

Department of Defense and Full-Year Continuing
Appropriations Act, 2011
PL 112-10
Excerpts Pertaining to Employment & Training Administration
(see bookmarks)

PUBLIC LAW 112-10—APR. 15, 2011

**DEPARTMENT OF DEFENSE AND FULL-YEAR
CONTINUING APPROPRIATIONS ACT, 2011**

Provisions Applying to All
Divisions

Public Law 112–10
112th Congress

An Act

Apr. 15, 2011
[H.R. 1473]

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.

Department of
Defense and Full-
Year Continuing
Appropriations
Act, 2011.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Defense and Full-Year Continuing Appropriations Act, 2011”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Division A—Department of Defense Appropriations, 2011
Division B—Full-Year Continuing Appropriations, 2011
Division C—Scholarships for Opportunity and Results Act

**DIVISION A—DEPARTMENT OF DEFENSE
APPROPRIATIONS, 2011**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2011, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers’ Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$41,403,653,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel

Time period.

including a list of the number of such employees in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

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

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

(B) an explanation of how the number of such employees listed under subparagraph (A) relates to the planned number of military personnel in such locations.

Deadline.
Notification.

SEC. 9014. From funds made available in this title to the Department of Defense for operation and maintenance, up to \$129,100,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support the United States Government transition activities in Iraq by undertaking facilities renovation and construction associated with establishing Office of Security Cooperation locations, at no more than four sites, in Iraq: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed site and the source of funds.

1 USC 1 note.

SEC. 9015. Any reference to “this Act” in this division shall apply solely to this division.

This division may be cited as the “Department of Defense Appropriations Act, 2011”.

Full-Year
Continuing
Appropriations
Act, 2011.

DIVISION B—FULL-YEAR CONTINUING APPROPRIATIONS, 2011

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2011, and for other purposes, namely:

Division B- Full-Year Continuing
Appropriations, 2011
Title I General Provisions

TITLE I—GENERAL PROVISIONS

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

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111–80).

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

(3) The Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83).

(4) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–88).

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

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

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

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

(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that—

(1) such level shall not include any amount previously designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010; and

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

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

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

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

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

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

SEC. 1107. Expenditures made pursuant to the Continuing Appropriations Act, 2011 (Public Law 111–242), shall be charged to the applicable appropriation, fund, or authorization provided by this division.

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

SEC. 1109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2010, and for activities under the Food and Nutrition Act of 2008, the levels established by section 1101 shall be the amounts necessary to maintain program levels under current law

Authority to continue extending WIA Title I funding to Palau

and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2010.

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

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

(2) “Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid”, for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, \$86,445,289,000, to remain available until expended.

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

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

(5) “Social Security Administration, Supplemental Security Income Program”, for benefit payments under title XVI of the Social Security Act, \$13,400,000,000, to remain available until expended.

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

No Earmarks

Earmark.

SEC. 1111. Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect with respect to funds appropriated by this division. For purposes of this section, the term “earmark” means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV of the Standing Rules of the Senate.

Definition.

Khalid Sheikh
Mohammed.

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

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

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

SEC. 1113. (a)(1) Notwithstanding section 1101, except as provided in paragraph (2), none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) by not later than 30 days before the transfer of the individual.

Cuba
Certification.
Deadline.

(2) Paragraph (1) shall not apply to any action taken by the Secretary of Defense to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary of Defense shall notify Congress promptly upon issuance of any such order.

Notification.

(b) The certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State, that the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(1) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(2) maintains effective control over each detention facility in which an individual is to be detained if the individual is to be housed in a detention facility;

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

(4) has agreed to take effective steps to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(5) has taken such steps as the Secretary determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

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

(A) is related to the individual or any associates of the individual; and

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

(c)(1) Except as provided in paragraph (3), none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to the foreign country or entity and subsequently engaged in any terrorist activity.

(2) The Secretary of Defense may waive the prohibition in paragraph (1) if the Secretary determines that such a transfer is in the national security interests of the United States and includes, as part of the certification described in subsection (b)

Waiver authority.
Determination.

relating to such transfer, the determination of the Secretary under this paragraph.

(3) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary shall notify Congress promptly upon issuance of any such order.

Notification.

Definitions.

(d) For the purposes of this section:

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

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

(B) is—

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

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

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

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

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

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

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

(2) is—

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

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

Applicability.

SEC. 1115. Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting the date specified in section 1106 of this division for “September 30, 2010”.

Applicability.

