

112TH CONGRESS
1ST SESSION

H. R. 1

Making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2011

Mr. ROGERS of Kentucky introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

Making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TABLE OF CONTENTS.**

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

Division A—Department of Defense Appropriations Act, 2011
 Division B—Full-Year Continuing Appropriations for Fiscal Year 2011
 Division C—Stimulus Rescissions
 Division D—Miscellaneous Provisions.

5 **SEC. 2. REFERENCES.**

6 Except as expressly provided otherwise, any reference
 7 to “this Act” contained in division A of this Act shall be
 8 treated as referring only to the provisions of that division.

9 **DIVISION A—DEPARTMENT OF DEFENSE**
 10 **APPROPRIATIONS ACT, 2011**

11 The following sums are appropriated, out of any
 12 money in the Treasury not otherwise appropriated, for the
 13 fiscal year ending September 30, 2011, for military func-
 14 tions administered by the Department of Defense and for
 15 other purposes, namely:

16 **TITLE I**
 17 **MILITARY PERSONNEL**
 18 **MILITARY PERSONNEL, ARMY**

19 For pay, allowances, individual clothing, subsistence,
 20 interest on deposits, gratuities, permanent change of sta-
 21 tion travel (including all expenses thereof for organiza-
 22 tional movements), and expenses of temporary duty travel
 23 between permanent duty stations, for members of the

1 Army on active duty, (except members of reserve compo-
2 nents provided for elsewhere), cadets, and aviation cadets;
3 for members of the Reserve Officers' Training Corps; and
4 for payments pursuant to section 156 of Public Law 97-
5 377, as amended (42 U.S.C. 402 note), and to the Depart-
6 ment of Defense Military Retirement Fund,
7 \$41,042,653,000.

8 MILITARY PERSONNEL, NAVY

9 For pay, allowances, individual clothing, subsistence,
10 interest on deposits, gratuities, permanent change of sta-
11 tion travel (including all expenses thereof for organiza-
12 tional movements), and expenses of temporary duty travel
13 between permanent duty stations, for members of the
14 Navy on active duty (except members of the Reserve pro-
15 vided for elsewhere), midshipmen, and aviation cadets; for
16 members of the Reserve Officers' Training Corps; and for
17 payments pursuant to section 156 of Public Law 97-377,
18 as amended (42 U.S.C. 402 note), and to the Department
19 of Defense Military Retirement Fund, \$25,912,449,000.

20 MILITARY PERSONNEL, MARINE CORPS

21 For pay, allowances, individual clothing, subsistence,
22 interest on deposits, gratuities, permanent change of sta-
23 tion travel (including all expenses thereof for organiza-
24 tional movements), and expenses of temporary duty travel
25 between permanent duty stations, for members of the Ma-

1 rine Corps on active duty (except members of the Reserve
2 provided for elsewhere); and for payments pursuant to sec-
3 tion 156 of Public Law 97–377, as amended (42 U.S.C.
4 402 note), and to the Department of Defense Military Re-
5 tirement Fund, \$13,210,161,000.

6 MILITARY PERSONNEL, AIR FORCE

7 For pay, allowances, individual clothing, subsistence,
8 interest on deposits, gratuities, permanent change of sta-
9 tion travel (including all expenses thereof for organiza-
10 tional movements), and expenses of temporary duty travel
11 between permanent duty stations, for members of the Air
12 Force on active duty (except members of reserve compo-
13 nents provided for elsewhere), cadets, and aviation cadets;
14 for members of the Reserve Officers’ Training Corps; and
15 for payments pursuant to section 156 of Public Law 97–
16 377, as amended (42 U.S.C. 402 note), and to the Depart-
17 ment of Defense Military Retirement Fund,
18 \$27,105,755,000.

19 RESERVE PERSONNEL, ARMY

20 For pay, allowances, clothing, subsistence, gratuities,
21 travel, and related expenses for personnel of the Army Re-
22 serve on active duty under sections 10211, 10302, and
23 3038 of title 10, United States Code, or while serving on
24 active duty under section 12301(d) of title 10, United
25 States Code, in connection with performing duty specified

1 in section 12310(a) of title 10, United States Code, or
2 while undergoing reserve training, or while performing
3 drills or equivalent duty or other duty, and expenses au-
4 thorized by section 16131 of title 10, United States Code;
5 and for payments to the Department of Defense Military
6 Retirement Fund, \$4,333,165,000.

7 RESERVE PERSONNEL, NAVY

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Navy Re-
10 serve on active duty under section 10211 of title 10,
11 United States Code, or while serving on active duty under
12 section 12301(d) of title 10, United States Code, in con-
13 nection with performing duty specified in section 12310(a)
14 of title 10, United States Code, or while undergoing re-
15 serve training, or while performing drills or equivalent
16 duty, and expenses authorized by section 16131 of title
17 10, United States Code; and for payments to the Depart-
18 ment of Defense Military Retirement Fund,
19 \$1,940,191,000.

20 RESERVE PERSONNEL, MARINE CORPS

21 For pay, allowances, clothing, subsistence, gratuities,
22 travel, and related expenses for personnel of the Marine
23 Corps Reserve on active duty under section 10211 of title
24 10, United States Code, or while serving on active duty
25 under section 12301(d) of title 10, United States Code,

1 in connection with performing duty specified in section
2 12310(a) of title 10, United States Code, or while under-
3 going reserve training, or while performing drills or equiv-
4 alent duty, and for members of the Marine Corps platoon
5 leaders class, and expenses authorized by section 16131
6 of title 10, United States Code; and for payments to the
7 Department of Defense Military Retirement Fund,
8 \$612,191,000.

9 RESERVE PERSONNEL, AIR FORCE

10 For pay, allowances, clothing, subsistence, gratuities,
11 travel, and related expenses for personnel of the Air Force
12 Reserve on active duty under sections 10211, 10305, and
13 8038 of title 10, United States Code, or while serving on
14 active duty under section 12301(d) of title 10, United
15 States Code, in connection with performing duty specified
16 in section 12310(a) of title 10, United States Code, or
17 while undergoing reserve training, or while performing
18 drills or equivalent duty or other duty, and expenses au-
19 thorized by section 16131 of title 10, United States Code;
20 and for payments to the Department of Defense Military
21 Retirement Fund, \$1,650,797,000.

22 NATIONAL GUARD PERSONNEL, ARMY

23 For pay, allowances, clothing, subsistence, gratuities,
24 travel, and related expenses for personnel of the Army Na-
25 tional Guard while on duty under section 10211, 10302,

1 or 12402 of title 10 or section 708 of title 32, United
2 States Code, or while serving on duty under section
3 12301(d) of title 10 or section 502(f) of title 32, United
4 States Code, in connection with performing duty specified
5 in section 12310(a) of title 10, United States Code, or
6 while undergoing training, or while performing drills or
7 equivalent duty or other duty, and expenses authorized by
8 section 16131 of title 10, United States Code; and for pay-
9 ments to the Department of Defense Military Retirement
10 Fund, \$7,511,296,000.

11 NATIONAL GUARD PERSONNEL, AIR FORCE

12 For pay, allowances, clothing, subsistence, gratuities,
13 travel, and related expenses for personnel of the Air Na-
14 tional Guard on duty under section 10211, 10305, or
15 12402 of title 10 or section 708 of title 32, United States
16 Code, or while serving on duty under section 12301(d) of
17 title 10 or section 502(f) of title 32, United States Code,
18 in connection with performing duty specified in section
19 12310(a) of title 10, United States Code, or while under-
20 going training, or while performing drills or equivalent
21 duty or other duty, and expenses authorized by section
22 16131 of title 10, United States Code; and for payments
23 to the Department of Defense Military Retirement Fund,
24 \$3,060,098,000.

1 TITLE II
2 OPERATION AND MAINTENANCE
3 OPERATION AND MAINTENANCE, ARMY

4 For expenses, not otherwise provided for, necessary
5 for the operation and maintenance of the Army, as author-
6 ized by law; and not to exceed \$12,478,000 can be used
7 for emergencies and extraordinary expenses, to be ex-
8 pended on the approval or authority of the Secretary of
9 the Army, and payments may be made on his certificate
10 of necessity for confidential military purposes,
11 \$33,306,117,000.

12 OPERATION AND MAINTENANCE, NAVY

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Navy and the
15 Marine Corps, as authorized by law; and not to exceed
16 \$14,804,000 can be used for emergencies and extraor-
17 dinary expenses, to be expended on the approval or author-
18 ity of the Secretary of the Navy, and payments may be
19 made on his certificate of necessity for confidential mili-
20 tary purposes, \$37,809,239,000.

21 OPERATION AND MAINTENANCE, MARINE CORPS

22 For expenses, not otherwise provided for, necessary
23 for the operation and maintenance of the Marine Corps,
24 as authorized by law, \$5,539,740,000.

1 OPERATION AND MAINTENANCE, AIR FORCE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance of the Air Force, as
4 authorized by law; and not to exceed \$7,699,000 can be
5 used for emergencies and extraordinary expenses, to be ex-
6 pended on the approval or authority of the Secretary of
7 the Air Force, and payments may be made on his certifi-
8 cate of necessity for confidential military purposes,
9 \$36,062,989,000.

10 OPERATION AND MAINTENANCE, DEFENSE-WIDE

11 (INCLUDING TRANSFER OF FUNDS)

12 For expenses, not otherwise provided for, necessary
13 for the operation and maintenance of activities and agen-
14 cies of the Department of Defense (other than the military
15 departments), as authorized by law, \$30,210,810,000:
16 *Provided*, That not more than \$50,000,000 may be used
17 for the Combatant Commander Initiative Fund authorized
18 under section 166a of title 10, United States Code: *Pro-*
19 *vided further*, That not to exceed \$36,000,000 can be used
20 for emergencies and extraordinary expenses, to be ex-
21 pended on the approval or authority of the Secretary of
22 Defense, and payments may be made on his certificate of
23 necessity for confidential military purposes: *Provided fur-*
24 *ther*, That of the funds provided under this heading, not
25 less than \$31,659,000 shall be made available for the Pro-

1 curement Technical Assistance Cooperative Agreement
2 Program, of which not less than \$3,600,000 shall be avail-
3 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*
4 *vided further*, That none of the funds appropriated or oth-
5 erwise made available by this Act may be used to plan
6 or implement the consolidation of a budget or appropria-
7 tions liaison office of the Office of the Secretary of De-
8 fense, the office of the Secretary of a military department,
9 or the service headquarters of one of the Armed Forces
10 into a legislative affairs or legislative liaison office: *Pro-*
11 *vided further*, That \$8,251,000, to remain available until
12 expended, is available only for expenses relating to certain
13 classified activities, and may be transferred as necessary
14 by the Secretary of Defense to operation and maintenance
15 appropriations or research, development, test and evalua-
16 tion appropriations, to be merged with and to be available
17 for the same time period as the appropriations to which
18 transferred: *Provided further*, That any ceiling on the in-
19 vestment item unit cost of items that may be purchased
20 with operation and maintenance funds shall not apply to
21 the funds described in the preceding proviso: *Provided fur-*
22 *ther*, That the transfer authority provided under this head-
23 ing is in addition to any other transfer authority provided
24 elsewhere in this Act.

1 OPERATION AND MAINTENANCE, ARMY RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Army Reserve; re-
5 pair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications, \$2,840,427,000.

9 OPERATION AND MAINTENANCE, NAVY RESERVE

10 For expenses, not otherwise provided for, necessary
11 for the operation and maintenance, including training, or-
12 ganization, and administration, of the Navy Reserve; re-
13 pair of facilities and equipment; hire of passenger motor
14 vehicles; travel and transportation; care of the dead; re-
15 cruiting; procurement of services, supplies, and equip-
16 ment; and communications, \$1,344,264,000.

17 OPERATION AND MAINTENANCE, MARINE CORPS

18 RESERVE

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance, including training, or-
21 ganization, and administration, of the Marine Corps Re-
22 serve; repair of facilities and equipment; hire of passenger
23 motor vehicles; travel and transportation; care of the dead;
24 recruiting; procurement of services, supplies, and equip-
25 ment; and communications, \$275,484,000.

1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Air Force Reserve;
5 repair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications, \$3,291,027,000.

9 OPERATION AND MAINTENANCE, ARMY NATIONAL

10 GUARD

11 For expenses of training, organizing, and admin-
12 istering the Army National Guard, including medical and
13 hospital treatment and related expenses in non-Federal
14 hospitals; maintenance, operation, and repairs to struc-
15 tures and facilities; hire of passenger motor vehicles; per-
16 sonnel services in the National Guard Bureau; travel ex-
17 penses (other than mileage), as authorized by law for
18 Army personnel on active duty, for Army National Guard
19 division, regimental, and battalion commanders while in-
20 specting units in compliance with National Guard Bureau
21 regulations when specifically authorized by the Chief, Na-
22 tional Guard Bureau; supplying and equipping the Army
23 National Guard as authorized by law; and expenses of re-
24 pair, modification, maintenance, and issue of supplies and
25 equipment (including aircraft), \$6,454,624,000.

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

2 For expenses of training, organizing, and admin-
3 istering the Air National Guard, including medical and
4 hospital treatment and related expenses in non-Federal
5 hospitals; maintenance, operation, and repairs to struc-
6 tures and facilities; transportation of things, hire of pas-
7 senger motor vehicles; supplying and equipping the Air
8 National Guard, as authorized by law; expenses for repair,
9 modification, maintenance, and issue of supplies and
10 equipment, including those furnished from stocks under
11 the control of agencies of the Department of Defense;
12 travel expenses (other than mileage) on the same basis as
13 authorized by law for Air National Guard personnel on
14 active Federal duty, for Air National Guard commanders
15 while inspecting units in compliance with National Guard
16 Bureau regulations when specifically authorized by the
17 Chief, National Guard Bureau, \$5,963,839,000.

18 UNITED STATES COURT OF APPEALS FOR THE ARMED

19 FORCES

20 For salaries and expenses necessary for the United
21 States Court of Appeals for the Armed Forces,
22 \$14,068,000, of which not to exceed \$5,000 may be used
23 for official representation purposes.

1 ENVIRONMENTAL RESTORATION, ARMY

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Army, \$464,581,000, to
4 remain available until transferred: *Provided*, That the Sec-
5 retary of the Army shall, upon determining that such
6 funds are required for environmental restoration, reduc-
7 tion and recycling of hazardous waste, removal of unsafe
8 buildings and debris of the Department of the Army, or
9 for similar purposes, transfer the funds made available by
10 this appropriation to other appropriations made available
11 to the Department of the Army, to be merged with and
12 to be available for the same purposes and for the same
13 time period as the appropriations to which transferred:
14 *Provided further*, That upon a determination that all or
15 part of the funds transferred from this appropriation are
16 not necessary for the purposes provided herein, such
17 amounts may be transferred back to this appropriation:
18 *Provided further*, That the transfer authority provided
19 under this heading is in addition to any other transfer au-
20 thority provided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, NAVY

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of the Navy, \$304,867,000, to
24 remain available until transferred: *Provided*, That the Sec-
25 retary of the Navy shall, upon determining that such

1 funds are required for environmental restoration, reduc-
2 tion and recycling of hazardous waste, removal of unsafe
3 buildings and debris of the Department of the Navy, or
4 for similar purposes, transfer the funds made available by
5 this appropriation to other appropriations made available
6 to the Department of the Navy, to be merged with and
7 to be available for the same purposes and for the same
8 time period as the appropriations to which transferred:
9 *Provided further*, That upon a determination that all or
10 part of the funds transferred from this appropriation are
11 not necessary for the purposes provided herein, such
12 amounts may be transferred back to this appropriation:
13 *Provided further*, That the transfer authority provided
14 under this heading is in addition to any other transfer au-
15 thority provided elsewhere in this Act.

16 ENVIRONMENTAL RESTORATION, AIR FORCE
17 (INCLUDING TRANSFER OF FUNDS)

18 For the Department of the Air Force, \$502,653,000,
19 to remain available until transferred: *Provided*, That the
20 Secretary of the Air Force shall, upon determining that
21 such funds are required for environmental restoration, re-
22 duction and recycling of hazardous waste, removal of un-
23 safe buildings and debris of the Department of the Air
24 Force, or for similar purposes, transfer the funds made
25 available by this appropriation to other appropriations

1 made available to the Department of the Air Force, to be
2 merged with and to be available for the same purposes
3 and for the same time period as the appropriations to
4 which transferred: *Provided further*, That upon a deter-
5 mination that all or part of the funds transferred from
6 this appropriation are not necessary for the purposes pro-
7 vided herein, such amounts may be transferred back to
8 this appropriation: *Provided further*, That the transfer au-
9 thority provided under this heading is in addition to any
10 other transfer authority provided elsewhere in this Act.

11 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of Defense, \$10,744,000, to re-
14 main available until transferred: *Provided*, That the Sec-
15 retary of Defense shall, upon determining that such funds
16 are required for environmental restoration, reduction and
17 recycling of hazardous waste, removal of unsafe buildings
18 and debris of the Department of Defense, or for similar
19 purposes, transfer the funds made available by this appro-
20 priation to other appropriations made available to the De-
21 partment of Defense, to be merged with and to be avail-
22 able for the same purposes and for the same time period
23 as the appropriations to which transferred: *Provided fur-*
24 *ther*, That upon a determination that all or part of the
25 funds transferred from this appropriation are not nec-

1 essary for the purposes provided herein, such amounts
2 may be transferred back to this appropriation: *Provided*
3 *further*, That the transfer authority provided under this
4 heading is in addition to any other transfer authority pro-
5 vided elsewhere in this Act.

6 ENVIRONMENTAL RESTORATION, FORMERLY USED
7 DEFENSE SITES
8 (INCLUDING TRANSFER OF FUNDS)

9 For the Department of the Army, \$316,546,000, to
10 remain available until transferred: *Provided*, That the Sec-
11 retary of the Army shall, upon determining that such
12 funds are required for environmental restoration, reduc-
13 tion and recycling of hazardous waste, removal of unsafe
14 buildings and debris at sites formerly used by the Depart-
15 ment of Defense, transfer the funds made available by this
16 appropriation to other appropriations made available to
17 the Department of the Army, to be merged with and to
18 be available for the same purposes and for the same time
19 period as the appropriations to which transferred: *Pro-*
20 *vided further*, That upon a determination that all or part
21 of the funds transferred from this appropriation are not
22 necessary for the purposes provided herein, such amounts
23 may be transferred back to this appropriation: *Provided*
24 *further*, That the transfer authority provided under this

1 heading is in addition to any other transfer authority pro-
2 vided elsewhere in this Act.

3 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

4 For expenses relating to the Overseas Humanitarian,
5 Disaster, and Civic Aid programs of the Department of
6 Defense (consisting of the programs provided under sec-
7 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
8 United States Code), \$108,032,000, to remain available
9 until September 30, 2012.

10 COOPERATIVE THREAT REDUCTION ACCOUNT

11 For assistance to the republics of the former Soviet
12 Union and, with appropriate authorization by the Depart-
13 ment of Defense and Department of State, to countries
14 outside of the former Soviet Union, including assistance
15 provided by contract or by grants, for facilitating the
16 elimination and the safe and secure transportation and
17 storage of nuclear, chemical and other weapons; for estab-
18 lishing programs to prevent the proliferation of weapons,
19 weapons components, and weapon-related technology and
20 expertise; for programs relating to the training and sup-
21 port of defense and military personnel for demilitarization
22 and protection of weapons, weapons components and
23 weapons technology and expertise, and for defense and
24 military contacts, \$522,512,000, to remain available until
25 September 30, 2013: *Provided*, That of the amounts pro-

1 vided under this heading, not less than \$13,500,000 shall
2 be available only to support the dismantling and disposal
3 of nuclear submarines, submarine reactor components,
4 and security enhancements for transport and storage of
5 nuclear warheads in the Russian Far East and North.

6 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

7 DEVELOPMENT FUND

8 For the Department of Defense Acquisition Work-
9 force Development Fund, \$217,561,000.

10 TITLE III

11 PROCUREMENT

12 AIRCRAFT PROCUREMENT, ARMY

13 For construction, procurement, production, modifica-
14 tion, and modernization of aircraft, equipment, including
15 ordnance, ground handling equipment, spare parts, and
16 accessories therefor; specialized equipment and training
17 devices; expansion of public and private plants, including
18 the land necessary therefor, for the foregoing purposes,
19 and such lands and interests therein, may be acquired,
20 and construction prosecuted thereon prior to approval of
21 title; and procurement and installation of equipment, ap-
22 pliances, and machine tools in public and private plants;
23 reserve plant and Government and contractor-owned
24 equipment layaway; and other expenses necessary for the

1 foregoing purposes, \$5,254,791,000, to remain available
2 for obligation until September 30, 2013.

3 MISSILE PROCUREMENT, ARMY

4 For construction, procurement, production, modifica-
5 tion, and modernization of missiles, equipment, including
6 ordnance, ground handling equipment, spare parts, and
7 accessories therefor; specialized equipment and training
8 devices; expansion of public and private plants, including
9 the land necessary therefor, for the foregoing purposes,
10 and such lands and interests therein, may be acquired,
11 and construction prosecuted thereon prior to approval of
12 title; and procurement and installation of equipment, ap-
13 pliances, and machine tools in public and private plants;
14 reserve plant and Government and contractor-owned
15 equipment layaway; and other expenses necessary for the
16 foregoing purposes, \$1,570,108,000, to remain available
17 for obligation until September 30, 2013.

18 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

19 VEHICLES, ARMY

20 For construction, procurement, production, and
21 modification of weapons and tracked combat vehicles,
22 equipment, including ordnance, spare parts, and acces-
23 sories therefor; specialized equipment and training devices;
24 expansion of public and private plants, including the land
25 necessary therefor, for the foregoing purposes, and such

1 lands and interests therein, may be acquired, and con-
2 struction prosecuted thereon prior to approval of title; and
3 procurement and installation of equipment, appliances,
4 and machine tools in public and private plants; reserve
5 plant and Government and contractor-owned equipment
6 layaway; and other expenses necessary for the foregoing
7 purposes, \$1,461,086,000, to remain available for obliga-
8 tion until September 30, 2013.

9 PROCUREMENT OF AMMUNITION, ARMY

10 For construction, procurement, production, and
11 modification of ammunition, and accessories therefor; spe-
12 cialized equipment and training devices; expansion of pub-
13 lic and private plants, including ammunition facilities, au-
14 thorized by section 2854 of title 10, United States Code,
15 and the land necessary therefor, for the foregoing pur-
16 poses, and such lands and interests therein, may be ac-
17 quired, and construction prosecuted thereon prior to ap-
18 proval of title; and procurement and installation of equip-
19 ment, appliances, and machine tools in public and private
20 plants; reserve plant and Government and contractor-
21 owned equipment layaway; and other expenses necessary
22 for the foregoing purposes, \$1,847,066,000, to remain
23 available for obligation until September 30, 2013.

1 OTHER PROCUREMENT, ARMY

2 (INCLUDING TRANSFER OF FUNDS)

3 For construction, procurement, production, and
4 modification of vehicles, including tactical, support, and
5 non-tracked combat vehicles; the purchase of passenger
6 motor vehicles for replacement only; communications and
7 electronic equipment; other support equipment; spare
8 parts, ordnance, and accessories therefor; specialized
9 equipment and training devices; expansion of public and
10 private plants, including the land necessary therefor, for
11 the foregoing purposes, and such lands and interests
12 therein, may be acquired, and construction prosecuted
13 thereon prior to approval of title; and procurement and
14 installation of equipment, appliances, and machine tools
15 in public and private plants; reserve plant and Govern-
16 ment and contractor-owned equipment layaway; and other
17 expenses necessary for the foregoing purposes,
18 \$8,145,665,000, to remain available for obligation until
19 September 30, 2013: *Provided*, That of the funds made
20 available in this paragraph, \$15,000,000 shall be made
21 available to procure equipment, not otherwise provided for,
22 and may be transferred to other procurement accounts
23 available to the Department of the Army, and that funds
24 so transferred shall be available for the same purposes and
25 the same time period as the account to which transferred.

1 AIRCRAFT PROCUREMENT, NAVY

2 For construction, procurement, production, modifica-
3 tion, and modernization of aircraft, equipment, including
4 ordnance, spare parts, and accessories therefor; specialized
5 equipment; expansion of public and private plants, includ-
6 ing the land necessary therefor, and such lands and inter-
7 ests therein, may be acquired, and construction prosecuted
8 thereon prior to approval of title; and procurement and
9 installation of equipment, appliances, and machine tools
10 in public and private plants; reserve plant and Govern-
11 ment and contractor-owned equipment layaway,
12 \$16,170,868,000, to remain available for obligation until
13 September 30, 2013.

14 WEAPONS PROCUREMENT, NAVY

15 For construction, procurement, production, modifica-
16 tion, and modernization of missiles, torpedoes, other weap-
17 ons, and related support equipment including spare parts,
18 and accessories therefor; expansion of public and private
19 plants, including the land necessary therefor, and such
20 lands and interests therein, may be acquired, and con-
21 struction prosecuted thereon prior to approval of title; and
22 procurement and installation of equipment, appliances,
23 and machine tools in public and private plants; reserve
24 plant and Government and contractor-owned equipment

1 long lead time components and designs for vessels to be
2 constructed or converted in the future; and expansion of
3 public and private plants, including land necessary there-
4 for, and such lands and interests therein, may be acquired,
5 and construction prosecuted thereon prior to approval of
6 title, as follows:

7 Carrier Replacement Program, \$1,721,969,000;
8 Carrier Replacement Program (AP),
9 \$908,313,000;
10 NSSN, \$3,430,343,000;
11 NSSN (AP), \$1,691,236,000;
12 CVN Refueling, \$1,248,999,000;
13 CVN Refuelings (AP), \$408,037,000;
14 DDG-1000 Program, \$77,512,000;
15 DDG-51 Destroyer, \$2,868,454,000;
16 DDG-51 Destroyer (AP), \$47,984,000;
17 Littoral Combat Ship, \$1,168,984,000;
18 Littoral Combat Ship (AP), \$190,351,000;
19 LHA-R, \$942,837,000;
20 Joint High Speed Vessel, \$180,703,000;
21 Oceanographic Ships, \$88,561,000;
22 LCAC Service Life Extension Program,
23 \$83,035,000;
24 Service Craft, \$13,770,000; and

1 For outfitting, post delivery, conversions, and
2 first destination transportation, \$295,570,000.

3 In all: \$15,366,658,000, to remain available for obli-
4 gation until September 30, 2015: *Provided*, That addi-
5 tional obligations may be incurred after September 30,
6 2015, for engineering services, tests, evaluations, and
7 other such budgeted work that must be performed in the
8 final stage of ship construction: *Provided further*, That
9 none of the funds provided under this heading for the con-
10 struction or conversion of any naval vessel to be con-
11 structed in shipyards in the United States shall be ex-
12 pended in foreign facilities for the construction of major
13 components of such vessel: *Provided further*, That none
14 of the funds provided under this heading shall be used
15 for the construction of any naval vessel in foreign ship-
16 yards.

17 OTHER PROCUREMENT, NAVY

18 (INCLUDING TRANSFER OF FUNDS)

19 For procurement, production, and modernization of
20 support equipment and materials not otherwise provided
21 for, Navy ordnance (except ordnance for new aircraft, new
22 ships, and ships authorized for conversion); the purchase
23 of passenger motor vehicles for replacement only, and the
24 purchase of seven vehicles required for physical security
25 of personnel, notwithstanding price limitations applicable

1 to passenger vehicles but not to exceed \$250,000 per vehi-
2 cle; expansion of public and private plants, including the
3 land necessary therefor, and such lands and interests
4 therein, may be acquired, and construction prosecuted
5 thereon prior to approval of title; and procurement and
6 installation of equipment, appliances, and machine tools
7 in public and private plants; reserve plant and Govern-
8 ment and contractor-owned equipment layaway,
9 \$5,804,963,000, to remain available for obligation until
10 September 30, 2013: *Provided*, That of the funds made
11 available in this paragraph, \$15,000,000 shall be made
12 available to procure equipment, not otherwise provided for,
13 and may be transferred to other procurement accounts
14 available to the Department of the Navy, and that funds
15 so transferred shall be available for the same purposes and
16 the same time period as the account to which transferred.

17 PROCUREMENT, MARINE CORPS

18 For expenses necessary for the procurement, manu-
19 facture, and modification of missiles, armament, military
20 equipment, spare parts, and accessories therefor; plant
21 equipment, appliances, and machine tools, and installation
22 thereof in public and private plants; reserve plant and
23 Government and contractor-owned equipment layaway; ve-
24 hicles for the Marine Corps, including the purchase of pas-
25 senger motor vehicles for replacement only; and expansion

1 of public and private plants, including land necessary
2 therefor, and such lands and interests therein, may be ac-
3 quired, and construction prosecuted thereon prior to ap-
4 proval of title, \$1,236,436,000, to remain available for ob-
5 ligation until September 30, 2013.

6 AIRCRAFT PROCUREMENT, AIR FORCE

7 For construction, procurement, and modification of
8 aircraft and equipment, including armor and armament,
9 specialized ground handling equipment, and training de-
10 vices, spare parts, and accessories therefor; specialized
11 equipment; expansion of public and private plants, Gov-
12 ernment-owned equipment and installation thereof in such
13 plants, erection of structures, and acquisition of land, for
14 the foregoing purposes, and such lands and interests
15 therein, may be acquired, and construction prosecuted
16 thereon prior to approval of title; reserve plant and Gov-
17 ernment and contractor-owned equipment layaway; and
18 other expenses necessary for the foregoing purposes in-
19 cluding rents and transportation of things,
20 \$13,483,739,000, to remain available for obligation until
21 September 30, 2013: *Provided*, That none of the funds
22 provided in this Act for modification of C-17 aircraft,
23 Global Hawk Unmanned Aerial Vehicle and F-22 aircraft
24 may be obligated until all C-17, Global Hawk and F-22
25 contracts funded with prior year “Aircraft Procurement,

1 Air Force'' appropriated funds are definitized unless the
2 Secretary of the Air Force certifies in writing to the con-
3 gressional defense committees that each such obligation
4 is necessary to meet the needs of a warfighting require-
5 ment or prevents increased costs to the taxpayer, and pro-
6 vides the reasons for failing to definitize the prior year
7 contracts along with the prospective contract definitization
8 schedule: *Provided further*, That the Secretary of the Air
9 Force shall expand the current HH-60 Operational Loss
10 Replacement program to meet the approved HH-60 Re-
11 capitalization program requirements.

12 MISSILE PROCUREMENT, AIR FORCE

13 For construction, procurement, and modification of
14 missiles, spacecraft, rockets, and related equipment, in-
15 cluding spare parts and accessories therefor, ground han-
16 dling equipment, and training devices; expansion of public
17 and private plants, Government-owned equipment and in-
18 stallation thereof in such plants, erection of structures,
19 and acquisition of land, for the foregoing purposes, and
20 such lands and interests therein, may be acquired, and
21 construction prosecuted thereon prior to approval of title;
22 reserve plant and Government and contractor-owned
23 equipment layaway; and other expenses necessary for the
24 foregoing purposes including rents and transportation of

1 things, \$5,424,764,000, to remain available for obligation
2 until September 30, 2013.

3 PROCUREMENT OF AMMUNITION, AIR FORCE

4 For construction, procurement, production, and
5 modification of ammunition, and accessories therefor; spe-
6 cialized equipment and training devices; expansion of pub-
7 lic and private plants, including ammunition facilities, au-
8 thorized by section 2854 of title 10, United States Code,
9 and the land necessary therefor, for the foregoing pur-
10 poses, and such lands and interests therein, may be ac-
11 quired, and construction prosecuted thereon prior to ap-
12 proval of title; and procurement and installation of equip-
13 ment, appliances, and machine tools in public and private
14 plants; reserve plant and Government and contractor-
15 owned equipment layaway; and other expenses necessary
16 for the foregoing purposes, \$731,487,000, to remain avail-
17 able for obligation until September 30, 2013.

18 OTHER PROCUREMENT, AIR FORCE

19 (INCLUDING TRANSFER OF FUNDS)

20 For procurement and modification of equipment (in-
21 cluding ground guidance and electronic control equipment,
22 and ground electronic and communication equipment),
23 and supplies, materials, and spare parts therefor, not oth-
24 erwise provided for; the purchase of passenger motor vehi-
25 cles for replacement only, and the purchase of two vehicles

1 required for physical security of personnel, notwith-
2 standing price limitations applicable to passenger vehicles
3 but not to exceed \$250,000 per vehicle; lease of passenger
4 motor vehicles; and expansion of public and private plants,
5 Government-owned equipment and installation thereof in
6 such plants, erection of structures, and acquisition of land,
7 for the foregoing purposes, and such lands and interests
8 therein, may be acquired, and construction prosecuted
9 thereon, prior to approval of title; reserve plant and Gov-
10 ernment and contractor-owned equipment layaway,
11 \$17,568,091,000, to remain available for obligation until
12 September 30, 2013: *Provided*, That of the funds made
13 available in this paragraph, \$15,000,000 shall be made
14 available to procure equipment, not otherwise provided for,
15 and may be transferred to other procurement accounts
16 available to the Department of the Air Force, and that
17 funds so transferred shall be available for the same pur-
18 poses and the same time period as the account to which
19 transferred.

20 PROCUREMENT, DEFENSE-WIDE

21 (INCLUDING TRANSFER OF FUNDS)

22 For expenses of activities and agencies of the Depart-
23 ment of Defense (other than the military departments)
24 necessary for procurement, production, and modification
25 of equipment, supplies, materials, and spare parts there-

1 for, not otherwise provided for; the purchase of passenger
2 motor vehicles for replacement only; expansion of public
3 and private plants, equipment, and installation thereof in
4 such plants, erection of structures, and acquisition of land
5 for the foregoing purposes, and such lands and interests
6 therein, may be acquired, and construction prosecuted
7 thereon prior to approval of title; reserve plant and Gov-
8 ernment and contractor-owned equipment layaway,
9 \$4,009,321,000, to remain available for obligation until
10 September 30, 2013: *Provided*, That of the funds made
11 available in this paragraph, \$15,000,000 shall be made
12 available to procure equipment, not otherwise provided for,
13 and may be transferred to other procurement accounts
14 available to the Department of Defense, and that funds
15 so transferred shall be available for the same purposes and
16 the same time period as the account to which transferred.

17 DEFENSE PRODUCTION ACT PURCHASES

18 For activities by the Department of Defense pursuant
19 to sections 108, 301, 302, and 303 of the Defense Produc-
20 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and
21 2093), \$34,346,000, to remain available until expended.

1 TITLE IV
2 RESEARCH, DEVELOPMENT, TEST AND
3 EVALUATION
4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 ARMY

6 For expenses necessary for basic and applied sci-
7 entific research, development, test and evaluation, includ-
8 ing maintenance, rehabilitation, lease, and operation of fa-
9 cilities and equipment, \$9,710,998,000, to remain avail-
10 able for obligation until September 30, 2012.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 NAVY

13 For expenses necessary for basic and applied sci-
14 entific research, development, test and evaluation, includ-
15 ing maintenance, rehabilitation, lease, and operation of fa-
16 cilities and equipment, \$17,961,303,000, to remain avail-
17 able for obligation until September 30, 2012: *Provided*,
18 That funds appropriated in this paragraph which are
19 available for the V-22 may be used to meet unique oper-
20 ational requirements of the Special Operations Forces:
21 *Provided further*, That funds appropriated in this para-
22 graph shall be available for the Cobra Judy program.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 AIR FORCE

3 For expenses necessary for basic and applied sci-
4 entific research, development, test and evaluation, includ-
5 ing maintenance, rehabilitation, lease, and operation of fa-
6 cilities and equipment, \$26,742,405,000, to remain avail-
7 able for obligation until September 30, 2012.

8 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
9 DEFENSE-WIDE

10 For expenses of activities and agencies of the Depart-
11 ment of Defense (other than the military departments),
12 necessary for basic and applied scientific research, devel-
13 opment, test and evaluation; advanced research projects
14 as may be designated and determined by the Secretary
15 of Defense, pursuant to law; maintenance, rehabilitation,
16 lease, and operation of facilities and equipment,
17 \$20,797,412,000, to remain available for obligation until
18 September 30, 2012: *Provided*, That of the funds made
19 available in this paragraph, \$3,200,000 shall only be avail-
20 able for program management and oversight of innovative
21 research and development.

22 OPERATIONAL TEST AND EVALUATION, DEFENSE

23 For expenses, not otherwise provided for, necessary
24 for the independent activities of the Director, Operational
25 Test and Evaluation, in the direction and supervision of

1 operational test and evaluation, including initial oper-
2 ational test and evaluation which is conducted prior to,
3 and in support of, production decisions; joint operational
4 testing and evaluation; and administrative expenses in
5 connection therewith, \$194,910,000, to remain available
6 for obligation until September 30, 2012.

7 TITLE V

8 REVOLVING AND MANAGEMENT FUNDS

9 DEFENSE WORKING CAPITAL FUNDS

10 For the Defense Working Capital Funds,
11 \$1,434,536,000.

12 NATIONAL DEFENSE SEALIFT FUND

13 For National Defense Sealift Fund programs,
14 projects, and activities, and for expenses of the National
15 Defense Reserve Fleet, as established by section 11 of the
16 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),
17 and for the necessary expenses to maintain and preserve
18 a U.S.-flag merchant fleet to serve the national security
19 needs of the United States, \$1,474,866,000, to remain
20 available until expended: *Provided*, That none of the funds
21 provided in this paragraph shall be used to award a new
22 contract that provides for the acquisition of any of the
23 following major components unless such components are
24 manufactured in the United States: auxiliary equipment,
25 including pumps, for all shipboard services; propulsion

1 system components (engines, reduction gears, and propel-
2 lers); shipboard cranes; and spreaders for shipboard
3 cranes: *Provided further*, That the exercise of an option
4 in a contract awarded through the obligation of previously
5 appropriated funds shall not be considered to be the award
6 of a new contract: *Provided further*, That the Secretary
7 of the military department responsible for such procure-
8 ment may waive the restrictions in the first proviso on
9 a case-by-case basis by certifying in writing to the Com-
10 mittees on Appropriations of the House of Representatives
11 and the Senate that adequate domestic supplies are not
12 available to meet Department of Defense requirements on
13 a timely basis and that such an acquisition must be made
14 in order to acquire capability for national security pur-
15 poses.

16 TITLE VI

17 OTHER DEPARTMENT OF DEFENSE PROGRAMS

18 DEFENSE HEALTH PROGRAM

19 For expenses, not otherwise provided for, for medical
20 and health care programs of the Department of Defense
21 as authorized by law, \$31,382,198,000; of which
22 \$29,671,764,000 shall be for operation and maintenance,
23 of which not to exceed 1 percent shall remain available
24 until September 30, 2012, and of which up to
25 \$16,212,121,000 may be available for contracts entered

1 into under the TRICARE program; of which
2 \$534,921,000, to remain available for obligation until Sep-
3 tember 30, 2013, shall be for procurement; and of which
4 \$1,175,513,000, to remain available for obligation until
5 September 30, 2012, shall be for research, development,
6 test and evaluation: *Provided*, That, notwithstanding any
7 other provision of law, of the amount made available under
8 this heading for research, development, test and evalua-
9 tion, not less than \$10,000,000 shall be available for HIV
10 prevention educational activities undertaken in connection
11 with United States military training, exercises, and hu-
12 manitarian assistance activities conducted primarily in Af-
13 rican nations.

14 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
15 DEFENSE

16 For expenses, not otherwise provided for, necessary
17 for the destruction of the United States stockpile of lethal
18 chemical agents and munitions, to include construction of
19 facilities, in accordance with the provisions of section 1412
20 of the Department of Defense Authorization Act, 1986
21 (50 U.S.C. 1521), and for the destruction of other chem-
22 ical warfare materials that are not in the chemical weapon
23 stockpile, \$1,467,307,000, of which \$1,067,364,000 shall
24 be for operation and maintenance, of which no less than
25 \$111,178,000, shall be for the Chemical Stockpile Emer-

1 gency Preparedness Program, consisting of \$35,130,000
2 for activities on military installations and \$76,048,000, to
3 remain available until September 30, 2012, to assist State
4 and local governments; \$7,132,000 shall be for procure-
5 ment, to remain available until September 30, 2013; and
6 \$392,811,000, to remain available until September 30,
7 2012, shall be for research, development, test and evalua-
8 tion, of which \$385,868,000 shall only be for the Assem-
9 bled Chemical Weapons Alternatives (ACWA) program.

10 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

11 DEFENSE

12 (INCLUDING TRANSFER OF FUNDS)

13 For drug interdiction and counter-drug activities of
14 the Department of Defense, for transfer to appropriations
15 available to the Department of Defense for military per-
16 sonnel of the reserve components serving under the provi-
17 sions of title 10 and title 32, United States Code; for oper-
18 ation and maintenance; for procurement; and for research,
19 development, test and evaluation, \$1,156,957,000: *Pro-*
20 *vided*, That the funds appropriated under this heading
21 shall be available for obligation for the same time period
22 and for the same purpose as the appropriation to which
23 transferred: *Provided further*, That upon a determination
24 that all or part of the funds transferred from this appro-
25 priation are not necessary for the purposes provided here-

1 in, such amounts may be transferred back to this appro-
2 priation: *Provided further*, That the transfer authority pro-
3 vided under this heading is in addition to any other trans-
4 fer authority contained elsewhere in this Act.

5 OFFICE OF THE INSPECTOR GENERAL

6 For expenses and activities of the Office of the In-
7 spector General in carrying out the provisions of the In-
8 spector General Act of 1978, as amended, \$306,794,000,
9 of which \$305,794,000 shall be for operation and mainte-
10 nance, of which not to exceed \$700,000 is available for
11 emergencies and extraordinary expenses to be expended on
12 the approval or authority of the Inspector General, and
13 payments may be made on the Inspector General's certifi-
14 cate of necessity for confidential military purposes; and
15 of which \$1,000,000, to remain available until September
16 30, 2013, shall be for procurement.

17 TITLE VII

18 RELATED AGENCIES

19 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
20 DISABILITY SYSTEM FUND

21 For payment to the Central Intelligence Agency Re-
22 tirement and Disability System Fund, to maintain the
23 proper funding level for continuing the operation of the
24 Central Intelligence Agency Retirement and Disability
25 System, \$292,000,000.

1 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

2 For necessary expenses of the Intelligence Commu-
3 nity Management Account, \$649,732,000.

4 TITLE VIII

5 GENERAL PROVISIONS

6 SEC. 8001. No part of any appropriation contained
7 in this Act shall be used for publicity or propaganda pur-
8 poses not authorized by the Congress.

9 SEC. 8002. During the current fiscal year, provisions
10 of law prohibiting the payment of compensation to, or em-
11 ployment of, any person not a citizen of the United States
12 shall not apply to personnel of the Department of Defense:
13 *Provided*, That salary increases granted to direct and indi-
14 rect hire foreign national employees of the Department of
15 Defense funded by this Act shall not be at a rate in excess
16 of the percentage increase authorized by law for civilian
17 employees of the Department of Defense whose pay is
18 computed under the provisions of section 5332 of title 5,
19 United States Code, or at a rate in excess of the percent-
20 age increase provided by the appropriate host nation to
21 its own employees, whichever is higher: *Provided further*,
22 That, in the case of a host nation that does not provide
23 salary increases on an annual basis, any increase granted
24 by that nation shall be annualized for the purpose of ap-
25 plying the preceding proviso: *Provided further*, That this

1 struction) between such appropriations or funds or any
2 subdivision thereof, to be merged with and to be available
3 for the same purposes, and for the same time period, as
4 the appropriation or fund to which transferred: *Provided*,
5 That such authority to transfer may not be used unless
6 for higher priority items, based on unforeseen military re-
7 quirements, than those for which originally appropriated
8 and in no case where the item for which funds are re-
9 quested has been denied by the Congress: *Provided further*,
10 That the Secretary of Defense shall notify the Congress
11 promptly of all transfers made pursuant to this authority
12 or any other authority in this Act: *Provided further*, That
13 no part of the funds in this Act shall be available to pre-
14 pare or present a request to the Committees on Appropria-
15 tions for reprogramming of funds, unless for higher pri-
16 ority items, based on unforeseen military requirements,
17 than those for which originally appropriated and in no
18 case where the item for which reprogramming is requested
19 has been denied by the Congress: *Provided further*, That
20 a request for multiple reprogrammings of funds using au-
21 thority provided in this section shall be made prior to June
22 30, 2011: *Provided further*, That transfers among military
23 personnel appropriations shall not be taken into account
24 for purposes of the limitation on the amount of funds that
25 may be transferred under this section.

1 SEC. 8006. (a) With regard to the list of specific pro-
2 grams, projects, and activities (and the dollar amounts
3 and adjustments to budget activities corresponding to
4 such programs, projects, and activities) contained in the
5 tables titled “Explanation of Project Level Adjustments”
6 in the explanatory statement regarding this Act, the obli-
7 gation and expenditure of amounts appropriated or other-
8 wise made available in this Act for those programs,
9 projects, and activities for which the amounts appro-
10 priated exceed the amounts requested are hereby required
11 by law to be carried out in the manner provided by such
12 tables to the same extent as if the tables were included
13 in the text of this Act.

14 (b) Amounts specified in the referenced tables de-
15 scribed in subsection (a) shall not be treated as subdivi-
16 sions of appropriations for purposes of section 8005 of this
17 Act: *Provided*, That section 8005 shall apply when trans-
18 fers of the amounts described in subsection (a) occur be-
19 tween appropriation accounts.

20 SEC. 8007. (a) Not later than 60 days after enact-
21 ment of this Act, the Department of Defense shall submit
22 a report to the congressional defense committees to estab-
23 lish the baseline for application of reprogramming and
24 transfer authorities for fiscal year 2011: *Provided*, That
25 the report shall include—

1 (1) a table for each appropriation with a separate
2 column to display the President’s budget request,
3 adjustments made by Congress, adjustments
4 due to enacted rescissions, if appropriate, and the
5 fiscal year enacted level;

6 (2) a delineation in the table for each appropriation
7 both by budget activity and program, project, and activity
8 as detailed in the Budget Appendix; and
9

10 (3) an identification of items of special congressional
11 interest.

12 (b) Notwithstanding section 8005 of this Act, none
13 of the funds provided in this Act shall be available for
14 reprogramming or transfer until the report identified in
15 subsection (a) is submitted to the congressional defense
16 committees, unless the Secretary of Defense certifies in
17 writing to the congressional defense committees that such
18 reprogramming or transfer is necessary as an emergency
19 requirement.

20 SEC. 8008. The Secretaries of the Air Force and the
21 Army are authorized, using funds available under the
22 headings “Operation and Maintenance, Air Force” and
23 “Operation and Maintenance, Army”, to complete facility
24 conversions and phased repair projects which may include

1 upgrades and additions to Alaskan range infrastructure
2 and training areas, and improved access to these ranges.

3 (TRANSFER OF FUNDS)

4 SEC. 8009. During the current fiscal year, cash bal-
5 ances in working capital funds of the Department of De-
6 fense established pursuant to section 2208 of title 10,
7 United States Code, may be maintained in only such
8 amounts as are necessary at any time for cash disburse-
9 ments to be made from such funds: *Provided*, That trans-
10 fers may be made between such funds: *Provided further*,
11 That transfers may be made between working capital
12 funds and the “Foreign Currency Fluctuations, Defense”
13 appropriation and the “Operation and Maintenance” ap-
14 propriation accounts in such amounts as may be deter-
15 mined by the Secretary of Defense, with the approval of
16 the Office of Management and Budget, except that such
17 transfers may not be made unless the Secretary of Defense
18 has notified the Congress of the proposed transfer. Except
19 in amounts equal to the amounts appropriated to working
20 capital funds in this Act, no obligations may be made
21 against a working capital fund to procure or increase the
22 value of war reserve material inventory, unless the Sec-
23 retary of Defense has notified the Congress prior to any
24 such obligation.

1 SEC. 8010. Funds appropriated by this Act may not
2 be used to initiate a special access program without prior
3 notification 30 calendar days in advance to the congress-
4 sional defense committees.

5 SEC. 8011. None of the funds provided in this Act
6 shall be available to initiate: (1) a multiyear contract that
7 employs economic order quantity procurement in excess of
8 \$20,000,000 in any one year of the contract or that in-
9 cludes an unfunded contingent liability in excess of
10 \$20,000,000; or (2) a contract for advance procurement
11 leading to a multiyear contract that employs economic
12 order quantity procurement in excess of \$20,000,000 in
13 any one year, unless the congressional defense committees
14 have been notified at least 30 days in advance of the pro-
15 posed contract award: *Provided*, That no part of any ap-
16 propriation contained in this Act shall be available to ini-
17 tiate a multiyear contract for which the economic order
18 quantity advance procurement is not funded at least to
19 the limits of the Government's liability: *Provided further*,
20 That no part of any appropriation contained in this Act
21 shall be available to initiate multiyear procurement con-
22 tracts for any systems or component thereof if the value
23 of the multiyear contract would exceed \$500,000,000 un-
24 less specifically provided in this Act: *Provided further*,
25 That no multiyear procurement contract can be termi-

1 nated without 10-day prior notification to the congres-
2 sional defense committees: *Provided further*, That the exe-
3 cution of multiyear authority shall require the use of a
4 present value analysis to determine lowest cost compared
5 to an annual procurement: *Provided further*, That none of
6 the funds provided in this Act may be used for a multiyear
7 contract executed after the date of the enactment of this
8 Act unless in the case of any such contract—

9 (1) the Secretary of Defense has submitted to
10 Congress a budget request for full funding of units
11 to be procured through the contract and, in the case
12 of a contract for procurement of aircraft, that in-
13 cludes, for any aircraft unit to be procured through
14 the contract for which procurement funds are re-
15 quested in that budget request for production be-
16 yond advance procurement activities in the fiscal
17 year covered by the budget, full funding of procure-
18 ment of such unit in that fiscal year;

19 (2) cancellation provisions in the contract do
20 not include consideration of recurring manufacturing
21 costs of the contractor associated with the produc-
22 tion of unfunded units to be delivered under the con-
23 tract;

1 (3) the contract provides that payments to the
2 contractor under the contract shall not be made in
3 advance of incurred costs on funded units; and

4 (4) the contract does not provide for a price ad-
5 justment based on a failure to award a follow-on
6 contract.

7 Funds appropriated in title III of this Act may be
8 used for a multiyear procurement contract as follows:

9 Navy MH-60R/S Helicopter Systems.

10 SEC. 8012. Within the funds appropriated for the op-
11 eration and maintenance of the Armed Forces, funds are
12 hereby appropriated pursuant to section 401 of title 10,
13 United States Code, for humanitarian and civic assistance
14 costs under chapter 20 of title 10, United States Code.
15 Such funds may also be obligated for humanitarian and
16 civic assistance costs incidental to authorized operations
17 and pursuant to authority granted in section 401 of chap-
18 ter 20 of title 10, United States Code, and these obliga-
19 tions shall be reported as required by section 401(d) of
20 title 10, United States Code: *Provided*, That funds avail-
21 able for operation and maintenance shall be available for
22 providing humanitarian and similar assistance by using
23 Civic Action Teams in the Trust Territories of the Pacific
24 Islands and freely associated states of Micronesia, pursu-
25 ant to the Compact of Free Association as authorized by

1 Public Law 99–239: *Provided further*, That upon a deter-
2 mination by the Secretary of the Army that such action
3 is beneficial for graduate medical education programs con-
4 ducted at Army medical facilities located in Hawaii, the
5 Secretary of the Army may authorize the provision of med-
6 ical services at such facilities and transportation to such
7 facilities, on a nonreimbursable basis, for civilian patients
8 from American Samoa, the Commonwealth of the North-
9 ern Mariana Islands, the Marshall Islands, the Federated
10 States of Micronesia, Palau, and Guam.

11 SEC. 8013. (a) During fiscal year 2011, the civilian
12 personnel of the Department of Defense may not be man-
13 aged on the basis of any end-strength, and the manage-
14 ment of such personnel during that fiscal year shall not
15 be subject to any constraint or limitation (known as an
16 end-strength) on the number of such personnel who may
17 be employed on the last day of such fiscal year.

18 (b) The fiscal year 2012 budget request for the De-
19 partment of Defense as well as all justification material
20 and other documentation supporting the fiscal year 2012
21 Department of Defense budget request shall be prepared
22 and submitted to the Congress as if subsections (a) and
23 (b) of this provision were effective with regard to fiscal
24 year 2012.

1 (c) Nothing in this section shall be construed to apply
2 to military (civilian) technicians.

3 SEC. 8014. None of the funds made available by this
4 Act shall be used in any way, directly or indirectly, to in-
5 fluence congressional action on any legislation or appro-
6 priation matters pending before the Congress.

