

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5745

Making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2010

Mr. LEWIS of California (for himself, Mr. YOUNG of Florida, Mr. ROGERS of Kentucky, Mr. WOLF, Mr. KINGSTON, Mr. FRELINGHUYSEN, Mr. LATHAM, Mr. ADERHOLT, Mrs. EMERSON, Ms. GRANGER, Mr. SIMPSON, Mr. CULBERSON, Mr. KIRK, Mr. CRENSHAW, Mr. CARTER, Mr. ALEXANDER, Mr. CALVERT, Mr. BONNER, Mr. COLE, Mr. WAMP, Mr. REHBERG, and Mr. LATOURETTE) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

Making supplemental appropriations 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 TITLE I  
2 CHAPTER 1  
3 DEPARTMENT OF AGRICULTURE  
4 FARM SERVICE AGENCY  
5 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM  
6 ACCOUNT

7 For an additional amount for gross obligations for  
8 the principal amount of direct and guaranteed farm own-  
9 ership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C.  
10 1941 et seq.) loans, to be available from funds in the Agri-  
11 cultural Credit Insurance Fund, as follows: guaranteed  
12 farm ownership loans, \$300,000,000; operating loans,  
13 \$650,000,000, of which \$250,000,000 shall be for unsub-  
14 sidized guaranteed loans, \$50,000,000 shall be for sub-  
15 sidized guaranteed loans, and \$350,000,000 shall be for  
16 direct loans.

17 For an additional amount for the cost of direct and  
18 guaranteed loans, including the cost of modifying loans as  
19 defined in section 502 of the Congressional Budget Act  
20 of 1974, as follows: guaranteed farm ownership loans,  
21 \$1,110,000; operating loans, \$29,470,000, of which  
22 \$5,850,000 shall be for unsubsidized guaranteed loans,  
23 \$7,030,000 shall be for subsidized guaranteed loans, and  
24 \$16,590,000 shall be for direct loans.

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

4 EMERGENCY FOREST RESTORATION PROGRAM

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

1 forest restoration program shall be considered to have met  
2 the requirements of the National Environmental Policy  
3 Act of 1969 (42 U.S.C. 4321 et seq.) for activities similar  
4 in nature and quantity to those of the emergency con-  
5 servation program established under title IV of the Agri-  
6 cultural Credit Act of 1978 (16 U.S.C. 2201 et seq.).

7 FOREIGN AGRICULTURAL SERVICE

8 FOOD FOR PEACE TITLE II GRANTS

9 For an additional amount for “Food for Peace Title  
10 II Grants” for emergency relief and rehabilitation, and  
11 other expenses related to Haiti following the earthquake  
12 of January 12, 2010, and for other disaster-response ac-  
13 tivities relating to the earthquake, \$150,000,000, to re-  
14 main available until expended.

15 GENERAL PROVISIONS—THIS CHAPTER

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

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

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

12           “(B) an annual fee not to exceed 0.5 per-  
13 cent of the outstanding principal balance of the  
14 loan for the life of the loan.”.

15       (b) Section 739 of the Agriculture, Rural Develop-  
16 ment, Food and Drug Administration, and Related Agen-  
17 cies Appropriation Act, 2001 (H.R. 5426 as enacted by  
18 Public Law 106–387, 115 Stat. 1549A–34) is repealed.

19       (c) For gross obligations for the principal amount of  
20 guaranteed loans as authorized by title V of the Housing  
21 Act of 1949, to be available from funds in the rural hous-  
22 ing insurance fund, an additional amount shall be for sec-  
23 tion 502 unsubsidized guaranteed loans sufficient to meet  
24 the remaining fiscal year 2010 demand, provided that ex-  
25 isting program underwriting standards are maintained,

1 and provided further that the Secretary may waive fees  
2 described herein for very low- and low-income borrowers,  
3 not to exceed \$697,000,000 in loan guarantees.

4 CHAPTER 2

5 DEPARTMENT OF COMMERCE

6 NATIONAL TELECOMMUNICATIONS AND INFORMATION

7 ADMINISTRATION

8 (RESCISSION)

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

13 ECONOMIC DEVELOPMENT ADMINISTRATION

14 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

15 Pursuant to section 703 of the Public Works and  
16 Economic Development Act (42 U.S.C. 3233), for an addi-  
17 tional amount for “Economic Development Assistance  
18 Programs”, for necessary expenses related to disaster re-  
19 lief, long-term recovery, and restoration of infrastructure  
20 in States that experienced damage due to severe storms  
21 and flooding during March 2010 through May 2010 for  
22 which the President declared a major disaster covering an  
23 entire State or States with more than 20 counties declared  
24 major disasters under title IV of the Robert T. Stafford

1 Disaster Relief and Emergency Assistance Act of 1974,  
2 \$49,000,000, to remain available until expended.

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

6 For an additional amount for “Operations, Research,  
7 and Facilities”, \$5,000,000, for necessary expenses re-  
8 lated to commercial fishery failures as determined by the  
9 Secretary of Commerce in January 2010.

10 NATIONAL AERONAUTICS AND SPACE  
11 ADMINISTRATION  
12 EXPLORATION

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

1 tional Aeronautics and Space Administration in fiscal year  
2 2010”.

3 CHAPTER 3

4 DEPARTMENT OF DEFENSE—MILITARY

5 MILITARY PERSONNEL

6 MILITARY PERSONNEL, ARMY

7 For an additional amount for “Military Personnel,  
8 Army”, \$1,429,809,000.

9 MILITARY PERSONNEL, NAVY

10 For an additional amount for “Military Personnel,  
11 Navy”, \$40,478,000.

12 MILITARY PERSONNEL, MARINE CORPS

13 For an additional amount for “Military Personnel,  
14 Marine Corps”, \$145,499,000.

15 MILITARY PERSONNEL, AIR FORCE

16 For an additional amount for “Military Personnel,  
17 Air Force”, \$94,068,000.

18 RESERVE PERSONNEL, ARMY

19 For an additional amount for “Reserve Personnel,  
20 Army”, \$5,722,000.

21 RESERVE PERSONNEL, NAVY

22 For an additional amount for “Reserve Personnel,  
23 Navy”, \$2,637,000.



## 1 RESERVE PERSONNEL, MARINE CORPS

2 For an additional amount for “Reserve Personnel,  
3 Marine Corps”, \$34,758,000.

## 4 RESERVE PERSONNEL, AIR FORCE

5 For an additional amount for “Reserve Personnel,  
6 Air Force”, \$1,292,000.

## 7 NATIONAL GUARD PERSONNEL, ARMY

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

## 10 OPERATION AND MAINTENANCE

## 11 OPERATION AND MAINTENANCE, ARMY

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

## 19 OPERATION AND MAINTENANCE, NAVY

20 For an additional amount for “Operation and Main-  
21 tenance, Navy”, \$2,735,194,000, of which \$187,600,000  
22 shall be available to restore amounts transferred from this  
23 account to “Overseas Humanitarian, Disaster, and Civic  
24 Aid” for emergency relief activities related to Haiti fol-

1 lowing the earthquake of January 12, 2010, and for other  
2 disaster-response activities relating to the earthquake.

3 OPERATION AND MAINTENANCE, MARINE CORPS

4 For an additional amount for “Operation and Main-  
5 tenance, Marine Corps”, \$829,326,000, of which  
6 \$30,700,000 shall be available to restore amounts trans-  
7 ferred from this account to “Overseas Humanitarian, Dis-  
8 aster, and Civic Aid” for emergency relief activities related  
9 to Haiti following the earthquake of January 12, 2010,  
10 and for other disaster-response activities relating to the  
11 earthquake.

12 OPERATION AND MAINTENANCE, AIR FORCE

13 For an additional amount for “Operation and Main-  
14 tenance, Air Force”, \$3,835,095,000, of which  
15 \$218,400,000 shall be available to restore amounts trans-  
16 ferred from this account to “Overseas Humanitarian, Dis-  
17 aster, and Civic Aid” for emergency relief activities related  
18 to Haiti following the earthquake of January 12, 2010,  
19 and for other disaster-response activities relating to the  
20 earthquake.

21 OPERATION AND MAINTENANCE, DEFENSE-WIDE

22 (INCLUDING TRANSFER OF FUNDS)

23 For an additional amount for “Operation and Main-  
24 tenance, Defense-Wide”, \$1,236,727,000: *Provided*, That  
25 up to \$50,000,000, to remain available until expended,

1 shall be available for transfer to the Port of Guam Im-  
2 provement Enterprise Fund established by section 3512  
3 of the Duncan Hunter National Defense Authorization  
4 Act for Fiscal Year 2009 (Public Law 110–417): *Provided*  
5 *further*, That funds transferred under the previous proviso  
6 shall be merged with and available for obligation for the  
7 same time period and for the same purposes as the appro-  
8 priation to which transferred: *Provided further*, That these  
9 funds may be transferred by the Secretary of Defense only  
10 if he determines such amounts are required to improve  
11 facilities, relieve port congestion, and provide greater ac-  
12 cess to port facilities: *Provided further*, That any amounts  
13 transferred pursuant to the previous three provisos shall  
14 be available to the Secretary of Transportation, acting  
15 through the Administrator of the Maritime Administra-  
16 tion, to carry out under the Port of Guam Improvement  
17 Enterprise Program planning, design, and construction of  
18 projects for the Port of Guam to improve facilities, relieve  
19 port congestion, and provide greater access to port facili-  
20 ties: *Provided further*, That the transfer authority in this  
21 section is in addition to any other transfer authority avail-  
22 able to the Department of Defense: *Provided further*, That  
23 the Secretary shall, not fewer than five days prior to mak-  
24 ing transfers under this authority, notify the congressional

1 defense committees in writing of the details of any such  
2 transfer.

3 OPERATION AND MAINTENANCE, ARMY RESERVE

4 For an additional amount for “Operation and Main-  
5 tenance, Army Reserve”, \$41,006,000.

6 OPERATION AND MAINTENANCE, NAVY RESERVE

7 For an additional amount for “Operation and Main-  
8 tenance, Navy Reserve”, \$75,878,000.

9 OPERATION AND MAINTENANCE, MARINE CORPS

10 RESERVE

11 For an additional amount for “Operation and Main-  
12 tenance, Marine Corps Reserve”, \$857,000.

13 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

14 For an additional amount for “Operation and Main-  
15 tenance, Air Force Reserve”, \$124,039,000.

16 OPERATION AND MAINTENANCE, ARMY NATIONAL

17 GUARD

18 For an additional amount for “Operation and Main-  
19 tenance, Army National Guard”, \$180,960,000.

20 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

21 For an additional amount for “Operation and Main-  
22 tenance, Air National Guard”, \$203,287,000.

23 AFGHANISTAN SECURITY FORCES FUND

24 For an additional amount for “Afghanistan Security  
25 Forces Fund”, \$2,604,000,000, to remain available until

1 September 30, 2011: *Provided*, That such funds shall be  
2 available to the Secretary of Defense, notwithstanding any  
3 other provision of law, for the purpose of allowing the  
4 Commander, Combined Security Transition Command—  
5 Afghanistan, or the Secretary’s designee, to provide assist-  
6 ance, with the concurrence of the Secretary of State, to  
7 the security forces of Afghanistan, including the provision  
8 of equipment, supplies, services, training, facility and in-  
9 frastructure repair, renovation, and construction, and  
10 funding: *Provided further*, That the authority to provide  
11 assistance under this heading is in addition to any other  
12 authority to provide assistance to foreign nations: *Pro-*  
13 *vided further*, That contributions of funds for the purposes  
14 provided herein from any person, foreign government, or  
15 international organization may be credited to this Fund,  
16 to remain available until expended, and used for such pur-  
17 poses: *Provided further*, That the Secretary shall notify the  
18 congressional defense committees in writing upon the re-  
19 ceipt and upon the transfer of any contribution, delin-  
20 eating the sources and amounts of the funds received and  
21 the specific use of such contributions: *Provided further*,  
22 That the Secretary of Defense shall, not fewer than 15  
23 days prior to making transfers from this appropriation ac-  
24 count, notify the congressional defense committees in writ-  
25 ing of the details of any such transfer.

