

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2346

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IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2009

Ordered to be printed with the amendment of the Senate  
[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

Making supplemental appropriations for the fiscal year ending September 30, 2009, 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, 2009, and for other pur-~~  
6 ~~poses, namely:~~

7                   **TITLE I—DEFENSE MATTERS**

8                   **DEPARTMENT OF DEFENSE**

9                   **MILITARY PERSONNEL**

10                  **MILITARY PERSONNEL, ARMY**

11       For an additional amount for “Military Personnel,  
12 Army”, \$10,924,641,000.

## 1                   MILITARY PERSONNEL, NAVY

2           For an additional amount for “Military Personnel,  
3 Navy”, \$1,716,827,000.

## 4                   MILITARY PERSONNEL, MARINE CORPS

5           For an additional amount for “Military Personnel,  
6 Marine Corps”, \$1,577,850,000.

## 7                   MILITARY PERSONNEL, AIR FORCE

8           For an additional amount for “Military Personnel,  
9 Air Force”, \$1,783,208,000.

## 10                  RESERVE PERSONNEL, ARMY

11          For an additional amount for “Reserve Personnel,  
12 Army”, \$381,155,000.

## 13                  RESERVE PERSONNEL, NAVY

14          For an additional amount for “Reserve Personnel,  
15 Navy”, \$39,478,000.

## 16                  RESERVE PERSONNEL, MARINE CORPS

17          For an additional amount for “Reserve Personnel,  
18 Marine Corps”, \$29,179,000.

## 19                  RESERVE PERSONNEL, AIR FORCE

20          For an additional amount for “Reserve Personnel,  
21 Air Force”, \$16,943,000.

## 22                  NATIONAL GUARD PERSONNEL, ARMY

23          For an additional amount for “National Guard Per-  
24 sonnel, Army”, \$1,373,273,000.

1           NATIONAL GUARD PERSONNEL, AIR FORCE

2           For an additional amount for “National Guard Per-  
3 sonnel, Air Force”, \$101,360,000.

4           OPERATION AND MAINTENANCE

5           OPERATION AND MAINTENANCE, ARMY

6           For an additional amount for “Operation and Main-  
7 tenance, Army”, \$14,024,703,000.

8           OPERATION AND MAINTENANCE, NAVY

9           (INCLUDING TRANSFER OF FUNDS)

10          For an additional amount for “Operation and Main-  
11 tenance, Navy”, \$2,367,959,000: *Provided*, That up to  
12 \$129,503,000 may be transferred to the Coast Guard  
13 “Operating Expenses” account.

14          OPERATION AND MAINTENANCE, MARINE CORPS

15          For an additional amount for “Operation and Main-  
16 tenance, Marine Corps”, \$1,084,081,000.

17          OPERATION AND MAINTENANCE, AIR FORCE

18          For an additional amount for “Operation and Main-  
19 tenance, Air Force”, \$6,216,729,000.

20          OPERATION AND MAINTENANCE, DEFENSE-WIDE

21          (INCLUDING TRANSFER OF FUNDS)

22          For an additional amount for “Operation and Main-  
23 tenance, Defense-Wide”, \$5,353,701,000, of which—

24                 (1) not to exceed \$10,000,000 shall be available  
25          for the Combatant Commander Initiative Fund; to

1 be used in support of Operation Iraqi Freedom and  
2 Operation Enduring Freedom;

3 ~~(2) not to exceed \$810,000,000, to remain~~  
4 available until expended, shall be for payments to re-  
5 imburse Pakistan, Jordan, and other key cooper-  
6 ating nations, for logistical, military, and other sup-  
7 port including access provided, or to be provided, to  
8 United States military operations in support of Op-  
9 eration Iraqi Freedom and Operation Enduring  
10 Freedom, notwithstanding any other provision of  
11 law: *Provided*, That such reimbursement payments  
12 may be made, at the discretion of the Secretary of  
13 Defense, in such amounts as the Secretary of De-  
14 fense, with the concurrence of the Secretary of  
15 State, and in consultation with the Director of the  
16 Office of Management and Budget, may determine,  
17 based on documentation determined by the Secretary  
18 of Defense to adequately account for the support  
19 provided, and such determination is final and con-  
20 clusive upon the accounting officers of the United  
21 States, and 15 days following notification to the ap-  
22 propriate congressional committees: *Provided further*,  
23 That these funds may be used for the purpose of  
24 providing specialized training and procuring supplies  
25 and specialized equipment and providing such sup-

1 plies and loaning such equipment on a non-reimburs-  
2 able basis to friendly foreign forces supporting  
3 United States military operations in Iraq and Af-  
4 ghanistan;

5 ~~(3)~~ not to exceed \$10,000,000 shall be available  
6 for emergencies and extraordinary expenses: *Pro-*  
7 *vided*, That the Secretary of Defense shall certify  
8 that such payments are necessary for confidential  
9 military purposes; and

10 ~~(4)~~ not to exceed \$350,000,000, to remain  
11 available until September 30, 2010, shall be for  
12 counternarcotics and other activities including assist-  
13 ance to other Federal agencies, on the United States  
14 border with Mexico: *Provided*, That the Secretary of  
15 Defense may transfer these funds to appropriations  
16 for military personnel, operation and maintenance,  
17 and procurement to be available for the same pur-  
18 poses as the appropriation or fund to which trans-  
19 ferred: *Provided further*, That the Secretary of De-  
20 fense may transfer up to \$100,000,000 of this  
21 amount to any other Federal appropriations ac-  
22 counts, with the concurrence of the head of the rel-  
23 evant Federal department or agency for border-re-  
24 lated activities: *Provided further*, That the funds  
25 transferred shall be merged with and be available for

1 the same purposes and the same time period, as the  
2 appropriation to which transferred: *Provided further*,  
3 That this transfer authority is in addition to any  
4 other transfer authority available to the Department  
5 of Defense: *Provided further*, That upon a deter-  
6 mination that all or part of the funds so transferred  
7 from this appropriation are not necessary for the  
8 purposes provided herein, such amounts may be  
9 transferred back to this appropriation, to be merged  
10 with and made available for the same purposes and  
11 for the time period provided under this heading.

12 OPERATION AND MAINTENANCE, ARMY RESERVE

13 For an additional amount for “Operation and Main-  
14 tenance, Army Reserve”, \$101,317,000.

15 OPERATION AND MAINTENANCE, NAVY RESERVE

16 For an additional amount for “Operation and Main-  
17 tenance, Navy Reserve”, \$24,318,000.

18 OPERATION AND MAINTENANCE, MARINE CORPS

19 RESERVE

20 For an additional amount for “Operation and Main-  
21 tenance, Marine Corps Reserve”, \$30,775,000.

22 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

23 For an additional amount for “Operation and Main-  
24 tenance, Air Force Reserve”, \$34,599,000.



1       tion: *Provided further*, That this transfer authority is  
2       in addition to any other transfer authority available  
3       to the Department of Defense; and

4               (2) not to exceed \$15,000,000 shall be available  
5       to the Secretary of Defense to transport the remains  
6       of servicemembers killed in combat operations: *Pro-*  
7       *vided*, That these funds are available for transfer to  
8       any other appropriations accounts of the Depart-  
9       ment of Defense to accomplish the purposes pro-  
10      vided herein: *Provided further*, That upon a deter-  
11      mination that all or part of the funds so transferred  
12      from this appropriation are not necessary for the  
13      purposes provided herein; such amounts may be  
14      transferred back to this appropriation: *Provided fur-*  
15      *ther*, That this transfer authority is in addition to  
16      any other transfer authority available to the Depart-  
17      ment of Defense.

18                   AFGHANISTAN SECURITY FORCES FUND

19                   (INCLUDING TRANSFER OF FUNDS)

20       For an additional amount for the “Afghanistan Secu-  
21      rity Forces Fund”, \$3,606,939,000, to remain available  
22      until September 30, 2010: *Provided*, That the Secretary  
23      of Defense shall, not fewer than 15 days prior to making  
24      any obligation or transfer from this appropriation account,



1 notify the congressional defense committees in writing of  
2 the details of the proposed obligation or transfer.

3           PAKISTAN COUNTERINSURGENCY FUND

4                   (INCLUDING TRANSFER OF FUNDS)

5           For the “Pakistan Counterinsurgency Fund”, hereby  
6 established in the Treasury of the United States,  
7 \$400,000,000, to remain available until September 30,  
8 2010: *Provided*, That such funds shall be available to the  
9 Secretary of Defense, with the concurrence of the Sec-  
10 retary of State, notwithstanding any other provision of  
11 law, to provide assistance to the security forces of Paki-  
12 stan (including the provision of equipment, supplies, serv-  
13 ices, training, facility and infrastructure repair, renova-  
14 tion, and construction) to improve the counterinsurgency  
15 capability of Pakistan’s security forces, and, on an excep-  
16 tional basis, irregular security forces: *Provided further*,  
17 That the authority to provide assistance under this provi-  
18 sion is in addition to any other authority to provide assist-  
19 ance to foreign nations: *Provided further*, That the Sec-  
20 retary of Defense may transfer such amounts as the Sec-  
21 retary may determine from the funds provided herein to  
22 any appropriations available to the Department of Defense  
23 or, with the concurrence of the Secretary of State and  
24 head of the relevant Federal department or agency, to any  
25 other non-intelligence related Federal account to accom-

1 plish the purposes provided herein: *Provided further*, That  
2 funds so transferred shall be merged with and be available  
3 for the same purposes and for the same time period as  
4 the appropriation or fund to which transferred: *Provided*  
5 *further*, That upon determination by the Secretary of De-  
6 fense or head of other Federal department or agency, with  
7 the concurrence of the Secretary of State, that all or part  
8 of the funds so transferred from this appropriation are  
9 not necessary for the purposes herein, such amounts may  
10 be transferred by the head of the relevant Federal depart-  
11 ment or agency back to this appropriation and shall be  
12 available for the same purposes and for the same time pe-  
13 riod as originally appropriated: *Provided further*, That the  
14 authority of the Secretary of Defense to obligate or trans-  
15 fer funds pursuant to this paragraph shall apply only to  
16 the funds appropriated for such purposes in this Act, and  
17 such authority shall not be continued beyond the expira-  
18 tion date specified in the matter preceding the first pro-  
19 viso: *Provided further*, That funds may not be obligated  
20 or transferred from the “Pakistan Counterinsurgency  
21 Fund” until 15 days after the date on which the Secretary  
22 of Defense notifies the Committees on Appropriations of  
23 the House of Representatives and the Senate, and the con-  
24 gressional defense and foreign affairs committees, in writ-  
25 ing of the details of the proposed obligation or transfer.





## 1 MISSILE PROCUREMENT, AIR FORCE

2 For an additional amount for “Missile Procurement,  
3 Air Force”, \$57,416,000, to remain available until Sep-  
4 tember 30, 2011.

## 5 PROCUREMENT OF AMMUNITION, AIR FORCE

6 For an additional amount for “Procurement of Am-  
7 munition, Air Force”, \$183,684,000, to remain available  
8 until September 30, 2011.

## 9 OTHER PROCUREMENT, AIR FORCE

10 For an additional amount for “Other Procurement,  
11 Air Force”, \$1,745,761,000, to remain available until  
12 September 30, 2011.

## 13 PROCUREMENT, DEFENSE-WIDE

14 For an additional amount for “Procurement, De-  
15 fense-Wide”, \$200,068,000, to remain available until Sep-  
16 tember 30, 2011.

## 17 NATIONAL GUARD AND RESERVE EQUIPMENT

18 For an additional amount for procurement of high  
19 priority items of equipment that may be used by reserve  
20 component units for both its combat mission and the  
21 units’ mission in support of the State governors,  
22 \$500,000,000, to remain available for obligation until Sep-  
23 tember 30, 2011: *Provided*, That the Chiefs of the Na-  
24 tional Guard and of the Reserve components shall, not  
25 later than 60 days after the enactment of this Act, individ-



1 ~~\$459,391,000~~, to remain available until September 30,  
2 2010.

3           ~~REVOLVING AND MANAGEMENT FUNDS~~

4                   ~~DEFENSE WORKING CAPITAL FUNDS~~

5           For an additional amount for “Defense Working  
6 Capital Funds”, ~~\$846,726,000~~, to remain available until  
7 expended.

8           ~~OTHER DEPARTMENT OF DEFENSE PROGRAMS~~

9                   ~~DEFENSE HEALTH PROGRAM~~

10           For an additional amount for “Defense Health Pro-  
11 gram”, ~~\$1,097,297,000~~, of which ~~\$845,508,000~~, to re-  
12 main available until September 30, 2009, is for operation  
13 and maintenance; of which ~~\$50,185,000~~, to remain avail-  
14 able until September 30, 2011, is for procurement; and  
15 of which ~~\$201,604,000~~, to remain available until Sep-  
16 tember 30, 2010, is for research, development, test and  
17 evaluation.

18           ~~DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,~~

19                                   ~~DEFENSE~~

20                                   ~~(INCLUDING TRANSFER OF FUNDS)~~

21           For an additional amount for “Drug Interdiction and  
22 Counter-Drug Activities, Defense”, ~~\$137,198,000~~, to re-  
23 main available until expended.

## 1 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

2 For an additional amount for “Joint Improvised Ex-  
3 plosive Device Defeat Fund”, \$1,316,746,000, to remain  
4 available until September 30, 2011.