7 SEC. 8015. None of the funds appropriated by this
8 Act shall be available for the basic pay and allowances of
9 any member of the Army participating as a full-time stu-
10 dent and receiving benefits paid by the Secretary of Vet-
11 erans Affairs from the Department of Defense Education
12 Benefits Fund when time spent as a full-time student is
13 credited toward completion of a service commitment: *Pro-*
14 *vided*, That this section shall not apply to those members
15 who have reenlisted with this option prior to October 1,
16 1987: *Provided further*, That this section applies only to
17 active components of the Army.

18 SEC. 8016. (a) None of the funds appropriated by
19 this Act shall be available to convert to contractor per-
20 formance an activity or function of the Department of De-
21 fense that, on or after the date of the enactment of this
22 Act, is performed by Department of Defense civilian em-
23 ployees unless—

24 (1) the conversion is based on the result of a
25 public-private competition that includes a most effi-

1 cient and cost effective organization plan developed
2 by such activity or function;

3 (2) the Competitive Sourcing Official deter-
4 mines that, over all performance periods stated in
5 the solicitation of offers for performance of the ac-
6 tivity or function, the cost of performance of the ac-
7 tivity or function by a contractor would be less costly
8 to the Department of Defense by an amount that
9 equals or exceeds the lesser of—

10 (A) 10 percent of the most efficient organi-
11 zation’s personnel-related costs for performance
12 of that activity or function by Federal employ-
13 ees; or

14 (B) \$10,000,000; and

15 (3) the contractor does not receive an advan-
16 tage for a proposal that would reduce costs for the
17 Department of Defense by—

18 (A) not making an employer-sponsored
19 health insurance plan available to the workers
20 who are to be employed in the performance of
21 that activity or function under the contract; or

22 (B) offering to such workers an employer-
23 sponsored health benefits plan that requires the
24 employer to contribute less towards the pre-
25 mium or subscription share than the amount

1 that is paid by the Department of Defense for
2 health benefits for civilian employees under
3 chapter 89 of title 5, United States Code.

4 (b)(1) The Department of Defense, without regard
5 to subsection (a) of this section or subsection (a), (b), or
6 (c) of section 2461 of title 10, United States Code, and
7 notwithstanding any administrative regulation, require-
8 ment, or policy to the contrary shall have full authority
9 to enter into a contract for the performance of any com-
10 mercial or industrial type function of the Department of
11 Defense that—

12 (A) is included on the procurement list es-
13 tablished pursuant to section 2 of the Javits-
14 Wagner-O’Day Act (section 8503 of title 41,
15 United States Code);

16 (B) is planned to be converted to perform-
17 ance by a qualified nonprofit agency for the
18 blind or by a qualified nonprofit agency for
19 other severely handicapped individuals in ac-
20 cordance with that Act; or

21 (C) is planned to be converted to perform-
22 ance by a qualified firm under at least 51 per-
23 cent ownership by an Indian tribe, as defined in
24 section 4(e) of the Indian Self-Determination
25 and Education Assistance Act (25 U.S.C.

1 authority of this provision or any other transfer authority
2 contained in this Act.

3 SEC. 8018. None of the funds in this Act may be
4 available for the purchase by the Department of Defense
5 (and its departments and agencies) of welded shipboard
6 anchor and mooring chain 4 inches in diameter and under
7 unless the anchor and mooring chain are manufactured
8 in the United States from components which are substan-
9 tially manufactured in the United States: *Provided*, That
10 for the purpose of this section, the term “manufactured”
11 shall include cutting, heat treating, quality control, testing
12 of chain and welding (including the forging and shot blast-
13 ing process): *Provided further*, That for the purpose of this
14 section substantially all of the components of anchor and
15 mooring chain shall be considered to be produced or manu-
16 factured in the United States if the aggregate cost of the
17 components produced or manufactured in the United
18 States exceeds the aggregate cost of the components pro-
19 duced or manufactured outside the United States: *Pro-*
20 *vided further*, That when adequate domestic supplies are
21 not available to meet Department of Defense requirements
22 on a timely basis, the Secretary of the service responsible
23 for the procurement may waive this restriction on a case-
24 by-case basis by certifying in writing to the Committees
25 on Appropriations that such an acquisition must be made

1 in order to acquire capability for national security pur-
2 poses.

3 SEC. 8019. None of the funds available to the De-
4 partment of Defense may be used to demilitarize or dis-
5 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
6 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or
7 to demilitarize or destroy small arms ammunition or am-
8 munition components that are not otherwise prohibited
9 from commercial sale under Federal law, unless the small
10 arms ammunition or ammunition components are certified
11 by the Secretary of the Army or designee as unserviceable
12 or unsafe for further use.

13 SEC. 8020. No more than \$500,000 of the funds ap-
14 propriated or made available in this Act shall be used dur-
15 ing a single fiscal year for any single relocation of an orga-
16 nization, unit, activity or function of the Department of
17 Defense into or within the National Capital Region: *Pro-*
18 *vided*, That the Secretary of Defense may waive this re-
19 striction on a case-by-case basis by certifying in writing
20 to the congressional defense committees that such a relo-
21 cation is required in the best interest of the Government.

22 SEC. 8021. In addition to the funds provided else-
23 where in this Act, \$15,000,000 is appropriated only for
24 incentive payments authorized by section 504 of the In-
25 dian Financing Act of 1974 (25 U.S.C. 1544): *Provided*,

1 That a prime contractor or a subcontractor at any tier
2 that makes a subcontract award to any subcontractor or
3 supplier as defined in section 1544 of title 25, United
4 States Code, or a small business owned and controlled by
5 an individual or individuals defined under section 4221(9)
6 of title 25, United States Code, shall be considered a con-
7 tractor for the purposes of being allowed additional com-
8 pensation under section 504 of the Indian Financing Act
9 of 1974 (25 U.S.C. 1544) whenever the prime contract
10 or subcontract amount is over \$500,000 and involves the
11 expenditure of funds appropriated by an Act making Ap-
12 propriations for the Department of Defense with respect
13 to any fiscal year: *Provided further*, That notwithstanding
14 section 430 of title 41, United States Code, this section
15 shall be applicable to any Department of Defense acquisi-
16 tion of supplies or services, including any contract and any
17 subcontract at any tier for acquisition of commercial items
18 produced or manufactured, in whole or in part by any sub-
19 contractor or supplier defined in section 1544 of title 25,
20 United States Code, or a small business owned and con-
21 trolled by an individual or individuals defined under sec-
22 tion 4221(9) of title 25, United States Code.

23 SEC. 8022. Funds appropriated by this Act for the
24 Defense Media Activity shall not be used for any national
25 or international political or psychological activities.

1 SEC. 8023. During the current fiscal year, the De-
2 partment of Defense is authorized to incur obligations of
3 not to exceed \$350,000,000 for purposes specified in sec-
4 tion 2350j(c) of title 10, United States Code, in anticipa-
5 tion of receipt of contributions, only from the Government
6 of Kuwait, under that section: *Provided*, That upon re-
7 ceipt, such contributions from the Government of Kuwait
8 shall be credited to the appropriations or fund which in-
9 curred such obligations.

10 SEC. 8024. (a) Of the funds made available in this
11 Act, not less than \$30,374,000 shall be available for the
12 Civil Air Patrol Corporation, of which—

13 (1) \$27,048,000 shall be available from “Oper-
14 ation and Maintenance, Air Force” to support Civil
15 Air Patrol Corporation operation and maintenance,
16 readiness, counterdrug activities, and drug demand
17 reduction activities involving youth programs;

18 (2) \$2,424,000 shall be available from “Aircraft
19 Procurement, Air Force”; and

20 (3) \$902,000 shall be available from “Other
21 Procurement, Air Force” for vehicle procurement.

22 (b) The Secretary of the Air Force should waive reim-
23 bursement for any funds used by the Civil Air Patrol for
24 counter-drug activities in support of Federal, State, and
25 local government agencies.

1 SEC. 8025. (a) None of the funds appropriated in this
2 Act are available to establish a new Department of De-
3 fense (department) federally funded research and develop-
4 ment center (FFRDC), either as a new entity, or as a
5 separate entity administrated by an organization man-
6 aging another FFRDC, or as a nonprofit membership cor-
7 poration consisting of a consortium of other FFRDCs and
8 other nonprofit entities.

9 (b) No member of a Board of Directors, Trustees,
10 Overseers, Advisory Group, Special Issues Panel, Visiting
11 Committee, or any similar entity of a defense FFRDC,
12 and no paid consultant to any defense FFRDC, except
13 when acting in a technical advisory capacity, may be com-
14 pensated for his or her services as a member of such enti-
15 ty, or as a paid consultant by more than one FFRDC in
16 a fiscal year: *Provided*, That a member of any such entity
17 referred to previously in this subsection shall be allowed
18 travel expenses and per diem as authorized under the Fed-
19 eral Joint Travel Regulations, when engaged in the per-
20 formance of membership duties.

21 (c) Notwithstanding any other provision of law, none
22 of the funds available to the department from any source
23 during fiscal year 2011 may be used by a defense FFRDC,
24 through a fee or other payment mechanism, for construc-
25 tion of new buildings, for payment of cost sharing for

1 projects funded by Government grants, for absorption of
2 contract overruns, or for certain charitable contributions,
3 not to include employee participation in community service
4 and/or development.

5 (d) Notwithstanding any other provision of law, of
6 the funds available to the department during fiscal year
7 2011, not more than 5,750 staff years of technical effort
8 (staff years) may be funded for defense FFRDCs: *Pro-*
9 *vided*, That of the specific amount referred to previously
10 in this subsection, not more than 1,125 staff years may
11 be funded for the defense studies and analysis FFRDCs:
12 *Provided further*, That this subsection shall not apply to
13 staff years funded in the National Intelligence Program
14 (NIP) and the Military Intelligence Program (MIP).

15 (e) The Secretary of Defense shall, with the submis-
16 sion of the department's fiscal year 2012 budget request,
17 submit a report presenting the specific amounts of staff
18 years of technical effort to be allocated for each defense
19 FFRDC during that fiscal year and the associated budget
20 estimates.

21 (f) Notwithstanding any other provision of this Act,
22 the total amount appropriated in this Act for FFRDCs
23 is hereby reduced by \$125,000,000.

24 SEC. 8026. None of the funds appropriated or made
25 available in this Act shall be used to procure carbon, alloy

1 or armor steel plate for use in any Government-owned fa-
2 cility or property under the control of the Department of
3 Defense which were not melted and rolled in the United
4 States or Canada: *Provided*, That these procurement re-
5 strictions shall apply to any and all Federal Supply Class
6 9515, American Society of Testing and Materials (ASTM)
7 or American Iron and Steel Institute (AISI) specifications
8 of carbon, alloy or armor steel plate: *Provided further*,
9 That the Secretary of the military department responsible
10 for the procurement may waive this restriction on a case-
11 by-case basis by certifying in writing to the Committees
12 on Appropriations of the House of Representatives and the
13 Senate that adequate domestic supplies are not available
14 to meet Department of Defense requirements on a timely
15 basis and that such an acquisition must be made in order
16 to acquire capability for national security purposes: *Pro-*
17 *vided further*, That these restrictions shall not apply to
18 contracts which are in being as of the date of the enact-
19 ment of this Act.

20 SEC. 8027. For the purposes of this Act, the term
21 “congressional defense committees” means the Armed
22 Services Committee of the House of Representatives, the
23 Armed Services Committee of the Senate, the Sub-
24 committee on Defense of the Committee on Appropriations
25 of the Senate, and the Subcommittee on Defense of the

1 Committee on Appropriations of the House of Representa-
2 tives.

3 SEC. 8028. During the current fiscal year, the De-
4 partment of Defense may acquire the modification, depot
5 maintenance and repair of aircraft, vehicles and vessels
6 as well as the production of components and other De-
7 fense-related articles, through competition between De-
8 partment of Defense depot maintenance activities and pri-
9 vate firms: *Provided*, That the Senior Acquisition Execu-
10 tive of the military department or Defense Agency con-
11 cerned, with power of delegation, shall certify that success-
12 ful bids include comparable estimates of all direct and in-
13 direct costs for both public and private bids: *Provided fur-*
14 *ther*, That Office of Management and Budget Circular A-
15 76 shall not apply to competitions conducted under this
16 section.

17 SEC. 8029. (a)(1) If the Secretary of Defense, after
18 consultation with the United States Trade Representative,
19 determines that a foreign country which is party to an
20 agreement described in paragraph (2) has violated the
21 terms of the agreement by discriminating against certain
22 types of products produced in the United States that are
23 covered by the agreement, the Secretary of Defense shall
24 rescind the Secretary's blanket waiver of the Buy Amer-

1 ican Act with respect to such types of products produced
2 in that foreign country.

3 (2) An agreement referred to in paragraph (1) is any
4 reciprocal defense procurement memorandum of under-
5 standing, between the United States and a foreign country
6 pursuant to which the Secretary of Defense has prospec-
7 tively waived the Buy American Act for certain products
8 in that country.

9 (b) The Secretary of Defense shall submit to the Con-
10 gress a report on the amount of Department of Defense
11 purchases from foreign entities in fiscal year 2011. Such
12 report shall separately indicate the dollar value of items
13 for which the Buy American Act was waived pursuant to
14 any agreement described in subsection (a)(2), the Trade
15 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
16 international agreement to which the United States is a
17 party.

18 (c) For purposes of this section, the term “Buy
19 American Act” means chapter 83 of title 41, United
20 States Code.

21 SEC. 8030. During the current fiscal year, amounts
22 contained in the Department of Defense Overseas Military
23 Facility Investment Recovery Account established by sec-
24 tion 2921(c)(1) of the National Defense Authorization Act
25 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall

1 be available until expended for the payments specified by
2 section 2921(c)(2) of that Act.

3 SEC. 8031. (a) Notwithstanding any other provision
4 of law, the Secretary of the Air Force may convey at no
5 cost to the Air Force, without consideration, to Indian
6 tribes located in the States of Nevada, Idaho, North Da-
7 kota, South Dakota, Montana, Oregon, Minnesota, and
8 Washington relocatable military housing units located at
9 Grand Forks Air Force Base, Malmstrom Air Force Base,
10 Mountain Home Air Force Base, Ellsworth Air Force
11 Base, and Minot Air Force Base that are excess to the
12 needs of the Air Force.

13 (b) The Secretary of the Air Force shall convey, at
14 no cost to the Air Force, military housing units under sub-
15 section (a) in accordance with the request for such units
16 that are submitted to the Secretary by the Operation
17 Walking Shield Program on behalf of Indian tribes located
18 in the States of Nevada, Idaho, North Dakota, South Da-
19 kota, Montana, Oregon, Minnesota, and Washington. Any
20 such conveyance shall be subject to the condition that the
21 housing units shall be removed within a reasonable period
22 of time, as determined by the Secretary.

23 (c) The Operation Walking Shield Program shall re-
24 solve any conflicts among requests of Indian tribes for
25 housing units under subsection (a) before submitting re-

1 quests to the Secretary of the Air Force under subsection
2 (b).

3 (d) In this section, the term “Indian tribe” means
4 any recognized Indian tribe included on the current list
5 published by the Secretary of the Interior under section
6 104 of the Federally Recognized Indian Tribe Act of 1994
7 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–
8 1).

9 SEC. 8032. During the current fiscal year, appropria-
10 tions which are available to the Department of Defense
11 for operation and maintenance may be used to purchase
12 items having an investment item unit cost of not more
13 than \$250,000.

14 SEC. 8033. (a) During the current fiscal year, none
15 of the appropriations or funds available to the Department
16 of Defense Working Capital Funds shall be used for the
17 purchase of an investment item for the purpose of acquir-
18 ing a new inventory item for sale or anticipated sale dur-
19 ing the current fiscal year or a subsequent fiscal year to
20 customers of the Department of Defense Working Capital
21 Funds if such an item would not have been chargeable
22 to the Department of Defense Business Operations Fund
23 during fiscal year 1994 and if the purchase of such an
24 investment item would be chargeable during the current

1 fiscal year to appropriations made to the Department of
2 Defense for procurement.

3 (b) The fiscal year 2012 budget request for the De-
4 partment of Defense as well as all justification material
5 and other documentation supporting the fiscal year 2012
6 Department of Defense budget shall be prepared and sub-
7 mitted to the Congress on the basis that any equipment
8 which was classified as an end item and funded in a pro-
9 curement appropriation contained in this Act shall be
10 budgeted for in a proposed fiscal year 2012 procurement
11 appropriation and not in the supply management business
12 area or any other area or category of the Department of
13 Defense Working Capital Funds.

14 SEC. 8034. None of the funds appropriated by this
15 Act for programs of the Central Intelligence Agency shall
16 remain available for obligation beyond the current fiscal
17 year, except for funds appropriated for the Reserve for
18 Contingencies, which shall remain available until Sep-
19 tember 30, 2012: *Provided*, That funds appropriated,
20 transferred, or otherwise credited to the Central Intel-
21 ligence Agency Central Services Working Capital Fund
22 during this or any prior or subsequent fiscal year shall
23 remain available until expended: *Provided further*, That
24 any funds appropriated or transferred to the Central Intel-
25 ligence Agency for advanced research and development ac-

1 quision, for agent operations, and for covert action pro-
2 grams authorized by the President under section 503 of
3 the National Security Act of 1947, as amended, shall re-
4 main available until September 30, 2012.

5 SEC. 8035. Notwithstanding any other provision of
6 law, funds made available in this Act for the Defense In-
7 telligence Agency may be used for the design, develop-
8 ment, and deployment of General Defense Intelligence
9 Program intelligence communications and intelligence in-
10 formation systems for the Services, the Unified and Speci-
11 fied Commands, and the component commands.

12 SEC. 8036. Of the funds appropriated to the Depart-
13 ment of Defense under the heading “Operation and Main-
14 tenance, Defense-Wide”, not less than \$12,000,000 shall
15 be made available only for the mitigation of environmental
16 impacts, including training and technical assistance to
17 tribes, related administrative support, the gathering of in-
18 formation, documenting of environmental damage, and de-
19 veloping a system for prioritization of mitigation and cost
20 to complete estimates for mitigation, on Indian lands re-
21 sulting from Department of Defense activities.

22 SEC. 8037. (a) None of the funds appropriated in this
23 Act may be expended by an entity of the Department of
24 Defense unless the entity, in expending the funds, com-
25 plies with the Buy American Act. For purposes of this

1 subsection, the term “Buy American Act” means chapter
2 83 of title 41, United States Code.

3 (b) If the Secretary of Defense determines that a per-
4 son has been convicted of intentionally affixing a label
5 bearing a “Made in America” inscription to any product
6 sold in or shipped to the United States that is not made
7 in America, the Secretary shall determine, in accordance
8 with section 2410f of title 10, United States Code, wheth-
9 er the person should be debarred from contracting with
10 the Department of Defense.

11 (c) In the case of any equipment or products pur-
12 chased with appropriations provided under this Act, it is
13 the sense of the Congress that any entity of the Depart-
14 ment of Defense, in expending the appropriation, purchase
15 only American-made equipment and products, provided
16 that American-made equipment and products are cost-
17 competitive, quality competitive, and available in a timely
18 fashion.

19 SEC. 8038. None of the funds appropriated by this
20 Act shall be available for a contract for studies, analysis,
21 or consulting services entered into without competition on
22 the basis of an unsolicited proposal unless the head of the
23 activity responsible for the procurement determines—

1 (1) as a result of thorough technical evaluation,
2 only one source is found fully qualified to perform
3 the proposed work;

4 (2) the purpose of the contract is to explore an
5 unsolicited proposal which offers significant sci-
6 entific or technological promise, represents the prod-
7 uct of original thinking, and was submitted in con-
8 fidence by one source; or

9 (3) the purpose of the contract is to take ad-
10 vantage of unique and significant industrial accom-
11 plishment by a specific concern, or to insure that a
12 new product or idea of a specific concern is given fi-
13 nancial support: *Provided*, That this limitation shall
14 not apply to contracts in an amount of less than
15 \$25,000, contracts related to improvements of equip-
16 ment that is in development or production, or con-
17 tracts as to which a civilian official of the Depart-
18 ment of Defense, who has been confirmed by the
19 Senate, determines that the award of such contract
20 is in the interest of the national defense.

21 SEC. 8039. (a) Except as provided in subsections (b)
22 and (c), none of the funds made available by this Act may
23 be used—

24 (1) to establish a field operating agency; or

1 (2) to pay the basic pay of a member of the
2 Armed Forces or civilian employee of the depart-
3 ment who is transferred or reassigned from a head-
4 quarters activity if the member or employee's place
5 of duty remains at the location of that headquarters.

6 (b) The Secretary of Defense or Secretary of a mili-
7 tary department may waive the limitations in subsection
8 (a), on a case-by-case basis, if the Secretary determines,
9 and certifies to the Committees on Appropriations of the
10 House of Representatives and Senate that the granting
11 of the waiver will reduce the personnel requirements or
12 the financial requirements of the department.

13 (c) This section does not apply to—

14 (1) field operating agencies funded within the
15 National Intelligence Program; or

16 (2) an Army field operating agency established
17 to eliminate, mitigate, or counter the effects of im-
18 provised explosive devices, and, as determined by the
19 Secretary of the Army, other similar threats; or

20 (3) an Army field operating agency established
21 to improve the effectiveness and efficiencies of bio-
22 metric activities and to integrate common biometric
23 technologies throughout the Department of Defense.

24 SEC. 8040. The Secretary of Defense, notwith-
25 standing any other provision of law, acting through the

1 Office of Economic Adjustment of the Department of De-
2 fense, may use funds made available in this Act under the
3 heading “Operation and Maintenance, Defense-Wide” to
4 make grants and supplement other Federal funds in ac-
5 cordance with the guidance provided in the explanatory
6 statement regarding this Act.

7 (RESCISSIONS)

8 SEC. 8041. Of the funds appropriated in Department
9 of Defense Appropriations Acts, the following funds are
10 hereby rescinded from the following accounts and pro-
11 grams in the specified amounts:

12 “Procurement of Weapons and Tracked Combat
13 Vehicles, Army, 2009/2011”, \$86,300,000;

14 “Other Procurement, Army, 2009/2011”,
15 \$147,600,000;

16 “Aircraft Procurement, Navy, 2009/2011”,
17 \$26,100,000;

18 “Aircraft Procurement, Air Force, 2009/2011”,
19 \$116,900,000;

20 “Aircraft Procurement, Army, 2010/2012”,
21 \$14,000,000;

22 “Procurement of Weapons and Tracked Combat
23 Vehicles, Army, 2010/2012”, \$36,000,000;

24 “Missile Procurement, Army, 2010/2012”,
25 \$9,171,000;

1 “Aircraft Procurement, Navy, 2010/2012”,
2 \$184,847,000;

3 “Procurement of Ammunition, Navy and Ma-
4 rine Corps, 2010/2012”, \$11,576,000;

5 Under the heading, “Shipbuilding and Conver-
6 sion, Navy, 2010/2014”: DDG-51 Destroyer,
7 \$22,000,000;

8 “Other Procurement, Navy, 2010/2012”,
9 \$9,042,000;

10 “Aircraft Procurement, Air Force, 2010/2012”,
11 \$151,300,000;

12 “Other Procurement, Air Force, 2010/2012”,
13 \$36,600,000;

14 “Research, Development, Test and Evaluation,
15 Army, 2010/2011”, \$53,500,000;

16 “Research, Development, Test and Evaluation,
17 Air Force, 2010/2011”, \$198,600,000; and

18 “Research, Development, Test and Evaluation,
19 Defense-Wide, 2010/2011”, \$10,000,000.

20 SEC. 8042. None of the funds available in this Act
21 may be used to reduce the authorized positions for mili-
22 tary (civilian) technicians of the Army National Guard,
23 Air National Guard, Army Reserve and Air Force Reserve
24 for the purpose of applying any administratively imposed
25 civilian personnel ceiling, freeze, or reduction on military

1 (civilian) technicians, unless such reductions are a direct
2 result of a reduction in military force structure.

3 SEC. 8043. None of the funds appropriated or other-
4 wise made available in this Act may be obligated or ex-
5 pended for assistance to the Democratic People's Republic
6 of Korea unless specifically appropriated for that purpose.

7 SEC. 8044. Funds appropriated in this Act for oper-
8 ation and maintenance of the Military Departments, Com-
9 batant Commands and Defense Agencies shall be available
10 for reimbursement of pay, allowances and other expenses
11 which would otherwise be incurred against appropriations
12 for the National Guard and Reserve when members of the
13 National Guard and Reserve provide intelligence or coun-
14 terintelligence support to Combatant Commands, Defense
15 Agencies and Joint Intelligence Activities, including the
16 activities and programs included within the National Intel-
17 ligence Program and the Military Intelligence Program:
18 *Provided*, That nothing in this section authorizes deviation
19 from established Reserve and National Guard personnel
20 and training procedures.

21 SEC. 8045. During the current fiscal year, none of
22 the funds appropriated in this Act may be used to reduce
23 the civilian medical and medical support personnel as-
24 signed to military treatment facilities below the September
25 30, 2003, level: *Provided*, That the Service Surgeons Gen-

1 eral may waive this section by certifying to the congres-
2 sional defense committees that the beneficiary population
3 is declining in some catchment areas and civilian strength
4 reductions may be consistent with responsible resource
5 stewardship and capitation-based budgeting.

6 SEC. 8046. (a) None of the funds available to the
7 Department of Defense for any fiscal year for drug inter-
8 diction or counter-drug activities may be transferred to
9 any other department or agency of the United States ex-
10 cept as specifically provided in an appropriations law.

11 (b) None of the funds available to the Central Intel-
12 ligence Agency for any fiscal year for drug interdiction
13 and counter-drug activities may be transferred to any
14 other department or agency of the United States except
15 as specifically provided in an appropriations law.

16 SEC. 8047. None of the funds appropriated by this
17 Act may be used for the procurement of ball and roller
18 bearings other than those produced by a domestic source
19 and of domestic origin: *Provided*, That the Secretary of
20 the military department responsible for such procurement
21 may waive this restriction on a case-by-case basis by certi-
22 fying in writing to the Committees on Appropriations of
23 the House of Representatives and the Senate, that ade-
24 quate domestic supplies are not available to meet Depart-
25 ment of Defense requirements on a timely basis and that

1 such an acquisition must be made in order to acquire ca-
2 pability for national security purposes: *Provided further*,
3 That this restriction shall not apply to the purchase of
4 “commercial items”, as defined by section 4(12) of the
5 Office of Federal Procurement Policy Act, except that the
6 restriction shall apply to ball or roller bearings purchased
7 as end items.

8 SEC. 8048. None of the funds in this Act may be
9 used to purchase any supercomputer which is not manu-
10 factured in the United States, unless the Secretary of De-
11 fense certifies to the congressional defense committees
12 that such an acquisition must be made in order to acquire
13 capability for national security purposes that is not avail-
14 able from United States manufacturers.

15 SEC. 8049. None of the funds made available in this
16 or any other Act may be used to pay the salary of any
17 officer or employee of the Department of Defense who ap-
18 proves or implements the transfer of administrative re-
19 sponsibilities or budgetary resources of any program,
20 project, or activity financed by this Act to the jurisdiction
21 of another Federal agency not financed by this Act with-
22 out the express authorization of Congress: *Provided*, That
23 this limitation shall not apply to transfers of funds ex-
24 pressly provided for in Defense Appropriations Acts, or

1 provisions of Acts providing supplemental appropriations
2 for the Department of Defense.

3 SEC. 8050. (a) Notwithstanding any other provision
4 of law, none of the funds available to the Department of
5 Defense for the current fiscal year may be obligated or
6 expended to transfer to another nation or an international
7 organization any defense articles or services (other than
8 intelligence services) for use in the activities described in
9 subsection (b) unless the congressional defense commit-
10 tees, the Committee on Foreign Affairs of the House of
11 Representatives, and the Committee on Foreign Relations
12 of the Senate are notified 15 days in advance of such
13 transfer.

14 (b) This section applies to—

15 (1) any international peacekeeping or peace-en-
16 forcement operation under the authority of chapter
17 VI or chapter VII of the United Nations Charter
18 under the authority of a United Nations Security
19 Council resolution; and

20 (2) any other international peacekeeping, peace-
21 enforcement, or humanitarian assistance operation.

22 (c) A notice under subsection (a) shall include the
23 following—

24 (1) A description of the equipment, supplies, or
25 services to be transferred.

1 (2) A statement of the value of the equipment,
2 supplies, or services to be transferred.

3 (3) In the case of a proposed transfer of equip-
4 ment or supplies—

5 (A) a statement of whether the inventory
6 requirements of all elements of the Armed
7 Forces (including the reserve components) for
8 the type of equipment or supplies to be trans-
9 ferred have been met; and

10 (B) a statement of whether the items pro-
11 posed to be transferred will have to be replaced
12 and, if so, how the President proposes to pro-
13 vide funds for such replacement.

14 SEC. 8051. None of the funds available to the De-
15 partment of Defense under this Act shall be obligated or
16 expended to pay a contractor under a contract with the
17 Department of Defense for costs of any amount paid by
18 the contractor to an employee when—

19 (1) such costs are for a bonus or otherwise in
20 excess of the normal salary paid by the contractor
21 to the employee; and

22 (2) such bonus is part of restructuring costs as-
23 sociated with a business combination.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8052. During the current fiscal year, no more
3 than \$30,000,000 of appropriations made in this Act
4 under the heading “Operation and Maintenance, Defense-
5 Wide” may be transferred to appropriations available for
6 the pay of military personnel, to be merged with, and to
7 be available for the same time period as the appropriations
8 to which transferred, to be used in support of such per-
9 sonnel in connection with support and services for eligible
10 organizations and activities outside the Department of De-
11 fense pursuant to section 2012 of title 10, United States
12 Code.

13 SEC. 8053. During the current fiscal year, in the case
14 of an appropriation account of the Department of Defense
15 for which the period of availability for obligation has ex-
16 pired or which has closed under the provisions of section
17 1552 of title 31, United States Code, and which has a
18 negative unliquidated or unexpended balance, an obliga-
19 tion or an adjustment of an obligation may be charged
20 to any current appropriation account for the same purpose
21 as the expired or closed account if—

22 (1) the obligation would have been properly
23 chargeable (except as to amount) to the expired or
24 closed account before the end of the period of avail-
25 ability or closing of that account;

1 (2) the obligation is not otherwise properly
2 chargeable to any current appropriation account of
3 the Department of Defense; and

4 (3) in the case of an expired account, the obli-
5 gation is not chargeable to a current appropriation
6 of the Department of Defense under the provisions
7 of section 1405(b)(8) of the National Defense Au-
8 thorization Act for Fiscal Year 1991, Public Law
9 101-510, as amended (31 U.S.C. 1551 note): *Pro-*
10 *vided*, That in the case of an expired account, if sub-
11 sequent review or investigation discloses that there
12 was not in fact a negative unliquidated or unex-
13 pended balance in the account, any charge to a cur-
14 rent account under the authority of this section shall
15 be reversed and recorded against the expired ac-
16 count: *Provided further*, That the total amount
17 charged to a current appropriation under this sec-
18 tion may not exceed an amount equal to 1 percent
19 of the total appropriation for that account.

20 SEC. 8054. (a) Notwithstanding any other provision
21 of law, the Chief of the National Guard Bureau may per-
22 mit the use of equipment of the National Guard Distance
23 Learning Project by any person or entity on a space-avail-
24 able, reimbursable basis. The Chief of the National Guard

1 Bureau shall establish the amount of reimbursement for
2 such use on a case-by-case basis.

3 (b) Amounts collected under subsection (a) shall be
4 credited to funds available for the National Guard Dis-
5 tance Learning Project and be available to defray the costs
6 associated with the use of equipment of the project under
7 that subsection. Such funds shall be available for such
8 purposes without fiscal year limitation.

9 SEC. 8055. Using funds made available by this Act
10 or any other Act, the Secretary of the Air Force, pursuant
11 to a determination under section 2690 of title 10, United
12 States Code, may implement cost-effective agreements for
13 required heating facility modernization in the
14 Kaiserslautern Military Community in the Federal Repub-
15 lic of Germany: *Provided*, That in the City of
16 Kaiserslautern and at the Rhine Ordnance Barracks area,
17 such agreements will include the use of United States an-
18 thracite as the base load energy for municipal district heat
19 to the United States Defense installations: *Provided fur-*
20 *ther*, That at Landstuhl Army Regional Medical Center
21 and Ramstein Air Base, furnished heat may be obtained
22 from private, regional or municipal services, if provisions
23 are included for the consideration of United States coal
24 as an energy source.

1 SEC. 8056. None of the funds appropriated in title
2 IV of this Act may be used to procure end-items for deliv-
3 ery to military forces for operational training, operational
4 use or inventory requirements: *Provided*, That this restric-
5 tion does not apply to end-items used in development,
6 prototyping, and test activities preceding and leading to
7 acceptance for operational use: *Provided further*, That this
8 restriction does not apply to programs funded within the
9 National Intelligence Program: *Provided further*, That the
10 Secretary of Defense may waive this restriction on a case-
11 by-case basis by certifying in writing to the Committees
12 on Appropriations of the House of Representatives and the
13 Senate that it is in the national security interest to do
14 so.

15 SEC. 8057. None of the funds made available in this
16 Act may be used to approve or license the sale of the F-
17 22A advanced tactical fighter to any foreign government:
18 *Provided*, That the Department of Defense may conduct
19 or participate in studies, research, design and other activi-
20 ties to define and develop a future export version of the
21 F-22A that protects classified and sensitive information,
22 technologies and U.S. warfighting capabilities.

23 SEC. 8058. (a) The Secretary of Defense may, on a
24 case-by-case basis, waive with respect to a foreign country
25 each limitation on the procurement of defense items from

1 foreign sources provided in law if the Secretary determines
2 that the application of the limitation with respect to that
3 country would invalidate cooperative programs entered
4 into between the Department of Defense and the foreign
5 country, or would invalidate reciprocal trade agreements
6 for the procurement of defense items entered into under
7 section 2531 of title 10, United States Code, and the
8 country does not discriminate against the same or similar
9 defense items produced in the United States for that coun-
10 try.

11 (b) Subsection (a) applies with respect to—

12 (1) contracts and subcontracts entered into on
13 or after the date of the enactment of this Act; and

14 (2) options for the procurement of items that
15 are exercised after such date under contracts that
16 are entered into before such date if the option prices
17 are adjusted for any reason other than the applica-
18 tion of a waiver granted under subsection (a).

19 (c) Subsection (a) does not apply to a limitation re-
20 garding construction of public vessels, ball and roller bear-
21 ings, food, and clothing or textile materials as defined by
22 section 11 (chapters 50–65) of the Harmonized Tariff
23 Schedule and products classified under headings 4010,
24 4202, 4203, 6401 through 6406, 6505, 7019, 7218

1 through 7229, 7304.41 through 7304.49, 7306.40, 7502
2 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

3 SEC. 8059. (a) None of the funds made available by
4 this Act may be used to support any training program in-
5 volving a unit of the security forces or police of a foreign
6 country if the Secretary of Defense has received credible
7 information from the Department of State that the unit
8 has committed a gross violation of human rights, unless
9 all necessary corrective steps have been taken.

10 (b) The Secretary of Defense, in consultation with the
11 Secretary of State, shall ensure that prior to a decision
12 to conduct any training program referred to in subsection
13 (a), full consideration is given to all credible information
14 available to the Department of State relating to human
15 rights violations by foreign security forces.

16 (c) The Secretary of Defense, after consultation with
17 the Secretary of State, may waive the prohibition in sub-
18 section (a) if he determines that such waiver is required
19 by extraordinary circumstances.

20 (d) Not more than 15 days after the exercise of any
21 waiver under subsection (c), the Secretary of Defense shall
22 submit a report to the congressional defense committees
23 describing the extraordinary circumstances, the purpose
24 and duration of the training program, the United States
25 forces and the foreign security forces involved in the train-

1 ing program, and the information relating to human rights
2 violations that necessitates the waiver.

3 SEC. 8060. None of the funds appropriated or made
4 available in this Act to the Department of the Navy shall
5 be used to develop, lease or procure the T-AKE class of
6 ships unless the main propulsion diesel engines and
7 propulsors are manufactured in the United States by a
8 domestically operated entity: *Provided*, That the Secretary
9 of Defense may waive this restriction on a case-by-case
10 basis by certifying in writing to the Committees on Appro-
11 priations of the House of Representatives and the Senate
12 that adequate domestic supplies are not available to meet
13 Department of Defense requirements on a timely basis
14 and that such an acquisition must be made in order to
15 acquire capability for national security purposes or there
16 exists a significant cost or quality difference.

17 SEC. 8061. None of the funds appropriated or other-
18 wise made available by this or other Department of De-
19 fense Appropriations Acts may be obligated or expended
20 for the purpose of performing repairs or maintenance to
21 military family housing units of the Department of De-
22 fense, including areas in such military family housing
23 units that may be used for the purpose of conducting offi-
24 cial Department of Defense business.

1 SEC. 8062. Notwithstanding any other provision of
2 law, funds appropriated in this Act under the heading
3 “Research, Development, Test and Evaluation, Defense-
4 Wide” for any new start advanced concept technology
5 demonstration project or joint capability demonstration
6 project may only be obligated 30 days after a report, in-
7 cluding a description of the project, the planned acquisi-
8 tion and transition strategy and its estimated annual and
9 total cost, has been provided in writing to the congress-
10 sional defense committees: *Provided*, That the Secretary
11 of Defense may waive this restriction on a case-by-case
12 basis by certifying to the congressional defense committees
13 that it is in the national interest to do so.

14 SEC. 8063. The Secretary of Defense shall provide
15 a classified quarterly report beginning 30 days after enact-
16 ment of this Act, to the House and Senate Appropriations
17 Committees, Subcommittees on Defense on certain mat-
18 ters as directed in the classified annex accompanying this
19 Act.

20 SEC. 8064. During the current fiscal year, none of
21 the funds available to the Department of Defense may be
22 used to provide support to another department or agency
23 of the United States if such department or agency is more
24 than 90 days in arrears in making payment to the Depart-
25 ment of Defense for goods or services previously provided

1 to such department or agency on a reimbursable basis:
2 *Provided*, That this restriction shall not apply if the de-
3 partment is authorized by law to provide support to such
4 department or agency on a nonreimbursable basis, and is
5 providing the requested support pursuant to such author-
6 ity: *Provided further*, That the Secretary of Defense may
7 waive this restriction on a case-by-case basis by certifying
8 in writing to the Committees on Appropriations of the
9 House of Representatives and the Senate that it is in the
10 national security interest to do so.

11 SEC. 8065. Notwithstanding section 12310(b) of title
12 10, United States Code, a Reserve who is a member of
13 the National Guard serving on full-time National Guard
14 duty under section 502(f) of title 32, United States Code,
15 may perform duties in support of the ground-based ele-
16 ments of the National Ballistic Missile Defense System.

17 SEC. 8066. None of the funds provided in this Act
18 may be used to transfer to any nongovernmental entity
19 ammunition held by the Department of Defense that has
20 a center-fire cartridge and a United States military no-
21 menclature designation of “armor penetrator”, “armor
22 piercing (AP)”, “armor piercing incendiary (API)”, or
23 “armor-piercing incendiary tracer (API-T)”, except to an
24 entity performing demilitarization services for the Depart-
25 ment of Defense under a contract that requires the entity

1 to demonstrate to the satisfaction of the Department of
2 Defense that armor piercing projectiles are either: (1) ren-
3 dered incapable of reuse by the demilitarization process;
4 or (2) used to manufacture ammunition pursuant to a con-
5 tract with the Department of Defense or the manufacture
6 of ammunition for export pursuant to a License for Per-
7 manent Export of Unclassified Military Articles issued by
8 the Department of State.

9 SEC. 8067. Notwithstanding any other provision of
10 law, the Chief of the National Guard Bureau, or his des-
11 ignee, may waive payment of all or part of the consider-
12 ation that otherwise would be required under section 2667
13 of title 10, United States Code, in the case of a lease of
14 personal property for a period not in excess of 1 year to
15 any organization specified in section 508(d) of title 32,
16 United States Code, or any other youth, social, or fra-
17 ternal nonprofit organization as may be approved by the
18 Chief of the National Guard Bureau, or his designee, on
19 a case-by-case basis.

20 SEC. 8068. None of the funds appropriated by this
21 Act shall be used for the support of any nonappropriated
22 funds activity of the Department of Defense that procures
23 malt beverages and wine with nonappropriated funds for
24 resale (including such alcoholic beverages sold by the
25 drink) on a military installation located in the United

1 States unless such malt beverages and wine are procured
2 within that State, or in the case of the District of Colum-
3 bia, within the District of Columbia, in which the military
4 installation is located: *Provided*, That in a case in which
5 the military installation is located in more than one State,
6 purchases may be made in any State in which the installa-
7 tion is located: *Provided further*, That such local procure-
8 ment requirements for malt beverages and wine shall
9 apply to all alcoholic beverages only for military installa-
10 tions in States which are not contiguous with another
11 State: *Provided further*, That alcoholic beverages other
12 than wine and malt beverages, in contiguous States and
13 the District of Columbia shall be procured from the most
14 competitive source, price and other factors considered.

15 SEC. 8069. Funds available to the Department of De-
16 fense for the Global Positioning System during the current
17 fiscal year, and hereafter, may be used to fund civil re-
18 quirements associated with the satellite and ground con-
19 trol segments of such system's modernization program.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8070. Of the amounts appropriated in this Act
22 under the heading "Operation and Maintenance, Army",
23 \$147,258,300 shall remain available until expended: *Pro-*
24 *vided*, That notwithstanding any other provision of law,
25 the Secretary of Defense is authorized to transfer such

1 funds to other activities of the Federal Government: *Pro-*
2 *vided further*, That the Secretary of Defense is authorized
3 to enter into and carry out contracts for the acquisition
4 of real property, construction, personal services, and oper-
5 ations related to projects carrying out the purposes of this
6 section: *Provided further*, That contracts entered into
7 under the authority of this section may provide for such
8 indemnification as the Secretary determines to be nec-
9 essary: *Provided further*, That projects authorized by this
10 section shall comply with applicable Federal, State, and
11 local law to the maximum extent consistent with the na-
12 tional security, as determined by the Secretary of Defense.

13 SEC. 8071. Section 8106 of the Department of De-
14 fense Appropriations Act, 1997 (titles I through VIII of
15 the matter under subsection 101(b) of Public Law 104-
16 208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall con-
17 tinue in effect to apply to disbursements that are made
18 by the Department of Defense in fiscal year 2011.

19 SEC. 8072. In addition to amounts provided else-
20 where in this Act, \$4,000,000 is hereby appropriated to
21 the Department of Defense, to remain available for obliga-
22 tion until expended: *Provided*, That notwithstanding any
23 other provision of law, these funds shall be available only
24 for a grant to the Fisher House Foundation, Inc., only
25 for the construction and furnishing of additional Fisher

1 Houses to meet the needs of military family members
2 when confronted with the illness or hospitalization of an
3 eligible military beneficiary.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8073. Of the amounts appropriated in this Act
6 under the headings “Procurement, Defense-Wide” and
7 “Research, Development, Test and Evaluation, Defense-
8 Wide”, \$415,115,000 shall be for the Israeli Cooperative
9 Programs: *Provided*, That of this amount, \$205,000,000
10 shall be for the Secretary of Defense to provide to the Gov-
11 ernment of Israel for the procurement of the Iron Dome
12 defense system to counter short-range rocket threats,
13 \$84,722,000 shall be for the Short Range Ballistic Missile
14 Defense (SRBMD) program, including cruise missile de-
15 fense research and development under the SRBMD pro-
16 gram, \$58,966,000 shall be available for an upper-tier
17 component to the Israeli Missile Defense Architecture, and
18 \$66,427,000 shall be for the Arrow System Improvement
19 Program including development of a long range, ground
20 and airborne, detection suite, of which \$12,000,000 shall
21 be for producing Arrow missile components in the United
22 States and Arrow missile components in Israel to meet
23 Israel’s defense requirements, consistent with each na-
24 tion’s laws, regulations and procedures: *Provided further*,
25 That funds made available under this provision for pro-

1 duction of missiles and missile components may be trans-
2 ferred to appropriations available for the procurement of
3 weapons and equipment, to be merged with and to be
4 available for the same time period and the same purposes
5 as the appropriation to which transferred: *Provided fur-*
6 *ther*, That the transfer authority provided under this pro-
7 vision is in addition to any other transfer authority con-
8 tained in this Act.

9 SEC. 8074. None of the funds available to the De-
10 partment of Defense may be obligated to modify command
11 and control relationships to give Fleet Forces Command
12 administrative and operational control of U.S. Navy forces
13 assigned to the Pacific fleet: *Provided*, That the command
14 and control relationships which existed on October 1,
15 2004, shall remain in force unless changes are specifically
16 authorized in a subsequent Act.

17 SEC. 8075. Notwithstanding any other provision of
18 law or regulation, the Secretary of Defense may exercise
19 the provisions of section 7403(g) of title 38, United States
20 Code, for occupations listed in section 7403(a)(2) of title
21 38, United States Code, as well as the following:

22 Pharmacists, Audiologists, Psychologists, Social
23 Workers, Othotists/Prosthetists, Occupational
24 Therapists, Physical Therapists, Rehabilitation
25 Therapists, Respiratory Therapists, Speech Patholo-

1 gists, Dietitian/Nutritionists, Industrial Hygienists,
2 Psychology Technicians, Social Service Assistants,
3 Practical Nurses, Nursing Assistants, and Dental
4 Hygienists:

5 (A) The requirements of section
6 7403(g)(1)(A) of title 38, United States Code,
7 shall apply.

8 (B) The limitations of section
9 7403(g)(1)(B) of title 38, United States Code,
10 shall not apply.

11 SEC. 8076. Funds appropriated by this Act, or made
12 available by the transfer of funds in this Act, for intel-
13 ligence activities are deemed to be specifically authorized
14 by the Congress for purposes of section 504 of the Na-
15 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
16 year 2011 until the enactment of the Intelligence Author-
17 ization Act for Fiscal Year 2011.

18 SEC. 8077. None of the funds provided in this Act
19 shall be available for obligation or expenditure through a
20 reprogramming of funds that creates or initiates a new
21 program, project, or activity unless such program, project,
22 or activity must be undertaken immediately in the interest
23 of national security and only after written prior notifica-
24 tion to the congressional defense committees.

1 SEC. 8078. The budget of the President for fiscal
2 year 2012 submitted to the Congress pursuant to section
3 1105 of title 31, United States Code, shall include sepa-
4 rate budget justification documents for costs of United
5 States Armed Forces' participation in contingency oper-
6 ations for the Military Personnel accounts, the Operation
7 and Maintenance accounts, and the Procurement ac-
8 counts: *Provided*, That these documents shall include a de-
9 scription of the funding requested for each contingency op-
10 eration, for each military service, to include all Active and
11 Reserve components, and for each appropriations account:
12 *Provided further*, That these documents shall include esti-
13 mated costs for each element of expense or object class,
14 a reconciliation of increases and decreases for each contin-
15 gency operation, and programmatic data including, but
16 not limited to, troop strength for each Active and Reserve
17 component, and estimates of the major weapons systems
18 deployed in support of each contingency: *Provided further*,
19 That these documents shall include budget exhibits OP-
20 5 and OP-32 (as defined in the Department of Defense
21 Financial Management Regulation) for all contingency op-
22 erations for the budget year and the two preceding fiscal
23 years.

24 SEC. 8079. None of the funds in this Act may be
25 used for research, development, test, evaluation, procure-

1 ment or deployment of nuclear armed interceptors of a
2 missile defense system.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8080. In addition to the amounts appropriated
5 or otherwise made available elsewhere in this Act,
6 \$65,200,000 is hereby appropriated to the Department of
7 Defense: *Provided*, That the Secretary of Defense shall
8 make grants in the amounts specified as follows:
9 \$20,000,000 to the United Service Organizations;
10 \$24,000,000 to the Red Cross; \$1,200,000 to the Special
11 Olympics; and \$20,000,000 to the Youth Mentoring
12 Grants Program: *Provided further*, That funds available
13 in this section for the Youth Mentoring Grants Program
14 may be available for transfer to the Department of Justice
15 Youth Mentoring Grants Program.

16 SEC. 8081. None of the funds appropriated or made
17 available in this Act shall be used to reduce or disestablish
18 the operation of the 53rd Weather Reconnaissance Squad-
19 ron of the Air Force Reserve, if such action would reduce
20 the WC-130 Weather Reconnaissance mission below the
21 levels funded in this Act: *Provided*, That the Air Force
22 shall allow the 53rd Weather Reconnaissance Squadron to
23 perform other missions in support of national defense re-
24 quirements during the non-hurricane season.

1 SEC. 8082. None of the funds provided in this Act
2 shall be available for integration of foreign intelligence in-
3 formation unless the information has been lawfully col-
4 lected and processed during the conduct of authorized for-
5 eign intelligence activities: *Provided*, That information
6 pertaining to United States persons shall only be handled
7 in accordance with protections provided in the Fourth
8 Amendment of the United States Constitution as imple-
9 mented through Executive Order No. 12333.

10 SEC. 8083. (a) At the time members of reserve com-
11 ponents of the Armed Forces are called or ordered to ac-
12 tive duty under section 12302(a) of title 10, United States
13 Code, each member shall be notified in writing of the ex-
14 pected period during which the member will be mobilized.

15 (b) The Secretary of Defense may waive the require-
16 ments of subsection (a) in any case in which the Secretary
17 determines that it is necessary to do so to respond to a
18 national security emergency or to meet dire operational
19 requirements of the Armed Forces.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8084. The Secretary of Defense may transfer
22 funds from any available Department of the Navy appro-
23 priation to any available Navy ship construction appro-
24 priation for the purpose of liquidating necessary changes
25 resulting from inflation, market fluctuations, or rate ad-

1 justments for any ship construction program appropriated
2 in law: *Provided*, That the Secretary may transfer not to
3 exceed \$100,000,000 under the authority provided by this
4 section: *Provided further*, That the Secretary may not
5 transfer any funds until 30 days after the proposed trans-
6 fer has been reported to the Committees on Appropria-
7 tions of the House of Representatives and the Senate, un-
8 less a response from the Committees is received sooner:
9 *Provided further*, That any funds transferred pursuant to
10 this section shall retain the same period of availability as
11 when originally appropriated: *Provided further*, That the
12 transfer authority provided by this section is in addition
13 to any other transfer authority contained elsewhere in this
14 Act.

15 SEC. 8085. For purposes of section 7108 of title 41,
16 United States Code, any subdivision of appropriations
17 made under the heading “Shipbuilding and Conversion,
18 Navy” that is not closed at the time reimbursement is
19 made shall be available to reimburse the Judgment Fund
20 and shall be considered for the same purposes as any sub-
21 division under the heading “Shipbuilding and Conversion,
22 Navy” appropriations in the current fiscal year or any
23 prior fiscal year.

24 SEC. 8086. (a) None of the funds appropriated by
25 this Act may be used to transfer research and develop-

1 ment, acquisition, or other program authority relating to
2 current tactical unmanned aerial vehicles (TUAVs) from
3 the Army.

4 (b) The Army shall retain responsibility for and oper-
5 ational control of the MQ-1C Sky Warrior Unmanned
6 Aerial Vehicle (UAV) in order to support the Secretary
7 of Defense in matters relating to the employment of un-
8 manned aerial vehicles.

9 SEC. 8087. Of the funds provided in this Act,
10 \$7,080,000 shall be available for the operations and devel-
11 opment of training and technology for the Joint Inter-
12 agency Training and Education Center and the affiliated
13 Center for National Response at the Memorial Tunnel and
14 for providing homeland defense/security and traditional
15 warfighting training to the Department of Defense, other
16 Federal agencies, and State and local first responder per-
17 sonnel at the Joint Interagency Training and Education
18 Center.

19 SEC. 8088. Notwithstanding any other provision of
20 law or regulation, during the current fiscal year and here-
21 after, the Secretary of Defense may adjust wage rates for
22 civilian employees hired for certain health care occupa-
23 tions as authorized for the Secretary of Veterans Affairs
24 by section 7455 of title 38, United States Code.

1 SEC. 8089. Up to \$15,000,000 of the funds appro-
2 priated under the heading “Operation and Maintenance,
3 Navy” may be made available for the Asia Pacific Re-
4 gional Initiative Program for the purpose of enabling the
5 Pacific Command to execute Theater Security Cooperation
6 activities such as humanitarian assistance, and payment
7 of incremental and personnel costs of training and exer-
8 cising with foreign security forces: *Provided*, That funds
9 made available for this purpose may be used, notwith-
10 standing any other funding authorities for humanitarian
11 assistance, security assistance or combined exercise ex-
12 penses: *Provided further*, That funds may not be obligated
13 to provide assistance to any foreign country that is other-
14 wise prohibited from receiving such type of assistance
15 under any other provision of law.

