

112TH CONGRESS
1ST SESSION

H. J. RES. 44

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2011

Received

JOINT RESOLUTION

Making further continuing appropriations for fiscal year
2011, and for other purposes.

- 1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the Continuing Appropriations Act, 2011 (Public
4 Law 111–242) is further amended—

1 (1) by striking the date specified in section
2 106(3) and inserting “March 18, 2011”; and

3 (2) by adding after section 166, as added by
4 the Continuing Appropriations Amendments, 2011
5 (section 1 of Public Law 111–322), the following
6 new sections:

7 “SEC. 167. The amounts described in paragraphs (1)
8 and (2) of section 114 of this Act are designated as being
9 for contingency operations directly related to the global
10 war on terrorism pursuant to section 3(c)(2) of H. Res.
11 5 (112th Congress) and as an emergency requirement pur-
12 suant to section 403(a) of S. Con. Res. 13 (111th Con-
13 gress), the concurrent resolution on the budget for fiscal
14 year 2010.

15 “SEC. 168. Any language specifying an earmark in
16 an appropriations Act for fiscal year 2010, or in a com-
17 mittee report or joint explanatory statement accom-
18 panying such an Act, shall have no legal effect with re-
19 spect to funds appropriated by this Act. For purposes of
20 this section, the term ‘earmark’ means a congressional
21 earmark or congressionally directed spending item, as de-
22 fined in clause 9(e) of rule XXI of the Rules of the House
23 of Representatives and paragraph 5(a) of rule XLIV of
24 the Standing Rules of the Senate.

1 “SEC. 169. The first and third paragraphs under the
2 heading ‘Rural Development Programs—Rural Utilities
3 Service—Distance Learning, Telemedicine, and
4 Broadband Program’ in Public Law 111–80 shall not
5 apply to funds appropriated by this Act.

6 “SEC. 170. Notwithstanding section 101, amounts
7 are provided for ‘Corps of Engineers-Civil—Investiga-
8 tions’ at a rate for operations of \$104,000,000.

9 “SEC. 171. Notwithstanding section 101, amounts
10 are provided for ‘Corps of Engineers-Civil—Construction’
11 at a rate for operations of \$1,690,000,000: *Provided*, That
12 all of the provisos under such heading in Public Law 111–
13 85 shall not apply to funds appropriated by this Act.

14 “SEC. 172. Notwithstanding section 101, amounts
15 are provided for ‘Corps of Engineers-Civil—Mississippi
16 River and Tributaries’ at a rate for operations of
17 \$260,000,000: *Provided*, That the proviso under such
18 heading in Public Law 111–85 shall not apply to funds
19 appropriated by this Act.

20 “SEC. 173. Notwithstanding section 101, amounts
21 are provided for ‘Corps of Engineers-Civil—Operation and
22 Maintenance’ at a rate for operations of \$2,361,000,000.

23 “SEC. 174. Notwithstanding section 101, amounts
24 are provided for ‘Department of the Interior—Bureau of
25 Reclamation—Water and Related Resources’ at a rate for

1 operations of \$913,580,000: *Provided*, That the fifth pro-
2 viso (regarding the San Gabriel Basin Restoration Fund)
3 and seventh proviso (regarding the Milk River Project)
4 under such heading in Public Law 111–85 shall not apply
5 to funds appropriated by this Act.

6 “SEC. 175. Notwithstanding section 101, amounts
7 are provided for ‘Department of Energy—Energy Pro-
8 grams—Energy Efficiency and Renewable Energy’ at a
9 rate for operations of \$1,950,370,000: *Provided*, That all
10 of the provisos under such heading in Public Law 111–
11 85 shall not apply to funds appropriated by this Act.

12 “SEC. 176. Notwithstanding section 101, amounts
13 are provided for ‘Department of Energy—Energy Pro-
14 grams—Electricity Delivery and Energy Reliability’ at a
15 rate for operations of \$158,910,000: *Provided*, That all
16 of the provisos under such heading in Public Law 111–
17 85 shall not apply to funds appropriated by this Act.

