ ” and inserting “ $\frac{155}{365}$ ”; and

(ii) by striking “the period beginning on October 1, 2010, and ending on December 31, 2010,” and inserting “the period beginning on October 1, 2010, and ending on March 4, 2011”;

(B) in paragraph (4)—

(i) in subparagraph (A)(ii) by striking “ $\frac{1}{4}$ ” and inserting “ $\frac{155}{365}$ ”; and

(ii) in subparagraph (B)(ii)(II) by striking “\$159,750,000” and inserting “\$271,356,164”; and

(C) in paragraph (5) by striking “ $\frac{1}{4}$ ” and inserting “ $\frac{155}{365}$ ”;

(5) in subsection (d)—

(A) by striking “ $\frac{1}{4}$ ” each place it appears and inserting “ $\frac{155}{365}$ ”; and

(B) in paragraph (2)(A)—

(i) in the matter preceding clause (i) by striking “apportioned under sections 104(b) and 144 of title 23, United States Code,” and inserting “specified in section 105(a)(2) of title 23, United States Code (except the high priority projects program),”; and

(ii) in clause (ii) by striking “apportioned under such sections of such Code” and inserting “specified

in such section 105(a)(2) (except the high priority projects program)”; and

(6) in subsection (e)(1)(B) by striking “ $\frac{1}{4}$ ” and inserting “ $\frac{155}{365}$ ”.

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

(1) by striking “\$105,606,250” and inserting “\$179,385,959”; and

(2) by striking “the period beginning on October 1, 2010, and ending on December 31, 2010” and inserting “the period beginning on October 1, 2010, and ending on March 4, 2011”.

Time period.

## **Subtitle B—Extension of National Highway Traffic Safety Administration, Federal Motor Carrier Safety Administration, and Additional Programs**

Time periods.

### **SEC. 2201. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.**

(a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2001(a)(1) of SAFETEA–LU (119 Stat. 1519) is amended by striking “and \$58,750,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$99,795,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2001(a)(2) of SAFETEA–LU (119 Stat. 1519) is amended by striking “and \$27,061,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$45,967,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2001(a)(3) of SAFETEA–LU (119 Stat. 1519) is amended by striking “and \$6,250,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$10,616,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

(d) SAFETY BELT PERFORMANCE GRANTS.—Section 2001(a)(4) of SAFETEA–LU (119 Stat. 1519) is amended by striking “and \$31,125,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$52,870,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

(e) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—Section 2001(a)(5) of SAFETEA–LU (119 Stat. 1519) is amended by striking “and \$8,625,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$14,651,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

(f) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.—Section 2001(a)(6) of SAFETEA–LU (119 Stat. 1519) is amended by striking “and \$34,750,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and

inserting “and \$59,027,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

(g) NATIONAL DRIVER REGISTER.—Section 2001(a)(7) of SAFETEA-LU (119 Stat. 1520) is amended by striking “and \$1,029,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$1,748,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

(h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—Section 2001(a)(8) of SAFETEA-LU (119 Stat. 1520) is amended by striking “and \$7,250,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$12,315,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

(i) MOTORCYCLIST SAFETY.—Section 2001(a)(9) of SAFETEA-LU (119 Stat. 1520) is amended by striking “and \$1,750,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$2,973,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

(j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFETY INCENTIVE GRANTS.—Section 2001(a)(10) of SAFETEA-LU (119 Stat. 1520) is amended by striking “and \$1,750,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$2,973,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

(k) ADMINISTRATIVE EXPENSES.—Section 2001(a)(11) of SAFETEA-LU (119 Stat. 1520) is amended by striking “and \$6,332,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$10,756,000 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

**SEC. 2202. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.**

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(7) of title 49, United States Code, is amended by striking “\$52,679,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “\$88,753,000 for the period beginning October 1, 2010, and ending on March 4, 2011.”.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(G) of title 49, United States Code, is amended by striking “\$61,036,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “\$103,678,000 for the period beginning October 1, 2010, and ending on March 4, 2011.”.

