

Calendar No. 376

111TH CONGRESS
2^D SESSION**H. R. 4899****[Report No. 111-188]**

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2010

Received

MAY 7, 2010

Read twice and referred to the Committee on Appropriations

MAY 14, 2010

Reported by Mr. INOUE, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italics]

AN ACT

Making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, 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 ~~That the following sums are appropriated, out of any~~
4 ~~money in the Treasury not otherwise appropriated, for the~~
5 ~~fiscal year ending September 30, 2010, and for other pur-~~
6 ~~poses, namely:~~

1 DEPARTMENT OF HOMELAND SECURITY

2 FEDERAL EMERGENCY MANAGEMENT AGENCY

3 DISASTER RELIEF

4 (INCLUDING TRANSFER OF FUNDS)

5 For an additional amount for “Disaster Relief”,
6 \$5,100,000,000, to remain available until expended, of
7 which \$5,000,000 shall be transferred to the Department
8 of Homeland Security Office of the Inspector General for
9 audits and investigations related to disasters.

10 DEPARTMENT OF LABOR

11 EMPLOYMENT AND TRAINING ADMINISTRATION

12 TRAINING AND EMPLOYMENT SERVICES

13 For an additional amount for “Training and Employ-
14 ment Services” for activities under the Workforce Invest-
15 ment Act of 1998 (“WIA”), \$600,000,000, which shall be
16 available for obligation on the date of enactment of this
17 Act, for grants to the States for youth activities: *Provided*,
18 That such funds shall be used solely for summer employ-
19 ment programs for youth: *Provided further*, That no por-
20 tion of such funds shall be reserved to carry out section
21 127(b)(1)(A) of the WIA: *Provided further*, That for pur-
22 poses of section 127(b)(1)(C)(iv) of the WIA, funds avail-
23 able for youth activities shall be allotted as if the total
24 amount available for youth activities in the fiscal year does
25 not exceed \$1,000,000,000: *Provided further*, That the

1 work readiness performance indicator described in section
 2 136(b)(2)(A)(ii)(I) of the WIA shall be the only measure
 3 of performance used to assess the effectiveness of summer
 4 employment for youth provided with such funds.

5 LEGISLATIVE BRANCH

6 HOUSE OF REPRESENTATIVES

7 PAYMENT TO WIDOWS AND HEIRS OF DECEASED

8 MEMBERS OF CONGRESS

9 For a payment to Joyce Murtha, widow of John P.
 10 Murtha, late a Representative from Pennsylvania,
 11 \$174,000: *Provided*, That section 102 shall not apply to
 12 this appropriation.

13 INDEPENDENT AGENCIES

14 SMALL BUSINESS ADMINISTRATION

15 BUSINESS LOANS PROGRAM ACCOUNT

16 For an additional amount for “Business Loans Pro-
 17 gram Account” for fee reductions and eliminations under
 18 section 501 of title V of division A of the American Recov-
 19 ery and Reinvestment Act of 2009 (Public Law 111-5)
 20 and for the cost of guaranteed loans under section 502
 21 of such title, \$20,000,000, to remain available until ex-
 22 pended: *Provided*, That such costs shall be as defined in
 23 section 502 of the Congressional Budget Act of 1974: *Pro-*
 24 *vided further*, That up to \$40,000,000 of the amount made
 25 available under this heading in Public Law 111-117 also

1 may be utilized for the purposes specified in this para-
2 graph: *Provided further*, That section 502(f) of title V of
3 division A of the American Recovery and Reinvestment
4 Act of 2009 (Public Law 111–5) is amended by striking
5 “March 28, 2010” and inserting “April 30, 2010”.