## 1 IRAQ SECURITY FORCES FUND

2 For the “Iraq Security Forces Fund”,  
3 \$1,000,000,000, to remain available until September 30,  
4 2011: *Provided*, That such funds shall be available to the  
5 Secretary of Defense, notwithstanding any other provision  
6 of law, for the purpose of allowing the Commander, United  
7 States Forces—Iraq, or the Secretary’s designee, to pro-  
8 vide assistance, with the concurrence of the Secretary of  
9 State, to the security forces of Iraq, including the provi-  
10 sion of equipment, supplies, services, training, facility and  
11 infrastructure repair, and renovation: *Provided further*,  
12 That the authority to provide assistance under this head-  
13 ing is in addition to any other authority to provide assist-  
14 ance to foreign nations: *Provided further*, That contribu-  
15 tions of funds for the purposes provided herein from any  
16 person, foreign government, or international organization  
17 may be credited to this Fund, to remain available until  
18 expended, and used for such purposes: *Provided further*,  
19 That the Secretary shall notify the congressional defense  
20 committees in writing upon the receipt and upon the  
21 transfer of any contribution, delineating the sources and  
22 amounts of the funds received and the specific use of such  
23 contributions: *Provided further*, That the Secretary of De-  
24 fense shall, not fewer than 15 days prior to making trans-  
25 fers from this appropriation account, notify the congress-

1 sional defense committees in writing of the details of any  
2 such transfer.

### 3 PROCUREMENT

#### 4 AIRCRAFT PROCUREMENT, ARMY

5 For an additional amount for “Aircraft Procurement,  
6 Army”, \$219,470,000, to remain available until Sep-  
7 tember 30, 2012.

#### 8 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

#### 9 VEHICLES, ARMY

10 For an additional amount for “Procurement of Weap-  
11 ons and Tracked Combat Vehicles, Army”, \$3,000,000, to  
12 remain available until September 30, 2012.

#### 13 PROCUREMENT OF AMMUNITION, ARMY

14 For an additional amount for “Procurement of Am-  
15 munition, Army”, \$17,055,000, to remain available until  
16 September 30, 2012.

#### 17 OTHER PROCUREMENT, ARMY

18 For an additional amount for “Other Procurement,  
19 Army”, \$2,065,006,000, to remain available until Sep-  
20 tember 30, 2012.

#### 21 AIRCRAFT PROCUREMENT, NAVY

22 For an additional amount for “Aircraft Procurement,  
23 Navy”, \$296,000,000, to remain available until September  
24 30, 2012.

## 1 OTHER PROCUREMENT, NAVY

2 For an additional amount for “Other Procurement,  
3 Navy”, \$31,576,000, to remain available until September  
4 30, 2012.

## 5 PROCUREMENT, MARINE CORPS

6 For an additional amount for “Procurement, Marine  
7 Corps”, \$162,927,000, to remain available until Sep-  
8 tember 30, 2012.

## 9 AIRCRAFT PROCUREMENT, AIR FORCE

10 For an additional amount for “Aircraft Procurement,  
11 Air Force”, \$174,766,000, to remain available until Sep-  
12 tember 30, 2012.

## 13 OTHER PROCUREMENT, AIR FORCE

14 For an additional amount for “Other Procurement,  
15 Air Force”, \$672,741,000, to remain available until Sep-  
16 tember 30, 2012.

## 17 PROCUREMENT, DEFENSE-WIDE

18 For an additional amount for “Procurement, De-  
19 fense-Wide”, \$189,276,000, to remain available until Sep-  
20 tember 30, 2012.

## 21 MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For an additional amount for the “Mine Resistant  
24 Ambush Protected Vehicle Fund”, \$1,123,000,000, to re-  
25 main available until September 30, 2011: *Provided*, That



1 such funds shall be available to the Secretary of Defense,  
2 notwithstanding any other provision of law, to procure,  
3 sustain, transport, and field Mine Resistant Ambush Pro-  
4 tected vehicles: *Provided further*, That the Secretary shall  
5 transfer such funds only to appropriations for operations  
6 and maintenance; procurement; research, development,  
7 test and evaluation; and defense working capital funds to  
8 accomplish the purpose provided herein: *Provided further*,  
9 That the funds transferred shall be merged with and avail-  
10 able for the same purposes and the same time period as  
11 the appropriation to which they are transferred: *Provided*  
12 *further*, That this transfer authority is in addition to any  
13 other transfer authority available to the Department of  
14 Defense: *Provided further*, That the Secretary shall, not  
15 fewer than 10 days prior to making transfers from this  
16 appropriation, notify the congressional defense committees  
17 in writing of the details of any such transfer.

18 RESEARCH, DEVELOPMENT, TEST AND  
19 EVALUATION  
20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
21 NAVY

22 For an additional amount for “Research, Develop-  
23 ment, Test and Evaluation, Navy”, \$44,835,000, to re-  
24 main available until September 30, 2011.

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

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

6 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
7 DEFENSE-WIDE

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

11 REVOLVING AND MANAGEMENT FUNDS

12 DEFENSE WORKING CAPITAL FUNDS

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

16 OTHER DEPARTMENT OF DEFENSE PROGRAMS

17 DEFENSE HEALTH PROGRAM

18 For an additional amount for “Defense Health Pro-  
19 gram”, \$33,367,000 for operation and maintenance: *Pro-*  
20 *vided*, That language under this heading in title VI, divi-  
21 sion A of Public Law 111–118 is amended by striking  
22 “\$15,093,539,000” and inserting in lieu thereof  
23 “\$15,121,714,000”.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES  
2 (INCLUDING TRANSFER OF FUNDS)

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

6 GENERAL PROVISIONS—THIS CHAPTER

7 SEC. 301. Funds appropriated by this Act, or made  
8 available by the transfer of funds in this Act, for intel-  
9 ligence activities are deemed to be specifically authorized  
10 by the Congress for purposes of section 504(a)(1) of the  
11 National Security Act of 1947 (50 U.S.C. 414(a)(1)): *Pro-*  
12 *vided*, That section 8079 of the Department of Defense  
13 Appropriations Act, 2010 (Public Law 111–118; 123 Stat.  
14 3446) is amended by striking “fiscal year 2010 until” and  
15 all that follows and insert “fiscal year 2010.”.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 302. Section 8005 of the Department of De-  
18 fense Appropriations Act, 2010 (division A of Public Law  
19 111–118) is amended by striking “\$4,000,000,000” and  
20 inserting “\$4,500,000,000”.

21 SEC. 303. Funds made available in this chapter to  
22 the Department of Defense for operation and maintenance  
23 may be used to purchase items having an investment unit  
24 cost of not more than \$250,000: *Provided*, That upon de-  
25 termination by the Secretary of Defense that such action

1 is necessary to meet the operational requirements of a  
2 Commander of a Combatant Command engaged in contin-  
3 gency operations overseas, such funds may be used to pur-  
4 chase items having an investment item unit cost of not  
5 more than \$500,000.

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

15 SEC. 305. Section 8011 of the title VIII, division A  
16 of Public Law 111–118 is amended by striking “within  
17 30 days of enactment of this Act” and inserting in lieu  
18 thereof “30 days prior to contract award”.

19 (RESCISSIONS)

20 SEC. 306. (a) Of the funds appropriated in Depart-  
21 ment of Defense Appropriation Acts, the following funds  
22 are hereby rescinded from the following accounts and pro-  
23 grams in the specified amounts:

24 “Other Procurement, Air Force, 2009/2011”,  
25 \$5,000,000; and

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

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

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

12           HIGH-VALUE DETAINEE INTERROGATION GROUP

13                           CHARTER AND REPORT

14           SEC. 308. (a) SUBMISSION OF CHARTER AND PROCE-  
15 DURES.—Not later than 30 days after the final approval  
16 of the charter and procedures for the interagency body es-  
17 tablished to carry out an interrogation pursuant to a rec-  
18 ommendation of the report of the Special Task Force on  
19 interrogation and Transfer Policies submitted under sec-  
20 tion 5(g) of Executive Order 13491 (commonly known as  
21 the High-Value Detainee Interrogation Group), or not  
22 later than 30 days after the date of the enactment of this  
23 Act, whichever is later, the Director of National Intel-  
24 ligence shall submit to the congressional intelligence com-  
25 mittees such charter and procedures.

1           (b) UPDATES.—Not later than 30 days after the final  
2 approval of any significant modification or revision to the  
3 charter or procedures referred to in subsection (a), the Di-  
4 rector of National Intelligence shall submit to the congress-  
5 sional intelligence committees any such modification or re-  
6 vision.

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

14           (d) SUBMITTAL OF CHARTER AND REPORTS TO AD-  
15 DITIONAL COMMITTEES OF CONGRESS.—At the same time  
16 the Director of National Intelligence submits the charter  
17 and procedures referred to in subsection (a), any modifica-  
18 tion or revision to the charter or procedures under sub-  
19 section (b), and any report under subsection (c) to the  
20 congressional intelligence committees, the Director shall  
21 also submit such matter to—

22                   (1) the Committees on Armed Services, Home-  
23 land Security and Governmental Affairs, the Judici-  
24 ary, and Appropriations of the Senate; and

1           (2) the Committees on Armed Services, Home-  
2           land Security, the Judiciary, and Appropriations of  
3           the House of Representatives.

4   CHAPTER 4

5                           DEPARTMENT OF DEFENSE—CIVIL

6   DEPARTMENT OF THE ARMY

7   CORPS OF ENGINEERS—CIVIL

8   INVESTIGATIONS

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

19   MISSISSIPPI RIVER AND TRIBUTARIES

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

1 tees on Appropriations of the House of Representatives  
2 and the Senate detailing the allocation and obligation of  
3 these funds, beginning not later than 60 days after enact-  
4 ment of this Act.

5 OPERATION AND MAINTENANCE

6 For an additional amount for “Operation and Main-  
7 tenance” to dredge navigation projects in response to, and  
8 repair damages to Corps projects caused by, natural disas-  
9 ters, \$173,000,000, to remain available until expended:  
10 *Provided*, That the Secretary of the Army is directed to  
11 use \$44,000,000 of the amount provided under this head-  
12 ing for nondisaster related emergency repairs to critical  
13 infrastructure: *Provided further*, That the Assistant Sec-  
14 retary of the Army for Civil Works shall provide a monthly  
15 report to the Committees on Appropriations of the House  
16 of Representatives and the Senate detailing the allocation  
17 and obligation of these funds, beginning not later than 60  
18 days after enactment of this Act.

19 FLOOD CONTROL AND COASTAL EMERGENCIES

20 For an additional amount for “Flood Control and  
21 Coastal Emergencies”, as authorized by section 5 of the  
22 Act of August 18, 1941 (33 U.S.C. 701n), for necessary  
23 expenses relating to natural disasters as authorized by  
24 law, \$20,000,000, to remain available until expended: *Pro-*  
25 *vided*, That the Assistant Secretary of the Army for Civil



1 Works shall provide a monthly report to the Committees  
2 on Appropriations of the House of Representatives and the  
3 Senate detailing the allocation and obligation of these  
4 funds, beginning not later than 60 days after enactment  
5 of this Act.

6           GENERAL PROVISIONS—THIS CHAPTER

7                           EMERGENCY DROUGHT RELIEF

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

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

21           RECLASSIFICATION OF CERTAIN APPROPRIATIONS FOR

22                           THE NATIONAL NUCLEAR SECURITY ADMINISTRATION

23           SEC. 403. (a) FISCAL YEAR 2009 APPROPRIA-  
24 TIONS.—The matter under the heading “Weapons Activi-  
25 ties” under the heading “National Nuclear Security Ad-

1 ministration” under the heading “Atomic Energy Defense  
2 Activities” under the heading “Department of Energy”  
3 under title III of division C of the Omnibus Appropriations  
4 Act, 2009 (Public Law 111–8; 123 Stat. 621) is amended  
5 by striking “the 09–D–007 LANSCE Refurbishment,  
6 PED,” and inserting “capital equipment acquisition, in-  
7 stallation, and associated design funds for LANSCE,”.

