

112TH CONGRESS
1ST SESSION

H. J. RES. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. ROGERS of Kentucky introduced the following joint resolution; which was referred to the Committee on _____

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—

5 (1) by striking the date specified in section
6 106(3) and inserting “March 18, 2011”; and

7 (2) by adding after section 166, as added by
8 the Continuing Appropriations Amendments, 2011
9 (section 1 of Public Law 111–322), the following
10 new sections:

11 “SEC. 167. The amounts described in paragraphs (1)
12 and (2) of section 114 of this Act are designated as being
13 for contingency operations directly related to the global
14 war on terrorism pursuant to section 3(c)(2) of H. Res.
15 5 (112th Congress) and as an emergency requirement pur-
16 suant to section 403(a) of S. Con. Res. 13 (111th Con-
17 gress), the concurrent resolution on the budget for fiscal
18 year 2010.

19 “SEC. 168. Any language specifying an earmark in
20 an appropriations Act for fiscal year 2010, or in a com-
21 mittee report or joint explanatory statement accom-
22 panying such an Act, shall have no legal effect with re-
23 spect to funds appropriated by this Act. For purposes of
24 this section, the term ‘earmark’ means a congressional
25 earmark or congressionally directed spending item, as de-

1 fined in clause 9(e) of rule XXI of the Rules of the House
2 of Representatives and paragraph 5(a) of rule XLIV of
3 the Standing Rules of the Senate.

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

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

12 “SEC. 171. Notwithstanding section 101, amounts
13 are provided for ‘Corps of Engineers-Civil—Construction’
14 at a rate for operations of \$1,690,000,000: *Provided*, That
15 all of the provisos under such heading in Public Law 111–
16 85 shall not apply to funds appropriated by this Act.

17 “SEC. 172. Notwithstanding section 101, amounts
18 are provided for ‘Corps of Engineers-Civil—Mississippi
19 River and Tributaries’ at a rate for operations of
20 \$260,000,000: *Provided*, That the proviso under such
21 heading in Public Law 111–85 shall not apply to funds
22 appropriated by this Act.

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

1 “SEC. 174. Notwithstanding section 101, amounts
2 are provided for ‘Department of the Interior—Bureau of
3 Reclamation—Water and Related Resources’ at a rate for
4 operations of \$913,580,000: *Provided*, That the fifth pro-
5 viso (regarding the San Gabriel Basin Restoration Fund)
6 and seventh proviso (regarding the Milk River Project)
7 under such heading in Public Law 111–85 shall not apply
8 to funds appropriated by this Act.

9 “SEC. 175. Notwithstanding section 101, amounts
10 are provided for ‘Department of Energy—Energy Pro-
11 grams—Energy Efficiency and Renewable Energy’ at a
12 rate for operations of \$1,950,370,000: *Provided*, That all
13 of the provisos under such heading in Public Law 111–
14 85 shall not apply to funds appropriated by this Act.

15 “SEC. 176. Notwithstanding section 101, amounts
16 are provided for ‘Department of Energy—Energy Pro-
17 grams—Electricity Delivery and Energy Reliability’ at a
18 rate for operations of \$158,910,000: *Provided*, That all
19 of the provisos under such heading in Public Law 111–
20 85 shall not apply to funds appropriated by this Act.

21 “SEC. 177. Notwithstanding section 101, amounts
22 are provided for ‘Department of Energy—Energy Pro-
23 grams—Nuclear Energy’ at a rate for operations of
24 \$784,140,000: *Provided*, That the proviso under such

1 heading in Public Law 111–85 shall not apply to funds
2 appropriated by this Act.

3 “SEC. 178. Notwithstanding section 101, amounts
4 are provided for ‘Department of Energy—Energy Pro-
5 grams—Fossil Energy Research and Development’ at a
6 rate for operations of \$635,530,000: *Provided*, That the
7 second proviso under such heading in Public Law 111–
8 85 shall not apply to funds appropriated by this Act.

9 “SEC. 179. Notwithstanding section 101, amounts
10 are provided for ‘Department of Energy—Energy Pro-
11 grams—Science’ at a rate for operations of
12 \$4,826,820,000: *Provided*, That all of the provisos under
13 such heading in Public Law 111–85 shall not apply to
14 funds appropriated by this Act.

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

20 “SEC. 181. Notwithstanding section 101, amounts
21 are provided for ‘Department of Energy—Atomic Energy
22 Defense Activities—National Nuclear Security Adminis-
23 tration—Defense Nuclear Nonproliferation’ at a rate for
24 operations of \$2,136,460,000: *Provided*, That the proviso

1 under such heading in Public Law 111–85 shall not apply
2 to funds appropriated by this Act.