## 5 MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for the “Mine Resistant  
8 Ambush Protected Vehicle Fund”, \$4,843,000,000, to re-  
9 main available until September 30, 2010: *Provided*, That  
10 such funds shall be available to the Secretary of Defense,  
11 notwithstanding any other provision of law, to procure,  
12 sustain, transport, and field Mine Resistant Ambush Pro-  
13 tected vehicles: *Provided further*, That the Secretary shall  
14 transfer such funds only to appropriations for operation  
15 and maintenance; procurement; research, development,  
16 test and evaluation; and defense working capital funds to  
17 accomplish the purposes provided herein: *Provided further*,  
18 That this transfer authority is in addition to any other  
19 transfer authority available to the Department of Defense:  
20 *Provided further*, That upon determination that all or part  
21 of the funds so transferred from this appropriation are  
22 not necessary for the purposes provided herein, such  
23 amounts may be transferred back to this appropriation:  
24 *Provided further*, That the Secretary shall, not fewer than  
25 15 days prior to making transfers from this appropriation;



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

3 OFFICE OF THE INSPECTOR GENERAL

4 For an additional amount for “Office of the Inspector  
5 General”, \$9,551,000.

6 GENERAL PROVISIONS, THIS TITLE

7 SEC. 10001. Notwithstanding any other provision of  
8 law, funds made available in this title are in addition to  
9 amounts appropriated or otherwise made available for the  
10 Department of Defense for fiscal year 2009.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 10002. Upon the determination of the Secretary  
13 of Defense that such action is necessary in the national  
14 interest, the Secretary may transfer between appropria-  
15 tions up to \$2,000,000,000 of the funds made available  
16 to the Department of Defense in this title: *Provided*, That  
17 the Secretary shall notify the Congress promptly of each  
18 transfer made pursuant to the authority in this section:  
19 *Provided further*, That the authority provided in this sec-  
20 tion is in addition to any other transfer authority available  
21 to the Department of Defense and is subject to the same  
22 terms and conditions as the authority provided in section  
23 8005 of the Department of Defense Appropriations Act,  
24 2009 (division C of Public Law 110–329) except for the  
25 fourth proviso.

1       ~~SEC. 10003.~~ Funds appropriated by this title, or  
2 made available by the transfer of funds in this title, for  
3 intelligence activities are deemed to be specifically author-  
4 ized by the Congress for purposes of section 504(a)(1) of  
5 the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

6                               ~~(INCLUDING TRANSFER OF FUNDS)~~

7       ~~SEC. 10004.~~ During fiscal year 2009 and from funds  
8 in the Defense Cooperation Account, as established by 10  
9 U.S.C. 2608, the Secretary of Defense may transfer up  
10 to \$6,500,000 to such appropriations or funds of the De-  
11 partment of Defense as the Secretary shall determine for  
12 use consistent with the purposes for which such funds  
13 were contributed and accepted: *Provided*, That such  
14 amounts shall be available for the same time period as  
15 the appropriation to which transferred: *Provided further*,  
16 That the Secretary shall report to the Congress all trans-  
17 fers made pursuant to this authority.

18       ~~SEC. 10005.~~ Supervision and administration costs as-  
19 sociated with a construction project funded with appro-  
20 priations available for operation and maintenance, “Af-  
21 ghanistan Security Forces Fund” or “Iraq Security  
22 Forces Fund” provided in this title, and executed in direct  
23 support of the overseas contingency operations only in  
24 Iraq and Afghanistan, may be obligated at the time a con-  
25 struction contract is awarded: *Provided*, That for the pur-

1 pose of this section, supervision and administration costs  
2 include all in-house Government costs:

3 (INCLUDING RESCISSIONS)

4 SEC. 10006. (a)(1) Of the funds appropriated in  
5 chapter 2 of title IX of Public Law 110-252 under the  
6 heading, "Iraq Security Forces Fund", \$1,000,000,000 is  
7 rescinded.

8 (2) For an additional amount for "Iraq Security  
9 Forces Fund", \$1,000,000,000, to remain available until  
10 September 30, 2010: *Provided*, That funds may not be ob-  
11 ligated or transferred from this fund until 15 days after  
12 the date on which the Secretary of Defense notifies the  
13 congressional defense committees in writing of the details  
14 of the proposed obligation or transfer.

15 (b)(1) Of the funds appropriated in chapter 2 of title  
16 IX of Public Law 110-252 under the heading, "Afghani-  
17 stan Security Forces Fund", \$125,000,000 is rescinded.

18 (2) For an additional amount for the "Afghani-  
19 stan Security Forces Fund", \$125,000,000, to re-  
20 main available until September 30, 2010.

21 SEC. 10007. Funds made available in this Act to the  
22 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: *Provided further*, That the Secretary  
6 shall report to the Congress all purchases made pursuant  
7 to this authority within 30 days of using the authority.

8       SEC. 10008. (a) Beginning in fiscal year 2009, dur-  
9 ing any year in which funds are authorized to be appro-  
10 priated to carry out the Commander's Emergency Re-  
11 sponse Program, the Secretary of Defense may accept con-  
12 tributions of funds from any person, foreign government,  
13 or international organization to carry out the Com-  
14 mander's Emergency Response Program in Iraq or Af-  
15 ghanistan.

16       (b) Funds contributed pursuant to subsection (a)  
17 shall be credited to "Operation and Maintenance, Army".

18       (c) Funds contributed pursuant to subsection (a)  
19 shall become available during each year in which funds  
20 authorized to be appropriated have been appropriated.

21       SEC. 10009. (a) Until September 30, 2009, the Sec-  
22 retary of Defense may enter into an agreement with the  
23 head of an executive department or agency that has estab-  
24 lished internship programs to reimburse that department  
25 or agency for the costs associated with the first year of

1 employment of eligible military spouses into positions  
2 under the internship program.

3 (b) The Secretary may provide such reimbursement  
4 to the department or agency, from funds otherwise made  
5 available for “Operation and Maintenance, Defense-  
6 Wide”, including the costs of the salary, benefits and al-  
7 lowances, and training of the military spouse for the first  
8 year of employment, for eligible military spouses beginning  
9 their internship by September 30, 2009.

10 (c) In this section:

11 (1) The term “eligible military spouse” means  
12 any person married to a member of the Armed  
13 Forces on active duty at the time of appointment,  
14 other than a person who—

15 (A) is legally separated from a member of  
16 the Armed Forces under court order or statute  
17 of any State or possession of the United States;

18 (B) is also a member of the Armed Forces  
19 on active duty; or

20 (C) is a retired member of the Armed  
21 Forces.

22 (2) The term “internship” means a profes-  
23 sional, analytical, or administrative position in the  
24 Federal Government that operates under a develop-  
25 mental program leading to career advancement.

(INCLUDING TRANSFER OF FUNDS)

1  
2       SEC. 10010. Notwithstanding any other provision of  
3 law, of the funds appropriated in this title for “Operation  
4 and Maintenance, Defense-Wide”, the Secretary of De-  
5 fense may transfer up to \$30,000,000 to the Department  
6 of State “Assistance for Europe, Eurasia and Central  
7 Asia” account, with the concurrence of the Secretary of  
8 State, to provide a long-range air traffic control and safety  
9 system to support air operations in the Kyrgyz Republic,  
10 including Manas International Airport and Air Base: *Pro-*  
11 *vided*, That funds transferred under this section shall re-  
12 main available until expended.

13       SEC. 10011. From funds made available in this title,  
14 the Secretary of Defense may purchase motor vehicles for  
15 use by military and civilian employees of the Department  
16 of Defense in Iraq and Afghanistan, up to a limit of  
17 \$75,000 per vehicle, notwithstanding other limitations ap-  
18 plicable to passenger carrying motor vehicles.

(RESCISSIONS)

20       SEC. 10012. (a) Of the funds appropriated in the De-  
21 partment of Defense Appropriations Act, 2009 (division  
22 C of Public Law 110-329), the following amounts are re-  
23 scinded from the following accounts in the amounts speci-  
24 fied: “Operation and Maintenance, Army”, \$352,359,000;  
25 “Operation and Maintenance, Navy”, \$881,481,000; “Op-

1 eration and Maintenance, Marine Corps”, \$54,466,000;  
2 “Operation and Maintenance, Air Force”, \$925,203,000;  
3 “Operation and Maintenance, Defense-Wide”,  
4 \$81,135,000; “Operation and Maintenance, Army Re-  
5 serve”, \$23,338,000; “Operation and Maintenance, Navy  
6 Reserve”, \$62,910,000; “Operation and Maintenance, Ma-  
7 rine Corps Reserve”, \$1,250,000; “Operation and Mainte-  
8 nance, Air Force Reserve”, \$163,786,000; “Operation and  
9 Maintenance, Army National Guard”, \$57,819,000; “Op-  
10 eration and Maintenance, Air National Guard”,  
11 \$250,645,000; “Research, Development, Test and Evalua-  
12 tion, Navy”, \$30,510,000; and “Research, Development,  
13 Test and Evaluation, Air Force”, \$15,098,000.

14 (b)(1) Of the funds appropriated in the Department  
15 of Defense Appropriations Act, 2008 (division A of Public  
16 Law 110–116) under the heading “Research, Develop-  
17 ment, Test and Evaluation, Navy”, \$5,000,000 is re-  
18 scinded.

19 (2) Of the funds appropriated in the Department of  
20 Defense Appropriations Act, 2009 (division C of Public  
21 Law 110–329) under the heading “Operation and Mainte-  
22 nance, Defense-Wide”, \$5,000,000 is rescinded.

23 (c) Of the funds appropriated in the Department of  
24 Defense Appropriations Act, 2009 (division C of Public  
25 Law 110–329) under the heading “Research, Develop-

1 ment, Test and Evaluation, Air Force”, \$100,000,000 is  
 2 rescinded.

3 (INCLUDING TRANSFER OF FUNDS)

4 ~~SEC. 10013.~~ Upon enactment of this Act, the Sec-  
 5 retary of Defense shall make the following transfers of  
 6 funds: *Provided*, That the amounts transferred shall be  
 7 made available for the same purpose as the appropriations  
 8 to which transferred, and for the same time period as the  
 9 appropriation from which transferred: *Provided further*,  
 10 That the funds shall be transferred between the following  
 11 appropriations in the amounts specified:

12 To:

13 “Military Personnel, Army, 2009”,  
 14 \$100,600,000; “Reserve Personnel, Army, 2009”,  
 15 \$41,000,000; and “National Guard Personnel,  
 16 Army, 2009”, \$9,000,000.

17 From:

18 Funds appropriated in the Department of De-  
 19 fense Appropriations Act, 2009 (division C of Public  
 20 Law 110–329) under the heading “Aircraft Procure-  
 21 ment, Army, 2009/2011”, \$22,600,000; and under  
 22 the heading “Procurement of Ammunition, Army,  
 23 2009/2011”, \$107,100,000.

24 From:



1 Funds appropriated in the Department of De-  
2 fense Appropriations Act, 2008 (division A of Public  
3 Law 110-116) under the heading “Other Procure-  
4 ment, Army, 2008/2010”, \$20,900,000.

5 (RESCISSIONS)

6 SEC. 10014. Of the funds appropriated in the De-  
7 partment of Defense Appropriations Act, 2009 (division  
8 C of Public Law 110-329), under the heading “Operation  
9 and Maintenance, Defense-Wide”, \$181,500,000 is re-  
10 scinded.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 10015. (a) RETROACTIVE PAYMENT OF STOP-  
13 LOSS SPECIAL PAY.—In addition to the amounts appro-  
14 priated or otherwise made available elsewhere in this Act,  
15 \$734,400,000 is appropriated to the Department of De-  
16 fense, to remain available for obligation until expended.  
17 *Provided*, That such funds shall be available to the Secre-  
18 taries of the military departments only to make the pay-  
19 ment specified in subsection (b) to members of the Armed  
20 Forces, including members of the reserve components, and  
21 former and retired members under the jurisdiction of the  
22 Secretary who, at any time during the period beginning  
23 on September 11, 2001, and ending on September 30,  
24 2009, served on active duty while the members’ enlistment  
25 or period of obligated service was extended, or whose eligi-

1 bility for retirement was suspended, pursuant to section  
2 123 or 12305 of title 10, United States Code, or any other  
3 provision of law (commonly referred to as a “stop-loss au-  
4 thority”) authorizing the President to extend an enlist-  
5 ment or period of obligated service, or suspend an eligi-  
6 bility for retirement, of a member of the uniformed serv-  
7 ices in time of war or of national emergency declared by  
8 Congress or the President.

9 (b) PAYMENT AMOUNT.—The amount to be paid  
10 under subsection (a) to or on behalf of an eligible member,  
11 retired member, or former member described in such sub-  
12 section shall be \$500 per month for each month or portion  
13 of a month during the period specified in such subsection  
14 that the member was retained on active duty as a result  
15 of application of the stop-loss authority.

16 (c) TREATMENT OF DECEASED MEMBERS.—If an eli-  
17 gible member, retired member, or former member de-  
18 scribed in subsection (a) dies before the payment required  
19 by this section is made, the Secretary concerned shall  
20 make the payment to the designated representative or es-  
21 tate of the member.

22 (d) EXCLUSION OF CERTAIN FORMER MEMBERS.—  
23 A former member of the Armed Forces is not eligible for  
24 a payment under this section if the former member was

1 discharged or released from the Armed Forces under other  
2 than honorable conditions.

3 (c) ~~RELATION TO OTHER STOP-LOSS SPECIAL~~  
4 ~~PAY.~~—A member, retired member, or former member may  
5 not receive a payment under this section and stop-loss spe-  
6 cial pay under section 8116 of the Department of Defense  
7 Appropriations Act, 2009 (division C of Public Law 110-  
8 329, 122 Stat. 3646) for the same month or portion of  
9 a month during which the member was retained on active  
10 duty as a result of application of the stop-loss authority.

11 ~~SEC. 10016.~~ (a) Section 132 of the National Defense  
12 Authorization Act for Fiscal Year 2004 (Public Law 108-  
13 136, 117 Stat. 1392) is repealed.

14 (b) Notwithstanding any other provision of law, the  
15 Secretary of the Air Force may retire C-5A aircraft from  
16 the inventory of the Air Force 15 days after certifying to  
17 the congressional defense committees that retiring the air-  
18 craft will not significantly increase operational risk of not  
19 meeting the National Defense Strategy, provided that  
20 such retirements may not reduce total strategic airlift  
21 force structure inventory below the 292 strategic airlift  
22 aircraft level identified in the Mobility Capability Study  
23 2005 (MCS-05) unless otherwise addressed in the fiscal  
24 year 2010 National Defense Authorization Act.

1       ~~SEC. 10017.~~ None of the funds appropriated or other-  
2 wise made available by this title may be obligated or ex-  
3 pended to provide award fees to any defense contractor  
4 contrary to the provisions of section 814 of the National  
5 Defense Authorization Act, Fiscal Year 2007 (Public Law  
6 ~~109-364~~).

7       ~~SEC. 10018.~~ None of the funds provided in this title  
8 may be used to finance programs or activities denied by  
9 Congress in fiscal years 2008 or 2009 appropriations to  
10 the Department of Defense or to initiate a procurement  
11 or research, development, test and evaluation new start  
12 program without prior written notification to the congres-  
13 sional defense committees.