8 (b) FISCAL YEAR 2010 APPROPRIATIONS.—The  
9 amount appropriated under the heading “Weapons Activi-  
10 ties” under the heading “National Nuclear Security Ad-  
11 ministration” under the heading “Atomic Energy Defense  
12 Activities” under the heading “Department of Energy”  
13 under title III of the Energy and Water Development and  
14 Related Agencies Appropriations Act, 2010 (Public Law  
15 111–85; 123 Stat. 2866) and made available for LANSCE  
16 Reinvestment, PED, Los Alamos National Laboratory,  
17 Los Alamos, New Mexico, shall be made available instead  
18 for capital equipment acquisition, installation, and associ-  
19 ated design funds for LANSCE, Los Alamos National  
20 Laboratory, Los Alamos, New Mexico.

21 SEC. 404. (a) Section 104(c) of the Reclamation  
22 States Emergency Drought Relief Act of 1991 (43 U.S.C.  
23 2214(c)) is amended by striking “September 30, 2010”  
24 and inserting “September 30, 2012” in lieu thereof.

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

5 SEC. 405. (a) The Secretary of the Army shall not  
6 be required to make a determination under the National  
7 Historic Preservation Act of 1966 (16 U.S.C. 470, et seq.)  
8 for the project for flood control, Trinity River and tribu-  
9 taries, Texas, authorized by section 2 of the Act entitled  
10 “An Act authorizing the construction, repair, and preser-  
11 vation of certain public works on rivers and harbors, and  
12 for other purposes”, approved March 2, 1945 (59 Stat.  
13 18), as modified by section 5141 of the Water Resources  
14 Development Act of 2007 (121 Stat. 1253).

15 (b) The Federal Highway Administration is exempt  
16 from the requirements of 49 U.S.C. 303 and 23 U.S.C.  
17 138 for any highway project to be constructed in the vicin-  
18 ity of the Dallas Floodway, Dallas, Texas.

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

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

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

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

## 14 CHAPTER 5

### 15 DEPARTMENT OF THE TREASURY

#### 16 DEPARTMENTAL OFFICES

#### 17 SALARIES AND EXPENSES

18 For an additional amount for “Salaries and Ex-  
19 penses” for necessary expenses for emergency relief, reha-  
20 bilitation, and reconstruction aid, and other expenses re-  
21 lated to Haiti following the earthquake of January 12,  
22 2010, and for other disaster-response activities relating to  
23 the earthquake, \$690,000, to remain available until ex-  
24 pended: *Provided*, That funds appropriated in this para-  
25 graph may be used to reimburse obligations incurred for

1 the purposes provided herein prior to enactment of this  
2 Act.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 (RESCISSION)

6 Of the amounts made available for necessary ex-  
7 penses of the Office of Inspector General under this head-  
8 ing in Public Law 111–117, \$1,800,000 are rescinded:  
9 *Provided*, That section 3002 shall not apply to the amount  
10 under this heading.

11 DISTRICT OF COLUMBIA

12 FEDERAL FUNDS

13 FEDERAL PAYMENT TO THE PUBLIC DEFENDER SERVICE

14 FOR THE DISTRICT OF COLUMBIA

15 (INCLUDING RESCISSION)

16 For an additional amount for “Federal Payment to  
17 the Public Defender Service for the District of Columbia”,  
18 \$700,000, to remain available until September 30, 2012.

19 Of the funds provided under this heading for “Fed-  
20 eral Payment to the District of Columbia Public Defender  
21 Service” in title IV of division D of Public Law 111–8,  
22 \$700,000 are rescinded: *Provided*, That section 3002 shall  
23 not apply to the amounts under this heading.

1 INDEPENDENT AGENCY  
2 FINANCIAL CRISIS INQUIRY COMMISSION  
3 SALARIES AND EXPENSES

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

10 CHAPTER 6  
11 DEPARTMENT OF HOMELAND SECURITY  
12 COAST GUARD  
13 OPERATING EXPENSES

14 For an additional amount for “Operating Expenses”  
15 for necessary expenses and other disaster-response activi-  
16 ties related to Haiti following the earthquake of January  
17 12, 2010, \$50,000,000, to remain available until Sep-  
18 tember 30, 2012.

19 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

20 For an additional amount for “Acquisition, Construc-  
21 tion, and Improvements”, \$15,500,000, to remain avail-  
22 able until September 30, 2014, for aircraft replacement.

1 FEDERAL EMERGENCY MANAGEMENT AGENCY  
2 DISASTER RELIEF  
3 (INCLUDING TRANSFER OF FUNDS)

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

9 UNITED STATES CITIZENSHIP AND IMMIGRATION  
10 SERVICES

11 For an additional amount for “United States Citizen-  
12 ship and Immigration Services” for necessary expenses  
13 and other disaster response activities related to Haiti fol-  
14 lowing the earthquake of January 12, 2010, \$10,600,000,  
15 to remain available until September 30, 2011.

16 GENERAL PROVISIONS—THIS CHAPTER

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

## (RESCISSIONS)

1

2 SEC. 602. (a) The following unobligated balances  
3 made available pursuant to section 505 of Public Law  
4 110–329 are rescinded: \$2,200,000 from Coast Guard  
5 “Operating Expenses”; \$1,800,000 from the “Office of  
6 the Secretary and Executive Management”; and \$489,152  
7 from “Analysis and Operations”.

8 (b) The third clause of the proviso directing the ex-  
9 penditure of funds under the heading “Alteration of  
10 Bridges” in the Department of Homeland Security Appro-  
11 priations Act, 2009, is repealed, and from available bal-  
12 ances made available for Coast Guard “Alteration of  
13 Bridges”, \$5,910,848 are rescinded: *Provided*, That funds  
14 rescinded pursuant to this subsection shall exclude bal-  
15 ances made available in the American Recovery and Rein-  
16 vestment Act of 2009 (Public Law 111–5).

17 (c) From the unobligated balances of appropriations  
18 made available in Public Law 111–83 to the “Office of  
19 the Federal Coordinator for Gulf Coast Rebuilding”,  
20 \$700,000 are rescinded.

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

23 SEC. 603. The Administrator of the Federal Emer-  
24 gency Management Agency shall consider satisfied for  
25 Hurricane Katrina the non-Federal match requirement for



1 assistance provided by the Federal Emergency Manage-  
2 ment Agency pursuant to section 404(a) of the Robert T.  
3 Stafford Disaster Relief and Emergency Assistance Act,  
4 42 U.S.C. 5170c(a).

5       SEC. 604. Funds appropriated in Public Law 111–  
6 83 under the heading National Protection and Programs  
7 Directorate “Infrastructure Protection and Information  
8 Security” shall be available for facility upgrades and re-  
9 lated costs to establish a United States Computer Emer-  
10 gency Readiness Team Operations Support Center/Con-  
11 tinuity of Operations capability.

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

14       SEC. 606. Notwithstanding any other provision of  
15 law, including any agreement, the Federal share of assist-  
16 ance, including direct Federal assistance provided under  
17 sections 403, 406, and 407 of the Robert T. Stafford Dis-  
18 aster Relief and Emergency Assistance Act (42 U.S.C.  
19 5140b, 5172, and 5173), for damages resulting from  
20 FEMA–3311–EM–RI, FEMA–1894–DR, FEMA–1906–  
21 DR, FEMA–1909–DR, and all other areas Presidentially  
22 declared a disaster, prior to or following enactment, and  
23 resulting from the May 1 and 2, 2010 weather events that  
24 elicited FEMA–1909–DR, shall not be less than 90 per-  
25 cent of the eligible costs under such sections.

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

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

## 15                                   CHAPTER 7

### 16                               DEPARTMENT OF LABOR

#### 17                           DEPARTMENTAL MANAGEMENT

##### 18                               SALARIES AND EXPENSES

19                           (INCLUDING TRANSFER OF FUNDS)

20       For an additional amount for “Departmental Man-  
21 agement” for mine safety activities and legal services re-  
22 lated to the Department of Labor’s caseload before the  
23 Federal Mine Safety and Health Review Commission  
24 (“FMSHRC”), \$18,200,000, which shall remain available  
25 for obligation through the date that is 12 months after

1 the date of enactment of this Act: *Provided*, That the Sec-  
2 retary of Labor may transfer such sums as necessary to  
3 the “Mine Safety and Health Administration” for enforce-  
4 ment and mine safety activities, which may include con-  
5 ference litigation functions related to the FMSHRC case-  
6 load, investigation of the Upper Big Branch Mine disaster,  
7 standards and rulemaking activities, emergency response  
8 equipment purchases and upgrades, and organizational  
9 improvements: *Provided further*, That the Committees on  
10 Appropriations of the Senate and the House of Represent-  
11 atives are notified at least 15 days in advance of any  
12 transfer.

13 DEPARTMENT OF HEALTH AND HUMAN  
14 SERVICES

15 OFFICE OF THE SECRETARY

16 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

17 FUND

18 (INCLUDING TRANSFER OF FUNDS)

19 For an additional amount for “Public Health and So-  
20 cial Services Emergency Fund” for necessary expenses for  
21 emergency relief and reconstruction aid, and other ex-  
22 penses related to Haiti following the earthquake of Janu-  
23 ary 12, 2010, and for other disaster-response activities re-  
24 lating to the earthquake, \$220,000,000, to remain avail-  
25 able until expended: *Provided*, That these funds may be

1 transferred by the Secretary to accounts within the De-  
2 partment of Health and Human Services, shall be merged  
3 with the appropriation to which transferred, and shall be  
4 available only for the purposes provided herein: *Provided*  
5 *further*, That none of the funds provided in this paragraph  
6 may be transferred prior to notification of the Committees  
7 on Appropriations of the House of Representatives and the  
8 Senate: *Provided further*, That the transfer authority pro-  
9 vided in this paragraph is in addition to any other transfer  
10 authority available in this or any other Act: *Provided fur-*  
11 *ther*, That funds appropriated in this paragraph may be  
12 used to reimburse agencies for obligations incurred for the  
13 purposes provided herein prior to enactment of this Act:  
14 *Provided further*, That funds may be used for the non-  
15 Federal share of expenditures for medical assistance fur-  
16 nished under title XIX of the Social Security Act, and for  
17 child health assistance furnished under title XXI of such  
18 Act, that are related to earthquake response activities:  
19 *Provided further*, That funds may be used for services per-  
20 formed by the National Disaster Medical System in con-  
21 nection with such earthquake, for the return of evacuated  
22 Haitian citizens to Haiti, and for grants to States and  
23 other entities to reimburse payments made for otherwise  
24 uncompensated health and human services furnished in  
25 connection with individuals given permission by the United

1 States Government to come from Haiti to the United  
2 States after such earthquake, and not eligible for assist-  
3 ance under such titles: *Provided further*, That the limita-  
4 tion in subsection (d) of section 1113 of the Social Secu-  
5 rity Act shall not apply with respect to any repatriation  
6 assistance provided in response to the Haiti earthquake  
7 of January 12, 2010: *Provided further*, That with respect  
8 to the previous proviso, such additional repatriation assist-  
9 ance shall only be available from the funds appropriated  
10 herein.

11 RELATED AGENCY

12 FEDERAL MINE SAFETY AND HEALTH REVIEW

13 COMMISSION

14 SALARIES AND EXPENSES

15 For an additional amount for “Federal Mine Safety  
16 and Health Review Commission, Salaries and Expenses”  
17 \$3,800,000, to remain available for obligation for 12  
18 months after enactment of this Act.