18 “SEC. 177. Notwithstanding section 101, amounts
19 are provided for ‘Department of Energy—Energy Pro-
20 grams—Nuclear Energy’ at a rate for operations of
21 \$784,140,000: *Provided*, That the proviso under such
22 heading in Public Law 111–85 shall not apply to funds
23 appropriated by this Act.

24 “SEC. 178. Notwithstanding section 101, amounts
25 are provided for ‘Department of Energy—Energy Pro-

1 grams—Fossil Energy Research and Development’ at a
2 rate for operations of \$635,530,000: *Provided*, That the
3 second proviso under such heading in Public Law 111–
4 85 shall not apply to funds appropriated by this Act.

5 “SEC. 179. Notwithstanding section 101, amounts
6 are provided for ‘Department of Energy—Energy Pro-
7 grams—Science’ at a rate for operations of
8 \$4,826,820,000: *Provided*, That all of the provisos under
9 such heading in Public Law 111–85 shall not apply to
10 funds appropriated by this Act.

11 “SEC. 180. The last proviso under the heading ‘De-
12 partment of Energy—Atomic Energy Defense Activities—
13 National Nuclear Security Administration—Weapons Ac-
14 tivities’ in Public Law 111–85 shall not apply to funds
15 appropriated by this Act.

16 “SEC. 181. Notwithstanding section 101, amounts
17 are provided for ‘Department of Energy—Atomic Energy
18 Defense Activities—National Nuclear Security Adminis-
19 tration—Defense Nuclear Nonproliferation’ at a rate for
20 operations of \$2,136,460,000: *Provided*, That the proviso
21 under such heading in Public Law 111–85 shall not apply
22 to funds appropriated by this Act.

23 “SEC. 182. Notwithstanding section 101, amounts
24 are provided for ‘Department of Energy—Atomic Energy
25 Defense Activities—National Nuclear Security Adminis-

1 tration—Office of the Administrator’ at a rate for oper-
2 ations of \$407,750,000: *Provided*, That the last proviso
3 under such heading in Public Law 111–85 shall not apply
4 to funds appropriated by this Act.

5 “SEC. 183. Notwithstanding section 101, amounts
6 are provided for ‘Department of Energy—Environmental
7 and Other Defense Activities—Defense Environmental
8 Cleanup’ at a rate for operations of \$5,209,031,000, of
9 which \$33,700,000 shall be transferred to the ‘Uranium
10 Enrichment Decontamination and Decommissioning
11 Fund’: *Provided*, That the proviso under such heading in
12 Public Law 111–85 shall not apply to funds appropriated
13 by this Act.

14 “SEC. 184. Notwithstanding section 101, amounts
15 are provided for ‘Department of Energy—Environmental
16 and Other Defense Activities—Other Defense Activities’
17 at a rate for operations of \$844,470,000: *Provided*, That
18 the proviso under such heading in Public Law 111–85
19 shall not apply to funds appropriated by this Act.

20 “SEC. 185. Notwithstanding section 101, amounts
21 are provided for ‘Independent Agencies—Election Assist-
22 ance Commission—Election Reform Programs’ at a rate
23 for operations of \$0.

24 “SEC. 186. Notwithstanding section 101, amounts
25 are provided for ‘Department of Homeland Security—Of-

1 fice of the Under Secretary for Management’ at a rate
 2 for operations of \$253,190,000.

3 “SEC. 187. Notwithstanding section 101, amounts
 4 are provided for ‘Department of Homeland Security—
 5 U.S. Customs and Border Protection—Salaries and Ex-
 6 penses’ at a rate for operations of \$8,063,913,000.

7 “SEC. 188. Notwithstanding section 101, amounts
 8 are provided for ‘Department of Homeland Security—
 9 U.S. Customs and Border Protection—Construction and
 10 Facilities Management’ at a rate for operations of
 11 \$276,370,000.