14       ~~SEC. 10019.~~ None of the funds appropriated or other-  
15 wise made available by this or any other Act shall be obli-  
16 gated or expended by the United States Government for  
17 a purpose as follows:

18           ~~(1)~~ To establish any military installation or  
19 base for the purpose of providing for the permanent  
20 stationing of United States Armed Forces in Iraq.

21           ~~(2)~~ To exercise United States control over any  
22 oil resource of Iraq.

23       ~~SEC. 10020.~~ None of the funds appropriated or other-  
24 wise made available by this or any other Act shall be obli-  
25 gated or expended by the United States Government for

1 the purpose of establishing any military installation or  
2 base for the purpose of providing for the permanent sta-  
3 tioning of United States Armed Forces in Afghanistan.

4       SEC. 10021. (a) REPORT ON IRAQ TROOP DRAW-  
5 DOWN STATUS, GOALS, AND TIMETABLE.—In recognition  
6 and support of the policy of President Barack Obama to  
7 withdraw all United States combat brigades from Iraq by  
8 August 31, 2010, and all United States military forces  
9 from Iraq on December 31, 2011, Congress directs the  
10 Secretary of Defense (in consultation with other members  
11 of the National Security Council) to prepare a report that  
12 identifies troop drawdown status and goals and includes—

13           (1) a detailed, month-by-month description of  
14       the transition of United States military forces and  
15       equipment out of Iraq; and

16           (2) a detailed, month-by-month description of  
17       the transition of United States contractors out of  
18       Iraq.

19       (b) ELEMENTS OF REPORT.—At a minimum, the  
20 Secretary of Defense shall address the following:

21           (1) How the Government of Iraq is assuming  
22       the responsibility for reconciliation initiatives as the  
23       mission of the United States Armed Forces transi-  
24       tions.

1           (2) How the drawdown of military forces com-  
 2 plies with the President’s planned withdrawal of  
 3 combat brigades by August 31, 2010, and all United  
 4 States forces by December 31, 2011.

5           (3) The roles and responsibilities of remaining  
 6 contractors in Iraq as the United States mission  
 7 evolves, including the anticipated number of United  
 8 States contractors to remain in Iraq after August  
 9 31, 2010, and December 31, 2011.

10       (c) SUBMISSION.—Not later than 90 days after the  
 11 date of enactment of this Act, and every 90 days there-  
 12 after through September 30, 2010, the Secretary of De-  
 13 fense shall submit the report required by subsection (a)  
 14 and a classified annex to the report, as necessary.

15       **TITLE II—MILITARY CONSTRUCTION, FOREIGN**  
 16           **OPERATIONS, AND OTHER MATTERS**

17           **CHAPTER 1—AGRICULTURE**

18           **DEPARTMENT OF AGRICULTURE**

19           **FOREIGN AGRICULTURAL SERVICE**

20           **PUBLIC LAW 480 TITLE II GRANTS**

21       For an additional amount for “Public Law 480 Title  
 22 II Grants”, \$500,000,000, to remain available until ex-  
 23 pended.

## 1           GENERAL PROVISIONS, THIS CHAPTER

2           SEC. 20101. Amounts appropriated by section 101(a)  
3 of title I of division B of Public Law 109–148 (119 Stat.  
4 2747) and unobligated as of the date of the enactment  
5 of this Act shall be available to the Secretary of Agri-  
6 culture, until expended, to provide assistance under the  
7 emergency conservation program established under title  
8 IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201  
9 et seq.) for expenses related to recovery efforts in response  
10 to natural disasters.

11          SEC. 20102. (a)(1) For an additional amount for  
12 gross obligations for the principal amount of direct and  
13 guaranteed farm ownership (7 U.S.C. 1922 et seq.) and  
14 operating (7 U.S.C. 1941 et seq.) loans, to be available  
15 from funds in the Agricultural Credit Insurance Fund, as  
16 follows: direct farm ownership loans, \$360,000,000; direct  
17 operating loans, \$400,000,000; and unsubsidized guaran-  
18 teed operating loans, \$50,201,000.

19          (2) For an additional amount for the cost of direct  
20 and guaranteed loans, including the cost of modifying  
21 loans as defined in section 502 of the Congressional Budg-  
22 et Act of 1974, as follows: direct farm ownership loans,  
23 \$22,860,000; direct operating loans, \$47,160,000; and un-  
24 subsidized guaranteed operating loans, \$1,250,000.

1 (b) Of the unobligated balances available and pro-  
2 vided in prior year appropriations acts for discretionary  
3 programs in the Rural Development mission area,  
4 \$71,270,000 is hereby rescinded.

5 CHAPTER 2—COMMERCE AND JUSTICE

6 DEPARTMENT OF JUSTICE

7 LEGAL ACTIVITIES

8 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

9 For an additional amount for “Salaries and Ex-  
10 penses”, \$1,648,000, to remain available until September  
11 30, 2010.

12 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

13 For an additional amount for “Salaries and Ex-  
14 penses”, \$5,000,000, to remain available until September  
15 30, 2010.

16 NATIONAL SECURITY DIVISION

17 SALARIES AND EXPENSES

18 For an additional amount for “Salaries and Ex-  
19 penses”, \$1,389,000, to remain available until September  
20 30, 2010.



1 BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND  
2 EXPLOSIVES

3 SALARIES AND EXPENSES

4 For an additional amount for “Salaries and Ex-  
5 penses”, \$4,000,000, to remain available until September  
6 30, 2010.

7 FEDERAL PRISON SYSTEM

8 SALARIES AND EXPENSES

9 For an additional amount for “Salaries and Ex-  
10 penses”, \$5,038,000, to remain available until September  
11 30, 2010.

12 GENERAL PROVISION, THIS CHAPTER

13 (INCLUDING RESCISSION)

14 SEC. 20201. (a) Of the funds appropriated in chapter  
15 2 of title I of Public Law 110–252 under the heading “Of-  
16 fice of Inspector General”, \$3,000,000 is rescinded.

17 (b) For an additional amount for “Office of Inspector  
18 General”, \$3,000,000, to remain available until September  
19 30, 2010.

1                   CHAPTER 3—ENERGY  
2                   DEPARTMENT OF ENERGY  
3                   ENERGY PROGRAMS  
4                   STRATEGIC PETROLEUM RESERVE  
5                   (TRANSFER OF FUNDS)

6           For an additional amount for “Strategic Petroleum  
7 Reserve”, ~~\$21,585,723~~, to remain available until ex-  
8 pended, to be derived by transfer from the “SPR Petro-  
9 leum Account” for site maintenance activities.

10           ATOMIC ENERGY DEFENSE ACTIVITIES  
11           NATIONAL NUCLEAR SECURITY ADMINISTRATION  
12           DEFENSE NUCLEAR NONPROLIFERATION

13           For an additional amount for “Defense Nuclear Non-  
14 proliferation”, ~~\$55,000,000~~, to remain available until ex-  
15 pended.

16           CHAPTER 4—GENERAL GOVERNMENT  
17           EXECUTIVE OFFICE OF THE PRESIDENT AND  
18           FUNDS APPROPRIATED TO THE PRESIDENT  
19           NATIONAL SECURITY COUNCIL  
20           SALARIES AND EXPENSES

21           For an additional amount for “Salaries and Ex-  
22 penses”, ~~\$2,936,000~~, of which \$800,000 shall remain  
23 available until expended and ~~\$2,136,000~~ shall remain  
24 available until September 30, 2010.

1           CHAPTER 5—HOMELAND SECURITY  
2           DEPARTMENT OF HOMELAND SECURITY  
3           FEDERAL EMERGENCY MANAGEMENT AGENCY  
4           FIREFIGHTER ASSISTANCE GRANTS

5           For grants awarded under section 34 of the Federal  
6 Fire Prevention and Control Act of 1974 (15 U.S.C.  
7 2229a) in fiscal years 2009 and 2010, the Administrator  
8 of the United States Fire Administration may waive the  
9 requirements of subsection (a)(1)(B) and subsection (c)  
10 of such section and may award grants for the hiring, rehir-  
11 ing, or retention of firefighters.

12           GENERAL PROVISIONS, THIS CHAPTER

13           SEC. 20501. Notwithstanding sections 12112, 55102,  
14 and 55103 of title 46, United States Code, the Secretary  
15 of the department in which the Coast Guard is operating  
16 shall issue a certificate of documentation with appropriate  
17 endorsement for engaging in the coastwise trade for the  
18 drydock ALABAMA (United States official number  
19 641504).

20           SEC. 20502. Notwithstanding sections 55101, 55103,  
21 and 12112 of title 46, United States Code, the Secretary  
22 of the department in which the Coast Guard is operating  
23 may issue a certificate of documentation with a coastwise  
24 endorsement for the vessel MARYLAND INDEPEND-  
25 ENCE (official number 662573). The coastwise endorse-

1 ment issued under authority of this section is terminated  
2 if—

3           (1) the vessel, or controlling interest in the per-  
4           son that owns the vessel, is conveyed after the date  
5           of enactment of this Act; or

6           (2) any repairs or alterations are made to the  
7           vessel outside of the United States.

## 8           CHAPTER 6—INTERIOR AND ENVIRONMENT

### 9                   DEPARTMENT OF THE INTERIOR

#### 10                           DEPARTMENT-WIDE PROGRAMS

#### 11                                   WILDLAND FIRE MANAGEMENT

#### 12   (INCLUDING TRANSFER OF FUNDS)

13           For an additional amount to cover necessary expenses  
14 for wildfire suppression and emergency rehabilitation ac-  
15 tivities of the Department of the Interior, \$50,000,000,  
16 to remain available until expended: *Provided*, That such  
17 funds shall only become available if funds provided pre-  
18 viously for wildland fire suppression will be exhausted im-  
19 mently and after the Secretary of the Interior notifies  
20 the Committees on Appropriations of the House of Rep-  
21 resentatives and the Senate in writing of the need for  
22 these additional funds: *Provided further*, That the Sec-  
23 retary of the Interior may transfer any of these funds to  
24 the Secretary of Agriculture if the transfer enhances the

1 efficiency or effectiveness of Federal wildland fire suppres-  
2 sion activities.

3 DEPARTMENT OF AGRICULTURE

4 FOREST SERVICE

5 WILDLAND FIRE MANAGEMENT

6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount to cover necessary expenses  
8 for wildfire suppression and emergency rehabilitation ac-  
9 tivities of the Forest Service, \$200,000,000, to remain  
10 available until expended: *Provided*, That such funds shall  
11 only become available if funds provided previously for  
12 wildland fire suppression will be exhausted imminently  
13 and after the Secretary of Agriculture notifies the Com-  
14 mittees on Appropriations of the House of Representatives  
15 and the Senate in writing of the need for these additional  
16 funds: *Provided further*, That the Secretary of Agriculture  
17 may transfer not more than \$50,000,000 of these funds  
18 to the Secretary of the Interior if the transfer enhances  
19 the efficiency or effectiveness of Federal wildland fire sup-  
20 pression activities.

1 CHAPTER 7—HEALTH AND HUMAN SERVICES  
2 DEPARTMENT OF HEALTH AND HUMAN  
3 SERVICES  
4 OFFICE OF THE SECRETARY  
5 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY  
6 FUND  
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Public Health and So-  
9 cial Services Emergency Fund” to prepare for and re-  
10 spond to an influenza pandemic, including the develop-  
11 ment and purchase of vaccine, antivirals, necessary med-  
12 ical supplies, diagnostics, and other surveillance tools and  
13 to assist international efforts and respond to international  
14 needs relating to the 2009–H1N1 influenza outbreak,  
15 \$1,850,000,000, to remain available until expended: *Pro-*  
16 *vided*, That no less than \$350,000,000 shall be for up-  
17 grading State and local capacity: *Provided further*, That  
18 no less than \$200,000,000 shall be transferred to the Cen-  
19 ters for Disease Control and Prevention to carry out global  
20 and domestic disease surveillance, laboratory capacity and  
21 research, laboratory diagnostics, risk communication,  
22 rapid response, and quarantine: *Provided further*, That  
23 products purchased with these funds may, at the discre-  
24 tion of the Secretary of Health and Human Services  
25 (“Secretary”), be deposited in the Strategic National

1 Stockpile under section 319F-2 of the Public Health Serv-  
2 ice Act: *Provided further*, That notwithstanding section  
3 496(b) of the Public Health Service Act, funds may be  
4 used for the construction or renovation of privately owned  
5 facilities for the production of pandemic influenza vaccine  
6 and other biologics, where the Secretary finds such a con-  
7 tract necessary to secure sufficient supplies of such vac-  
8 cines or biologics: *Provided further*, That funds appro-  
9 priated under this heading and not specifically designated  
10 under this heading may be transferred to, and merged  
11 with, other appropriation accounts of the Department of  
12 Health and Human Services and other Federal agencies,  
13 as determined by the Secretary to be appropriate, to be  
14 used for the purposes specified under this heading and to  
15 the fund authorized by section 319F-4 of the Public  
16 Health Service Act: *Provided further*, That transfers to  
17 other Federal agencies shall be made in consultation with  
18 the Director of the Office of Management and Budget:  
19 *Provided further*, That prior to transferring any funds  
20 under this heading, the Secretary shall notify the Commit-  
21 tees on Appropriations of the House of Representatives  
22 and the Senate of any such transfer and the planned uses  
23 of the funds: *Provided further*, That the transfer authority  
24 provided under this heading is in addition to any other  
25 transfer authority available in this or any other Act.

1           GENERAL PROVISION, THIS CHAPTER

2           SEC. 20701. Title II of division F of the Omnibus  
3 Appropriations Act, 2009 (Public Law 111-8) is amended  
4 under the heading “Children and Families Services Pro-  
5 grams”—

6           (1) by striking the first proviso in its entirety;  
7           and

8           (2) by striking “*Provided further*” the first  
9           place it appears and inserting “*Provided*”.