16 SEC. 8090. None of the funds appropriated by this
17 Act for programs of the Office of the Director of National
18 Intelligence shall remain available for obligation beyond
19 the current fiscal year, except for funds appropriated for
20 research and technology, which shall remain available until
21 September 30, 2012.

22 SEC. 8091. For purposes of section 1553(b) of title
23 31, United States Code, any subdivision of appropriations
24 made in this Act under the heading “Shipbuilding and
25 Conversion, Navy” shall be considered to be for the same

1 purpose as any subdivision under the heading “Ship-
2 building and Conversion, Navy” appropriations in any
3 prior fiscal year, and the 1 percent limitation shall apply
4 to the total amount of the appropriation.

5 SEC. 8092. Notwithstanding any other provision of
6 law, not more than 35 percent of funds provided in this
7 Act for environmental remediation may be obligated under
8 indefinite delivery/indefinite quantity contracts with a
9 total contract value of \$130,000,000 or higher.

10 SEC. 8093. The Director of National Intelligence
11 shall include the budget exhibits identified in paragraphs
12 (1) and (2) as described in the Department of Defense
13 Financial Management Regulation with the congressional
14 budget justification books.

15 (1) For procurement programs requesting more
16 than \$20,000,000 in any fiscal year, the P-1, Pro-
17 curement Program; P-5, Cost Analysis; P-5a, Pro-
18 curement History and Planning; P-21, Production
19 Schedule; and P-40, Budget Item Justification.

20 (2) For research, development, test and evalua-
21 tion projects requesting more than \$10,000,000 in
22 any fiscal year, the R-1, RDT&E Program; R-2,
23 RDT&E Budget Item Justification; R-3, RDT&E
24 Project Cost Analysis; and R-4, RDT&E Program
25 Schedule Profile.

1 SEC. 8094. The Secretary of Defense shall create a
2 major force program category for space for each future-
3 years defense program of the Department of Defense sub-
4 mitted to Congress under section 221 of title 10, United
5 States Code, during fiscal year 2011. The Secretary of De-
6 fense shall designate an official in the Office of the Sec-
7 retary of Defense to provide overall supervision of the
8 preparation and justification of program recommendations
9 and budget proposals to be included in such major force
10 program category.

11 SEC. 8095. (a) Not later than 60 days after enact-
12 ment of this Act, the Office of the Director of National
13 Intelligence shall submit a report to the congressional in-
14 telligence committees to establish the baseline for applica-
15 tion of reprogramming and transfer authorities for fiscal
16 year 2011: *Provided*, That the report shall include—

17 (1) a table for each appropriation with a sepa-
18 rate column to display the President's budget re-
19 quest, adjustments made by Congress, adjustments
20 due to enacted rescissions, if appropriate, and the
21 fiscal year enacted level;

22 (2) a delineation in the table for each appro-
23 priation by Expenditure Center and project; and

24 (3) an identification of items of special congres-
25 sional interest.

1 (b) None of the funds provided for the National Intel-
2 ligence Program in this Act shall be available for re-
3 programming or transfer until the report identified in sub-
4 section (a) is submitted to the congressional intelligence
5 committees, unless the Director of National Intelligence
6 certifies in writing to the congressional intelligence com-
7 mittees that such reprogramming or transfer is necessary
8 as an emergency requirement.

9 SEC. 8096. The Director of National Intelligence
10 shall submit to Congress each year, at or about the time
11 that the President's budget is submitted to Congress that
12 year under section 1105(a) of title 31, United States
13 Code, a future-years intelligence program (including asso-
14 ciated annexes) reflecting the estimated expenditures and
15 proposed appropriations included in that budget. Any such
16 future-years intelligence program shall cover the fiscal
17 year with respect to which the budget is submitted and
18 at least the four succeeding fiscal years.

19 SEC. 8097. For the purposes of this Act, the term
20 "congressional intelligence committees" means the Perma-
21 nent Select Committee on Intelligence of the House of
22 Representatives, the Select Committee on Intelligence of
23 the Senate, the Subcommittee on Defense of the Com-
24 mittee on Appropriations of the House of Representatives,

1 and the Subcommittee on Defense of the Committee on
2 Appropriations of the Senate.

3 SEC. 8098. The Department of Defense shall con-
4 tinue to report incremental contingency operations costs
5 for Operation New Dawn and Operation Enduring Free-
6 dom on a monthly basis in the Cost of War Execution
7 Report as prescribed in the Department of Defense Finan-
8 cial Management Regulation Department of Defense In-
9 struction 7000.14, Volume 12, Chapter 23 “Contingency
10 Operations”, Annex 1, dated September 2005.

11 SEC. 8099. The amounts appropriated in title II of
12 this Act are hereby reduced by \$1,983,000,000 to reflect
13 excess cash balances in Department of Defense Working
14 Capital Funds, as follows: (1) From “Operation and Main-
15 tenance, Army”, \$700,000,000; and (2) From “Operation
16 and Maintenance, Defense-Wide”, \$1,283,000,000.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8100. During the current fiscal year, not to ex-
19 ceed \$11,000,000 from each of the appropriations made
20 in title II of this Act for “Operation and Maintenance,
21 Army”, “Operation and Maintenance, Navy”, and “Oper-
22 ation and Maintenance, Air Force” may be transferred by
23 the military department concerned to its central fund es-
24 tablished for Fisher Houses and Suites pursuant to sec-
25 tion 2493(d) of title 10, United States Code.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8101. Of the funds appropriated in the Intel-
3 ligence Community Management Account for the Program
4 Manager for the Information Sharing Environment,
5 \$24,000,000 is available for transfer by the Director of
6 National Intelligence to other departments and agencies
7 for purposes of Government-wide information sharing ac-
8 tivities: *Provided*, That funds transferred under this provi-
9 sion are to be merged with and available for the same pur-
10 poses and time period as the appropriation to which trans-
11 ferred: *Provided further*, That the Office of Management
12 and Budget must approve any transfers made under this
13 provision.

14 SEC. 8102. Funds appropriated by this Act for oper-
15 ation and maintenance may be available for the purpose
16 of making remittances to the Defense Acquisition Work-
17 force Development Fund in accordance with the require-
18 ments of section 1705 of title 10, United States Code.

19 SEC. 8103. (a) Any agency receiving funds made
20 available in this Act, shall, subject to subsections (b) and
21 (c), post on the public website of that agency any report
22 required to be submitted by the Congress in this or any
23 other Act, upon the determination by the head of the agen-
24 cy that it shall serve the national interest.

25 (b) Subsection (a) shall not apply to a report if—

1 (1) the public posting of the report com-
2 promises national security; or

3 (2) the report contains proprietary information.

4 (c) The head of the agency posting such report shall
5 do so only after such report has been made available to
6 the requesting Committee or Committees of Congress for
7 no less than 45 days.

8 SEC. 8104. (a) None of the funds appropriated or
9 otherwise made available by this Act may be expended for
10 any Federal contract for an amount in excess of
11 \$1,000,000 unless the contractor agrees not to:

12 (1) enter into any agreement with any of its
13 employees or independent contractors that requires,
14 as a condition of employment, that the employee or
15 independent contractor agree to resolve through ar-
16 bitration any claim under title VII of the Civil
17 Rights Act of 1964 or any tort related to or arising
18 out of sexual assault or harassment, including as-
19 sault and battery, intentional infliction of emotional
20 distress, false imprisonment, or negligent hiring, su-
21 pervision, or retention; or

22 (2) take any action to enforce any provision of
23 an existing agreement with an employee or inde-
24 pendent contractor that mandates that the employee
25 or independent contractor resolve through arbitra-

1 tion any claim under title VII of the Civil Rights Act
2 of 1964 or any tort related to or arising out of sex-
3 ual assault or harassment, including assault and
4 battery, intentional infliction of emotional distress,
5 false imprisonment, or negligent hiring, supervision,
6 or retention.

7 (b) None of the funds appropriated or otherwise
8 made available by this Act may be expended for any Fed-
9 eral contract unless the contractor certifies that it requires
10 each covered subcontractor to agree not to enter into, and
11 not to take any action to enforce any provision of, any
12 agreement as described in paragraphs (1) and (2) of sub-
13 section (a), with respect to any employee or independent
14 contractor performing work related to such subcontract.
15 For purposes of this subsection, a “covered subcon-
16 tractor” is an entity that has a subcontract in excess of
17 \$1,000,000 on a contract subject to subsection (a).

18 (c) The prohibitions in this section do not apply with
19 respect to a contractor’s or subcontractor’s agreements
20 with employees or independent contractors that may not
21 be enforced in a court of the United States.

22 (d) The Secretary of Defense may waive the applica-
23 tion of subsection (a) or (b) to a particular contractor or
24 subcontractor for the purposes of a particular contract or
25 subcontract if the Secretary or the Deputy Secretary per-

1 sonally determines that the waiver is necessary to avoid
2 harm to national security interests of the United States,
3 and that the term of the contract or subcontract is not
4 longer than necessary to avoid such harm. The determina-
5 tion shall set forth with specificity the grounds for the
6 waiver and for the contract or subcontract term selected,
7 and shall state any alternatives considered in lieu of a
8 waiver and the reasons each such alternative would not
9 avoid harm to national security interests of the United
10 States. The Secretary of Defense shall transmit to Con-
11 gress, and simultaneously make public, any determination
12 under this subsection not less than 15 business days be-
13 fore the contract or subcontract addressed in the deter-
14 mination may be awarded.

15 (e) By March 1, 2011, or within 60 days after enact-
16 ment of this Act, whichever is later, the Government Ac-
17 countability Office shall submit a report to the Congress
18 evaluating the effect that the requirements of this section
19 have had on national security, including recommendations,
20 if any, for changes to these requirements.

21 SEC. 8105. (a) PROHIBITION ON CONVERSION OF
22 FUNCTIONS PERFORMED BY FEDERAL EMPLOYEES TO
23 CONTRACTOR PERFORMANCE.—None of the funds appro-
24 priated by this Act or otherwise available to the Depart-
25 ment of Defense may be used to begin or announce the

1 competition to award to a contractor or convert to per-
2 formance by a contractor any functions performed by Fed-
3 eral employees pursuant to a study conducted under Office
4 of Management and Budget (OMB) Circular A-76.

5 (b) EXCEPTION.—The prohibition in subsection (a)
6 shall not apply to the award of a function to a contractor
7 or the conversion of a function to performance by a con-
8 tractor pursuant to a study conducted under Office of
9 Management and Budget (OMB) Circular A-76 once all
10 reporting and certifications required by section 325 of the
11 National Defense Authorization Act for Fiscal Year 2010
12 (Public Law 111-84) have been satisfactorily completed.

13 SEC. 8106. (a)(1) No National Intelligence Program
14 funds appropriated in this Act may be used for a mission
15 critical or mission essential business management infor-
16 mation technology system that is not registered with the
17 Director of National Intelligence. A system shall be con-
18 sidered to be registered with that officer upon the fur-
19 nishing notice of the system, together with such informa-
20 tion concerning the system as the Director of the Business
21 Transformation Office may prescribe.

22 (2) During the current fiscal year no funds may be
23 obligated or expended for a financial management auto-
24 mated information system, a mixed information system
25 supporting financial and non-financial systems, or a busi-

1 ness system improvement of more than \$3,000,000, within
2 the Intelligence Community without the approval of the
3 Business Transformation Office, and the designated Intel-
4 ligence Community functional lead element.

5 (b) The Director of the Business Transformation Of-
6 fice shall provide the congressional intelligence committees
7 a semi-annual report of approvals under paragraph (1) no
8 later than March 30 and September 30 of each year. The
9 report shall include the results of the Business Trans-
10 formation Investment Review Board's semi-annual activi-
11 ties, and each report shall certify that the following steps
12 have been taken for systems approved under paragraph
13 (1):

14 (1) Business process reengineering.

15 (2) An analysis of alternatives and an economic
16 analysis that includes a calculation of the return on
17 investment.

18 (3) Assurance the system is compatible with the
19 enterprise-wide business architecture.

20 (4) Performance measures.

21 (5) An information assurance strategy con-
22 sistent with the Chief Information Officer of the In-
23 telligence Community.

1 (c) This section shall not apply to any programmatic
2 or analytic systems or programmatic or analytic system
3 improvements.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8107. Of the funds appropriated in this Act for
6 the Office of the Director of National Intelligence,
7 \$50,000,000, may be transferred to appropriations avail-
8 able to the Central Intelligence Agency, the National Secu-
9 rity Agency, and the National Geospatial Intelligence
10 Agency, the Defense Intelligence Agency and the National
11 Reconnaissance Office for the Business Transformation
12 Transfer Funds, to be merged with and to be available
13 for the same time period and the same purposes as the
14 appropriation to which transferred: *Provided*, That the
15 transfer authority provided under this provision is in addi-
16 tion to any other transfer authority contained in this Act.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8108. In addition to funds made available else-
19 where in this Act, there is hereby appropriated
20 \$538,875,000, to remain available until transferred: *Pro-*
21 *vided*, That these funds are appropriated to the “Tanker
22 Replacement Transfer Fund” (referred to as “the Fund”
23 elsewhere in this section): *Provided further*, That the Sec-
24 retary of the Air Force may transfer amounts in the Fund
25 to “Operation and Maintenance, Air Force”, “Aircraft

1 Procurement, Air Force”, and “Research, Development,
2 Test and Evaluation, Air Force”, only for the purposes
3 of proceeding with a tanker acquisition program: *Provided*
4 *further*, That funds transferred shall be merged with and
5 be available for the same purposes and for the same time
6 period as the appropriations or fund to which transferred:
7 *Provided further*, That this transfer authority is in addi-
8 tion to any other transfer authority available to the De-
9 partment of Defense: *Provided further*, That the Secretary
10 of the Air Force shall, not fewer than 15 days prior to
11 making transfers using funds provided in this section, no-
12 tify the congressional defense committees in writing of the
13 details of any such transfer: *Provided further*, That the
14 Secretary shall submit a report no later than 30 days after
15 the end of each fiscal quarter to the congressional defense
16 committees summarizing the details of the transfer of
17 funds from this appropriation.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 8109. From within the funds appropriated for
20 operation and maintenance for the Defense Health Pro-
21 gram in this Act, up to \$132,200,000, shall be available
22 for transfer to the Joint Department of Defense-Depart-
23 ment of Veterans Affairs Medical Facility Demonstration
24 Fund in accordance with the provisions of section 1704
25 of the National Defense Authorization Act for Fiscal Year

1 2010, Public Law 111–84: *Provided*, That for purposes
2 of section 1704(b), the facility operations funded are oper-
3 ations of the integrated Captain James A. Lovell Federal
4 Health Care Center, consisting of the North Chicago Vet-
5 erans Affairs Medical Center, the Navy Ambulatory Care
6 Center, and supporting facilities designated as a combined
7 Federal medical facility as described by section 706 of
8 Public Law 110–417: *Provided further*, That additional
9 funds may be transferred from funds appropriated for op-
10 eration and maintenance for the Defense Health Program
11 to the Joint Department of Defense-Department of Vet-
12 erans Affairs Medical Facility Demonstration Fund upon
13 written notification by the Secretary of Defense to the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate.

16 SEC. 8110. (a) Of the amounts made available in this
17 Act under the heading “Operation and Maintenance,
18 Navy”, not less than \$2,000,000, shall be made available
19 for leveraging the Army’s Contractor Manpower Reporting
20 Application, modified as appropriate for Service-specific
21 requirements, for documenting the number of full-time
22 contractor employees (or its equivalent) pursuant to
23 United States Code title 10, section 2330a(c) and meeting
24 the requirements of United States Code title 10, section
25 2330a(e) and United States Code title 10, section 235.

1 (b) Of the amounts made available in this Act under
2 the heading “Operation and Maintenance, Air Force”, not
3 less than \$2,000,000 shall be made available for
4 leveraging the Army’s Contractor Manpower Reporting
5 Application, modified as appropriate for Service-specific
6 requirements, for documenting the number of full-time
7 contractor employees (or its equivalent) pursuant to
8 United States Code title 10 section 2330a(e) and meeting
9 the requirements of United States Code title 10, section
10 2330a(e) and United States Code title 10, section 235.

11 (c) The Secretaries of the Army, Navy, Air Force,
12 and the Directors of the Defense Agencies and Field Ac-
13 tivities (in coordination with the appropriate Principal
14 Staff Assistant), in coordination with the Under Secretary
15 of Defense for Personnel and Readiness, shall report to
16 the congressional defense committees within 60 days of
17 enactment of this Act their plan for documenting the num-
18 ber of full-time contractor employees (or its equivalent),
19 as required by United States Code title 10, section 2330a.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8111. In addition to amounts provided else-
22 where in this Act, there is appropriated \$250,000,000, for
23 an additional amount for “Operation and Maintenance,
24 Defense-Wide”, to be available until expended: *Provided*,
25 That such funds shall only be available to the Secretary

1 of Defense, acting through the Office of Economic Adjust-
2 ment of the Department of Defense, or for transfer to the
3 Secretary of Education, notwithstanding any other provi-
4 sion of law, to make grants, conclude cooperative agree-
5 ments, or supplement other Federal funds to construct,
6 renovate, repair, or expand elementary and secondary pub-
7 lic schools on military installations in order to address ca-
8 pacity or facility condition deficiencies at such schools:
9 *Provided further*, That in making such funds available, the
10 Office of Economic Adjustment or the Secretary of Edu-
11 cation shall give priority consideration to those military
12 installations with schools having the most serious capacity
13 or facility condition deficiencies as determined by the Sec-
14 retary of Defense.

15 SEC. 8112. In addition to amounts provided else-
16 where in this Act, there is appropriated \$300,000,000, for
17 an additional amount for “Operation and Maintenance,
18 Defense-Wide”, to remain available until expended. Such
19 funds may be available for the Office of Economic Adjust-
20 ment, notwithstanding any other provision of law, for
21 transportation infrastructure improvements associated
22 with medical facilities related to recommendations of the
23 Defense Base Closure and Realignment Commission.

24 SEC. 8113. Section 310(b) of the Supplemental Ap-
25 propriations Act, 2009 (Public Law 111–32; 123 Stat.

1 1871) is amended by striking “1 year” both places it ap-
2 pears and inserting “2 years”.

3 SEC. 8114. The Office of the Director of National
4 Intelligence shall not employ more Senior Executive em-
5 ployees than are specified in the classified annex: *Pro-*
6 *vided*, That not later than 90 days after enactment of this
7 Act, the Director of National Intelligence shall certify that
8 the Office of the Director of National Intelligence selects
9 individuals for Senior Executive positions in a manner
10 consistent with statutes, regulations, and the requirements
11 of other Federal agencies in making such appointments
12 and will submit its policies and procedures related to the
13 appointment of personnel to Senior Executive positions to
14 the congressional intelligence oversight committees.

15 SEC. 8115. For all major defense acquisition pro-
16 grams for which the Department of Defense plans to pro-
17 ceed to source selection during the current fiscal year, the
18 Secretary of Defense shall perform an assessment of the
19 winning bidder to determine whether or not the proposed
20 costs are realistic and reasonable with respect to proposed
21 development and production costs. The Secretary of De-
22 fense shall provide a report of these assessments, to spe-
23 cifically include whether any cost assessments determined
24 that such proposed costs were unreasonable or unrealistic,
25 to the congressional defense committees not later than 60

1 days after enactment of this Act and on a quarterly basis
2 thereafter.

3 SEC. 8116. (a) The Deputy Under Secretary of De-
4 fense for Installations and Environment, in collaboration
5 with the Secretary of Energy, shall conduct energy secu-
6 rity pilot projects at facilities of the Department of De-
7 fense.

8 (b) In addition to the amounts provided elsewhere in
9 this Act, \$20,000,000, is appropriated to the Department
10 of Defense for “Operation and Maintenance, Defense-
11 Wide” for energy security pilot projects under subsection
12 (a).

13 SEC. 8117. None of the funds appropriated or other-
14 wise made available by this Act may be obligated or ex-
15 pended to pay a retired general or flag officer to serve
16 as a senior mentor advising the Department of Defense
17 unless such retired officer files a Standard Form 278 (or
18 successor form concerning public financial disclosure
19 under part 2634 of title 5, Code of Federal Regulations)
20 to the Office of Government Ethics.

21 SEC. 8118. Not later than 180 days after the date
22 of the enactment of this Act, the Secretary of Defense,
23 the Chief of the Air Force Reserve, and the Director of
24 the National Guard Bureau, in collaboration with the Sec-
25 retary of Agriculture and the Secretary of the Interior,

1 shall submit to the Committees on Appropriations of the
2 House and Senate, the House Committee on Agriculture,
3 the Senate Committee on Agriculture, Nutrition and For-
4 estry, the House Committee on Natural Resources, and
5 the Senate Committee on Energy and Natural Resources
6 a report of firefighting aviation assets. The report re-
7 quired under this section shall include each of the fol-
8 lowing:

9 (1) A description of the programming details
10 necessary to obtain an appropriate mix of fixed wing
11 and rotor wing firefighting assets needed to produce
12 an effective aviation resource base to support the
13 wildland fire management program into the future.
14 Such programming details shall include the acquisi-
15 tion and contracting needs of the mix of aviation re-
16 sources fleet, including the acquisition of up to 24
17 C-130Js equipped with the Mobile Airborne Fire
18 Fighting System II (in this section referred to as
19 “MAFFS”), to be acquired over several fiscal years
20 starting in fiscal year 2012.

21 (2) The costs associated with acquisition and
22 contracting of the aviation assets described in para-
23 graph (1).

24 (3) A description of the costs of the operation,
25 maintenance, and sustainment of a fixed and rotor

1 wing aviation fleet, including a C-130J/MAFFS II
2 in an Air National Guard tactical airlift unit con-
3 struct of 4, 6, or 8 C-130Js per unit starting in fis-
4 cal year 2012, projected out through fiscal year
5 2020. Such description shall include the projected
6 costs associated with each of the following through
7 fiscal year 2020:

8 (A) Crew ratio based on 4, 6, or 8 C-130J
9 Air National Guard unit construct and require-
10 ment for full-time equivalent crews.

11 (B) Associated maintenance and other sup-
12 port personnel and requirement for full-time
13 equivalent positions.

14 (C) Yearly flying hour model and the cost
15 for use of a fixed and rotor wing aviation fleet,
16 including C-130J in its MAFFS capacity sup-
17 porting the United States Forest Service.

18 (D) Yearly flying hour model and cost for
19 use of a C-130J in its capacity supporting Air
20 National Guard tactical airlift training.

21 (E) Any other costs required to conduct
22 both the airlift and firefighting missions, in-
23 cluding the Air National Guard unit construct
24 for C-130Js.

1 erations directly related to the global war on terrorism
2 pursuant to section 3(e)(2) of H. Res. 5 (112th Congress)
3 and as an emergency requirement pursuant to section
4 403(a) of S. Con. Res. 13 (111th Congress), the concur-
5 rent resolution on the budget for fiscal year 2010.

6 MILITARY PERSONNEL, NAVY

7 For an additional amount for “Military Personnel,
8 Navy”, \$1,308,719,000: *Provided*, That each amount in
9 this paragraph is designated as being for contingency op-
10 erations directly related to the global war on terrorism
11 pursuant to section 3(e)(2) of H. Res. 5 (112th Congress)
12 and as an emergency requirement pursuant to section
13 403(a) of S. Con. Res. 13 (111th Congress), the concur-
14 rent resolution on the budget for fiscal year 2010.

15 MILITARY PERSONNEL, MARINE CORPS

16 For an additional amount for “Military Personnel,
17 Marine Corps”, \$732,920,000: *Provided*, That each
18 amount in this paragraph is designated as being for con-
19 tingency operations directly related to the global war on
20 terrorism pursuant to section 3(e)(2) of H. Res. 5 (112th
21 Congress) and as an emergency requirement pursuant to
22 section 403(a) of S. Con. Res. 13 (111th Congress), the
23 concurrent resolution on the budget for fiscal year 2010.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force”, \$2,060,442,000: *Provided*, That each amount
4 in this paragraph is designated as being for contingency
5 operations directly related to the global war on terrorism
6 pursuant to section 3(c)(2) of H. Res. 5 (112th Congress)
7 and as an emergency requirement pursuant to section
8 403(a) of S. Con. Res. 13 (111th Congress), the concur-
9 rent resolution on the budget for fiscal year 2010.

10 RESERVE PERSONNEL, ARMY

11 For an additional amount for “Reserve Personnel,
12 Army”, \$268,031,000: *Provided*, That each amount in this
13 paragraph is designated as being for contingency oper-
14 ations directly related to the global war on terrorism pur-
15 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
16 and as an emergency requirement pursuant to section
17 403(a) of S. Con. Res. 13 (111th Congress), the concur-
18 rent resolution on the budget for fiscal year 2010.

19 RESERVE PERSONNEL, NAVY

20 For an additional amount for “Reserve Personnel,
21 Navy”, \$48,912,000: *Provided*, That each amount in this
22 paragraph is designated as being for contingency oper-
23 ations directly related to the global war on terrorism pur-
24 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
25 and as an emergency requirement pursuant to section

1 403(a) of S. Con. Res. 13 (111th Congress), the concur-
2 rent resolution on the budget for fiscal year 2010.

3 RESERVE PERSONNEL, MARINE CORPS

4 For an additional amount for “Reserve Personnel,
5 Marine Corps”, \$45,437,000: *Provided*, That each amount
6 in this paragraph is designated as being for contingency
7 operations directly related to the global war on terrorism
8 pursuant to section 3(e)(2) of H. Res. 5 (112th Congress)
9 and as an emergency requirement pursuant to section
10 403(a) of S. Con. Res. 13 (111th Congress), the concur-
11 rent resolution on the budget for fiscal year 2010.

12 RESERVE PERSONNEL, AIR FORCE

13 For an additional amount for “Reserve Personnel,
14 Air Force”, \$27,002,000: *Provided*, That each amount in
15 this paragraph is designated as being for contingency op-
16 erations directly related to the global war on terrorism
17 pursuant to section 3(e)(2) of H. Res. 5 (112th Congress)
18 and as an emergency requirement pursuant to section
19 403(a) of S. Con. Res. 13 (111th Congress), the concur-
20 rent resolution on the budget for fiscal year 2010.

21 NATIONAL GUARD PERSONNEL, ARMY

22 For an additional amount for “National Guard Per-
23 sonnel, Army”, \$853,022,000: *Provided*, That each
24 amount in this paragraph is designated as being for con-
25 tingency operations directly related to the global war on

1 terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th
2 Congress) and as an emergency requirement pursuant to
3 section 403(a) of S. Con. Res. 13 (111th Congress), the
4 concurrent resolution on the budget for fiscal year 2010.

5 NATIONAL GUARD PERSONNEL, AIR FORCE

6 For an additional amount for “National Guard Per-
7 sonnel, Air Force”, \$16,860,000: *Provided*, That each
8 amount in this paragraph is designated as being for con-
9 tingency operations directly related to the global war on
10 terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th
11 Congress) and as an emergency requirement pursuant to
12 section 403(a) of S. Con. Res. 13 (111th Congress), the
13 concurrent resolution on the budget for fiscal year 2010.

14 OPERATION AND MAINTENANCE

15 OPERATION AND MAINTENANCE, ARMY

16 For an additional amount for “Operation and Main-
17 tenance, Army”, \$59,212,782,000: *Provided*, That each
18 amount in this paragraph is designated as being for con-
19 tingency operations directly related to the global war on
20 terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th
21 Congress) and as an emergency requirement pursuant to
22 section 403(a) of S. Con. Res. 13 (111th Congress), the
23 concurrent resolution on the budget for fiscal year 2010.

1 OPERATION AND MAINTENANCE, NAVY

2 For an additional amount for “Operation and Main-
3 tenance, Navy”, \$8,970,724,000: *Provided*, That each
4 amount in this paragraph is designated as being for con-
5 tingency operations directly related to the global war on
6 terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th
7 Congress) and as an emergency requirement pursuant to
8 section 403(a) of S. Con. Res. 13 (111th Congress), the
9 concurrent resolution on the budget for fiscal year 2010.

10 OPERATION AND MAINTENANCE, MARINE CORPS

11 For an additional amount for “Operation and Main-
12 tenance, Marine Corps”, \$4,008,022,000: *Provided*, That
13 each amount in this paragraph is designated as being for
14 contingency operations directly related to the global war
15 on terrorism pursuant to section 3(c)(2) of H. Res. 5
16 (112th Congress) and as an emergency requirement pur-
17 suant to section 403(a) of S. Con. Res. 13 (111th Con-
18 gress), the concurrent resolution on the budget for fiscal
19 year 2010.

20 OPERATION AND MAINTENANCE, AIR FORCE

21 For an additional amount for “Operation and Main-
22 tenance, Air Force”, \$12,989,643,000: *Provided*, That
23 each amount in this paragraph is designated as being for
24 contingency operations directly related to the global war
25 on terrorism pursuant to section 3(c)(2) of H. Res. 5

1 (112th Congress) and as an emergency requirement pur-
2 suant to section 403(a) of S. Con. Res. 13 (111th Con-
3 gress), the concurrent resolution on the budget for fiscal
4 year 2010.

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE

6 For an additional amount for “Operation and Main-
7 tenance, Defense-Wide”, \$9,276,990,000: *Provided*, That
8 each amount in this section is designated as being for con-
9 tingency operations directly related to the global war on
10 terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th
11 Congress) and as an emergency requirement pursuant to
12 section 403(a) of S. Con. Res. 13 (111th Congress), the
13 concurrent resolution on the budget for fiscal year 2010:
14 *Provided further*, That of the funds provided under this
15 heading:

16 (1) Not to exceed \$12,500,000 for the Combat-
17 ant Commander Initiative Fund, to be used in sup-
18 port of Operation New Dawn and Operation Endur-
19 ing Freedom; and

20 (2) Not to exceed \$1,600,000,000, to remain
21 available until expended, for payments to reimburse
22 key cooperating nations for logistical, military, and
23 other support, including access provided to United
24 States military operations in support of Operation
25 New Dawn and Operation Enduring Freedom, not-

1 withstanding any other provision of law: *Provided*,
2 That such reimbursement payments may be made in
3 such amounts as the Secretary of Defense, with the
4 concurrence of the Secretary of State, and in con-
5 sultation with the Director of the Office of Manage-
6 ment and Budget, may determine, in his discretion,
7 based on documentation determined by the Secretary
8 of Defense to adequately account for the support
9 provided, and such determination is final and con-
10 clusive upon the accounting officers of the United
11 States, and 15 days following notification to the ap-
12 propriate congressional committees: *Provided further*,
13 That the requirement to provide notification shall
14 not apply with respect to a reimbursement for access
15 based on an international agreement: *Provided fur-*
16 *ther*, That these funds may be used for the purpose
17 of providing specialized training and procuring sup-
18 plies and specialized equipment and providing such
19 supplies and loaning such equipment on a non-reim-
20 bursable basis to coalition forces supporting United
21 States military operations in Iraq and Afghanistan,
22 and 15 days following notification to the appropriate
23 congressional committees: *Provided further*, That the
24 Secretary of Defense shall provide quarterly reports

1 to the congressional defense committees on the use
2 of funds provided in this paragraph.

3 OPERATION AND MAINTENANCE, ARMY RESERVE

4 For an additional amount for “Operation and Main-
5 tenance, Army Reserve”, \$206,784,000: *Provided*, That
6 each amount in this paragraph is designated as being for
7 contingency operations directly related to the global war
8 on terrorism pursuant to section 3(c)(2) of H. Res. 5
9 (112th Congress) and as an emergency requirement pur-
10 suant to section 403(a) of S. Con. Res. 13 (111th Con-
11 gress), the concurrent resolution on the budget for fiscal
12 year 2010.

13 OPERATION AND MAINTENANCE, NAVY RESERVE

14 For an additional amount for “Operation and Main-
15 tenance, Navy Reserve”, \$93,559,000: *Provided*, That
16 each amount in this paragraph is designated as being for
17 contingency operations directly related to the global war
18 on terrorism pursuant to section 3(c)(2) of H. Res. 5
19 (112th Congress) and as an emergency requirement pur-
20 suant to section 403(a) of S. Con. Res. 13 (111th Con-
21 gress), the concurrent resolution on the budget for fiscal
22 year 2010.

1 That each amount in this paragraph is designated as
2 being for contingency operations directly related to the
3 global war on terrorism pursuant to section 3(e)(2) of H.
4 Res. 5 (112th Congress) and as an emergency requirement
5 pursuant to section 403(a) of S. Con. Res. 13 (111th Con-
6 gress), the concurrent resolution on the budget for fiscal
7 year 2010.

8 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

9 For an additional amount for “Operation and Main-
10 tenance, Air National Guard”, \$417,983,000: *Provided*,
11 That each amount in this paragraph is designated as
12 being for contingency operations directly related to the
13 global war on terrorism pursuant to section 3(e)(2) of H.
14 Res. 5 (112th Congress) and as an emergency requirement
15 pursuant to section 403(a) of S. Con. Res. 13 (111th Con-
16 gress), the concurrent resolution on the budget for fiscal
17 year 2010.

18 AFGHANISTAN INFRASTRUCTURE FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 There is hereby established in the Treasury of the
21 United States the “Afghanistan Infrastructure Fund”.
22 For the “Afghanistan Infrastructure Fund”,
23 \$400,000,000, to remain available until September 30,
24 2012: *Provided*, That such sums shall be available for in-
25 frastructure projects in Afghanistan, notwithstanding any

1 other provision of law, which shall be undertaken by the
2 Secretary of State, unless the Secretary of State and the
3 Secretary of Defense jointly decide that a specific project
4 will be undertaken by the Department of Defense: *Pro-*
5 *vided further*, That the infrastructure referred to in the
6 preceding proviso is in support of the counterinsurgency
7 strategy, requiring funding for facility and infrastructure
8 projects, including, but not limited to, water, power, and
9 transportation projects and related maintenance and
10 sustainment costs: *Provided further*, That the authority to
11 undertake such infrastructure projects is in addition to
12 any other authority to provide assistance to foreign na-
13 tions: *Provided further*, That any projects funded by this
14 appropriation shall be jointly formulated and concurred in
15 by the Secretary of State and Secretary of Defense: *Pro-*
16 *vided further*, That funds may be transferred to the De-
17 partment of State for purposes of undertaking projects,
18 which funds shall be considered to be economic assistance
19 under the Foreign Assistance Act of 1961 for purposes
20 of making available the administrative authorities con-
21 tained in that Act: *Provided further*, That the transfer au-
22 thority in the preceding proviso is in addition to any other
23 authority available to the Department of Defense to trans-
24 fer funds: *Provided further*, That any unexpended funds
25 transferred to the Secretary of State under this authority

1 shall be returned to the Afghanistan Infrastructure Fund
2 if the Secretary of State, in coordination with the Sec-
3 retary of Defense, determines that the project cannot be
4 implemented for any reason, or that the project no longer
5 supports the counterinsurgency strategy in Afghanistan:
6 *Provided further*, That any funds returned to the Sec-
7 retary of Defense under the previous proviso shall be avail-
8 able for use under this appropriation and shall be treated
9 in the same manner as funds not transferred to the Sec-
10 retary of State: *Provided further*, That contributions of
11 funds for the purposes provided herein to the Secretary
12 of State in accordance with section 635(d) of the Foreign
13 Assistance Act from any person, foreign government, or
14 international organization may be credited to this Fund,
15 to remain available until expended, and used for such pur-
16 poses: *Provided further*, That the Secretary of Defense
17 shall, not fewer than 15 days prior to making transfers
18 to or from, or obligations from the Fund, notify the appro-
19 priate committees of Congress in writing of the details of
20 any such transfer: *Provided further*, That the “appropriate
21 committees of Congress” are the Committees on Armed
22 Services, Foreign Relations and Appropriations of the
23 Senate and the Committees on Armed Services, Foreign
24 Affairs and Appropriations of the House of Representa-
25 tives: *Provided further*, That each amount in this para-

1 graph is designated as being for contingency operations
2 directly related to the global war on terrorism pursuant
3 to section 3(c)(2) of H. Res. 5 (112th Congress) and as
4 an emergency requirement pursuant to section 403(a) of
5 S. Con. Res. 13 (111th Congress), the concurrent resolu-
6 tion on the budget for fiscal year 2010.

7 AFGHANISTAN SECURITY FORCES FUND

8 For the “Afghanistan Security Forces Fund”,
9 \$11,619,283,000, to remain available until September 30,
10 2012: *Provided*, That such funds shall be available to the
11 Secretary of Defense, notwithstanding any other provision
12 of law, for the purpose of allowing the Commander, Com-
13 bined Security Transition Command—Afghanistan, or the
14 Secretary’s designee, to provide assistance, with the con-
15 currence of the Secretary of State, to the security forces
16 of Afghanistan, including the provision of equipment, sup-
17 plies, services, training, facility and infrastructure repair,
18 renovation, and construction, and funding: *Provided fur-*
19 *ther*, That the authority to provide assistance under this
20 heading is in addition to any other authority to provide
21 assistance to foreign nations: *Provided further*, That up
22 to \$15,000,000 of these funds may be available for coal-
23 ition police trainer life support costs: *Provided further*,
24 That contributions of funds for the purposes provided
25 herein from any person, foreign government, or inter-

1 national organization may be credited to this Fund and
2 used for such purposes: *Provided further*, That the Sec-
3 retary of Defense shall notify the congressional defense
4 committees in writing upon the receipt and upon the obli-
5 gation of any contribution, delineating the sources and
6 amounts of the funds received and the specific use of such
7 contributions: *Provided further*, That the Secretary of De-
8 fense shall, not fewer than 15 days prior to obligating
9 from this appropriation account, notify the congressional
10 defense committees in writing of the details of any such
11 obligation: *Provided further*, That the Secretary of Defense
12 shall notify the congressional defense committees of any
13 proposed new projects or transfer of funds between budget
14 sub-activity groups in excess of \$20,000,000: *Provided fur-*
15 *ther*, That each amount in this paragraph is designated
16 as being for contingency operations directly related to the
17 global war on terrorism pursuant to section 3(e)(2) of H.
18 Res. 5 (112th Congress) and as an emergency requirement
19 pursuant to section 403(a) of S. Con. Res. 13 (111th Con-
20 gress), the concurrent resolution on the budget for fiscal
21 year 2010.

IRAQ SECURITY FORCES FUND

22 For the “Iraq Security Forces Fund”,
23 \$1,500,000,000, to remain available until September 30,
24 2012: *Provided*, That such funds shall be available to the
25

1 Secretary of Defense, notwithstanding any other provision
2 of law, for the purpose of allowing the Commander, United
3 States Forces-Iraq, or the Secretary's designee, to provide
4 assistance, with the concurrence of the Secretary of State,
5 to the security forces of Iraq, including the provision of
6 equipment, supplies, services, training, facility and infra-
7 structure repair, and renovation: *Provided further*, That
8 the authority to provide assistance under this heading is
9 in addition to any other authority to provide assistance
10 to foreign nations: *Provided further*, That contributions of
11 funds for the purposes provided herein from any person,
12 foreign government, or international organization may be
13 credited to this Fund and used for such purposes: *Pro-*
14 *vided further*, That the Secretary shall notify the congres-
15 sional defense committees in writing upon the receipt and
16 upon the obligation of any contribution, delineating the
17 sources and amounts of the funds received and the specific
18 use of such contributions: *Provided further*, That the Sec-
19 retary of Defense shall, not fewer than 15 days prior to
20 obligating from this appropriation account, notify the con-
21 gressional defense committees in writing of the details of
22 any such obligation: *Provided further*, That the Secretary
23 of Defense shall notify the congressional defense commit-
24 tees of any proposed new projects or transfer of funds be-
25 tween budget sub-activity groups in excess of

1 \$20,000,000: *Provided further*, That each amount in this
2 paragraph is designated as being for contingency oper-
3 ations directly related to the global war on terrorism pur-
4 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
5 and as an emergency requirement pursuant to section
6 403(a) of S. Con. Res. 13 (111th Congress), the concur-
7 rent resolution on the budget for fiscal year 2010.

8 PROCUREMENT

9 AIRCRAFT PROCUREMENT, ARMY

10 For an additional amount for “Aircraft Procurement,
11 Army”, \$2,720,138,000, to remain available until Sep-
12 tember 30, 2013: *Provided*, That each amount in this
13 paragraph is designated as being for contingency oper-
14 ations directly related to the global war on terrorism pur-
15 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
16 and as an emergency requirement pursuant to section
17 403(a) of S. Con. Res. 13 (111th Congress), the concur-
18 rent resolution on the budget for fiscal year 2010.

19 MISSILE PROCUREMENT, ARMY

20 For an additional amount for “Missile Procurement,
21 Army”, \$343,828,000, to remain available until Sep-
22 tember 30, 2013: *Provided*, That each amount in this
23 paragraph is designated as being for contingency oper-
24 ations directly related to the global war on terrorism pur-
25 suant to section 3(c)(2) of H. Res. 5 (112th Congress)

1 OTHER PROCUREMENT, ARMY

2 For an additional amount for “Other Procurement,
3 Army”, \$6,423,832,000, to remain available until Sep-
4 tember 30, 2013: *Provided*, That each amount in this
5 paragraph is designated as being for contingency oper-
6 ations directly related to the global war on terrorism pur-
7 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
8 and as an emergency requirement pursuant to section
9 403(a) of S. Con. Res. 13 (111th Congress), the concur-
10 rent resolution on the budget for fiscal year 2010.

11 AIRCRAFT PROCUREMENT, NAVY

12 For an additional amount for “Aircraft Procurement,
13 Navy”, \$1,269,549,000, to remain available until Sep-
14 tember 30, 2013: *Provided*, That each amount in this
15 paragraph is designated as being for contingency oper-
16 ations directly related to the global war on terrorism pur-
17 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
18 and as an emergency requirement pursuant to section
19 403(a) of S. Con. Res. 13 (111th Congress), the concur-
20 rent resolution on the budget for fiscal year 2010.

21 WEAPONS PROCUREMENT, NAVY

22 For an additional amount for “Weapons Procure-
23 ment, Navy”, \$90,502,000, to remain available until Sep-
24 tember 30, 2013: *Provided*, That each amount in this
25 paragraph is designated as being for contingency oper-

1 Res. 13 (111th Congress), the concurrent resolution on
2 the budget for fiscal year 2010.

3 PROCUREMENT, MARINE CORPS

4 For an additional amount for “Procurement, Marine
5 Corps”, \$1,589,119,000, to remain available until Sep-
6 tember 30, 2013: *Provided*, That each amount in this
7 paragraph is designated as being for contingency oper-
8 ations directly related to the global war on terrorism pur-
9 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
10 and as an emergency requirement pursuant to section
11 403(a) of S. Con. Res. 13 (111th Congress), the concur-
12 rent resolution on the budget for fiscal year 2010.

13 AIRCRAFT PROCUREMENT, AIR FORCE

14 For an additional amount for “Aircraft Procurement,
15 Air Force”, \$1,991,955,000, to remain available until
16 September 30, 2013: *Provided*, That each amount in this
17 paragraph is designated as being for contingency oper-
18 ations directly related to the global war on terrorism pur-
19 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
20 and as an emergency requirement pursuant to section
21 403(a) of S. Con. Res. 13 (111th Congress), the concur-
22 rent resolution on the budget for fiscal year 2010.

23 MISSILE PROCUREMENT, AIR FORCE

24 For an additional amount for “Missile Procurement,
25 Air Force”, \$56,621,000, to remain available until Sep-

1 tember 30, 2013: *Provided*, That each amount in this
2 paragraph is designated as being for contingency oper-
3 ations directly related to the global war on terrorism pur-
4 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
5 and as an emergency requirement pursuant to section
6 403(a) of S. Con. Res. 13 (111th Congress), the concur-
7 rent resolution on the budget for fiscal year 2010.

8 PROCUREMENT OF AMMUNITION, AIR FORCE

9 For an additional amount for “Procurement of Am-
10 munition, Air Force”, \$292,959,000, to remain available
11 until September 30, 2013: *Provided*, That each amount
12 in this paragraph is designated as being for contingency
13 operations directly related to the global war on terrorism
14 pursuant to section 3(c)(2) of H. Res. 5 (112th Congress)
15 and as an emergency requirement pursuant to section
16 403(a) of S. Con. Res. 13 (111th Congress), the concur-
17 rent resolution on the budget for fiscal year 2010.

18 OTHER PROCUREMENT, AIR FORCE

19 For an additional amount for “Other Procurement,
20 Air Force”, \$2,868,593,000, to remain available until
21 September 30, 2013: *Provided*, That each amount in this
22 paragraph is designated as being for contingency oper-
23 ations directly related to the global war on terrorism pur-
24 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
25 and as an emergency requirement pursuant to section

1 403(a) of S. Con. Res. 13 (111th Congress), the concur-
2 rent resolution on the budget for fiscal year 2010.

3 PROCUREMENT, DEFENSE-WIDE

4 For an additional amount for “Procurement, De-
5 fense-Wide”, \$1,262,499,000, to remain available until
6 September 30, 2013: *Provided*, That each amount in this
7 paragraph is designated as being for contingency oper-
8 ations directly related to the global war on terrorism pur-
9 suant to section 3(c)(2) of H. Res. 5 (112th Congress)
10 and as an emergency requirement pursuant to section
11 403(a) of S. Con. Res. 13 (111th Congress), the concur-
12 rent resolution on the budget for fiscal year 2010.

13 NATIONAL GUARD AND RESERVE EQUIPMENT

14 For procurement of aircraft, missiles, tracked combat
15 vehicles, ammunition, other weapons and other procure-
16 ment for the reserve components of the Armed Forces,
17 \$850,000,000, to remain available for obligation until Sep-
18 tember 30, 2013, of which \$250,000,000 shall be available
19 only for the Army National Guard: *Provided*, That the
20 Chiefs of National Guard and Reserve components shall,
21 not later than 30 days after the enactment of this Act,
22 individually submit to the congressional defense commit-
23 tees the modernization priority assessment for their re-
24 spective National Guard or Reserve component: *Provided*
25 *further*, That each amount in this paragraph is designated

1 as being for contingency operations directly related to the
2 global war on terrorism pursuant to section 3(e)(2) of H.
3 Res. 5 (112th Congress) and as an emergency requirement
4 pursuant to section 403(a) of S. Con. Res. 13 (111th Con-
5 gress), the concurrent resolution on the budget for fiscal
6 year 2010.

7 MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND
8 (INCLUDING TRANSFER OF FUNDS)

9 For the Mine Resistant Ambush Protected Vehicle
10 Fund, \$3,415,000,000, to remain available until Sep-
11 tember 30, 2012: *Provided*, That such funds shall be avail-
12 able to the Secretary of Defense, notwithstanding any
13 other provision of law, to procure, sustain, transport, and
14 field Mine Resistant Ambush Protected vehicles: *Provided*
15 *further*, That the Secretary shall transfer such funds only
16 to appropriations made available in this or any other Act
17 for operation and maintenance; procurement; research, de-
18 velopment, test and evaluation; and defense working cap-
19 ital funds to accomplish the purpose provided herein: *Pro-*
20 *vided further*, That such transferred funds shall be merged
21 with and be available for the same purposes and the same
22 time period as the appropriation to which transferred:
23 *Provided further*, That this transfer authority is in addi-
24 tion to any other transfer authority available to the De-
25 partment of Defense: *Provided further*, That the Secretary

1 shall, not fewer than 10 days prior to making transfers
2 from this appropriation, notify the congressional defense
3 committees in writing of the details of any such transfer:
4 *Provided further*, That each amount in this paragraph is
5 designated as being for contingency operations directly re-
6 lated to the global war on terrorism pursuant to section
7 3(c)(2) of H. Res. 5 (112th Congress) and as an emer-
8 gency requirement pursuant to section 403(a) of S. Con.
9 Res. 13 (111th Congress), the concurrent resolution on
10 the budget for fiscal year 2010.

11 RESEARCH, DEVELOPMENT, TEST AND
12 EVALUATION

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 ARMY

15 For an additional amount for “Research, Develop-
16 ment, Test and Evaluation, Army”, \$143,234,000, to re-
17 main available until September 30, 2012: *Provided*, That
18 each amount in this paragraph is designated as being for
19 contingency operations directly related to the global war
20 on terrorism pursuant to section 3(c)(2) of H. Res. 5
21 (112th Congress) and as an emergency requirement pur-
22 suant to section 403(a) of S. Con. Res. 13 (111th Con-
23 gress), the concurrent resolution on the budget for fiscal
24 year 2010.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NAVY

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Navy”, \$104,781,000, to re-
5 main available until September 30, 2012: *Provided*, That
6 each amount in this paragraph is designated as being for
7 contingency operations directly related to the global war
8 on terrorism pursuant to section 3(c)(2) of H. Res. 5
9 (112th Congress) and as an emergency requirement pur-
10 suant to section 403(a) of S. Con. Res. 13 (111th Con-
11 gress), the concurrent resolution on the budget for fiscal
12 year 2010.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 AIR FORCE

15 For an additional amount for “Research, Develop-
16 ment, Test and Evaluation, Air Force”, \$484,382,000, to
17 remain available until September 30, 2012: *Provided*,
18 That each amount in this paragraph is designated as
19 being for contingency operations directly related to the
20 global war on terrorism pursuant to section 3(e)(2) of H.
21 Res. 5 (112th Congress) and as an emergency requirement
22 pursuant to section 403(a) of S. Con. Res. 13 (111th Con-
23 gress), the concurrent resolution on the budget for fiscal
24 year 2010.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 DEFENSE-WIDE

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Defense-Wide”,
5 \$222,616,000, to remain available until September 30,
6 2012: *Provided*, That each amount in this paragraph is
7 designated as being for contingency operations directly re-
8 lated to the global war on terrorism pursuant to section
9 3(c)(2) of H. Res. 5 (112th Congress) and as an emer-
10 gency requirement pursuant to section 403(a) of S. Con.
11 Res. 13 (111th Congress), the concurrent resolution on
12 the budget for fiscal year 2010.

13 REVOLVING AND MANAGEMENT FUNDS
14 DEFENSE WORKING CAPITAL FUNDS

15 For an additional amount for “Defense Working
16 Capital Funds”, \$485,384,000: *Provided*, That each
17 amount in this paragraph is designated as being for con-
18 tingency operations directly related to the global war on
19 terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th
20 Congress) and as an emergency requirement pursuant to
21 section 403(a) of S. Con. Res. 13 (111th Congress), the
22 concurrent resolution on the budget for fiscal year 2010.

1 OTHER DEPARTMENT OF DEFENSE PROGRAMS
2 DEFENSE HEALTH PROGRAM

3 For an additional amount for “Defense Health Pro-
4 gram”, \$1,422,092,000, of which \$1,398,092,000 shall be
5 for operation and maintenance, to remain available until
6 September 30, 2011, and of which \$24,000,000 shall be
7 for research, development, test and evaluation, to remain
8 available until September 30, 2012: *Provided*, That each
9 amount in this paragraph is designated as being for con-
10 tingency operations directly related to the global war on
11 terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th
12 Congress) and as an emergency requirement pursuant to
13 section 403(a) of S. Con. Res. 13 (111th Congress), the
14 concurrent resolution on the budget for fiscal year 2010.

15 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
16 DEFENSE

17 For an additional amount for “Drug Interdiction and
18 Counter-Drug Activities, Defense”, \$440,510,000, to re-
19 main available until September 30, 2012: *Provided*, That
20 each amount in this paragraph is designated as being for
21 contingency operations directly related to the global war
22 on terrorism pursuant to section 3(c)(2) of H. Res. 5
23 (112th Congress) and as an emergency requirement pur-
24 suant to section 403(a) of S. Con. Res. 13 (111th Con-

1 gress), the concurrent resolution on the budget for fiscal
2 year 2010.