6 GENERAL PROVISIONS

7 RESCISSIONS

8 SEC. 101. There are hereby rescinded the following
9 amounts from the specified accounts:

10 (1) “Department of Commerce—National Tele-
11 communications and Information Administration—
12 Digital-to-Analog Converter Box Program”,
13 \$111,500,000, to be derived from unobligated bal-
14 ances made available under this heading in title II
15 of division A of the American Recovery and Reim-
16 vestment Act of 2009 (Public Law 111–5; 123 Stat.
17 128).

18 (2) “Department of Transportation—National
19 Highway Traffic Safety Administration—Consumer
20 Assistance to Recycle and Save Program”,
21 \$44,000,000, to be derived from unobligated bal-
22 ances made available in title XIII of Public Law
23 111–32 and in Public Law 111–47.

24 (3) “Department of Agriculture—Food and Nu-
25 trition Service—Special Supplemental Nutrition Pro-

1 gram for Women, Infants, and Children (WIC)”,
2 \$361,825,000, to be derived from unobligated bal-
3 ances available from amounts placed in reserve in
4 title I of division A of the American Recovery and
5 Reinvestment Act of 2009 (Public Law 111–5; 123
6 Stat. 115).

7 (4) Accounts under the heading “Department
8 of Agriculture—Rural Development Programs”,
9 \$102,675,000, to be derived from the unobligated
10 balances of funds that were provided for such ac-
11 counts in prior appropriation Acts (other than Pub-
12 lic Law 111–5) and that were designated by the
13 Congress in such Acts as an emergency requirement
14 pursuant to a concurrent resolution on the budget or
15 the Balanced Budget and Emergency Deficit Control
16 Act of 1985.

17 EMERGENCY DESIGNATION

18 SEC. 102. Each amount in this Act is designated as
19 an emergency requirement and necessary to meet emer-
20 gency needs pursuant to sections 403 and 423(b) of S.
21 Con. Res. 13 (111th Congress), the concurrent resolution
22 on the budget for fiscal year 2010.

23 SHORT TITLE

24 SEC. 103. This Act may be cited as the “Disaster
25 Relief and Summer Jobs Act of 2010”.

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

5 *TITLE I*

6 *CHAPTER 1*

7 *DEPARTMENT OF AGRICULTURE*

8 *FARM SERVICE AGENCY*

9 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

10 *ACCOUNT*

11 *For an additional amount for gross obligations for the*
12 *principal amount of direct and guaranteed farm ownership*
13 *(7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et*
14 *seq.) loans, to be available from funds in the Agricultural*
15 *Credit Insurance Fund, as follows: guaranteed farm owner-*
16 *ship loans, \$300,000,000; operating loans, \$650,000,000, of*
17 *which \$250,000,000 shall be for unsubsidized guaranteed*
18 *loans, \$50,000,000 shall be for subsidized guaranteed loans,*
19 *and \$350,000,000 shall be for direct loans.*

20 *For an additional amount for the cost of direct and*
21 *guaranteed loans, including the cost of modifying loans as*
22 *defined in section 502 of the Congressional Budget Act of*
23 *1974, as follows: guaranteed farm ownership loans,*
24 *\$1,110,000; operating loans, \$29,470,000, of which*
25 *\$5,850,000 shall be for unsubsidized guaranteed loans,*

1 \$7,030,000 shall be for subsidized guaranteed loans, and
2 \$16,590,000 shall be for direct loans.

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

6 *EMERGENCY FOREST RESTORATION PROGRAM*

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

1 *ther, That to reduce Federal costs in administering this*
2 *heading, the emergency forest restoration program shall be*
3 *considered to have met the requirements of the National En-*
4 *vironmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)*
5 *for activities similar in nature and quantity to those of the*
6 *emergency conservation program established under title IV*
7 *of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et*
8 *seq.).*

