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## ***Senate Amendment to H.R. 3081, Continuing Appropriations Act, 2011***

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**H.R. 3081** is the legislative vehicle for the *Continuing Resolution Act, 2011*, which will allow continued government operations through December 3, 2010. Under the *Continuing Resolution*, funding would continue at Fiscal Year 2010-enacted levels for most programs.

The Senate began consideration of this legislation on September 28, 2010.

## Major Provisions

*This summary was provided by the Senate Committee on Appropriations.*

### Ongoing programs

Under the *Continuing Resolution*, funding would continue at Fiscal Year 2010-enacted levels for most programs. In total, the *Continuing Resolution* will provide funding at a rate approximately \$8.2 billion below the Fiscal Year 2010 level.

### Extended Authorizations and Other Actions

The *Continuing Resolution* would extend authorizations or allow for continuous normal operations through December 3, 2010 for certain programs that would otherwise expire or be severely disrupted. This would include provisions that would:

- Allow the Federal Air Marshals to maintain the existing Fiscal Year 2010 4th quarter coverage level for international and domestic flights;
- Allow the Commissioner of U.S. Customs and Border Protection to maintain the level of Customs and Border Protection personnel in place in the final quarter of Fiscal Year 2010;
- Extend the authority for the Department of Defense to execute the Commanders Emergency Response Program, which is an essential tool for military commanders in Iraq and Afghanistan;
- Extend the application period for retroactive stop loss benefits throughout the duration of the continuing resolution;
- Extend for the duration of the *Continuing Resolution* the existing authority for the Department of Homeland Security (DHS) to retain its authority to regulate chemical facilities that present high levels of risk;
- Extend for the duration of the *Continuing Resolution* the existing Federal Emergency Management Agency (FEMA) authority to provide technical and financial assistance to States and localities for pre-disaster hazard mitigation activities;
- Adjust the current rate of operations for the National Nuclear Security Administration's weapons program to \$7 billion, a \$624 million increase over Fiscal Year 2010 appropriation, in conjunction with the START Treaty;

- Provide for the continuation of a program included under the *Child Nutrition Act*, which will allow for school feeding activities where year round activities occur;
- Provide an additional \$23 million to the Department of the Interior's Bureau of Ocean Energy Management (formerly the Minerals Management Service) for increased oil rig inspections in the Gulf of Mexico. The increase in funding is fully offset with a rescission of unobligated balances;
- Allow the National Cord Blood Inventory contracts to continue at their current level through the duration of the *Continuing Resolution*;
- Extend the TANF block grant and Child Care Entitlement to States program at their current level through the duration of the *Continuing Resolution*;
- Reduce the amount available for BRAC 2005 from over \$7 billion in Fiscal Year 2010 to a rate equal to \$2.35 billion, the Fiscal Year 2011 request;
- Adjust the current rate for operations for the Foreign Military Financing (FMF) program in order to include in the rate for operations the \$965 million that was advanced for Israel, Egypt and Jordan in the Fiscal Year 2009 Supplemental;
- Continue the rate of operations for the Pakistan Counterinsurgency Capability Fund (PCCF) at \$700 million. This section also continues the terms and conditions included in the Fiscal Year 2009 and Fiscal Year 2010 Supplementals;
- Reduce the amount available for Census programs from over \$7 billion in Fiscal Year 2010 to a rate equal to \$964 million annually, the same as the amount recommended for Fiscal Year 2011;
- Permit the District of Columbia to spend funds under its local budget beginning on and after the October 1, 2010 start of fiscal year;
- Allow the U.S. Interagency Council on Homelessness, which is responsible for coordinating the federal policy relating to homelessness, to continue operating;
- Extend the current HECM loan limits for high cost areas through Fiscal Year 2011;
- Extend the current FHA loan limits for high cost areas through Fiscal Year 2011;
- Extend the current GSE loan limits for high cost areas through Fiscal Year 2011; and
- Provide \$193,400 for the survivors of Robert C. Byrd, the late Senator from West Virginia.

## Legislative History

**H.R. 3081**, the *Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010*, was introduced in the House on June 26, 2009. On September 24, the Senate voted on the motion to invoke cloture on the motion to proceed to **H.R. 3081**, as the

legislative vehicle for the *Continuing Resolution*, which would provide for government-wide appropriations through December 3, 2010. Cloture was invoked on the motion to proceed to the **H.R. 3081** by a vote of 84-14. [Roll Call Vote [243](#)] On September 29, Senator **Inouye** offered a full-text substitute amendment to **H.R. 3081** comprised of the *Continuing Resolution* outlined above.

The Senate is expected to complete action on the *Continuing Resolution* on September 29, 2010.

## Expected Amendments

DPC will circulate any information related to amendments to its staff listservs.

## Administration Position

As of this writing, the Administration has not issued a Statement of Administration Position related to the *Continuing Resolution*.