3 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND
4 (INCLUDING TRANSFER OF FUNDS)

5 For the “Joint Improvised Explosive Device Defeat
6 Fund”, \$2,793,768,000, to remain available until Sep-
7 tember 30, 2013: *Provided*, That such funds shall be avail-
8 able to the Secretary of Defense, notwithstanding any
9 other provision of law, for the purpose of allowing the Di-
10 rector of the Joint Improvised Explosive Device Defeat
11 Organization to investigate, develop and provide equip-
12 ment, supplies, services, training, facilities, personnel and
13 funds to assist United States forces in the defeat of impro-
14 vised explosive devices: *Provided further*, That the Sec-
15 retary of Defense may transfer funds provided herein to
16 appropriations for military personnel; operation and main-
17 tenance; procurement; research, development, test and
18 evaluation; and defense working capital funds to accom-
19 plish the purpose provided herein: *Provided further*, That
20 this transfer authority is in addition to any other transfer
21 authority available to the Department of Defense: *Pro-*
22 *vided further*, That the Secretary of Defense shall, not
23 fewer than 15 days prior to making transfers from this
24 appropriation, notify the congressional defense committees
25 in writing of the details of any such transfer: *Provided*

1 *further*, That each amount in this paragraph is designated
2 as being for contingency operations directly related to the
3 global war on terrorism pursuant to section 3(c)(2) of H.
4 Res. 5 (112th Congress) and as an emergency requirement
5 pursuant to section 403(a) of S. Con. Res. 13 (111th Con-
6 gress), the concurrent resolution on the budget for fiscal
7 year 2010.

8 OFFICE OF THE INSPECTOR GENERAL

9 For an additional amount for the “Office of the In-
10 spector General”, \$10,529,000: *Provided*, That each
11 amount in this paragraph is designated as being for con-
12 tingency operations directly related to the global war on
13 terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th
14 Congress) and as an emergency requirement pursuant to
15 section 403(a) of S. Con. Res. 13 (111th Congress), the
16 concurrent resolution on the budget for fiscal year 2010.

17 GENERAL PROVISIONS—THIS TITLE

18 SEC. 9001. Notwithstanding any other provision of
19 law, funds made available in this title are in addition to
20 amounts appropriated or otherwise made available for the
21 Department of Defense for fiscal year 2011.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 9002. Upon the determination of the Secretary
24 of Defense that such action is necessary in the national
25 interest, the Secretary may, with the approval of the Of-

1 fice of Management and Budget, transfer up to
2 \$4,000,000,000 between the appropriations or funds made
3 available to the Department of Defense in this title: *Pro-*
4 *vided*, That the Secretary shall notify the Congress
5 promptly of each transfer made pursuant to the authority
6 in this section: *Provided further*, That the authority pro-
7 vided in this section is in addition to any other transfer
8 authority available to the Department of Defense and is
9 subject to the same terms and conditions as the authority
10 provided in the Department of Defense Appropriations
11 Act, 2011.

12 SEC. 9003. Supervision and administration costs as-
13 sociated with a construction project funded with appro-
14 priations available for operation and maintenance or the
15 “Afghanistan Security Forces Fund” provided in this Act
16 and executed in direct support of overseas contingency op-
17 erations in Afghanistan, may be obligated at the time a
18 construction contract is awarded: *Provided*, That for the
19 purpose of this section, supervision and administration
20 costs include all in-house Government costs.

21 SEC. 9004. From funds made available in this title,
22 the Secretary of Defense may purchase for use by military
23 and civilian employees of the Department of Defense in
24 Iraq and Afghanistan: (a) passenger motor vehicles up to
25 a limit of \$75,000 per vehicle and (b) heavy and light ar-

1 mored vehicles for the physical security of personnel or
2 for force protection purposes up to a limit of \$250,000
3 per vehicle, notwithstanding price or other limitations ap-
4 plicable to the purchase of passenger carrying vehicles.

5 SEC. 9005. Not to exceed \$500,000,000 of the
6 amount appropriated in this title under the heading “Op-
7 eration and Maintenance, Army” may be used, notwith-
8 standing any other provision of law, to fund the Com-
9 mander’s Emergency Response Program (CERP), for the
10 purpose of enabling military commanders in Iraq and Af-
11 ghanistan to respond to urgent, small scale, humanitarian
12 relief and reconstruction requirements within their areas
13 of responsibility: *Provided*, That projects (including any
14 ancillary or related elements in connection with such
15 project) executed under this authority shall not exceed
16 \$20,000,000: *Provided further*, That not later than 45
17 days after the end of each fiscal year quarter, the Sec-
18 retary of Defense shall submit to the congressional defense
19 committees a report regarding the source of funds and the
20 allocation and use of funds during that quarter that were
21 made available pursuant to the authority provided in this
22 section or under any other provision of law for the pur-
23 poses described herein: *Provided further*, That, not later
24 than 30 days after the end of each month, the Army shall
25 submit to the congressional defense committees monthly

1 commitment, obligation, and expenditure data for the
2 Commander's Emergency Response Program in Iraq and
3 Afghanistan: *Provided further*, That not less than 15 days
4 before making funds available pursuant to the authority
5 provided in this section or under any other provision of
6 law for the purposes described herein for a project with
7 a total anticipated cost for completion of \$5,000,000 or
8 more, the Secretary shall submit to the congressional de-
9 fense committees a written notice containing each of the
10 following:

11 (1) The location, nature and purpose of the
12 proposed project, including how the project is in-
13 tended to advance the military campaign plan for
14 the country in which it is to be carried out.

15 (2) The budget, implementation timeline with
16 milestones, and completion date for the proposed
17 project, including any other CERP funding that has
18 been or is anticipated to be contributed to the com-
19 pletion of the project.

20 (3) A plan for the sustainment of the proposed
21 project, including the agreement with either the host
22 nation, a non-Department of Defense agency of the
23 United States Government or a third party contrib-
24 utor to finance the sustainment of the activities and

1 maintenance of any equipment or facilities to be pro-
2 vided through the proposed project.

3 SEC. 9006. Funds available to the Department of De-
4 fense for operation and maintenance may be used, not-
5 withstanding any other provision of law, to provide sup-
6 plies, services, transportation, including airlift and sealift,
7 and other logistical support to coalition forces supporting
8 military and stability operations in Iraq and Afghanistan:
9 *Provided*, That the Secretary of Defense shall provide
10 quarterly reports to the congressional defense committees
11 regarding support provided under this section.

12 SEC. 9007. None of the funds appropriated or other-
13 wise made available by this or any other Act shall be obli-
14 gated or expended by the United States Government for
15 a purpose as follows:

16 (1) To establish any military installation or
17 base for the purpose of providing for the permanent
18 stationing of United States Armed Forces in Iraq.

19 (2) To exercise United States control over any
20 oil resource of Iraq.

21 (3) To establish any military installation or
22 base for the purpose of providing for the permanent
23 stationing of United States Armed Forces in Af-
24 ghanistan.

1 SEC. 9008. None of the funds made available in this
2 Act may be used in contravention of the following laws
3 enacted or regulations promulgated to implement the
4 United Nations Convention Against Torture and Other
5 Cruel, Inhuman or Degrading Treatment or Punishment
6 (done at New York on December 10, 1984):

7 (1) Section 2340A of title 18, United States
8 Code.

9 (2) Section 2242 of the Foreign Affairs Reform
10 and Restructuring Act of 1998 (division G of Public
11 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
12 note) and regulations prescribed thereto, including
13 regulations under part 208 of title 8, Code of Fed-
14 eral Regulations, and part 95 of title 22, Code of
15 Federal Regulations.

16 (3) Sections 1002 and 1003 of the Department
17 of Defense, Emergency Supplemental Appropriations
18 to Address Hurricanes in the Gulf of Mexico, and
19 Pandemic Influenza Act, 2006 (Public Law 109–
20 148).

21 SEC. 9009. (a) The Secretary of Defense shall submit
22 to the congressional defense committees not later than 45
23 days after the end of each fiscal quarter a report on the
24 proposed use of all funds appropriated by this or any prior
25 Act under each of the headings Iraq Security Forces

1 Fund, Afghanistan Security Forces Fund, Afghanistan In-
2 frastructure Fund, and Pakistan Counterinsurgency Fund
3 on a project-by-project basis, for which the obligation of
4 funds is anticipated during the 3-month period from such
5 date, including estimates for the accounts referred to in
6 this section of the costs required to complete each such
7 project.

8 (b) The report required by this subsection shall in-
9 clude the following:

10 (1) The use of all funds on a project-by-project
11 basis for which funds appropriated under the head-
12 ings referred to in subsection (a) were obligated
13 prior to the submission of the report, including esti-
14 mates for the accounts referred to in subsection (a)
15 of the costs to complete each project.

16 (2) The use of all funds on a project-by-project
17 basis for which funds were appropriated under the
18 headings referred to in subsection (a) in prior appro-
19 priations Acts, or for which funds were made avail-
20 able by transfer, reprogramming, or allocation from
21 other headings in prior appropriations Acts, includ-
22 ing estimates for the accounts referred to in sub-
23 section (a) of the costs to complete each project.

24 (3) An estimated total cost to train and equip
25 the Iraq, Afghanistan, and Pakistan security forces,

1 disaggregated by major program and sub-elements
2 by force, arrayed by fiscal year.

3 SEC. 9010. Funds made available in this title to the
4 Department of Defense for operation and maintenance
5 may be used to purchase items having an investment unit
6 cost of not more than \$250,000: *Provided*, That, upon de-
7 termination by the Secretary of Defense that such action
8 is necessary to meet the operational requirements of a
9 Commander of a Combatant Command engaged in contin-
10 gency operations overseas, such funds may be used to pur-
11 chase items having an investment item unit cost of not
12 more than \$500,000.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 9011. Of the funds appropriated by this Act for
15 the Office of the Director of National Intelligence,
16 \$3,375,000 is available, as specified in the classified
17 annex, for transfer to other departments and agencies of
18 the Federal Government.

19 SEC. 9012. (a) The Task Force for Business and Sta-
20 bility Operations in Afghanistan may, subject to the direc-
21 tion and control of the Secretary of Defense and with the
22 concurrence of the Secretary of State, carry out projects
23 in fiscal year 2011 to assist the commander of the United
24 States Central Command in developing a link between
25 United States military operations in Afghanistan under

1 Operation Enduring Freedom and the economic elements
2 of United States national power in order to reduce vio-
3 lence, enhance stability, and restore economic normalcy in
4 Afghanistan through strategic business and economic op-
5 portunities.

6 (b) The projects carried out under paragraph (a) may
7 include projects that facilitate private investment, indus-
8 trial development, banking and financial system develop-
9 ment, agricultural diversification and revitalization, and
10 energy development in and with respect to Afghanistan.

11 (c) The Secretary may use up to \$150,000,000 of the
12 funds available for overseas contingency operations in
13 “Operation and Maintenance, Army” for additional activi-
14 ties to carry out projects under paragraph (a).

15 SEC. 9013. (a) Not more than 85 percent of the
16 funds provided in this title for Operation and Maintenance
17 may be available for obligation or expenditure until the
18 date on which the Secretary of Defense submits the report
19 under subsection (b).

20 (b) Not later than 120 days after the date of the en-
21 actment of this Act, the Secretary of Defense shall submit
22 to the congressional defense committees a report on con-
23 tractor employees in the United States Central Command,
24 including—

1 (1) the number of employees of a contractor
2 awarded a contract by the Department of Defense
3 (including subcontractor employees) who are em-
4 ployed at the time of the report in the area of oper-
5 ations of the United States Central Command, in-
6 cluding a list of the number of such employees in
7 each of Iraq, Afghanistan, and all other areas of op-
8 erations of the United States Central Command; and

9 (2) for each fiscal year quarter beginning on
10 the date of the report and ending on September 30,
11 2012—

12 (A) the number of such employees planned
13 by the Secretary to be employed during each
14 such period in each of Iraq, Afghanistan, and
15 all other areas of operations of the United
16 States Central Command; and

17 (B) an explanation of how the number of
18 such employees listed under subparagraph (A)
19 relates to the planned number of military per-
20 sonnel in such locations.

21 This division may be cited as the “Department of De-
22 fense Appropriations Act, 2011”.

1 **DIVISION B—FULL-YEAR CONTINUING**
2 **APPROPRIATIONS FOR FISCAL YEAR 2011**

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

9 **TITLE I—GENERAL PROVISIONS**

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

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

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

24 (3) The Department of Homeland Security Ap-
25 propriations Act, 2010 (Public Law 111–83).

1 (4) The Department of the Interior, Environ-
2 ment, and Related Agencies Appropriations Act,
3 2010 (division A of Public Law 111–88).

4 (5) The Legislative Branch Appropriations Act,
5 2010 (division A of Public Law 111–68).

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

8 (7) Section 102(c) (except the last proviso re-
9 lating to waiver of fees) of chapter 1 of title I of the
10 Supplemental Appropriations Act, 2010 (Public Law
11 111–212) that addresses guaranteed loans in the
12 rural housing insurance fund.

13 (8) The appropriation under the heading “De-
14 partment of Commerce—United States Patent and
15 Trademark Office” in the United States Patent and
16 Trademark Office Supplemental Appropriations Act,
17 2010 (Public Law 111–224).

18 (b) For purposes of this division, the term “level”
19 means an amount.

20 (c) The level referred to in subsection (a) shall be
21 the amounts appropriated in the appropriations Acts re-
22 ferred to in such subsection, including transfers and obli-
23 gation limitations, except that—

24 (1) such level shall not include any amount pre-
25 viously designated as an emergency requirement and

1 necessary to meet emergency needs pursuant to sec-
2 tions 403(a) and 423(b) of S. Con. Res. 13 (111th
3 Congress), the concurrent resolution on the budget
4 for fiscal year 2010; and

5 (2) such level shall be calculated without regard
6 to any rescission or cancellation of funds or contract
7 authority.

8 SEC. 1102. Appropriations made by section 1101
9 shall be available to the extent and in the manner that
10 would be provided by the pertinent appropriations Act.

11 SEC. 1103. Appropriations provided by this division
12 that, in the applicable appropriations Act for fiscal year
13 2010, carried a multiple-year or no-year period of avail-
14 ability shall retain a comparable period of availability.

15 SEC. 1104. Except as otherwise expressly provided in
16 this division, the requirements, authorities, conditions,
17 limitations, and other provisions of the appropriations
18 Acts referred to in section 1101(a) shall continue in effect
19 through the date specified in section 1106.

20 SEC. 1105. No appropriation or funds made available
21 or authority granted pursuant to section 1101 shall be
22 used to initiate or resume any project or activity for which
23 appropriations, funds, or other authority were specifically
24 prohibited during fiscal year 2010.

1 SEC. 1106. Unless otherwise provided for in this divi-
2 sion or in the applicable appropriations Act, appropria-
3 tions and funds made available and authority granted pur-
4 suant to this division shall be available through September
5 30, 2011.

6 SEC. 1107. Expenditures made pursuant to the Con-
7 tinuing Appropriations Act, 2011 (Public Law 111–242),
8 shall be charged to the applicable appropriation, fund, or
9 authorization provided by this division.

10 SEC. 1108. Funds appropriated by this division may
11 be obligated and expended notwithstanding section 10 of
12 Public Law 91–672 (22 U.S.C. 2412), section 15 of the
13 State Department Basic Authorities Act of 1956 (22
14 U.S.C. 2680), section 313 of the Foreign Relations Au-
15 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
16 6212), and section 504(a)(1) of the National Security Act
17 of 1947 (50 U.S.C. 414(a)(1)).

18 SEC. 1109. (a) For entitlements and other mandatory
19 payments whose budget authority was provided in appro-
20 priations Acts for fiscal year 2010, and for activities under
21 the Food and Nutrition Act of 2008, the levels established
22 by section 1101 shall be the amounts necessary to main-
23 tain program levels under current law and under the au-
24 thority and conditions provided in the applicable appro-
25 priations Acts for fiscal year 2010.

1 (b) In addition to the amounts otherwise provided by
2 section 1101, the following amounts shall be available for
3 the following accounts for advance payments for the first
4 quarter of fiscal year 2012:

5 (1) “Department of Labor, Employment Stand-
6 ards Administration, Special Benefits for Disabled
7 Coal Miners”, for benefit payments under title IV of
8 the Federal Mine Safety and Health Act of 1977,
9 \$41,000,000, to remain available until expended.

10 (2) “Department of Health and Human Serv-
11 ices, Centers for Medicare and Medicaid Services,
12 Grants to States for Medicaid”, for payments to
13 States or in the case of section 1928 on behalf of
14 States under title XIX of the Social Security Act,
15 \$86,445,289,000, to remain available until ex-
16 pended.

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

1 (4) “Department of Health and Human Serv-
2 ices, Administration for Children and Families, Pay-
3 ments to States for Foster Care and Permanency”,
4 for payments to States or other non-Federal entities
5 under title IV–E of the Social Security Act,
6 \$1,850,000,000.

7 (5) “Social Security Administration, Supple-
8 mental Security Income Program”, for benefit pay-
9 ments under title XVI of the Social Security Act,
10 \$13,400,000,000, to remain available until ex-
11 pended.

12 SEC. 1110. Amounts incorporated by reference in this
13 division that were previously designated as available for
14 overseas deployments and other activities pursuant to S.
15 Con. Res. 13 (111th Congress), the concurrent resolution
16 on the budget for fiscal year 2010, are designated as being
17 for contingency operations directly related to the global
18 war on terrorism pursuant to section 3(c)(2) of H. Res.
19 5 (112th Congress) and as an emergency requirement pur-
20 suant to section 403(a) of S. Con. Res. 13 (111th Con-
21 gress).

22 SEC. 1111. Any language specifying an earmark in
23 an appropriations Act for fiscal year 2010, or in a com-
24 mittee report or joint explanatory statement accom-
25 panying such an Act, shall have no legal effect with re-

1 spect to funds appropriated by this division. For purposes
2 of this section, the term “earmark” means a congressional
3 earmark or congressionally directed spending item, as de-
4 fined in clause 9(e) of rule XXI of the Rules of the House
5 of Representatives and paragraph 5(a) of rule XLIV of
6 the Standing Rules of the Senate.

7 SEC. 1112. Notwithstanding section 1101, none of
8 the funds appropriated or otherwise made available in this
9 division or any other Act (including division A of this Act)
10 may be used to transfer, release, or assist in the transfer
11 or release to or within the United States, its territories,
12 or possessions Khalid Sheikh Mohammed or any other de-
13 tainee who—

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

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

19 SEC. 1113. (a)(1) Notwithstanding section 1101, ex-
20 cept as provided in paragraph (2), none of the funds ap-
21 propriated or otherwise made available in this division or
22 any other Act (including division A of this Act) may be
23 used to transfer any individual detained at Guantanamo
24 to the custody or effective control of the individual’s coun-
25 try of origin, any other foreign country, or any other for-

1 eign entity unless the Secretary of Defense submits to
2 Congress the certification described in subsection (b) by
3 not later than 30 days before the transfer of the indi-
4 vidual.

5 (2) Paragraph (1) shall not apply to any action taken
6 by the Secretary of Defense to transfer any individual de-
7 tained at Guantanamo to effectuate an order affecting the
8 disposition of the individual that is issued by a court or
9 competent tribunal of the United States having lawful ju-
10 risdiction. The Secretary of Defense shall notify Congress
11 promptly upon issuance of any such order.

12 (b) The certification described in this subsection is
13 a written certification made by the Secretary of Defense,
14 with the concurrence of the Secretary of State, that the
15 government of the foreign country or the recognized lead-
16 ership of the foreign entity to which the individual de-
17 tained at Guantanamo is to be transferred—

18 (1) is not a designated state sponsor of ter-
19 rorism or a designated foreign terrorist organization;

20 (2) maintains effective control over each deten-
21 tion facility in which an individual is to be detained
22 if the individual is to be housed in a detention facil-
23 ity;

1 (3) is not, as of the date of the certification,
2 facing a threat that is likely to substantially affect
3 its ability to exercise control over the individual;

4 (4) has agreed to take effective steps to ensure
5 that the individual cannot take action to threaten
6 the United States, its citizens, or its allies in the fu-
7 ture;

8 (5) has taken such steps as the Secretary deter-
9 mines are necessary to ensure that the individual
10 cannot engage or re-engage in any terrorist activity;
11 and

12 (6) has agreed to share any information with
13 the United States that—

14 (A) is related to the individual or any asso-
15 ciates of the individual; and

16 (B) could affect the security of the United
17 States, its citizens, or its allies.

18 (c)(1) Except as provided in paragraph (3), none of
19 the funds appropriated or otherwise made available in this
20 division or any other Act (including division A of this Act)
21 may be used to transfer any individual detained at Guan-
22 tanamo to the custody or effective control of the individ-
23 ual's country of origin, any other foreign country, or any
24 other foreign entity if there is a confirmed case of any
25 individual who was detained at United States Naval Sta-

1 tion, Guantanamo Bay, Cuba, at any time after September
2 11, 2001, who was transferred to the foreign country or
3 entity and subsequently engaged in any terrorist activity.

4 (2) The Secretary of Defense may waive the prohibi-
5 tion in paragraph (1) if the Secretary determines that
6 such a transfer is in the national security interests of the
7 United States and includes, as part of the certification de-
8 scribed in subsection (b) relating to such transfer, the de-
9 termination of the Secretary under this paragraph.

10 (3) Paragraph (1) shall not apply to any action taken
11 by the Secretary to transfer any individual detained at
12 Guantanamo to effectuate an order affecting the disposi-
13 tion of the individual that is issued by a court or com-
14 petent tribunal of the United States having lawful jurisdic-
15 tion. The Secretary shall notify Congress promptly upon
16 issuance of any such order.

17 (d) For the purposes of this section:

18 (1) The term “individual detained at Guanta-
19 namo” means any individual who is located at
20 United States Naval Station, Guantanamo Bay,
21 Cuba, as of October 1, 2009, who—

22 (A) is not a citizen of the United States or
23 a member of the Armed Forces of the United
24 States; and

25 (B) is—

1 (i) in the custody or under the effective control of the Department of Defense;

2
3 or

4 (ii) otherwise under detention at
5 United States Naval Station, Guantanamo
6 Bay, Cuba.

7 (2) The term “foreign terrorist organization”
8 means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

11 SEC. 1114. (a) Notwithstanding section 1101, none
12 of the funds appropriated or otherwise made available by
13 this division or any other Act (including division A of this
14 Act) may be used to construct or modify any facility in
15 the United States, its territories, or possessions to house
16 any individual described in subsection (c) for the purposes
17 of detention or imprisonment in the custody or under the
18 effective control of the Department of Defense.

19 (b) The prohibition in subsection (a) shall not apply
20 to any modification of facilities at United States Naval
21 Station, Guantanamo Bay, Cuba.

22 (c) An individual described in this subsection is any
23 individual who, as of June 24, 2009, is located at United
24 States Naval Station, Guantanamo Bay, Cuba, and who—

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

4 (2) is—

5 (A) in the custody or under the effective
6 control of the Department of Defense; or

7 (B) otherwise under detention at United
8 States Naval Station, Guantanamo Bay, Cuba.

9 SEC. 1115. None of the funds appropriated or other-
10 wise made available by this division or any other Act (in-
11 cluding division A of this Act) may be obligated by any
12 covered executive agency in contravention of the certifi-
13 cation requirement of section 6(b) of the Iran Sanctions
14 Act of 1996, as included in the revisions to the Federal
15 Acquisition Regulation pursuant to such section.

16 SEC. 1116. Section 550(b) of Public Law 109–295,
17 as amended by section 550 of Public Law 111–83, shall
18 be applied by substituting the date specified in section
19 1106 of this division for “October 4, 2010”.

20 SEC. 1117. Section 1(b)(2) of the Passport Act of
21 June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by
22 substituting the date specified in section 1106 of this divi-
23 sion for “September 30, 2010”.

1 SEC. 1118. (a) Section 1115(d) of Public Law 111–
2 32 shall be applied by substituting the date specified in
3 section 1106 of this division for “October 1, 2010”.

4 (b) Section 824(g) of the Foreign Service Act of 1980
5 (22 U.S.C. 4064(g)) shall be applied by substituting the
6 date specified in section 1106 of this division for “October
7 1, 2010” in paragraph (2).

8 (c) Section 61(a) of the State Department Basic Au-
9 thorities Act of 1956 (22 U.S.C. 2733(a)) shall be applied
10 by substituting the date specified in section 1106 of this
11 division for “October 1, 2010” in paragraph (2).

12 (d) Section 625(j)(1) of the Foreign Assistance Act
13 of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by sub-
14 stituting the date specified in section 1106 of this division
15 for “October 1, 2010” in subparagraph (B).

16 SEC. 1119. The authority provided by section 1334
17 of the Foreign Affairs Reform and Restructuring Act of
18 1998 (22 U.S.C. 6553) shall remain in effect through the
19 date specified in section 1106 of this division.

20 SEC. 1120. The provisions of title II of the McKin-
21 ney-Vento Homeless Assistance Act (42 U.S.C. 11311 et
22 seq.) shall continue in effect, notwithstanding section 209
23 of such Act, through the earlier of: (1) the date specified
24 in section 1106 of this division; or (2) the date of the en-

1 actment into law of an authorization Act relating to the
2 McKinney-Vento Homeless Assistance Act.

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

6 SEC. 1201. Notwithstanding section 1101, the level
7 for “Agricultural Programs, Office of the Secretary” shall
8 be \$5,061,000.

9 SEC. 1202. Notwithstanding section 1101, the level
10 for “Agricultural Programs, Office of Tribal Relations”
11 shall be \$0.

12 SEC. 1203. Notwithstanding section 1101, the level
13 for “Agricultural Programs, Executive Operations, Office
14 of Chief Economist” shall be \$10,032,000.

15 SEC. 1204. Notwithstanding section 1101, the level
16 for “Agricultural Programs, Executive Operations, Na-
17 tional Appeals Division” shall be \$14,711,000.

18 SEC. 1205. Notwithstanding section 1101, the level
19 for “Agricultural Programs, Executive Operations, Office
20 of Budget and Program Analysis” shall be \$9,054,000.

21 SEC. 1206. Notwithstanding section 1101, the level
22 for “Agricultural Programs, Office of Advocacy and Out-
23 reach” shall be \$0.

1 SEC. 1207. Notwithstanding section 1101, the level
2 for “Agricultural Programs, Office of the Chief Informa-
3 tion Officer” shall be \$17,000,000.

4 SEC. 1208. Notwithstanding section 1101, the level
5 for “Agricultural Programs, Office of the Chief Financial
6 Officer” shall be \$5,954,000.

7 SEC. 1209. Notwithstanding section 1101, the level
8 for “Agricultural Programs, Office of Civil Rights” shall
9 be \$21,551,000.

10 SEC. 1210. Notwithstanding section 1101, the level
11 for “Agricultural Programs, Agriculture Buildings and
12 Facilities and Rental Payments” shall be \$259,751,000,
13 of which \$178,470,000 shall be available for payments to
14 the General Services Administration for rent and of which
15 \$37,781,000 shall be for buildings operations and mainte-
16 nance expenses.

17 SEC. 1211. Notwithstanding section 1101, the level
18 for “Agricultural Programs, Hazardous Materials Man-
19 agement” shall be \$0.

20 SEC. 1212. Notwithstanding section 1101, the level
21 for “Agricultural Programs, Departmental Administra-
22 tion” shall be \$30,706,000.

23 SEC. 1213. Notwithstanding section 1101, the level
24 for “Agricultural Programs, Office of the Assistant Sec-
25 retary for Congressional Relations” shall be \$3,877,000.

1 SEC. 1214. Notwithstanding section 1101, the level
2 for “Agricultural Programs, Office of Communications”
3 shall be \$9,514,000.

4 SEC. 1215. Notwithstanding section 1101, the level
5 for “Agricultural Programs, Office of the Inspector Gen-
6 eral” shall be \$80,000,000.

7 SEC. 1216. Notwithstanding section 1101, the level
8 for “Agricultural Programs, Office of the General Coun-
9 sel” shall be \$39,620,000.

10 SEC. 1217. Notwithstanding section 1101, the level
11 for “Agricultural Programs, Economic Research Service”
12 shall be \$79,500,000.

13 SEC. 1218. Notwithstanding section 1101, the level
14 for “Agricultural Programs, National Agricultural Statis-
15 tics Service” shall be \$151,565,000: *Provided*, That the
16 amounts included under such heading in Public Law 111–
17 80 shall be applied to funds appropriated by this division
18 by substituting “\$33,494,000” for “\$37,908,000”.

19 SEC. 1219. Notwithstanding section 1101, the level
20 for “Agricultural Programs, Agricultural Research Serv-
21 ice, Salaries and Expenses” shall be \$1,065,406,000.

22 SEC. 1220. Notwithstanding section 1101, the level
23 for “Agricultural Programs, Agricultural Research Serv-
24 ice, Buildings and Facilities” shall be \$0.

1 SEC. 1221. Notwithstanding section 1101, the level
2 for “Agricultural Programs, National Institute of Food
3 and Agriculture, Research and Education Activities” shall
4 be \$647,993,000: *Provided*, That the amounts included
5 under such heading in Public Law 111–80 shall be applied
6 to funds appropriated by this division as follows: by sub-
7 stituting “\$221,763,000” for “\$215,000,000”; by sub-
8 stituting “\$34,816,000” for “\$29,000,000”; by sub-
9 stituting “\$51,000,000” for “\$48,500,000”; by sub-
10 stituting “\$227,801,000” for “\$216,482,000”; by sub-
11 stituting “\$0” for “\$89,029,000”; by substituting
12 “\$20,500,000” for “\$18,250,000”; and by substituting
13 “\$11,253,000” for “\$45,122,000”.

14 SEC. 1222. Notwithstanding section 1101, the level
15 for “Agricultural Programs, National Institute of Food
16 and Agriculture, Extension Activities” shall be
17 \$453,265,000: *Provided*, That the amounts included under
18 such heading in Public Law 111–80 shall be applied to
19 funds appropriated by this division as follows: by sub-
20 stituting “\$267,673,000” for “\$297,500,000” and by sub-
21 stituting “\$8,565,000” for “\$20,396,000”.

22 SEC. 1223. Notwithstanding section 1101, the level
23 for “Agricultural Programs, National Institute of Food
24 and Agriculture, Integrated Activities” shall be
25 \$24,874,000: *Provided*, That the amounts included under

1 such heading in Public Law 111–80 shall be applied to
2 funds appropriated by this division as follows: by sub-
3 stituting “\$15,044,000” for “\$45,148,000”; by sub-
4 stituting “\$10,948,000” for “\$12,649,000”; by sub-
5 stituting “\$0” for “\$14,596,000”; by substituting “\$0”
6 for “\$4,388,000”; by substituting “\$0” for “\$1,365,000”;
7 by substituting “\$0” for “\$3,054,000”; by substituting
8 “\$0” for “\$5,000,000”; by substituting “\$0” for
9 “\$3,000,000”; by substituting “\$0” for “\$732,000”; and
10 by substituting “\$0” for “\$1,312,000”.

11 SEC. 1224. Notwithstanding section 1101, the level
12 for “Agricultural Programs, Animal and Plant Health In-
13 spection Service, Salaries and Expenses” shall be
14 \$829,953,000: *Provided*, That the amounts included under
15 such heading in Public Law 111–80 shall be applied to
16 funds appropriated by this division by substituting
17 “\$45,219,000” for “\$60,243,000”.

18 SEC. 1225. Notwithstanding section 1101, the level
19 for “Agricultural Programs, Agricultural Marketing Serv-
20 ice, Marketing Services” shall be \$81,711,000.

21 SEC. 1226. Notwithstanding section 1101, the level
22 for “Agricultural Programs, Agricultural Marketing Serv-
23 ice, Limitation on Administrative Expenses” shall be
24 \$60,947,000 (from fees collected).

1 SEC. 1227. The amounts included under the heading
2 “Agricultural Programs, Agricultural Marketing Service,
3 Funds for Strengthening Markets, Income, and Supply
4 (Section 32)” in Public Law 111–80 shall be applied to
5 funds appropriated by this division by substituting “\$0”
6 for “\$10,000,000”.

7 SEC. 1228. Notwithstanding section 1101, the level
8 for “Agricultural Programs, Grain Inspection, Packers
9 and Stockyards Administration, Salaries and Expenses”
10 shall be \$40,342,000.

11 SEC. 1229. Notwithstanding section 1101, the level
12 for “Agricultural Programs, Grain Inspection, Packers
13 and Stockyards Administration, Limitation on Inspection
14 and Weighing Services Expenses”, \$45,041,000.

15 SEC. 1230. Notwithstanding section 1101, the level
16 for “Agricultural Programs, Food Safety and Inspection
17 Service” shall be \$930,120,000.

18 SEC. 1231. Notwithstanding section 1101, the level
19 for “Agricultural Programs, Farm Service Agency, Sala-
20 ries and Expenses” shall be \$1,063,558,000.

21 SEC. 1232. Notwithstanding section 1101, the level
22 for “Agricultural Programs, Farm Service Agency, Grass-
23 roots Source Water Protection Program” shall be
24 \$4,630,000.

1 SEC. 1233. The amounts included under the heading
2 “Agricultural Programs, Farm Service Agency, Agricul-
3 tural Credit Insurance Fund Program Account” in Public
4 Law 111–80 shall be applied to funds appropriated by this
5 division as follows: by substituting “\$1,975,000,000” for
6 “\$2,150,000,000”; by substituting “\$475,000,000” for
7 “\$650,000,000”; by substituting “\$2,544,035,000” for
8 “\$2,670,000,000”, by substituting “\$900,000,000” for
9 “\$1,000,000,000”; by substituting “\$144,035,000” for
10 “\$170,000,000”; by substituting “\$0” for “\$3,940,000”;
11 by substituting “\$110,602,000” for “\$150,000,000”; by
12 substituting “\$0” for “\$75,000,000” the first and second
13 place it appears; by substituting “\$0” for “\$10,000,000”;
14 by substituting “\$38,570,000” for “\$32,070,000”; by
15 substituting “\$32,870,000” for “\$26,520,000”; by sub-
16 stituting “\$109,410,000” for “\$106,402,000”; by sub-
17 stituting “\$34,950,000” for “\$35,100,000”; by sub-
18 stituting “\$19,920,000” for “\$23,902,000”; by sub-
19 stituting “\$54,540,000” for “\$47,400,000”; by sub-
20 stituting “\$0” for “\$1,065,000”; by substituting “\$0” for
21 “\$278,000”; by substituting “\$0” for “\$793,000”; by
22 substituting “\$318,508,000” for “\$321,093,000”, and by
23 substituting “\$305,588,000” for “\$313,173,000”. Funds
24 appropriated by this division to such heading for farm
25 ownership, operating and conservation direct loans, and

1 guaranteed loans may be transferred among these pro-
2 grams: *Provided*, That the Secretary of Agriculture shall
3 notify the Committees on Appropriations of the House of
4 Representatives and the Senate at least 15 days in ad-
5 vance of any transfer.

6 SEC. 1234. Notwithstanding section 1101, the level
7 for “Agricultural Programs, Risk Management Agency”
8 shall be \$77,177,000.

9 SEC. 1235. Notwithstanding section 1101, the level
10 for “Conservation Programs, Natural Resources Con-
11 servation Service, Conservation Operations” shall be
12 \$836,000,000.

13 SEC. 1236. Notwithstanding section 1101, the level
14 for “Conservation Programs, Natural Resources Con-
15 servation Service, Watershed and Flood Prevention Oper-
16 ations” shall be \$0.

17 SEC. 1237. Notwithstanding section 1101, the level
18 for “Conservation Programs, Natural Resources Con-
19 servation Service, Watershed Rehabilitation Program”
20 shall be \$20,000,000.

21 SEC. 1238. Notwithstanding section 1101, the level
22 for “Conservation Programs, Natural Resources Con-
23 servation Service, Resource Conservation and Develop-
24 ment” shall be \$0.

1 SEC. 1239. Notwithstanding section 1101, the level
2 for “Rural Development Programs, Rural Development
3 Salaries and Expenses” shall be \$181,987,000.

4 SEC. 1240. The amounts included under the heading
5 “Rural Development Programs, Rural Housing Service,
6 Rural Housing Insurance Fund Program Account” in
7 Public Law 111–80 for gross obligations for the principal
8 amount of direct and guaranteed loans as authorized by
9 title V of the Housing Act of 1949 shall be applied to
10 funds appropriated by this division by substituting
11 “\$34,004,000” for “\$34,412,000” and by substituting,
12 “\$5,052,000” for “\$5,045,000”.

13 SEC. 1241. Notwithstanding section 1101, the level
14 for “Rural Development Programs, Rural Housing Serv-
15 ice, Rural Housing Insurance Fund Program Account” for
16 the cost of direct and guaranteed loans, including the cost
17 of modifying loans, authorized by section 502 of the Hous-
18 ing Act of 1949 shall be \$70,200,000: *Provided*, That the
19 amounts included for such costs under such heading in
20 Public Law 111–80 shall be applied to funds appropriated
21 by this division by substituting “\$70,200,000” for
22 “\$40,710,000” in the case of direct loans and by sub-
23 stituting “\$0” for “\$172,800,000” in the case of unsub-
24 sidized guaranteed loans.

1 SEC. 1242. Notwithstanding section 1101, the level
2 for “Rural Development Programs, Rural Housing Serv-
3 ice, Rural Housing Insurance Fund Program Account” for
4 the cost of housing repair loans authorized by section 504
5 of the Housing Act of 1949 shall be \$6,437,000.

6 SEC. 1243. Notwithstanding section 1101, the level
7 for “Rural Development Programs, Rural Housing Serv-
8 ice, Rural Housing Insurance Fund Program Account” for
9 the cost of repair, rehabilitation, and new construction of
10 rental housing authorized by section 515 of the Housing
11 Act of 1949 shall be \$23,446,000.

12 SEC. 1244. Notwithstanding section 1101, the level
13 for “Rural Development Programs, Rural Housing Serv-
14 ice, Rural Housing Insurance Fund Program Account” for
15 the cost of multi-family housing guaranteed loans author-
16 ized by section 538 of the Housing Act of 1949 shall be
17 \$12,513,000.

18 SEC. 1245. In addition to amounts otherwise appro-
19 priated or made available by this division, there is appro-
20 priated to the Secretary of Agriculture \$288,000 for sec-
21 tion 523 self-help housing land development loans author-
22 ized by section 523 of the Housing Act of 1949 and
23 \$294,000 for site development loans authorized by section
24 524 of such Act.

1 SEC. 1246. Notwithstanding section 1101, the level
2 for “Rural Development Programs, Rural Housing Serv-
3 ice, Rural Housing Insurance Fund Program Account” for
4 administrative expenses necessary to carry out the direct
5 and guaranteed loan programs shall be \$454,383,000.

6 SEC. 1247. Notwithstanding section 1101, the level
7 for “Rural Development Programs, Rural Housing Serv-
8 ice, Rental Assistance Program” shall be \$955,635,000:
9 *Provided*, That the amounts included under such heading
10 in Public Law 111–80 shall be applied to funds appro-
11 priated by this division by substituting “\$0” for
12 “\$5,958,000”; by substituting “\$0” for “\$50,000”; and
13 by substituting “\$3,000,000” for “\$3,400,000”.

14 SEC. 1248. Notwithstanding section 1101, the level
15 for “Rural Development Programs, Rural Housing Serv-
16 ice, Multi-Family Housing Revitalization Program Ac-
17 count” shall be \$16,400,000: *Provided*, That only the
18 first, second, and fourth provisos under such heading in
19 Public Law 111–80, relating to rural housing vouchers to
20 low-income households, shall apply to funds appropriated
21 by this division and the third, fifth, and subsequent pro-
22 visos under such heading shall not apply to funds appro-
23 priated by this division.

24 SEC. 1249. Notwithstanding section 1101, the level
25 for “Rural Development Programs, Rural Housing Serv-

1 ice, Mutual and Self-Help Housing Grants” shall be
2 \$37,000,000.

3 SEC. 1250. Notwithstanding section 1101, the level
4 for “Rural Development Programs, Rural Housing Serv-
5 ice, Rural Housing Assistance Grants” shall be
6 \$40,400,000.

7 SEC. 1251. Notwithstanding section 1101, the level
8 for “Rural Development Programs, Rural Housing Serv-
9 ice, Rural Community Facilities Program Account” shall
10 be \$32,450,000: *Provided*, That the amounts included
11 under such heading in Public Law 111–80 shall be applied
12 to funds appropriated by this division as follows: by sub-
13 stituting, “\$0” for “\$6,256,000”; by substituting “\$0” for
14 “\$13,902,000”; and by substituting, “\$0” for
15 “\$3,972,000”.

16 SEC. 1252. Notwithstanding section 1101, the level
17 for “Rural Development Programs, Rural Business–Coop-
18 erative Service, Rural Business Program Account” shall
19 be \$84,505,000: *Provided*, That the amounts included
20 under such heading in Public Law 111–80 shall be applied
21 to funds appropriated by this division as follows: by sub-
22 stituting, “\$0” for “\$500,000”; and by substituting, “\$0”
23 for “\$250,000”.

24 SEC. 1253. Notwithstanding section 1101, the level
25 for “Rural Development Programs, Rural Business–Coop-

1 erative Service, Rural Development Loan Fund Program
2 Account” for the principal amount of direct loans as au-
3 thorized by Rural Development Loan Fund shall be
4 \$21,936,000.

5 SEC. 1254. Notwithstanding section 1101, in connec-
6 tion with the “Rural Development Programs, Rural Busi-
7 ness–Cooperative Service, Rural Economic Development
8 Loans Program Account”, of the funds derived from inter-
9 est on the cushion of credit payments, as authorized by
10 section 313 of the Rural Electrification Act of 1936,
11 \$207,000,000 shall not be obligated and \$207,000,000 is
12 rescinded.

13 SEC. 1255. Notwithstanding section 1101, the level
14 for “Rural Development Programs, Rural Business–Coop-
15 erative Service, Rural Cooperative Development Grants”
16 shall be \$30,254,000: *Provided*, That the amounts in-
17 cluded under such heading in Public Law 111–80 shall
18 be applied to funds appropriated by this division as fol-
19 lows: by substituting “\$0” for “\$300,000”; by sub-
20 stituting “\$0” for “\$2,800,000”; and by substituting
21 “\$18,867,000” for “\$20,367,000”.

22 SEC. 1256. Notwithstanding section 1101, the level
23 for “Rural Development Programs, Rural Business–Coop-
24 erative Service, Rural Microenterprise Investment Pro-
25 gram Account” shall be \$3,350,000.

1 SEC. 1257. Notwithstanding section 1101, the level
2 for “Rural Development Programs, Rural Business–Coop-
3 erative Service, Rural Energy for America Program” shall
4 be \$25,010,000.

5 SEC. 1258. Notwithstanding section 1101, the level
6 for “Rural Development Programs, Rural Utilities Serv-
7 ice, Rural Water and Waste Disposal Program Account”
8 shall be \$405,564,000: *Provided*, That the amounts in-
9 cluded under such heading in Public Law 111–80 shall
10 be applied to funds appropriated by this division as fol-
11 lows: by substituting, “\$60,000,000” for “\$70,00,000”;
12 by substituting “\$5,000,000” for “\$6,000,000”; and by
13 substituting, “\$0” for “\$17,500,000”.

14 SEC. 1259. Notwithstanding section 1101, the level
15 for “Rural Development Programs, Rural Utilities Serv-
16 ice, Rural Electrification and Telecommunications Loans
17 Program Account” for administrative expenses necessary
18 to carry out the direct and guaranteed loan programs shall
19 be \$38,374,000.

20 SEC. 1260. Notwithstanding section 1101, the level
21 for “Rural Development Programs, Rural Utilities Serv-
22 ice, Distance Learning, Telemedicine, and Broadband
23 Program” shall be \$30,000,000: *Provided*, That the
24 amounts included under such heading in Public Law 111–
25 80 shall be applied to funds appropriated by this division

1 as follows: by substituting, “\$0” for “\$4,500,000”; by
2 substituting, “\$0” for “\$28,960,000”; and by sub-
3 stituting, “\$13,406,000” for “\$17,976,000”.

4 SEC. 1261. The amounts included under the heading
5 “Domestic Food Programs, Food and Nutrition Service,
6 Child Nutrition Programs” in Public Law 111–80 shall
7 be applied to funds appropriated by this division by sub-
8 stituting “\$0” for “\$1,000,000” and by substituting “\$0”
9 for “\$5,000,000”.

10 SEC. 1262. Notwithstanding section 1101, the level
11 for “Domestic Food Programs, Food and Nutrition Serv-
12 ice, Special Supplemental Nutrition Program for Women,
13 Infants, and Children (WIC)” shall be \$6,504,781,000.

14 SEC. 1263. Notwithstanding section 1101, the level
15 for “Domestic Food Programs, Food and Nutrition Serv-
16 ice, Commodity Assistance Program”, shall be
17 \$241,979,000, of which \$151,409,000 shall be for the
18 Commodity Supplemental Food Program: *Provided*, That
19 the amounts included under such heading in Public Law
20 111–80 shall be applied to funds appropriated by this divi-
21 sion by substituting “\$0” for “\$6,000,000”.

22 SEC. 1264. Notwithstanding section 1101, the level
23 for “Domestic Food Programs, Food and Nutrition Serv-
24 ice, Nutrition Programs Administration” shall be
25 \$144,801,000.

1 SEC. 1265. Notwithstanding section 1101, the level
2 for “Foreign Assistance and Related Programs, Foreign
3 Agricultural Service, Salaries and Expenses” shall be
4 \$165,436,000.

5 SEC. 1266. Notwithstanding section 1101, the level
6 for “Foreign Assistance and Related Programs, Foreign
7 Agricultural Service, Food for Peace Title II Grants” shall
8 be \$1,003,000,000.

9 SEC. 1267. Notwithstanding section 1101, the level
10 for “Foreign Assistance and Related Programs, Foreign
11 Agricultural Service, McGovern-Dole International Food
12 for Education and Child Nutrition Program Grants” shall
13 be \$100,000,000.

14 SEC. 1268. Notwithstanding section 1101, the level
15 for “Related Agencies and Food and Drug Administra-
16 tion, Food and Drug Administration, Salaries and Ex-
17 penses” shall be \$3,307,418,000: *Provided*, That of the
18 amount provided under this heading, \$667,057,000 shall
19 be derived from prescription drug user fees authorized by
20 section 736 of the Federal Food, Drug, and Cosmetic Act
21 (21 U.S.C. 379h), shall be credited to this account and
22 remain available until expended, and shall not include any
23 fees pursuant to paragraphs (2) and (3) of section 736(a)
24 of such Act (21 U.S.C. 379h(a)(2) and (a)(3)) assessed
25 for fiscal year 2012 but collected in fiscal year 2011;

1 \$61,860,000 shall be derived from medical device user fees
2 authorized by section 738 of such Act (21 U.S.C. 379j),
3 and shall be credited to this account and remain available
4 until expended; \$19,448,000 shall be derived from animal
5 drug user fees authorized by section 740 of such Act (21
6 U.S.C. 379j–12), and shall be credited to this account and
7 remain available until expended; \$5,397,000 shall be de-
8 rived from animal generic drug user fees authorized by
9 section 741 of such Act (21 U.S.C. 379j–21), and shall
10 be credited to this account and shall remain available until
11 expended; and \$450,000,000 shall be derived from tobacco
12 product user fees authorized by section 919 of such Act
13 (21 U.S.C. 387s) and shall be credited to this account and
14 remain available until expended: *Provided further*, That in
15 addition and notwithstanding any other provision under
16 this heading, amounts collected for prescription drug user
17 fees that exceed the fiscal year 2011 limitation are appro-
18 priated and shall be credited to this account and remain
19 available until expended: *Provided further*, That fees de-
20 rived from prescription drug, medical device, animal drug,
21 animal generic drug, and tobacco product assessments for
22 fiscal year 2011 received during fiscal year 2011, includ-
23 ing any such fees assessed prior to fiscal year 2011 but
24 credited for fiscal year 2011, shall be subject to the fiscal
25 year 2011 limitations: *Provided further*, That none of

1 these funds shall be used to develop, establish, or operate
2 any program of user fees authorized by 31 U.S.C. 9701:
3 *Provided further*, That of the total amount appropriated
4 under this heading: (1) \$727,220,000 shall be for the Cen-
5 ter for Food Safety and Applied Nutrition and related
6 field activities in the Office of Regulatory Affairs; (2)
7 \$895,460,000 shall be for the Center for Drug Evaluation
8 and Research and related field activities in the Office of
9 Regulatory Affairs; (3) \$296,937,000 shall be for the Cen-
10 ter for Biologics Evaluation and Research and for related
11 field activities in the Office of Regulatory Affairs; (4)
12 \$145,103,000 shall be for the Center for Veterinary Medi-
13 cine and for related field activities in the Office of Regu-
14 latory Affairs; (5) \$318,768,000 shall be for the Center
15 for Devices and Radiological Health and for related field
16 activities in the Office of Regulatory Affairs; (6)
17 \$35,052,000 shall be for the National Center for Toxi-
18 cological Research; (7) \$421,463,000 shall be for the Cen-
19 ter for Tobacco Products and for related field activities
20 in the Office of Regulatory Affairs; (8) not to exceed
21 \$100,482,000 shall be for Rent and Related activities, of
22 which \$22,683,000 is for White Oak Consolidation, other
23 than the amounts paid to the General Services Adminis-
24 tration for rent; (9) not to exceed \$182,661,000 shall be
25 for payments to the General Services Administration for

1 rent; and (10) \$184,272,000 shall be for other activities,
2 including the Office of the Commissioner of Food and
3 Drugs; the Office of Foods; the Office of the Chief Sci-
4 entist; the Office of Policy, Planning and Budget; the Of-
5 fice of International Programs; the Office of Administra-
6 tion; and central services for these offices: *Provided fur-*
7 *ther*, That none of the funds made available under this
8 heading shall be used to transfer funds under section
9 770(n) of the Federal Food, Drug, and Cosmetic Act (21
10 U.S.C. 379dd): *Provided further*, That not to exceed
11 \$25,000 of the amount provided under this heading shall
12 be for official reception and representation expenses, not
13 otherwise provided for, as determined by the Commis-
14 sioner: *Provided further*, That funds may be transferred
15 from one specified activity to another with the prior ap-
16 proval of the Committees on Appropriations of both
17 Houses of Congress.

18 SEC. 1269. Notwithstanding section 1101, the level
19 for “Related Agencies and Food and Drug Administra-
20 tion, Independent Agencies, Commodity Futures Trading
21 Commission” shall be \$112,000,000, to remain available
22 until September 30, 2012: *Provided*, That the proviso
23 under such heading in Public Law 111–80 shall not apply
24 to funds appropriated by this division.

1 SEC. 1270. Notwithstanding any other provision of
2 this division, the following set-asides included in Public
3 Law 111–80 for “Congressionally Designated Projects” in
4 the following accounts for the corresponding amounts shall
5 not apply to funds appropriated by this division:

6 (1) “Agricultural Programs, Agricultural Re-
7 search Service, Salaries and Expenses”,
8 \$44,138,000.

9 (2) “Agricultural Programs, National Institute
10 of Food and Agriculture, Research and Education
11 Activities”, \$120,054,000.

12 (3) “Agricultural Programs, National Institute
13 of Food and Agriculture, Extension Activities”,
14 \$11,831,000.

15 (4) “Agricultural Programs, Animal and Plant
16 Health Inspection Service, Salaries and Expenses”,
17 \$24,410,000.

18 (5) “Conservation Programs, Natural Re-
19 sources Conservation Service, Conservation Oper-
20 ations”, \$37,382,000.

21 SEC. 1271. Notwithstanding any other provision of
22 this division, the following provisions included in Public
23 Law 111–80 shall not apply to funds appropriated by this
24 division:

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

4 (2) The second proviso under the heading
5 “Conservation Programs, Natural Resources Con-
6 servation Service, Conservation Operations”.

7 (3) The second proviso under the heading
8 “Rural Development Programs, Rural Utilities Serv-
9 ice, Rural Water and Waste Disposal Account”.

10 (4) The first proviso under the heading “Do-
11 mestic Food Programs, Food and Nutrition Service,
12 Commodity Assistance Program”.

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

18 SEC. 1272. Sections 718, 723, 727, 728, 738, 739,
19 and 741 of Public Law 111–80 shall be applied to funds
20 appropriated by this division by substituting \$0 for the
21 dollar amounts included in those sections.

22 SEC. 1273. Sections 715, 716, 721(2), 721(3), 724,
23 725, 726, 729, 730, 734, 735, 743, 745, and 748 of Public
24 Law 111–80 shall not apply for fiscal year 2011.

1 SEC. 1274. Sections 737, 740, 747, and 749 of Public
2 Law 111–80 authorized or required certain actions that
3 have been performed before the date of the enactment of
4 this division and need not reoccur.

5 SEC. 1275. Appropriations to the Department of Ag-
6 riculture made available in fiscal year 2005 to carry out
7 section 601 of the Rural Electrification Act of 1936 (7
8 U.S.C. 950bb) for the cost of direct loans shall remain
9 available until expended to disburse valid obligations made
10 in fiscal years 2005 and 2006.