12 “SEC. 189. Notwithstanding section 101, amounts
 13 are provided for ‘Department of Homeland Security—
 14 Transportation Security Administration—Aviation Secu-
 15 rity’ at a rate for operations of \$5,212,790,000: *Provided*,
 16 That the amounts included under such heading in Public
 17 Law 111–83 shall be applied to funds appropriated by this
 18 Act as follows: by substituting ‘\$5,212,790,000’ for
 19 ‘\$5,214,040,000’; by substituting ‘\$4,356,826,000’ for
 20 ‘\$4,358,076,000’; by substituting ‘\$1,115,156,000’ for
 21 ‘\$1,116,406,000’; by substituting \$777,050,000 for
 22 \$778,300,000; and by substituting ‘\$3,112,790,000’ for
 23 ‘\$3,114,040,000’.

24 “SEC. 190. Notwithstanding section 101, amounts
 25 are provided for ‘Department of Homeland Security—

1 Coast Guard—Operating Expenses’ at a rate for oper-
2 ations of \$6,801,791,000: *Provided*, That section 157 of
3 this Act shall be applied by substituting ‘\$17,880,000’ for
4 ‘\$21,880,000’, and without regard to ‘and “Coast Guard,
5 Alteration of Bridges”’.

6 “SEC. 191. Notwithstanding section 101, amounts
7 are provided for ‘Department of Homeland Security—
8 Coast Guard—Acquisition, Construction, and Improve-
9 ments’ at a rate for operations of \$1,519,980,000.

10 “SEC. 192. Notwithstanding section 101, amounts
11 are provided for ‘Department of Homeland Security—
12 Coast Guard—Alteration of Bridges’ at a rate for oper-
13 ations of \$0.

14 “SEC. 193. Notwithstanding section 101, amounts
15 are provided for ‘Department of Homeland Security—Na-
16 tional Protection and Programs Directorate—Infrastruc-
17 ture Protection and Information Security’ at a rate for
18 operations of \$879,816,000.

19 “SEC. 194. Notwithstanding section 101, amounts
20 are provided for ‘Department of Homeland Security—Of-
21 fice of Health Affairs’ at a rate for operations of
22 \$134,250,000.

23 “SEC. 195. Notwithstanding section 101, amounts
24 are provided for ‘Department of Homeland Security—
25 Federal Emergency Management Agency—State and

1 Local Programs’ at a rate for operations of
 2 \$2,912,558,000: *Provided*, That the amounts included
 3 under such heading in Public Law 111–83 shall be applied
 4 to funds appropriated by this Act as follows: in paragraph
 5 (12), by substituting ‘\$12,554,000’ for ‘\$60,000,000’ and
 6 by substituting ‘\$0’ for each subsequent amount in such
 7 paragraph; in paragraph (13), by substituting
 8 ‘\$212,500,000’ for ‘\$267,200,000’; in paragraph (13)(A),
 9 by substituting ‘\$114,000,000’ for ‘\$164,500,000’; in
 10 paragraph (13)(B), by substituting ‘\$0’ for ‘\$1,700,000’;
 11 and in paragraph (13)(C), by substituting ‘\$0’ for
 12 ‘\$3,000,000’: *Provided further*, That 4.5 percent of the
 13 amount provided for ‘Federal Emergency Management
 14 Agency—State and Local Programs’ by this Act shall be
 15 transferred to ‘Federal Emergency Management Agency—
 16 Management and Administration’ for program administra-
 17 tion.

18 “SEC. 196. Notwithstanding section 101, amounts
 19 are provided for ‘Department of Homeland Security—
 20 Federal Emergency Management Agency—National
 21 Predisaster Mitigation Fund’ at a rate for operations of
 22 \$75,364,000.

23 “SEC. 197. Notwithstanding section 101, amounts
 24 are provided for ‘Department of Homeland Security—
 25 Science and Technology—Research, Development, Acqui-

1 sition, and Operations’ at a rate for operations of
2 \$821,906,000.

3 “SEC. 198. Sections 541 and 545 of Public Law 111–
4 83 (123 Stat. 2176) shall have no force or effect.

5 “SEC. 199. Notwithstanding section 101, amounts
6 are provided for ‘Smithsonian Institution—Legacy Fund’
7 at a rate for operations of \$0.