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

(1) in paragraph (1)—

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

(B) by striking “and \$6,301,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$10,616,000 for the period beginning October 1, 2010, and ending on March 4, 2011.”;

(2) in paragraph (2) by striking “and \$8,066,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$13,589,000 for the period beginning October 1, 2010, and ending on March 4, 2011.”;



(3) in paragraph (3) by striking “and \$1,260,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$2,123,000 for the period beginning October 1, 2010, and ending on March 4, 2011.”;

(4) in paragraph (4) by striking “and \$6,301,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$10,616,000 for the period beginning October 1, 2010, and ending on March 4, 2011.”; and

(5) in paragraph (5) by striking “and \$756,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$1,274,000 for the period beginning October 1, 2010, and ending on March 4, 2011.”.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking “2009, \$15,000,000 for fiscal year 2010, and \$3,781,000 for the period beginning on October 1, 2010, and ending on December 31, 2010” and inserting “2010 and \$6,370,000 for the period beginning October 1, 2010, and ending on March 4, 2011”.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking “(and up to \$7,310,000 for the period beginning on October 1, 2010, and ending on December 31, 2010)” and inserting “(and up to \$12,315,000 for the period beginning October 1, 2010, and ending on March 4, 2011)”.

(f) COMMERCIAL DRIVER’S LICENSE INFORMATION SYSTEM MODERNIZATION.—Section 4123(d)(6) of SAFETEA–LU (119 Stat. 1736) is amended by striking “\$2,016,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.” and inserting “and \$3,397,260 for the period beginning October 1, 2010, and ending on March 4, 2011.”.

49 USC 31309  
note.

(g) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking “and 2010” and all that follows before “to carry out” and inserting “2010, and \$425,545 to the Federal Motor Carrier Safety Administration, and \$1,274,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

49 USC 31100  
note.

(h) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (119 Stat. 1744) is amended by striking “\$252,000 for the period beginning on October 1, 2010, and ending on December 31, 2010,” and inserting “\$425,545 for the period beginning on October 1, 2010, and ending on March 4, 2011.”.

49 USC 31301  
note.

(i) MOTOR CARRIER SAFETY ADVISORY COMMITTEE.—Section 4144(d) of SAFETEA–LU (119 Stat. 1748) is amended by striking “December 31, 2010” and inserting “March 4, 2011”.

49 USC 31100  
note.

(j) WORKING GROUP FOR DEVELOPMENT OF PRACTICES AND PROCEDURES TO ENHANCE FEDERAL-STATE RELATIONS.—Section 4213(d) of SAFETEA–LU (49 U.S.C. 14710 note; 119 Stat. 1759) is amended by striking “December 31, 2010” and inserting “March 4, 2011”.

#### SEC. 2203. ADDITIONAL PROGRAMS.

(a) HAZARDOUS MATERIALS RESEARCH PROJECTS.—Section 7131(c) of SAFETEA–LU (119 Stat. 1910) is amended by striking “through 2010” and all that follows before “shall be available”

and inserting “through 2010 and \$531,000 for the period beginning on October 1, 2010, and ending on March 4, 2011”.

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

(1) in subsection (a) by striking “For each of fiscal years 2006” and all that follows before paragraph (1) and inserting the following: “For each of fiscal years 2006 through 2010, and for the period beginning on October 1, 2010, and ending on March 4, 2011, the balance of each annual appropriation made in accordance with the provisions of section 3 remaining after the distributions for administrative expenses and other purposes under subsection (b) and for multistate conservation grants under section 14 shall be distributed as follows:”; and

(2) in subsection (b)(1)(A) by striking the first sentence and inserting the following: “From the annual appropriation made in accordance with section 3, for each of fiscal years 2006 through 2010, and for the period beginning on October 1, 2010, and ending on March 4, 2011, the Secretary of the Interior may use no more than the amount specified in subparagraph (B) for the fiscal year for expenses for administration incurred in the implementation of this Act, in accordance with this section and section 9.”.

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

(d) IMPLEMENTATION OF FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM.—Section 510 of title 23, United States Code, is amended by adding at the end the following:

“(h) IMPLEMENTATION.—Notwithstanding any other provision of this section, the Secretary may use funds made available to carry out this section for implementation of research products related to the future strategic highway research program, including development, demonstration, evaluation, and technology transfer activities.”.

## **Subtitle C—Public Transportation Programs**

### **SEC. 2301. ALLOCATION OF FUNDS FOR PLANNING PROGRAMS.**

Section 5305(g) of title 49, United States Code, is amended by striking “December 31, 2010” and inserting “March 4, 2011”.