10           CHAPTER 8—LEGISLATIVE BRANCH

11                           CAPITOL POLICE

12                                   GENERAL EXPENSES

13           For an additional amount for “General Expenses”,  
14 \$71,606,000, to purchase and install a new radio system  
15 for the Capitol Police to remain available until September  
16 30, 2012: *Provided*, That \$6,500,000 of these funds shall  
17 be designated as “contingency” and shall only be available  
18 for obligation upon approval of the Committees on Appro-  
19 priations of the House of Representatives and the Senate:  
20 *Provided further*, That the Chief of the Capitol Police may  
21 not obligate any of the funds appropriated under this  
22 heading without approval of an obligation plan by the  
23 Committees on Appropriations of the House of Represent-  
24 atives and the Senate.



## 1 CHAPTER 9—MILITARY CONSTRUCTION

## 2 DEPARTMENT OF DEFENSE

## 3 MILITARY CONSTRUCTION, ARMY

4 (INCLUDING RESCISSION)

5 For an additional amount for “Military Construction,  
6 Army”, \$1,407,231,000, of which \$810,850,000 shall re-  
7 main available until September 30, 2010, and of which  
8 \$596,381,000 for child development centers, warrior in  
9 transition facilities, and planning and design shall remain  
10 available until September 30, 2013: *Provided*, That not-  
11 withstanding any other provision of law, such funds may  
12 be obligated and expended to carry out planning and de-  
13 sign and military construction projects not otherwise au-  
14 thorized by law: *Provided further*, That of the funds pro-  
15 vided under this heading, not to exceed \$68,081,000 shall  
16 be available for study, planning, design, and architect and  
17 engineer services: *Provided further*, That of the funds ap-  
18 propriated for “Military Construction, Army” under Pub-  
19 lic Law 110–252, \$142,500,000 is rescinded.

## 20 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

21 For an additional amount for “Military Construction,  
22 Navy and Marine Corps”, \$235,881,000, to remain avail-  
23 able until September 30, 2013: *Provided*, That notwith-  
24 standing any other provision of law, such funds may be  
25 obligated and expended to carry out planning and design

1 and military construction projects not otherwise author-  
2 ized by law: *Provided further*, That of the funds provided  
3 under this heading, not to exceed \$11,000,000 shall be  
4 available for study, planning, design, and architect and en-  
5 gineer services.

6           MILITARY CONSTRUCTION, AIR FORCE

7                           (INCLUDING RESCISSION)

8           For an additional amount for “Military Construction,  
9 Air Force”, \$279,120,000, of which \$255,650,000 shall  
10 remain available until September 30, 2010, and of which  
11 \$23,470,000 for child development centers and planning  
12 and design shall remain available until September 30,  
13 2013: *Provided*, That notwithstanding any other provision  
14 of law, such funds may be obligated and expended to carry  
15 out planning and design and military construction projects  
16 not otherwise authorized by law: *Provided further*, That  
17 of the funds provided under this heading, not to exceed  
18 \$12,070,000 shall be available for study, planning, design,  
19 and architect and engineer services: *Provided further*, That  
20 of the funds appropriated for “Military Construction, Air  
21 Force” under Public Law 110-252, \$30,000,000 is re-  
22 scinded.

23           MILITARY CONSTRUCTION, DEFENSE-WIDE

24           For an additional amount for “Military Construction,  
25 Defense-Wide”, \$1,086,968,000, to remain available until

1 ~~September 30, 2013: *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 in the United States not otherwise~~  
5 ~~authorized by law: *Provided further*, That of the amount~~  
6 ~~provided under this heading, \$30,000,000 shall be for the~~  
7 ~~planning and design of a National Security Agency data~~  
8 ~~center and \$1,056,968,000 shall be for the construction~~  
9 ~~of hospitals: *Provided further*, That not later than 30 days~~  
10 ~~after the enactment of this Act, the Secretary of Defense~~  
11 ~~shall submit to the Committees on Appropriations of both~~  
12 ~~Houses of Congress an expenditure plan for the funds pro-~~  
13 ~~vided for hospital construction under this heading.~~

14 NORTH ATLANTIC TREATY ORGANIZATION

15 SECURITY INVESTMENT PROGRAM

16 For an additional amount for “North Atlantic Treaty  
17 Organization Security Investment Program”,  
18 \$100,000,000, to remain available until expended: *Pro-*  
19 *vided*, That notwithstanding any other provision of law,  
20 such funds may be obligated and expended to carry out  
21 planning and design and military construction projects not  
22 otherwise authorized by law.

1 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT  
2 2005

3 For deposit into the Department of Defense Base  
4 Closure Account 2005, established by section 2906A(a)(1)  
5 of the Defense Base Closure and Realignment Act of 1990  
6 (10 U.S.C. 2687 note), \$263,300,000, to remain available  
7 until expended: *Provided*, That notwithstanding any other  
8 provision of law, such funds may be obligated and ex-  
9 pended to carry out planning and design and military con-  
10 struction projects not otherwise authorized by law.

11 CHAPTER 10—STATE, FOREIGN OPERATIONS,  
12 AND RELATED PROGRAMS  
13 DEPARTMENT OF STATE  
14 ADMINISTRATION OF FOREIGN AFFAIRS  
15 DIPLOMATIC AND CONSULAR PROGRAMS  
16 (INCLUDING TRANSFER OF FUNDS)

17 For an additional amount for “Diplomatic and Con-  
18 sular Programs”, \$1,016,215,000, to remain available  
19 until September 30, 2010, of which \$403,983,000 is for  
20 worldwide security protection and shall remain available  
21 until expended: *Provided*, That the Secretary of State may  
22 transfer up to \$157,600,000 of the total funds made avail-  
23 able under this heading to any other appropriation of any  
24 department or agency of the United States, upon the con-  
25 currence of the head of such department or agency, to sup-

1 port operations in and assistance for Afghanistan and to  
2 carry out the provisions of the Foreign Assistance Act of  
3 1961: *Provided further*, That up to \$10,900,000 of the  
4 funds made available under this heading for public diplo-  
5 macy activities should be transferred to, and merged with,  
6 funds made available for “International Broadcasting Op-  
7 erations” for broadcasting activities to the Pakistan-Af-  
8 ghanistan Border Region.

9 OFFICE OF INSPECTOR GENERAL

10 (INCLUDING TRANSFER OF FUNDS)

11 For an additional amount for “Office of Inspector  
12 General”, \$17,123,000, to remain available until Sep-  
13 tember 30, 2010, of which \$7,201,000 shall be transferred  
14 to the Special Inspector General for Afghanistan Recon-  
15 struction for reconstruction oversight: *Provided*, That the  
16 Special Inspector General for Afghanistan Reconstruction  
17 may exercise the authorities of subsections (b) through (i)  
18 of section 3161 of title 5, United States Code (without  
19 regard to subsection (a) of such section) for funds made  
20 available for fiscal years 2009 and 2010: *Provided further*,  
21 That the Inspector General of the United States Depart-  
22 ment of State and the Broadcasting Board of Governors,  
23 the Special Inspector General for Iraq Reconstruction, the  
24 Special Inspector General for Afghanistan Reconstruction,  
25 and the Inspector General of the United States Agency

1 for International Development shall coordinate and inte-  
2 grate the programming of funds made available under this  
3 heading in fiscal year 2009 for oversight of programs in  
4 Afghanistan, Pakistan and Iraq: *Provided further*, That  
5 the Secretary of State shall submit to the Committees on  
6 Appropriations of the House of Representatives and the  
7 Senate, within 30 days of completion, the annual com-  
8 prehensive audit plan for the Middle East and South Asia  
9 developed by the Southwest Asia Joint Planning Group  
10 in accordance with section 842 of Public Law 110-181.

11 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

12 For an additional amount for “Embassy Security,  
13 Construction, and Maintenance”, \$989,628,000, to re-  
14 main available until expended, for worldwide security up-  
15 grades, acquisition, and construction as authorized: *Pro-*  
16 *vided*, That funds made available under this heading in  
17 this chapter shall be for providing secure diplomatic facili-  
18 ties and housing for United States Mission staff in Af-  
19 ghanistan and Pakistan, and for the deployment of mobile  
20 mail screening units.

1                   INTERNATIONAL ORGANIZATIONS  
2       CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING  
3                   ACTIVITIES  
4       For an additional amount for “Contributions for  
5 International Peacekeeping Activities”, \$836,900,000, to  
6 remain available until September 30, 2010.

7       UNITED STATES AGENCY FOR INTERNATIONAL  
8                   DEVELOPMENT  
9               FUNDS APPROPRIATED TO THE PRESIDENT  
10                   OPERATING EXPENSES

11       For an additional amount for “Operating Expenses”,  
12 \$152,600,000, to remain available until September 30,  
13 2010.

14                   CAPITAL INVESTMENT FUND  
15       For an additional amount for “Capital Investment  
16 Fund”, \$48,500,000, to remain available until expended.

17                   OFFICE OF INSPECTOR GENERAL  
18       For an additional amount for “Office of Inspector  
19 General”, \$3,500,000, to remain available until September  
20 30, 2010, for oversight of programs in Afghanistan and  
21 Pakistan.

1           BILATERAL ECONOMIC ASSISTANCE  
2           FUNDS APPROPRIATED TO THE PRESIDENT  
3           GLOBAL HEALTH AND CHILD SURVIVAL

4           For an additional amount for “Global Health and  
5 Child Survival”, \$300,000,000, to remain available until  
6 September 30, 2010: *Provided*, That \$200,000,000 shall  
7 be made available for pandemic preparedness and re-  
8 sponse: *Provided further*, That \$100,000,000 shall be  
9 made available, notwithstanding any other provision of  
10 law, except for the United States Leadership Against  
11 HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public  
12 Law 108–25), for a United States contribution to the  
13 Global Fund to Fight AIDS, Tuberculosis and Malaria:  
14 *Provided further*, That the amounts made available under  
15 this heading in this chapter are in addition to amounts  
16 made available for such purpose in the Department of  
17 State, Foreign Operations and Related Programs Appro-  
18 priations Act, 2009 (division H of Public Law 111–8):  
19 *Provided further*, That notwithstanding any other provi-  
20 sion of law, to include minimum funding requirements or  
21 funding directives, if the President determines and reports  
22 to the Committees on Appropriations of the House of Rep-  
23 resentatives and the Senate that the human-to-human  
24 transmission of the H1N1 virus is efficient and sustained,  
25 and is spreading internationally, funds made available



1 under the headings “Global Health and Child Survival”,  
2 “Development Assistance”, “Economic Support Fund”,  
3 and “Millennium Challenge Corporation” in prior Acts  
4 making appropriations for the Department of State, for-  
5 eign operations, and related programs may be made avail-  
6 able to combat the H1N1 virus: *Provided further*, That  
7 funds made available pursuant to the authority of the pre-  
8 vious proviso shall be subject to prior consultation with,  
9 and the regular notification procedures of, the Committees  
10 on Appropriations of the House of Representatives and the  
11 Senate.

12 INTERNATIONAL DISASTER ASSISTANCE

13 For an additional amount for “International Disaster  
14 Assistance”, \$200,000,000, to remain available until ex-  
15 pended.

16 ECONOMIC SUPPORT FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For an additional amount for “Economic Support  
19 Fund”, \$2,907,500,000, to remain available until Sep-  
20 tember 30, 2010, of which up to \$529,500,000 is for as-  
21 sistance for Pakistan: *Provided*, That of the funds made  
22 available under this heading, not less than \$70,000,000  
23 shall be made available for the National Solidarity Pro-  
24 gram in Afghanistan: *Provided further*, That of the funds  
25 made available under this heading, not more than

1 \$556,000,000 may be made available for assistance for the  
2 West Bank and Gaza, of which not to exceed \$5,000,000  
3 may be used for administrative expenses of the United  
4 States Agency for International Development, in addition  
5 to funds otherwise available for such purposes, to carry  
6 out programs in the West Bank and Gaza, and of which  
7 \$2,000,000 shall be transferred, and merged with, funds  
8 available under the heading "United States Agency for  
9 International Development, Funds Appropriated to the  
10 President, Office of Inspector General" to conduct over-  
11 sight of programs in the West Bank and Gaza: *Provided*  
12 *further*, That of the amounts made available for assistance  
13 for the West Bank and Gaza, not more than \$200,000,000  
14 may be made available for cash transfer assistance to the  
15 Palestinian Authority: *Provided further*, That none of the  
16 funds made available under this heading for cash transfer  
17 assistance to the Palestinian Authority may be obligated  
18 for salaries of personnel of the Palestinian Authority lo-  
19 cated in Gaza: *Provided further*, That up to \$10,000,000  
20 of the funds made available under this heading may be  
21 made available for disaster assistance in Burma only for  
22 humanitarian assistance to Burmese affected by Cyclone  
23 Nargis, notwithstanding any other provision of law: *Pro-*  
24 *vided further*, That of the funds made available under this  
25 heading, up to \$300,000,000 may be made available for

1 assistance for developing countries impacted by the global  
2 financial crisis, including Haiti, Liberia, and Indonesia.

3 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

4 For an additional amount for “Assistance for Eu-  
5 rope, Eurasia and Central Asia”, \$242,500,000, to remain  
6 available until September 30, 2010, shall be available for  
7 assistance for Georgia: *Provided*, That funds appropriated  
8 under this heading shall be subject to prior consultations  
9 with, and the regular notification procedures of, the Com-  
10 mittees on Appropriations of the House of Representatives  
11 and the Senate.

12 DEPARTMENT OF STATE

13 INTERNATIONAL NARCOTICS CONTROL AND LAW

14 ENFORCEMENT

15 For an additional amount for “International Nar-  
16 cotics Control and Law Enforcement”, \$483,500,000, to  
17 remain available until September 30, 2010: *Provided*,  
18 That not less than \$160,000,000 shall be made available  
19 for assistance for Mexico to combat drug trafficking and  
20 related violence and organized crime, and for judicial re-  
21 form, institution building, anti-corruption, and rule of law  
22 activities, and shall be immediately available notwith-  
23 standing section 7045(e) of the Department of State, For-  
24 eign Operations, and Related Programs Appropriations  
25 Act, 2009 (division H of Public Law 111–8): *Provided fur-*

1 *ther*, That funds made available pursuant to the previous  
2 proviso shall be made available subject to prior consulta-  
3 tion with, and the regular notification procedures of, the  
4 Committees on Appropriations of the House of Represent-  
5 atives and the Senate, except that notifications shall be  
6 transmitted at least 5 days in advance of the obligation  
7 of any funds appropriated under this heading: *Provided*  
8 *further*, That of the funds appropriated under this head-  
9 ing, not more than \$106,000,000 shall be made available  
10 for security assistance for the West Bank: *Provided fur-*  
11 *ther*, That not later than 90 days after the date of enact-  
12 ment of this Act, the Secretary of State shall report to  
13 the Committees on Appropriations of the House of Rep-  
14 resentatives and the Senate, in classified form if nec-  
15 essary, on the use of assistance provided by the United  
16 States for the training of Palestinian security forces, in-  
17 cluding detailed descriptions of the training, curriculum,  
18 and equipment provided; and an assessment of the train-  
19 ing and the performance of forces after training has been  
20 completed.