8 “SEC. 200. Notwithstanding section 101, amounts
9 are provided for ‘Department of Labor—Employment and
10 Training Administration—Training and Employment
11 Services’ at a rate for operations of \$3,779,641,000, of
12 which \$340,154,000 shall be for national activities de-
13 scribed in paragraph (3) under such heading in division
14 D of Public Law 111–117: *Provided*, That the amounts
15 included for national activities under such heading in divi-
16 sion D of Public Law 111–117 shall be applied to funds
17 appropriated by this Act as follows: by substituting
18 ‘\$44,561,000’ for ‘\$93,450,000’ and by substituting ‘\$0’
19 for ‘\$48,889,000’.

20 “SEC. 201. Notwithstanding section 101, amounts
21 are provided for ‘Department of Labor—Mine Safety and
22 Health Administration—Salaries and Expenses’ at a rate
23 for operations of \$355,843,000: *Provided*, That the
24 amounts included under such heading in division D of

1 Public Law 111–117 shall be applied to funds appro-
2 priated by this Act by substituting ‘\$0’ for ‘\$1,450,000’.

3 “SEC. 202. Notwithstanding section 101, amounts
4 are provided for ‘Department of Labor—Departmental
5 Management’ at a rate for operations of \$314,827,000:
6 *Provided*, That the amounts included under such heading
7 in division D of Public Law 111–117 shall be applied to
8 funds appropriated by this Act by substituting ‘\$0’ for
9 ‘\$40,000,000’.

10 “SEC. 203. Notwithstanding section 101, amounts
11 are provided for ‘Department of Health and Human Serv-
12 ices—Health Resources and Services Administration—
13 Health Resources and Services’ at a rate for operations
14 of \$7,076,520,000: *Provided*, That the eighteenth, nine-
15 teenth, and twenty-second provisos under such heading in
16 division D of Public Law 111–117 shall not apply to funds
17 appropriated by this Act.

18 “SEC. 204. Notwithstanding section 101, amounts
19 are provided for ‘Department of Health and Human Serv-
20 ices—Centers for Disease Control and Prevention—Dis-
21 ease Control, Research, and Training’ at a rate for oper-
22 ations of \$6,369,767,000: *Provided*, That the amount in-
23 cluded before the first proviso under such heading in divi-
24 sion D of Public Law 111–117 shall be applied to funds

1 appropriated by this Act by substituting ‘\$0’ for
2 ‘\$20,620,000’.

3 “SEC. 205. Notwithstanding section 101, amounts
4 are provided for ‘Department of Health and Human Serv-
5 ices—Substance Abuse and Mental Health Services Ad-
6 ministration—Substance Abuse and Mental Health Serv-
7 ices’ at a rate for operations of \$3,417,106,000: *Provided*,
8 That the amount included before the first proviso under
9 such heading in division D of Public Law 111–117 shall
10 be applied to funds appropriated by this Act by sub-
11 stituting ‘\$0’ for ‘\$14,518,000’.

12 “SEC. 206. Notwithstanding section 101, amounts
13 are transferred from the Federal Hospital Insurance
14 Trust Fund and the Federal Supplementary Medical In-
15 surance Trust Fund for ‘Department of Health and
16 Human Services—Centers for Medicare and Medicaid
17 Services—Program Management’ at a rate for operations
18 of \$3,467,142,000: *Provided*, That the sixth proviso under
19 such heading in division D of Public Law 111–117 shall
20 not apply to funds appropriated by this Act.

21 “SEC. 207. Notwithstanding section 101, amounts
22 are provided for ‘Department of Health and Human Serv-
23 ices—Administration for Children and Families—Pay-
24 ments to States for the Child Care and Development Block
25 Grant’ at a rate for operations of \$2,126,081,000: *Pro-*

1 *vided*, That the amount included in the first proviso under
2 such heading in division D of Public Law 111–117 shall
3 be applied to funds appropriated by this Act by sub-
4 stituting ‘\$0’ for ‘\$1,000,000’.