9 *FOREIGN AGRICULTURAL SERVICE*

10 *FOOD FOR PEACE TITLE II GRANTS*

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

17 *GENERAL PROVISIONS—THIS CHAPTER*

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

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

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

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

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

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

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

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

3 *CHAPTER 2*

4 *DEPARTMENT OF COMMERCE*

5 *NATIONAL TELECOMMUNICATIONS AND INFORMATION*

6 *ADMINISTRATION*

7 *(RESCISSION)*

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

12 *ECONOMIC DEVELOPMENT ADMINISTRATION*

13 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

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

1 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*
2 *OPERATIONS, RESEARCH, AND FACILITIES*

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

7 *NATIONAL AERONAUTICS AND SPACE*
8 *ADMINISTRATION*
9 *EXPLORATION*

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

1 *RESERVE PERSONNEL, AIR FORCE*

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

4 *NATIONAL GUARD PERSONNEL, ARMY*

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

7 *OPERATION AND MAINTENANCE*8 *OPERATION AND MAINTENANCE, ARMY*

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

16 *OPERATION AND MAINTENANCE, NAVY*

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

1 *OPERATION AND MAINTENANCE, MARINE CORPS*

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

9 *OPERATION AND MAINTENANCE, AIR FORCE*

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

17 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

18 *(INCLUDING TRANSFER OF FUNDS)*

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

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

22 *OPERATION AND MAINTENANCE, ARMY RESERVE*

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

1 *OPERATION AND MAINTENANCE, NAVY RESERVE*

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

4 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

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

7 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

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

10 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

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

13 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

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

16 *AFGHANISTAN SECURITY FORCES FUND*

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

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

19 *IRAQ SECURITY FORCES FUND*

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

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

20 *PROCUREMENT*

21 *AIRCRAFT PROCUREMENT, ARMY*

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

1 *AIRCRAFT PROCUREMENT, AIR FORCE*

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

5 *OTHER PROCUREMENT, AIR FORCE*

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

9 *PROCUREMENT, DEFENSE-WIDE*

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

13 *MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND*

14 *(INCLUDING TRANSFER OF FUNDS)*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 *GENERAL PROVISIONS—THIS CHAPTER*

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

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

4 *(INCLUDING TRANSFER OF FUNDS)*

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

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

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

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

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

7 (RESCISSIONS)

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

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

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

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

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

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

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

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

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

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

3 *CHAPTER 4*

4 *DEPARTMENT OF DEFENSE—CIVIL*

5 *DEPARTMENT OF THE ARMY*

6 *CORPS OF ENGINEERS—CIVIL*

7 *INVESTIGATIONS*

8 *For an additional amount for “Investigations”,*
9 *\$5,400,000: Provided, That funds provided under this head-*
10 *ing in this chapter shall be used for studies in States af-*
11 *ected by severe storms and flooding: Provided further, That*
12 *the Assistant Secretary of the Army for Civil Works shall*
13 *provide a monthly report to the Committees on Appropria-*
14 *tions of the House of Representatives and the Senate detail-*
15 *ing the allocation and obligation of these funds, beginning*
16 *not later than 60 days after enactment of this Act.*

17 *MISSISSIPPI RIVER AND TRIBUTARIES*

18 *For an additional amount for “Mississippi River and*
19 *Tributaries” to dredge eligible projects in response to, and*
20 *repair damages to Federal projects caused by, natural dis-*
21 *asters, \$18,600,000, to remain available until expended:*
22 *Provided, That the Assistant Secretary of the Army for*
23 *Civil Works shall provide a monthly report to the Commit-*
24 *tees on Appropriations of the House of Representatives and*
25 *the Senate detailing the allocation and obligation of these*

1 *funds, beginning not later than 60 days after enactment*
2 *of this Act.*

3 *OPERATION AND MAINTENANCE*

4 *For an additional amount for “Operation and Mainte-*
5 *nance” to dredge navigation projects in response to, and*
6 *repair damages to Corps projects caused by, natural disas-*
7 *ters, \$173,000,000, to remain available until expended: Pro-*
8 *vided, That the Secretary of the Army is directed to use*
9 *\$44,000,000 of the amount provided under this heading for*
10 *nondisaster related emergency repairs to critical infrastruc-*
11 *ture: Provided further, That the Assistant Secretary of the*
12 *Army for Civil Works shall provide a monthly report to*
13 *the Committees on Appropriations of the House of Rep-*
14 *resentatives and the Senate detailing the allocation and ob-*
15 *ligation of these funds, beginning not later than 60 days*
16 *after enactment of this Act.*