11 SEC. 1276. In the case of each program established
12 or amended by the Food, Conservation, and Energy Act
13 of 2008 (Public Law 110–246), other than by title I or
14 subtitle A of title III of such Act, or programs for which
15 indefinite amounts were provided in that Act that is au-
16 thorized or required to be carried out using funds of the
17 Commodity Credit Corporation: (1) such funds shall be
18 available for salaries and related administrative expenses,
19 including technical assistance, associated with the imple-
20 mentation of the program, without regard to the limitation
21 on the total amount of allotments and fund transfers con-
22 tained in section 11 of the Commodity Credit Corporation
23 Charter Act (15 U.S.C. 714i); and (2) the use of such
24 funds for such purpose shall not be considered to be a
25 fund transfer or allotment for purposes of applying the

1 limitation on the total amount of allotments and fund
2 transfers contained in such section.

3 SEC. 1277. With respect to any loan or loan guar-
4 antee program administered by the Secretary of Agri-
5 culture that has a negative credit subsidy score for fiscal
6 year 2011, the program level for the loan or loan guar-
7 antee program, for the purposes of the Federal Credit Re-
8 form Act of 1990, shall be the program level established
9 pursuant to such Act for fiscal year 2010.

10 SEC. 1278. Section 721(1) of Public Law 111–80
11 (123 Stat. 2122) is amended by striking
12 “\$1,180,000,000” and inserting “\$1,238,000,000”.

13 SEC. 1279. Section 742 of Public Law 111–80 (123
14 Stat. 2128) is amended by striking “\$11,000,000” and
15 inserting “\$15,000,000”.

16 SEC. 1280. The following provisions of Public Law
17 111–80 shall be applied to funds appropriated by this divi-
18 sion by substituting “2010”, “2011”, and “2012” for
19 “2009”, “2010”, and “2011”, respectively, in each in-
20 stance that such terms appear:

21 (1) The second paragraph under the heading
22 “Agricultural Programs, Animal and Plant Health
23 Inspection Service, Salaries and Expenses”.

1 (2) The second proviso under the heading “Ag-
2 gricultural Programs, Food Safety and Inspection
3 Service”.

4 (3) The first proviso in the second paragraph
5 under the heading “Rural Development Programs,
6 Rural Housing Service, Rural Housing Insurance
7 Fund Program Account”.

8 (4) The fifth proviso under the heading “Rural
9 Development Programs, Rural Housing Service,
10 Rental Assistance Program”.

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

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

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

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

23 (9) The four availability of funds clauses under
24 the heading “Rural Development Programs, Rural

1 Business—Cooperative Service, Rural Development
2 Loan Fund Program Account”.

3 (10) The fifth proviso under the heading
4 “Rural Development Programs, Rural Utilities Serv-
5 ice, Rural Water and Waste Disposal Program Ac-
6 count”.

7 (11) Sections 713, 717, 732, and 746.

8 SEC. 1281. None of the funds appropriated or other-
9 wise made available by this division or any other Act shall
10 be used to pay the salaries and expenses of personnel to
11 carry out the Wetlands Reserve Program authorized by
12 sections 1237–1237F of the Food Security Act of 1985
13 (16 U.S.C. 3837–3837f) to enroll in excess of 202,218
14 acres in fiscal year 2011: *Provided*, That such program
15 shall be permanently reduced by 47,782 acres.

16 SEC. 1282. None of the funds appropriated or other-
17 wise made available by this division or any other Act shall
18 be used to pay the salaries and expenses of personnel to
19 carry out the Conservation Stewardship Program author-
20 ized by sections 1238D–1238G of the Food Security Act
21 of 1985 (16 U.S.C. 3838d–3838g) in excess of
22 \$649,000,000.

23 SEC. 1283. None of the funds appropriated or other-
24 wise made available by this division or any other Act shall
25 be used to pay the salaries and expenses of personnel to

1 carry out the program authorized by section 14 of the Wa-
2 tershed Protection and Flood Prevention Act (16 U.S.C.
3 1012): *Provided*, That of the funds available under such
4 section for fiscal year 2011, \$165,000,000 is rescinded.

5 SEC. 1284. None of the funds appropriated or other-
6 wise made available by this division or any other Act shall
7 be used to pay the salaries and expenses of personnel to
8 transfer in fiscal year 2011 to the Administrator of the
9 Food and Nutrition Service under subsection (b) of section
10 14222 of the Food, Conservation, and Energy Act of 2008
11 (Public Law 110–246; 122 Stat. 2245) an amount in ex-
12 cess of \$1,098,000,000: *Provided*, That none of the funds
13 made available by this division or any other Act shall be
14 used to pay the salaries and expenses of personnel to carry
15 out section 19 of the Richard B. Russell National School
16 Lunch Act (42 U.S.C. 1769a) utilizing funds otherwise
17 required to be made available under subsection (i)(1)(D)
18 of such section 19 in excess of \$33,000,000, including the
19 transfer of funds under subsection (c) of such section
20 14222, until October 1, 2011: *Provided further*, That the
21 remaining \$117,000,000 of the amount specified in sub-
22 section (i)(1)(D) of such section 19 made available on Oc-
23 tober 1, 2011, to carry out such section 19 shall be ex-
24 cluded from the limitation described in subsection
25 (b)(2)(A)(iv) of such section 14222 for fiscal year 2012.

1 SEC. 1285. None of the funds appropriated or made
2 available by this division or any other Act shall be used
3 to pay the salaries and expenses of personnel to carry out
4 the Biomass Crop Assistance Program authorized by sec-
5 tion 9011 of the Farm Security and Rural Investment Act
6 of 2002 (7 U.S.C. 8111) in excess of \$112,000,000.

7 SEC. 1286. Of the unobligated balances available for
8 “Agricultural Programs, Agricultural Research Service,
9 Buildings and Facilities” \$223,700,000 is rescinded.

10 SEC. 1287. Of the unobligated balances available for
11 the cost of broadband loans, as authorized by section 601
12 of the Rural Electrification Act of 1936, \$15,000,000 is
13 rescinded.

14 SEC. 1288. (a) Notwithstanding this Act or any other
15 Act, of the unobligated balances available to the Depart-
16 ment of Agriculture from prior appropriations,
17 \$585,000,000 in appropriated discretionary funds are
18 hereby rescinded.

19 (b) The Secretary of Agriculture shall determine and
20 identify from which appropriation accounts the rescission
21 under subsection (a) shall apply and the amount of such
22 rescission that shall apply to each such account. Not later
23 than 30 days after the date of the enactment of this Act,
24 the Secretary of Agriculture shall submit a report to the
25 Committees on Appropriations of both Houses of Congress

1 and the Secretary of the Treasury of the accounts and
2 amounts determined and identified for rescission under
3 the preceding sentence: *Provided*, That no amounts may
4 be rescinded from amounts that were designated by the
5 Congress as an emergency requirement pursuant to the
6 Concurrent Resolution on the Budget or the Balanced
7 Budget and Emergency Deficit Control Act of 1985, as
8 amended.

9 TITLE III—COMMERCE, JUSTICE, SCIENCE, AND
10 RELATED AGENCIES

11 SEC. 1301. Notwithstanding section 1101, the level
12 for “Department of Commerce, International Trade Ad-
13 ministration, Operations and Administration” shall be
14 \$450,989,000.

15 SEC. 1302. Notwithstanding section 1101, the level
16 for “Department of Commerce, Economic Development
17 Administration, Economic Development Assistance Pro-
18 grams” shall be \$175,000,000.

19 SEC. 1303. Notwithstanding section 1101, the level
20 for “Department of Commerce, Minority Business Devel-
21 opment Agency, Minority Business Development” shall be
22 \$30,400,000.

23 SEC. 1304. Notwithstanding section 1101, the level
24 for “Department of Commerce, National Telecommuni-

1 cations and Information Administration, Salaries and Ex-
2 penses” shall be \$40,649,000.

3 SEC. 1305. Notwithstanding section 1101, the level
4 for “Department of Commerce, National Institute of
5 Standards and Technology, Scientific and Technical Re-
6 search and Services” shall be \$469,500,000.

7 SEC. 1306. Notwithstanding section 1101, the level
8 for “Department of Commerce, National Institute of
9 Standards and Technology, Industrial Technology Serv-
10 ices” shall be \$169,600,000.

11 SEC. 1307. Notwithstanding section 1101, the level
12 for “Department of Commerce, National Oceanic and At-
13 mospheric Administration, Pacific Coastal Salmon Recov-
14 ery” shall be \$50,000,000.

15 SEC. 1308. Notwithstanding section 1101, the level
16 for “Department of Justice, General Administration, Na-
17 tional Drug Intelligence Center” shall be \$34,023,000.

18 SEC. 1309. Notwithstanding section 1101, the level
19 for “Department of Justice, General Administration, Jus-
20 tice Information Sharing Technology” shall be
21 \$78,285,000.

22 SEC. 1310. Notwithstanding section 1101, the level
23 for “Department of Justice, General Administration, Tac-
24 tical Law Enforcement Wireless Communications” shall
25 be \$136,143,000.

1 SEC. 1311. Notwithstanding section 1101, the level
2 for “Department of Justice, General Administration, De-
3 tention Trustee” shall be \$1,533,663,000.

4 SEC. 1312. Notwithstanding section 1101, the level
5 for “Department of Justice, Legal Activities, Salaries and
6 Expenses, General Legal Activities” shall be
7 \$865,097,000.

8 SEC. 1313. Notwithstanding section 1101, the level
9 for “Department of Justice, United States Marshals Serv-
10 ice, Construction” shall be \$16,929,000.

11 SEC. 1314. Notwithstanding section 1101, the level
12 for “Department of Justice, Federal Bureau of Investiga-
13 tion, Construction” shall be \$106,915,000.

14 SEC. 1315. Notwithstanding section 1101, the level
15 for “Department of Justice, Federal Prison System, Sala-
16 ries and Expenses” shall be \$6,325,231,000.

17 SEC. 1316. Notwithstanding section 1101, the level
18 for “Office of Science and Technology Policy” shall be
19 \$6,500,000.

20 SEC. 1317. Notwithstanding section 1101, the level
21 for “National Science Foundation, Research and Related
22 Activities” shall be \$5,467,920,000.

23 SEC. 1318. Notwithstanding section 1101, the level
24 for “National Science Foundation, Major Research Equip-
25 ment and Facilities Construction” shall be \$54,790,000.

1 SEC. 1319. Notwithstanding section 1101, the level
2 for “National Science Foundation, Education and Human
3 Resources” shall be \$725,760,000.

4 SEC. 1320. Notwithstanding section 1101, the level
5 for “Department of Commerce, Bureau of the Census,
6 Periodic Censuses and Programs” shall be \$913,707,000.

7 SEC. 1321. Notwithstanding section 1101, the level
8 for each of the following accounts shall be \$0: “Depart-
9 ment of Commerce, National Telecommunications and In-
10 formation Administration, Public Telecommunications Fa-
11 cilities, Planning and Construction”; “Department of Jus-
12 tice, Bureau of Alcohol, Tobacco, Firearms, and Explo-
13 sives, Construction”; and “Department of Justice, Office
14 of Justice Programs, Weed and Seed Program Fund”.

15 SEC. 1322. Notwithstanding any other provision of
16 this division, the following set-asides included in division
17 B of Public Law 111–117 for projects specified in the ex-
18 planatory statement accompanying that Act in the fol-
19 lowing accounts for the corresponding amounts shall not
20 apply to funds appropriated by this division: (1) “Depart-
21 ment of Commerce, International Trade Administration,
22 Operations and Administration”, \$5,215,000; (2) “De-
23 partment of Commerce, Minority Business Development
24 Agency, Minority Business Development”, \$1,100,000;
25 and (3) “Department of Commerce, National Institute of

1 Standards and Technology, Scientific and Technical Re-
2 search and Services”, \$10,500,000.

3 SEC. 1323. The Departments of Commerce and Jus-
4 tice, the National Aeronautics and Space Administration,
5 and the National Science Foundation are directed to sub-
6 mit spending plans, signed by the respective department
7 or agency head, to the House and Senate Committees on
8 Appropriations within 60 days of enactment of this divi-
9 sion.

10 SEC. 1324. Notwithstanding any other provision of
11 this division, the set-aside included in division B of Public
12 Law 111–117 under the heading “Department of Com-
13 merce, United States Patent and Trademark Office, Sala-
14 ries and Expenses” for policy studies related to activities
15 of United Nations Specialized Agencies related to inter-
16 national protection of intellectual property rights shall not
17 apply to funds appropriated by this division.

18 SEC. 1325. Of the amount provided by section 1306
19 for “National Institute of Standards and Technology, In-
20 dustrial Technology Services”, \$44,900,000 shall be for
21 the Technology Innovation Program.

22 SEC. 1326. (a) Notwithstanding section 1101, the
23 level for “Department of Commerce, National Institute of
24 Standards and Technology, Construction of Research Fa-
25 cilities” shall be \$58,000,000.

1 (b) The set-asides included in division B of Public
2 Law 111–117 under the heading “Department of Com-
3 merce, National Institute of Standards and Technology,
4 Construction of Research Facilities” for a competitive con-
5 struction grant program for research science buildings and
6 for projects specified in the explanatory statement accom-
7 panying that Act shall not apply to funds appropriated
8 by this division.

9 SEC. 1327. (a) Notwithstanding section 1101, the
10 level for “Department of Commerce, National Oceanic and
11 Atmospheric Administration, Operations, Research, and
12 Facilities” shall be \$2,850,883,000.

13 (b) The set-aside included in division B of Public Law
14 111–117 under the heading “Department of Commerce,
15 National Oceanic and Atmospheric Administration, Oper-
16 ations, Research, and Facilities” for projects specified in
17 the explanatory statement accompanying that Act shall
18 not apply to funds appropriated by this division.

19 SEC. 1328. (a) Notwithstanding section 1101, the
20 level for “Department of Commerce, National Oceanic and
21 Atmospheric Administration, Procurement, Acquisition
22 and Construction” shall be \$1,455,353,000.

23 (b) The set-aside included in division B of Public Law
24 111–117 under the heading “Department of Commerce,
25 National Oceanic and Atmospheric Administration, Pro-

1 curement, Acquisition and Construction” for projects
2 specified in the explanatory statement accompanying that
3 Act shall not apply to funds appropriated by this division.

4 SEC. 1329. (a) Notwithstanding section 1101, the
5 level for “Department of Justice, Office of Justice Pro-
6 grams, Justice Assistance” shall be \$225,000,000.

7 (b) Amounts included in paragraphs (1) through (5)
8 under the heading “Department of Justice, Office of Jus-
9 tice Programs, Justice Assistance” of division B of Public
10 Law 111–117 shall be deemed to represent the maximum
11 amount of funding available under the respective para-
12 graph.

13 SEC. 1330. (a) Notwithstanding section 1101, the
14 level for “Department of Justice, Office of Justice Pro-
15 grams, State and Local Law Enforcement Assistance”
16 shall be \$953,500,000.

17 (b) The amount included in paragraph (4) under the
18 heading “Department of Justice, Office of Justice Pro-
19 grams, State and Local Law Enforcement Assistance” of
20 division B of Public Law 111–117 shall be applied to
21 funds appropriated by this division by substituting “\$0”
22 for “\$185,268,000”.

23 (c) Amounts included in paragraphs (1) through (3)
24 and paragraphs (5) through (29) under the heading “De-
25 partment of Justice, Office of Justice Programs, State

1 and Local Law Enforcement Assistance” of division B of
2 Public Law 111–117 shall be deemed to represent the
3 maximum amount of funding available under the respec-
4 tive paragraph.

5 SEC. 1331. (a) Notwithstanding section 1101, the
6 level for “Department of Justice, Office of Justice Pro-
7 grams, Juvenile Justice Programs” shall be
8 \$232,500,000.

9 (b) The amount included in paragraph (2) under the
10 heading “Department of Justice, Office of Justice Pro-
11 grams, Juvenile Justice Programs” of division B of Public
12 Law 111–117 shall be applied to funds appropriated by
13 this division by substituting “\$0” for “\$91,095,000”.

14 (c) Amounts included in paragraph (1) and para-
15 graphs (3) through (8) under the heading “Department
16 of Justice, Office of Justice Programs, Juvenile Justice
17 Programs” of division B of Public Law 111–117 shall be
18 deemed to represent the maximum amount of funding
19 available under the respective paragraph.

20 SEC. 1332. (a) Notwithstanding section 1101, the
21 level for “Department of Justice, Community Oriented
22 Policing Services (Including Transfers of Funds)” shall be
23 \$290,500,000.

24 (b) Amounts included under the heading “Depart-
25 ment of Justice, Community Oriented Policing Services

1 (Including Transfers of Funds)” in division B of Public
2 Law 111–117 shall be applied to funds appropriated by
3 this division by substituting—

- 4 (1) “\$15,000,000” for “40,385,000”;
- 5 (2) “\$0” for “\$25,385,000”;
- 6 (3) “\$1,500,000” for “\$170,223,000”;
- 7 (4) “\$0” for “\$168,723,000”; and
- 8 (5) “\$0” for “\$298,000,000”.

9 (c) Amounts included in paragraph (1) and para-
10 graphs (4) through (8) under the heading “Department
11 of Justice, Community Oriented Policing Services (Includ-
12 ing Transfers of Funds)” of division B of Public Law
13 111–117 shall be deemed to represent the maximum
14 amount of funding available under the respective para-
15 graph.

16 SEC. 1333. (a) The percentage limitations on trans-
17 fers between appropriations of the Department of Justice
18 described in section 205 of division B of Public Law 111–
19 117 shall not apply to funds provided by this division to
20 the Department of Justice, or provided under previous ap-
21 propriations Acts to the Department of Justice that re-
22 main available for obligation or expenditure in fiscal year
23 2011, or provided from any accounts in the Treasury of
24 the United States derived by the collection of fees available
25 to the Department of Justice.

1 (b) The transfer authority provided in subsection (a)
2 shall pertain only to transfers into the following accounts:
3 “Department of Justice, Salaries and Expenses, United
4 States Attorneys”; “Department of Justice, United States
5 Marshals Service, Salaries and Expenses”; “Department
6 of Justice, Federal Bureau of Investigation, Salaries and
7 Expenses”; “Department of Justice, Drug Enforcement
8 Administration, Salaries and Expenses”; “Department of
9 Justice, Bureau of Alcohol, Tobacco, Firearms and Explo-
10 sives, Salaries and Expenses”; and “Department of Jus-
11 tice, Federal Prison System, Salaries and Expenses”.

12 (c) Any transfer pursuant to this section shall be
13 treated as a reprogramming of funds under section 505
14 of division B of Public Law 111–117 and shall not be
15 available for obligation except in compliance with the pro-
16 cedures set forth in that section as amended by this divi-
17 sion.

18 SEC. 1334. Notwithstanding section 1105, the pro-
19 viso limiting the use of funds under the heading “National
20 Aeronautics and Space Administration, Exploration” in
21 division B of Public Law 111–117 shall not apply to funds
22 appropriated by this division.

23 SEC. 1335. (a) Notwithstanding section 1101, the
24 level for “National Aeronautics and Space Administration,
25 Space Operations” shall be \$5,946,800,000.

1 (b) The proviso specifying amounts under the head-
2 ing “National Aeronautics and Space Administration,
3 Space Operations” in division B of Public Law 111–117
4 for operations, production, research, development, and
5 support of the Space Shuttle and the International Space
6 Station and for Space and Flight Support shall not apply
7 to funds appropriated by this division.

8 SEC. 1336. (a) Notwithstanding section 1101, the
9 level for “National Aeronautics and Space Administration,
10 Cross Agency Support” shall be \$3,131,000,000.

11 (b) The set-asides under the heading “National Aero-
12 nautics and Space Administration, Cross Agency Support”
13 in division B of Public Law 111–117 for center manage-
14 ment and operations, independent verification and valida-
15 tion activities and projects specified in the explanatory
16 statement accompanying that Act shall not apply to funds
17 appropriated by this division.

18 SEC. 1337. (a) Notwithstanding section 1101, the
19 level for “National Aeronautics and Space Administration,
20 Construction and Environmental Compliance and Remedi-
21 ation” shall be \$408,300,000.

22 (b) The set-asides under the heading “National Aero-
23 nautics and Space Administration, Construction and Envi-
24 ronmental Compliance and Remediation” in division B of
25 Public Law 111–117 for science research and development

1 activities, exploration research and development activities,
2 space operations research and development activities, and
3 cross agency support activities shall not apply to funds
4 appropriated by this division.

5 SEC. 1338. (a) Transfer limitations for the National
6 Aeronautics and Space Administration described in the
7 Administrative Provisions of division B of Public Law
8 111–117 shall not apply to funds available under the fol-
9 lowing headings: (1) “National Aeronautics and Space Ad-
10 ministration, Aeronautics”; (2) “National Aeronautics and
11 Space Administration, Space Operations”; and (3) “Na-
12 tional Aeronautics and Space Administration, Education”.

13 (b) Any transfer pursuant to this section shall be
14 treated as a reprogramming of funds under section 505
15 of division B of Public Law 111–117 and shall not be
16 available for obligation except in compliance with the pro-
17 cedures set forth in that section as amended by this divi-
18 sion.

19 SEC. 1339. (a) None of the funds made available by
20 this division may be used for the National Aeronautics and
21 Space Administration or the Office of Science and Tech-
22 nology Policy to develop, design, plan, promulgate, imple-
23 ment, or execute a policy, program, order, or contract of
24 any kind to participate, collaborate, or coordinate in any
25 way with China or any Chinese-owned company unless

1 such activities are specifically authorized by a law enacted
2 after the date of enactment of this division.

3 (b) The limitation in subsection (a) shall also apply
4 to any funds used to effectuate the hosting of official Chi-
5 nese visitors at facilities belonging to or utilized by the
6 National Aeronautics and Space Administration.

7 SEC. 1340. Notwithstanding section 1101, amounts
8 are provided for “Legal Services Corporation, Payment to
9 the Legal Services Corporation” in division B of Public
10 Law 111–117 in the manner authorized in Public Law
11 111–117 for fiscal year 2010, except that for fiscal year
12 2011 the amounts specified in division B of Public Law
13 111–117 shall be modified by substituting—

14 (1) “\$350,000,000” for “\$420,000,000”; and

15 (2) “\$324,400,000” for “\$394,400,000”.

16 SEC. 1341. Section 505(a)(1) of division B of Public
17 Law 111–117 is amended by inserting “, unless the House
18 and Senate Committees on Appropriations are notified 15
19 days in advance of such reprogramming of funds” before
20 the semicolon.

21 SEC. 1342. Of the funds made available for “Depart-
22 ment of Commerce, Bureau of the Census, Periodic Cen-
23 suses and Programs” in division B of Public Law 111–
24 117, \$1,740,000,000 is rescinded.

1 SEC. 1343. Of the unobligated balances available for
2 “Emergency Steel, Oil, and Gas Guaranteed Loan Pro-
3 gram Account”, \$48,000,000 is rescinded.

4 SEC. 1344. Of the unobligated balances available to
5 the Department of Justice from prior appropriations, the
6 following funds are rescinded, not later than September
7 30, 2011, from the following accounts in the specified
8 amounts: (1) “Office of Justice Programs”, \$42,000,000;
9 and (2) “Community Oriented Policing Services”,
10 \$10,000,000.

11 TITLE IV—ENERGY AND WATER

12 DEVELOPMENT AND RELATED AGENCIES

13 SEC. 1401. All of the provisos under the heading
14 “Corps of Engineers—Civil, Department of the Army,
15 Construction” in the Energy and Water Development and
16 Related Agencies Appropriations Act, 2010 (Public Law
17 111–85) shall not apply to funds appropriated by this divi-
18 sion.

19 SEC. 1402. The proviso under the heading “Corps of
20 Engineers—Civil, Department of the Army, Mississippi
21 River and Tributaries” in the Energy and Water Develop-
22 ment and Related Agencies Appropriations Act, 2010
23 (Public Law 111–85) shall not apply to funds appro-
24 priated by this division.

1 SEC. 1403. The fifth proviso (regarding the San Ga-
2 briel Basin Restoration Fund), seventh proviso (regarding
3 the Milk River Project) and eighth proviso (regarding the
4 Departmental Irrigation Drainage program) under the
5 heading “Department of the Interior, Bureau of Reclama-
6 tion, Water and Related Resources” in the Energy and
7 Water Development and Related Agencies Appropriations
8 Act, 2010 (Public Law 111–85) shall not apply to funds
9 appropriated by this division.

10 SEC. 1404. All of the provisos under the heading
11 “Department of Energy, Energy Programs, Energy Effi-
12 ciency and Renewable Energy” in title III of the Energy
13 and Water Development and Related Agencies Appropria-
14 tions Act, 2010 (Public Law 111–85) shall not apply to
15 funds appropriated by this division.

16 SEC. 1405. All of the provisos under the heading
17 “Department of Energy, Energy Programs, Electricity
18 Delivery and Energy Reliability” in title III of the Energy
19 and Water Development and Related Agencies Appropria-
20 tions Act, 2010 (Public Law 111–85) shall not apply to
21 funds appropriated by this division.

22 SEC. 1406. The proviso under the heading “Depart-
23 ment of Energy, Energy Programs, Nuclear Energy” in
24 title III of the Energy and Water Development and Re-
25 lated Agencies Appropriations Act, 2010 (Public Law

1 111–85) shall not apply to funds appropriated by this divi-
2 sion.

3 SEC. 1407. The second proviso under the heading
4 “Department of Energy, Energy Programs, Fossil Energy
5 Research and Development” in title III of the Energy and
6 Water Development and Related Agencies Appropriations
7 Act, 2010 (Public Law 111–85) shall not apply to funds
8 appropriated by this division.

9 SEC. 1408. All of the provisos under the heading
10 “Department of Energy, Energy Programs, Science” in
11 title III of the Energy and Water Development and Re-
12 lated Agencies Appropriations Act, 2010 (Public Law
13 111–85) shall not apply to funds appropriated by this divi-
14 sion.

15 SEC. 1409. The thirteenth proviso (regarding Com-
16 mission funding) under the heading “Department of En-
17 ergy, Energy Programs, Nuclear Waste Disposal” in title
18 III of the Energy and Water Development and Related
19 Agencies Appropriations Act, 2010 (Public Law 111–85)
20 shall not apply to funds appropriated by this division.

21 SEC. 1410. All of the provisos under the heading
22 “Department of Energy, Atomic Energy Defense Activi-
23 ties, National Nuclear Security Administration, Weapons
24 Activities” in title III of the Energy and Water Develop-
25 ment and Related Agencies Appropriations Act, 2010

1 (Public Law 111–85) shall not apply to funds appro-
2 priated by this division.

3 SEC. 1411. The proviso under the heading “Depart-
4 ment of Energy, Atomic Energy Defense Activities, Na-
5 tional Nuclear Security Administration, Defense Nuclear
6 Nonproliferation” in title III of the Energy and Water De-
7 velopment and Related Agencies Appropriations Act, 2010
8 (Public Law 111–85) shall not apply to funds appro-
9 priated by this division.

10 SEC. 1412. All of the provisos under the heading
11 “Department of Energy, Atomic Energy Defense Activi-
12 ties, National Nuclear Security Administration, Office of
13 the Administrator” in title III of the Energy and Water
14 Development and Related Agencies Appropriations Act,
15 2010 (Public Law 111–85) shall not apply to funds appro-
16 priated by this division.

17 SEC. 1413. The proviso under the heading “Depart-
18 ment of Energy, Atomic Energy Defense Activities, Envi-
19 ronmental and Other Defense Activities, Defense Environ-
20 mental Cleanup” in title III of the Energy and Water De-
21 velopment and Related Agencies Appropriations Act, 2010
22 (Public Law 111–85) shall not apply to funds appro-
23 priated by this division.

24 SEC. 1414. The proviso under the heading “Depart-
25 ment of Energy, Atomic Energy Defense Activities, Envi-

1 ronmental and Other Defense Activities, Other Defense
2 Activities” in title III of the Energy and Water Develop-
3 ment and Related Agencies Appropriations Act, 2010
4 (Public Law 111–85) shall not apply to funds appro-
5 priated by this division.

6 SEC. 1415. The fifth proviso under the heading “De-
7 partment of Energy, Power Marketing Administrations,
8 Construction, Rehabilitation, Operation and Maintenance,
9 Western Area Power Administration” in title III of the
10 Energy and Water Development and Related Agencies Ap-
11 propriations Act, 2010 (Public Law 111–85) shall not
12 apply to funds appropriated by this division.

13 SEC. 1416. Sections 105, 106, 107, 110 through 125,
14 205 through 211, 502, and 506 of the Energy and Water
15 Development and Related Agencies Appropriations Act,
16 2010 (Public Law 111–85) shall not apply to funds appro-
17 priated by this division.

18 SEC. 1417. In addition to amounts otherwise made
19 available by this division, \$50,000,000 is appropriated for
20 “Department of Energy, Energy Programs, Advanced Re-
21 search Projects Agency—Energy”.

22 SEC. 1418. Notwithstanding section 1105, no appro-
23 priation, funds, or authority made available pursuant to
24 section 1101 for the Department of Energy or Corps of
25 Engineers, Civil, shall be used to initiate or resume any

1 program, project, or activity or to initiate Requests For
2 Proposals or similar arrangements (including Requests for
3 Quotations, Requests for Information, and Funding Op-
4 portunity Announcements) for a program, project, or ac-
5 tivity if the program, project, or activity has not been
6 funded by Congress, unless prior approval is received from
7 the Committees on Appropriations of the House of Rep-
8 resentatives and the Senate.

9 SEC. 1419. No funds made available by this division
10 or any other Act may be used by the Nuclear Regulatory
11 Commission to conduct closure of adjudicatory functions,
12 technical review, or support activities associated with the
13 Yucca Mountain geologic repository license application
14 until the Commission reverses ASLB decision LBP-10-
15 11.

16 SEC. 1420. Notwithstanding section 1101, the level
17 for “Independent Agencies, Appalachian Regional Com-
18 mission” shall be \$68,400,000.

19 SEC. 1421. Notwithstanding section 1101, the level
20 for “Independent Agencies, Delta Regional Authority”
21 shall be \$11,700,000.

22 SEC. 1422. Notwithstanding section 1101, the level
23 for “Independent Agencies, Denali Commission” shall be
24 \$10,800,000.

1 SEC. 1423. Notwithstanding section 1101, the level
2 for “Independent Agencies, Northern Border Regional
3 Commission” shall be \$0.

4 SEC. 1424. Notwithstanding section 1101, the level
5 for “Independent Agencies, Southeast Crescent Regional
6 Commission” shall be \$0.

7 SEC. 1425. The total principal amount for commit-
8 ments to guarantee loans for eligible projects (other than
9 nuclear power facilities and front-end nuclear facilities)
10 under the heading “Department of Energy, Title 17 Inno-
11 vative Technology Loan Guarantee Authority Loan Pro-
12 gram”, in title III of division C of Public Law 111–8, is
13 hereby reduced by \$25,000,000,000.

14 SEC. 1426. Of the unobligated balances of funds
15 transferred to “Department of the Interior, Bureau of
16 Reclamation, Water and Related Resources” for desert
17 terminal lakes under section 2507 of the Farm Security
18 and Rural Investment Act of 2002 (43 U.S.C. 2211 note),
19 \$115,000,000 is rescinded.

20 SEC. 1427. Of the unobligated balances available for
21 “Corps of Engineers—Civil, Department of the Army,
22 Mississippi River and Tributaries”, \$21,000,000 is re-
23 scinded, to be derived by cancelling unobligated balances
24 for the Yazoo Basin, Backwater Pump, Mississippi
25 project.

1 SEC. 1428. Notwithstanding section 1101, the level
2 for “Corps of Engineers—Civil, Department of the Army,
3 Investigations” shall be \$104,000,000.

4 SEC. 1429. Notwithstanding section 1101, the level
5 for “Corps of Engineers—Civil, Department of the Army,
6 Construction” shall be \$1,690,000,000.

7 SEC. 1430. Notwithstanding section 1101, the level
8 for “Corps of Engineers—Civil, Department of the Army,
9 Mississippi River and Tributaries” shall be \$239,600,000.

10 SEC. 1431. Notwithstanding section 1101, the level
11 for “Corps of Engineers—Civil, Department of the Army,
12 Operation and Maintenance” shall be \$2,361,000,000.

13 SEC. 1432. Notwithstanding section 1101, the level
14 for “Corps of Engineers—Civil, Department of the Army,
15 Formerly Utilized Sites Remedial Action Program” shall
16 be \$130,000,000.

17 SEC. 1433. Notwithstanding section 1101, the level
18 for “Department of the Interior, Bureau of Reclamation,
19 Water and Related Resources” shall be \$913,500,000.

20 SEC. 1434. Notwithstanding section 1101, the level
21 for “Department of Energy, Energy Programs, Energy
22 Efficiency and Renewable Energy” shall be
23 \$1,467,400,000: *Provided*, That none of the funds made
24 available by this division may be used for the Weatheriza-
25 tion Assistance Program authorized under part A of title

1 IV of the Energy Conservation and Production Act (42
2 U.S.C. 6861 et seq.) or the State Energy Program author-
3 ized under part D of title III of the Energy Policy and
4 Conservation Act (42 U.S.C. 6321 et seq.).

5 SEC. 1435. Notwithstanding section 1101, the level
6 for “Department of Energy, Energy Programs, Electricity
7 Delivery and Energy Reliability” shall be \$139,000,000.

8 SEC. 1436. Notwithstanding section 1101, the level
9 for “Department of Energy, Energy Programs, Nuclear
10 Energy” shall be \$661,100,000.

11 SEC. 1437. Notwithstanding section 1101, the level
12 for “Department of Energy, Energy Programs, Fossil En-
13 ergy Research and Development” shall be \$586,600,000.

14 SEC. 1438. Notwithstanding section 1101, the level
15 for “Department of Energy, Energy Programs, Strategic
16 Petroleum Reserve” shall be \$138,900,000.

17 SEC. 1439. Notwithstanding section 1101, the level
18 for “Department of Energy, Energy Programs, Energy
19 Information Administration” shall be \$95,600,000.

20 SEC. 1440. Notwithstanding section 1101, the level
21 for “Department of Energy, Energy Programs, Non-De-
22 fense Environmental Cleanup” shall be \$225,200,000.

23 SEC. 1441. Notwithstanding section 1101, the level
24 for “Department of Energy, Energy Programs, Uranium

1 Enrichment Decontamination and Decommissioning
2 Fund” shall be \$513,900,000.

3 SEC. 1442. Notwithstanding section 1101, the level
4 for “Department of Energy, Energy Programs, Science”
5 shall be \$4,017,700,000: *Provided*, That of the amount
6 provided by this division for “Department of Energy, En-
7 ergy Programs, Science”, not more than \$302,000,000
8 shall be for biological and environmental research author-
9 ized under subtitle G of title IX of the Energy Policy Act
10 of 2005 (42 U.S.C. 16311 et seq.).

11 SEC. 1443. Notwithstanding section 1101, the level
12 for “Department of Energy, Energy Programs, Depart-
13 mental Administration” shall be \$148,900,000.

14 SEC. 1444. Notwithstanding section 1101, the level
15 for “Department of Energy, Energy Programs, Advanced
16 Technology Vehicles Manufacturing Loan Program” shall
17 be \$9,998,000.

18 SEC. 1445. Notwithstanding section 1101, the level
19 for “Department of Energy, Atomic Energy Defense Ac-
20 tivities, National Nuclear Security Administration, Weap-
21 ons Activities” shall be \$6,696,400,000.

22 SEC. 1446. Notwithstanding section 1101, the level
23 for “Department of Energy, Atomic Energy Defense Ac-
24 tivities, National Nuclear Security Administration, De-
25 fense Nuclear Nonproliferation” shall be \$2,085,200,000.

1 SEC. 1447. Notwithstanding section 1101, the level
2 for “Department of Energy, Atomic Energy Defense Ac-
3 tivities, National Nuclear Security Administration, Naval
4 Reactors” shall be \$967,100,000.

5 SEC. 1448. Notwithstanding section 1101, the level
6 for “Department of Energy, Atomic Energy Defense Ac-
7 tivities, National Nuclear Security Administration, Office
8 of the Administrator” shall be \$407,800,000.

9 SEC. 1449. Notwithstanding section 1101, the level
10 for “Department of Energy, Environmental and Other
11 Defense Activities, Defense Environmental Cleanup” shall
12 be \$5,016,041,000, of which \$33,700,000 shall be trans-
13 ferred to the “Uranium Enrichment Decontamination and
14 Decommissioning Fund”.

15 SEC. 1450. Notwithstanding section 1101, the level
16 for “Department of Energy, Environmental and Other
17 Defense Activities, Other Defense Activities” shall be
18 \$773,400,000.

19 SEC. 1451. Of the unobligated balances from prior
20 year appropriations available for “Corps of Engineers—
21 Civil, Department of the Army, Construction”,
22 \$100,000,000 is rescinded.

23 SEC. 1452. Of the unobligated balances from prior
24 year appropriations available for “Department of Energy,

1 Energy Programs, Energy Efficiency and Renewable En-
2 ergy”, \$11,200,000 is rescinded.

3 SEC. 1453. Of the unobligated balances from prior
4 year appropriations available for “Department of Energy,
5 Energy Programs, Electricity Delivery and Energy Reli-
6 ability”, \$2,400,000 is rescinded.

7 SEC. 1454. Of the unobligated balances from prior
8 year appropriations available for “Department of Energy,
9 Energy Programs, Nuclear Energy”, \$6,300,000 is re-
10 scinded.

11 SEC. 1455. Of the unobligated balances from prior
12 year appropriations available for “Department of Energy,
13 Energy Programs, Fossil Energy Research and Develop-
14 ment”, \$30,600,000 is rescinded.

15 SEC. 1456. Of the unobligated balances from prior
16 year appropriations available for “Department of Energy,
17 Energy Programs, Naval Petroleum and Oil Shale Re-
18 serves”, \$2,100,000 is rescinded.

19 SEC. 1457. Of the unobligated balances from prior
20 year appropriations available for “Department of Energy,
21 Energy Programs, Clean Coal Technology”, \$18,000,000
22 is rescinded.

23 SEC. 1458. Of the unobligated balances from prior
24 year appropriations available for “Department of Energy,

1 Energy Programs, Strategic Petroleum Reserve”,
2 \$15,300,000 is rescinded.

3 SEC. 1459. Of the unobligated balances from prior
4 year appropriations available for “Department of Energy,
5 Energy Programs, Energy Information Administration”,
6 \$400,000 is rescinded.

7 SEC. 1460. Of the unobligated balances from prior
8 year appropriations available for “Department of Energy,
9 Energy Programs, Non-Defense Environmental Cleanup”,
10 \$900,000 is rescinded.

11 SEC. 1461. Of the unobligated balances from prior
12 year appropriations available for “Department of Energy,
13 Energy Programs, Uranium Enrichment Decontamination
14 and Decommissioning Fund”, \$10,000,000 is rescinded.

15 SEC. 1462. Of the unobligated balances from prior
16 year appropriations available for “Department of Energy,
17 Energy Programs, Science”, \$7,200,000 is rescinded.

18 SEC. 1463. Of the unobligated balances from prior
19 year appropriations available for “Department of Energy,
20 Energy Programs, Nuclear Waste Disposal”, \$2,800,000
21 is rescinded.

22 SEC. 1464. Of the unobligated balances from prior
23 year appropriations available for “Department of Energy,
24 Energy Programs, Departmental Administration”,
25 \$11,900,000 is rescinded.

1 SEC. 1465. Of the unobligated balances from prior
2 year appropriations available for “Department of Energy,
3 Atomic Energy Defense Activities, National Nuclear Secu-
4 rity Administration, Defense Nuclear Nonproliferation”,
5 \$45,500,000 is rescinded.

6 SEC. 1466. Of the unobligated balances from prior
7 year appropriations available for “Department of Energy,
8 Atomic Energy Defense Activities, National Nuclear Secu-
9 rity Administration, Naval Reactors”, \$1,200,000 is re-
10 scinded.

11 SEC. 1467. Of the unobligated balances from prior
12 year appropriations available for “Department of Energy,
13 Atomic Energy Defense Activities, National Nuclear Secu-
14 rity Administration, Office of the Administrator”,
15 \$4,400,000 is rescinded.

16 SEC. 1468. Of the unobligated balances from prior
17 year appropriations available for “Department of Energy,
18 Environmental and Other Defense Activities, Defense En-
19 vironmental Cleanup”, \$11,900,000 is rescinded.

20 SEC. 1469. Of the unobligated balances from prior
21 year appropriations available for “Department of Energy,
22 Environmental and Other Defense Activities, Other De-
23 fense Activities”, \$3,400,000 is rescinded.

1 SEC. 1470. Of the unobligated balances from prior
2 year appropriations available for “Independent Agencies,
3 Delta Regional Authority”, \$6,000,000 is rescinded.

4 SEC. 1471. Of the unobligated balances from prior
5 year appropriations available for “Independent Agencies,
6 Denali Commission”, \$15,000,000 is rescinded.

7 SEC. 1472. Within 30 days of enactment of this divi-
8 sion, the Department of Energy; Corps of Engineers,
9 Civil; Nuclear Regulatory Commission; and Bureau of
10 Reclamation shall submit to the Committees on Appro-
11 priations of the House of Representatives and the Senate
12 a spending, expenditure, or operating plan for fiscal year
13 2011 at a level of detail below the account level.

14 SEC. 1473. No rescission made in this title shall
15 apply to any amount previously designated by the Con-
16 gress as an emergency requirement pursuant to a concur-
17 rent resolution on the budget or the Balanced Budget and
18 Emergency Deficit Control Act of 1985.

19 SEC. 1474. None of the funds made available by this
20 division or prior appropriation Acts (other than Public
21 Law 111–5) for Energy and Water Development may be
22 used to pay the costs of employment (such as pay and
23 benefits), or termination (such as severance pay), of any
24 employee of the Department of Energy who is appointed,
25 employed, or retained under the authority of, or using

1 funds provided by, Public Law 111–5, or whose functions
2 or operations (including programmatic or oversight re-
3 sponsibilities) are substantially or entirely funded under
4 Public Law 111–5.

5 SEC. 1475. (a) None of the funds made available by
6 this Act may be used to implement—

7 (1) Reasonable and Prudent Action Component 1,
8 Reasonable and Prudent Action Component 2, or Reason-
9 able and Prudent Action Component 3 described in the
10 biological opinion for the operations of the Central Valley
11 Project and the California State Water Project issued by
12 the United States Fish and Wildlife Service and dated De-
13 cember 15, 2008; or

14 (2) Reasonable and Prudent Action IV.2.1 or Reason-
15 able and Prudent Action IV.2.3 described in the biological
16 opinion for the operations of the Central Valley Project
17 and the California State Water Project issued by the Na-
18 tional Marine Fisheries Service and dated June 4, 2009.

19 (b) None of the funds made available by this Act may
20 be used to implement section 10004, 10005, 10006,
21 10009, or 10011 of Public Law 111–11.

22 TITLE V—FINANCIAL SERVICES AND GENERAL
23 GOVERNMENT

24 SEC. 1501. Notwithstanding section 1101, the level
25 for “Department of the Treasury, Departmental Offices,

1 Salaries and Expenses” shall be \$299,888,000, of which
2 \$102,613,000 shall be for terrorism and financial intel-
3 ligence activities, and the requirements to transfer funds
4 to the National Academy of Science and the funding des-
5 ignations related to executive direction program activities,
6 economic policies and program activities, financial policies
7 and program activities, Treasury-wide management poli-
8 cies and program activities, and administration program
9 activities shall not apply to funds appropriated by this di-
10 vision.

11 SEC. 1502. Notwithstanding section 1101, the level
12 for “Department of the Treasury, Departmental Offices,
13 Department-wide Systems and Capital Investment Pro-
14 grams” shall be \$4,000,000.

15 SEC. 1503. Notwithstanding section 1101, the level
16 for “Department of Treasury, Office of Inspector General,
17 Salaries and Expenses” shall be \$29,403,000.

18 SEC. 1504. Notwithstanding section 1101, the level
19 for “Department of the Treasury, Departmental Offices,
20 Special Inspector General for the Troubled Asset Relief
21 Program, Salaries and Expenses” shall be \$36,300,000.

22 SEC. 1505. Notwithstanding section 1101, the level
23 for “Department of Treasury, Financial Crimes Enforce-
24 ment Network, Salaries and Expenses” shall be
25 \$108,927,000.

1 SEC. 1506. Notwithstanding section 1101, the level
2 for “Department of the Treasury, Financial Management
3 Service, Salaries and Expenses” shall be \$232,838,000.

4 SEC. 1507. Notwithstanding section 1101, the level
5 for “Department of the Treasury, Bureau of the Public
6 Debt, Administering the Public Debt” shall be
7 \$184,658,000.

8 SEC. 1508. Of the unobligated balances available
9 under the heading “Department of the Treasury, Treas-
10 ury Forfeiture Fund”, \$400,000,000 is rescinded.

11 SEC. 1509. Notwithstanding section 1101, the level
12 for “Department of the Treasury, Alcohol and Tobacco
13 Tax and Trade Bureau, Salaries and Expenses” shall be
14 \$99,831,000, and the first proviso under such heading
15 shall not apply to funds appropriated by this division.

16 SEC. 1510. Notwithstanding section 1101, the level
17 for “Department of the Treasury, Community Develop-
18 ment Financial Institutions Fund Program Account” shall
19 be \$50,000,000 for financial assistance, technical assist-
20 ance, training outreach programs, and administrative ex-
21 penses, of which not less than \$2,500,000 shall be for pro-
22 grams under sections 105 through 109 of the Community
23 Development Banking and Financial Institutions Act of
24 1994 (12 U.S.C. 4704–4708) designed to benefit Native
25 communities; and the requirement to transfer funds to the

1 Capital Magnet Fund and the funding designations for
2 pilot project grants and administration shall not apply to
3 funds appropriated by this division.

4 SEC. 1511. Notwithstanding section 1101, the level
5 for “Department of the Treasury, Internal Revenue Serv-
6 ice, Taxpayer Services” shall be \$2,187,836,000.

7 SEC. 1512. Notwithstanding section 1101, the level
8 for “Department of the Treasury, Internal Revenue Serv-
9 ice, Enforcement” shall be \$5,219,016,000.

10 SEC. 1513. Notwithstanding section 1101, the level
11 for “Department of the Treasury, Internal Revenue Serv-
12 ice, Operations Support” shall be \$3,856,894,000, and the
13 funding designations for tax enforcement under such
14 heading shall not apply to funds appropriated by this divi-
15 sion.

16 SEC. 1514. Notwithstanding section 1101, and sec-
17 tion 101 of division C of Public Law 111–117, the Sec-
18 retary of the Treasury is authorized to transfer up to
19 \$83,211,000 of the funds appropriated to the Internal
20 Revenue Service for “Enforcement” and “Operations Sup-
21 port” to “Business Systems Modernization” upon notifica-
22 tion and approval of the House and Senate Committees
23 on Appropriations.

1 SEC. 1515. Notwithstanding section 1101, section
2 105 of division C of Public Law 111–117 shall not apply
3 to funds appropriated by this division.

4 SEC. 1516. None of the funds made available by this
5 division may be used by the Internal Revenue Service to
6 implement or enforce any amendment made to section
7 6041 of the Internal Revenue Code of 1986 by section
8 9006 of the Patient Protection and Affordable Care Act
9 (Public Law 111–148).

10 SEC. 1517. (a) During fiscal year 2011, the Board
11 of Governors of the Federal Reserve may not transfer
12 more than \$80,000,000 to the Bureau of Consumer Fi-
13 nancial Protection for activities authorized to be carried
14 out by the Bureau under title X of the Dodd-Frank Wall
15 Street Reform and Consumer Protection Act.

16 (b) During fiscal year 2011, the Bureau of Consumer
17 Financial Protection may not obligate more than
18 \$80,000,000 for such activities.

19 SEC. 1518. Notwithstanding section 1101, the level
20 for “Executive Office of the President and Funds Appro-
21 priated to the President, The White House, Salaries and
22 Expenses” shall be \$56,186,000.

23 SEC. 1519. Notwithstanding section 1101, the level
24 for “Executive Office of the President and Funds Appro-

1 priated to the President, Executive Residence at the White
2 House, Operating Expenses” shall be \$13,146,000.

3 SEC. 1520. Notwithstanding section 1101, the level
4 for “Executive Office of the President and Funds Appro-
5 priated to the President, White House Repair and Res-
6 toration” shall be \$2,005,000.

7 SEC. 1521. Of the unobligated balances available for
8 “Executive Office of the President and Funds Appro-
9 priated to the President, Office of National Drug Control
10 Policy, Counterdrug Technology Assessment Center”,
11 \$5,000,000 is rescinded.

12 SEC. 1522. Notwithstanding section 1101, the level
13 for “Executive Office of the President and Funds Appro-
14 priated to the President, Council of Economic Advisors,
15 Salaries and Expenses” shall be \$3,990,000.

16 SEC. 1523. Notwithstanding section 1101, the level
17 for “Executive Office of the President and Funds Appro-
18 priated to the President, National Security Council, Sala-
19 ries and Expenses” shall be \$11,619,000.

20 SEC. 1524. Notwithstanding section 1101, the level
21 for “Executive Office of the President and Funds Appro-
22 priated to the President, Office of Administration, Sala-
23 ries and Expenses” shall be \$109,516,000.

24 SEC. 1525. Notwithstanding section 1101, the level
25 for “Executive Office of the President and Funds Appro-

1 priated to the President, Office of Management and Budg-
2 et, Salaries and Expenses” shall be \$88,220,000.

3 SEC. 1526. Notwithstanding section 1101, the level
4 for “Executive Office of the President and Funds Appro-
5 priated to the President, Office of National Drug Control
6 Policy, Salaries and Expenses” shall be \$24,886,000.

7 SEC. 1527. Of the unobligated balances available for
8 “Executive Office of the President and Funds Appro-
9 priated to the President, Office of National Drug Control
10 Policy, Salaries and Expenses” for policy research and
11 evaluation, \$2,000,000 is rescinded.

12 SEC. 1528. Notwithstanding section 1101, the level
13 for “Executive Office of the President and Funds Appro-
14 priated to the President, Office of National Drug Control
15 Policy, Counterdrug Technology Assessment Center” shall
16 be \$0.

17 SEC. 1529. Notwithstanding section 1101, the level
18 for “Executive Office of the President and Funds Appro-
19 priated to President, Unanticipated Needs” shall be \$0.

20 SEC. 1530. Notwithstanding section 1101, the level
21 for “Executive Office of the President and Funds Appro-
22 priated to the President, Partnership Fund for Program
23 Integrity Innovation” shall be \$0.

24 SEC. 1531. Notwithstanding section 1101, the level
25 for “Executive Office of the President and Funds Appro-

1 priated to the President, Special Assistance to the Presi-
2 dent, Salaries and Expenses” shall be \$4,374,000.

3 SEC. 1532. Notwithstanding section 1101, the level
4 for “Executive Office of the President and Funds Appro-
5 priated to the President, Official Residence of the Vice
6 President, Operating Expenses” shall be \$314,000.

7 SEC. 1533. Of the unobligated balances available for
8 “Executive Office of the President and Funds Appro-
9 priated to the President, Partnership Fund for Program
10 Integrity Innovation”, \$10,000,000 is rescinded.

11 SEC. 1534. Notwithstanding section 1101, the level
12 for “Executive Office of the President and Funds Appro-
13 priated to the President, Office of National Drug Control
14 Policy, Other Federal Drug Control Programs” shall be
15 \$96,425,000, of which \$85,500,000 shall be for the Drug-
16 Free Communities Program; \$9,025,000 shall be for anti-
17 doping activities; and the matter related to a national
18 media campaign, the National Drug Court Institute, the
19 United States Anti-Doping Agency, Model State Drug
20 Laws and performance measures shall not apply to the
21 funds appropriated by this division.

22 SEC. 1535. Notwithstanding section 1101, none of
23 the funds appropriated by this division under heading
24 “Executive Office of the President and Funds Appro-
25 priated to the President” shall be for an Assistant to the

1 President for Energy and Climate Change, or any sub-
2 stantially similar position.

3 SEC. 1536. Notwithstanding section 1101, none of
4 the funds appropriated by this division under the heading
5 “Executive Office of the President and Funds Appro-
6 priated to the President” shall be for the Director of the
7 Office of Health Care Reform, or any substantially similar
8 position.

9 SEC. 1537. Notwithstanding section 1101, the level
10 for “The Judiciary, Supreme Court of the United States,
11 Care of the Building and Grounds” shall be \$8,175,000.

12 SEC. 1538. Notwithstanding section 1101, the level
13 for “The Judiciary, Courts of Appeals, District Courts,
14 and Other Judicial Services, Salaries and Expenses” shall
15 be \$4,860,585,000.