19 CHAPTER 8

20 HOUSE OF REPRESENTATIVES

21 PAYMENT TO WIDOWS AND HEIRS OF DECEASED

22 MEMBERS OF CONGRESS

23 For a payment to Joyce Murtha, widow of John P.  
24 Murtha, late a Representative from Pennsylvania,

1 \$174,000: *Provided*, That section 3002 shall not apply to  
2 this appropriation.

3                                   CAPITOL POLICE

4                                   GENERAL EXPENSES

5           For an additional amount for “Capitol Police, Gen-  
6 eral Expenses” to purchase and install the indoor coverage  
7 portion of the new radio system for the Capitol Police,  
8 \$12,956,000, to remain available until September 30,  
9 2012: *Provided*, That the Chief of the Capitol Police may  
10 not obligate any of the funds appropriated under this  
11 heading without approval of an obligation plan by the  
12 Committees on Appropriations of the Senate and the  
13 House of Representatives.

14                                   CHAPTER 9

15                                   MILITARY CONSTRUCTION

16                                   MILITARY CONSTRUCTION, ARMY

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

23                                   MILITARY CONSTRUCTION, AIR FORCE

24           For an additional amount for “Military Construction,  
25 Air Force”, \$406,590,000, to remain available until Sep-

1 tember 30, 2012: *Provided*, That notwithstanding any  
 2 other provision of law, such funds may be obligated and  
 3 expended to carry out planning and design and military  
 4 construction projects not otherwise authorized by law.

5 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR  
 6 FORCE

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

9 DEPARTMENT OF VETERANS AFFAIRS  
 10 VETERANS BENEFITS ADMINISTRATION  
 11 COMPENSATION AND PENSIONS

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

16 GENERAL PROVISION—THIS CHAPTER  
 17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 901. (a) Of the amounts made available to the  
 19 Department of Veterans Affairs under the “Construction,  
 20 Major Projects” account, in fiscal year 2010 or previous  
 21 fiscal years, up to \$67,000,000 may be transferred to the  
 22 “Filipino Veterans Equity Compensation Fund” account  
 23 or may be retained in the “Construction, Major Projects”  
 24 account and used by the Secretary of Veterans Affairs for  
 25 such major medical facility projects (as defined under sec-

1 tion 8104(a) of title 38, United States Code) that have  
2 been authorized by law as the Secretary considers appro-  
3 priate: *Provided*, That any amount transferred from “Con-  
4 struction, Major Projects” shall be derived from unobli-  
5 gated balances that are a direct result of bid savings: *Pro-*  
6 *vided further*, That no amounts may be transferred from  
7 amounts that were designated by Congress as an emer-  
8 gency requirement pursuant to the Concurrent Resolution  
9 on the Budget or the Balanced Budget and Emergency  
10 Deficit Control Act of 1985, as amended.

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

13 LIMITATION ON USE OF FUNDS AVAILABLE TO THE  
14 DEPARTMENT OF VETERANS AFFAIRS

15 SEC. 902. The amount made available to the Depart-  
16 ment of Veterans Affairs by this chapter under the head-  
17 ing “VETERANS BENEFITS ADMINISTRATION” under the  
18 heading “COMPENSATION AND PENSIONS” may not be ob-  
19 ligated or expended until the expiration of the period for  
20 Congressional disapproval under chapter 8 of title 5,  
21 United States Code (commonly referred to as the “Con-  
22 gressional Review Act”), of the regulations prescribed by  
23 the Secretary of Veterans Affairs pursuant to section 1116  
24 of title 38, United States Code, to establish a service con-  
25 nection between exposure of veterans to Agent Orange  
26 during service in the Republic of Vietnam during the Viet-



1 nam era and hairy cell leukemia and other chronic B cell  
2 leukemias, Parkinson's disease, and ischemic heart dis-  
3 ease.

4 CHAPTER 10

5 DEPARTMENT OF STATE

6 ADMINISTRATION OF FOREIGN AFFAIRS

7 DIPLOMATIC AND CONSULAR PROGRAMS

8 (INCLUDING TRANSFER OF FUNDS)

9 For an additional amount for "Diplomatic and Con-  
10 sular Programs", \$1,261,000,000, to remain available  
11 until September 30, 2011: *Provided*, That the Secretary  
12 of State may transfer up to \$149,500,000 of the total  
13 funds made available under this heading to any other ap-  
14 propriation of any department or agency of the United  
15 States, upon concurrence of the head of such department  
16 or agency and after consultation with the Committees on  
17 Appropriations, to support operations in and assistance  
18 for Afghanistan and Pakistan and to carry out the provi-  
19 sions of the Foreign Assistance Act of 1961.

20 For an additional amount for "Diplomatic and Con-  
21 sular Programs" for necessary expenses for emergency re-  
22 lief, rehabilitation, and reconstruction support, and other  
23 expenses related to Haiti following the earthquake of Jan-  
24 uary 12, 2010, \$65,000,000, to remain available until  
25 September 30, 2011: *Provided*, That funds appropriated

1 in this paragraph may be used to reimburse obligations  
2 incurred for the purposes provided herein prior to enact-  
3 ment of this Act: *Provided further*, That up to \$3,700,000  
4 of the funds made available in this paragraph may be  
5 transferred to, and merged with, funds made available  
6 under the heading “Emergencies in the Diplomatic and  
7 Consular Service”: *Provided further*, That up to \$290,000  
8 of the funds made available in this paragraph may be  
9 transferred to, and merged with, funds made available  
10 under the heading “Repatriation Loans Program Ac-  
11 count”.

12 OFFICE OF INSPECTOR GENERAL

13 For an additional amount for “Office of Inspector  
14 General” for necessary expenses for oversight of oper-  
15 ations and programs in Afghanistan, Pakistan, and Iraq,  
16 \$3,600,000, to remain available until September 30, 2013.

17 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

18 For an additional amount for “Embassy Security,  
19 Construction, and Maintenance” for necessary expenses  
20 for emergency needs in Haiti following the earthquake of  
21 January 12, 2010, \$79,000,000, to remain available until  
22 expended: *Provided*, That funds appropriated in this para-  
23 graph may be used to reimburse obligations incurred for  
24 the purposes provided herein prior to enactment of this  
25 Act.

1                   INTERNATIONAL ORGANIZATIONS  
2       CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING  
3                   ACTIVITIES

4       For an additional amount for “Contributions for  
5 International Peacekeeping Activities” for necessary ex-  
6 penses for emergency security related to Haiti following  
7 the earthquake of January 12, 2010, \$96,500,000, to re-  
8 main available until September 30, 2011: *Provided*, That  
9 funds appropriated in this paragraph may be used to reim-  
10 burse obligations incurred for the purposes provided here-  
11 in prior to enactment of this Act.

12                   RELATED AGENCY  
13                   BROADCASTING BOARD OF GOVERNORS  
14       INTERNATIONAL BROADCASTING OPERATIONS

15       For an additional amount for “International Broad-  
16 casting Operations” for necessary expenses for emergency  
17 broadcasting support and other expenses related to Haiti  
18 following the earthquake of January 12, 2010,  
19 \$3,000,000, to remain available until September 30, 2011:  
20 *Provided*, That funds appropriated in this paragraph may  
21 be used to reimburse obligations incurred for the purposes  
22 provided herein prior to enactment of this Act.

1 UNITED STATES AGENCY FOR INTERNATIONAL  
2 DEVELOPMENT

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 OFFICE OF INSPECTOR GENERAL

5 For an additional amount for “Office of Inspector  
6 General” for necessary expenses for oversight of oper-  
7 ations and programs in Afghanistan and Pakistan,  
8 \$3,400,000, to remain available until September 30, 2013.

9 For an additional amount for “Office of Inspector  
10 General” for necessary expenses for oversight of emer-  
11 gency relief, rehabilitation, and reconstruction aid, and  
12 other expenses related to Haiti following the earthquake  
13 of January 12, 2010, \$4,500,000, to remain available  
14 until September 30, 2012: *Provided*, That up to  
15 \$1,500,000 of the funds appropriated in this paragraph  
16 may be used to reimburse obligations incurred for the pur-  
17 poses provided herein prior to enactment of this Act.

18 BILATERAL ECONOMIC ASSISTANCE

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 GLOBAL HEALTH AND CHILD SURVIVAL

21 For an additional amount for “Global Health and  
22 Child Survival” for necessary expenses for pandemic pre-  
23 paredness and response, \$45,000,000, to remain available  
24 until September 30, 2011.

## 1 INTERNATIONAL DISASTER ASSISTANCE

2 For an additional amount for “International Disaster  
3 Assistance” for necessary expenses for emergency relief  
4 and rehabilitation, and other expenses related to Haiti fol-  
5 lowing the earthquake of January 12, 2010,  
6 \$460,000,000, to remain available until expended: *Pro-*  
7 *vided*, That funds appropriated in this paragraph may be  
8 used to reimburse obligations incurred for the purposes  
9 provided herein prior to enactment of this Act.

## 10 ECONOMIC SUPPORT FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 For an additional amount for “Economic Support  
13 Fund”, \$1,620,000,000, to remain available until Sep-  
14 tember 30, 2012, of which not less than \$1,309,000,000  
15 shall be made available for assistance for Afghanistan and  
16 not less than \$259,000,000 shall be made available for  
17 assistance for Pakistan: *Provided*, That funds appro-  
18 priated under this heading in this Act and in prior Acts  
19 making appropriations for the Department of State, for-  
20 eign operations, and related programs that are made avail-  
21 able for assistance for Afghanistan may be made available,  
22 after consultation with the Committees on Appropriations,  
23 for disarmament, demobilization and reintegration activi-  
24 ties, subject to the requirements of section 904(e) in this  
25 chapter, and for a United States contribution to an inter-

1 nationally managed fund to support the reintegration into  
2 Afghan society of individuals who have renounced violence  
3 against the Government of Afghanistan.

4 For an additional amount for “Economic Support  
5 Fund” for necessary expenses for emergency relief, reha-  
6 bilitation, and reconstruction aid, and other expenses re-  
7 lated to Haiti following the earthquake of January 12,  
8 2010, \$770,000,000, to remain available until September  
9 30, 2012: *Provided*, That of the funds appropriated in this  
10 paragraph, up to \$120,000,000 may be transferred to the  
11 Department of the Treasury for United States contribu-  
12 tions to a multi-donor trust fund for reconstruction and  
13 recovery efforts in Haiti: *Provided further*, That of the  
14 funds appropriated in this paragraph, up to \$10,000,000  
15 may be transferred to, and merged with, funds made avail-  
16 able under the heading “United States Agency for Inter-  
17 national Development, Funds Appropriated to the Presi-  
18 dent, Operating Expenses” for administrative costs relat-  
19 ing to the purposes provided herein and to reimburse obli-  
20 gations incurred for the purposes provided herein prior to  
21 enactment of this Act: *Provided further*, That funds appro-  
22 priated in this paragraph may be transferred to, and  
23 merged with, funds available under the heading “Develop-  
24 ment Credit Authority” for the purposes provided herein:  
25 *Provided further*, That such transfer authority is in addi-

1 tion to any other transfer authority provided by this or  
2 any other Act: *Provided further*, That funds made avail-  
3 able to the Comptroller General pursuant to title I, chap-  
4 ter 4 of Public Law 106–31, to monitor the provision of  
5 assistance to address the effects of hurricanes in Central  
6 America and the Caribbean, shall also be available to the  
7 Comptroller General to monitor relief, rehabilitation, and  
8 reconstruction aid, and other expenses related to Haiti fol-  
9 lowing the earthquake of January 12, 2010, and shall re-  
10 main available until expended: *Provided further*, That  
11 funds appropriated in this paragraph may be made avail-  
12 able to the United States Agency for International Devel-  
13 opment and the Department of State to reimburse any  
14 accounts for obligations incurred for the purpose provided  
15 herein prior to enactment of this Act.