17 *FLOOD CONTROL AND COASTAL EMERGENCIES*

18 *For an additional amount for “Flood Control and*
19 *Coastal Emergencies”, as authorized by section 5 of the Act*
20 *of August 18, 1941 (33 U.S.C. 701n), for necessary expenses*
21 *relating to natural disasters as authorized by law,*
22 *\$20,000,000, to remain available until expended: Provided,*
23 *That the Assistant Secretary of the Army for Civil Works*
24 *shall provide a monthly report to the Committees on Appro-*
25 *priations of the House of Representatives and the Senate*

1 *detailing the allocation and obligation of these funds, begin-*
 2 *ning not later than 60 days after enactment of this Act.*

3 **GENERAL PROVISIONS—THIS CHAPTER**

4 *SEC. 401. Funds made available in the Energy and*
 5 *Water Development and Related Agencies Appropriations*
 6 *Act, 2010 (Public Law 111–85), under the account “Weap-*
 7 *ons Activities” shall be available for the purchase of not*
 8 *to exceed one aircraft.*

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

11 *SEC. 402. (a) FISCAL YEAR 2009 APPROPRIATIONS.—*
 12 *The matter under the heading “Weapons Activities” under*
 13 *the heading “National Nuclear Security Administration”*
 14 *under the heading “Atomic Energy Defense Activities”*
 15 *under the heading “Department of Energy” under title III*
 16 *of division C of the Omnibus Appropriations Act, 2009*
 17 *(Public Law 111–8; 123 Stat. 621) is amended by striking*
 18 *“the 09–D–007 LANSCE Refurbishment, PED,” and in-*
 19 *serting “capital equipment acquisition, installation, and*
 20 *associated design funds for LANSCE,”.*

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

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

9 *SEC. 403. (a) Section 104(c) of the Reclamation States*
10 *Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c))*
11 *is amended by striking “September 30, 2010” and inserting*
12 *“September 30, 2012” in lieu thereof.*

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

17 *SEC. 404. (a) The Secretary of the Army shall not be*
18 *required to make a determination under the National His-*
19 *toric Preservation Act of 1966 (16 U.S.C. 470, et seq.) for*
20 *the project for flood control, Trinity River and tributaries,*
21 *Texas, authorized by section 2 of the Act entitled “An Act*
22 *authorizing the construction, repair, and preservation of*
23 *certain public works on rivers and harbors, and for other*
24 *purposes”, approved March 2, 1945 [59 Stat. 18], as modi-*

1 *fied by section 5141 of the Water Resources Development*
2 *Act of 2007 [121 Stat. 1253].*

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

7 *CHAPTER 5*

8 *DEPARTMENT OF THE TREASURY*

9 *DEPARTMENTAL OFFICES*

10 *SALARIES AND EXPENSES*

11 *For an additional amount for “Salaries and Ex-*
12 *penses” for necessary expenses for emergency relief, rehabili-*
13 *tation, and reconstruction aid, and other expenses related*
14 *to Haiti following the earthquake of January 12, 2010, and*
15 *for other disaster-response activities relating to the earth-*
16 *quake, \$690,000, to remain available until expended: Pro-*
17 *vided, That funds appropriated in this paragraph may be*
18 *used to reimburse obligations incurred for the purposes pro-*
19 *vided herein prior to enactment of this Act.*