### **SEC. 2302. SPECIAL RULE FOR URBANIZED FORMULA GRANTS.**

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

(1) in the paragraph heading, by striking “DECEMBER 31, 2010” and inserting “MARCH 4, 2011”;

(2) in subparagraph (A) by striking “December 31, 2010” and inserting “March 4, 2011”; and

(3) in subparagraph (E)—

(A) in the paragraph heading, by striking “DECEMBER 31, 2010” and inserting “MARCH 4, 2011”; and

(B) in the matter preceding clause (i) by striking “December 31, 2010” and inserting “March 4, 2011”.

**SEC. 2303. ALLOCATING AMOUNTS FOR CAPITAL INVESTMENT GRANTS.**

Section 5309(m) of such title is amended—

(1) In paragraph (2)—

(A) in the paragraph heading by striking “DECEMBER 31, 2010” and inserting “MARCH 4, 2011”;

(B) in the matter preceding paragraph (A) by striking “December 31, 2010” and inserting “March 4, 2011”; and

(C) in subparagraph (A)(i), by striking “\$50,000,000 for the period beginning October 1, 2010, and ending December 31, 2010” and inserting “\$84,931,000 for the period beginning October 1, 2010 and ending March 4, 2011”.

(2) in paragraph (6)—

(A) in subparagraph (B) by striking “\$3,750,000 shall be available for the period beginning October 1, 2010 and ending December 31, 2010” and inserting “\$6,369,000 shall be available for the period beginning October 1, 2010 and ending March 4, 2011”;

(B) in subparagraph (C) by striking “\$1,250,000 shall be available for the period beginning October 1, 2010 and ending December 31, 2010” and inserting “\$2,123,000 shall be available for the period beginning October 1, 2010 and ending March 4, 2011”.

(3) in paragraph (7)—

(A) in clause (ii) of subparagraph (A)—

(i) in the clause heading, by striking “DECEMBER 31, 2010” and inserting “MARCH 4, 2011”;

(ii) by striking “\$2,500,000 shall be available for the period beginning October 1, 2010 and ending December 31, 2010” and inserting “\$4,246,000 shall be available for the period beginning October 1, 2010 and ending March 4, 2011”;

(iii) by striking “25 percent” and inserting “ $155\frac{1}{3}$  percent”.

(4) in subparagraph (B), by amending clause (vi) to read, “\$5,732,000 for the period beginning October 1, 2010 and ending March 4, 2011”.

(5) in subparagraph (C) by striking “December 31, 2010” and inserting “March 4, 2011”.

(6) in subparagraph (D) by striking “\$8,750,000 shall be available for the period beginning October 1, 2010, and ending December 31, 2010” and inserting “\$14,863,000 shall be available for the period beginning October 1, 2010 and ending March 4, 2011”;

(7) in subparagraph (E) by striking “\$750,000 shall be available for the period beginning October 1, 2010, and ending December 31, 2010” and inserting “\$1,273,000 shall be available for the period beginning October 1, 2010 and ending March 4, 2011”.

**SEC. 2304. APPORTIONMENT OF FORMULA GRANTS FOR OTHER THAN URBANIZED AREAS.**

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

“(F) \$6,369,000 for the period beginning October 1, 2010 and ending March 4, 2011.”.

**SEC. 2305. APPORTIONMENT BASED ON FIXED GUIDEWAY FACTORS.**

Section 5337(g) of title 49, United States Code, is amended to read as follows:

“(g) SPECIAL RULE FOR OCTOBER 1, 2010, THROUGH MARCH 4, 2011.—The Secretary shall apportion amounts made available for fixed guideway modernization under section 5309 for the period beginning October 1, 2010, and ending March 4, 2011, in accordance with subsection (a), except that the Secretary shall apportion  $\frac{155}{365}$ ths of each dollar amount specified in subsection (a).”.

**SEC. 2306. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.**

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

(1) by amending paragraph (1)(F) as follows:

“(F) \$3,550,376,000 for the period beginning October 1, 2010, and ending March 4, 2011.”.