SEC. 1116. (a) Section 1115(d) of Public Law 111–32 shall be applied by substituting the date specified in section 1106 of this division for “October 1, 2010”.

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

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

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

SEC. 1117. The authority provided by section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) shall remain in effect through the date specified in section 1106 of this division.

SEC. 1118. With respect to any discretionary account for which advance appropriations were provided for fiscal year 2011 or 2012 in an appropriations Act for fiscal year 2010, in addition to amounts otherwise made available by this Act, advance appropriations are provided in the same amount for fiscal year 2012 or 2013, respectively, with a comparable period of availability.

SEC. 1119. (a) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.2 percent of—

(1) the budget authority provided for fiscal year 2011 for any discretionary account of this division; and

(2) the budget authority provided in any advance appropriation for fiscal year 2011 for any discretionary account in any prior fiscal year appropriation Act.

(b) PROPORTIONATE APPLICATION.—Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports referenced in section 1101 covering such account or item).

(c) EXCEPTIONS.—This section shall not apply to—

(1) discretionary authority appropriated or otherwise made available by division A of this Act; or

(2) discretionary authority appropriated or otherwise made available by division B of this Act and designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(d) OMB REPORT.—Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

TITLE II—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

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

SEC. 1202. Notwithstanding section 1101, the level for “Agricultural Programs, Office of Tribal Relations” shall be \$499,000.

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

0.2 Percent
Across-the-Board
Rescissions

SEC. 1766. Section 433 of division A of Public Law 111-88 (123 Stat. 2965) is amended by striking “2010” and “2009” and inserting “2011” and “2010”, respectively.

SEC. 1767. Section 7 of Public Law 99-647, as amended by section 702(d) of Public Law 109-338, is further amended by striking “5 years” and inserting “6 years”.

16 USC 461 note.

SEC. 1768. Not later than 30 days after the date of enactment of this division, each of the following departments and agencies shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2011 at a level of detail below the account level:

Deadline.
Plan.

- (1) Department of the Interior.
- (2) Environmental Protection Agency.
- (3) Department of Agriculture, Forest Service.
- (4) Department of Health and Human Services, Indian Health Service.
- (5) Smithsonian Institution.
- (6) National Endowment for the Arts.
- (7) National Endowment for the Humanities.

SEC. 1769. For the fiscal year ending September 30, 2011, none of the funds made available by this division or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010.

Division B: Full-Year Continuing Appropriations, 2011
Title VIII: Labor, Health and Human Services, Education, and Related Agencies

TITLE VIII—LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

SEC. 1801. (a) Notwithstanding section 1101, the level for “Department of Labor, Employment and Training Administration, Training and Employment Services” shall be \$1,575,648,000 plus reimbursements, of which—

(1) \$543,079,000 shall be available for obligation for the period July 1, 2011, through June 30, 2012, of which \$59,040,000 shall be available for adult employment and training activities, \$203,840,000 shall be available for dislocated worker employment and training activities, \$24,160,000 shall be available for the dislocated worker assistance national reserve, \$10,000,000 shall be available for pilots, demonstrations, and research activities of which no funds shall be available for Transitional Jobs activities, and \$85,561,000 shall be available for reintegration of ex-offenders of which no funds shall be available for Transitional Jobs activities: *Provided*, That the amounts included for national activities under such heading in division D of Public Law 111-117 shall be applied to funds appropriated by this division by substituting “\$0” for “\$48,889,000”;

Applicability.

(2) \$907,569,000 shall be available for obligation for the period April 1, 2011, through June 30, 2012, including \$827,569,000 for youth activities and \$80,000,000 for YouthBuild;

(3) \$125,000,000 shall remain available until September 30, 2012, and shall be available to the Secretary of Labor for the Workforce Innovation Fund, as established by this division to carry out projects that demonstrate innovative strategies or replicate effective evidence-based strategies that align and

Workforce
Innovation Fund
Established

strengthen the workforce investment system in order to improve program delivery and education and employment outcomes for program beneficiaries: *Provided*, That amounts shall be available for awards to States or State agencies that are eligible for assistance under any program authorized under the Workforce Investment Act of 1998 (“WIA”), consortia of States, or partnerships, including regional partnerships: *Provided further*, That notwithstanding section 128(a)(1) of the WIA, the amount available to the Governor for statewide activities shall not exceed 5 percent of the amount allotted to the State from the appropriation under this subparagraph;

(4) no funds shall be available for the Green Jobs Innovation Fund; and

(5) no funds shall be available for the Career Pathways Innovation Fund.