16 For an additional amount for “Economic Support  
17 Fund” for necessary expenses for assistance for Jordan,  
18 \$100,000,000, to remain available until September 30,  
19 2012.

20 DEPARTMENT OF STATE

21 MIGRATION AND REFUGEE ASSISTANCE

22 For an additional amount for “Migration and Ref-  
23 ugee Assistance” for necessary expenses for assistance for  
24 refugees and internally displaced persons, \$165,000,000,  
25 to remain available until expended.

1                   DEPARTMENT OF THE TREASURY  
2           INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE  
3           For an additional amount for “International Affairs  
4 Technical Assistance” for necessary expenses for emer-  
5 gency relief, rehabilitation, and reconstruction aid, and  
6 other expenses related to Haiti following the earthquake  
7 of January 12, 2010, \$7,100,000, to remain available  
8 until September 30, 2012: *Provided*, That of the funds  
9 appropriated in this paragraph, up to \$60,000 may be  
10 used to reimburse obligations incurred for the purposes  
11 provided herein prior to enactment of this Act.

12           INTERNATIONAL SECURITY ASSISTANCE  
13                   DEPARTMENT OF STATE  
14           INTERNATIONAL NARCOTICS CONTROL AND LAW  
15                   ENFORCEMENT  
16           For an additional amount for “International Nar-  
17 cotics Control and Law Enforcement”, \$1,034,000,000, to  
18 remain available until September 30, 2012: *Provided*,  
19 That of the funds appropriated under this heading, not  
20 less than \$650,000,000 shall be made available for assist-  
21 ance for Iraq of which \$450,000,000 is for one-time start  
22 up costs and limited operational costs of the Iraqi police  
23 program, and \$200,000,000 is for implementation, man-  
24 agement, security, communications, and other expenses re-  
25 lated to such program and may be obligated only after



1 the Secretary of State determines and reports to the Com-  
2 mittees on Appropriations that the Government of Iraq  
3 supports and is cooperating with such program: *Provided*  
4 *further*, That funds appropriated in this chapter for assist-  
5 ance for Iraq shall not be subject to the limitation on as-  
6 sistance in section 7042(b)(1) of division F of Public Law  
7 111–117: *Provided further*, That of the funds appropriated  
8 in this paragraph, not less than \$169,000,000 shall be  
9 made available for assistance for Afghanistan and not less  
10 than \$40,000,000 shall be made available for assistance  
11 for Pakistan: *Provided further*, That of the funds appro-  
12 priated under this heading, \$175,000,000 shall be made  
13 available for assistance for Mexico for judicial reform, in-  
14 stitution building, anti-corruption, and rule of law activi-  
15 ties, and shall be available subject to prior consultation  
16 with, and the regular notification procedures of, the Com-  
17 mittees on Appropriations.

18 For an additional amount for “International Nar-  
19 cotics Control and Law Enforcement” for necessary ex-  
20 penses for emergency relief, rehabilitation, and reconstruc-  
21 tion aid, and other expenses related to Haiti following the  
22 earthquake of January 12, 2010, \$147,660,000, to remain  
23 available until September 30, 2012: *Provided*, That funds  
24 appropriated in this paragraph may be used to reimburse

1 obligations incurred for the purposes provided herein prior  
2 to enactment of this Act.

3           FUNDS APPROPRIATED TO THE PRESIDENT

4                   FOREIGN MILITARY FINANCING PROGRAM

5           For an additional amount for “Foreign Military Fi-  
6 nancing Program”, \$100,000,000, to remain available  
7 until September 30, 2012, of which not less than  
8 \$50,000,000 shall be made available for assistance for  
9 Pakistan and not less than \$50,000,000 shall be made  
10 available for assistance for Jordan.

11           GENERAL PROVISIONS—THIS CHAPTER

12                   EXTENSION OF AUTHORITIES

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

19                   ALLOCATIONS

20           SEC. 1002. (a) Funds appropriated in this chapter  
21 for the following accounts shall be made available for pro-  
22 grams and countries in the amounts contained in the re-  
23 spective tables included in the report accompanying this  
24 Act:

25                   (1) “Diplomatic and Consular Programs”.

1           (2) “Economic Support Fund”.

2           (3) “International Narcotics Control and Law  
3       Enforcement”.

4       (b) For the purposes of implementing this section,  
5 and only with respect to the tables included in the report  
6 accompanying this Act, the Secretary of State and the Ad-  
7 ministrator of the United States Agency for International  
8 Development, as appropriate, may propose deviations to  
9 the amounts referred in subsection (a), subject to the reg-  
10 ular notification procedures of the Committees on Appro-  
11 priations and section 634A of the Foreign Assistance Act  
12 of 1961.

13       SPENDING PLANS AND NOTIFICATION PROCEDURES

14       SEC. 1003. (a) SPENDING PLANS.—Not later than  
15 45 days after enactment of this Act, the Secretary of  
16 State, in consultation with the Administrator of the  
17 United States Agency for International Development, and  
18 the Broadcasting Board of Governors, shall submit reports  
19 to the Committees on Appropriations detailing planned  
20 uses of funds appropriated in this chapter, except for  
21 funds appropriated under the headings “International  
22 Disaster Assistance” and “Migration and Refugee Assis-  
23 tance”.

24       (b) OBLIGATION REPORTS.—The Secretary of State,  
25 in consultation with the Administrator of the United

1 States Agency for International Development, and the  
2 Broadcasting Board of Governors, shall submit reports to  
3 the Committees on Appropriations not later than 90 days  
4 after enactment of this Act, and every 180 days thereafter  
5 until September 30, 2012, on obligations, expenditures,  
6 and program outputs and outcomes.

7 (c) NOTIFICATION.—Funds made available in this  
8 chapter shall be subject to the regular notification proce-  
9 dures of the Committees on Appropriations and section  
10 634A of the Foreign Assistance Act of 1961, except for  
11 funds appropriated under the headings “International  
12 Disaster Assistance” and “Migration and Refugee Assist-  
13 ance”.

14 AFGHANISTAN

15 SEC. 1004. (a) The terms and conditions of sections  
16 1102(a), (b)(1), (c), and (d) of Public Law 111–32 shall  
17 apply to funds appropriated in this chapter that are avail-  
18 able for assistance for Afghanistan.

19 (b) Funds appropriated in this chapter and in prior  
20 Acts making appropriations for the Department of State,  
21 foreign operations, and related programs under the head-  
22 ings “Economic Support Fund” and “International Nar-  
23 cotics Control and Law Enforcement” that are available  
24 for assistance for Afghanistan may be obligated only if the  
25 Secretary of State reports to the Committees on Appro-

1 priations that prior to the disbursement of funds, rep-  
2 resentatives of the Afghan national, provincial or local  
3 government, local communities and civil society organiza-  
4 tions, as appropriate, will be consulted and participate in  
5 the design of programs, projects, and activities, and fol-  
6 lowing such disbursement will participate in implementa-  
7 tion and oversight, and progress will be measured against  
8 specific benchmarks.

9 (c)(1) Funds appropriated in this chapter may be  
10 made available for assistance for the Government of Af-  
11 ghanistan only if the Secretary of State determines and  
12 reports to the Committees on Appropriations that the Gov-  
13 ernment of Afghanistan is—

14 (A) cooperating with United States reconstruc-  
15 tion and reform efforts;

16 (B) demonstrating a commitment to account-  
17 ability by removing corrupt officials, implementing  
18 fiscal transparency and other necessary reforms of  
19 government institutions, and facilitating active pub-  
20 lic engagement in governance and oversight of public  
21 resources; and

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

24 (2) If at any time after making the determination re-  
25 quired in paragraph (1) the Secretary receives credible in-

1 formation that the factual basis for such determination  
2 no longer exists, the Secretary should suspend assistance  
3 and promptly inform the relevant Afghan authorities that  
4 such assistance is suspended until sufficient factual basis  
5 exists to support the determination.

6 (d) Funds appropriated in this chapter and in prior  
7 Acts that are available for assistance for Afghanistan may  
8 be made available to support reconciliation with, or re-  
9 integration of, former combatants only if the Secretary of  
10 State determines and reports to the Committees on Appro-  
11 priations that—

12 (1) Afghan women are participating at national,  
13 provincial and local levels of government in the de-  
14 sign, policy formulation and implementation of the  
15 reconciliation or reintegration process, and women’s  
16 internationally recognized human rights are pro-  
17 tected in such process; and

18 (2) such funds will not be used to support any  
19 pardon, immunity from prosecution or amnesty, or  
20 any position in the Government of Afghanistan or  
21 security forces, for any leader of an armed group re-  
22 sponsible for crimes against humanity, war crimes,  
23 or other violations of internationally recognized  
24 human rights.

1 (e) Funds appropriated in this chapter that are avail-  
2 able for assistance for Afghanistan may be made available  
3 to support the work of the Independent Electoral Commis-  
4 sion and the Electoral Complaints Commission in Afghani-  
5 stan only if the Secretary of State determines and reports  
6 to the Committees on Appropriations that—

7 (1) the Independent Electoral Commission has  
8 no members or other employees who participated in,  
9 or helped to cover up, acts of fraud in the 2009 elec-  
10 tions for president in Afghanistan, and the Electoral  
11 Complaints Commission is a genuinely independent  
12 body with all the authorities that were invested in it  
13 under Afghanistan law as of December 31, 2009,  
14 and with no members appointed by the President of  
15 Afghanistan; and

16 (2) the central Government of Afghanistan has  
17 taken steps to ensure that women are able to exer-  
18 cise their rights to political participation, whether as  
19 candidates or voters.

20 (f)(1) Not more than 45 days after enactment of this  
21 Act, the Secretary of State, in consultation with the Ad-  
22 ministrator of the United States Agency for International  
23 Development, shall submit to the Committees on Appro-  
24 priations a strategy to address the needs and protect the  
25 rights of Afghan women and girls, including planned ex-

1 penditures of funds appropriated in this chapter, and de-  
2 tailed plans for implementing and monitoring such strat-  
3 egy.

4 (2) Such strategy shall be coordinated with and sup-  
5 port the goals and objectives of the National Action Plan  
6 for Women of Afghanistan and the Afghan National De-  
7 velopment Strategy and shall include a defined scope and  
8 methodology to measure the impact of such assistance.

9 (g)(1) Notwithstanding section 303 of the Federal  
10 Property and Administrative Services Act of 1949 (41  
11 U.S.C. 253) and requirements for awarding task orders  
12 under task and delivery order contracts under section  
13 303J of such Act (41 U.S.C. 253j), the Secretary of State  
14 may award task orders for police training in Afghanistan  
15 under current Department of State contracts for police  
16 training.

17 (2) Any task order awarded under paragraph (1)  
18 shall be for a limited term and shall remain in perform-  
19 ance only until a successor contract or contracts awarded  
20 by the Department of Defense using full and open com-  
21 petition have entered into full performance after comple-  
22 tion of any start-up or transition periods.

23 PAKISTAN

24 SEC. 1005. (a) Funds appropriated in this chapter  
25 and in prior Acts making appropriations for the Depart-



1 ment of State, foreign operations, and related programs  
2 under the headings “Foreign Military Financing Pro-  
3 gram” and “Pakistan Counterinsurgency Capability  
4 Fund” shall be made available—

5 (1) in a manner that promotes unimpeded ac-  
6 cess by humanitarian organizations to detainees, in-  
7 ternally displaced persons, and other Pakistani civil-  
8 ians adversely affected by the conflict; and

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

16 (b)(1) Of the funds appropriated in this chapter  
17 under the heading “Economic Support Fund” for assist-  
18 ance for Pakistan, \$5,000,000 shall be made available  
19 through the Bureau of Democracy, Human Rights and  
20 Labor, Department of State, for human rights programs  
21 in Pakistan, including training of government officials and  
22 security forces, and assistance for human rights organiza-  
23 tions.