20 *OFFICE OF INSPECTOR GENERAL*

21 *SALARIES AND EXPENSES*

22 *(RESCISSION)*

23 *Of the amounts made available for necessary expenses*
24 *of the Office of Inspector General under this heading in*
25 *Public Law 111–117, \$1,800,000 are rescinded: Provided,*

1 *That section 3002 shall not apply to the amount under this*
2 *heading.*

3 *DISTRICT OF COLUMBIA*

4 *FEDERAL FUNDS*

5 *FEDERAL PAYMENT TO THE PUBLIC DEFENDER SERVICE*

6 *FOR THE DISTRICT OF COLUMBIA*

7 *(INCLUDING RESCISSION)*

8 *For an additional amount for “Federal Payment to*
9 *the Public Defender Service for the District of Columbia”,*
10 *\$700,000, to remain available until September 30, 2012.*

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

16 *INDEPENDENT AGENCY*

17 *FINANCIAL CRISIS INQUIRY COMMISSION*

18 *SALARIES AND EXPENSES*

19 *For the necessary expenses of the Financial Crisis In-*
20 *quiry Commission established pursuant to section 5 of the*
21 *Fraud Enforcement and Recovery Act of 2009 (Public Law*
22 *111–21), \$1,800,000, to remain available until February*
23 *15, 2011: Provided, That section 3002 shall not apply to*
24 *the amount under this heading.*

1 *CHAPTER 6*
2 *DEPARTMENT OF HOMELAND SECURITY*
3 *COAST GUARD*
4 *OPERATING EXPENSES*

5 *For an additional amount for “Operating Expenses”*
6 *for necessary expenses and other disaster-response activities*
7 *related to Haiti following the earthquake of January 12,*
8 *2010, \$50,000,000, to remain available until September 30,*
9 *2012.*

10 *ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS*

11 *For an additional amount for “Acquisition, Construc-*
12 *tion, and Improvements”, \$15,500,000, to remain available*
13 *until September 30, 2014, for aircraft replacement.*

14 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

15 *DISASTER RELIEF*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For an additional amount for “Disaster Relief”,*
18 *\$5,100,000,000, to remain available until expended, of*
19 *which \$5,000,000 shall be transferred to the Department of*
20 *Homeland Security Office of the Inspector General for au-*
21 *dits and investigations related to disasters.*

22 *UNITED STATES CITIZENSHIP AND IMMIGRATION*

23 *SERVICES*

24 *For an additional amount for “United States Citizen-*
25 *ship and Immigration Services” for necessary expenses and*

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

4 **GENERAL PROVISIONS—THIS CHAPTER**

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

14 **(RESCISSIONS)**

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

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

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

5 (c) From the unobligated balances of prior year appro-
6 priations made available to the “Office of the Federal Coor-
7 dinator for Gulf Coast Rebuilding”, \$700,000 are rescinded.

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

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

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

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

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

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

22 *(b) The requirements of subsection (a) shall not apply*
23 *to commercial foreign air carriers that operate flights in*
24 *and out of the United States and that are enrolled in the*

1 *Secure Flight program or that are Advance Passenger In-*
2 *formation System Quick Query (AQQ) compliant.*

3 *CHAPTER 7*

4 *DEPARTMENT OF LABOR*

5 *DEPARTMENTAL MANAGEMENT*

6 *SALARIES AND EXPENSES*

7 *(INCLUDING TRANSFER OF FUNDS)*

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

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

1 *RELATED AGENCY*
2 *FEDERAL MINE SAFETY AND HEALTH REVIEW*
3 *COMMISSION*
4 *SALARIES AND EXPENSES*

5 *For an additional amount for “Federal Mine Safety*
6 *and Health Review Commission, Salaries and*
7 *Expenses”\$3,800,000, to remain available for obligation for*
8 *12 months after enactment of this Act.*