16 SEC. 1539. Notwithstanding section 1101, the level
17 for “The Judiciary, Courts of Appeals, District Courts,
18 and Other Judicial Services, Fees of Jurors and Commis-
19 sioners” shall be \$52,410,000.

20 SEC. 1540. Notwithstanding section 1101, the level
21 for “The Judiciary, Administrative Office of the United
22 States Courts, Salaries and Expenses” shall be
23 \$82,575,000.

1 SEC. 1541. Notwithstanding section 1101, the level
2 for “The Judiciary, Federal Judicial Center, Salaries and
3 Expenses” shall be \$27,078,000.

4 SEC. 1542. Notwithstanding section 1101, the level
5 for “The Judiciary, United States Sentencing Commis-
6 sion, Salaries and Expenses” shall be \$16,737,000.

7 SEC. 1543. Notwithstanding section 1101, the level
8 for “The Judiciary, Courts of Appeals, District Courts,
9 and Other Judicial Services, Court Security” shall be
10 \$467,607,000.

11 SEC. 1544. The amount included in the second para-
12 graph under the heading “The Judiciary, Courts of Ap-
13 peals, District Courts, and Other Judicial Services, Sala-
14 ries and Expenses” in division C of Public Law 111–117
15 shall be applied to funds appropriated by this division by
16 substituting “\$4,785,000” for “\$5,428,000”.

17 SEC. 1545. Of the unobligated balances available for
18 “The Judiciary, United States Sentencing Commission,
19 Salaries and Expenses”, \$100,000 is rescinded.

20 SEC. 1546. Section 203(c) of the Judicial Improve-
21 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
22 note) is amended in the third sentence (relating to the
23 District of Kansas) by striking “19 years” and inserting
24 “20 years”.

1 SEC. 1547. Notwithstanding section 1101, the level
2 for “District of Columbia, Federal Funds, Federal Pay-
3 ment to the District of Columbia Courts” shall be
4 \$235,660,000, of which \$50,000,000 shall be for capital
5 improvements.

6 SEC. 1548. (a) Notwithstanding section 1101, the
7 level for “District of Columbia, Federal Funds, Federal
8 Payment for School Improvement” shall be \$60,000,000,
9 of which \$24,500,000 shall be for the District of Columbia
10 Public Schools, \$20,000,000 shall be to expand quality
11 public charter schools, and \$15,500,000 shall be for op-
12 portunity scholarships, and the second reference to
13 “\$1,000,000” under such heading shall be applied to
14 funds appropriated by this division by substituting “\$0”.

15 (b) The authority and conditions provided in the Dis-
16 trict of Columbia Appropriations Act, 2010 (Public Law
17 111–117; 123 Stat. 3181) under the heading described in
18 subsection (a) shall apply with respect to the funds made
19 available under this division, with the following modifica-
20 tions:

21 (1) The first proviso under such heading shall
22 not apply.

23 (2) Notwithstanding the second proviso under
24 such heading, the funds may be made available for
25 scholarships to students, without regard to whether

1 any student received a scholarship in any prior
2 school year.

3 (3) The fourth proviso under such heading shall
4 not apply.

5 (4) Notwithstanding the fifth proviso under
6 such heading, the Secretary of Education shall en-
7 sure that site inspections of participating schools are
8 conducted annually.

9 SEC. 1549. Notwithstanding section 1101, the level
10 for “District of Columbia, Federal Funds, Federal Pay-
11 ment to the District of Columbia Water and Sewer Au-
12 thority” shall be \$10,000,000.

13 SEC. 1550. Notwithstanding section 1101, the level
14 for “District of Columbia, Federal Funds, Federal Pay-
15 ment to the Criminal Justice Coordinating Council” shall
16 be \$1,800,000.

17 SEC. 1551. Notwithstanding section 1101, the level
18 for “District of Columbia, Federal Funds, Federal Pay-
19 ment to the Office of the Chief Financial Officer for the
20 District of Columbia” shall be \$0.

21 SEC. 1552. Notwithstanding section 1101, the level
22 for “District of Columbia, Federal Funds, Federal Pay-
23 ment for Consolidated Laboratory Facility” shall be \$0.

24 SEC. 1553. Notwithstanding section 1101, the level
25 for “District of Columbia, Federal Funds, Federal Pay-

1 ment for Housing for the Homeless” shall be
2 \$10,000,000.

3 SEC. 1554. Notwithstanding section 1101, the level
4 for “District of Columbia, Federal Funds, Federal Pay-
5 ment for Youth Services” shall be \$0.

6 SEC. 1555. Notwithstanding any other provision of
7 this division, except section 1106, the District of Columbia
8 may expend local funds for programs and activities under
9 the heading “District of Columbia Funds” for such pro-
10 grams and activities under title IV of S. 3677 (111th Con-
11 gress), as reported by the Committee on Appropriations
12 of the Senate, at the rate set forth under “District of Co-
13 lumbia Funds” as included in the Fiscal Year 2011 Budg-
14 et Request Act (D.C. Act 18–448), as modified as of the
15 date of the enactment of this division.

16 SEC. 1556. Notwithstanding section 1101, the level
17 for “Independent Agencies, Christopher Columbus Fellow-
18 ship Foundation, Salaries and Expenses” shall be
19 \$500,000.

20 SEC. 1557. Notwithstanding section 1101, the level
21 for “Independent Agencies, Election Assistance Commis-
22 sion, Election Reform Programs” shall be \$0.

23 SEC. 1558. Notwithstanding section 1101, the level
24 for “Independent Agencies, General Service Administra-

1 tion, General Activities, Government-Wide Policy” shall be
2 \$59,068,000.

3 SEC. 1559. Notwithstanding section 1101, the level
4 for “Independent Agencies, Federal Deposit Insurance
5 Corporation, Office of the Inspector General” shall be
6 \$42,942,000.

7 SEC. 1560. Notwithstanding section 1101, the level
8 for “Independent Agencies, Federal Labor Relations Au-
9 thority, Salaries and Expenses” shall be \$24,500,000.

10 SEC. 1561. Notwithstanding section 1101, the level
11 for “Independent Agencies, General Services Administra-
12 tion, Electronic Government Fund” shall be \$2,000,000.

13 SEC. 1562. Notwithstanding section 1101, the level
14 for “Independent Agencies, General Services Administra-
15 tion, Federal Citizen Services Fund” shall be
16 \$34,689,000.

17 SEC. 1563. Notwithstanding section 1101, the level
18 for “Independent Agencies, Federal Election Commission,
19 Salaries and Expenses” shall be \$65,835,000.

20 SEC. 1564. Notwithstanding section 1101, the level
21 for “Independent Agencies, Federal Trade Commission,
22 Salaries and Expenses” shall be \$288,783,000.

23 SEC. 1565. Notwithstanding section 1101, the level
24 for “Independent Agencies, Morris K. Udall and Stewart

1 Udall Foundation, Morris K. Udall and Stewart Udall
2 Trust Fund” shall be \$1,000,000.

3 SEC. 1566. Notwithstanding section 1101, the level
4 for “Independent Agencies, National Credit Union Admin-
5 istration, Community Development Revolving Loan Fund”
6 shall be \$500,000.

7 SEC. 1567. Notwithstanding section 1101, the level
8 for “Independent Agencies, Privacy and Civil Liberties
9 Oversight Board, Salaries and Expenses” shall be
10 \$100,000.

11 SEC. 1568. Notwithstanding section 1101, the level
12 for “Independent Agencies, Consumer Product Safety
13 Commission, Salaries and Expenses” shall be
14 \$115,018,000, of which \$500,000 shall be for the Virginia
15 Graeme Baker Pool and Spa Safety Act grant program.

16 SEC. 1569. Of the unobligated balances available
17 under the heading “Independent Agencies, Consumer
18 Product Safety Commission, Salaries and Expenses” for
19 the Virginia Graeme Baker Pool and Spa Safety Act grant
20 program, \$2,000,000 is rescinded.

21 SEC. 1570. Notwithstanding section 1101, the level
22 for “Independent Agencies, Election Assistance Commis-
23 sion, Salaries and Expenses” shall be \$15,020,000, of
24 which \$2,345,000 shall be transferred to the National In-
25 stitute of Standards and Technology for election reform

1 activities authorized under the Help America Vote Act of
2 2002 (Public Law 107–252), the level under such heading
3 for the Help America Vote College Program shall be \$0,
4 and the level under such heading for a competitive grant
5 program to support community involvement in student
6 and parent mock elections shall be \$0.

7 SEC. 1571. Of the unobligated balances available for
8 “Independent Agencies, Election Assistance Commission,
9 Election Reform Programs”, \$5,000,000 is rescinded.

10 SEC. 1572. Notwithstanding section 1101, the aggre-
11 gate amount of new obligational authority provided under
12 the heading “Independent Agencies, General Services Ad-
13 ministration, Real Property Activities, Federal Buildings
14 Fund, Limitations on Availability of Revenue” for Federal
15 buildings and courthouses and other purposes of the Fund
16 shall be \$7,428,007,000, of which (1) \$0 is for “Construc-
17 tion and Acquisition”; and (2) \$280,000,000 is for “Re-
18 pairs and Alterations”, of which \$260,000,000 is for basic
19 repairs and alterations and \$20,000,000 is for fire and
20 life safety programs.

21 SEC. 1573. Notwithstanding section 1101, the level
22 for “Independent Agencies, General Services Administra-
23 tion, General Activities, Operating Expenses” shall be
24 \$71,381,000 and matters pertaining to the amount of

1 \$1,000,000 shall not apply to funds appropriated by this
2 division.

3 SEC. 1574. Notwithstanding section 1101, the level
4 for “Independent Agencies, National Archives and
5 Records Administration, Operating Expenses” shall be
6 \$336,372,000.

7 SEC. 1575. Notwithstanding section 1101, the level
8 for “Independent Agencies, National Archives and
9 Records Administration, Electronic Records Archives”
10 shall be \$72,000,000, of which \$52,500,000 shall remain
11 available until September 30, 2013.

12 SEC. 1576. Notwithstanding section 1101, the level
13 for “Independent Agencies, National Archives and
14 Records Administration, Repairs and Restoration” shall
15 be \$11,730,000.

16 SEC. 1577. Notwithstanding section 1101, the level
17 for “Independent Agencies, National Archives and
18 Records Administration, National Historical Publications
19 and Records Commission, Grants Program” shall be
20 \$4,000,000.

21 SEC. 1578. Of the unobligated balances available
22 under the heading “Independent Agencies, National Ar-
23 chives and Records Administration, Repairs and Restora-
24 tion” \$3,198,000 is rescinded, which shall be derived from

1 amounts made available for a new regional archives and
2 records facility in Anchorage, Alaska.

3 SEC. 1579. The amounts included under the heading
4 “Independent Agencies, Merit Systems Protection Board,
5 Salaries and Expenses” in division C of Public Law 111–
6 117 shall be applied to funds appropriated by this division
7 by substituting “\$39,000,000” for “\$40,339,000”.

8 SEC. 1580. The amounts included under the heading
9 “Independent Agencies, Office of Personnel Management,
10 Salaries and Expenses” in division C of Public Law 111–
11 117 shall be applied to funds appropriated by this division
12 as follows:

13 (1) By substituting “\$101,270,000” for
14 “\$102,970,000”.

15 (2) By substituting “\$111,038,000” for
16 “\$112,738,000”.

17 SEC. 1581. The amounts included under the heading
18 “Independent Agencies, Office of Personnel Management,
19 Office of Inspector General” in division C of Public Law
20 111–117 shall be applied to funds appropriated by this
21 division as follows:

22 (1) By substituting “\$2,136,000” for
23 “\$3,148,000”.

24 (2) By substituting “20,428,000” for
25 “21,215,000”.

1 SEC. 1582. Notwithstanding section 1101, the level
2 for “Independent Agencies, Office of Special Counsel, Sal-
3 aries and Expenses” shall be \$18,300,000.

4 SEC. 1583. Of the unobligated balances available for
5 “Independent Agencies, Privacy and Civil Liberties Over-
6 sight Board, Salaries and Expenses”, \$1,500,000 is re-
7 scinded.

8 SEC. 1584. Notwithstanding section 1101, the level
9 provided under section 523 of division C of Public Law
10 111–117 shall be \$0.

11 SEC. 1585. Notwithstanding section 1101, the level
12 for “Independent Agencies, Small Business Administra-
13 tion, Salaries and Expenses” shall be \$408,438,000.

14 SEC. 1586. The amounts included under the heading
15 “Independent Agencies, United States Postal Service,
16 Payment to the Postal Service Fund” in division C of Pub-
17 lic Law 111–117 shall be applied to funds appropriated
18 by this division as follows:

19 (1) By substituting “\$103,905,000” for
20 “\$118,328,000”.

21 (2) By substituting “\$74,905,000” for
22 “\$89,328,000”.

23 (3) By substituting “2011” for “2010”.

24 SEC. 1587. Notwithstanding section 1101, the level
25 for “Independent Agencies, Securities and Exchange Com-

1 mission, Salaries and Expenses” shall be \$1,069,916,000
2 and the proviso pertaining to prior year unobligated bal-
3 ances shall not apply to funds appropriated by this divi-
4 sion.

5 SEC. 1588. Notwithstanding section 1101, the level
6 for “Independent Agencies, Selective Service System, Sal-
7 aries and Expenses” shall be \$24,032,000.

8 SEC. 1589. Notwithstanding section 1101, the level
9 for “Independent Agencies, United States Tax Court, Sal-
10 aries and Expenses” shall be \$52,093,000, of which
11 \$2,852,000 shall be for security improvements.

12 SEC. 1590. Section 814 of division C of Public Law
13 111–117 shall be applied to funds appropriated by this
14 division by striking “Federal”.

15 SEC. 1591. (a) Notwithstanding section 1101, and
16 section 810 of division C of Public Law 111–117, none
17 of the funds contained in this division may be used for
18 any program of distributing sterile needles or syringes for
19 the hypodermic injection of any illegal drug.

20 (b) Any individual or entity who receives any funds
21 contained in this division and who carries out any program
22 described in subsection (a) shall account for all funds used
23 for such program separately from any funds contained in
24 this division.

1 TITLE VI—HOMELAND SECURITY

2 SEC. 1601. Within 30 days after the date of enact-
3 ment of this division, the Department of Homeland Secu-
4 rity shall submit to the Committees on Appropriations of
5 the Senate and the House of Representatives an expendi-
6 ture plan for fiscal year 2011 that displays the level of
7 funding by program, project, and activity consistent with
8 the table of detailed funding recommendations contained
9 at the end of the joint explanatory statement accom-
10 panying the Department of Homeland Security Appropria-
11 tions Act, 2010 (Public Law 111–83).

12 SEC. 1602. Notwithstanding section 1101, the level
13 for “Department of Homeland Security, Office of the Sec-
14 retary and Executive Management” shall be
15 \$136,818,000.

16 SEC. 1603. Notwithstanding section 1101, the level
17 for “Department of Homeland Security, Office of the
18 Under Secretary for Management” shall be \$239,933,000.

19 SEC. 1604. Notwithstanding section 1101, the level
20 for “Department of Homeland Security, Office of the
21 Chief Information Officer” shall be \$333,393,000, of
22 which not less than \$77,788,000 shall be available for data
23 center development and migration.

1 SEC. 1605. Notwithstanding section 1101, the level
2 for “Department of Homeland Security, Office of the Fed-
3 eral Coordinator for Gulf Coast Rebuilding” shall be \$0.

4 SEC. 1606. Notwithstanding section 1101, the level
5 for “Department of Homeland Security, U.S. Customs
6 and Border Protection, Salaries and Expenses” shall be
7 \$8,212,626,000: *Provided*, That for fiscal year 2011, the
8 Border Patrol shall maintain an active duty presence of
9 not fewer than 20,500 full-time equivalent agents through-
10 out the fiscal year.

11 SEC. 1607. Notwithstanding section 1101, the level
12 for “Department of Homeland Security, U.S. Customs
13 and Border Protection, Automation Modernization” shall
14 be \$341,575,000, of which \$153,090,000 shall be for the
15 Automated Commercial Environment.

16 SEC. 1608. (a) Notwithstanding section 1101, the
17 level for “Department of Homeland Security, U.S. Cus-
18 toms and Border Protection, Border Security Fencing, In-
19 frastructure, and Technology” shall be \$450,000,000.

20 (b) Paragraph (11) of the first proviso and the third
21 and fourth provisos under the heading “Border Security
22 Fencing, Infrastructure, and Technology” of Public Law
23 111–83 shall not apply to funds appropriated by this divi-
24 sion.

1 SEC. 1609. Notwithstanding section 1101, the level
2 for “Department of Homeland Security, U.S. Customs
3 and Border Protection, Air and Marine Interdiction, Oper-
4 ations, Maintenance, and Procurement” shall be
5 \$516,326,000.

6 SEC. 1610. Notwithstanding section 1101, the level
7 for “Department of Homeland Security, U.S. Customs
8 and Border Protection, Construction and Facilities Man-
9 agement” shall be \$241,040,000.

10 SEC. 1611. Notwithstanding section 1101, the level
11 for “Department of Homeland Security, U.S. Immigration
12 and Customs Enforcement, Salaries and Expenses” shall
13 be \$5,399,894,000: *Provided*, That U.S. Immigration and
14 Customs Enforcement shall maintain a level of not fewer
15 than 33,400 detention beds throughout fiscal year 2011.

16 SEC. 1612. Notwithstanding section 1101, the level
17 for “Department of Homeland Security, U.S. Immigration
18 and Customs Enforcement, Automation Modernization”
19 shall be \$75,000,000.

20 SEC. 1613. Notwithstanding section 1101, the level
21 for “Department of Homeland Security, U.S. Immigration
22 and Customs Enforcement, Construction” shall be \$0.

23 SEC. 1614. Notwithstanding section 1101, the level
24 for “Department of Homeland Security, Transportation
25 Security Administration, Aviation Security” shall be

1 \$5,113,796,000: *Provided*, That the amounts included
2 under such heading in Public Law 111–83 shall be applied
3 to funds appropriated by this division as follows: by sub-
4 stituting “\$5,113,796,000” for “\$5,214,040,000”; by
5 substituting “\$4,121,329,000” for “\$4,358,076,000”; by
6 substituting “\$607,891,000” for “\$1,116,406,000”; by
7 substituting “\$992,467,000” for “\$855,964,000”; by sub-
8 stituting “\$291,266,000” for “\$778,300,000”; by sub-
9 stituting “9 percent” for “28 percent”; and by sub-
10 stituting “\$3,013,796,000” for “\$3,114,040,000”: *Pro-*
11 *vided further*, That none of the funds in this division may
12 be used for any recruiting or hiring of personnel into the
13 Transportation Security Administration that would cause
14 the agency to exceed a staffing level of 46,000 full-time
15 equivalent screeners: *Provided further*, That not later than
16 August 15, 2011, the Secretary of Homeland Security
17 shall submit a detailed report on (1) the Department’s ef-
18 forts and the resources being devoted to develop more ad-
19 vanced, integrated passenger screening technologies for
20 the most effective security of passengers and baggage at
21 the lowest possible operating and acquisition costs, and
22 (2) how the Transportation Security Administration is de-
23 ploying its existing screener workforce in the most cost-
24 effective manner.

1 SEC. 1615. Notwithstanding section 1101, the level
2 for “Department of Homeland Security, Transportation
3 Security Administration, Surface Transportation Secu-
4 rity” shall be \$105,961,000.

5 SEC. 1616. Notwithstanding section 1101, the level
6 for “Department of Homeland Security, Transportation
7 Security Administration, Transportation Threat Assess-
8 ment and Credentialing” shall be \$162,999,000.

9 SEC. 1617. Notwithstanding section 1101, the level
10 for “Department of Homeland Security, Transportation
11 Security Administration, Transportation Security Sup-
12 port” shall be \$988,638,000: *Provided*, That within “De-
13 partment of Homeland Security, Transportation Security
14 Administration, Transportation Security Support”, fund-
15 ing for intelligence and international programs shall be no
16 less than the level provided for such purposes for fiscal
17 year 2010: *Provided further*, That within “Department of
18 Homeland Security, Transportation Security Administra-
19 tion, Transportation Security Support”, funding for head-
20 quarters administration and information technology shall
21 not exceed \$705,239,000.

22 SEC. 1618. Notwithstanding section 1101, the level
23 for “Department of Homeland Security, Transportation
24 Security Administration, Federal Air Marshals” shall be
25 \$934,802,000.

1 SEC. 1619. Notwithstanding section 1101, the level
2 for “Department of Homeland Security, Coast Guard, Op-
3 erating Expenses” shall be \$6,885,432,000 of which
4 \$241,503,000 is designated as being for contingency oper-
5 ations directly related to the global war on terrorism pur-
6 suant to section 3(c)(2) of H. Res. 5 (112th Congress),
7 and as an emergency requirement pursuant to section
8 403(a) of S. Con. Res. 13 (111th Congress): *Provided*,
9 That the Coast Guard may decommission one Medium En-
10 durance Cutter, two High Endurance Cutters, four HU-
11 25 aircraft, and one Maritime Safety and Security Team,
12 and may make necessary staffing adjustments at the
13 Coast Guard Investigative Service and other support
14 units, as specified in the budget justification materials for
15 fiscal year 2011 as submitted to the Committees on Ap-
16 propriations of the Senate and House of Representatives:
17 *Provided further*, That the Coast Guard shall submit a fu-
18 ture-years capital investment plan, as specified in the De-
19 partment of Homeland Security Appropriations Act, 2010
20 (Public Law 111–83), for fiscal years 2012 through 2016
21 to the Committees on Appropriations of the Senate and
22 House of Representatives in conjunction with the budget
23 justification materials for fiscal year 2012.

24 SEC. 1620. Notwithstanding section 1101, the level
25 for “Department of Homeland Security, Coast Guard, Ac-

1 acquisition, Construction, and Improvements” shall be
2 \$1,427,783,000, of which \$42,000,000 shall be for vessels,
3 small boats, critical infrastructure, and related equipment;
4 of which \$36,000,000 shall be for other equipment; of
5 which \$49,200,000 shall be for shore facilities and aids
6 to navigation facilities; of which \$106,083,000 shall be
7 available for personnel compensation and benefits and re-
8 lated costs; and of which \$1,194,500,000 shall be for the
9 Integrated Deepwater Systems program: *Provided*, That
10 of the funds made available for the Integrated Deepwater
11 Systems program, \$101,000,000 is for aircraft and
12 \$938,000,000 is for surface ships.

13 SEC. 1621. Notwithstanding section 1101, the level
14 for “Department of Homeland Security, Coast Guard, Al-
15 teration of Bridges” shall be \$0.

16 SEC. 1622. Notwithstanding section 1101, the level
17 for “Department of Homeland Security, United States Se-
18 cret Service, Salaries and Expenses” shall be
19 \$1,499,669,000.

20 SEC. 1623. Notwithstanding section 1101, the level
21 for “Department of Homeland Security, National Protec-
22 tion and Programs Directorate, Management and Admin-
23 istration” shall be \$43,577,000.

24 SEC. 1624. Notwithstanding section 1101, the level
25 for “Department of Homeland Security, National Protec-

1 tion and Programs Directorate, Infrastructure Protection
2 and Information Security” shall be \$805,965,000.

3 SEC. 1625. Notwithstanding section 1101, the level
4 for “Department of Homeland Security, National Protec-
5 tion and Programs Directorate, United States Visitor and
6 Immigrant Status Indicator Technology” shall be
7 \$334,613,000.

8 SEC. 1626. Notwithstanding section 1101, the level
9 for “Department of Homeland Security, Office of Health
10 Affairs” shall be \$134,250,000.

11 SEC. 1627. Notwithstanding section 1101, the level
12 for “Department of Homeland Security, Federal Emer-
13 gency Management Agency, Management and Administra-
14 tion” shall be \$773,350,000, of which \$0 shall be for cap-
15 ital improvements at the Mount Weather Emergency Op-
16 erations Center.

17 SEC. 1628. Notwithstanding section 1101, the level
18 for “Department of Homeland Security, Federal Emer-
19 gency Management Agency, State and Local Programs”
20 shall be \$2,149,500,000: *Provided*, That of the amount
21 provided by this division for the State Homeland Security
22 Grant Program under such heading, \$50,000,000 shall be
23 for the Driver’s License Security Grant Program and
24 \$10,000,000 shall be for the Citizen Corps Program: *Pro-*
25 *vided further*, That the amounts provided by this division

1 for the Citizen Corps Program under such heading shall
2 not be subject to the requirements of subtitle A of title
3 XX of the Homeland Security Act of 2002 (6 U.S.C. 603
4 et seq.): *Provided further*, That the amounts included
5 under such heading in Public Law 111–83 shall be applied
6 to funds appropriated by this division as follows: in para-
7 graph (1), by substituting “\$900,000,000” for
8 “\$950,000,000”; in paragraph (2), by substituting
9 “\$800,000,000” for “\$887,000,000”; in paragraph (3),
10 by substituting “\$0” for “\$35,000,000”; in paragraph
11 (5), by substituting “\$0” for “\$13,000,000”; in para-
12 graph (6), by substituting “\$100,000,000” for
13 “\$300,000,000”; in paragraph (7), by substituting
14 “\$100,000,000” for “\$300,000,000”; in paragraph (8),
15 by substituting “\$5,000,000” for “\$12,000,000”; in para-
16 graph (9), by substituting “\$0” for “\$50,000,000”; in
17 paragraph (10), by substituting “\$0” for “\$50,000,000”;
18 in paragraph (11), by substituting “\$0” for
19 “\$50,000,000”; in paragraph (12), by substituting “\$0”
20 for each amount in such paragraph; in paragraph (13),
21 by substituting “\$203,500,000” for “\$267,200,000”; in
22 paragraph (13)(A), by substituting “\$112,500,000” for
23 “\$164,500,000”; in paragraph (13)(B), by substituting
24 “\$0” for “\$1,700,000”; and in paragraph (13)(C), by sub-
25 stituting “\$0” for “\$3,000,000”: *Provided further*, That

1 4.5 percent of the amount provided for “Department of
2 Homeland Security, Federal Emergency Management
3 Agency, State and Local Programs” by this division shall
4 be transferred to “Department of Homeland Security,
5 Federal Emergency Management Agency, Management
6 and Administration” for program administration.

7 SEC. 1629. Notwithstanding section 1101, the level
8 for “Department of Homeland Security, Federal Emer-
9 gency Management Agency, Firefighter Assistance
10 Grants” for programs authorized by the Federal Fire Pre-
11 vention and Control Act of 1974 (15 U.S.C. 2201 et seq.),
12 shall be \$300,000,000, of which \$300,000,000 shall be
13 available to carry out section 33 of that Act (15 U.S.C.
14 2229) and \$0 shall be available to carry out section 34
15 of that Act (15 U.S.C. 2229a).

16 SEC. 1630. Notwithstanding section 1101, the level
17 for “Department of Homeland Security, Federal Emer-
18 gency Management Agency, Emergency Management Per-
19 formance Grants” shall be \$300,000,000.

20 SEC. 1631. Notwithstanding section 1101, the level
21 for “Department of Homeland Security, Federal Emer-
22 gency Management Agency, Disaster Relief” shall be
23 \$3,165,000,000.

24 SEC. 1632. Notwithstanding section 1101, in fiscal
25 year 2011, funds shall not be available from the National

1 Flood Insurance Fund under section 1310 of the National
2 Flood Insurance Act of 1968 (42 U.S.C. 4017) for oper-
3 ating expenses in excess of \$110,000,000, and for agents'
4 commissions and taxes in excess of \$963,339,000: *Pro-*
5 *vided*, That notwithstanding section 1101, for activities
6 under the National Flood Insurance Act of 1968 (42
7 U.S.C. 4001 et seq.) and the Flood Disaster Protection
8 Act of 1973 (42 U.S.C. 4001 et seq.), the level shall be
9 \$169,000,000, which shall be derived from offsetting col-
10 lections assessed and collected under 1308(d) of the Na-
11 tional Flood Insurance Act of 1968 (42 U.S.C. 4015(d)),
12 of which not to exceed \$22,145,000 shall be available for
13 salaries and expenses associated with flood mitigation and
14 flood insurance operations; and not less than
15 \$146,855,000 shall be available for floodplain manage-
16 ment and flood mapping, which shall remain available
17 until September 30, 2012.

18 SEC. 1633. Notwithstanding section 1101, the level
19 for “Department of Homeland Security, Federal Emer-
20 gency Management Agency, National Predisaster Mitiga-
21 tion Fund” shall be \$65,000,000.

22 SEC. 1634. Notwithstanding section 1101, the level
23 for “Department of Homeland Security, Federal Emer-
24 gency Management Agency, Emergency Food and Shel-
25 ter” shall be \$100,000,000.

1 SEC. 1635. Notwithstanding section 1101, the level
2 for “Department of Homeland Security, United States
3 Citizenship and Immigration Services” shall be
4 \$275,776,000, of which \$151,376,000 is for processing
5 applications for asylum and refugee status, and of which
6 \$103,400,000 shall be for the E-Verify Program: *Pro-*
7 *vided*, That none of the funds made available under this
8 heading may be used for grants for immigrant integration.

9 SEC. 1636. Notwithstanding section 1101, the level
10 for “Department of Homeland Security, Federal Law En-
11 forcement Training Center, Acquisitions, Construction,
12 Improvements, and Related Expenses” shall be
13 \$38,456,000.

14 SEC. 1637. Notwithstanding section 1101, the level
15 for “Department of Homeland Security, Science and
16 Technology, Management and Administration” shall be
17 \$141,200,000.

18 SEC. 1638. Notwithstanding section 1101, the level
19 for “Department of Homeland Security, Science and
20 Technology, Research, Development, Acquisition, and Op-
21 erations” shall be \$778,906,000: *Provided*, That the final
22 proviso included under the heading “Department of
23 Homeland Security, Science and Technology, Research,
24 Development, Acquisition, and Operations” in the Depart-

1 ment of Homeland Security Appropriations Act, 2010
2 (Public Law 111–83) shall have no force or effect.

3 SEC. 1639. Notwithstanding section 1101, the level
4 for “Department of Homeland Security, Domestic Nuclear
5 Detection Office, Management and Administration” shall
6 be \$36,992,000.

7 SEC. 1640. Notwithstanding section 1101, the level
8 for “Department of Homeland Security, Domestic Nuclear
9 Detection Office, Research, Development, and Oper-
10 ations” shall be \$293,537,000.

11 SEC. 1641. (a) Section 560 of Public Law 111–83
12 shall not apply to funds appropriated by this division.

13 (b) Upon completion of 50 percent of design planning
14 for the National Bio- and Agro-Defense Facility, and prior
15 to construction of that facility, the Department of Home-
16 land Security shall submit to the Committees on Appro-
17 priations of the Senate and the House of Representatives
18 a revised site-specific biosafety and biosecurity mitigation
19 risk assessment that describes how to significantly reduce
20 risks of conducting essential research and diagnostic test-
21 ing at the National Bio- and Agro-Defense Facility and
22 addresses shortcomings identified in the National Acad-
23 emy of Sciences’ evaluation of the initial site-specific bio-
24 safety and biosecurity mitigation risk assessment.

1 (c) The revised site-specific biosafety and biosecurity
2 mitigation risk assessment required by subsection (b)
3 shall—

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

13 (2) address the impact of surveillance, response,
14 and mitigation plans (developed in consultation with
15 local, State, and Federal authorities and appropriate
16 stakeholders) if a release occurs, to detect and con-
17 trol the spread of disease; and

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

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

1 assessment required by subsection (b). The National
2 Academy of Sciences shall submit a report on such evalua-
3 tion within four months after the date the Department
4 of Homeland Security concludes its risk assessment.

5 SEC. 1642. Section 503 of the Department of Home-
6 land Security Appropriations Act, 2010 (Public Law 111-
7 83) is amended by adding at the end the following:

8 “(e) The notification thresholds and procedures set
9 forth in this section shall apply to deviations from the
10 amounts designated for specific activities in this Act and
11 accompanying statement, and to any use of deobligated
12 balances of funds provided under this title in previous
13 years.”.

14 SEC. 1643. For fiscal year 2011, sections 529, 541,
15 and 545 of the Department of Homeland Security Appro-
16 priations Act, 2010 (Public Law 111-83; 123 Stat. 2174,
17 2176) shall have no force or effect.

18 SEC. 1644. Section 831 of the Homeland Security
19 Act of 2002 (6 U.S.C. 391) is amended—

20 (1) in subsection (a), by striking “Until Sep-
21 tember 30, 2010,” and inserting “Until September
22 30, 2011,”; and

23 (2) in subsection (d)(1), by striking “September
24 30, 2010,” and inserting “September 30, 2011,”.

1 SEC. 1645. Section 532(a) of Public Law 109–295
2 (120 Stat. 1384) is amended by striking “2010” and in-
3 serting “2011”.

4 SEC. 1646. Of the funds transferred to the Depart-
5 ment of Homeland Security when it was created in 2003,
6 the following funds are hereby rescinded from the fol-
7 lowing accounts and programs in the specified amounts:

8 (1) “Operations”, \$1,891,657;

9 (2) “Violent Crime Reduction Program”,
10 \$4,912,245;

11 (3) “U.S. Customs and Border Protection, Sal-
12 aries and Expenses”, \$21,210,423; and

13 (4) “Office for Domestic Preparedness”,
14 \$10,568,964.

15 SEC. 1647. The following unobligated balances made
16 available to the Department of Homeland Security pursu-
17 ant to section 505 of Department of Homeland Security
18 Appropriations Act, 2010 (Public Law 111–83; 123 Stat.
19 2174) are rescinded: \$886,665 from “Office of the Sec-
20 retary and Executive Management”; \$604,342 from “Of-
21 fice of the Under Secretary for Management”; \$24,379
22 from the “Office of the Chief Financial Officer”; \$29,741
23 from “Office of the Chief Information Officer”; \$218,173
24 from “Analysis and Operations”; \$76,498 from “Office of
25 the Federal Coordinator for Gulf Coast Rebuilding”;

1 \$197,272 from “Office of Inspector General”;
2 \$11,373,129 from “U.S. Customs and Border Protection,
3 Salaries and Expenses”; \$691,552 from “U.S. Immigra-
4 tion and Customs Enforcement, Salaries and Expenses”;
5 \$2,555,962 from “Transportation Security Administra-
6 tion, Federal Air Marshals”; \$8,617,331 from “Coast
7 Guard, Operating Expenses”; \$2,965,312 from “Coast
8 Guard, Reserve Training”; \$83,784 from “National Pro-
9 tection and Programs Directorate, Management and Ad-
10 ministration”; \$551,737 from “National Protection and
11 Programs Directorate, Infrastructure Protection and In-
12 formation Security”; \$704,700 from “United States Se-
13 cret Service, Salaries and Expenses”; \$863,628 from
14 “Federal Emergency Management Agency, Management
15 and Administration”; \$864,660 from “Office of Health
16 Affairs”; \$7,945,983 from “United States Citizenship and
17 Immigration Services”; \$960,828 from “Federal Law En-
18 forcement Training Center, Salaries and Expenses”;
19 \$353,524 from “Science and Technology, Management
20 and Administration”; and \$45,468 from “Domestic Nu-
21 clear Detection Office, Management and Administration”.

22 SEC. 1648. Of the funds appropriated to the Depart-
23 ment of Homeland Security, the following unobligated bal-
24 ances are hereby rescinded from the following accounts
25 and programs in the specified amounts:

1 (1) “Department of Homeland Security, U.S.
2 Customs and Border Protection, Automation Mod-
3 ernization”, \$10,000,000.

4 (2) “Department of Homeland Security, U.S.
5 Customs and Border Protection, Border Security
6 Fencing, Infrastructure, and Technology”,
7 \$119,000,000.

8 (3) “Department of Homeland Security, Office
9 of Health Affairs”, \$5,562,000.

10 (4) “Department of Homeland Security, Fed-
11 eral Emergency Management Agency, National
12 Predisaster Mitigation Fund”, \$18,173,641.

13 (5) “Department of Homeland Security,
14 Science and Technology, Research, Development,
15 Acquisition, and Operations”, \$8,500,000.

16 (6) “Department of Homeland Security, Do-
17 mestic Nuclear Detection Office, Research, Develop-
18 ment, and Operations”, \$17,100,000.

19 (7) “Department of Homeland Security, Coast
20 Guard, Acquisition, Construction, and Improve-
21 ments”, \$1,122,000.

22 SEC. 1649. Of the unobligated balances available for
23 “Department of Homeland Security, U.S. Customs and
24 Border Protection, Construction” for construction
25 projects, \$106,556,000 is rescinded: *Provided*, That the

1 amounts rescinded under this section shall be limited to
2 amounts available for Border Patrol projects and facilities
3 as recommended by the Department of Homeland Security
4 in the fiscal year 2011 budget request.

5 SEC. 1650. Of the unobligated balances made avail-
6 able under section 44945 of title 49, United States Code,
7 \$800,000 is rescinded.

8 SEC. 1651. Of the unobligated balances available for
9 “Department of Homeland Security, Transportation Secu-
10 rity Administration”, \$15,000,000 is rescinded: *Provided*,
11 That the Transportation Security Administration shall not
12 rescind any unobligated balances from the following pro-
13 grams: explosives detection systems; checkpoint support;
14 aviation regulation and other enforcement; and air cargo.

15 SEC. 1652. Of the unobligated balances available for
16 “Department of Homeland Security, National Protection
17 and Programs Directorate, Infrastructure Protection and
18 Information Security”, the following amounts are re-
19 scinded:

20 (1) \$6,000,000 from Next Generation Net-
21 works.

22 (2) \$9,600,000 to be specified in a report sub-
23 mitted by the Secretary of Homeland Security to the
24 Committees on Appropriations of the Senate and the
25 House of Representatives no later than 15 days

1 after the date of enactment of this division, that de-
2 scribes the amounts rescinded and the original pur-
3 pose of such funds.

4 SEC. 1653. From the unobligated balances of funds
5 made available in the Department of the Treasury For-
6 feiture Fund established by section 9703 of title 31,
7 United States Code, that was added to such title by sec-
8 tion 638 of Public Law 102–393, \$22,600,000 is re-
9 scinded.

10 TITLE VII—INTERIOR, ENVIRONMENT, AND
11 RELATED AGENCIES

12 SEC. 1701. Notwithstanding section 1101, the level
13 for “Department of the Interior, Bureau of Land Manage-
14 ment, Management of Lands and Resources” shall be
15 \$927,523,000: *Provided*, That the amounts included under
16 such heading in division A of Public Law 111–88 shall
17 be applied to funds appropriated by this division by sub-
18 stituting “\$927,523,000” for “\$959,571,000” the second
19 place it appears.

20 SEC. 1702. Notwithstanding section 1101, the level
21 for “Department of the Interior, Bureau of Land Manage-
22 ment, Construction” shall be \$2,590,000: *Provided*, That
23 no less than \$1,000,000 in available, unobligated prior-
24 year funds shall be used in addition to amounts provided
25 by this division.

1 SEC. 1703. Notwithstanding section 1101, the level
2 for “Department of the Interior, Bureau of Land Manage-
3 ment, Land Acquisition” shall be \$2,750,000: *Provided*,
4 That no less than \$2,250,000 in available, unobligated
5 prior-year funds shall be used in addition to amounts pro-
6 vided by this division: *Provided further*, That the proviso
7 under such heading in division A of Public Law 111–88
8 shall not apply to funds appropriated by this division.

9 SEC. 1704. Notwithstanding section 1101, the level
10 for “Department of the Interior, United States Fish and
11 Wildlife Service, Resource Management” shall be
12 \$1,204,240,000: *Provided*, That the amounts included
13 under such heading in division A of Public Law 111–88
14 shall be applied to funds appropriated by this division as
15 follows: by substituting “\$20,945,000” for
16 “\$22,103,000”; and by substituting “\$10,548,000” for
17 “\$11,632,000”.

18 SEC. 1705. Notwithstanding section 1101, the level
19 for “Department of the Interior, United States Fish and
20 Wildlife Service, Construction” shall be \$23,737,000.

21 SEC. 1706. Notwithstanding section 1101, the level
22 for “Department of the Interior, United States Fish and
23 Wildlife Service, Land Acquisition” shall be \$15,055,000:
24 *Provided*, That no less than \$2,500,000 in available, unob-

1 ligated prior-year funds shall be used in addition to
2 amounts provided by this division.

3 SEC. 1707. Of the unobligated amounts under the
4 heading “Department of the Interior, United States Fish
5 and Wildlife Service, Landowner Incentive Program” from
6 prior year appropriations, all remaining amounts are re-
7 scinded.

8 SEC. 1708. Notwithstanding section 1101, the level
9 for “Department of the Interior, United States Fish and
10 Wildlife Service, Cooperative Endangered Species Con-
11 servation Fund” shall be \$2,479,000: *Provided*, That the
12 amounts included under such heading in division A of
13 Public Law 111–88 shall be applied to funds appropriated
14 by this division as follows: by substituting “\$2,479,000”
15 for “\$29,000,000”; by substituting “\$0” for
16 “\$5,145,706”; and by substituting “\$0” for
17 “\$56,000,000”.

18 SEC. 1709. Notwithstanding section 1101, the level
19 for “Department of the Interior, United States Fish and
20 Wildlife Service, North American Wetlands Conservation
21 Fund” shall be \$0.

22 SEC. 1710. Notwithstanding section 1101, the level
23 for “Department of the Interior, United States Fish and
24 Wildlife Service, Neotropical Migratory Bird Conserva-
25 tion” shall be \$4,430,000.

1 SEC. 1711. Notwithstanding section 1101, the level
2 for “Department of the Interior, United States Fish and
3 Wildlife Service, Multinational Species Conservation
4 Fund” shall be \$7,875,000.

5 SEC. 1712. Notwithstanding section 1101, the level
6 for “Department of the Interior, United States Fish and
7 Wildlife Service, State and Tribal Wildlife Grants” shall
8 be \$0.

9 SEC. 1713. Before the end of the 60-day period be-
10 ginning on the date of enactment of this division, the Sec-
11 retary of the Interior shall reissue the final rule published
12 on April 2, 2009 (74 Fed. Reg. 15123 et seq.) without
13 regard to any other provision of statute or regulation that
14 applies to issuance of such rule. Such reissuance (includ-
15 ing this section) shall not be subject to judicial review.

16 SEC. 1714. Notwithstanding section 1101, the level
17 for “Department of the Interior, National Park Service,
18 Operation of the National Park System” shall be
19 \$2,237,674,000.

20 SEC. 1715. Notwithstanding section 1101, the level
21 for “Department of the Interior, National Park Service,
22 Park Partnership Project Grants” shall be \$0 and the
23 matters pertaining to such account in division A of Public
24 Law 111–88 shall not apply to funds appropriated by this
25 division.

1 SEC. 1716. Notwithstanding section 1101, the level
2 for “Department of the Interior, National Park Service,
3 National Recreation and Preservation” shall be
4 \$57,829,000, of which \$0 shall be for projects authorized
5 by section 7302 of Public Law 111–11.

6 SEC. 1717. Notwithstanding section 1101, the level
7 for “Department of the Interior, National Park Service,
8 Historic Preservation Fund” shall be \$54,500,000: *Pro-*
9 *vided*, That the amounts included under such heading in
10 division A of Public Law 111–88 shall be applied to funds
11 appropriated by this division by substituting “\$0” for
12 “\$25,000,000”: *Provided further*, That the proviso under
13 such heading in division A of Public Law 111–88 shall
14 not apply to funds appropriated by this division.

15 SEC. 1718. Notwithstanding section 1101, the level
16 for “Department of the Interior, National Park Service,
17 Construction” shall be \$171,713,000: *Provided*, That the
18 last proviso under such heading in division A of Public
19 Law 111–88 shall not apply to funds appropriated by this
20 division: *Provided further*, That of the unobligated bal-
21 ances available under such heading in division A of Public
22 Law 111–88 and in prior appropriation Acts, \$1,000,000
23 is rescinded from amounts made available for the (now
24 completed) project at Cape Hatteras National Seashore,
25 North Carolina, and \$1,000,000 is rescinded from

1 amounts made available for the (now completed) project
2 at Blue Ridge Parkway, North Carolina, and such unobli-
3 gated balances are reduced accordingly: *Provided further*,
4 That no less than \$23,000,000 in available, unobligated
5 prior-year funds shall be used in addition to amounts pro-
6 vided by this division.

7 SEC. 1719. The contract authority provided for fiscal
8 year 2011 by 16 U.S.C. 4601–10a is rescinded.

9 SEC. 1720. Notwithstanding section 1101, the level
10 for “Department of the Interior, National Park Service,
11 Land Acquisition and State Assistance” shall be
12 \$14,100,000: *Provided*, That the amounts included under
13 such heading in division A of Public Law 111–88 shall
14 be applied to funds appropriated by this division as fol-
15 lows: by substituting “\$0” for “\$40,000,000”; and by sub-
16 stituting “\$0” for “\$9,000,000”: *Provided further*, That
17 no less than \$3,400,000 in available, unobligated prior-
18 year funds shall be used in addition to amounts provided
19 by this division: *Provided further*, That section 113 of divi-
20 sion A of Public Law 111–88 shall not apply to funds ap-
21 propriated by this division.

22 SEC. 1721. Notwithstanding section 1101, the level
23 for “Department of the Interior, United States Geological
24 Survey, Surveys, Investigations, and Research” shall be
25 \$1,086,163,000: *Provided*, That the amounts included

1 under such heading in division A of Public Law 111–88
2 shall be applied to funds appropriated by this division as
3 follows: by substituting “\$53,500,000” for
4 “\$40,150,000”; and by substituting “\$4,807,000” for
5 “\$7,321,000”.

6 SEC. 1722. Notwithstanding section 1101, the level
7 for “Department of the Interior, Minerals Management
8 Service, Royalty and Offshore Minerals Management”
9 shall be \$239,478,000: *Provided*, That the amounts in-
10 cluded under such heading in division A of Public Law
11 111–88 shall be applied to funds appropriated by this divi-
12 sion as follows: by substituting “\$109,494,000” for
13 “\$89,374,000”; and by substituting “\$154,890,000” for
14 “\$156,730,000” each place it appears.

15 SEC. 1723. Notwithstanding section 1101, the level
16 for “Department of the Interior, Minerals Management
17 Service, Oil Spill Research” shall be \$10,632,000.

18 SEC. 1724. During fiscal year 2011, the Secretary
19 of the Interior, in order to implement a reorganization of
20 the Bureau of Ocean Energy Management, Regulation,
21 and Enforcement, may establish accounts and transfer
22 funds among and between the offices and bureaus affected
23 by the reorganization only in conformance with the House
24 and Senate Committees on Appropriations reprogramming

1 guidelines described in the joint explanatory statement of
2 managers accompanying Public Law 111–88.

3 SEC. 1725. Notwithstanding section 1101, the level
4 for “Department of the Interior, Bureau of Indian Affairs,
5 Operation of Indian Programs” shall be \$2,336,865,000:
6 *Provided*, That the amounts included under such heading
7 in division A of Public Law 111–88 shall be applied to
8 funds appropriated by this division as follows: by sub-
9 stituting “\$220,000,000” for “\$166,000,000”; by sub-
10 stituting “\$585,779,000” for “\$568,702,000”; and by
11 substituting “\$46,129,000” for “\$43,373,000”.

12 SEC. 1726. Notwithstanding section 1101, the level
13 for “Department of the Interior, Bureau of Indian Affairs,
14 Construction” shall be \$216,100,000.

15 SEC. 1727. Notwithstanding section 1101, the level
16 for “Department of the Interior, Bureau of Indian Affairs,
17 Indian Land and Water Claim Settlements and Miscella-
18 neous Payments to Indians” shall be \$46,480,000, of
19 which \$0 shall be for the matter pertaining to Public Law
20 109–379.

21 SEC. 1728. Notwithstanding section 1101, the level
22 for “Department of the Interior, Departmental Offices,
23 Office of the Secretary, Salaries and Expenses” shall be
24 \$117,336,000: *Provided*, That the amounts included under
25 such heading in division A of Public Law 111–88 shall

1 be applied to funds appropriated by this division by sub-
2 stituting “\$10,636,000” for “\$12,136,000”.

3 SEC. 1729. Notwithstanding section 1101, the level
4 for “Department of the Interior, Departmental Offices,
5 Insular Affairs, Assistance to Territories” shall be
6 \$78,516,000: *Provided*, That the amounts included under
7 such heading in division A of Public Law 111–88 shall
8 be applied to funds appropriated by this division as fol-
9 lows: by substituting “\$69,590,000” for “\$75,915,000”;
10 and by substituting “\$8,926,000” for “\$9,280,000”.

11 SEC. 1730. Notwithstanding section 1101, the level
12 for “Department of the Interior, Departmental Offices,
13 Insular Affairs, Compact of Free Association” shall be
14 \$5,422,000: *Provided*, That \$2,104,000 of such funds
15 shall be available for section 122 of division A of Public
16 Law 111–88.

17 SEC. 1731. Notwithstanding section 1101, the level
18 for “Department of the Interior, Departmental Offices,
19 Office of the Solicitor, Salaries and Expenses” shall be
20 \$64,845,000.

21 SEC. 1732. Notwithstanding section 1101, the level
22 for “Department of the Interior, Departmental Offices,
23 Office of Inspector General, Salaries and Expenses” shall
24 be \$48,389,000.

1 SEC. 1733. Notwithstanding section 1101, the level
2 for “Department of the Interior, Departmental Offices,
3 Office of the Special Trustee for American Indians, Fed-
4 eral Trust Programs” shall be \$168,115,000: *Provided*,
5 That the amounts included under such heading in division
6 A of Public Law 111–88, as amended by Public Law 111–
7 212, shall be applied to funds appropriated by this division
8 by substituting “\$31,534,000” for “\$47,536,000”.

9 SEC. 1734. Notwithstanding section 1101, the level
10 for “Department of the Interior, Department-wide Pro-
11 grams, Wildland Fire Management” shall be
12 \$769,897,000: *Provided*, That the amounts included under
13 such heading in division A of Public Law 111–88 shall
14 be applied to funds appropriated by this division by sub-
15 stituting “\$150,000,000” for “\$125,000,000”.

16 SEC. 1735. Notwithstanding section 1101, the level
17 for “Department of the Interior, Department-wide Pro-
18 grams, Natural Resource Damage Assessment and Res-
19 toration, Natural Resource Damage Assessment Fund”
20 shall be \$6,320,000.

21 SEC. 1736. Notwithstanding section 1101, the level
22 for “Department of the Interior, Department-wide Pro-
23 grams, Working Capital Fund” shall be \$80,119,000.

1 SEC. 1737. Notwithstanding section 1101, the level
2 for “Environmental Protection Agency, Science and Tech-
3 nology” shall be \$790,510,000.

4 SEC. 1738. Notwithstanding section 1101, the level
5 for “Environmental Protection Agency, Environmental
6 Programs and Management” shall be \$2,571,099,000:
7 *Provided*, That of the funds included under this heading
8 \$305,784,000 shall be for the Geographic Programs speci-
9 fied in the explanatory statement accompanying Public
10 Law 111–88: *Provided further*, That of such amount for
11 Geographic Programs, \$225,000,000 shall be for the
12 Great Lakes Restoration Initiative; \$40,000,000 shall be
13 for Chesapeake Bay; and \$20,000,000 shall be for Puget
14 Sound.

15 SEC. 1739. The matter pertaining to planning and
16 design of a high-performance green building to consolidate
17 the multiple offices and research facilities of the Environ-
18 mental Protection Agency in Las Vegas, Nevada under the
19 heading “Environmental Protection Agency, Buildings
20 and Facilities” in division A of Public Law 111–88 shall
21 not apply to funds appropriated by this division.

22 SEC. 1740. Notwithstanding section 1101, the level
23 for “Environmental Protection Agency, Hazardous Sub-
24 stance Superfund” shall be \$1,273,765,000: *Provided*,
25 That the matter under such heading in division A of Pub-

1 lie Law 111–88 shall be applied to funds appropriated by
2 this division as follows: by substituting “\$1,273,765,000”
3 for “\$1,306,541,000” the second place it appears; by sub-
4 stituting “September 30, 2010” for “September 30,
5 2009”; and by substituting “\$24,527,000” for
6 “\$26,834,000”.

7 SEC. 1741. Notwithstanding section 1101, the level
8 for “Environmental Protection Agency, Leaking Under-
9 ground Storage Tank Trust Fund Program” shall be
10 \$106,101,000, of which \$71,671,000 shall be for carrying
11 out leaking underground storage tank cleanup activities
12 authorized by section 9003(h) of the Solid Waste Disposal
13 Act (42 U.S.C. 6991b(h)).