5 “SEC. 208. Notwithstanding section 101, amounts
6 are provided for ‘Department of Health and Human Serv-
7 ices—Administration for Children and Families—Children
8 and Families Services Programs’ at a rate for operations
9 of \$9,293,747,000: *Provided*, That the fifteenth proviso
10 under such heading in division D of Public Law 111–117
11 shall not apply to funds appropriated by this Act.

12 “SEC. 209. Notwithstanding section 101, amounts
13 are provided for ‘Department of Health and Human Serv-
14 ices—Administration on Aging, Aging Services Programs’
15 at a rate for operations of \$1,510,323,000: *Provided*, That
16 the first proviso under such heading in division D of Pub-
17 lic Law 111–117 shall not apply to funds appropriated
18 by this Act.

19 “SEC. 210. Notwithstanding section 101, amounts
20 are provided for ‘Department of Health and Human Serv-
21 ices—Office of the Secretary—General Departmental
22 Management’ at a rate for operations of \$491,727,000:
23 *Provided*, That the seventh proviso under such heading in
24 division D of Public Law 111–117 shall not apply to funds
25 appropriated by this Act.

1 “SEC. 211. Notwithstanding section 101, amounts
2 are provided for ‘Department of Education—Education
3 for the Disadvantaged’ at a rate for operations of
4 \$15,598,212,000, of which \$4,638,056,000 shall become
5 available on July 1, 2011, and remain available through
6 September 30, 2012: *Provided*, That the tenth, eleventh
7 and twelfth provisos under such heading in division D of
8 Public Law 111–117 shall not apply to funds appropriated
9 by this Act.

10 “SEC. 212. Notwithstanding section 101, amounts
11 are provided for ‘Department of Education—School Im-
12 provement Programs’ at a rate for operations of
13 \$5,223,444,000, of which \$3,358,993,000 shall become
14 available on July 1, 2011, and remain available through
15 September 30, 2012: *Provided*, That of such amounts, no
16 funds shall be available for activities authorized under
17 part Z of title VIII of the Higher Education Act of 1965:
18 *Provided further*, That the second, third, and thirteenth
19 provisos under such heading in division D of Public Law
20 111–117 shall not apply to funds appropriated by this Act.

21 “SEC. 213. Notwithstanding section 101, amounts
22 are provided for ‘Department of Education—Innovation
23 and Improvement’ at a rate for operations of
24 \$1,160,480,000, of which no funds shall be available for
25 activities authorized under subpart 5 of part A of title II,

1 section 1504 of the Elementary and Secondary Education
2 Act of 1965 ('ESEA'), or part F of title VIII of the High-
3 er Education Act of 1965, and \$499,222,000 shall be for
4 part D of title V of the ESEA: *Provided*, That the first,
5 fourth, and fifth provisos under such heading in division
6 D of Public Law 111–117 shall not apply to funds appro-
7 priated by this Act.

8 “SEC. 214. Notwithstanding section 101, amounts
9 are provided for ‘Department of Education—Safe Schools
10 and Citizenship Education’ at a rate for operations of
11 \$361,398,000, of which, notwithstanding section 2343(b)
12 of the ESEA, \$2,578,000 is for the continuation costs of
13 awards made on a competitive basis under section 2345
14 of the ESEA: *Provided*, That the third proviso under such
15 heading in division D of Public Law 111–117 shall not
16 apply to funds appropriated by this Act.

17 “SEC. 215. Notwithstanding section 101, amounts
18 are provided for ‘Department of Education—Special Edu-
19 cation’ at a rate for operations of \$12,564,953,000, of
20 which \$3,726,354,000 shall become available on July 1,
21 2011, and remain available through September 30, 2012:
22 *Provided*, That the first and second provisos under such
23 heading in division D of Public Law 111–117 shall not
24 apply to funds appropriated by this Act.

1 “SEC. 216. Notwithstanding section 101, amounts
 2 are provided for ‘Department of Education—Rehabilita-
 3 tion Services and Disability Research’ at a rate for oper-
 4 ations of \$3,501,766,000: *Provided*, That the second pro-
 5 viso under such heading in division D of Public Law 111–
 6 117 shall not apply to funds appropriated by this Act.