9 *CHAPTER 8*
10 *HOUSE OF REPRESENTATIVES*

11 *PAYMENT TO WIDOWS AND HEIRS OF DECEASED*
12 *MEMBERS OF CONGRESS*

13 *For a payment to Joyce Murtha, widow of John P.*
14 *Murtha, late a Representative from Pennsylvania,*
15 *\$174,000: Provided, That section 3002 shall not apply to*
16 *this appropriation.*

17 *CAPITOL POLICE*
18 *GENERAL EXPENSES*

19 *For an additional amount for “Capitol Police, General*
20 *Expenses” to purchase and install the indoor coverage por-*
21 *tion of the new radio system for the Capitol Police,*
22 *\$12,956,000, to remain available until September 30, 2012:*
23 *Provided, That the Chief of the Capitol Police may not obli-*
24 *gate any of the funds appropriated under this heading with-*
25 *out approval of an obligation plan by the Committees on*

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

3 *CHAPTER 9*

4 *MILITARY CONSTRUCTION*

5 *MILITARY CONSTRUCTION, ARMY*

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

12 *MILITARY CONSTRUCTION, AIR FORCE*

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

19 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*

20 *FORCE*

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

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

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

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

10 *SEC. 901. (a) Of the amounts made available to the*
11 *Department of Veterans Affairs under the “Construction,*
12 *Major Projects” account, in fiscal year 2010 or previous*
13 *fiscal years, up to \$67,000,000 may be transferred to the*
14 *“Filipino Veterans Equity Compensation Fund” account:*
15 *Provided, That any amount transferred from “Construc-*
16 *tion, Major Projects” shall be derived from unobligated bal-*
17 *ances that are a direct result of bid savings: Provided fur-*
18 *ther, That no amounts may be transferred from amounts*
19 *that were designated by Congress as an emergency require-*
20 *ment pursuant to the Concurrent Resolution on the Budget*
21 *or the Balanced Budget and Emergency Deficit Control Act*
22 *of 1985, as amended.*

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

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

8 *OFFICE OF INSPECTOR GENERAL*

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

13 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

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

21 *INTERNATIONAL ORGANIZATIONS*

22 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

23 *ACTIVITIES*

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

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

7 *RELATED AGENCY*

8 *BROADCASTING BOARD OF GOVERNORS*

9 *INTERNATIONAL BROADCASTING OPERATIONS*

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

18 *UNITED STATES AGENCY FOR INTERNATIONAL*

19 *DEVELOPMENT*

20 *FUNDS APPROPRIATED TO THE PRESIDENT*

21 *OFFICE OF INSPECTOR GENERAL*

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

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

10 *BILATERAL ECONOMIC ASSISTANCE*

11 *FUNDS APPROPRIATED TO THE PRESIDENT*

12 *GLOBAL HEALTH AND CHILD SURVIVAL*

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

17 *INTERNATIONAL DISASTER ASSISTANCE*

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

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

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

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

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

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

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

10 *DEPARTMENT OF STATE*

11 *MIGRATION AND REFUGEE ASSISTANCE*

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

16 *DEPARTMENT OF THE TREASURY*

17 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

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

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

3 *INTERNATIONAL SECURITY ASSISTANCE*

4 *DEPARTMENT OF STATE*

5 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

6 *ENFORCEMENT*

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

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

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

17 *FUNDS APPROPRIATED TO THE PRESIDENT*

18 *FOREIGN MILITARY FINANCING PROGRAM*

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

1 *GENERAL PROVISIONS—THIS CHAPTER*

2 *EXTENSION OF AUTHORITIES*

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

9 *ALLOCATIONS*

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

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

15 (2) *“Economic Support Fund”.*

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

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

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

3 *SPENDING PLANS AND NOTIFICATION PROCEDURES*

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

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

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

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

3 *AFGHANISTAN*

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

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

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

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

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

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

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

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

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

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

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

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

20 (1) *the Independent Electoral Commission and*
21 *Electoral Complaints Commission have independence*
22 *from the executive branch and there are adequate*
23 *checks and balances on Presidential appointments to*
24 *such commissions; and*