14 SEC. 1742. Notwithstanding section 1101, the level
15 for “Environmental Protection Agency, State and Tribal
16 Assistance Grants” shall be \$2,716,446,000: *Provided*,
17 That the amounts included under such heading in division
18 A of Public Law 111–88 shall be applied to funds appro-
19 priated by this division as follows: by substituting
20 “\$690,000,000” for “\$2,100,000,000”; by substituting
21 “\$830,000,000” for “\$1,387,000,000”; by substituting
22 “\$10,000,000” for “\$17,000,000”; by substituting
23 “\$10,000,000” for “\$13,000,000”; by substituting “\$0”
24 for “\$156,777,000”; by substituting “\$70,000,000” for
25 “\$100,000,000”; by substituting “\$50,000,000” for

1 “\$60,000,000”; by substituting “\$0” for “\$20,000,000”;
2 and by substituting “\$1,056,446,000” for
3 “\$1,116,446,000”.

4 SEC. 1743. The matter pertaining to competitive
5 grants to communities to develop plans and demonstrate
6 and implement projects which reduce greenhouse gas
7 emissions in the second proviso under the heading “Envi-
8 ronmental Protection Agency, State and Tribal Assistance
9 Grants” in division A of Public Law 111–88 shall not
10 apply to funds appropriated by this division.

11 SEC. 1744. Notwithstanding section 1101, the
12 amounts authorized to transfer under the heading “Envi-
13 ronmental Protection Agency, Administrative Provisions,
14 Environmental Protection Agency” in division A of Public
15 Law 111–88 shall be applied to funds appropriated by this
16 division by substituting “\$225,000,000” for
17 “\$475,000,000”.

18 SEC. 1745. Of the unobligated balances available for
19 “Environmental Protection Agency” \$300,000,000 is re-
20 scinded: *Provided*, That the Administrator shall submit to
21 the House and Senate Committees on Appropriations a
22 proposed allocation of amounts by account and program
23 project to rescind 30 days prior to the rescission: *Provided*
24 *further*, That no amounts may be rescinded from amounts
25 that were designated by Congress as an emergency re-

1 quirement pursuant to a concurrent resolution on the
2 budget or the Balanced Budget and Emergency Deficit
3 Control Act of 1985, as amended.

4 SEC. 1746. None of the funds made available to the
5 Environmental Protection Agency by this division or any
6 other Act may be expended for purposes of enforcing or
7 promulgating any regulation (other than with respect to
8 section 202 of the Clean Air Act) or order, taking action
9 relating to, or denying approval of state implementation
10 plans or permits because of the emissions of greenhouse
11 gases due to concerns regarding possible climate change.

12 SEC. 1747. None of the funds made available by this
13 division or any other Act may be used by the Environ-
14 mental Protection Agency to implement, administer, or en-
15 force a change to a rule or guidance document pertaining
16 to the definition of waters under the jurisdiction of the
17 Federal Water Pollution Control Act (33 U.S.C. 1251 et
18 seq.).

19 SEC. 1748. Notwithstanding section 1101, the level
20 for “Department of Agriculture, Forest Service, Forest
21 and Rangeland Research” shall be \$297,252,000: *Pro-*
22 *vided*, That the amounts included under such heading in
23 division A of Public Law 111–88 shall be applied to funds
24 appropriated by this division by substituting
25 “\$61,939,000” for “\$66,939,000”.

1 SEC. 1749. Notwithstanding section 1101, the level
2 for “Department of Agriculture, Forest Service, State and
3 Private Forestry” shall be \$232,680,000: *Provided*, That
4 the amounts included under such heading in division A
5 of Public Law 111–88 shall be applied to funds appro-
6 priated by this division by substituting “\$6,200,000” for
7 “\$76,460,000”: *Provided further*, That no less than
8 \$2,500,000 in available, unobligated prior-year funds shall
9 be used in addition to amounts provided by this division.

10 SEC. 1750. Notwithstanding section 1101, the level
11 for “Department of Agriculture, Forest Service, National
12 Forest System” shall be \$1,525,339,000: *Provided*, That
13 no less than \$10,000,000 in available, unobligated prior-
14 year funds shall be used in addition to amounts provided
15 by this division.

16 SEC. 1751. Notwithstanding section 1101, the level
17 for “Department of Agriculture, Forest Service, Capital
18 Improvement and Maintenance” shall be \$495,409,000:
19 *Provided*, That the amounts included under such heading
20 in division A of Public Law 111–88 shall be applied to
21 funds appropriated by this division by substituting
22 “\$50,371,000” for “\$90,000,000”: *Provided further*, That
23 no less than \$10,000,000 in available, unobligated prior-
24 year funds shall be used in addition to amounts provided
25 by this division.

1 SEC. 1752. Notwithstanding section 1101, the level
2 for “Department of Agriculture, Forest Service, Land Ac-
3 quisition” shall be \$9,100,000: *Provided*, That no less
4 than \$3,400,000 in available, unobligated prior-year funds
5 shall be used in addition to amounts provided by this divi-
6 sion.

7 SEC. 1753. Notwithstanding section 1101, the level
8 for “Department of Agriculture, Forest Service, Wildland
9 Fire Management” shall be \$1,978,737,000: *Provided*,
10 That the amounts included under such heading in division
11 A of Public Law 111–88 shall be applied to funds appro-
12 priated by this division by substituting “\$200,000,000”
13 for “\$75,000,000”: *Provided further*, That of the unobli-
14 gated balances available in the FLAME Wildfire Suppres-
15 sion Reserve Fund for the Department of Agriculture cre-
16 ated by section 502(b) of Public Law 111–88 (43 U.S.C.
17 1748a(b)), \$250,000,000 is rescinded.

18 SEC. 1754. The authority provided by section 337 of
19 the Department of the Interior and Related Agencies Ap-
20 propriations Act, 2005 (Public Law 108–447; 118 Stat.
21 3102), as amended, shall remain in effect until September
22 30, 2011.

23 SEC. 1755. Notwithstanding section 1101, the level
24 for “Department of Health and Human Services, Indian
25 Health Service, Indian Health Services” shall be

1 \$3,883,886,000: *Provided*, That the amounts included
2 under such heading in division A of Public Law 111–88
3 shall be applied to funds appropriated by this division as
4 follows: by substituting “\$862,765,000” for
5 “\$779,347,000”; by substituting “\$53,000,000” for
6 “\$48,000,000”; and by substituting “\$444,332,000” for
7 “\$398,490,000”: *Provided further*, That of the funds in-
8 cluded under this heading, \$29,211,000 shall be for staff-
9 ing and operating costs of newly constructed facilities.

10 SEC. 1756. Notwithstanding section 1101, the level
11 for “Department of Health and Human Services, Indian
12 Health Service, Indian Health Facilities” shall be
13 \$255,497,000: *Provided*, That no less than \$10,000,000
14 in available, unobligated prior-year funds shall be used in
15 addition to amounts provided by this division.

16 SEC. 1757. Notwithstanding section 1101, the level
17 for “Department of Health and Human Services, National
18 Institutes of Health, National Institute of Environmental
19 Health Sciences” shall be \$77,546,000.

20 SEC. 1758. Notwithstanding section 1101, the level
21 for “Department of Health and Human Services, Agency
22 for Toxic Substances and Disease Registry, Toxic Sub-
23 stances and Environmental Public Health” shall be
24 \$74,039,000.

1 SEC. 1759. Notwithstanding section 1101, the level
2 for “Executive Office of the President, Council on Envi-
3 ronmental Quality and Office of Environmental Quality”
4 shall be \$2,848,000.

5 SEC. 1760. Notwithstanding section 1101, the level
6 for “Chemical Safety and Hazard Investigation Board,
7 Salaries and Expenses” shall be \$10,799,000: *Provided*,
8 That the matter pertaining to methyl isocyanate in the
9 last proviso under such heading in division A of Public
10 Law 111–88 shall not apply to funds appropriated by this
11 division.

12 SEC. 1761. Notwithstanding section 1101, the level
13 for “Smithsonian Institution, Salaries and Expenses”
14 shall be \$634,661,000: *Provided*, That no less than
15 \$200,000 in available, unobligated prior-year funds shall
16 be used in addition to amounts provided by this division.

17 SEC. 1762. Notwithstanding section 1101, the level
18 for “Smithsonian Institution, Facilities Capital” shall be
19 \$123,600,000: *Provided*, That no less than \$1,400,000 in
20 available, unobligated prior-year funds shall be used in ad-
21 dition to amounts provided by this division.

22 SEC. 1763. Notwithstanding section 1101, the level
23 for “Smithsonian Institution, Legacy Fund” shall be \$0.

24 SEC. 1764. Notwithstanding section 1101, the level
25 for “National Gallery of Art, Repair, Restoration and

1 Renovation of Buildings” shall be \$48,221,000: *Provided*,
2 That the amounts included under such heading in division
3 A of Public Law 111–88 shall be applied to funds appro-
4 priated by this division by substituting “\$42,250,000” for
5 “\$40,000,000”.

6 SEC. 1765. Notwithstanding section 1101, the level
7 for “John F. Kennedy Center for the Performing Arts,
8 Operations and Maintenance” shall be \$22,500,000: *Pro-*
9 *vided*, That the proviso under such heading in division A
10 of Public Law 111–88 shall not apply to funds appro-
11 priated by this division.

12 SEC. 1766. Notwithstanding section 1101, the level
13 for “John F. Kennedy Center for the Performing Arts,
14 Capital Repair and Restoration” shall be \$13,920,000.

15 SEC. 1767. Notwithstanding section 1101, the level
16 for “Woodrow Wilson International Center for Scholars,
17 Salaries and Expenses” shall be \$9,844,000.

18 SEC. 1768. Notwithstanding section 1101, the level
19 for “National Foundation on the Arts and the Human-
20 ities, National Endowment for the Arts, Grants and Ad-
21 ministration” shall be \$145,000,000.

22 SEC. 1769. Notwithstanding section 1101, the level
23 for “National Foundation on the Arts and the Human-
24 ities, National Endowment for the Humanities, Grants
25 and Administration” shall be \$145,000,000: *Provided*,

1 That the amounts included under such heading in division
2 A of Public Law 111–88 shall be applied to funds appro-
3 priated by this division by substituting “\$130,700,000”
4 for “\$153,200,000”.

5 SEC. 1770. Notwithstanding section 1101, the level
6 for “National Capital Arts and Cultural Affairs” shall be
7 \$4,500,000.

8 SEC. 1771. Notwithstanding section 1101, the level
9 for “Presidio Trust, Presidio Trust Fund” shall be
10 \$15,000,000.

11 SEC. 1772. Notwithstanding section 1101, the level
12 for “Dwight D. Eisenhower Memorial Commission, Sala-
13 ries and Expenses” shall be \$0.

14 SEC. 1773. Notwithstanding section 1101, the level
15 for “Dwight D. Eisenhower Memorial Commission, Cap-
16 ital Construction” shall be \$0.

17 SEC. 1774. Section 409 of division A of Public Law
18 111–88 (123 Stat. 2957) is amended by striking “and
19 111–8” and inserting “111–8, and 111–88”, and by strik-
20 ing “2009” and inserting “2010”.

21 SEC. 1775. Notwithstanding section 1101, the level
22 for section 415 of division A of Public Law 111–88 shall
23 be \$0.

24 SEC. 1776. Section 433 of division A of Public Law
25 111–88 (123 Stat. 2965) is amended by striking “2010”

1 and “2009” and inserting “2011” and “2010”, respec-
2 tively.

3 SEC. 1777. Not later than 30 days after the date of
4 enactment of this division, each of the following depart-
5 ments and agencies shall submit to the House and Senate
6 Committees on Appropriations a spending, expenditure, or
7 operating plan for fiscal year 2011 at a level of detail
8 below the account level:

9 (1) Department of the Interior.

10 (2) Environmental Protection Agency.

11 (3) Department of Agriculture, Forest Service.

12 (4) Indian Health Service.

13 (5) Council on Environmental Quality.

14 (6) Smithsonian Institution.

15 (7) National Gallery of Art.

16 (8) National Endowment for the Arts.

17 (9) National Endowment for the Humanities.

18 SEC. 1778. None of the funds made available by this
19 division or any other Act may be used to implement, ad-
20 minister, or enforce Secretarial Order No. 3310 issued by
21 the Secretary of the Interior on December 22, 2010.

1 TITLE VIII—LABOR, HEALTH AND HUMAN
2 SERVICES, EDUCATION, AND RELATED
3 AGENCIES

4 SEC. 1801. Notwithstanding section 1101, the level
5 for “Department of Labor, Employment and Training Ad-
6 ministration, Training and Employment Services” shall be
7 \$221,699,000: *Provided*, That the amounts included under
8 such heading in division D of Public Law 111–117 shall
9 be applied to funds appropriated by this division as fol-
10 lows: by substituting “\$0” for each amount included in
11 paragraph (1); by substituting “\$167,538,000” for
12 “\$470,038,000”; by substituting “\$29,160,000” for
13 “\$229,160,000”; by substituting “\$0” for
14 “\$200,000,000”; by substituting “\$0” for
15 “\$102,500,000”; by substituting “\$54,161,000” for
16 “\$389,043,000”; by substituting “\$44,561,000” for
17 “\$93,450,000”; by substituting “\$0” for “\$48,889,000”;
18 by substituting “\$0” for “\$108,493,000”; by substituting
19 “\$0” for “\$40,000,000”; by substituting “\$0” for
20 “\$125,000,000”; and by substituting “\$0” for
21 “\$12,500,000”: *Provided further*, That of the funds made
22 available for dislocated worker employment and training
23 activities under such heading in division D of Public Law
24 111–117, \$65,000,000 is rescinded: *Provided further*,
25 That of the funds made available for dislocated worker

1 employment and training activities under such heading in
2 division D of Public Law 111–117, up to 25 percent may
3 be used for the period April 1, 2011, through September
4 30, 2011, for youth activities.

5 SEC. 1802. (a) Of the unobligated balances available
6 for “Department of Labor, Departmental Management,
7 Office of Job Corps”, \$300,000,000 is rescinded.

8 (b) None of the funds made available by this division
9 or any prior Act may be used to initiate a competition
10 for any new Job Corps center not previously approved by
11 the Secretary of Labor as a Jobs Corps center through
12 a competitive selection process.

13 SEC. 1803. Of the unobligated balances of the funds
14 made available for “Department of Labor, Employment
15 and Training Administration, Training and Employment
16 Services, Federally Administered Programs, Dislocated
17 Workers Assistance National Reserve” in division D of
18 Public Law 111–117, \$100,000,000 is rescinded.

19 SEC. 1804. Of the unobligated balances of the funds
20 made available for “Department of Labor, Employment
21 and Training Administration, Training and Employment
22 Services, National Activities, Evaluation”, \$10,000,000 is
23 rescinded.

24 SEC. 1805. Notwithstanding section 1101, the level
25 for “Department of Labor, Employment and Training Ad-

1 ministration, Community Service Employment for Older
2 Americans” shall be \$300,425,000, and for purposes of
3 funds appropriated by this division, the amounts under
4 such heading in division D of Public Law 111–117 shall
5 be applied by substituting “\$0” for “\$225,000,000”, and
6 the first and second provisos under such heading in such
7 division shall not apply.

8 SEC. 1806. Notwithstanding section 1101, the level
9 for “Department of Labor, Mine Safety and Health Ad-
10 ministration, Salaries and Expenses” shall be
11 \$355,843,000, of which up to \$15,000,000 shall be avail-
12 able to the Secretary of Labor to be transferred to “De-
13 partmental Management, Salaries and Expenses” for ac-
14 tivities related to the Department of Labor’s caseload be-
15 fore the Federal Mine Safety and Health Review Commis-
16 sion, and the amounts included under the heading “De-
17 partment of Labor, Mine Safety and Health Administra-
18 tion, Salaries and Expenses” in division D of Public Law
19 111–117 shall be applied to funds appropriated by this
20 division by substituting “\$0” for “\$1,450,000”.

21 SEC. 1807. Notwithstanding section 1101, the level
22 for “Department of Labor, Departmental Management”
23 shall be \$315,154,000, and the third proviso under such
24 heading in division D of Public Law 111–117 shall not
25 apply to funds appropriated by this division.

1 SEC. 1808. Of the unobligated balances available for
2 “Department of Labor, Working Capital Fund”,
3 \$3,900,000 is permanently rescinded, to be derived solely
4 from amounts available in the Investment in Reinvention
5 Fund (other than amounts that were designated by the
6 Congress as an emergency requirement pursuant to a con-
7 current resolution on the budget or the Balanced Budget
8 and Emergency Deficit Control Act of 1985).

9 SEC. 1809. (a) Notwithstanding section 1101, the
10 level for “Department of Health and Human Services,
11 Health Resources and Services Administration, Health
12 Resources and Services” shall be \$5,313,171,000, of
13 which (1) not more than \$100,000,000 shall be available
14 until expended for carrying out the provisions of Public
15 Law 104–73 and for expenses incurred by the Department
16 of Health and Human Services pertaining to administra-
17 tive claims made under such law; (2) no funds shall be
18 for the program under title X of the Public Health Service
19 Act (referred to in this title as the “PHS Act”), to provide
20 for voluntary family planning projects; and (3)
21 \$352,835,000 shall be available for health professions pro-
22 grams under titles VII and VIII and section 340G of the
23 PHS Act.

24 (b) The eighteenth, nineteenth, twenty-first, twenty-
25 second, and twenty-fifth provisos under the heading “De-

1 partment of Health and Human Services, Health Re-
2 sources and Services Administration, Health Resources
3 and Services” of division D of Public Law 111–117 shall
4 not apply to funds appropriated by this division.

5 (c) Sections 747(c)(2) and 751(j)(2) of the PHS Act,
6 the proportional funding amounts in paragraphs (1)
7 through (4) of section 756(e) of such Act, and section
8 511(f) of the Social Security Act (42 U.S.C. 711(f)) shall
9 not apply to funds made available by this division for “De-
10 partment of Health and Human Services, Health Re-
11 sources and Services Administration, Health Resources
12 and Services”.

13 (d) For purposes of this section, section 10503(d) of
14 Public Law 111–148 shall be applied as if “, over the fis-
15 cal year 2008 level,” were stricken from such section.

16 SEC. 1810. (a) Notwithstanding section 1101, the
17 level for the first undesignated paragraph under the head-
18 ing “Department of Health and Human Services, Centers
19 for Disease Control and Prevention, Disease Control, Re-
20 search, and Training” shall be \$5,742,989,000, of which
21 (1) \$750,000,000 shall be derived from funds transferred,
22 pursuant to section 4002(c) of Public Law 111–148, from
23 amounts appropriated by section 4002(b) of such Public
24 Law; (2) no funds shall be available for acquisition of real
25 property, equipment, construction, and renovation of fa-

1 cilities; and (3) \$523,533,000 shall remain available until
2 expended for the Strategic National Stockpile under sec-
3 tion 319F–2 of the PHS Act.

4 (b) The amount included before the first proviso
5 under the heading “Department of Health and Human
6 Services, Centers for Disease Control and Prevention, Dis-
7 ease Control, Research, and Training” of division D of
8 Public Law 111–117 shall be applied to funds appro-
9 priated by this division by substituting “\$0” for
10 “\$20,620,000”.

11 (c) Paragraphs (1) through (3) of section 2821(b) of
12 the PHS Act shall not apply to funds made available by
13 this division.

14 (d) For purposes of this section, section 4002(e) of
15 Public Law 111–148 shall be applied as if “, over the fis-
16 cal year 2008 level,” were stricken from such section.

17 SEC. 1811. (a) Notwithstanding section 1101, the
18 level for “Department of Health and Human Services, Na-
19 tional Institutes of Health, National Institute of Allergy
20 and Infectious Diseases” shall be \$4,214,275,000, and the
21 Director of the National Institutes of Health shall transfer
22 up to \$256,627,000, on a pro rata basis, based on total
23 funding levels, from the other Institutes, Centers, and Of-
24 fice of the Director accounts within the National Institutes
25 of Health Account to “National Institute of Allergy and

1 Infectious Diseases”, and the requirement under “Na-
2 tional Institute of Allergy and Infection Diseases” in divi-
3 sion D of Public Law 111–117 for a transfer from Bio-
4 defense Countermeasures funds shall not apply.

5 (b) Notwithstanding any other provision of this divi-
6 sion, the first proviso under the heading “Department of
7 Health and Human Services, National Institutes of
8 Health, National Institute of Allergy and Infectious Dis-
9 eases” in division D of Public Law 111–117 shall not
10 apply to funds appropriated by this division.

11 SEC. 1812. The amount provided by section 1101 for
12 “Department of Health and Human Services, National In-
13 stitutes of Health” is reduced by \$260,000,000, through
14 a pro rata reduction in all of the Institutes, Centers, and
15 Office of the Director accounts within “Department of
16 Health and Human Services, National Institutes of
17 Health”, based on the total of the projected funding levels
18 for the Non-competing Research Project Grants in fiscal
19 year 2011 for each such Institute, Center, and Office of
20 the Director account. In addition, the Director of the Na-
21 tional Institutes of Health shall ensure that the average
22 of the total cost of Competing Research Project Grants
23 for all of the Institutes, Centers, and Office of the Director
24 accounts within “Department of Health and Human Serv-

1 ices, National Institutes of Health” during fiscal year
2 2011 shall not exceed \$400,000.

3 SEC. 1813. Notwithstanding section 1101, the level
4 for “Department of Health and Human Services, National
5 Institutes of Health, Buildings and Facilities” shall be
6 \$22,700,000.

7 SEC. 1814. (a) Notwithstanding section 1101, the
8 level for “Department of Health and Human Services,
9 Substance Abuse and Mental Health Services Administra-
10 tion, Substance Abuse and Mental Health Services” shall
11 be \$3,202,152,000.

12 (b) The amount included before the first proviso
13 under the heading “Department of Health and Human
14 Services, Substance Abuse and Mental Health Services
15 Administration, Substance Abuse and Mental Health
16 Services” in division D of Public Law 111–117 shall be
17 applied to funds appropriated by this division by sub-
18 stituting “\$0” for “\$14,518,000”.

19 (c) The second proviso under the heading “Depart-
20 ment of Health and Human Services, Substance Abuse
21 and Mental Health Services Administration, Substance
22 Abuse and Mental Health Services” of division D of Public
23 Law 111–117 shall not apply to funds appropriated by
24 this division.

1 SEC. 1815. The amount included under the heading
2 “Department of Health and Human Services, Agency for
3 Healthcare Research and Quality, Healthcare Research
4 and Quality” of division D of Public Law 111–117 shall
5 be applied to funds appropriated by this division by sub-
6 stituting “\$372,053,000” for “397,053,000”.

7 SEC. 1816. (a) Notwithstanding section 1101, the
8 level for amounts transferred from the Federal Hospital
9 Insurance Trust Fund and the Federal Supplementary
10 Medical Insurance Trust Fund for “Department of Health
11 and Human Services, Centers for Medicare and Medicaid
12 Services, Program Management” shall be \$3,012,162,000,
13 of which the level for the Research, Demonstration, and
14 Evaluation program shall be \$0.

15 (b) The amount under the third proviso under the
16 heading “Department of Health and Human Services,
17 Centers for Medicare and Medicaid Services, Program
18 Management” in division D of Public Law 111–117 shall
19 be applied to funds appropriated by this division by sub-
20 stituting “\$9,120,000” for “\$65,600,000”.

21 (c) The sixth proviso under the heading “Department
22 of Health and Human Services, Centers for Medicare and
23 Medicaid Services, Program Management” in division D
24 of Public Law 111–117 shall not apply to funds appro-
25 priated by this division.

1 SEC. 1817. (a) Notwithstanding section 1101, the
2 level for “Department of Health and Human Services, Ad-
3 ministration for Children and Families, Low Income
4 Home Energy Assistance” shall be \$4,709,672,000, of
5 which \$4,509,672,000 shall be for payments under sub-
6 sections (b) and (d) of section 2602 of the Low-Income
7 Home Energy Assistance Act of 1981 (42 U.S.C. 8621);
8 and of which \$200,000,000 shall be for payments under
9 subsection (e) of such Act, to be made notwithstanding
10 the designation requirements of such subsection.

11 (b) The second proviso under the heading “Depart-
12 ment of Health and Human Services, Administration for
13 Children and Families, Low Income Home Energy Assist-
14 ance” of division D of Public Law 111–117 shall not apply
15 to funds appropriated by this division.

16 SEC. 1818. Notwithstanding section 1101, the level
17 for “Department of Health and Human Services, Admin-
18 istration for Children and Families, Payments to States
19 for the Child Care and Development Block Grant” shall
20 be \$2,088,081,000, of which no funds shall be for the
21 Child Care Aware toll-free hotline.

22 SEC. 1819. (a) Notwithstanding section 1101, the
23 level for “Department of Health and Human Services, Ad-
24 ministration for Children and Families, Children and
25 Families Services Programs” shall be \$7,796,499,000, of

1 which \$405,000,000 shall be for making payments under
2 the Community Service Block Grant Act (“CSBG Act”),
3 except that such level shall include \$10,000,000 for sec-
4 tion 680(a)(3)(B) of the CSBG Act and \$6,151,783,000
5 shall be for making payments under the Head Start Act.

6 (b) The fourteenth and fifteenth provisos under the
7 heading “Department of Health and Human Services, Ad-
8 ministration for Children and Families, Children and
9 Families Services Programs” of division D of Public Law
10 111–117 shall not apply to funds appropriated by this di-
11 vision.

12 SEC. 1820. (a) Notwithstanding section 1101, the
13 level for “Department of Health and Human Services, Ad-
14 ministration on Aging, Aging Services Programs” shall be
15 \$1,445,323,000.

16 (b) The first proviso under the heading “Department
17 of Health and Human Services, Administration on Aging,
18 Aging Services Programs” in division D of Public Law
19 111–117 shall not apply to funds appropriated by this di-
20 vision.

21 (c) None of the funds appropriated by this division
22 for “Department of Health and Human Services, Admin-
23 istration on Aging, Aging Services Programs” shall be
24 used to carry out sections 1701 and 1703 of the PHS
25 Act (with respect to chronic disease self-management ac-

1 tivity grants), except that such funds may be used for nec-
2 essary expenses associated with administering any such
3 grants awarded prior to the date of the enactment of this
4 division.

5 SEC. 1821. Notwithstanding section 1101, the level
6 for “Department of Health and Human Services, Office
7 of the Secretary, General Departmental Management”
8 shall be \$375,938,000: *Provided*, That amounts included
9 under such heading in division D of Public Law 111–117
10 shall be applied to funds appropriated by this division by
11 substituting “\$0” for “\$5,789,000”: *Provided further*,
12 that the third and seventh provisos under such heading
13 in division D of Public Law 111–117 shall not apply to
14 funds appropriated by this division.

15 SEC. 1822. Notwithstanding section 1101, the level
16 for “Department of Health and Human Services, Office
17 of the Secretary, Public Health and Social Services Emer-
18 gency Fund” shall be \$708,510,000, of which
19 \$65,578,000 shall be for expenses necessary to prepare for
20 and respond to an influenza pandemic, none of which shall
21 be available past September 30, 2011, and \$35,000,000
22 shall be for expenses necessary for fit-out and other costs
23 related to a competitive lease procurement to renovate or
24 replace the existing headquarters building for Public
25 Health Service agencies and other components of the De-

1 partment of Health and Human Services: *Provided*, That
2 in addition, \$318,000,000 of the funds transferred to the
3 account under the heading “Department of Health and
4 Human Services, Office of the Secretary, Public Health
5 and Social Services Emergency Fund” in Public Law 111–
6 117 under the fourth paragraph under such heading may
7 be used to support advanced research and development
8 pursuant to section 319L of the PHS Act and other ad-
9 ministrative expenses of the Biomedical Advanced Re-
10 search and Development Authority: *Provided further*, That
11 no funds shall be made available to the United States
12 Postal Service for the delivery of medical counter-
13 measures.

14 SEC. 1823. Of the funds made available for “Depart-
15 ment of Health and Human Services, Office of the Sec-
16 retary, Public Health and Social Services Emergency
17 Fund” in Public Law 111–32, \$1,397,439,000 is re-
18 scinded.

19 SEC. 1824. (a) Notwithstanding section 1101, the
20 level for “Department of Education, Education for the
21 Disadvantaged” shall be \$3,994,365,000, of which
22 \$3,944,530,000 shall become available on July 1, 2011,
23 and remain available through September 30, 2012 (in ad-
24 dition to the \$10,841,176,000 previously appropriated
25 under such heading that became available on October 1,

1 2010), and an additional \$10,841,176,000 to remain
2 available through September 30, 2012, shall be available
3 on October 1, 2011 for academic year 2011–2012: *Pro-*
4 *vided*, That of the amounts available for such heading (1)
5 \$6,405,844,000 shall be for basic grants under section
6 1124 of the Elementary and Secondary Education Act of
7 1965 (“ESEA”); (2) \$1,365,031,000 shall be for con-
8 centration grants under section 1124A of the ESEA; (3)
9 \$3,014,000,000 shall be for targeted grants under section
10 1125 of the ESEA; (4) \$3,014,000,000 shall be for edu-
11 cation finance incentive grants under section 1125A of the
12 ESEA.

13 (b) The tenth, eleventh and twelfth provisos under
14 the heading “Department of Education, Education for the
15 Disadvantaged” in division D of Public Law 111–117
16 shall not apply to funds appropriated by this division.

17 (c) Of the unobligated balances available for “Depart-
18 ment of Education, Education for the Disadvantaged” in
19 division D of Public Law 111–117, \$189,000,000 is re-
20 scinded, to be derived from the amounts specified under
21 such heading for availability under section 1502 of the
22 ESEA.

23 SEC. 1825. (a) Notwithstanding section 1101, the
24 level for “Department of Education, School Improvement
25 Programs” shall be \$3,066,967,000, of which

1 \$2,978,515,000 shall become available on July 1, 2011,
2 and remain available through September 30, 2012 (in ad-
3 dition to the \$1,681,441,000 previously appropriated
4 under such heading that became available on October 1,
5 2010), and an additional \$1,681,441,000, to remain avail-
6 able through September 30, 2012, shall be available on
7 October 1, 2011 for academic year 2011–2012: *Provided*,
8 That of the amounts available for such heading (1)
9 \$7,463,000 shall be available to carry out subpart 6 of
10 part D of title V of the ESEA; and (2) no funds shall
11 be available for activities authorized under part B of title
12 II, part D of title II, subpart 9 of part D of title V, part
13 B of title VII, or part C of title VII of the ESEA, or
14 part Z of title VIII of the Higher Education Act of 1965.

15 (b) The first, second, third, fourth, fifth, sixth,
16 eighth, twelfth and thirteenth provisos under the heading
17 “Department of Education, School Improvement Pro-
18 grams” in division D of Public Law 111–117 shall not
19 apply to funds appropriated by this division.

20 SEC. 1826. (a) Notwithstanding section 1101, the
21 level for “Department of Education, Innovation and Im-
22 provement” shall be \$885,786,000, and no funds shall be
23 available for activities authorized under subpart 5 of part
24 A of title II, part D of title II, part D of title V, or section

1 1504 of the ESEA, or part F of title VIII of the Higher
2 Education Act of 1965.

3 (b) The first, second, third, fourth, fifth, seventeenth
4 and eighteenth provisos under the heading “Department
5 of Education, Innovation and Improvement” in division D
6 of Public Law 111–117 shall not apply to funds appro-
7 priated by this division.

8 SEC. 1827. (a) Notwithstanding section 1101, the
9 level for “Department of Education, Safe Schools and
10 Citizenship Education” shall be \$191,341,000, of which
11 no funds shall be available for activities authorized under
12 subpart 3 of part C of title II or subpart 2, 3, or 10 of
13 part D of title V of the ESEA.

14 (b) The first, second, and third provisos under the
15 heading “Department of Education, Safe Schools and
16 Citizenship Education” in division D of Public Law 111–
17 117 shall not apply to funds appropriated by this division.

18 SEC. 1828. (a) Notwithstanding section 1101, the
19 level for “Department of Education, Special Education”
20 shall be \$3,414,870,000, of which \$3,168,654,000 shall
21 become available on July 1, 2011, and remain available
22 through September 30, 2012 (in addition to the
23 \$8,592,383,000 previously appropriated under such head-
24 ing that became available on October 1, 2010), and an
25 additional \$8,592,383,000, to remain available through

1 September 30, 2012, shall be available on October 1, 2011
2 for academic year 2011–2012.

3 (b) The first and second provisos under the heading
4 “Department of Education, Special Education” in division
5 D of Public Law 111–117 shall not apply to funds appro-
6 priated by this division.

7 SEC. 1829. (a) Notwithstanding section 1101, the
8 level for “Department of Education, Rehabilitation Serv-
9 ices and Disability Research” shall be \$3,453,388,000.

10 (b) The second proviso under the heading “Depart-
11 ment of Education, Rehabilitation Services and Disability
12 Research” in division D of Public Law 111–117 shall not
13 apply to funds appropriated by this division.

14 SEC. 1830. (a) Notwithstanding section 1101, the
15 level for “Department of Education, Career, Technical,
16 and Adult Education” shall be \$1,017,338,000, to become
17 available on July 1, 2011, and remain available through
18 September 30, 2012 (in addition to the \$791,000,000 pre-
19 viously appropriated under such heading that became
20 available on October 1, 2010), and an additional
21 \$791,000,000 to remain available through September 30,
22 2012, shall be available on October 1, 2011 for academic
23 year 2011–2012: *Provided*, That of the amounts available
24 for such heading, no funds shall be available for activities
25 authorized under subpart 4 of part D of title V of the

1 ESEA, or part D of title VIII of the Higher Education
2 Amendments of 1998.

3 (b) The first, second, third, seventh and eighth pro-
4 visos under the heading “Department of Education, Ca-
5 reer, Technical, and Adult Education” in division D of
6 Public Law 111–117 shall not apply to funds appropriated
7 by this division.

8 SEC. 1831. Notwithstanding section 1101, the level
9 for “Department of Education, Student Financial Assist-
10 ance” shall be \$18,475,492,000, of which
11 \$17,495,000,000 shall be available to carry out subpart
12 1 of part A of title IV of the Higher Education Act of
13 1965 and \$980,492,000 shall be available to carry out
14 part C of title IV of the Higher Education Act of 1965.
15 The maximum Pell grant for which a student shall be eli-
16 gible during award year 2011-2012 shall be \$4,015.

17 SEC. 1832. Of the unobligated balances of funds
18 made available in subparagraphs (A) through (E) of sec-
19 tion 401A(e)(1) of the Higher Education Act of 1965,
20 \$986,433,851 is rescinded.

21 SEC. 1833. (a) Notwithstanding section 1101, the
22 level for “Department of Education, Higher Education”
23 shall be \$1,690,285,000, of which no funds shall be avail-
24 able for activities authorized under part A of title II, part
25 B of title VII or subpart 1 of part D of title VII of the

1 Higher Education Act of 1965, section 1543 of the Higher
2 Education Amendments of 1992, part H of title VIII of
3 the Higher Education Amendments of 1998, part I of sub-
4 title A of title VI of the America COMPETES Act, or
5 section 117 of the Carl D. Perkins Career and Technical
6 Education Act of 2006.

7 (b) The fifth, sixth, seventh, eighth, ninth, tenth,
8 eleventh, twelfth, thirteenth and fourteenth provisos under
9 the heading “Department of Education, Higher Edu-
10 cation” in division D of Public Law 111–117 shall not
11 apply to funds appropriated by this division.

12 SEC. 1834. Notwithstanding section 1101, the level
13 for “Department of Education, Institute of Education
14 Sciences” shall be \$530,106,000.

15 SEC. 1835. Notwithstanding section 1101, the level
16 for “Corporation for National and Community Service,
17 Operating Expenses” shall be \$0.

18 SEC. 1836. Notwithstanding section 1101, the level
19 for “Corporation for National and Community Service,
20 National Service Trust” shall be \$50,000,000.

21 SEC. 1837. Notwithstanding section 1101, the level
22 for “Corporation for National and Community Service,
23 Salaries and Expenses” shall be \$68,000,000.

24 SEC. 1838. (a) Of the funds made available for “Cor-
25 poration for Public Broadcasting” in title IV of division

1 F of Public Law 111–8, the unobligated balance is re-
2 scinded.

3 (b) The amounts included under the heading “Cor-
4 poration for Public Broadcasting” in division D of Public
5 Law 111–117 shall be applied to funds appropriated by
6 this division as follows: by substituting “\$0” for
7 “\$86,000,000”; by substituting “\$0” for “\$25,000,000”;
8 by substituting “\$0” for “\$36,000,000”; and by sub-
9 stituting “\$0” for “\$25,000,000”.

10 SEC. 1839. Notwithstanding section 1101, the level
11 for “Institute of Museum and Library Services, Office of
12 Museum and Library Services, Grants and Administra-
13 tion” shall be \$265,869,000.

14 SEC. 1840. Notwithstanding section 1101, the level
15 for “Medicare Payment Advisory Commission, Salaries
16 and Expenses” shall be \$12,450,000.

17 SEC. 1841. Notwithstanding section 1101, the level
18 for “National Labor Relations Board, Salaries and Ex-
19 penses” shall be \$233,400,000.

20 SEC. 1842. Notwithstanding section 1101, the level
21 for “Railroad Retirement Board, Dual Benefits Payments
22 Account” shall be \$57,000,000.

23 SEC. 1843. Notwithstanding section 1101, the level
24 for “Social Security Administration, Payments to Social
25 Security Trust Funds” shall be \$21,404,000, and in addi-

1 tion such funds may be used to carry out section 217(g)
2 of the Social Security Act.

3 SEC. 1844. Notwithstanding section 1101, the level
4 for the first paragraph under the heading “Social Security
5 Administration, Limitation on Administrative Expenses”
6 shall be \$10,675,500,000.

7 SEC. 1845. Notwithstanding section 1101, the level
8 for the first paragraph under the heading “Social Security
9 Administration, Supplemental Security Income Program”
10 shall be \$39,892,164,000, of which \$3,402,164,000 shall
11 be for administrative expenses.

12 SEC. 1846. Of the funds appropriated for “Social Se-
13 curity Administration, Limitation on Administrative Ex-
14 penses” for fiscal years 2010 and prior years (other than
15 funds appropriated in Public Law 111–5) for investment
16 in information technology and telecommunications hard-
17 ware and software infrastructure, \$500,000,000 is re-
18 scinded.

19 SEC. 1847. Notwithstanding section 1101, and sec-
20 tion 505 of division D of Public Law 111–117, section
21 505 of division F of Public Law 111–8 shall apply to
22 funds appropriated by this division.

23 SEC. 1848. Notwithstanding section 1101, the level
24 for “Department of Labor, Occupational Safety and
25 Health Administration, Salaries and Expenses” shall be

1 \$459,653,000, of which \$138,928,000 shall be for compli-
2 ance assistance programs: *Provided*, That the amounts in-
3 cluded under such heading in division D of Public Law
4 111–117 shall be applied to funds appropriated by this
5 Act by substituting “\$89,502,000” for “\$104,393,000”.

6 SEC. 1849. Notwithstanding section 1101, the level
7 for “Department of Health and Human Services, National
8 Institutes of Health, Office of the Director” shall be
9 \$1,128,800,000, and the fifth proviso under such heading
10 in division D of Public Law 111–117 shall be applied to
11 funds appropriated by this Act by substituting
12 “\$495,609,000” for “\$544,109,000”.

13 SEC. 1850. The amount provided by section 1101 for
14 “Department of Health and Human Services, National In-
15 stitutes of Health” is reduced by \$639,463,000 through
16 a pro rata reduction in all of the Institutes, Centers, and
17 Office of the Director accounts within “Department of
18 Health and Human Services, National Institutes of
19 Health”, based on the total funding levels for each such
20 Institute, Center, and Office of the Director accounts (ex-
21 cluding the Common Fund). In addition, the Director of
22 the National Institutes of Health shall ensure at least a
23 total of 9,000 new competing research grants are awarded
24 in fiscal year 2011 from all Institutes, Centers, and Office
25 of the Director accounts within the “Department of

1 Health and Human Services, National Institutes of
2 Health”.

3 SEC. 1851. Of the unobligated balances available for
4 “Department of Health and Human Services, Administra-
5 tion for Children and Families, Refugee and Entrant As-
6 sistance” in division D of Public Law 111–117,
7 \$77,000,000 is rescinded.

8 TITLE IX—LEGISLATIVE BRANCH

9 SEC. 1901. Notwithstanding section 1101, the level
10 for “House of Representatives, Salaries and Expenses”
11 shall be \$1,288,299,072.

12 SEC. 1902. Notwithstanding section 1101, the level
13 for “House of Representatives, House Leadership Offices”
14 shall be \$24,861,969, and the levels under that heading
15 shall be as follows:

16 (1) For the Office of the Speaker, \$4,877,851.

17 (2) For the Office of the Majority Floor Lead-
18 er, \$2,432,808.

19 (3) For the Office of the Minority Floor Lead-
20 er, \$4,378,238.

21 (4) For the Office of the Majority Whip,
22 \$2,105,373.

23 (5) For the Office of the Minority Whip,
24 \$1,628,873.

1 (6) For the Speaker's Office for Legislative
2 Floor Activities, \$497,619.

3 (7) For the Republican Steering Committee,
4 \$940,674.

5 (8) For the Republican Conference, \$1,679,970.

6 (9) For the Republican Policy Committee,
7 \$344,485.

8 (10) For the Democratic Steering and Policy
9 Committee, \$1,319,273.

10 (11) For the Democratic Caucus, \$1,659,696.

11 (12) For nine minority employees, \$1,487,455.

12 (13) For the training and program develop-
13 ment—majority, \$277,807.

14 (14) For the training and program develop-
15 ment—minority, \$277,439.

16 (15) For Cloakroom Personnel—majority,
17 \$477,469.

18 (16) For Cloakroom Personnel—minority,
19 \$476,939.

20 SEC. 1903. Notwithstanding section 1101, the level
21 for "House of Representatives, Members' Representa-
22 tional Allowances" shall be \$613,052,000.

23 SEC. 1904. Notwithstanding section 1101, the level
24 for "House of Representatives, Committee Employees,
25 Standing Committees, Special and Select" shall be

1 \$132,449,103, the period of applicability referred to in the
2 proviso under that heading shall be December 31, 2012,
3 and none of the funds made available under that heading
4 may be used for committee room upgrading.

5 SEC. 1905. Notwithstanding section 1101, the level
6 for “House of Representatives, Committee on Appropria-
7 tions” shall be \$28,483,000, and the period of applica-
8 bility referred to in the proviso under that heading shall
9 be December 31, 2012.

10 SEC. 1906. Notwithstanding section 1101, the level
11 for “House of Representatives, Salaries, Officers and Em-
12 ployees” shall be \$184,386,000, and the level under that
13 heading—

14 (1) for the Office of the Clerk shall be
15 \$26,568,000;

16 (2) for the Office of the Sergeant at Arms shall
17 be \$8,221,000; and

18 (3) for the Office of the Chief Administrative
19 Officer shall be \$121,676,000.

20 SEC. 1907. Notwithstanding section 1101, the level
21 for “House of Representatives, Allowances and Expenses”
22 shall be \$305,067,000, and the level under that heading—

23 (1) for employee tuition assistance benefit pay-
24 ments shall be \$0;

1 (2) for employee child care benefit payments
2 shall be \$0;

3 (3) for Business Continuity and Disaster Re-
4 covery shall be \$17,000,000, of which \$5,000,000
5 shall remain available until expended;

6 (4) for the Wounded Warrior Program shall be
7 \$2,000,000; and

8 (5) for Energy Demonstration Projects shall be
9 \$0.

10 SEC. 1908. Notwithstanding section 1101, the level
11 for “Joint Items, Joint Economic Committee” shall be
12 \$4,364,500.

13 SEC. 1909. Notwithstanding section 1101, the level
14 for “Joint Items, Joint Committee on Taxation” shall be
15 \$10,551,150.

16 SEC. 1910. Notwithstanding section 1101, the level
17 for “Capitol Police, Salaries” shall be \$277,688,000.

18 SEC. 1911. Notwithstanding section 1101, the level
19 for “Office of Compliance, Salaries and Expenses” shall
20 be \$4,085,150.

21 SEC. 1912. Notwithstanding section 1101, the level
22 for “Congressional Budget Office, Salaries and Expenses”
23 shall be \$42,761,000.

24 SEC. 1913. (a) Except as provided in subsection (b),
25 notwithstanding section 1101, the level and period of

1 availability for each item under the heading “Architect of
2 the Capitol” shall be determined in accordance with an
3 allocation plan submitted by the Architect of the Capitol
4 and approved by the Committees on Appropriations of the
5 House of Representatives and Senate, except that—

6 (1) the aggregate level for all items under that
7 heading may not exceed \$498,491,000; and

8 (2) no amounts may remain available for any
9 item under such plan beyond September 30, 2015.

10 (b) Subsection (a) does not apply to “Architect of the
11 Capitol, Senate Office Buildings”.

12 SEC. 1914. Notwithstanding section 1101, the level
13 for “Library of Congress, Salaries and Expenses” shall
14 be \$417,189,000, the amount applicable under the fourth
15 proviso under that heading shall be \$4,815,000, and the
16 amount applicable under the fifth and seventh provisos
17 under that heading shall be \$0.

18 SEC. 1915. Notwithstanding section 1101, the level
19 for “Library of Congress, Copyright Office, Salaries and
20 Expenses” shall be \$52,914,670, of which not more than
21 \$33,751,000, to remain available until expended, shall be
22 derived from collections credited to such appropriation
23 during fiscal year 2011 under section 708(d) of title 17,
24 United States Code, and the amount applicable under the
25 third proviso under such heading shall be \$34,612,000.

1 SEC. 1916. Notwithstanding section 1101, the level
2 for “Library of Congress, Congressional Research Service,
3 Salaries and Expenses” shall be \$107,309,000.

4 SEC. 1917. Notwithstanding section 1101, the level
5 for “Library of Congress, Books for the Blind and Phys-
6 ically Handicapped, Salaries and Expenses” shall be
7 \$66,124,000.

8 SEC. 1918. Notwithstanding section 1101, the level
9 for “Government Printing Office, Government Printing
10 Office Revolving Fund” shall be \$1,659,000.

11 SEC. 1919. Notwithstanding section 1101, the level
12 for “Government Printing Office, Office of Superintendent
13 of Documents, Salaries and Expenses” shall be
14 \$39,911,000.

15 SEC. 1920. (a) Section 309(c) of the Legislative
16 Branch Appropriations Act, 1999 (44 U.S.C. 305 note)
17 is amended by striking paragraph (5).

18 (b) The amendment made by subsection (a) shall take
19 effect as if included in the enactment of the Legislative
20 Branch Appropriations Act, 1999.

21 SEC. 1921. Notwithstanding section 1101, the level
22 for “Government Accountability Office, Salaries and Ex-
23 penses” shall be \$522,823,000, the amount applicable
24 under the first proviso under that heading shall be
25 \$9,400,000, the amount applicable under the second pro-

1 viso under that heading shall be \$3,100,000, and the
2 amount applicable under the third proviso under that
3 heading shall be \$7,000,000.

4 SEC. 1922. Notwithstanding section 1101, the level
5 for “Open World Leadership Center Trust Fund” shall
6 be \$5,100,000.

7 SEC. 1923. Notwithstanding section 1101, the level
8 for “John C. Stennis Center for Public Service Training
9 and Development” shall be \$0.

10 TITLE X—MILITARY CONSTRUCTION,
11 VETERANS AFFAIRS, AND RELATED AGENCIES

12 SEC. 2001. Notwithstanding section 1101, the level
13 for each of the following accounts of the Department of
14 Defense, excluding funds designated by section 1110 of
15 this division, shall be as follows: “Military Construction,
16 Army”, \$3,904,998,000; “Military Construction, Navy
17 and Marine Corps”, \$3,516,173,000; “Military Construc-
18 tion, Air Force”, \$1,214,295,000; and “Military Construc-
19 tion, Defense-Wide”, \$2,964,062,000.

20 SEC. 2002. Notwithstanding section 1101, the level
21 for each of the following accounts of the Department of
22 Defense shall be as follows: “Military Construction, Army
23 National Guard”, \$873,664,000; “Military Construction,
24 Air National Guard”, \$194,986,000; “Military Construc-
25 tion, Army Reserve”, \$318,175,000; “Military Construc-

1 tion, Navy Reserve”, \$61,557,000; and “Military Con-
2 struction, Air Force Reserve”, \$7,832,000.

3 SEC. 2003. Notwithstanding section 1101, the level
4 for each of the following accounts of the Department of
5 Defense shall be as follows: “Family Housing Construc-
6 tion, Army”, \$92,369,000; “Family Housing Construc-
7 tion, Navy and Marine Corps”, \$186,444,000; “Family
8 Housing Construction, Air Force”, \$78,025,000; “Family
9 Housing Construction, Defense-Wide”, \$0; and “Family
10 Housing Improvement Fund”, \$1,096,000.

11 SEC. 2004. Notwithstanding section 1101, the level
12 for each of the following accounts of the Department of
13 Defense shall be as follows: “North Atlantic Treaty Orga-
14 nization Security Investment Program”, \$258,884,000;
15 “Homeowners Assistance Fund”, \$16,515,000; “Chemical
16 Demilitarization Construction, Defense-Wide”,
17 \$124,971,000; “Department of Defense Base Closure Ac-
18 count 1990”, \$360,474,000; and “Department of Defense
19 Base Closure Account 2005”, \$2,354,285,000.

20 SEC. 2005. Notwithstanding section 1101, the level
21 for each of the following accounts of the Department of
22 Defense shall be as follows: “Family Housing Operation
23 and Maintenance, Army”, \$518,140,000; “Family Hous-
24 ing Operation and Maintenance, Navy and Marine Corps”,
25 \$366,346,000; “Family Housing Operation and Mainte-

1 nance, Air Force”, \$513,792,000; and “Family Housing
2 Operation and Maintenance, Defense-Wide”,
3 \$50,464,000.

4 SEC. 2006. Notwithstanding any other provision of
5 this division, the following provisions included in title I
6 of division E of Public Law 111–117 shall not apply to
7 funds made available by this division: the first, second,
8 and last provisos, and the set-aside of \$350,000,000,
9 under the heading “Military Construction, Army”; the
10 first and last provisos under the heading “Military Con-
11 struction, Navy and Marine Corps”; the first, second, and
12 last provisos under the heading “Military Construction,
13 Air Force”; the second, third, fourth, and last provisos
14 under the heading “Military Construction, Defense-Wide”,
15 the first, second and last provisos, and the set-aside of
16 \$30,000,000, under the heading “Military Construction,
17 Army National Guard”; the first, second, and last pro-
18 visos, and the set-aside of \$30,000,000, under the heading
19 “Military Construction, Air National Guard”; the first,
20 second, and last provisos, and the set-aside of
21 \$30,000,000, under the heading “Military Construction,
22 Army Reserve”; the first, second, and last provisos, the
23 set-aside of \$20,000,000, and the set-aside of
24 \$35,000,000, under the heading “Military Construction,
25 Navy Reserve”; the first, second, and last provisos, and

1 the set-aside of \$55,000,000, under the heading “Military
2 Construction, Air Force Reserve”; the proviso under the
3 heading “Family Construction, Army”; the proviso under
4 the heading “Family Housing Construction, Navy and
5 Marine Corps”; the proviso under the heading “Family
6 Housing Construction , Air Force”; the proviso under the
7 heading “Family Housing Construction, Defense-Wide”;
8 and the proviso under the heading “Chemical Demili-
9 tarization Construction, Defense-Wide”.

10 SEC. 2007. Notwithstanding section 1101, the level
11 for “Department of Veterans Affairs, Departmental Ad-
12 ministration, General Operating Expenses” shall be
13 \$2,546,276,000, of which not less than \$2,148,776,000
14 shall be for the Veterans Benefits Administration.

15 SEC. 2008. Notwithstanding section 1101, the level
16 for “Department of Veterans Affairs, Departmental Ad-
17 ministration, Information Technology Systems” shall be
18 \$3,146,898,000.

19 SEC. 2009. Notwithstanding section 1101, the level
20 for “Department of Veterans Affairs, Departmental Ad-
21 ministration, Construction, Major Projects” shall be
22 \$1,151,036,000: *Provided*, That not later than 30 days
23 after the date of the enactment of this section, the Sec-
24 retary of Veterans Affairs shall submit to the Committees
25 on Appropriations of the House of Representatives and the

1 Senate a spending plan for fiscal year 2011 at a level of
2 detail below the account level: *Provided further*, That the
3 last proviso included in title I of division E of Public Law
4 111–117 under the heading “Department of Veterans Af-
5 fairs, Departmental Administration, Construction, Major
6 Projects” shall not apply to funds appropriated by this
7 division.