3 “SEC. 182. Notwithstanding section 101, amounts
4 are provided for ‘Department of Energy—Atomic Energy
5 Defense Activities—National Nuclear Security Adminis-
6 tration—Office of the Administrator’ at a rate for oper-
7 ations of \$407,750,000: *Provided*, That the last proviso
8 under such heading in Public Law 111–85 shall not apply
9 to funds appropriated by this Act.

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

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

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

5 “SEC. 186. Notwithstanding section 101, amounts
6 are provided for ‘Department of Homeland Security—Of-
7 fice of the Under Secretary for Management’ at a rate
8 for operations of \$253,190,000.

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

13 “SEC. 188. Notwithstanding section 101, amounts
14 are provided for ‘Department of Homeland Security—
15 U.S. Customs and Border Protection—Construction and
16 Facilities Management’ at a rate for operations of
17 \$276,370,000.

18 “SEC. 189. Notwithstanding section 101, amounts
19 are provided for ‘Department of Homeland Security—
20 Transportation Security Administration—Aviation Secu-
21 rity’ at a rate for operations of \$5,212,790,000: *Provided,*
22 That the amounts included under such heading in Public
23 Law 111–83 shall be applied to funds appropriated by this
24 Act as follows: by substituting ‘\$5,212,790,000’ for
25 ‘\$5,214,040,000’; by substituting ‘\$4,356,826,000’ for

1 '\$4,358,076,000'; by substituting '\$1,115,156,000' for
2 '\$1,116,406,000'; by substituting \$777,050,000 for
3 \$778,300,000; and by substituting '\$3,112,790,000' for
4 '\$3,114,040,000'.

5 "SEC. 190. Notwithstanding section 101, amounts
6 are provided for 'Department of Homeland Security—
7 Coast Guard—Operating Expenses' at a rate for oper-
8 ations of \$6,801,791,000: *Provided*, That section 157 of
9 this Act shall be applied by substituting '\$17,880,000' for
10 '\$21,880,000', and without regard to 'and "Coast Guard,
11 Alteration of Bridges"'.
12

13 "SEC. 191. Notwithstanding section 101, amounts
14 are provided for 'Department of Homeland Security—
15 Coast Guard—Acquisition, Construction, and Improve-
16 ments' at a rate for operations of \$1,519,980,000.

17 "SEC. 192. Notwithstanding section 101, amounts
18 are provided for 'Department of Homeland Security—
19 Coast Guard—Alteration of Bridges' at a rate for oper-
20 ations of \$0.

21 "SEC. 193. Notwithstanding section 101, amounts
22 are provided for 'Department of Homeland Security—Na-
23 tional Protection and Programs Directorate—Infrastruc-
24 ture Protection and Information Security' at a rate for
operations of \$879,816,000.

1 “SEC. 194. Notwithstanding section 101, amounts
2 are provided for ‘Department of Homeland Security—Of-
3 fice of Health Affairs’ at a rate for operations of
4 \$134,250,000.

5 “SEC. 195. Notwithstanding section 101, amounts
6 are provided for ‘Department of Homeland Security—
7 Federal Emergency Management Agency—State and
8 Local Programs’ at a rate for operations of
9 \$2,912,558,000: *Provided*, That the amounts included
10 under such heading in Public Law 111–83 shall be applied
11 to funds appropriated by this Act as follows: in paragraph
12 (12), by substituting ‘\$12,554,000’ for ‘\$60,000,000’ and
13 by substituting ‘\$0’ for each subsequent amount in such
14 paragraph; in paragraph (13), by substituting
15 ‘\$212,500,000’ for ‘\$267,200,000’; in paragraph (13)(A),
16 by substituting ‘\$114,000,000’ for ‘\$164,500,000’; in
17 paragraph (13)(B), by substituting ‘\$0’ for ‘\$1,700,000’;
18 and in paragraph (13)(C), by substituting ‘\$0’ for
19 ‘\$3,000,000’: *Provided further*, That 4.5 percent of the
20 amount provided for ‘Federal Emergency Management
21 Agency—State and Local Programs’ by this Act shall be
22 transferred to ‘Federal Emergency Management Agency—
23 Management and Administration’ for program administra-
24 tion.

1 “SEC. 196. Notwithstanding section 101, amounts
2 are provided for ‘Department of Homeland Security—
3 Federal Emergency Management Agency—National
4 Predisaster Mitigation Fund’ at a rate for operations of
5 \$75,364,000.

6 “SEC. 197. Notwithstanding section 101, amounts
7 are provided for ‘Department of Homeland Security—
8 Science and Technology—Research, Development, Acqui-
9 sition, and Operations’ at a rate for operations of
10 \$821,906,000.