(2) in paragraph (2)—

(A) in subparagraph (A) by striking “\$28,375,000 for the period beginning October 1, 2010, and ending December 31, 2010” and by inserting “\$48,198,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(B) in subparagraph (B) by striking “\$1,040,091,250 for the period beginning October 1, 2010, and ending December 31, 2010” and inserting “\$1,766,730,000 for the period beginning October 1, 2010, and ending March 4, 2011”;

(C) in subparagraph (C) by striking “\$12,875,000 for the period beginning October 1, 2010, and ending December 31, 2010” and by inserting “\$21,869,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(D) in subparagraph (D) by striking “\$416,625,000 for the period beginning October 1, 2010 and ending December 31, 2010” and by inserting “\$707,691,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(E) in subparagraph (E) by striking “\$246,000,000 for the period beginning October 1, 2010 and ending December 31, 2010” and inserting “\$417,863,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(F) in subparagraph (F) by striking “\$33,375,000 for the period beginning October 1, 2010 and ending December 31, 2010” and inserting “\$56,691,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(G) in subparagraph (G) by striking “\$116,250,000 for the period beginning October 1, 2010 and ending December 31, 2010” and inserting “\$197,465,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(H) in subparagraph (H) by striking “\$41,125,000 for the period beginning October 1, 2010 and ending December 31, 2010” and inserting “\$69,856,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(I) in subparagraph (I) by striking “\$23,125,000 for the period beginning October 1, 2010 and ending December 31, 2010” and inserting “\$39,280,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(J) in subparagraph (J) by striking “\$6,725,000 for the period beginning October 1, 2010 and ending December

31, 2010” and by inserting “\$11,423,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(K) in subparagraph (K) by striking “\$875,000 for the period beginning October 1, 2010 and ending December 31, 2010” and by inserting “\$1,486,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(L) in subparagraph (L) by striking “\$6,250,000 for the period beginning October 1, 2010 and ending December 31, 2010” and by inserting “\$10,616,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(M) in subparagraph (M) by striking “\$116,250,000 for the period beginning October 1, 2010 and ending December 31, 2010” and by inserting “\$197,465,000 for the period beginning October 1, 2010 and ending March 4, 2011”; and

(N) in subparagraph (N) by striking “\$2,200,000 for the period beginning October 1, 2010 and ending December 31, 2010” and by inserting “\$3,736,000 for the period beginning October 1, 2010 and ending March 4, 2011”.

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

“(6) \$849,315,000 for the period of October 1, 2010 through March 4, 2011.”.

(c) RESEARCH AND UNIVERSITY RESEARCH CENTERS.—Section 5338(d) of title 49, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “\$17,437,500 for the period beginning October 1, 2010, and ending December 31, 2010” and inserting “\$29,619,000 for the period beginning October 1, 2010 and ending March 4, 2011”;

(2) paragraph (3)(A)(ii) is amended to read as follows:

“(ii) OCTOBER 1, 2010 THROUGH MARCH 4, 2011.—Of amounts authorized to be appropriated for the period beginning October 1, 2010, through March 4, 2011, under paragraph (1), the Secretary shall allocate for each of the activities and projects described in subparagraphs (A) through (F) of paragraph (1) an amount equal to  $\frac{155}{365}$ ths of the amount allocated for fiscal year 2009 under each such subparagraph.”.

(3) Paragraph (3)(B)(ii) is amended to read as follows:

“(ii) OCTOBER 1, 2010 THROUGH MARCH 4, 2011.—Of the amounts allocated under subparagraph (A)(i) for the university centers program under section 5506 for the period beginning October 1, 2010, and ending March 4, 2011, the Secretary shall allocate for each program described in clauses (i) through (iii) and (v) through (viii) of paragraph (2)(A) an amount equal to  $\frac{155}{365}$ ths of the amount allocated for fiscal year 2009 under each such clause.”.

(4) In clause (3)(B)(iii)—

(A) by striking “2010” and inserting “2011”; and

(B) by striking “2009” and inserting “2010”.

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

“(6) \$42,003,000 for the period of October 1, 2010 through March 4, 2011.”.

**SEC. 2307. AMENDMENTS TO SAFETEA-LU.**

(a) **CONTRACTED PARATRANSIT PILOT.**—Section 3009(i)(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1572) is amended by striking “December 31, 2010” and inserting “March 4, 2011”.

(b) **PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.**—Section 3011 of SAFETEA-LU (49 U.S.C. 5309 note) is amended—

(1) in subsection (c)(5), by striking “December 31, 2010” and inserting “March 4, 2011”; and

(2) in subsection (d), by striking “December 31, 2010” and inserting “March 4, 2011”.