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

5 (2) *in accordance with section 620J of the For-*
6 *ign Assistance Act of 1961, and the Secretary of*
7 *State shall inform relevant Pakistani authorities of*
8 *the requirements of section 620J and of its applica-*
9 *tion, and regularly monitor units of Pakistani secu-*
10 *rity forces that receive United States assistance and*
11 *the performance of such units.*

12 (b)(1) *Of the funds appropriated in this chapter under*
13 *the heading “Economic Support Fund” for assistance for*
14 *Pakistan, \$5,000,000 shall be made available through the*
15 *Bureau of Democracy, Human Rights and Labor, Depart-*
16 *ment of State, for human rights programs in Pakistan, in-*
17 *cluding training of government officials and security forces,*
18 *and assistance for human rights organizations.*

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

24 (c) *Of the funds appropriated in this chapter under*
25 *the heading “Economic Support Fund” for assistance for*

1 *Pakistan, up to \$1,500,000 should be made available to the*
2 *Department of State and the United States Agency for*
3 *International Development for the lease of aircraft to imple-*
4 *ment programs and conduct oversight in northwestern*
5 *Pakistan, which shall be coordinated under the authority*
6 *of the United States Chief of Mission in Pakistan.*

7 *IRAQ*

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

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

20 *HAITI*

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

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

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

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

20 *(B) demonstrating a commitment to account-*
21 *ability by removing corrupt officials, implementing*
22 *fiscal transparency and other necessary reforms of*
23 *government institutions, and facilitating active public*
24 *engagement in governance and oversight of public re-*
25 *sources.*

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

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

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

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

24 (d) *Funds appropriated in this chapter that are made*
25 *available for assistance for Haiti shall be made available,*

1 *to the maximum extent practicable, in a manner that em-*
2 *phasizes the participation and leadership of Haitian*
3 *women and directly improves the security, economic and*
4 *social well-being, and political status of Haitian women*
5 *and girls.*

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

10 *HAITI DEBT RELIEF*

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

24 *(b) Up to \$40,000,000 of the amounts appropriated*
25 *under the heading “Department of the Treasury, Debt Re-*

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

12 *HAITI DEBT RELIEF AUTHORITY*

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

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

21 *“(a) VOTE AUTHORIZED.—In accordance with section*
 22 *5 of this Act, the United States Governor of the Bank is*
 23 *authorized to vote in favor of a resolution to increase the*
 24 *resources of the Fund for Special Operations up to*
 25 *\$479,000,000, in furtherance of providing debt relief for*

1 *Haiti in view of the Cancun Declaration of March 21, 2010,*
2 *which provides that:*

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

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

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

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

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

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

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

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

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

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

23 (4) *governmental efforts to investigate and pros-*
24 *ecute violations of internationally recognized human*
25 *rights.*

1 background, but whose competence could otherwise be ap-
2 plied to weapons development, notwithstanding sections 503
3 and 504 of the *FREEDOM Support Act* (Public Law 102–
4 511), and following consultation with the Committees on
5 Appropriations, the Committee on Foreign Relations of the
6 Senate and the Committee on Foreign Affairs of the House
7 of Representatives.

8 *INTERNATIONAL RENEWABLE ENERGY AGENCY*

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

16 *OFFICE OF INSPECTOR GENERAL PERSONNEL*

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

23 *(1) Not more than 5 percent of the OIG per-*
24 *sonnel (determined on a full-time equivalent basis), as*

1 of any given date, are serving under personal services
2 contracts.