21 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND  
22 RELATED PROGRAMS

23 For an additional amount for “Nonproliferation,  
24 Anti-Terrorism, Demining and Related Programs”,  
25 \$98,500,000, to remain available until September 30,

1 2010, of which up to \$73,500,000 may be made available  
2 for the Nonproliferation and Disarmament Fund, notwith-  
3 standing any other provision of law, to promote bilateral  
4 and multilateral activities relating to nonproliferation, dis-  
5 armament and weapons destruction, and shall remain  
6 available until expended: *Provided*, That funds made avail-  
7 able for the Nonproliferation and Disarmament Fund  
8 shall be subject to prior consultation with, and the regular  
9 notification procedures of, the Committees on Appropria-  
10 tions of the House of Representatives and the Senate.

11                   MIGRATION AND REFUGEE ASSISTANCE

12       For an additional amount for “Migration and Ref-  
13 ugee Assistance”, \$343,000,000, to remain available until  
14 expended.

15                   INTERNATIONAL SECURITY ASSISTANCE

16                   FUNDS APPROPRIATED TO THE PRESIDENT

17                   PEACEKEEPING OPERATIONS

18       For an additional amount for “Peacekeeping Oper-  
19 ations”, \$80,000,000, to remain available until September  
20 30, 2010.

21                   INTERNATIONAL MILITARY EDUCATION AND TRAINING

22       For an additional amount for “International Military  
23 Education and Training”, \$2,000,000, to remain available  
24 until September 30, 2010.

## 1 FOREIGN MILITARY FINANCING PROGRAM

2 For an additional amount for “Foreign Military Fi-  
3 nancing Program”, \$1,349,000,000, to remain available  
4 until September 30, 2010: *Provided*, That not less than  
5 \$310,000,000 shall be made available for assistance for  
6 Mexico and shall be immediately available notwithstanding  
7 section 7045(e) of the Department of State, Foreign Oper-  
8 ations, and Related Programs Appropriations Act, 2009  
9 (division H of Public Law 111–8): *Provided further*, That  
10 funds made available pursuant to the previous proviso  
11 shall be available notwithstanding section 36(b) of the  
12 Arms Export Control Act: *Provided further*, That of the  
13 funds appropriated under this heading not less than  
14 \$150,000,000 shall be available for Jordan: *Provided fur-*  
15 *ther*, That of the funds appropriated under this heading,  
16 not less than \$555,000,000, shall be available for grants  
17 only for Israel and shall be disbursed within 30 days of  
18 the enactment of this Act: *Provided further*, That to the  
19 extent that the Government of Israel requests that funds  
20 be used for such purposes, grants made available for Israel  
21 by this paragraph shall, as agreed by the United States  
22 and Israel, be available for advanced weapons systems, of  
23 which \$145,965,000 shall be available for the procurement  
24 in Israel of defense articles and defense services, including  
25 research and development: *Provided further*, That of the

1 funds appropriated under this heading, not less than  
2 \$260,000,000 shall be made available for grants only for  
3 Egypt, including for border security programs and activi-  
4 ties in the Sinai: *Provided further*, That funds appro-  
5 priated pursuant to the previous proviso estimated to be  
6 outlayed for Egypt shall be transferred to an interest bear-  
7 ing account for Egypt in the Federal Reserve Bank of  
8 New York within 30 days of enactment of this Act: *Pro-*  
9 *vided further*, That up to \$74,000,000 may be available  
10 for Lebanon only after the Secretary of State submits to  
11 the Committees on Appropriations of the House of Rep-  
12 resentatives and the Senate a report on procedures estab-  
13 lished to determine eligibility of members and units of the  
14 security forces of Lebanon to participate in United States  
15 training and assistance programs and on the end use mon-  
16 itoring of all equipment provided under such programs to  
17 the Lebanese security forces: *Provided further*, That prior  
18 to the initial obligation of funds the Secretary of State  
19 shall certify to the Committees on Appropriations of the  
20 House of Representatives and the Senate that all prac-  
21 ticable efforts have been made to ensure that such assist-  
22 ance is not provided to or through any individual, or pri-  
23 vate or government entity, that advocates, plans, sponsors,  
24 engages in, or has engaged in, terrorist activity.





1 same time period as the appropriation or fund to which  
2 transferred, or may be transferred pursuant to the au-  
3 thorities contained in the Foreign Assistance Act of 1961:  
4 *Provided further*, That the Secretary of State shall, not  
5 fewer than 15 days prior to making transfers from this  
6 appropriation, notify the Committees on Appropriations of  
7 the House of Representatives and the Senate, and the con-  
8 gressional defense and foreign affairs committees, in writ-  
9 ing of the details of any such transfer: *Provided further*,  
10 That the Secretary of State shall submit not later than  
11 30 days after the end of each fiscal quarter to the Commit-  
12 tees on Appropriations of the House of Representatives  
13 and the Senate a report summarizing, on a project-by-  
14 project basis, the transfer of funds from this appropria-  
15 tion: *Provided further*, That upon determination by the  
16 Secretary of Defense or head of other Federal department  
17 or agency, with the concurrence of the Secretary of State,  
18 that all or part of the funds so transferred from this ap-  
19 propriation are not necessary for the purposes herein, such  
20 amounts may be transferred by the head of the relevant  
21 Federal department or agency back to this appropriation  
22 and shall be available for the same purposes and for the  
23 same time period as originally appropriated: *Provided fur-*  
24 *ther*, That any required notification or report may be sub-  
25 mitted in classified or unclassified form.

## 1           GENERAL PROVISIONS, THIS CHAPTER

## 2                           EXTENSION OF AUTHORITIES

3           SEC. 21001. Funds provided by this chapter may be  
4 obligated and expended notwithstanding section 10 of  
5 Public Law 91-672, section 15 of the State Department  
6 Basic Authorities Act of 1956, section 313 of the Foreign  
7 Relations Authorization Act, Fiscal Years 1994 and 1995  
8 (Public Law 103-236), and section 504(a)(1) of the Na-  
9 tional Security Act of 1947 (50 U.S.C. 414(a)(1)).

## 10                           ALLOCATIONS

11          SEC. 21002. (a) Funds provided in this chapter for  
12 the following accounts shall be made available for pro-  
13 grams and countries in the amounts contained in the re-  
14 spective tables included in the report accompanying this  
15 Act:

16                   (1) "Diplomatic and Consular Programs".

17                   (2) "Embassy Security, Construction, and  
18 Maintenance".

19                   (3) "Economic Support Fund".

20          (b) For the purposes of implementing this section,  
21 and only with respect to the tables included in the report  
22 accompanying this Act, the Secretary of State and the Ad-  
23 ministrator of the United States Agency for International  
24 Development, as appropriate, may propose deviations to  
25 the amounts referenced in subsection (a), subject to the

1 regular notification procedures of the Committees on Ap-  
 2 propriations of the House of Representatives and the Sen-  
 3 ate and section 634A of the Foreign Assistance Act of  
 4 1961.

5 SPENDING PLAN AND NOTIFICATION PROCEDURES

6 SEC. 21003. (a) SPENDING PLAN.—Not later than  
 7 45 days after the date of enactment of this Act, the Sec-  
 8 retary of State, in consultation with the Administrator of  
 9 the United States Agency for International Development,  
 10 shall submit to the Committees on Appropriations of the  
 11 House of Representatives and the Senate a report detail-  
 12 ing planned expenditures for funds appropriated in this  
 13 chapter, except for funds appropriated under the headings  
 14 “International Disaster Assistance” and “Migration and  
 15 Refugee Assistance”.

16 (b) NOTIFICATION.—Funds made available in this  
 17 chapter shall be subject to the regular notification proce-  
 18 dures of the Committees on Appropriations of the House  
 19 of Representatives and the Senate and section 634A of  
 20 the Foreign Assistance Act of 1961.

21 UNRWA ACCOUNTABILITY

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 21004. (a) LIMITATION.—Of the funds made  
 24 available in this chapter under the heading “Migration  
 25 and Refugee Assistance”, not more than \$119,000,000

1 may be made available to the United Nations Relief and  
2 Works Agency (UNRWA) for activities in the West Bank  
3 and Gaza.

4 (b) ACCOUNTABILITY REPORT.—The Secretary of  
5 State shall prepare and submit to the Committees on Ap-  
6 propriations of the House of Representatives and the Sen-  
7 ate not later than 45 days after the date of enactment  
8 of this Act a report on whether UNRWA is—

9 (1) continuing to utilize Operations Support Of-  
10 ficers in the West Bank and Gaza to inspect  
11 UNRWA installations and report any inappropriate  
12 use;

13 (2) acting swiftly in dealing with staff or bene-  
14 ficiary violations of its own policies (including the  
15 policies on neutrality and impartiality of employees)  
16 and the legal requirements under Section 301(e) of  
17 the Foreign Assistance Act of 1961;

18 (3) taking necessary and appropriate measures  
19 to ensure it is operating in full compliance with the  
20 conditions of section 301(e) of the Foreign Assist-  
21 ance Act of 1961;

22 (4) continuing to report every six months to the  
23 Department of State on actions it has taken to en-  
24 sure conformance with the conditions of section  
25 301(e) of the Foreign Assistance Act of 1961;

1           (5) taking steps to improve the transparency of  
2 all educational materials and supplemental edu-  
3 cational materials currently in use in UNRWA-ad-  
4 ministered schools;

5           (6) continuing to use supplemental curriculum  
6 materials in UNRWA-supported schools and summer  
7 camps designed to promote tolerance, non-violent  
8 conflict resolution and human rights;

9           (7) not engaging in operations with financial in-  
10 stitutions, or entities of any kind, in violation of rel-  
11 evant United States law and is enhancing its trans-  
12 parency and financial due diligence and diversifying  
13 its banking operations in the region; and

14           (8) in compliance with the United Nations  
15 Board of Auditors' biennial audit requirements and  
16 is implementing in a timely fashion the Board of  
17 Auditors' recommendations.

18       (c) OVERSIGHT.—Of the funds made available in this  
19 chapter under the heading “Economic Support Fund” for  
20 assistance for the West Bank and Gaza, \$1,000,000 shall  
21 be transferred to, and merged with, funds available under  
22 the heading “Administration of Foreign Affairs, Office of  
23 Inspector General” for oversight of programs in the West  
24 Bank, Gaza and surrounding region.



1 Operations<sup>22</sup> for assistance for Somalia, \$70,000,000 is  
2 available for equipment, logistical support and facilities for  
3 the expanded African Union Mission to Somalia  
4 (AMISOM) and for security sector reform.

5 (c) REPORT.—Not later than 45 days after the date  
6 of enactment of this Act, the Secretary of State, in con-  
7 sultation with relevant Federal departments or agencies,  
8 shall submit a report to the Committees on Appropriations  
9 of the House of Representatives and the Senate on the  
10 feasibility of creating an indigenous maritime capability  
11 to combat piracy off the coast of the Horn of Africa.

12 (d) NOTIFICATION REQUIREMENT.—Funds made  
13 available in this chapter for assistance for Somalia shall  
14 be subject to the regular notification procedures of the  
15 Committees on Appropriations of the House of Represent-  
16 atives and the Senate.

17 ASSISTANCE FOR DEVELOPING COUNTRIES IMPACTED BY  
18 THE GLOBAL FINANCIAL CRISIS

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 21007. (a) AVAILABILITY OF FUNDS.—Funds  
21 made available in this chapter for assistance for devel-  
22 oping countries impacted by the global financial crisis  
23 should only be made available to countries that—

24 (1) have a 2007 per capita Gross National In-  
25 come of \$3,705 or less;

1           ~~(2)~~ have seen a contraction in predicted growth  
2 rates of 2 percent or more since 2007; and

3           ~~(3)~~ demonstrate consistent improvement on the  
4 democracy and governance indicators as measured  
5 by the Millennium Challenge Corporation 2009  
6 Country Scorebook.

7           (b) TRANSFER AUTHORITIES.—Of the funds made  
8 available in this chapter under the heading “Economic  
9 Support Fund” for developing countries impacted by the  
10 global financial crisis—

11           (1) up to \$29,000,000 may be transferred and  
12 merged with “Development Credit Authority”; for  
13 the cost of direct loans and loan guarantees notwith-  
14 standing the dollar limitations in such account on  
15 transfers to the account and the principal amount of  
16 loans made or guaranteed with respect to any single  
17 country or borrower: *Provided*, That such trans-  
18 ferred funds may be available to subsidize total loan  
19 principal, any portion of which is to be guaranteed,  
20 of up to \$2,000,000,000: *Provided further*, That the  
21 authority provided by the previous proviso is in addi-  
22 tion to authority provided under the heading “Devel-  
23 opment Credit Authority” in the Department of  
24 State, Foreign Operations, and Related Programs  
25 Appropriations Act, 2009 (division H of Public Law



1       ~~111-8~~): *Provided further*, That up to \$1,500,000  
2       may be for administrative expenses to carry out  
3       credit programs administered by the United States  
4       Agency for International Development; and

5               (2) up to \$20,000,000 may be transferred and  
6       merged with “Overseas Private Investment Corpora-  
7       tion Program Account”: *Provided*, That the author-  
8       ity provided in this paragraph is in addition to au-  
9       thority provided in section ~~7081~~ in the Department  
10      of State, Foreign Operations, and Related Programs  
11      Appropriations Act, 2009 (division H of Public Law  
12      ~~111-8~~).