(b) Of the funds made available in division D of Public Law 111-117 for the Career Pathways Innovation Fund, \$125,000,000 is rescinded.

Rescission.
Career Pathways
Innovation Fund
Rescission

SEC. 1802. Of the funds made available by section 1101 of this division for “Department of Labor, Departmental Management, Office of Job Corps” for construction, rehabilitation, and acquisition of Job Corps centers, the Secretary of Labor may transfer up to 25 percent to meet the operational needs of Job Corps centers: *Provided*, That no funds shall be available to initiate a competition for any new Job Corps center not previously approved through a competitive selection process by the Secretary of Labor: *Provided further*, That of the unobligated balances of the funds made available for “Department of Labor, Departmental Management, Office of Job Corps”, \$75,000,000 is rescinded.

Rescission.
Job Corps \$75 Million
Rescission of
Unobligated Balances
Applicability.

SEC. 1803. Notwithstanding section 1101, the level for “Department of Labor, Employment and Training Administration, Community Service Employment for Older Americans” shall be \$450,000,000, and for purposes of funds appropriated by this division, the amounts under such heading in division D of Public Law 111-117 shall be applied by substituting “\$0” for “\$225,000,000”, and the first and second provisos under such heading in such division shall not apply.

SEC. 1804. Notwithstanding section 1101, the level which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund for administrative expenses of “Department of Labor, Employment and Training Administration, State Unemployment Insurance and Employment Service Operations” shall be \$4,024,490,000 (which includes all amounts available to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews), of which \$3,245,645,000 shall be available for unemployment compensation State operations, \$50,519,000 shall be available for Federal administration of foreign labor certifications, and \$15,129,000 shall be available for grants to States for the administration of such activities. For purposes of this section, the first proviso under such heading in division D of Public Law 111-117 shall be applied to funds appropriated by this division by substituting “2011” and “\$6,180,000” for “2010” and “\$5,059,000”, respectively.

Applicability.

SEC. 1805. Funds appropriated by section 1101 of this division to the Department of Labor’s Employment and Training Administration for technical assistance services to grantees may be transferred to “Department of Labor, Employment and Training Administration,

Program Administration” if it is determined that those services will be more efficiently performed by Federal staff.

SEC. 1806. Notwithstanding section 1101, the level for “Department of Labor, Employment Standards Administration, Salaries and Expenses” shall be \$485,255,000, together with \$2,124,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers’ Compensation Act: *Provided*, That funds provided in this section may be allocated among the agencies included in this account and may be transferred to any other account within the Department of Labor for program direction and support of the agencies funded in this section.

SEC. 1807. Notwithstanding section 1101, the level for “Department of Labor, Mine Safety and Health Administration, Salaries and Expenses” shall be \$363,843,000, of which up to \$3,000,000 shall be available to the Secretary of Labor to be transferred to “Departmental Management, Salaries and Expenses” for activities related to the Department of Labor’s caseload before the Federal Mine Safety and Health Review Commission, and the amounts included under the heading “Department of Labor, Mine Safety and Health Administration, Salaries and Expenses” in division D of Public Law 111-117 shall be applied to funds appropriated in this division by substituting “\$0” for “\$1,450,000” and by substituting “\$1,350,000” for “\$1,000,000”.

Applicability.

SEC. 1808. Notwithstanding section 1101, the level for “Department of Labor, Departmental Management” shall be \$367,827,000, together with not to exceed \$327,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, and the third proviso under such heading in division D of Public Law 111-117 shall not apply to funds appropriated in this division: *Provided*, That of the funds made available by this section, not less than \$21,332,000 may be used by the Secretary of Labor for the purposes of program evaluation, initiatives related to the identification and prevention of worker misclassification, and other worker protection activities, and may be transferred by the Secretary (in addition to any other transfer authority available by this division) to other agencies of the Department subject to a 15-day advance notification to the Committees on Appropriations of the House of Representatives and the Senate.

Deadline.
Notification.

SEC. 1809. (a) Of the unobligated balances available in “Department of Labor, Working Capital Fund”, \$3,900,000 is rescinded, to be derived solely from amounts available in the Investment in Reinvention Fund (other than amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985).

(b) The language under the “Working Capital Fund” heading in Public Law 85-67, as amended, is further amended by striking “*Provided further*, That within the Working Capital Fund,” through and including “, to be available without further appropriation action.”.

29 USC 563.

SEC. 1810. (a) Notwithstanding section 1101, the level for “Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services” shall be \$6,274,790,000 of which: (1) not more than \$100,000,000 shall be available until expended for carrying out the provisions of Public