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

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

20 (2) The authority provided in paragraph (1) shall be
21 exercised on a case-by-case basis for positions for which
22 there is difficulty recruiting or retaining a qualified em-
23 ployee or to address a temporary emergency hiring need,
24 individuals employed by the OIG under this paragraph
25 shall not be considered employees for purposes of subchapter

1 *III of chapter 83 of title 5, United States Code, or chapter*
2 *84 of such title, and the authorities of the Inspector General*
3 *under this paragraph shall terminate on October 1, 2012.*

4 *TECHNICAL CLARIFICATION*

5 *SEC. 1016. The second proviso of section 7081(d) of*
6 *division F, Public Law 111–117, shall be amended before*
7 *“this Act” by inserting “title III of”, and by striking “,*
8 *directly or indirectly,”.*

9 *AUTHORITY TO REPROGRAM FUNDS*

10 *SEC. 1017. Of the funds appropriated by this chapter*
11 *for assistance for Afghanistan, Iraq and Pakistan, up to*
12 *\$100,000,000 may be made available pursuant to the au-*
13 *thority of section 451 of the Foreign Assistance Act of 1961,*
14 *as amended, for assistance in the Middle East and South*
15 *Asia regions if the President finds, in addition to the re-*
16 *quirements of section 451 and certifies and reports to the*
17 *Committees on Appropriations, that exercising the author-*
18 *ity of this section is necessary to protect the national secu-*
19 *rity interests of the United States: Provided, That the Sec-*
20 *retary of State shall consult with the Committees on Appro-*
21 *priations prior to the reprogramming of such funds, which*
22 *shall be subject to the regular notification procedures of the*
23 *Committees on Appropriations: Provided further, That the*
24 *funding limitation otherwise applicable to section 451 of*
25 *the Foreign Assistance Act of 1961 shall not apply to this*

1 *section: Provided further, That the authority of this section*
2 *shall expire upon enactment of the Department of State,*
3 *Foreign Operations, and Related Programs Appropriations*
4 *Act, 2011.*

5 *SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN*

6 *RECONSTRUCTION*

7 *(INCLUDING RESCISSION)*

8 *SEC. 1018. (a) Of the funds appropriated under the*
9 *heading “Department of State, Administration of Foreign*
10 *Affairs, Office of Inspector General” and authorized to be*
11 *transferred to the Special Inspector General for Afghanistan*
12 *Reconstruction in title XI of Public Law 111–32,*
13 *\$7,200,000 are rescinded.*

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

1 CONSUMER ASSISTANCE TO RECYCLE AND SAVE PROGRAM
2 (RESCISSION)

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

6 DEPARTMENT OF HOUSING AND URBAN
7 DEVELOPMENT

8 COMMUNITY PLANNING AND DEVELOPMENT
9 COMMUNITY DEVELOPMENT FUND

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

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

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

13 *TITLE II*

14 *DEPARTMENT OF COMMERCE*

15 *ECONOMIC DEVELOPMENT ADMINISTRATION*

16 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

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

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

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

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

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

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

7 *DEPARTMENT OF HEALTH AND HUMAN*

8 *SERVICES*

9 *FOOD AND DRUG ADMINISTRATION*

10 *SALARIES AND EXPENSES*

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

19 *DEPARTMENT OF THE INTERIOR*

20 *DEPARTMENTAL OFFICES*

21 *OFFICE OF THE SECRETARY*

22 *SALARIES AND EXPENSES*

23 *(INCLUDING TRANSFER OF FUNDS)*

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

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

8 *DEPARTMENT OF JUSTICE*

9 *LEGAL ACTIVITIES*

10 *SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES*

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

17 *ENVIRONMENTAL PROTECTION AGENCY*

18 *SCIENCE AND TECHNOLOGY*

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

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

8 **GENERAL PROVISION—THIS TITLE**

9 **DEEPWATER HORIZON**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Calendar No. 376

11TH CONGRESS
2^D SESSION

H. R. 4899

[Report No. 111-188]

AN ACT

Making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes.

MARCH 25, 2010

Received

MAY 7, 2010

Received; read twice and referred to the Committee on Appropriations

MAY 14, 2010

Reported with an amendment and an amendment to the title