13      (c) REPORT.—The Secretary of State, in consultation  
14      with the Administrator of the United States Agency for  
15      International Development, shall submit a spending plan  
16      not later than ~~45~~ days after the date of enactment of this  
17      Act to the Committees on Appropriations of the House  
18      of Representatives and Senate, and prior to the initial obli-  
19      gation of funds appropriated for countries impacted by the  
20      global economic crisis, detailing the use of all funds on  
21      a country-by-country, and project-by-project basis: *Pro-*  
22      *vided*, For each project, the report shall include (1) the  
23      projected economic impact of providing such funds; (2) the  
24      name of the entity or implementing organization to which  
25      funds are being provided; and (3) if funds will be provided

1 as a direct cash transfer to a local or national government  
2 entity: *Provided further*, That funds transferred to the De-  
3 velopment Credit Authority and the Overseas Private In-  
4 vestment Corporation are subject to the reporting require-  
5 ments in section 21003.

6 EVALUATING AFGHAN AND PAKISTANI CONDUCT AND  
7 COMMITMENT

8 SEC. 21008. (a) FINDINGS REGARDING PROGRESS IN  
9 AFGHANISTAN AND PAKISTAN.—Congress makes the fol-  
10 lowing findings:

11 (1) Over 40,000 American military personnel  
12 are currently serving in Afghanistan, with the brav-  
13 ery and professionalism consistent with the finest  
14 traditions of the United States Armed Forces, and  
15 are deserving of the strong support of all Americans.

16 (2) Many American service personnel have lost  
17 their lives, and many more have been wounded in  
18 Afghanistan. The American people will always honor  
19 their sacrifice and honor their families.

20 (3) Afghanistan and Pakistan are experiencing  
21 a deterioration of their internal security resulting  
22 from a growing insurgency fueled by Al Qaeda, the  
23 Taliban and other extremist networks that continue  
24 to operate along the western border of Pakistan, in-  
25 cluding in the Federally Administered Tribal Areas

1 (FATA), as well as in areas under central govern-  
2 ment authority such as Quetta in Baluchistan and  
3 Muridke in Punjab.

4 (4) The United States and the international  
5 community have welcomed and supported Pakistan's  
6 return to civilian rule after almost nine years with  
7 the free and fair elections of February 18, 2008,  
8 and have supported the development of a democratic  
9 government in Afghanistan.

10 (5) Since 2001, the United States has contrib-  
11 uted more than \$33,000,000,000 to Afghanistan and  
12 \$12,000,000,000 to Pakistan to strengthen each  
13 country's governance, economy, education system,  
14 healthcare services, and military.

15 (6) The governments of Afghanistan and Paki-  
16 stan must expand the writ of the national govern-  
17 ment across all provinces to secure their borders,  
18 protect their population, enforce the rule of law, and  
19 tackle the pervasive problem of corruption in order  
20 to bring security and stability to their people.

21 (b) REPORT.—Because the stability and security of  
22 the region is tied more to the capacity and conduct of the  
23 Afghan and Pakistani governments and to the resolve of  
24 both societies than it is to the policies of the United  
25 States, the President shall submit a report to the Con-

1 gress, not later than the date of submission of the fiscal  
2 year 2011 budget request, assessing whether the Govern-  
3 ments of Afghanistan and Pakistan are, or are not, dem-  
4 onstrating the necessary commitment, capability, conduct  
5 and unity of purpose to warrant the continuation of the  
6 President's policy announced on March 27, 2009. The  
7 President, on the basis of information gathered and co-  
8 ordinated by the National Security Council, shall advise  
9 the Congress on how that assessment requires, or does not  
10 require, changes to that policy. The measures used to  
11 evaluate the Afghan and Pakistani governments' record  
12 of concrete performance shall include the following stand-  
13 ards of performance:

14           (1) Level of political consensus and unity of  
15           purpose across ethnic, tribal, religious and party af-  
16           filiations to confront the political and security chal-  
17           lenges facing the region.

18           (2) Level of government corruption and actions  
19           taken to eliminate it.

20           (3) Performance of the respective security  
21           forces in developing a counterinsurgency capability,  
22           conducting counterinsurgency operations and estab-  
23           lishing population security.

24           (4) Performance of the respective intelligence  
25           agencies in cooperating with the United States on

1 counterinsurgency and counterterrorism operations  
2 and in purging themselves of policies, programs and  
3 personnel that provide material support to extremist  
4 networks that target United States troops or under-  
5 mine United States objectives in the region.

6 (5) Ability of the Afghan and Pakistani govern-  
7 ments to effectively control the territory within their  
8 respective borders.

9 PROHIBITION ON ASSISTANCE TO HAMAS

10 SEC. 21009. (a) None of the funds made available  
11 in this chapter may be made available for assistance to  
12 Hamas, or any entity effectively controlled by Hamas or  
13 any power-sharing government of which Hamas is a mem-  
14 ber.

15 (b) Notwithstanding the limitation of subsection (a),  
16 assistance may be provided to a power-sharing government  
17 if the President certifies in writing and reports to the  
18 Committees on Appropriations of the House of Represent-  
19 atives and the Senate that such government, including all  
20 of its ministers or such equivalent, has publicly accepted  
21 and is complying with the principles contained in subpara-  
22 graphs (A) and (B) of section 620K(b)(1) of the Foreign  
23 Assistance Act of 1961 (22 U.S.C. 2378b(b)(1)).

24 (c) The President may exercise the authority in sec-  
25 tion 620K(c) of the Foreign Assistance Act of 1961 (22

1 U.S.C. 2378b(e)) with respect to the limitations of this  
2 section.

3 (d) REPORT.—Whenever the certification pursuant to  
4 subsection (b) is exercised, the Secretary of State shall  
5 submit a report to the Committees on Appropriations of  
6 the House of Representatives and the Senate within 120  
7 days of the certification and every quarter thereafter on  
8 whether such government, including all of its ministers or  
9 such equivalent are continuing to publically accept and  
10 comply with the principles contained in section 620K(b)(1)  
11 (A) and (B) of the Foreign Assistance Act of 1961 (22  
12 U.S.C. 2378b(b)(1)). The report shall also detail the  
13 amount, purposes and delivery mechanisms for any assist-  
14 ance provided pursuant to the abovementioned certifi-  
15 cation and a full accounting of any direct support of such  
16 government.

17 TERMS AND CONDITIONS

18 SEC. 21010. Unless otherwise provided for in this  
19 Act, funds appropriated or otherwise made available in  
20 this chapter shall be available under the authorities and  
21 conditions provided in the Department of State, Foreign  
22 Operations, and Related Programs Appropriations Act,  
23 2009 (division H of Public Law 111–8), except that sec-  
24 tions 7070(e), with respect to funds made available for  
25 macroeconomic growth assistance for Zimbabwe, and 7042

1 (a) and (c) of such Act shall not apply to funds made  
2 available in this chapter.

3 ~~TITLE III—GENERAL PROVISIONS, THIS ACT~~

4 ~~SEC. 30001. (a) Not later than October 1, 2009, the~~  
5 ~~President shall submit to the Congress, in writing, a com-~~  
6 ~~prehensive plan regarding the proposed disposition of the~~  
7 ~~detention center at Naval Station, Guantanamo Bay,~~  
8 ~~Cuba, to include—~~

9 ~~(1) a proposed disposition of individuals de-~~  
10 ~~tained as of April 30, 2009;~~

11 ~~(2) a determination that such disposition does~~  
12 ~~not pose a risk that cannot be mitigated if such indi-~~  
13 ~~vidual is prosecuted, transferred or released, includ-~~  
14 ~~ing a plan for such mitigation; and~~

15 ~~(3) a detailed analysis of the total estimated di-~~  
16 ~~rect costs of closing the detention facility at Naval~~  
17 ~~Station, Guantanamo Bay, Cuba, and any related~~  
18 ~~costs, including the estimated costs of detention,~~  
19 ~~prosecution, security, and incarceration in the~~  
20 ~~United States of the individuals detained at such fa-~~  
21 ~~cility.~~

22 ~~(b) The plan required under subsection (a) shall be~~  
23 ~~submitted in unclassified form, but shall include a classi-~~  
24 ~~fied annex, if necessary.~~

## 1 AVAILABILITY OF FUNDS

2 SEC. 30002. No part of any appropriation contained  
3 in this Act shall remain available for obligation beyond  
4 the current fiscal year unless expressly so provided herein.

5 OVERSEAS DEPLOYMENTS AND EMERGENCY  
6 DESIGNATIONS

7 SEC. 30003. (a) OVERSEAS DEPLOYMENTS DESIGNA-  
8 TIONS.—Except as provided in subsection (b), each  
9 amount in this Act is designated as being for overseas de-  
10 ployments and other activities pursuant to paragraphs (1)  
11 and (2) of section 423(a) of S. Con. Res. 13 (111th Con-  
12 gress); the concurrent resolution on the budget for fiscal  
13 year 2010.

14 (b) EMERGENCY DESIGNATIONS.—Each amount in  
15 chapters 6, 7, and 8 of title II is designated as necessary  
16 to meet emergency needs pursuant to section 423(b) of  
17 S. Con. Res. 13 (111th Congress); the concurrent resolu-  
18 tion on the budget for fiscal year 2010.

19 RESTRICTIONS AND REQUIREMENTS REGARDING THE  
20 TRANSFER AND RELEASE OF GUANTANAMO BAY DE-  
21 TAINÉES

22 SEC. 30004. (a) None of the funds made available  
23 in this or any prior Act may be used to release an indi-  
24 vidual who is detained, as of April, 30, 2009, at Naval  
25 Station, Guantanamo Bay, Cuba, into the continental



1 United States, Alaska, Hawaii, or the District of Colum-  
2 bia.

3 (b) None of the funds made available in this or any  
4 prior Act may be used to transfer an individual who is  
5 detained, as of April, 30, 2009, at Naval Station, Guanta-  
6 namo Bay, Cuba, into the continental United States, Alas-  
7 ka, Hawaii, or the District of Columbia, for the purposes  
8 of detaining or prosecuting such individual until 2 months  
9 after the plan detailed in subsection (c) is received.

10 (c) The President shall submit to the Congress, in  
11 writing, a comprehensive plan regarding the proposed dis-  
12 position of each individual who is detained, as of April,  
13 30, 2009, at Naval Station, Guantanamo Bay, Cuba, who  
14 is not covered under subsection (d). Such plan shall in-  
15 clude, at a minimum, each of the following for each such  
16 individual:

17 (1) The findings of an analysis regarding any  
18 risk to the national security of the United States  
19 that is posed by the transfer of the individual.

20 (2) The costs associated with not transferring  
21 the individual in question.

22 (3) The legal rationale and associated court de-  
23 mands for transfer.

24 (4) A certification by the President that any  
25 risk described in paragraph (1) has been mitigated;

1 together with a full description of the plan for such  
2 mitigation.

3 ~~(5) A certification by the President that the~~  
4 ~~President has submitted to the Governor and legisla-~~  
5 ~~ture of the State to which the President intends to~~  
6 ~~transfer the individual a certification in writing at~~  
7 ~~least 30 days prior to such transfer (together with~~  
8 ~~supporting documentation and justification) that the~~  
9 ~~individual does not pose a security risk to the United~~  
10 ~~States.~~

11 ~~(d) None of the funds made available in this or any~~  
12 ~~prior Act may be used to transfer or release an individual~~  
13 ~~detained at Naval Station, Guantanamo Bay, Cuba, as of~~  
14 ~~April 30, 2009, to the country of such individual's nation-~~  
15 ~~ality or last habitual residence or to any other country~~  
16 ~~other than the United States, unless the President submits~~  
17 ~~to the Congress, in writing, at least 30 days prior to such~~  
18 ~~transfer or release, the following information:~~

19 ~~(1) The name of any individual to be trans-~~  
20 ~~ferred or released and the country to which such in-~~  
21 ~~dividual is to be transferred or released.~~

22 ~~(2) An assessment of any risk to the national~~  
23 ~~security of the United States or its citizens, includ-~~  
24 ~~ing members of the Armed Services of the United~~

1 States, that is posed by such transfer or release and  
 2 the actions taken to mitigate such risk.

3 ~~(3) The terms of any agreement with another~~  
 4 ~~country for acceptance of such individual, including~~  
 5 ~~the amount of any financial assistance related to~~  
 6 ~~such agreement.~~

7 SHORT TITLE

8 SEC. 30005. This Act may be cited as the “Supple-  
 9 mental Appropriations Act, 2009”.

10 *That the following sums are appropriated, out of any*  
 11 *money in the Treasury not otherwise appropriated, for the*  
 12 *fiscal year ending September 30, 2009, and for other pur-*  
 13 *poses, namely:*

14 TITLE I

15 DEPARTMENT OF AGRICULTURE

16 FOREIGN AGRICULTURAL SERVICE

17 PUBLIC LAW 480 TITLE II GRANTS

18 *For an additional amount for “Public Law 480 Title*  
 19 *II Grants”, \$700,000,000, to remain available until ex-*  
 20 *pendent: Provided, That the amount under this heading is*  
 21 *designated as being for overseas deployments and other ac-*  
 22 *tivities pursuant to sections 401(c)(4) and 423(a) of S. Con.*  
 23 *Res. 13 (111th Congress), the concurrent resolution on the*  
 24 *budget for fiscal year 2010.*

1            *GENERAL PROVISION—THIS TITLE*

2            *SEC. 101. Notwithstanding any other provision of law,*  
3 *any amounts made available prior to the date of enactment*  
4 *of this Act to provide assistance under the emergency con-*  
5 *servation program established under title IV of the Agricul-*  
6 *tural Credit Act of 1978 (16 U.S.C. 2201 and 2202) that*  
7 *are unobligated as of the date of enactment of this Act shall*  
8 *be available to carry out any purpose under that program*  
9 *without fiscal year limitation: Provided, That the amount*  
10 *under this heading is designated as an emergency require-*  
11 *ment and necessary to meet emergency needs pursuant to*  
12 *sections 403(a) and 423(b) of S. Con. Res. 13 (111th Con-*  
13 *gress), the concurrent resolution on the budget for fiscal year*  
14 *2010.*

15            *(INCLUDING RESCISSION OF FUNDS)*

16            *SEC. 102. (a)(1) For an additional amount for gross*  
17 *obligations for the principal amount of direct farm owner-*  
18 *ship (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941*  
19 *et seq.) loans, to be available from funds in the Agricultural*  
20 *Credit Insurance Fund, as follows: direct farm ownership*  
21 *loans, \$360,000,000; and direct operating loans,*  
22 *\$225,000,000.*