7 “SEC. 217. Notwithstanding section 101, amounts
 8 are provided for ‘Department of Education—Career,
 9 Technical, and Adult Education’ at a rate for operations
 10 of \$1,928,447,000, of which \$1,137,447,000 shall become
 11 available on July 1, 2011, and remain available through
 12 September 30, 2012 and no funds shall be available for
 13 activities authorized under subpart 4 of part D of title
 14 V of the ESEA: *Provided*, That the seventh and eighth
 15 provisos under such heading in division D of Public Law
 16 111–117 shall not apply to funds appropriated by this Act.

17 “SEC. 218. Notwithstanding sections 101 and 164,
 18 amounts are provided for ‘Department of Education—
 19 Student Financial Assistance’ at a rate for operations of
 20 \$24,899,957,000, of which \$23,162,000,000 shall be
 21 available to carry out subpart 1 of part A of title IV of
 22 the Higher Education Act of 1965 and no funds shall be
 23 available for activities authorized under subpart 4 of part
 24 A of title IV of such Act: *Provided*, That the maximum

1 Pell Grant for which a student shall be eligible during
2 award year 2011–2012 shall be \$4,860.

3 “SEC. 219. Notwithstanding section 101, amounts
4 are provided for ‘Department of Education—Higher Edu-
5 cation’ at a rate for operations of \$2,126,935,000, of
6 which no funds shall be available for activities authorized
7 under section 1543 of the Higher Education Amendments
8 of 1992 or section 117 of the Carl D. Perkins Career and
9 Technical Education Act of 2006: *Provided*, That the thir-
10 teenth proviso under such heading in division D of Public
11 Law 111–117 shall not apply to funds appropriated by
12 this Act.

13 “SEC. 220. Notwithstanding section 101, amounts
14 are provided for ‘Institute of Museum and Library Serv-
15 ices—Office of Museum and Library Services: Grants and
16 Administration’ at a rate for operations of \$265,869,000:
17 *Provided*, That the amounts included under such heading
18 in division D of Public Law 111–117 shall be applied to
19 funds appropriated by this Act by substituting ‘\$0’ for
20 ‘\$16,382,000’.

21 “SEC. 221. Notwithstanding section 101, amounts
22 are provided for ‘Library of Congress—Salaries and Ex-
23 penses’ at a rate for operations of \$445,951,000, of which
24 \$0 shall be for the operations described in the seventh pro-
25 viso under this heading in Public Law 111–68.

1 “SEC. 222. Notwithstanding section 101, amounts
2 are provided for ‘Department of Transportation—Federal
3 Highway Administration—Surface Transportation Prior-
4 ities’ at a rate for operations of \$0.

5 “SEC. 223. Notwithstanding section 101, no funds
6 are provided for activities described in section 122 of title
7 I of division A of Public Law 111–117.

8 “SEC. 224. Notwithstanding section 101, section 186
9 of title I of division A of Public Law 111–117 shall not
10 apply to funds appropriated by this Act.

11 “SEC. 225. Notwithstanding section 101, amounts
12 are provided for ‘Department of Transportation—Federal
13 Railroad Administration—Rail Line Relocation and Im-
14 provement Program’ at a rate for operations of
15 \$10,012,800.

16 “SEC. 226. Notwithstanding section 101, amounts
17 are provided for ‘Department of Housing and Urban De-
18 velopment—Community Planning and Development—
19 Community Development Fund’ at a rate for operations
20 of \$4,255,068,480, of which \$0 shall be for grants for the
21 Economic Development Initiative (EDI), and \$0 shall be
22 for neighborhood initiatives: *Provided*, That the second
23 and third paragraphs under such heading in title II of di-
24 vision A of Public Law 111–117 shall not apply to funds
25 appropriated by this Act.”.

- 1 This joint resolution may be cited as the “Further
- 2 Continuing Appropriations Amendments, 2011”.

Passed the House of Representatives March 1,
2011.

Attest:

KAREN L. HAAS,
Clerk.