8 SEC. 2010. Notwithstanding section 1101, the level
9 for “Department of Veterans Affairs, Departmental Ad-
10 ministration, Construction, Minor Projects” shall be
11 \$467,700,000.

12 SEC. 2011. Notwithstanding section 1101, the level
13 for “Department of Veterans Affairs, Departmental Ad-
14 ministration, Grants for Construction of State Extended
15 Care Facilities” shall be \$85,000,000.

16 SEC. 2012. Notwithstanding section 1101, the level
17 for “Armed Forces Retirement Home, Trust Fund” shall
18 be \$71,200,000, of which \$2,000,000 shall be for con-
19 struction and renovation of physical plants.

20 SEC. 2013. Notwithstanding any other provision of
21 this division, the following provisions included in title IV
22 of division E of Public Law 111–117 shall not apply to
23 funds appropriated by this division: the proviso under
24 “Military Construction, Army” and the proviso under
25 “Military Construction, Air Force”.

1 SEC. 2014. Of the funds made available for “Military
2 Construction, Defense-Wide” in title I of division E of
3 Public Law 110–329, \$23,000,000 is rescinded.

4 SEC. 2015. Of the funds made available for “Military
5 Construction, Defense-Wide” in title I of division E of
6 Public Law 111–117, \$125,500,000 is rescinded.

7 SEC. 2016. Of the funds made available for “Military
8 Construction, Army” in title I of division E of Public Law
9 111–117, \$160,000,000 is rescinded.

10 SEC. 2017. Of the funds made available for “Military
11 Construction, Navy and Marine Corps” in title I of divi-
12 sion E of Public Law 111–117, \$34,000,000 is rescinded.

13 SEC. 2018. Of the funds made available for “Military
14 Construction, Air Force” in title I of division E of Public
15 Law 111–117, \$87,000,000 is rescinded.

16 SEC. 2019. Of the unobligated balances available for
17 “Department of Defense Base Closure Account 2005”
18 from prior appropriations (other than appropriations des-
19 igned by law as being for contingency operations directly
20 related to the global war on terrorism or as an emergency
21 requirement), \$200,000,000 is rescinded.

22 SEC. 2020. Of the funds designated by section 1110
23 of this division, funds available for the Department of De-
24 fense shall be as follows: “Military Construction, Army”,
25 \$929,994,000; “Military Construction, Air Force”,

1 \$280,506,000; and “Military Construction, Defense-
2 Wide”, \$46,500,000.

3 SEC. 2021. The levels for each of the following ac-
4 counts for fiscal year 2012 shall be as follows:

5 (1) “Department of Veterans Affairs, Medical
6 Services”, \$39,649,985,000, which shall become
7 available on October 1, 2011, and shall remain avail-
8 able until September 30, 2012.

9 (2) “Department of Veterans Affairs, Medical
10 Support and Compliance”, \$5,535,000,000, which
11 shall become available on October 1, 2011, and shall
12 remain available until September 30, 2012.

13 (3) “Department of Veterans Affairs, Medical
14 Facilities” in the amount of \$5,426,000,000, which
15 shall become available on October 1, 2011, and shall
16 remain available until September 30, 2012.

17 SEC. 2022. Of the amounts appropriated to the De-
18 partment of Veterans Affairs for fiscal year 2011 for
19 “Medical services”, “Medical support and compliance”,
20 “Medical facilities”, “Construction, minor projects”, and
21 “Information technology systems”, up to \$235,360,000,
22 plus reimbursements, may be transferred to the Joint De-
23 partment of Defense-Department of Veterans Affairs
24 Medical Facility Demonstration Fund, established by sec-
25 tion 1704 of title XVII of division A of Public Law 111–

1 84 and may be used for operation of the facilities des-
2 ignated as a combined Federal medical facility as de-
3 scribed by section 706 of Public Law 110–417: *Provided*,
4 That additional funds may be transferred from accounts
5 designated in this section to the Joint Department of De-
6 fense-Department of Veterans Affairs Medical Facility
7 Demonstration Fund upon written notification by the Sec-
8 retary of Veterans Affairs to the Committees on Appro-
9 priations of both Houses of Congress.

10 SEC. 2023. Such sums as may be deposited to the
11 Medical Care Collections Fund pursuant to section 1729A
12 of title 38, United States Code, for health care provided
13 at facilities designated as a combined Federal medical fa-
14 cility as described by section 706 of Public Law 110–417
15 shall also be available: (1) for transfer to the Joint De-
16 partment of Defense-Department of Veterans Affairs
17 Medical Facility Demonstration Fund, established by sec-
18 tion 1704 of Public Law 111–84, and (2) for operations
19 of the facilities designated as a combined Federal medical
20 facility as described by section 706 of Public Law 110–
21 417.

22 SEC. 2024. Of the funds made available for “Depart-
23 ment of Veterans Affairs, Departmental Administration,
24 Information technology systems” in division E of Public
25 Law 111–117, \$117,000,000 is rescinded.

1 TITLE XI—STATE, FOREIGN OPERATIONS, AND
2 RELATED PROGRAMS

3 SEC. 2101. For purposes of this title, the term “divi-
4 sion F of Public Law 111–117” means the Department
5 of State, Foreign Operations, and Related Programs Ap-
6 propriations Act, 2010 (division F of Public Law 111–
7 117).

8 SEC. 2102. Notwithstanding section 1101, the level
9 for each of the following accounts shall be as follows: “Ad-
10 ministration of Foreign Affairs, Diplomatic and Consular
11 Programs”, \$8,383,460,000, of which \$1,491,041,000 is
12 for Worldwide Security Protection (to be available until
13 expended); “Administration of Foreign Affairs, Office of
14 Inspector General”, \$94,000,000; “Administration of For-
15 eign Affairs, Capital Investment Fund”, \$59,575,000;
16 “Administration of Foreign Affairs, Emergencies in the
17 Diplomatic and Consular Service”, \$9,400,000; “Adminis-
18 tration of Foreign Affairs, Representation Allowances”,
19 \$7,685,000; “Administration of Foreign Affairs, Payment
20 to the American Institute in Taiwan”, \$19,904,000; “Ad-
21 ministration of Foreign Affairs, Civilian Stabilization Ini-
22 tiative”, \$40,000,000; and “Administration of Foreign Af-
23 fairs, Protection of Foreign Missions and Officials”,
24 \$26,320,000.

1 SEC. 2103. Notwithstanding section 1101, the level
2 for each of the following accounts shall be as follows:
3 “International Organizations, Contributions to Inter-
4 national Organizations”, \$1,516,430,000; “International
5 Organizations, Contributions for International Peace-
6 keeping Activities”, \$1,898,511,000; “Related Programs,
7 United States Institute of Peace”, \$42,676,000, which
8 shall not be used for construction activities; “Related Pro-
9 grams, East-West Center”, \$10,716,000; and “Inter-
10 national Commissions, International Fisheries Commis-
11 sions”, \$44,627,000.

12 SEC. 2104. Notwithstanding section 1101, the level
13 for each of the following accounts shall be as follows:
14 “International Commissions, International Boundary and
15 Water Commission, United States and Mexico, Salaries
16 and Expenses”, \$43,419,000; “International Commis-
17 sions, International Boundary and Water Commission,
18 United States and Mexico, Construction”, \$25,286,000;
19 “International Commissions, American Sections”,
20 \$11,852,000; “Related Programs, The Asia Foundation”,
21 \$14,749,000; “Other Commissions, Commission for the
22 Preservation of America’s Heritage Abroad, Salaries and
23 Expenses”, \$597,000; “Other Commissions, United States
24 Commission on International Religious Freedom, Salaries
25 and Expenses”, \$4,042,000; “Other Commissions, Com-

1 mission on Security and Cooperation in Europe, Salaries
2 and Expenses”, \$2,453,000; “Other Commissions, Con-
3 gressional-Executive Commission on the People’s Republic
4 of China, Salaries and Expenses”, \$1,880,000; and
5 “Other Commissions, United States-China Economic and
6 Security Review Commission”, \$3,290,000.

7 SEC. 2105. Notwithstanding section 1101, the level
8 for each of the following accounts shall be as follows: “Re-
9 lated Agency, Broadcasting Board of Governors, Inter-
10 national Broadcasting Operations”, \$689,761,000; and
11 “Related Agency, Broadcasting Board of Governors,
12 Broadcasting Capital Improvements”, \$6,785,000.

13 SEC. 2106. Notwithstanding section 1101, the level
14 for each of the following accounts shall be as follows: “Ad-
15 ministration of Foreign Affairs, Educational and Cultural
16 Exchange Programs”, \$501,347,000; “Related Programs,
17 National Endowment for Democracy”, \$110,920,000, of
18 which \$100,000,000 shall be allocated in the traditional
19 and customary manner, including for the core institutes;
20 “Bilateral Economic Assistance, Independent Agencies,
21 Inter-American Foundation”, \$20,830,000; and “Bilateral
22 Economic Assistance, Independent Agencies, African De-
23 velopment Foundation”, \$29,757,000.

24 SEC. 2107. Notwithstanding section 1101, the level
25 for each of the following accounts shall be as follows:

1 “United States Agency for International Development,
2 Funds Appropriated to the President, Operating Ex-
3 penses”, \$1,267,872,000; “United States Agency for
4 International Development, Funds Appropriated to the
5 President, Civilian Stabilization Initiative”, \$7,000,000;
6 “United States Agency for International Development,
7 Funds Appropriated to the President, Capital Investment
8 Fund”, \$120,777,000; and “United States Agency for
9 International Development, Funds Appropriated to the
10 President, Office of Inspector General”, \$43,710,000.

11 SEC. 2108. Notwithstanding section 1101, the level
12 for each of the following accounts shall be as follows: “Bi-
13 lateral Economic Assistance, Funds Appropriated to the
14 President, Development Assistance”, \$1,773,780,000;
15 “Bilateral Economic Assistance, Funds Appropriated to
16 the President, Assistance for Europe, Eurasia and Central
17 Asia”, \$697,134,000; and “Bilateral Economic Assis-
18 tance, Independent Agencies, Millennium Challenge Cor-
19 poration”, \$790,000,000.

20 SEC. 2109. Notwithstanding section 1101, the level
21 for each of the following accounts shall be as follows: “Bi-
22 lateral Economic Assistance, Funds Appropriated to the
23 President, Economic Support Fund”, \$5,706,552,000;
24 “Bilateral Economic Assistance, Funds Appropriated to
25 the President, Democracy Fund”, \$112,800,000; “De-

1 partment of the Treasury, International Affairs Technical
2 Assistance”, \$20,235,000; and “Department of the Treas-
3 ury, Debt Restructuring”, \$30,055,000.

4 SEC. 2110. Notwithstanding section 1101, the level
5 for each of the following accounts shall be as follows: “Bi-
6 lateral Economic Assistance, Funds Appropriated to the
7 President, International Disaster Assistance”,
8 \$429,739,000; and “Bilateral Economic Assistance,
9 Funds Appropriated to the President, Transition Initia-
10 tives”, \$44,635,000.

11 SEC. 2111. Notwithstanding section 1101, the level
12 for each of the following accounts shall be as follows: “Bi-
13 lateral Economic Assistance, Department of State, Migra-
14 tion and Refugee Assistance”, \$1,023,178,000; and “Bi-
15 lateral Economic Assistance, Department of State, United
16 States Emergency Refugee and Migration Assistance
17 Fund”, \$44,635,000.

18 SEC. 2112. Notwithstanding section 1101, the level
19 for “Bilateral Economic Assistance, Independent Agen-
20 cies, Peace Corps” shall be \$330,799,000.

21 SEC. 2113. Notwithstanding section 1101, the level
22 for each of the following accounts shall be as follows:
23 “International Security Assistance, Department of State,
24 Nonproliferation, Anti-terrorism, Demining and Related
25 Programs”, \$740,000,000; and “International Security

1 Assistance, Department of State, Peacekeeping Oper-
2 ations”, \$305,000,000.

3 SEC. 2114. Notwithstanding section 1101, the level
4 for each of the following accounts shall be as follows:
5 “International Security Assistance, Funds Appropriated
6 to the President, Pakistan Counterinsurgency Capability
7 Fund”, \$1,000,000,000, which shall remain available until
8 September 30, 2012, and shall be available to the Sec-
9 retary of State under the terms and conditions provided
10 for this Fund in Public Law 111–32; and “International
11 Security Assistance, Funds Appropriated to the President,
12 Foreign Military Financing Program”, \$5,385,000,000, of
13 which not less than \$3,000,000,000 shall be available for
14 grants only for Israel and \$1,300,000,000 shall be avail-
15 able for grants only for Egypt and \$300,000,000 shall be
16 available for assistance for Jordan: *Provided*, That the
17 dollar amount in the fourth proviso under the heading
18 “International Security Assistance, Funds Appropriated
19 to the President, Foreign Military Financing Program”
20 in division F of Public Law 111–117 shall be deemed to
21 be \$789,000,000 for the purpose of applying funds appro-
22 priated under such heading by this division.

23 SEC. 2115. Notwithstanding section 1101, the level
24 for each of the following accounts shall be as follows:
25 “Multilateral Assistance, Funds Appropriated to the

1 President, International Organizations and Programs”,
2 \$309,897,000; “Multilateral Assistance, Funds Appro-
3 priated to the President, International Financial Institu-
4 tions, Global Environment Facility”, \$32,020,000; “Multi-
5 lateral Assistance, Funds Appropriated to the President,
6 International Financial Institutions, Contribution to the
7 International Development Association”, \$942,305,000;
8 “Multilateral Assistance, Funds Appropriated to the
9 President, International Financial Institutions, Contribu-
10 tion to the Enterprise for the Americas Multilateral In-
11 vestment Fund”, \$20,127,000; “Multilateral Assistance,
12 Funds Appropriated to the President, International Fi-
13 nancial Institutions, Contribution to the African Develop-
14 ment Fund”, \$134,585,000; and “Multilateral Assistance,
15 Funds Appropriated to the President, International Fi-
16 nancial Institutions, International Fund for Agricultural
17 Development”, \$17,926,000.

18 SEC. 2116. Notwithstanding section 1101, the level
19 for each of the following accounts shall be as follows: “Ex-
20 port and Investment Assistance, Overseas Private Invest-
21 ment Corporation, Noncredit Account”, \$47,115,000;
22 “Export and Investment Assistance, Overseas Private In-
23 vestment Corporation, Program Account”, \$23,310,000;
24 and “Export and Investment Assistance, Funds Appro-

1 priated to the President, Trade and Development Agen-
2 cy”, \$49,992,000.

3 SEC. 2117. (a) Notwithstanding section 1101, the
4 amounts included under the heading “Administration of
5 Foreign Affairs, Embassy Security, Construction and
6 Maintenance” in division F of Public Law 111–117 shall
7 be applied to funds appropriated by this division as fol-
8 lows: by substituting “\$824,239,000” for “\$876,850,000”
9 in the first paragraph; and by substituting
10 “\$796,462,000” for “\$847,300,000” in the second para-
11 graph.

12 (b) Notwithstanding section 1101, the amounts in-
13 cluded under the heading “Administration of Foreign Af-
14 fairs, Repatriation Loans Program Account” in division
15 F of Public Law 111–117 shall be applied to funds appro-
16 priated by this division as follows: by substituting
17 “\$695,000” for “\$739,000” in the first paragraph; and
18 by substituting “\$668,000” for “\$711,000” in the second
19 paragraph.

20 (c) Notwithstanding section 1101, the level in the sec-
21 ond paragraph under the heading “Bilateral Economic As-
22 sistance, Funds Appropriated to the President, Develop-
23 ment Credit Authority” shall be \$8,084,000.

24 SEC. 2118. Notwithstanding section 1101, the
25 amounts included under the heading “Bilateral Economic

1 Assistance, Funds Appropriated to the President, Global
2 Health and Child Survival” in division F of Public Law
3 111–117 shall be applied to funds appropriated by this
4 division as follows: by substituting in the first paragraph
5 “\$2,149,780,000” for “\$2,420,000,000”; by substituting
6 in the second paragraph “\$4,845,700,000” for
7 “\$5,359,000,000” and “\$600,000,000” for
8 “\$750,000,000”.

9 SEC. 2119. Notwithstanding section 1101, the level
10 for each of the following accounts shall be \$0: “Adminis-
11 tration of Foreign Affairs, Buying Power Maintenance Ac-
12 count”; “Bilateral Economic Assistance, Funds Appro-
13 priated to the President, Complex Crises Fund”; “Bilat-
14 eral Economic Assistance, Funds Appropriated to the
15 President, International Fund for Ireland”; “Multilateral
16 Assistance, Funds Appropriated to the President, Con-
17 tribution to the Clean Technology Fund”; “Multilateral
18 Assistance, Funds Appropriated to the President, Con-
19 tribution to the Strategic Climate Fund”; and “Multilat-
20 eral Assistance, Funds Appropriated to the President,
21 Contribution to the Asian Development Fund”.

22 SEC. 2120. (a) Of the unobligated balances available
23 from funds appropriated under the heading “Export and
24 Investment Assistance, Export-Import Bank of the United
25 States, Subsidy Appropriation” in the Department of

1 State, Foreign Operations, and Related Programs Appro-
2 priations Act, 2009 (division H of Public Law 111–8) and
3 under such heading in prior acts making appropriations
4 for the Department of State, foreign operations, and re-
5 lated programs, \$150,000,000 are rescinded.

6 (b) Of the unobligated balances from funds appro-
7 priated or otherwise made available for the Buying Power
8 Maintenance Account, \$18,960,000 are rescinded.

9 (c) Of the unobligated balances available for the De-
10 velopment Assistance account, as identified by Treasury
11 Appropriation Fund Symbols 7206/111021, \$1,000,000
12 are rescinded.

13 (d) Of the unobligated balances available for the As-
14 sistance for the Independent States of the Former Soviet
15 Union account, as identified by Treasury Appropriation
16 Fund Symbols 7206/111093, 7207/121093, and
17 72X1093, \$11,700,000 are rescinded.

18 (e) Of the unobligated balances available for the
19 International Narcotics Control and Law Enforcement ac-
20 count, as identified by Treasury Appropriation Fund Sym-
21 bols, 11X1022, 1106/121022, and 191105/111022,
22 \$7,183,000 are rescinded.

23 SEC. 2121. (a) Notwithstanding section 653(b) of the
24 Foreign Assistance Act of 1961 (22 U.S.C. 2413(b)), the
25 President shall transmit to Congress the report required

1 under section 653(a) of that Act with respect to the provi-
2 sion of funds appropriated or otherwise made available by
3 this division for the Department of State, foreign oper-
4 ations, and related programs: *Provided*, That such report
5 shall include a comparison of amounts, by category of as-
6 sistance, provided or intended to be provided from funds
7 appropriated for fiscal years 2010 and 2011, for each for-
8 eign country and international organization.

9 (b) Not later than 30 days after the date of enact-
10 ment of this division, each department, agency or organi-
11 zation funded by this title or by division F of Public Law
12 111–117 shall submit to the Committees on Appropria-
13 tions an operating plan for such funds that provides de-
14 tails at the program, project, and activity level: *Provided*,
15 That the report required under subsection (a) shall be con-
16 sidered to have met the requirements of this subsection
17 with respect to funds made available to carry out the For-
18 eign Assistance Act of 1961 and the Arms Export Control
19 Act: *Provided further*, That the spending reports required
20 in division F of Public Law 111–117 for assistance for
21 Afghanistan, Pakistan, Iraq, the Caribbean Basin, Leb-
22 anon, Mexico, and Central America, and spending reports
23 required for funds appropriated under the headings “Dip-
24 lomatic and Consular Programs”, “Embassy Security,
25 Construction, and Maintenance”, “International Narcotics

1 Control and Law Enforcement”, “Civilian Stabilization
2 Initiative”, and “Peace Corps” shall be considered to have
3 met the requirements of this subsection.

4 (c) The reports required under subsection (b) shall
5 not be considered as meeting the notification requirements
6 under section 7015 of division F of Public Law 111–117
7 or under section 634A of the Foreign Assistance Act of
8 1961.

9 SEC. 2122. (a) Notwithstanding any other provision
10 of this division, the dollar amounts under paragraphs (1)
11 through (4) under the heading “Administration of Foreign
12 Affairs, Diplomatic and Consular Programs” in division
13 F of Public Law 111–117 shall not apply to funds appro-
14 priated by this division: *Provided*, That the dollar amounts
15 to be derived from fees collected under paragraph (5)(A)
16 under such heading shall be “\$1,702,904” and
17 “\$505,000” respectively: *Provided further*, That none of
18 the funds appropriated by this division may be used to
19 support the United States Ambassador’s Fund for Cul-
20 tural Preservation.

21 (b) Division F of Public Law 111–117 shall be ap-
22 plied to funds appropriated by this division under the
23 heading “Development Assistance” by substituting
24 “should” for “shall” each place it appears: *Provided*, That
25 the sixth, seventh and eighth provisos under the heading

1 “Development Assistance” in division F of Public Law
2 111–117 shall not apply to funds appropriated by this
3 title.

4 (c) Division F of Public Law 111–117 shall be ap-
5 plied to funds appropriated by this division under the
6 heading “Economic Support Fund” by substituting
7 “should” for “shall” each place it appears in the fourth
8 and sixteenth provisos.

9 (d) Notwithstanding any other provision of this divi-
10 sion, the following provisions in division F of Public Law
11 111–117 shall not apply to funds appropriated by this di-
12 vision:

13 (1) Section 7034(l).

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

15 (3) In section 7045:

16 (A) Subsections (a) and (b)(2).

17 (B) The first sentence of subsection (c).

18 (C) The first sentence of subsection (e)(1).

19 (D) The first sentence of subsection (f).

20 (E) Subsection (h).

21 (4) Section 7070(b).

22 (5) Section 7071(g)(3).

23 (6) The third proviso under the heading “Ad-
24 ministration of Foreign Affairs, Civilian Stabiliza-
25 tion Initiative”.

1 (7) The fourth proviso under the heading “Bi-
2 lateral Economic Assistance, Funds Appropriated to
3 the President, Assistance for Europe, Eurasia and
4 Central Asia”.

5 (e)(1) Notwithstanding the proviso in section 7060
6 in division F of Public Law 111–117, of the funds appro-
7 priated or otherwise made available by this division for
8 the Department of State, foreign operations, and related
9 programs, not more than \$440,000,000 may be made
10 available for family planning/reproductive health: *Pro-*
11 *vided*, That none of the funds appropriated or otherwise
12 made available by this division for the Department of
13 State, foreign operations, and related programs may be
14 made available for the United Nations Population Fund:
15 *Provided further*, That section 7078 of division F of Public
16 Law 111–117 shall not apply to funds appropriated by
17 this division.

18 (2) None of the funds appropriated or otherwise
19 made available by this division for the Department of
20 State, foreign operations, and related programs for popu-
21 lation planning activities or other population assistance
22 may be made available to any foreign nongovernmental or-
23 ganization that promotes or performs abortion, except in
24 cases of rape or incest or when the life of the mother
25 would be endangered if the fetus were carried to term.

1 (f) Section 7064(a)(1) and (b) of division F of Public
2 Law 111–117 shall be applied to funds appropriated by
3 this division by substituting “should” for “shall” each
4 place it appears.

5 (g) Section 7081 of division F of Public Law 111–
6 117 shall not apply to funds appropriated by this division:
7 *Provided*, That the second proviso of section 7081(d) of
8 division F of Public Law 111–117 is repealed.

9 (h) Section 7042 of division F of Public Law 111–
10 117 shall be applied to funds appropriated by this division
11 by substituting “\$552,900,000” for the dollar amount in
12 subsection (f)(1).

13 SEC. 2123. (a) The first proviso under the heading
14 “Economic Support Fund” in division F of Public Law
15 111–117 shall be applied to funds appropriated by this
16 division by substituting the following: “*Provided*, That of
17 the funds appropriated under this heading, up to
18 \$250,000,000 may be provided for assistance for Egypt:
19 *Provided further*, That any assistance made available to
20 the Government of Egypt shall be provided with the un-
21 derstanding that Egypt will undertake significant eco-
22 nomic and democratic reforms that are additional to those
23 that were undertaken in previous fiscal years:”.

24 (b) The tenth proviso under the heading “Economic
25 Support Fund” in division F of Public Law 111–117 shall

1 be applied to funds appropriated by this division by sub-
2 stituting the following: “*Provided further*, That funds ap-
3 propriated or otherwise made available by this division for
4 assistance for Afghanistan and Pakistan may not be made
5 available for direct government-to-government assistance
6 unless the Secretary of State certifies to the Committees
7 on Appropriations that the relevant implementing agency
8 has been assessed and considered qualified to manage such
9 funds and the Government of the United States and the
10 government of the recipient country have agreed, in writ-
11 ing, to clear and achievable goals and objectives for the
12 use of such funds, and have established mechanisms with-
13 in each implementing agency to ensure that such funds
14 are used for the purposes for which they were intended:”.

15 (c) The second proviso under the heading “Inter-
16 national Security Assistance, Department of State, Peace-
17 keeping Operations” in division F of Public Law 111–117
18 shall be applied by substituting the following: “*Provided*
19 *further*, That up to \$55,918,000 may be used to pay as-
20 sessed expenses of international peacekeeping activities in
21 Somalia, except that up to an additional \$35,000,000 may
22 be made available for such purpose subject to prior con-
23 sultation with, and the regular notification procedures of,
24 the Committees on Appropriations:”.

1 (d) Section 7034(n) of division F of Public Law 111–
2 117 shall be applied to funds appropriated by this division
3 by adding at the end before the period the following: “:
4 *Provided*, That none of the funds appropriated or other-
5 wise made available by this division or any other Act mak-
6 ing appropriations for the Department of State, foreign
7 operations, and related programs may be used to imple-
8 ment phase 3 of such authority”.

9 (e) Section 7034(n) of division F of Public Law 111–
10 117 shall be applied to funds appropriated by this division
11 by adding at the end before the period the following: “:
12 *Provided*, That not less than \$10,000,000 should be trans-
13 ferred and merged with funds available under the heading
14 ‘Related Agency, Broadcasting Board of Governors, Inter-
15 national Broadcasting Operations’ to carry out the pur-
16 poses of this subsection”.

17 (f) Section 7042 of division F of Public Law 111–
18 117 shall be applied to funds appropriated by this division
19 by substituting the following for the proviso in subsection
20 (d)(2): “: *Provided*, That funds may not be made available
21 for obligation until the Secretary of State determines and
22 reports to the Committees on Appropriations that funds
23 provided are in the national security interest of the United
24 States and provides the Committees on Appropriations a
25 detailed spending plan.”.

1 (g) Section 7043 of division F of Public Law 111–
2 117 shall be applied to funds appropriated by this division
3 by substituting the following for subsection (b):

4 “(b) LIMITATION.—None of the funds appropriated
5 or otherwise made available in title VI of this division
6 under the heading ‘Export-Import Bank of the United
7 States’ may be used by the Export-Import Bank of the
8 United States to provide any new financing (including
9 loans, guarantees, other credits, insurance, and reinsur-
10 ance) to any person that is subject to sanctions under
11 paragraph (2) or (3) of section 5(a) of the Iran Sanctions
12 Act of 1996 (Public Law 104–172).”.

13 (h) Sections 7061, 7065, 7071(i), and 7087(a) of di-
14 vision F of Public Law 111–117 shall be applied to funds
15 appropriated by this division by substituting “should” for
16 “shall” each place it appears.

17 (i) Section 7071(b) of division F of Public Law 111–
18 117 shall be applied to funds appropriated by this division
19 by substituting “up to \$36,500,000 may” for “not less
20 than \$36,500,000 shall” in paragraph (2).

21 SEC. 2124. (a) IN GENERAL.—Subsections (b)
22 through (d) of this section shall apply to funds appro-
23 priated by this division in lieu of section 7076 of division
24 F of Public Law 111–117.

1 (b) LIMITATION.—None of the funds appropriated or
2 otherwise made available by this division under the head-
3 ings “Economic Support Fund” and “International Nar-
4 cotics Control and Law Enforcement” may be obligated
5 for assistance for Afghanistan until the Secretary of State,
6 in consultation with the Administrator of the United
7 States Agency for International Development (USAID),
8 certifies and reports to the Committees on Appropriations
9 the following:

10 (1) The Government of Afghanistan is—

11 (A) demonstrating a commitment to reduce
12 corruption and improve governance, including
13 by investigating, prosecuting, and sanctioning
14 or removing corrupt officials from office and to
15 implement financial transparency and account-
16 ability measures for government institutions
17 and officials (including the Central Bank);

18 (B) taking significant steps to facilitate ac-
19 tive public participation in governance and over-
20 sight; and

21 (C) taking credible steps to protect the
22 internationally recognized human rights of Af-
23 ghan women.

24 (2) There is a unified United States Govern-
25 ment anti-corruption strategy for Afghanistan.

1 (3) Funds will be programmed to support and
2 strengthen the capacity of Afghan public and private
3 institutions and entities to reduce corruption and to
4 improve transparency and accountability of national,
5 provincial, and local governments, as outlined in the
6 spending plan submitted to the Committees on Ap-
7 propriations on October 26, 2010 (CN 10–298).

8 (4) Representatives of Afghan national, provin-
9 cial, or local governments, local communities and
10 civil society organizations, as appropriate, will be
11 consulted and participate in the design of programs,
12 projects, and activities, including participation in im-
13 plementation and oversight, and the development of
14 specific benchmarks to measure progress and out-
15 comes.

16 (5) Funds will be used to train and deploy addi-
17 tional United States Government direct-hire per-
18 sonnel to improve monitoring and control of assist-
19 ance.

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

24 (c) ASSISTANCE AND OPERATIONS.—

1 (1) Funds appropriated under the headings
2 “Economic Support Fund” and “International Nar-
3 cotics Control and Law Enforcement” by this divi-
4 sion that are available for assistance for Afghani-
5 stan—

6 (A) shall be made available, to the max-
7 imum extent practicable, in a manner that em-
8 phasizes the participation of Afghan women,
9 and directly improves the security, economic
10 and social well-being, and political status, and
11 protects the rights of, Afghan women and girls
12 and complies with sections 7062 and 7063 of
13 division F of Public Law 111–117, including
14 support for the Afghan Independent Human
15 Rights Commission, the Afghan Ministry of
16 Women’s Affairs, and women-led nongovern-
17 mental organizations;

18 (B) may be made available for a United
19 States contribution to an internationally-man-
20 aged fund to support the reconciliation with
21 and disarmament, demobilization and reintegra-
22 tion into Afghan society of former combatants
23 who have renounced violence against the Gov-
24 ernment of Afghanistan: *Provided*, That funds

1 may be made available to support reconciliation
2 and reintegration activities only if—

3 (i) Afghan women are participating at
4 national, provincial and local levels of gov-
5 ernment in the design, policy formulation
6 and implementation of the reconciliation or
7 reintegration process, and such process up-
8 holds steps taken by the Government of
9 Afghanistan to protect the internationally
10 recognized human rights of Afghan women;
11 and

12 (ii) such funds will not be used to
13 support any pardon or immunity from
14 prosecution, or any position in the Govern-
15 ment of Afghanistan or security forces, for
16 any leader of an armed group responsible
17 for crimes against humanity, war crimes,
18 or other violations of internationally recog-
19 nized human rights;

20 (C) may be made available as a United
21 States contribution to the Afghanistan Recon-
22 struction Trust Fund (ARTF) unless the Sec-
23 retary of State determines and reports to the
24 Committees on Appropriations that the World
25 Bank Monitoring Agent of the ARTF is unable

1 to conduct its financial control and audit re-
2 sponsibilities due to restrictions on security per-
3 sonnel by the Government of Afghanistan; and

4 (D) may be made available for a United
5 States contribution to the North Atlantic Trea-
6 ty Organization/International Security Assist-
7 ance Force Post-Operations Humanitarian Re-
8 lief Fund.

9 (2) Funds appropriated under the headings
10 “Economic Support Fund” and “International Nar-
11 cotics Control and Law Enforcement” by this divi-
12 sion that are available for assistance for Afghanistan
13 that provide training for foreign police, judicial, and
14 military personnel shall address, where appropriate,
15 gender-based violence.

16 (3) The authority contained in section 1102(c)
17 of Public Law 111–32 shall continue in effect during
18 fiscal year 2011 and shall apply as if part of this di-
19 vision.

20 (4) The Coordinator for Rule of Law at the
21 United States Embassy in Kabul, Afghanistan shall
22 be consulted on the use of all funds appropriated by
23 this division for rule of law programs in Afghani-
24 stan.

1 (5) None of the funds made available by this di-
2 vision may be used by the United States Govern-
3 ment to enter into a permanent basing rights agree-
4 ment between the United States and Afghanistan.

5 (6) The Secretary of State, after consultation
6 with the USAID Administrator, shall submit to the
7 Committees on Appropriations not later than 45
8 days after enactment of this division, and prior to
9 the initial obligation of funds for assistance for Af-
10 ghanistan, a detailed spending plan for such assist-
11 ance which shall include clear and achievable goals,
12 benchmarks for measuring progress, and expected
13 results: *Provided*, That such plan shall not be con-
14 sidered as meeting the notification requirements
15 under section 7015 of division F of Public Law 111-
16 117 or under section 634A of the Foreign Assist-
17 ance Act of 1961.

18 (d) OVERSIGHT.—(1) The Special Inspector General
19 for Afghanistan Reconstruction, the Inspector General of
20 the Department of State and the Inspector General of
21 USAID, shall jointly develop and submit to the Commit-
22 tees on Appropriations within 45 days of enactment of this
23 division a coordinated audit and inspection plan of United
24 States assistance for, and civilian operations in, Afghani-
25 stan.

1 (2) Of the funds appropriated by this division
2 under the heading “Economic Support Fund” for
3 assistance for Afghanistan, \$3,000,000 shall be
4 transferred to, and merged with, funds made avail-
5 able under the heading “Administration of Foreign
6 Affairs, Office of Inspector General” by this division,
7 for increased oversight of programs in Afghanistan
8 and shall be in addition to funds otherwise available
9 for such purposes: *Provided*, That \$1,500,000 shall
10 be for the activities of the Special Inspector General
11 for Afghanistan Reconstruction.

12 (3) Of the funds appropriated by this division
13 under the heading “Economic Support Fund” for
14 assistance for Afghanistan, \$1,500,000 shall be
15 transferred to, and merged with, funds appropriated
16 under the heading “United States Agency for Inter-
17 national Development, Funds Appropriated to the
18 President, Office of Inspector General” by this divi-
19 sion for increased oversight of programs in Afghani-
20 stan and shall be in addition to funds otherwise
21 available for such purposes.

22 (e) MODIFICATION TO PRIOR PROVISIONS.—(1) Sec-
23 tion 1004(c)(1)(C) of Public Law 111–212 is amended to
24 read as follows:

1 “(C) taking credible steps to protect the
2 internationally recognized human rights of Af-
3 ghan women.”.

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

6 “(1) Afghan women are participating at na-
7 tional, provincial, and local levels of government in
8 the design, policy formulation, and implementation
9 of the reconciliation or reintegration process, and
10 such process upholds steps taken by the Government
11 of Afghanistan to protect the internationally recog-
12 nized human rights of Afghan women; and”.

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

15 “(1) based on information available to the Sec-
16 retary, the Independent Electoral Commission has
17 no members or other employees who participated in,
18 or helped to cover up, acts of fraud in the 2009
19 presidential election in Afghanistan, and the Elec-
20 toral Complaints Commission is a genuinely inde-
21 pendent body with all the authorities that were in-
22 vested in it under Afghan law as of December 31,
23 2009; and”.

1 TITLE XII—TRANSPORTATION, HOUSING AND
2 URBAN DEVELOPMENT, AND RELATED
3 AGENCIES

4 SEC. 2201. Notwithstanding section 1101, the level
5 for “Department of Transportation, Federal Aviation Ad-
6 ministration, Operations” shall be \$9,523,028,000, of
7 which \$4,559,000,000 shall be derived from the Airport
8 and Airway Trust Fund, of which not less than
9 \$7,473,299,000 shall be for air traffic organization activi-
10 ties and not less than \$1,253,020,000 shall be for aviation
11 regulation and certification activities.

12 SEC. 2202. Notwithstanding section 1101, the level
13 for “Department of Transportation, Federal Aviation Ad-
14 ministration, Facilities and Equipment” shall be
15 \$2,736,203,000, of which \$2,226,203,000 shall remain
16 available through September 30, 2013, and of which
17 \$470,000,000 shall remain available through September
18 30, 2011.

19 SEC. 2203. Notwithstanding section 1101, the level
20 for each of the following accounts shall be \$0: “Depart-
21 ment of Transportation, Office of the Secretary, National
22 Infrastructure Investments”; “Department of Transpor-
23 tation, Federal Highway Administration, Surface Trans-
24 portation Priorities”; “Department of Transportation,
25 Federal Transit Administration, Grants for Energy Effi-

1 ciency and Greenhouse Gas Reductions”; “Department of
2 Transportation, Federal Railroad Administration, Rail-
3 road Safety Technology Program”; “Department of
4 Transportation, Federal Railroad Administration, Capital
5 Assistance for High Speed Rail Corridors and Intercity
6 Passenger Rail Service”; “Department of Transportation,
7 Maritime Administration, Assistance to Small Shipyards”;
8 and “Department of Transportation, Federal Transit Ad-
9 ministration, Grants to the Washington Metropolitan Area
10 Transit Authority”.

11 SEC. 2204. Notwithstanding section 1101, the level
12 for “Department of Transportation, Federal Aviation Ad-
13 ministration, Research, Engineering, and Development”
14 shall be \$146,828,000.

15 SEC. 2205. Notwithstanding section 1101, the level
16 for “Department of Transportation, Federal Transit Ad-
17 ministration, Capital Investment Grants” shall be
18 \$1,569,092,000.

19 SEC. 2206. Notwithstanding section 1101, the level
20 for “Department of Transportation, Federal Railroad Ad-
21 ministration, Rail Line Relocation and Improvement Pro-
22 gram” shall be \$15,000,000.

23 SEC. 2207. Notwithstanding section 1101, the level
24 for “Department of Transportation, Federal Railroad Ad-
25 ministration, Capital and Debt Service Grants to the Na-

1 tional Railroad Passenger Corporation” shall be
2 \$850,000,000.

3 SEC. 2208. Notwithstanding section 1101, the level
4 for “Maritime Administration, Operations and Training”
5 shall be \$155,750,000, of which \$11,240,000 shall remain
6 available until expended for maintenance and repair of
7 training ships at State Maritime Academies; of which
8 \$15,000,000 shall remain available until expended for cap-
9 ital improvements at the United States Merchant Marine
10 Academy; of which \$59,057,000 shall be available for op-
11 erations at the United States Merchant Marine Academy;
12 and of which \$6,000,000 shall remain available until ex-
13 pended for the reimbursement of overcharged midshipmen
14 fees for academic years 2003–2004 through 2008–2009,
15 and such reimbursement shall be the final and conclusive
16 disposition of claims for such overcharges.

17 SEC. 2209. Of the prior year unobligated balances
18 available for “Department of Transportation, Federal
19 Railroad Administration, Capital Assistance for High
20 Speed Rail Corridors and Intercity Passenger Rail Serv-
21 ice”, \$2,475,000,000 is rescinded.

22 SEC. 2210. Of the prior year unobligated balances
23 available for “Department of Transportation, Office of the
24 Secretary, National Infrastructure Investments”,
25 \$600,000,000 is rescinded.

1 SEC. 2211. Of the funds made available for “Depart-
2 ment of Transportation, Federal Transit Administration,
3 Capital Investment Grants” in division A of Public Law
4 111–117, \$280,000,000 is rescinded.

5 SEC. 2212. Of the prior year unobligated balances
6 available for “Department of Transportation, Federal
7 Railroad Administration, Railroad Safety Technology Pro-
8 gram”, \$50,000,000 is rescinded.

9 SEC. 2213. Of the prior year unobligated balances
10 available for “Department of Transportation, Federal
11 Railroad Administration, Capital Assistance to States—
12 Intercity Passenger Rail Service”, \$78,423,000 is re-
13 scinded.

14 SEC. 2214. Of the prior year unobligated balances
15 available for “Department of Transportation, Federal
16 Transit Administration, Grants for Energy Efficiency and
17 Greenhouse Gas Reductions”, \$75,000,000 is rescinded.

18 SEC. 2215. Notwithstanding section 1101, no funds
19 are provided for activities described in section 122 of title
20 I of division A of Public Law 111–117.

21 SEC. 2216. Notwithstanding section 1101, section
22 172 of title I of division A of Public Law 111–117 shall
23 not apply to funds appropriated by this division.

1 SEC. 2217. Notwithstanding section 1101, section
2 186 of title I of division A of Public Law 111–117 shall
3 not apply to fiscal year 2011.

4 SEC. 2218. Notwithstanding section 1101, no funds
5 are provided for activities described in section 195 of title
6 I of division A of Public Law 111–117.

7 SEC. 2219. (a) Notwithstanding section 1101 of this
8 division and section 120(a)(5) title I of division A of Pub-
9 lic Law 111–117, no obligation limitation for Federal-aid
10 highways for fiscal year 2011 shall be distributed to the
11 following programs: the interstate maintenance discre-
12 tionary program under section 118(c) of title 23, United
13 States Code; the Transportation, Community, and Sys-
14 tems Preservation program under section 1117 of the
15 Safe, Accountable, Flexible, Efficient, Transportation Eq-
16 uity Act: A Legacy for Users; the Ferry Boats discre-
17 tionary program under sections 129(c) and 147 of title
18 23, United States Code (except for the funds set aside
19 under section 147(d) of title 23, United States Code); and
20 the delta region transportation development program
21 under section 1308 of the Safe, Accountable, Flexible, Ef-
22 ficient, Transportation Equity Act: A Legacy for Users.
23 (b) The obligation limitation reserved under sub-
24 section (a) of this section shall be instead distributed as
25 follows: 20 percent to the interstate maintenance program

1 authorized under section 119 of title 23, United States
2 Code; 26 percent to the surface transportation program
3 authorized under section 133 of title 23, United States
4 Code; 17 percent to the highway bridge program author-
5 ized under section 144 of title 23, United States Code;
6 5 percent to the highway safety improvement program au-
7 thorized under section 148 of title 23, United States Code;
8 7 percent to the congestion mitigation and air quality
9 maintenance program authorized under section 149 of
10 title 23; and 25 percent for the national highway system
11 program authorized under section 103 of title 23, United
12 States Code: *Provided*, That the Secretary of Transpor-
13 tation shall distribute the obligation limitation under sub-
14 section (a) of this section to each State in the ratio in
15 which such State is apportioned contract authority for
16 such programs for fiscal year 2011 under section 104 and
17 section 144 of title 23, United States Code.

18 SEC. 2220. Notwithstanding section 1101, the level
19 for “Department of Housing and Urban Development,
20 Public and Indian Housing, Tenant-Based Rental Assist-
21 ance” shall be \$14,080,098,711, to remain available
22 through September 30, 2012, shall be available on October
23 1, 2010 (in addition to the \$4,000,000,000 previously ap-
24 propriated under such heading that became available on
25 October 1, 2010), and an additional \$4,000,000,000, to

1 remain available through September 30, 2013, shall be
2 available on October 1, 2011: *Provided*, That of the
3 amounts available for such heading, \$16,702,688,117
4 shall be for activities specified in paragraph (1) under
5 such heading of division A of Public Law 111–117,
6 \$110,000,000 shall be for activities specified in paragraph
7 (2) under such heading in such Public Law,
8 \$1,207,410,594 shall be for activities specified in para-
9 graph (3) under such heading in such Public Law, of
10 which \$1,157,410,594 shall be used as provided in the
11 first proviso of such paragraph (3), and \$0 shall be for
12 activities specified in paragraph (6) under such heading
13 of such Public Law.

14 SEC. 2221. Notwithstanding section 1101, the level
15 for “Department of Housing and Urban Development,
16 Housing Programs, Project-Based Rental Assistance”
17 shall be \$8,882,328,000, to remain available through Sep-
18 tember 30, 2012, shall be available on October 1, 2010,
19 and an additional \$400,000,000, to remain available
20 through September 30, 2013, shall be available on October
21 1, 2011: *Provided*, That of the amounts available for such
22 heading, \$8,950,000,000 shall be for activities specified
23 in paragraph (1) under such heading of division A of Pub-
24 lic Law 111–117 and \$326,000,000 shall be available for

1 activities specified in paragraph (2) under such heading
2 of such Public Law.

3 SEC. 2222. Notwithstanding section 1101, the level
4 for each of the following accounts shall be \$0: “Depart-
5 ment of Housing and Urban Development, Public and In-
6 dian Housing, Revitalization of Severely Distressed Public
7 Housing (HOPE VI)”;

8 “Department of Housing and
9 Urban Development, Public and Indian Housing, Native
10 Hawaiian Housing Block Grants”;

11 “Department of Housing and
12 Urban Development, Housing Programs, Housing
13 Counseling Assistance”;

14 “Department of Housing and Urban De-
15 velopment, Community Planning and Development,
16 Brownfields Redevelopment”.

17 SEC. 2223. Notwithstanding section 1101, the level
18 for “Department of Housing and Urban Development,
19 Public and Indian Housing, Public Housing Operating
20 Fund” shall be \$4,626,000,000.

21 SEC. 2224. Notwithstanding section 1101, the level
22 for “Department of Housing and Urban Development,
23 Public and Indian Housing, Public Housing Capital
24 Fund” shall be \$1,428,000,000.

25 SEC. 2225. Notwithstanding section 1101, the level
for “Department of Housing and Urban Development,

1 Public and Indian Housing, Native American Housing
2 Block Grants” shall be \$500,000,000.

3 SEC. 2226. Notwithstanding section 1101, the level
4 for “Department of Housing and Urban Development,
5 Community Planning and Development, Community De-
6 velopment Fund” shall be \$1,500,000,000: *Provided*, That
7 the funds made available under such heading shall be used
8 only for assistance under the community development
9 block grant program that is provided under section 106
10 of the Housing and Community Development Act of 1974
11 (42 U.S.C. 5306), as amended: *Provided further*, That
12 none of the funds appropriated or otherwise made avail-
13 able by this Act may be used for a Sustainable Commu-
14 nities Initiative.

15 SEC. 2227. Notwithstanding section 1101, the level
16 for “Department of Housing and Urban Development,
17 Community Planning and Development, HOME Invest-
18 ment Partnerships Program” shall be \$1,650,000,000.

19 SEC. 2228. Notwithstanding section 1101, the level
20 for “Department of Housing and Urban Development, Of-
21 fice of Lead Hazard Control and Healthy Homes, Lead
22 Hazard Reduction” shall be \$120,000,000.

23 SEC. 2229. Notwithstanding section 1101, the level
24 for “Department of Housing and Urban Development,
25 Federal Housing Administration, Mutual Mortgage Insur-

1 ance Program Account” for administrative contract ex-
2 penses shall be \$207,000,000.

3 SEC. 2230. Of the prior year unobligated balances
4 available for “Department of Housing and Urban Devel-
5 opment, Community Planning and Development,
6 Brownfields Redevelopment”, \$17,300,000 is rescinded.

7 SEC. 2231. Of the prior year unobligated balances
8 available for “Department of Housing and Urban Devel-
9 opment, Public and Indian Housing, Revitalization of Se-
10 verely Distressed Public Housing (HOPE VI)”,
11 \$198,000,000 is rescinded.

12 SEC. 2232. Of the prior year unobligated balances
13 available for “Department of Housing and Urban Devel-
14 opment, Community Planning and Development, Commu-
15 nity Development Fund”, \$130,000,000 made available
16 for a Sustainable Communities Initiative is rescinded.

17 SEC. 2233. Of the prior year unobligated balances
18 available for “Department of Housing and Urban Devel-
19 opment, Housing Programs, Energy Innovation Fund”,
20 \$49,500,000 is rescinded.

21 SEC. 2234. The heading “Department of Housing
22 and Urban Development, Management and Administra-
23 tion, Transformation Initiative” in title II of division A
24 of Public Law 111–117, is amended by striking “For nec-
25 essary expenses” and all that follows through the end of

1 such heading and inserting the following: “For necessary
2 expenses of information technology modernization includ-
3 ing development and deployment of a Next Generation of
4 Voucher Management System and development and de-
5 ployment of modernized Federal Housing Administration
6 systems, \$71,000,000: *Provided*, That not more than 25
7 percent of the funds made available for information tech-
8 nology modernization may be obligated until the Secretary
9 of Housing and Urban Development submits to the House
10 and Senate Committees on Appropriations a plan for ex-
11 penditure that (1) identifies, for each modernization
12 project (A) the functional and performance capabilities to
13 be delivered and the mission benefits to be realized, (B)
14 the estimated lifecycle cost, and (C) key milestones to be
15 met; (2) demonstrates that each modernization project is
16 (A) compliant with the Department’s enterprise architec-
17 ture, (B) being managed in accordance with applicable
18 lifecycle management policies and guidance, (C) subject to
19 the Department’s capital planning and investment control
20 requirements, and (D) supported by an adequately staffed
21 project office; and (3) has been reviewed by the Govern-
22 ment Accountability Office.”.

23 SEC. 2235. Notwithstanding section 1101, the level
24 for “National Railroad Passenger Corporation, Office of

1 Inspector General, Salaries and Expenses” shall be
2 \$19,350,000.

3 SEC. 2236. No rescission made in this title shall
4 apply to any amount previously designated by the Con-
5 gress as an emergency requirement pursuant to a concur-
6 rent resolution on the budget or the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 SEC. 2237. Notwithstanding section 1101, the level
9 for “Department of Housing and Urban Development,
10 Housing Programs, Housing for the Elderly” shall be
11 \$237,700,000: *Provided*, That none of the funds made
12 available under this heading shall be used for capital ad-
13 vances or project rental assistance contracts.

14 SEC. 2238. Notwithstanding section 1101, the level
15 for “Department of Housing and Urban Development,
16 Housing Programs, Housing for Persons with Disabil-
17 ities” shall be \$90,036,817: *Provided*, That none of the
18 funds made available under this heading shall be used for
19 capital advances or project rental assistance contracts:
20 *Provided further*, That none of the funds shall be used for
21 amendments or renewals of tenant-based assistance con-
22 tracts entered into prior to fiscal year 2005.

23 **DIVISION C—STIMULUS RESCISSIONS**

24 SEC. 3001. (a) There are hereby rescinded all unobli-
25 gated balances remaining available as of February 11,

1 2011, of the discretionary appropriations provided by divi-
2 sion A of the American Recovery and Reinvestment Act
3 of 2009 (Public Law 111–5).

4 (b) Subsection (a) shall not apply to funds appro-
5 priated or otherwise made available to Offices of Inspector
6 General and the Recovery Act Accountability and Trans-
7 parency Board by division A of the American Recovery
8 and Reinvestment Act of 2009 (Public Law 111–5).

9 SEC. 3002. Hereafter, no Federal agency admin-
10 istering funds provided by division A of the American Re-
11 covery and Reinvestment Act of 2009 (Public Law 111–
12 5) may provide funding or reimbursement to any entity
13 awarded funds from such Act for the cost associated with
14 physical signage or other advertisement indicating that a
15 project is funded by such Act.

16 **DIVISION D—MISCELLANEOUS**
17 **PROVISIONS**

18 SPENDING REDUCTION ACCOUNT

19 SEC. 4001. The amount by which each applicable al-
20 location of new budget authority made by the Committee
21 on Appropriations of the House of Representatives under
22 section 302(b) of the Congressional Budget Act of 1974
23 exceeds the amount of related proposed new budget au-
24 thority is as follows:

1 (1) Agriculture, Rural Development, Food and
2 Drug Administration, and Related Agencies,
3 \$1,972,000,000.

4 (2) Commerce, Justice, Science, and Related
5 Agencies, \$1,405,000,000.

6 (3) Defense, \$1,500,000,000.

7 (4) Energy and Water Development, and Re-
8 lated Agencies, \$100,000,000.

9 (5) Financial Services and General Govern-
10 ment, \$750,000,000.

11 (6) Homeland Security, \$1,000,000,000.

12 (7) Interior, Environment, and Related Agen-
13 cies, \$1,750,000,000.

14 (8) Labor, Health and Human Services, Edu-
15 cation, and Related Agencies, \$10,901,000,000.

16 (9) Legislative Branch, \$100,000,000.

17 (10) Military Construction, Veterans Affairs,
18 and Related Agencies, \$500,000,000.

19 (11) State, Foreign Operations, and Related
20 Programs, \$2,000,000,000.

21 (12) Transportation, Housing and Urban De-
22 velopment, and Related Agencies, \$3,923,000,000.

23 This Act may be cited as the “Full-Year Continuing
24 Appropriations Act, 2011”.

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