23            *(2) For an additional amount for the cost of direct*  
24 *loans, including the cost of modifying loans as defined in*  
25 *section 502 of the Congressional Budget Act of 1974, as fol-*

1 *lows: direct farm ownership loans, \$22,860,000; and direct*  
2 *operating loans, \$26,530,000.*

3 *(b) Of available unobligated discretionary balances*  
4 *from the Rural Development mission area carried forward*  
5 *from fiscal year 2008, \$49,390,000 are hereby rescinded:*  
6 *Provided, That none of the amounts may be rescinded other*  
7 *than those from amounts that were designated by the Con-*  
8 *gress as an emergency requirement pursuant to a Concur-*  
9 *rent Resolution on the Budget or the Balanced Budget and*  
10 *Emergency Deficit Control Act of 1985, as amended.*

11 *(c) That the amount under this section is designated*  
12 *as an emergency requirement and necessary to meet emer-*  
13 *gency needs pursuant to sections 403(a) and 423(b) of S.*  
14 *Con. Res. 13 (111th Congress), the concurrent resolution on*  
15 *the budget for fiscal year 2010.*

## 16 *TITLE II*

### 17 *DEPARTMENT OF COMMERCE*

#### 18 *ECONOMIC DEVELOPMENT ADMINISTRATION*

#### 19 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

20 *For an additional amount for “Economic Development*  
21 *Assistance Programs”, \$40,000,000, to remain available*  
22 *until September 30, 2010: Provided, That the amount pro-*  
23 *vided under this heading shall be for the Trade Adjustment*  
24 *Assistance for Communities program as authorized by sec-*  
25 *tion 1872 of Public Law 111–5: Provided further, That the*

1 *amount provided under this heading is designated as an*  
2 *emergency requirement and necessary to meet emergency*  
3 *needs pursuant to sections 403(a) and 423(b) of S. Con.*  
4 *Res. 13 (111th Congress), the concurrent resolution on the*  
5 *budget for fiscal year 2010.*

6 *DEPARTMENT OF JUSTICE*

7 *GENERAL ADMINISTRATION*

8 *SALARIES AND EXPENSES*

9 *For an additional amount for “Salaries and ex-*  
10 *penses”, \$30,000,000, to remain available until September*  
11 *30, 2010: Provided, That funds provided in the previous*  
12 *proviso shall only be for carrying out Department of Justice*  
13 *responsibilities required by Executive Orders 13491, 13492,*  
14 *and 13493: Provided further, That the Attorney General*  
15 *shall submit to the Committees on Appropriations of the*  
16 *House and the Senate a detailed plan for expenditure of*  
17 *such funds no later than 30 days after enactment of this*  
18 *Act.*

19 *DETENTION TRUSTEE*

20 *For an additional amount for “Detention trustee”,*  
21 *\$60,000,000, to remain available until September 30, 2010.*



1                    *NATIONAL SECURITY DIVISION*2                    *SALARIES AND EXPENSES*

3            *For an additional amount for “Salaries and ex-*  
4 *penses,” \$1,389,000, to remain available until September*  
5 *30, 2010.*

6                    *FEDERAL BUREAU OF INVESTIGATIONS*7                    *SALARIES AND EXPENSES*

8            *For an additional amount for “Salaries and ex-*  
9 *penses”, \$35,000,000, to remain available until September*  
10 *30, 2010: Provided, That the amount provided under this*  
11 *heading is designated as an emergency requirement and*  
12 *necessary to meet emergency needs pursuant to sections*  
13 *403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the*  
14 *concurrent resolution on the budget for fiscal year 2010.*

15                    *DRUG ENFORCEMENT ADMINISTRATION*16                    *SALARIES AND EXPENSES*

17            *For an additional amount for “Salaries and ex-*  
18 *penses”, \$20,000,000, to remain available until September*  
19 *30, 2010.*

20                    *BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND*21                    *EXPLOSIVES*22                    *SALARIES AND EXPENSES*

23            *For an additional amount for “Salaries and ex-*  
24 *penses”, \$14,000,000, to remain available until September*  
25 *30, 2010.*



1                    *FEDERAL PRISON SYSTEM*

2                    *SALARIES AND EXPENSES*

3            *For an additional amount for “Salaries and ex-*  
4 *penses”, \$5,038,000, to remain available until September*  
5 *30, 2010.*

6                    *GENERAL PROVISIONS—THIS TITLE*

7            *SEC. 201. Unless otherwise specified, each amount in*  
8 *this title is designated as being for overseas deployment and*  
9 *other activities pursuant to sections 401(c)(4) and 423(a)*  
10 *of S. Con. Res. 13 (111th Congress), the concurrent resolu-*  
11 *tion on the budget for fiscal year 2010.*

12            *SEC. 202. (a)(1) None of the funds appropriated or*  
13 *otherwise made available by this Act or any prior Act may*  
14 *be used to transfer, release, or incarcerate any individual*  
15 *who was detained as of May 19, 2009, at Naval Station,*  
16 *Guantanamo Bay, Cuba, to or within the United States.*

17            *(2) In this subsection, the term “United States” means*  
18 *the several States and the District of Columbia.*

19            *(b) The amount appropriated or otherwise made avail-*  
20 *able by title II for the Department of Justice for general*  
21 *administration under the heading “SALARIES AND EX-*  
22 *PENSES” is hereby reduced by \$30,000,000.*

23            *(c) The amount appropriated or otherwise made avail-*  
24 *able by title III under the heading “OPERATION AND MAIN-*

1 *TENANCE, DEFENSE-WIDE” under paragraph (3) is hereby*  
2 *reduced by \$50,000,000.*

3 *TITLE III*

4 *DEPARTMENT OF DEFENSE*

5 *MILITARY PERSONNEL*

6 *MILITARY PERSONNEL, ARMY*

7 *For an additional amount for “Military Personnel,*  
8 *Army”, \$11,455,777,000.*

9 *MILITARY PERSONNEL, NAVY*

10 *For an additional amount for “Military Personnel,*  
11 *Navy”, \$1,565,227,000.*

12 *MILITARY PERSONNEL, MARINE CORPS*

13 *For an additional amount for “Military Personnel,*  
14 *Marine Corps”, \$1,464,353,000.*

15 *MILITARY PERSONNEL, AIR FORCE*

16 *For an additional amount for “Military Personnel,*  
17 *Air Force”, \$1,469,173,000.*

18 *RESERVE PERSONNEL, ARMY*

19 *For an additional amount for “Reserve Personnel,*  
20 *Army”, \$387,155,000.*

21 *RESERVE PERSONNEL, NAVY*

22 *For an additional amount for “Reserve Personnel,*  
23 *Navy”, \$39,478,000.*

1                    *RESERVE PERSONNEL, MARINE CORPS*

2                    *For an additional amount for “Reserve Personnel, Ma-*  
3 *rine Corps”, \$29,179,000.*

4                    *RESERVE PERSONNEL, AIR FORCE*

5                    *For an additional amount for “Reserve Personnel, Air*  
6 *Force”, \$14,943,000.*

7                    *NATIONAL GUARD PERSONNEL, ARMY*

8                    *For an additional amount for “National Guard Per-*  
9 *sonnel, Army”, \$1,542,333,000.*

10                   *NATIONAL GUARD PERSONNEL, AIR FORCE*

11                   *For an additional amount for “National Guard Per-*  
12 *sonnel, Air Force”, \$46,860,000.*

13                   *OPERATION AND MAINTENANCE*

14                   *OPERATION AND MAINTENANCE, ARMY*

15                   *For an additional amount for “Operation and Mainte-*  
16 *nance, Army”, \$13,933,801,000.*

17                   *OPERATION AND MAINTENANCE, NAVY*

18                   *For an additional amount for “Operation and Mainte-*  
19 *nance, Navy”, \$2,337,360,000.*

20                   *OPERATION AND MAINTENANCE, MARINE CORPS*

21                   *For an additional amount for “Operation and Mainte-*  
22 *nance, Marine Corps”, \$1,037,842,000.*

23                   *OPERATION AND MAINTENANCE, AIR FORCE*

24                   *For an additional amount for “Operation and Mainte-*  
25 *nance, Air Force”, \$5,992,125,000.*

1        *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

2        *For an additional amount for “Operation and Mainte-*  
3 *nance, Defense-Wide”, \$5,065,783,000, of which:*

4            *(1) not to exceed \$12,500,000 for the Combatant*  
5 *Commander Initiative Fund, to be used in support of*  
6 *Operation Iraqi Freedom and Operation Enduring*  
7 *Freedom;*

8            *(2) not to exceed \$1,050,000,000, to remain*  
9 *available until expended, for payments to reimburse*  
10 *key cooperating nations, for logistical, military, and*  
11 *other support including access provided to United*  
12 *States military operations in support of Operation*  
13 *Iraqi Freedom and Operation Enduring Freedom,*  
14 *notwithstanding any other provision of law: Provided,*  
15 *That such reimbursement payments may be made in*  
16 *such amounts as the Secretary of Defense, with the*  
17 *concurrence of the Secretary of State, and in con-*  
18 *sultation with the Director of the Office of Manage-*  
19 *ment and Budget, may determine, in his discretion,*  
20 *based on documentation determined by the Secretary*  
21 *of Defense to adequately account for the support pro-*  
22 *vided and such determination is final and conclusive*  
23 *upon the accounting officers of the United States, and*  
24 *15 days following notification to the appropriate con-*  
25 *gressional committees: Provided further, That these*

1 *funds may be used for the purpose of providing spe-*  
2 *cialized training and procuring supplies and special-*  
3 *ized equipment and providing such supplies and*  
4 *loaning such equipment on a non-reimbursable basis*  
5 *to coalition forces supporting United States military*  
6 *operations in Iraq and Afghanistan: Provided further,*  
7 *That the Secretary of Defense shall provide quarterly*  
8 *reports to the congressional defense committees on the*  
9 *use of funds provided in this paragraph; and*

10 *(3) up to \$50,000,000 shall be available, 30 days*  
11 *after the Secretary of Defense submits an expenditure*  
12 *plan to the congressional defense committees detailing*  
13 *the specific planned use of these funds, only to sup-*  
14 *port the relocation and disposition of individuals de-*  
15 *tained at the Guantanamo Bay Naval Base to loca-*  
16 *tions outside of the United States, relocate military*  
17 *and support forces associated with detainee oper-*  
18 *ations, and facilitate the closure of detainee facilities:*  
19 *Provided, That the Secretary of Defense shall certify*  
20 *in writing to the congressional defense committees,*  
21 *prior to transferring prisoners to foreign nations, that*  
22 *he has been assured by the receiving nation that the*  
23 *individual or individuals to be transferred will be re-*  
24 *tained in that nation's custody as long as they re-*  
25 *main a threat to the national security interest of the*

1        *United States: Provided further, That the funds in*  
2        *this paragraph available to provide assistance to for-*  
3        *foreign nations to facilitate the relocation and disposi-*  
4        *tion of individuals detained at the Guantanamo Bay*  
5        *Naval Base are in addition to any other authority to*  
6        *provide assistance to foreign nations: Provided fur-*  
7        *ther, That these funds are available for transfer to*  
8        *any other appropriations accounts of the Department*  
9        *of Defense or, with the concurrence of the head of the*  
10       *relevant Federal department or agency, to any other*  
11       *Federal appropriations accounts to accomplish the*  
12       *purposes provided herein: Provided further, That this*  
13       *transfer authority is in addition to any other transfer*  
14       *authority available to the Department of Defense.*

15        *OPERATION AND MAINTENANCE, ARMY RESERVE*

16        *For an additional amount for “Operation and Mainte-*  
17       *nance, Army Reserve”, \$110,017,000.*

18        *OPERATION AND MAINTENANCE, NAVY RESERVE*

19        *For an additional amount for “Operation and Mainte-*  
20       *nance, Navy Reserve”, \$25,569,000.*

21        *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

22        *For an additional amount for “Operation and Mainte-*  
23       *nance, Marine Corps Reserve”, \$30,775,000.*

1     *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

2         *For an additional amount for “Operation and Mainte-*  
3 *nance, Air Force Reserve”, \$34,599,000.*

4     *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

5         *For an additional amount for “Operation and Mainte-*  
6 *nance, Army National Guard”, \$203,399,000.*

7             *AFGHANISTAN SECURITY FORCES FUND*

8         *For the “Afghanistan Security Forces Fund”,*  
9 *\$3,606,939,000, to remain available until September 30,*  
10 *2010: Provided, That such funds shall be available to the*  
11 *Secretary of Defense, notwithstanding any other provision*  
12 *of law, for the purpose of allowing the Commander, Com-*  
13 *bined Security Transition Command—Afghanistan, or the*  
14 *Secretary’s designee, to provide assistance, with the concu-*  
15 *rence of the Secretary of State, to the security forces of Af-*  
16 *ghanistan, including the provision of equipment, supplies,*  
17 *services, training, facility and infrastructure repair, ren-*  
18 *ovation, and construction, and funding: Provided further,*  
19 *That the authority to provide assistance under this heading*  
20 *is in addition to any other authority to provide assistance*  
21 *to foreign nations: Provided further, That contributions of*  
22 *funds for the purposes provided herein from any person,*  
23 *foreign government, or international organization may be*  
24 *credited to this Fund and used for such purposes: Provided*  
25 *further, That the Secretary shall notify the congressional*

1 *defense committees in writing upon the receipt and upon*  
2 *the transfer of any contribution, delineating the sources and*  
3 *amounts of the funds received and the specific use of such*  
4 *contributions: Provided further, That the Secretary of De-*  
5 *fense shall, not fewer than 15 days prior to making trans-*  
6 *fers from this appropriation account, notify the congres-*  
7 *sional defense committees in writing of the details of any*  
8 *such transfer.*

9 *IRAQ SECURITY FORCES FUND*

10 *For an additional amount for the “Iraq Security*  
11 *Forces Fund”, \$1,000,000,000, to remain available until*  
12 *September 30, 2011: Provided, That, not later than July*  
13 *31, 2010, any remaining unobligated funds in this account*  
14 *shall be transferred to the Department of State to be avail-*  
15 *able for the same purposes as provided herein.*