24 (2) Not later than 90 days after enactment of this  
25 Act and prior to the obligation of funds under this sub-

1 section, the Secretary of State shall submit to the Commit-  
2 tees on Appropriations a human rights strategy in Paki-  
3 stan including the proposed uses of funds.

4 (c) Of the funds appropriated in this chapter under  
5 the heading “Economic Support Fund” for assistance for  
6 Pakistan, up to \$1,500,000 should be made available to  
7 the Department of State and the United States Agency  
8 for International Development for the lease of aircraft to  
9 implement programs and conduct oversight in north-  
10 western Pakistan, which shall be coordinated under the  
11 authority of the United States Chief of Mission in Paki-  
12 stan.

13 IRAQ

14 SEC. 1006. (a) The uses of aircraft in Iraq purchased  
15 or leased with funds made available under the headings  
16 “International Narcotics Control and Law Enforcement”  
17 and “Diplomatic and Consular Affairs” in this chapter  
18 and in prior Acts making appropriations for the Depart-  
19 ment of State, foreign operations, and related programs  
20 shall be coordinated under the authority of the United  
21 States Chief of Mission in Iraq.

22 (b) The terms and conditions of section 1106(b) of  
23 Public Law 111–32 shall apply to funds made available  
24 in this chapter for assistance for Iraq under the heading  
25 “International Narcotics Control and Law Enforcement”.

1 (c) Of the funds appropriated in this chapter and in  
2 prior acts making appropriations for the Department of  
3 State, foreign operations, and related programs under the  
4 headings “Diplomatic and Consular Programs” and “Em-  
5 bassy Security, Construction, and Maintenance” for Af-  
6 ghanistan, Pakistan and Iraq, up to \$300,000,000 may,  
7 after consultation with the Committees on Appropriations,  
8 be transferred between, and merged with, such appropria-  
9 tions for activities related to security for civilian led oper-  
10 ations in such countries.

11 HAITI

12 SEC. 1007. (a) Funds appropriated in this chapter  
13 and in prior Acts making appropriations for the Depart-  
14 ment of State, foreign operations, and related programs  
15 under the headings “Economic Support Fund” and  
16 “International Narcotics Control and Law Enforcement”  
17 that are available for assistance for Haiti may be obligated  
18 only if the Secretary of State reports to the Committees  
19 on Appropriations that prior to the disbursement of funds,  
20 representatives of the Haitian national, provincial or local  
21 government, local communities and civil society organiza-  
22 tions, as appropriate, will be consulted and participate in  
23 the design of programs, projects, and activities, and fol-  
24 lowing such disbursement will participate in implementa-

1 tion and oversight, and progress will be measured against  
2 specific benchmarks.

3 (b)(1) Funds appropriated in this chapter under the  
4 headings “Economic Support Fund” and “International  
5 Narcotics Control and Law Enforcement” may be made  
6 available for assistance for the Government of Haiti only  
7 if the Secretary of State determines and reports to the  
8 Committees on Appropriations that the Government of  
9 Haiti is—

10 (A) cooperating with United States reconstruc-  
11 tion and reform efforts; and

12 (B) demonstrating a commitment to account-  
13 ability by removing corrupt officials, implementing  
14 fiscal transparency and other necessary reforms of  
15 government institutions, and facilitating active pub-  
16 lic engagement in governance and oversight of public  
17 resources.

18 (2) If at any time after making the determination re-  
19 quired in paragraph (1) the Secretary receives credible in-  
20 formation that the factual basis for making such deter-  
21 mination no longer exists, the Secretary should suspend  
22 assistance and promptly inform the relevant Haitian au-  
23 thorities that such assistance is suspended until sufficient  
24 factual basis exists to support the determination.

1           (c)(1) Funds appropriated in this chapter for bilat-  
2 eral assistance for Haiti may be provided as direct budget  
3 support to the central Government of Haiti only if the Sec-  
4 retary of State reports to the Committees on Appropria-  
5 tions that the Government of the United States and the  
6 Government of Haiti have agreed, in writing, to clear and  
7 achievable goals and objectives for the use of such funds,  
8 and have established mechanisms within each imple-  
9 menting agency to ensure that such funds are used for  
10 the purposes for which they were intended.

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

15           (3) Any such direct budget support shall be subject  
16 to prior consultation with the Committees on Appropria-  
17 tions.

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

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

5 HAITI DEBT RELIEF

6 SEC. 1008. (a) For an additional amount for “Con-  
7 tribution to the Inter-American Development Bank”,  
8 “Contribution to the International Development Associa-  
9 tion”, and “Contribution to the International Fund for  
10 Agricultural Development”, to cancel Haiti’s existing  
11 debts and repayments on disbursements from loans com-  
12 mitted prior to January 12, 2010, and for the United  
13 States share of an increase in the resources of the Fund  
14 for Special Operations of the Inter-American Development  
15 Bank, to the extent separately authorized in this chapter,  
16 in furtherance of providing debt relief for Haiti in view  
17 of the Cancun Declaration of March 21, 2010, a total of  
18 \$212,000,000, to remain available until September 30,  
19 2012.

20 (b) Up to \$40,000,000 of the amounts appropriated  
21 under the heading “Department of the Treasury, Debt Re-  
22 structuring” in prior Acts making appropriations for the  
23 Department of State, foreign operations, and related pro-  
24 grams may be used to cancel Haiti’s existing debts and  
25 repayments on disbursements from loans committed prior

1 to January 12, 2010, to the Inter-American Development  
2 Bank, the International Development Association, and the  
3 International Fund for Agricultural Development, and for  
4 the United States share of an increase in the resources  
5 of the Fund for Special Operations of the Inter-American  
6 Development Bank in furtherance of providing debt relief  
7 to Haiti in view of the Cancun Declaration of March 21,  
8 2010.

9 HAITI DEBT RELIEF AUTHORITY

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

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

18 “(a) VOTE AUTHORIZED.—In accordance with sec-  
19 tion 5 of this Act, the United States Governor of the Bank  
20 is authorized to vote in favor of a resolution to increase  
21 the resources of the Fund for Special Operations up to  
22 \$479,000,000, in furtherance of providing debt relief for  
23 Haiti in view of the Cancun Declaration of March 21,  
24 2010, which provides that:

1           “(1) Haiti’s debts to the Fund for Special Op-  
2           erations are to be cancelled;

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

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

9           “(4) the Fund for Special Operations is to  
10          make available significant and immediate grant fi-  
11          nancing to Haiti as well as appropriate resources to  
12          other countries remaining as borrowers within the  
13          Fund for Special Operations, consistent with para-  
14          graph 6 of the Cancun Declaration of March 21,  
15          2010.

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

22                 “(1) up to \$240,000,000 to the Fund for Spe-  
23                 cial Operations;

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



1 “(3) up to \$4,000,000 for the International De-  
2 velopment Association (IDA).

3 “(c) AUTHORIZATION OF APPROPRIATIONS.—To pay  
4 for the contribution authorized under subsection (b), there  
5 are authorized to be appropriated, without fiscal year limi-  
6 tation, for payment by the Secretary of the Treasury  
7 \$212,000,000, for the United States contribution to the  
8 Fund for Special Operations.”.

9 MEXICO

10 SEC. 1010. (a) For purposes of funds appropriated  
11 in this chapter and in prior Acts making appropriations  
12 for the Department of State, foreign operations, and re-  
13 lated programs under the heading “International Nar-  
14 cotics Control and Law Enforcement” that are made avail-  
15 able for assistance for Mexico, the provisions of para-  
16 graphs (1) through (3) of section 7045(e) of the Depart-  
17 ment of State, Foreign Operations, and Related Programs  
18 Appropriations Act, 2009 (division H of Public Law 111-  
19 8) shall apply and the report required in paragraph (1)  
20 shall be based on a determination by the Secretary of  
21 State of compliance with each of the requirements in para-  
22 graph (1)(A) through (D).

23 (b) Funds appropriated in this chapter under the  
24 heading “International Narcotics Control and Law En-  
25 forcement” that are available for assistance for Mexico

1 may be made available only after the Secretary of State  
2 submits a report to the Committees on Appropriations de-  
3 tailing a coordinated, multi-year, interagency strategy to  
4 address the causes of drug-related violence and other orga-  
5 nized criminal activity in Central and South America,  
6 Mexico, and the Caribbean, which shall describe—

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

13          (2) the integration of diplomatic, administration  
14          of justice, law enforcement, civil society, economic  
15          development, demand reduction, and other assist-  
16          ance to achieve such objectives;

17          (3) progress in phasing out law enforcement ac-  
18          tivities of the militaries of each recipient country, as  
19          applicable; and

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

23          (c) Of the funds appropriated in this chapter under  
24          the heading “Diplomatic and Consular Programs”, up to  
25          \$5,000,000 may be made available for armored vehicles

1 and other emergency diplomatic security support for  
2 United States Government personnel in Mexico.

3 EL SALVADOR

4 SEC. 1011. Of the funds appropriated in this chapter  
5 under the heading “Economic Support Fund”,  
6 \$25,000,000 shall be made available for necessary ex-  
7 penses for emergency relief and reconstruction assistance  
8 for El Salvador related to Hurricane/Tropical Storm Ida.

9 DEMOCRATIC REPUBLIC OF THE CONGO

10 SEC. 1012. Of the funds appropriated in this chapter  
11 under the heading “Economic Support Fund”,  
12 \$15,000,000 shall be made available for necessary ex-  
13 penses for emergency security and humanitarian assist-  
14 ance for civilians, particularly women and girls, in the  
15 eastern region of the Democratic Republic of the Congo.

16 INTERNATIONAL SCIENTIFIC COOPERATION

17 SEC. 1013. Funds appropriated in prior Acts making  
18 appropriations for the Department of State, foreign oper-  
19 ations, and related programs that are made available for  
20 science and technology centers in the former Soviet Union  
21 may be used to support productive, non-military projects  
22 that engage scientists and engineers who have no weapons  
23 background, but whose competence could otherwise be ap-  
24 plied to weapons development, provided such projects are  
25 executed through existing science and technology centers

1 and notwithstanding sections 503 and 504 of the FREE-  
2 DOM Support Act (Public Law 102–511), and following  
3 consultation with the Committees on Appropriations, the  
4 Committee on Foreign Relations of the Senate and the  
5 Committee on Foreign Affairs of the House of Representa-  
6 tives.

7 INTERNATIONAL RENEWABLE ENERGY AGENCY

8 SEC. 1014. For fiscal year 2011 and thereafter, the  
9 President is authorized to accept the statute of, and to  
10 maintain membership of the United States in, the Inter-  
11 national Renewable Energy Agency, and the United  
12 States' assessed contributions to maintain such member-  
13 ship may be paid from funds appropriated for "Contribu-  
14 tions to International Organizations".

15 OFFICE OF INSPECTOR GENERAL PERSONNEL

16 SEC. 1015. (a) Funds appropriated in this chapter  
17 for the United States Agency for International Develop-  
18 ment Office of Inspector General (OIG) may be made  
19 available to contract with United States citizens for per-  
20 sonal services when the Inspector General determines that  
21 the personnel resources of the OIG are otherwise insuffi-  
22 cient.

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

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

3 (2) Contracts under this paragraph shall not  
4 exceed a term of 2 years unless the Inspector Gen-  
5 eral determines that exceptional circumstances jus-  
6 tify an extension of up to 1 additional year, and con-  
7 tractors under this paragraph shall not be consid-  
8 ered employees of the Federal Government for pur-  
9 poses of title 5, United States Code, or members of  
10 the Foreign Service for purposes of title 22, United  
11 States Code.

12 (b)(1) The Inspector General may waive subsections  
13 (a) through (d) of section 8344, and subsections (a)  
14 through (e) of section 8468 of title 5, United States Code,  
15 and subsections (a) through (d) of section 4064 of title  
16 22, United States Code, on behalf of any re-employed an-  
17 nuitant serving in a position within the OIG to facilitate  
18 the assignment of persons to positions in Iraq, Pakistan,  
19 Afghanistan, and Haiti or to positions vacated by mem-  
20 bers of the Foreign Service assigned to those countries.