11 “SEC. 198. Sections 541 and 545 of Public Law 111–
12 83 (123 Stat. 2176) shall have no force or effect.

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

16 “SEC. 200. Notwithstanding section 101, amounts
17 are provided for ‘Department of Labor—Employment and
18 Training Administration—Training and Employment
19 Services’ at a rate for operations of \$3,779,641,000, of
20 which \$340,154,000 shall be for national activities de-
21 scribed in paragraph (3) under such heading in division
22 D of Public Law 111–117: *Provided*, That the amounts
23 included for national activities under such heading in divi-
24 sion D of Public Law 111–117 shall be applied to funds
25 appropriated by this Act as follows: by substituting

1 '\$44,561,000' for '\$93,450,000' and by substituting '\$0'
2 for '\$48,889,000'.

3 "SEC. 201. Notwithstanding section 101, amounts
4 are provided for 'Department of Labor—Mine Safety and
5 Health Administration—Salaries and Expenses' at a rate
6 for operations of \$355,843,000: *Provided*, That the
7 amounts included under such heading in division D of
8 Public Law 111–117 shall be applied to funds appro-
9 priated by this Act by substituting '\$0' for '\$1,450,000'.

10 "SEC. 202. Notwithstanding section 101, amounts
11 are provided for 'Department of Labor—Departmental
12 Management' at a rate for operations of \$314,827,000:
13 *Provided*, That the amounts included under such heading
14 in division D of Public Law 111–117 shall be applied to
15 funds appropriated by this Act by substituting '\$0' for
16 '\$40,000,000'.

17 "SEC. 203. Notwithstanding section 101, amounts
18 are provided for 'Department of Health and Human Serv-
19 ices—Health Resources and Services Administration—
20 Health Resources and Services' at a rate for operations
21 of \$7,076,520,000: *Provided*, That the eighteenth, nine-
22 teenth, and twenty-second provisos under such heading in
23 division D of Public Law 111–117 shall not apply to funds
24 appropriated by this Act.

1 “SEC. 204. Notwithstanding section 101, amounts
2 are provided for ‘Department of Health and Human Serv-
3 ices—Centers for Disease Control and Prevention—Dis-
4 ease Control, Research, and Training’ at a rate for oper-
5 ations of \$6,369,767,000: *Provided*, That the amount in-
6 cluded before the first proviso under such heading in divi-
7 sion D of Public Law 111–117 shall be applied to funds
8 appropriated by this Act by substituting ‘\$0’ for
9 ‘\$20,620,000’.

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

19 “SEC. 206. Notwithstanding section 101, amounts
20 are transferred from the Federal Hospital Insurance
21 Trust Fund and the Federal Supplementary Medical In-
22 surance Trust Fund for ‘Department of Health and
23 Human Services—Centers for Medicare and Medicaid
24 Services—Program Management’ at a rate for operations
25 of \$3,467,142,000: *Provided*, That the sixth proviso under

1 such heading in division D of Public Law 111–117 shall
2 not apply to funds appropriated by this Act.

3 “SEC. 207. Notwithstanding section 101, amounts
4 are provided for ‘Department of Health and Human Serv-
5 ices—Administration for Children and Families—Pay-
6 ments to States for the Child Care and Development Block
7 Grant’ at a rate for operations of \$2,126,081,000: *Pro-*
8 *vided*, That the amount included in 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 ‘\$1,000,000’.

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

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

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

8 “SEC. 211. Notwithstanding section 101, amounts
9 are provided for ‘Department of Education—Education
10 for the Disadvantaged’ at a rate for operations of
11 \$15,598,212,000, of which \$4,638,056,000 shall become
12 available on July 1, 2011, and remain available through
13 September 30, 2012: *Provided*, That the tenth, eleventh
14 and twelfth provisos under such heading in division D of
15 Public Law 111–117 shall not apply to funds appropriated
16 by this Act.

17 “SEC. 212. Notwithstanding section 101, amounts
18 are provided for ‘Department of Education—School Im-
19 provement Programs’ at a rate for operations of
20 \$5,223,444,000, of which \$3,358,993,000 shall become
21 available on July 1, 2011, and remain available through
22 September 30, 2012: *Provided*, That of such amounts, no
23 funds shall be available for activities authorized under
24 part Z of title VIII of the Higher Education Act of 1965:
25 *Provided further*, That the second, third, and thirteenth

1 provisos under such heading in division D of Public Law
2 111–117 shall not apply to funds appropriated by this Act.