(c) **ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PILOT PROGRAM.**—Section 3012(b)(8) of SAFETEA-LU (49 U.S.C. 5310 note) is amended by striking “December 31, 2010” and inserting “March 4, 2011”.

(d) **OBLIGATION CEILING.**—Section 3040(7) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1639, is amended to read as follows:

“(7) \$4,462,196,000 for the period beginning October 1, 2010, and ending March 4, 2011, of which not more than \$3,550,376,000 shall be from the Mass Transit Account.”.

(e) **PROJECT AUTHORIZATIONS FOR NEW FIXED GUIDEWAY CAPITAL PROJECTS.**—Section 3043 of SAFETEA-LU (Public Law 109-59; 119 Stat. 1640) is amended in subsections (b) and (c) by striking “December 31, 2010” and inserting “March 4, 2011”.

(f) **ALLOCATIONS FOR NATIONAL RESEARCH AND TECHNOLOGY PROGRAMS.**—Section 3046 of SAFETEA-LU (49 U.S.C. 5338; 119 Stat. 1706) is amended—

(1) in subsection (c)(2), by striking “December 31, 2010” and inserting “March 4, 2011”, and by striking “25 percent” and inserting “<sup>155</sup>/<sub>365</sub>ths”.

(2) In subsection (d)—

(A) by striking “2010” and inserting “2011”; and

(B) by striking “2009” and inserting “2010”.

**SEC. 2308. LEVEL OF OBLIGATION LIMITATIONS.**

(a) **HIGHWAY CATEGORY.**—Section 8003(a) of SAFETEA-LU (2 U.S.C. 901 note; 119 Stat. 1917) is amended—

(1) in paragraph (6) by striking “for the period beginning on October 1, 2009, and ending on September 30, 2010,” and inserting “for fiscal year 2010,”; and

(2) by striking paragraph (7) and inserting the following: “(7) for the period beginning October 1, 2010, and ending on March 4, 2011, \$18,035,192,815.”.

(b) **MASS TRANSIT CATEGORY.**—Section 8003(b) of SAFETEA-LU (2 U.S.C. 901 note; 119 Stat. 1917) is amended—

(1) in paragraph (6) by striking “for the period beginning on October 1, 2009, and ending on December 31, 2010,” and inserting “for fiscal year 2010,”; and

(2) by striking paragraph (7) and inserting the following: “(7) for the period beginning October 1, 2010, and ending on March 4, 2011, \$4,390,137,192.”.

## Subtitle D—Extension of Expenditure Authority

### SEC. 2401. EXTENSION OF EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

26 USC 9503.

(1) by striking “December 31, 2010 (January 1, 2011, in the case of expenditures for administrative expenses)” in subsections (b)(6)(B) and (c)(1) and inserting “March 5, 2011”;

(2) by striking “the Surface Transportation Extension Act of 2010” in subsections (c)(1) and (e)(3) and inserting “the Surface Transportation Extension Act of 2010, Part II”; and

(3) by striking “January 1, 2011” in subsection (e)(3) and inserting “March 5, 2011”.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986 is amended—

26 USC 9504.

(1) by striking “Surface Transportation Extension Act of 2010” each place it appears in subsection (b)(2) and inserting “Surface Transportation Extension Act of 2010, Part II”; and

(2) by striking “January 1, 2011” in subsection (d)(2) and inserting “March 5, 2011”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 31, 2010.

26 USC 9503 note.

This Act may be cited as the “Continuing Appropriations and Surface Transportation Extensions Act, 2011”.

Approved December 22, 2010.

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#### LEGISLATIVE HISTORY—H.R. 3082 (S. 1407):

HOUSE REPORTS: No. 111–188 (Comm. on Appropriations).

SENATE REPORTS: No. 111–40 (Comm. on Appropriations) accompanying S. 1407.

#### CONGRESSIONAL RECORD:

Vol. 155 (2009): July 10, considered and passed House.

Nov. 5, 6, 9, 10, 16, 17, considered and passed Senate, amended.

Vol. 156 (2010): Dec. 8, House concurred in Senate amendment with an amendment.

Dec. 19, Senate considered concurring in House amendment with an amendment.

Dec. 21, Senate concurred in House amendment with an amendment. House concurred in Senate amendment.