21 (2) The authority provided in paragraph (1) shall be  
22 exercised on a case-by-case basis for positions for which  
23 there is difficulty recruiting or retaining a qualified em-  
24 ployee or to address a temporary emergency hiring need,  
25 individuals employed by the OIG under this paragraph

1 shall not be considered employees for purposes of sub-  
2 chapter III of chapter 83 of title 5, United States Code,  
3 or chapter 84 of such title, and the authorities of the In-  
4 spector General under this paragraph shall terminate on  
5 October 1, 2012.

6                   AUTHORITY TO REPROGRAM FUNDS

7           SEC. 1016. Of the funds appropriated by this chapter  
8 for assistance for Afghanistan, Iraq and Pakistan, up to  
9 \$100,000,000 may be made available pursuant to the au-  
10 thority of section 451 of the Foreign Assistance Act of  
11 1961, as amended, for assistance in the Middle East and  
12 South Asia regions if the President finds, in addition to  
13 the requirements of section 451 and certifies and reports  
14 to the Committees on Appropriations, that exercising the  
15 authority of this section is necessary to protect the na-  
16 tional security interests of the United States: *Provided*,  
17 That the Secretary of State shall consult with the Com-  
18 mittees on Appropriations prior to the reprogramming of  
19 such funds, which shall be subject to the regular notifica-  
20 tion procedures of the Committees on Appropriations: *Pro-*  
21 *vided further*, That the funding limitation otherwise appli-  
22 cable to section 451 of the Foreign Assistance Act of 1961  
23 shall not apply to this section: *Provided further*, That the  
24 authority of this section shall expire upon enactment of

1 the Department of State, Foreign Operations, and Related  
2 Programs Appropriations Act, 2011.

3 SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN  
4 RECONSTRUCTION  
5 (INCLUDING RESCISSION)

6 SEC. 1017. (a) Of the funds appropriated under the  
7 heading “Department of State, Administration of Foreign  
8 Affairs, Office of Inspector General” and authorized to be  
9 transferred to the Special Inspector General for Afghani-  
10 stan Reconstruction in title XI of Public Law 111–32,  
11 \$7,200,000 are rescinded.

12 (b) For an additional amount for “Department of  
13 State, Administration of Foreign Affairs, Office of Inspec-  
14 tor General” which shall be available for the Special In-  
15 spector General for Afghanistan Reconstruction for recon-  
16 struction oversight in Afghanistan, \$7,200,000, and shall  
17 remain available until September 30, 2011.

18 CHAPTER 11  
19 DEPARTMENT OF TRANSPORTATION  
20 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION  
21 HIGHWAY TRAFFIC SAFETY GRANTS  
22 (HIGHWAY TRUST FUND)  
23 (INCLUDING RESCISSION)

24 Of the amounts provided for Safety Belt Performance  
25 Grants in Public Law 111–117, \$15,000,000 shall be

1 available to pay for expenses necessary to discharge the  
2 functions of the Secretary, with respect to traffic and  
3 highway safety under subtitle C of title X of Public Law  
4 109–59 and chapter 301 and part C of subtitle VI of title  
5 49, United States Code, and for the planning or execution  
6 of programs authorized under section 403 of title 23,  
7 United States Code: *Provided*, That such funds shall be  
8 available until September 30, 2011, and shall be in addi-  
9 tion to the amount of any limitation imposed on obliga-  
10 tions in fiscal year 2011.

11         Of the amounts made available for Safety Belt Per-  
12 formance Grants under section 406 of title 23, United  
13 States Code, \$25,000,000 in unobligated balances are per-  
14 manently rescinded: *Provided*, That section 3002 shall not  
15 apply to the amounts under this heading.

16 CONSUMER ASSISTANCE TO RECYCLE AND SAVE PROGRAM  
17 (RESCISSION)

18         Of the amounts made available for the Consumer As-  
19 sistance to Recycle and Save Program, \$44,000,000 in un-  
20 obligated balances are rescinded.



1 DEPARTMENT OF HOUSING AND URBAN  
2 DEVELOPMENT  
3 COMMUNITY PLANNING AND DEVELOPMENT  
4 COMMUNITY DEVELOPMENT FUND

5 For an additional amount for the “Community Devel-  
6 opment Fund”, for necessary expenses related to disaster  
7 relief, long-term recovery, and restoration of infrastruc-  
8 ture, housing, and economic revitalization in areas af-  
9 fected by severe storms and flooding from March 2010  
10 through May 2010 for which the President declared a  
11 major disaster covering an entire State or States with  
12 more than 20 counties declared major disasters under title  
13 IV of the Robert T. Stafford Disaster Relief and Emer-  
14 gency Assistance Act of 1974, \$100,000,000, to remain  
15 available until expended, for activities authorized under  
16 title I of the Housing and Community Development Act  
17 of 1974 (Public Law 93–383): *Provided*, That funds shall  
18 be awarded directly to the State or unit of general local  
19 government at the discretion of the Secretary: *Provided*  
20 *further*, That prior to the obligation of funds a grantee  
21 shall submit a plan to the Secretary detailing the proposed  
22 use of all funds, including criteria for eligibility and how  
23 the use of these funds will address long-term recovery and  
24 restoration of infrastructure: *Provided further*, That funds  
25 provided under this heading may be used by a State or

1 locality as a matching requirement, share, or contribution  
2 for any other Federal program: *Provided further*, That  
3 such funds may not be used for activities reimbursable by,  
4 or for which funds are made available by, the Federal  
5 Emergency Management Agency or the Army Corps of  
6 Engineers: *Provided further*, That funds allocated under  
7 this heading shall not adversely affect the amount of any  
8 formula assistance received by a State or subdivision  
9 thereof under the Community Development Fund: *Pro-*  
10 *vided further*, That a State or subdivision thereof may use  
11 up to 5 percent of its allocation for administrative costs:  
12 *Provided further*, That in administering the funds under  
13 this heading, the Secretary of Housing and Urban Devel-  
14 opment may waive, or specify alternative requirements for,  
15 any provision of any statute or regulation that the Sec-  
16 retary administers in connection with the obligation by the  
17 Secretary or the use by the recipient of these funds or  
18 guarantees (except for requirements related to fair hous-  
19 ing, nondiscrimination, labor standards, and the environ-  
20 ment), upon a request by a State or subdivision thereof  
21 explaining why such waiver is required to facilitate the use  
22 of such funds or guarantees, if the Secretary finds that  
23 such waiver would not be inconsistent with the overall pur-  
24 pose of title I of the Housing and Community Develop-  
25 ment Act of 1974: *Provided further*, That the Secretary

1 shall publish in the Federal Register any waiver of any  
2 statute or regulation that the Secretary administers pur-  
3 suant to title I of the Housing and Community Develop-  
4 ment Act of 1974 no later than 5 days before the effective  
5 date of such waiver: *Provided further*, That the Secretary  
6 shall obligate to a State or subdivision thereof not less  
7 than 50 percent of the funding provided under this head-  
8 ing within 90 days after the enactment of this Act.

## 9 TITLE II

### 10 DEPARTMENT OF COMMERCE

#### 11 ECONOMIC DEVELOPMENT ADMINISTRATION

#### 12 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

13 For an additional amount, in addition to amounts  
14 provided elsewhere in this Act, for “Economic Develop-  
15 ment Assistance Programs”, to carry out planning, tech-  
16 nical assistance and other assistance under section 209,  
17 and consistent with section 703(b), of the Public Works  
18 and Economic Development Act (42 U.S.C. 3149, 3233),  
19 in States affected by the incidents related to the discharge  
20 of oil that began in 2010 in connection with the explosion  
21 on, and sinking of, the mobile offshore drilling unit Deep-  
22 water Horizon, \$5,000,000, to remain available until ex-  
23 pended.

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

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

20 For an additional amount, in addition to amounts  
21 provided elsewhere in this Act, for “Operations, Research,  
22 and Facilities”, for activities undertaken including sci-  
23 entific investigations and sampling as a result of the inci-  
24 dents related to the discharge of oil and the use of oil  
25 dispersants that began in 2010 in connection with the ex-

1 plosion on, and sinking of, the mobile offshore drilling unit  
2 Deepwater Horizon, \$7,000,000, to remain available until  
3 expended. These activities may be funded through the pro-  
4 vision of grants to universities, colleges and other research  
5 partners through extramural research funding.

6 DEPARTMENT OF HEALTH AND HUMAN  
7 SERVICES

8 FOOD AND DRUG ADMINISTRATION

9 SALARIES AND EXPENSES

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

18 DEPARTMENT OF THE INTERIOR

19 DEPARTMENTAL OFFICES

20 OFFICE OF THE SECRETARY

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFER OF FUNDS)

23 For an additional amount for the “Office of the Sec-  
24 retary, Salaries and Expenses” for increased inspections,  
25 enforcement, investigations, environmental and engineer-

1 ing studies, and other activities related to emergency off-  
 2 shore oil spill incidents in the Gulf of Mexico,  
 3 \$29,000,000, to remain available until expended: *Pro-*  
 4 *vided*, That such funds may be transferred by the Sec-  
 5 retary to any other account in the Department of the Inte-  
 6 rior to carry out the purposes provided herein.

7 DEPARTMENT OF JUSTICE

8 LEGAL ACTIVITIES

9 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

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

16 ENVIRONMENTAL PROTECTION AGENCY

17 SCIENCE AND TECHNOLOGY

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

1 study shall be performed at the direction of the Adminis-  
2 trator of the Environmental Protection Agency, in coordi-  
3 nation with the Secretary of Commerce and the Secretary  
4 of the Interior: *Provided further*, That the study may be  
5 funded through the provision of grants to universities and  
6 colleges through extramural research funding.

7           GENERAL PROVISION—THIS TITLE

8                           DEEPWATER HORIZON

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

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  
20 from the Oil Spill Liability Trust Fund as needed,  
21 up to a maximum of \$100,000,000 for each advance,  
22 the total amount of all advances not to exceed the  
23 amounts available under section 9509(c)(2) of the  
24 Internal Revenue Code of 1986 (26 U.S.C.  
25 9509(c)(2)), and within 7 days of each advance,

1 shall notify Congress of the amount advanced and  
2 the facts and circumstances necessitating the ad-  
3 vance; and (3) amounts”.

4 PROHIBITION ON FINES AND LIABILITY

5 SEC. 2002. None of the funds made available by this  
6 Act shall be used to levy against any person any fine, or  
7 to hold any person liable for construction or renovation  
8 work performed by the person, in any State under the  
9 final rule entitled “Lead; Renovation, Repair, and Paint-  
10 ing Program; Lead Hazard Information Pamphlet; Notice  
11 of Availability; Final Rule” (73 Fed. Reg. 21692 (April  
12 22, 2008)), and the final rule entitled “Lead; Amendment  
13 to the Opt-out and Recordkeeping Provisions in the Ren-  
14 ovation, Repair, and Painting Program” signed by the Ad-  
15 ministrator on April 22, 2010.

16 RIGHT-OF-WAY

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

19 (1) not later than 30 days after the date of en-  
20 actment of this Act, amend Right-of-Way Grants  
21 No. NVN-49781/IDI-26446/NVN-85211/NVN-  
22 85210 of the Bureau of Land Management to shift  
23 the 200-foot right-of-way for the 500-kilovolt trans-  
24 mission line project to the alignment depicted on the  
25 maps entitled “Southwest Intertie Project” and  
26 dated December 10, 2009, and May 21, 2010, and



1 approve the construction, operation and maintenance  
2 plans of the project; and

3 (2) not later than 90 days after the date of en-  
4 actment of this Act, issue a notice to proceed with  
5 construction of the project in accordance with the  
6 amended grants and approved plans described in  
7 paragraph (1).