3 “SEC. 213. Notwithstanding section 101, amounts
4 are provided for ‘Department of Education—Innovation
5 and Improvement’ at a rate for operations of
6 \$1,160,480,000, of which no funds shall be available for
7 activities authorized under subpart 5 of part A of title II,
8 section 1504 of the Elementary and Secondary Education
9 Act of 1965 (‘ESEA’), or part F of title VIII of the High-
10 er Education Act of 1965, and \$499,222,000 shall be for
11 part D of title V of the ESEA: *Provided*, That the first,
12 fourth, and fifth provisos under such heading in division
13 D of Public Law 111–117 shall not apply to funds appro-
14 priated by this Act.

15 “SEC. 214. Notwithstanding section 101, amounts
16 are provided for ‘Department of Education—Safe Schools
17 and Citizenship Education’ at a rate for operations of
18 \$361,398,000, of which, notwithstanding section 2343(b)
19 of the ESEA, \$2,578,000 is for the continuation costs of
20 awards made on a competitive basis under section 2345
21 of the ESEA: *Provided*, That the third proviso under such
22 heading in division D of Public Law 111–117 shall not
23 apply to funds appropriated by this Act.

24 “SEC. 215. Notwithstanding section 101, amounts
25 are provided for ‘Department of Education—Special Edu-

1 cation' at a rate for operations of \$12,564,953,000, of
2 which \$3,726,354,000 shall become available on July 1,
3 2011, and remain available through September 30, 2012:
4 *Provided*, That the first and second provisos under such
5 heading in division D of Public Law 111–117 shall not
6 apply to funds appropriated by this Act.

7 “SEC. 216. Notwithstanding section 101, amounts
8 are provided for ‘Department of Education—Rehabilita-
9 tion Services and Disability Research’ at a rate for oper-
10 ations of \$3,501,766,000: *Provided*, That the second pro-
11 viso under such heading in division D of Public Law 111–
12 117 shall not apply to funds appropriated by this Act.

13 “SEC. 217. Notwithstanding section 101, amounts
14 are provided for ‘Department of Education—Career,
15 Technical, and Adult Education’ at a rate for operations
16 of \$1,928,447,000, of which \$1,137,447,000 shall become
17 available on July 1, 2011, and remain available through
18 September 30, 2012 and no funds shall be available for
19 activities authorized under subpart 4 of part D of title
20 V of the ESEA: *Provided*, That the seventh and eighth
21 provisos under such heading in division D of Public Law
22 111–117 shall not apply to funds appropriated by this Act.

23 “SEC. 218. Notwithstanding sections 101 and 164,
24 amounts are provided for ‘Department of Education—
25 Student Financial Assistance’ at a rate for operations of

1 \$24,899,957,000, of which \$23,162,000,000 shall be
2 available to carry out subpart 1 of part A of title IV of
3 the Higher Education Act of 1965 and no funds shall be
4 available for activities authorized under subpart 4 of part
5 A of title IV of such Act: *Provided*, That the maximum
6 Pell Grant for which a student shall be eligible during
7 award year 2011–2012 shall be \$4,860.

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

18 “SEC. 220. Notwithstanding section 101, amounts
19 are provided for ‘Institute of Museum and Library Serv-
20 ices—Office of Museum and Library Services: Grants and
21 Administration’ at a rate for operations of \$265,869,000:
22 *Provided*, That the amounts included under such heading
23 in division D of Public Law 111–117 shall be applied to
24 funds appropriated by this Act by substituting ‘\$0’ for
25 ‘\$16,382,000’.

1 “SEC. 221. Notwithstanding section 101, amounts
2 are provided for ‘Library of Congress—Salaries and Ex-
3 penses’ at a rate for operations of \$445,951,000, of which
4 \$0 shall be for the operations described in the seventh pro-
5 viso under this heading in Public Law 111–68.

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

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

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

16 “SEC. 225. Notwithstanding section 101, amounts
17 are provided for ‘Department of Transportation—Federal
18 Railroad Administration—Rail Line Relocation and Im-
19 provement Program’ at a rate for operations of
20 \$10,012,800.

21 “SEC. 226. Notwithstanding section 101, amounts
22 are provided for ‘Department of Housing and Urban De-
23 velopment—Community Planning and Development—
24 Community Development Fund’ at a rate for operations
25 of \$4,255,068,480, of which \$0 shall be for grants for the

1 Economic Development Initiative (EDI), and \$0 shall be
2 for neighborhood initiatives: *Provided*, That the second
3 and third paragraphs under such heading in title II of di-
4 vision A of Public Law 111–117 shall not apply to funds
5 appropriated by this Act.”.

6 This joint resolution may be cited as the “Further
7 Continuing Appropriations Amendments, 2011”.