8 (b) Notwithstanding any other provision of law, the  
9 Secretary of Energy may provide or facilitate federal fi-  
10 nancing for the project described in subsection (a) under  
11 the American Recovery and Reinvestment Act of 2009  
12 (Public Law 111–5; 123 Stat. 115) or the Energy Policy  
13 Act of 2005 (42 U.S.C. 15801 et seq.), based on the com-  
14 prehensive reviews and consultations performed by the  
15 Secretary of the Interior.

16 FUNDING FOR ENVIRONMENTAL AND FISHERIES IMPACTS

17 SEC. 2004. (1) FISHERIES DISASTER RELIEF.—For  
18 an additional amount, in addition to other amounts pro-  
19 vided in this Act for the National Oceanic and Atmos-  
20 pheric Administration, \$15,000,000 to be available to pro-  
21 vide fisheries disaster relief under section 312 of the Mag-  
22 nuson-Stevens Fishery Conservation and Management Act  
23 (16 U.S.C. 1861a) related to a commercial fishery failure  
24 due to a fishery resource disaster in the Gulf of Mexico  
25 that resulted from the Deepwater Horizon oil discharge.

1           (2) EXPANDED STOCK ASSESSMENT OF FISH-  
2           ERIES.—For an additional amount, in addition to  
3           other amounts provided in this Act for the National  
4           Oceanic and Atmospheric Administration,  
5           \$10,000,000 to conduct an expanded stock assess-  
6           ment of the fisheries of the Gulf of Mexico. Such ex-  
7           panded stock assessment shall include an assessment  
8           of the commercial and recreational catch and biologi-  
9           cal sampling, observer programs, data management  
10          and processing activities, the conduct of assess-  
11          ments, and follow-up evaluations of such fisheries.

12          (3) ECOSYSTEM SERVICES IMPACTS STUDY.—  
13          For an additional amount, in addition to other  
14          amounts provided for the Department of Commerce,  
15          \$1,000,000 to be available for the National Academy  
16          of Sciences to conduct a study of the long-term eco-  
17          system service impacts of the Deepwater Horizon oil  
18          discharge. Such study shall assess long-term costs to  
19          the public of lost water filtration, hunting, and fish-  
20          ing (commercial and recreational), and other eco-  
21          system services associated with the Gulf of Mexico.

22          (4) IN GENERAL.—Of the amounts appro-  
23          priated or made available under division B, title I of  
24          Public Law 111–117 that remain unobligated as of  
25          the date of the enactment of this Act under Procure-

1           ment, Acquisition, and Construction for the National  
2           Oceanic       and       Atmospheric       Administration,  
3           \$26,000,000 of the amounts appropriated are hereby  
4           rescinded.

### 5    TITLE III

## 6                                    GENERAL PROVISIONS—THIS ACT

### 7    AVAILABILITY OF FUNDS

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

### 11    EMERGENCY DESIGNATION

12          SEC. 3002. Unless otherwise specified, each amount  
13          in this Act is designated as an emergency requirement and  
14          necessary to meet emergency needs pursuant to sections  
15          403(a) and 423(b) of S. Con. Res. 13 (111th Congress),  
16          the concurrent resolution on the budget for fiscal year  
17          2010.

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

23                            (1) 50 percent shall be used by the Secretary  
24          of the Treasury to make payments to States within

1 the boundaries of which the leased land and geo-  
2 thermal resources are located;

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

7 (3) 25 percent shall be deposited in miscella-  
8 neous receipts.

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

10 SEC. 3004. (a) Public Law 111–88, the Interior, En-  
11 vironment, and Related Agencies Appropriations Act,  
12 2010, is amended under the heading “Office of the Special  
13 Trustee for American Indians” by—

14 (1) striking “\$185,984,000” and inserting  
15 “\$176,984,000”; and

16 (2) striking “\$56,536,000” and inserting  
17 “\$47,536,000”.

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

20 SEC. 3005. Section 502(c) of the Chesapeake Bay  
21 Initiative Act of 1998 (16 U.S.C. 461 note; Public Law  
22 105–312) is amended by striking “2008” and inserting  
23 “2011”.

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

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

8           (2) notwithstanding section 430 of division E of  
9 Public Law 111–8 and section 444 of Public Law  
10 111–88, the Secretary of the Interior may utilize un-  
11 obligated balances for adjustments and changes  
12 within the original scope of projects funded through  
13 division A, title VII, of Public Law 111–5 and for  
14 associated administrative costs when no funds are  
15 otherwise available;

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

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

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

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

5       SEC. 3008. Of the amounts appropriated for the Ed-  
6 ward Byrne Memorial Justice Assistance Grant Program  
7 under subpart 1 of part E of title I of the Omnibus Crime  
8 Control and Safe Streets Act of 1968 (42 U.S.C. 3750  
9 et seq.) under the heading “STATE AND LOCAL LAW EN-  
10 FORCEMENT ASSISTANCE” under the heading “OFFICE OF  
11 JUSTICE PROGRAMS” under the heading “STATE AND  
12 LOCAL LAW ENFORCEMENT ACTIVITIES” under title II of  
13 the Omnibus Appropriations Act, 2009 (Public Law 111–  
14 8; 123 Stat. 579), at the discretion of the Attorney Gen-  
15 eral, the amounts to be made available to Genesee County,  
16 Michigan for assistance for individuals transitioning from  
17 prison in Genesee County, Michigan pursuant to the joint  
18 statement of managers accompanying that Act may be  
19 made available to My Brother’s Keeper of Genesee Coun-  
20 ty, Michigan to provide assistance for individuals  
21 transitioning from prison in Genesee County, Michigan.  
22       SEC. 3009. Section 159(b)(2)(C) of title I of division  
23 A of the Consolidated Appropriations Act, 2010 (49  
24 U.S.C. 24305 note) is amended by striking clauses (i) and  
25 (ii) and inserting the following:

1 “(i) requiring inspections of any con-  
2 tainer containing a firearm or ammunition;  
3 and

4 “(ii) the temporary suspension of fire-  
5 arm carriage service if credible intelligence  
6 information indicates a threat related to  
7 the national rail system or specific routes  
8 or trains.”.

9 PUBLIC AVAILABILITY OF CONTRACTOR INTEGRITY AND  
10 PERFORMANCE DATABASE

11 SEC. 3010. Section 872(e)(1) of the Clean Con-  
12 tracting Act of 2008 (subtitle G of title VIII of Public  
13 Law 110–417; 41 U.S.C. 417b(e)(1)) is amended by add-  
14 ing at the end the following: “In addition, the Adminis-  
15 trator shall post all such information, excluding past per-  
16 formance reviews, on a publicly available Internet  
17 website.”.

18 ASSESSMENTS ON GUANTANAMO BAY DETAINEES

19 SEC. 3011. (a) SUBMISSION OF INFORMATION RE-  
20 LATED TO DISPOSITION DECISIONS.—Not later than 45  
21 days after the date of the enactment of this Act, the Direc-  
22 tor of National Intelligence, in coordination with the par-  
23 ticipants of the interagency review of Guantanamo Bay  
24 detainees conducted pursuant to Executive Order 13492  
25 (10 U.S.C. 801 note), shall fully inform the congressional  
26 intelligence committees concerning the basis for the dis-

1 position decisions reached by the Guantanamo Review  
2 Task Force, and shall provide to the congressional intel-  
3 ligence committees—

4           (1) the written threat analyses prepared on  
5 each detainee by the Guantanamo Review Task  
6 Force established pursuant to Executive Order  
7 13492; and

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

11       (b) FUTURE SUBMISSIONS.—In addition to the anal-  
12 yses, assessments, and information required under sub-  
13 section (a) and not later than 10 days after the date that  
14 a threat assessment described in subsection (a) is dissemi-  
15 nated, the Director of National Intelligence shall provide  
16 to the congressional intelligence committees—

17           (1) any new threat assessment prepared by any  
18 element of the intelligence community of a Guanta-  
19 namo Bay detainee who remains in detention or is  
20 pending release or transfer; and

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

23       (c) CONGRESSIONAL INTELLIGENCE COMMITTEES  
24 DEFINED.—In this section, the term “congressional intel-  
25 ligence committees” has the meaning given that term in



1 section 3(7) of the National Security Act of 1947 (50  
2 U.S.C. 401a(7)).

3       SEC. 3012. Of the amounts appropriated for the Ed-  
4 ward Byrne Memorial Justice Assistance Grant Program  
5 under subpart 1 of part E of title I of the Omnibus Crime  
6 Control and Safe Streets Act of 1968 (42 U.S.C. 3750  
7 et seq.) under the heading “STATE AND LOCAL LAW EN-  
8 FORCEMENT ASSISTANCE” under the heading “OFFICE OF  
9 JUSTICE PROGRAMS” under the heading “STATE AND  
10 LOCAL LAW ENFORCEMENT ACTIVITIES” under title II of  
11 the Omnibus Appropriations Act, 2009 (Public Law 111–  
12 8; 123 Stat. 579), at the discretion of the Attorney Gen-  
13 eral, the amounts to be made available to the Marcus In-  
14 stitute, Atlanta, Georgia, to provide remediation for the  
15 potential consequences of childhood abuse and neglect,  
16 pursuant to the joint statement of managers accom-  
17 panying that Act, may be made available to the Georgia  
18 State University Center for Healthy Development, At-  
19 lanta, Georgia.

20                                   COASTAL IMPACT ASSISTANCE

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

24       “(e) EMERGENCY FUNDING.—

25                   “(1) IN GENERAL.—In response to a spill of na-  
26       tional significance under the Oil Pollution Act of

1 1990 (33 U.S.C. 2701 et seq.), at the request of a  
2 producing State or coastal political subdivision and  
3 notwithstanding the requirements of part 12 of title  
4 43, Code of Federal Regulations (or a successor reg-  
5 ulation), the Secretary may immediately disburse  
6 funds allocated under this section for 1 or more indi-  
7 vidual projects that are—

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

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

11 “(2) APPROVAL BY SECRETARY.—The Sec-  
12 retary may, in the sole discretion of the Secretary,  
13 approve, on a project by project basis, the immediate  
14 disbursal of the funds under paragraph (1).

15 “(3) STATE REQUIREMENTS.—

16 “(A) ADDITIONAL INFORMATION.—If the  
17 Secretary approves a project for funding under  
18 this subsection that is included in a plan pre-  
19 viously approved under subsection (c), not later  
20 than 90 days after the date of the funding ap-  
21 proval, the producing State or coastal political  
22 subdivision shall submit to the Secretary any  
23 additional information that the Secretary deter-  
24 mines to be necessary to ensure that the project  
25 is in compliance with subsection (d).

1           “(B) AMENDMENT TO PLAN.—If the Sec-  
2           retary approves a project for funding under this  
3           subsection that is not included in a plan pre-  
4           viously approved under subsection (c), not later  
5           than 90 days after the date of the funding ap-  
6           proval, the producing State or coastal political  
7           subdivision shall submit to the Secretary for ap-  
8           proval an amendment to the plan that includes  
9           any projects funded under paragraph (1), as  
10          well as any information about such projects  
11          that the Secretary determines to be necessary  
12          to ensure that the project is in compliance with  
13          subsection (d).

14          “(C) LIMITATION.—If a producing State  
15          or coastal political subdivision does not submit  
16          the additional information or amendments to  
17          the plan required by this paragraph, or if,  
18          based on the information submitted by the Sec-  
19          retary determines that the project is not in  
20          compliance with subsection (d), by the deadlines  
21          specified in this paragraph, the Secretary shall  
22          not disburse any additional funds to the pro-  
23          ducing State or the coastal political subdivisions  
24          until the date on which the additional informa-

1           tion or amendment to the plan has been ap-  
2           proved by the Secretary.”.

3           This Act may be cited as the “Supplemental Appro-  
4           priations Act, 2010”.

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