16 *PAKISTAN COUNTERINSURGENCY CAPABILITY FUND*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *There is hereby established in the Treasury of the*  
19 *United States the “Pakistan Counterinsurgency Capability*  
20 *Fund”. For the “Pakistan Counterinsurgency Capability*  
21 *Fund”, \$400,000,000, to remain available until September*  
22 *30, 2010: Provided, That such funds shall be available to*  
23 *the Secretary of Defense, with the concurrence of the Sec-*  
24 *retary of State, notwithstanding any other provision of law,*  
25 *for the purpose of allowing the Commander, United States*



1 *Central Command, or the Secretary's designee, to provide*  
2 *assistance to Pakistan's security forces; including program*  
3 *management and the provision of equipment, supplies, serv-*  
4 *ices, training, and funds; and facility and infrastructure*  
5 *repair, renovation, and construction to build the counter-*  
6 *insurgency capability of Pakistan's military and Frontier*  
7 *Corps, and of which up to \$2,000,000 shall be available to*  
8 *assist the Government of Pakistan in creating a program*  
9 *to respond to urgent humanitarian relief and reconstruction*  
10 *requirements that will immediately assist Pakistani people*  
11 *affected by military operations: Provided further, That the*  
12 *authority to provide assistance under this provision is in*  
13 *addition to any other authority to provide assistance to for-*  
14 *foreign nations: Provided further, That the Secretary of De-*  
15 *fense may transfer such amounts as he may determine from*  
16 *the funds provided herein to appropriations for operation*  
17 *and maintenance; Overseas Humanitarian, Disaster, and*  
18 *Civic Aid; procurement; research, development, test and*  
19 *evaluation; and defense working capital funds: Provided*  
20 *further, That funds so transferred shall be merged with and*  
21 *be available for the same purposes and for the same time*  
22 *period as the appropriation or fund to which transferred:*  
23 *Provided further, That the Secretary of Defense shall, not*  
24 *fewer than 15 days prior to making transfers from this ap-*

1 *propriation account, notify the congressional defense com-*  
2 *mittees in writing of the details of any such transfer.*

3 *PROCUREMENT*

4 *AIRCRAFT PROCUREMENT, ARMY*

5 *For an additional amount for “Aircraft Procurement,*  
6 *Army”, \$315,684,000, to remain available until September*  
7 *30, 2011.*

8 *MISSILE PROCUREMENT, ARMY*

9 *For an additional amount for “Missile Procurement,*  
10 *Army”, \$737,041,000, to remain available until September*  
11 *30, 2011.*

12 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*

13 *VEHICLES, ARMY*

14 *For an additional amount for “Procurement of Weap-*  
15 *ons and Tracked Combat Vehicles, Army”, \$1,434,071,000,*  
16 *to remain available until September 30, 2011.*

17 *PROCUREMENT OF AMMUNITION, ARMY*

18 *For an additional amount for “Procurement of Am-*  
19 *munition, Army”, \$230,075,000, to remain available until*  
20 *September 30, 2011.*

21 *OTHER PROCUREMENT, ARMY*

22 *For an additional amount for “Other Procurement,*  
23 *Army”, \$7,029,145,000, to remain available until Sep-*  
24 *tember 30, 2011.*

1                    *AIRCRAFT PROCUREMENT, NAVY*

2            *For an additional amount for “Aircraft Procurement,*  
3 *Navy”, \$754,299,000, to remain available until September*  
4 *30, 2011.*

5                    *WEAPONS PROCUREMENT, NAVY*

6            *For an additional amount for “Weapons Procurement,*  
7 *Navy”, \$31,403,000, to remain available until September*  
8 *30, 2011.*

9                    *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*10    *CORPS*

11            *For an additional amount for “Procurement of Am-*  
12 *munition, Navy and Marine Corps”, \$348,919,000, to re-*  
13 *main available until September 30, 2011.*

14                    *OTHER PROCUREMENT, NAVY*

15            *For an additional amount for “Other Procurement,*  
16 *Navy”, \$207,181,000, to remain available until September*  
17 *30, 2011.*

18                    *PROCUREMENT, MARINE CORPS*

19            *For an additional amount for “Procurement, Marine*  
20 *Corps”, \$1,658,347,000, to remain available until Sep-*  
21 *tember 30, 2011.*

22                    *AIRCRAFT PROCUREMENT, AIR FORCE*

23            *For an additional amount for “Aircraft Procurement,*  
24 *Air Force”, \$2,064,118,000, to remain available for obliga-*  
25 *tion until September 30, 2011.*

1                    *MISSILE PROCUREMENT, AIR FORCE*

2                    *For an additional amount for “Missile Procurement,*  
3 *Air Force”, \$49,716,000, to remain available until Sep-*  
4 *tember 30, 2011.*

5                    *PROCUREMENT OF AMMUNITION, AIR FORCE*

6                    *For an additional amount for “Procurement of Am-*  
7 *munition, Air Force”, \$138,284,000, to remain available*  
8 *until September 30, 2011.*

9                    *OTHER PROCUREMENT, AIR FORCE*

10                   *For an additional amount for “Other Procurement,*  
11 *Air Force”, \$1,910,343,000, to remain available until Sep-*  
12 *tember 30, 2011.*

13                   *PROCUREMENT, DEFENSE-WIDE*

14                   *For an additional amount for “Procurement, Defense-*  
15 *Wide”, \$237,868,000, to remain available until September*  
16 *30, 2011.*

17                   *NATIONAL GUARD AND RESERVE EQUIPMENT*

18                   *For an additional amount for “National Guard and*  
19 *Reserve Equipment”, \$500,000,000, to remain available*  
20 *until September 30, 2011.*

21                   *MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND*

22                   *(INCLUDING TRANSFER OF FUNDS)*

23                   *For the “Mine Resistant Ambush Protected Vehicle*  
24 *Fund”, \$4,243,000,000, to remain available until Sep-*  
25 *tember 30, 2010: Provided, That such funds shall be avail-*

1 *able to the Secretary of Defense, notwithstanding any other*  
2 *provision of law, to procure, sustain, transport, and field*  
3 *Mine Resistant Ambush Protected vehicles: Provided fur-*  
4 *ther, That the Secretary shall transfer such funds only to*  
5 *appropriations for operation and maintenance; procure-*  
6 *ment; research, development, test and evaluation; and de-*  
7 *fense working capital funds to accomplish the purpose pro-*  
8 *vided herein: Provided further, That this transfer authority*  
9 *is in addition to any other transfer authority available to*  
10 *the Department of Defense: Provided further, That the Sec-*  
11 *retary shall, not fewer than 15 days prior to making trans-*  
12 *fers from this appropriation, notify the congressional de-*  
13 *fense committees in writing of the details of any such trans-*  
14 *fer.*

15 *RESEARCH, DEVELOPMENT, TEST AND*  
16 *EVALUATION*

17 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*  
18 *For an additional amount for “Research, Develop-*  
19 *ment, Test and Evaluation, Army”, \$71,935,000, to remain*  
20 *available until September 30, 2010.*

21 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*  
22 *For an additional amount of “Research, Development,*  
23 *Test and Evaluation, Navy”, \$141,681,000, to remain*  
24 *available until September 30, 2010.*



1     *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*  
2                                     *DEFENSE*  
3                             *(INCLUDING TRANSFER OF FUNDS)*

4             *For an additional amount for “Drug Interdiction and*  
5 *Counter-Drug Activities, Defense”, \$123,398,000, to remain*  
6 *available until September 30, 2010: Provided, That these*  
7 *funds may be used only for such activities related to Af-*  
8 *ghanistan, Pakistan, and Central Asia.*

9     *JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND*

10            *For an additional amount for “Joint Improvised Ex-*  
11 *plosive Device Defeat Fund”, \$1,116,746,000, to remain*  
12 *available until September 30, 2011.*

13                             *OFFICE OF THE INSPECTOR GENERAL*

14            *For an additional amount for “Office of the Inspector*  
15 *General”, \$9,551,000.*

16                             *GENERAL PROVISIONS—THIS TITLE*

17            *SEC. 301. Notwithstanding any other provision of law,*  
18 *funds made available in this title are in addition to*  
19 *amounts appropriated or otherwise made available for the*  
20 *Department of Defense for fiscal year 2009.*

21                             *(INCLUDING TRANSFER OF FUNDS)*

22            *SEC. 302. Upon the determination of the Secretary of*  
23 *Defense that such action is necessary in the national inter-*  
24 *est, the Secretary may transfer between appropriations up*  
25 *to \$2,500,000,000 of the funds made available to the De-*

1 *partment of Defense in this title: Provided, That the Sec-*  
2 *retary shall notify the Congress promptly of each transfer*  
3 *made pursuant to this authority: Provided further, That the*  
4 *authority provided in this section is in addition to any*  
5 *other transfer authority available to the Department of De-*  
6 *fense and is subject to the same terms and conditions as*  
7 *the authority provided in section 8005 of the Department*  
8 *of Defense Appropriations Act, 2009, (Public Law 110–116)*  
9 *except for the fourth proviso.*

10 *SEC. 303. Funds appropriated by this Act, or made*  
11 *available by the transfer of funds in this Act, for intelligence*  
12 *activities are deemed to be specifically authorized by the*  
13 *Congress for purposes of section 504(a)(1) of the National*  
14 *Security Act of 1947 (50 U.S.C. 414(a)(1)).*

15 *SEC. 304. During fiscal year 2009 and from funds in*  
16 *the “Defense Cooperation Account”, as established by 10*  
17 *U.S.C. 2608, the Secretary of Defense may transfer not to*  
18 *exceed \$6,500,000 to such appropriations or funds of the*  
19 *Department of Defense as the Secretary shall determine for*  
20 *use consistent with the purposes for which such funds were*  
21 *contributed and accepted: Provided, That such amounts*  
22 *shall be available for the same time period as the appro-*  
23 *priation to which transferred: Provided further, That the*  
24 *Secretary shall report to the Congress all transfers made*  
25 *pursuant to this authority.*



1       *SEC. 305. Supervision and administration costs asso-*  
2 *ciated with a construction project funded with appropria-*  
3 *tions available for operation and maintenance or “Afghani-*  
4 *stan Security Forces Fund” provided in this title, and exe-*  
5 *cuted in direct support of the overseas contingency oper-*  
6 *ations in Iraq and Afghanistan, may be obligated at the*  
7 *time a construction contract is awarded: Provided, That for*  
8 *the purpose of this section, supervision and administration*  
9 *costs include all in-house Government costs.*

10       *SEC. 306. Funds made available in this title to the*  
11 *Department of Defense for operation and maintenance may*  
12 *be used to purchase items having an investment unit cost*  
13 *of not more than \$250,000: Provided, That upon determina-*  
14 *tion by the Secretary of Defense that such action is nec-*  
15 *essary to meet the operational requirements of a Com-*  
16 *mander of a Combatant Command engaged in contingency*  
17 *operations overseas, such funds may be used to purchase*  
18 *items having an investment item unit cost of not more than*  
19 *\$500,000: Provided further, That the Secretary shall report*  
20 *to the Congress all purchases made pursuant to this author-*  
21 *ity within 30 days of using the authority.*

22       *SEC. 307. From funds made available in this title, the*  
23 *Secretary of Defense may purchase motor vehicles for use*  
24 *by military and civilian employees of the Department of*  
25 *Defense in Iraq and Afghanistan, up to a limit of \$75,000*

1 *per vehicle, notwithstanding other limitations applicable to*  
2 *passenger carrying motor vehicles.*

3 *SEC. 308. Of the funds appropriated in Department*  
4 *of Defense Appropriations Acts, the following funds are*  
5 *hereby rescinded from the following accounts and programs*  
6 *in the specified amounts: Provided, That none of the*  
7 *amounts may be rescinded from amounts that were des-*  
8 *ignated by the Congress as an emergency requirement pur-*  
9 *suant to a Concurrent Resolution on the Budget or the Bal-*  
10 *anced Budget and Emergency Deficit Control Act of 1985,*  
11 *as amended:*

12 *“Procurement, Marine Corps, 2007/2009”,*  
13 *\$54,400,000;*

14 *“Other Procurement, Army, 2008/2010”,*  
15 *\$29,300,000;*

16 *“Procurement, Marine Corps, 2008/2010”,*  
17 *\$10,300,000;*

18 *“Research, Development, Test and Evaluation,*  
19 *Navy, 2008/2009”, \$5,000,000;*

20 *“Research, Development, Test and Evaluation,*  
21 *Air Force, 2008/2009”, \$36,107,000;*

22 *“Research, Development, Test and Evaluation,*  
23 *Defense-Wide, 2008/2009”, \$200,000,000;*

24 *“Operation and Maintenance, Army, 2009/*  
25 *2009”, \$352,359,000;*

1           *“Operation and Maintenance, Navy, 2009/2009”,*  
2           \$881,481,000;

3           *“Operation and Maintenance, Marine Corps,*  
4           *2009/2009”, \$54,466,000;*

5           *“Operation and Maintenance, Air Force, 2009/*  
6           *2009”, \$925,203,000;*

7           *“Operation and Maintenance, Defense-Wide,*  
8           *2009/2009”, \$267,635,000;*

9           *“Operation and Maintenance, Army Reserve,*  
10          *2009/2009”, \$23,338,000;*

11          *“Operation and Maintenance, Navy Reserve,*  
12          *2009/2009”, \$62,910,000;*

13          *“Operation and Maintenance, Marine Corps Re-*  
14          *serve, 2009/2009”, \$1,250,000;*

15          *“Operation and Maintenance, Air Force Reserve,*  
16          *2009/2009”, \$163,786,000;*

17          *“Operation and Maintenance, Army National*  
18          *Guard, 2009/2009”, \$57,819,000;*

19          *“Operation and Maintenance, Air National*  
20          *Guard, 2009/2009”, \$250,645,000;*

21          *“Aircraft Procurement, Army, 2009/2011”,*  
22          \$11,500,000;

23          *“Procurement of Ammunition, Army, 2009/*  
24          *2011”, \$107,100,000;*

1           “*Other Procurement, Army, 2009/2011*”,  
2           \$195,000,000;

3           “*Procurement, Marine Corps, 2009/2011*”,  
4           \$10,300,000;

5           “*Procurement, Defense-Wide, 2009/2011*”,  
6           \$6,400,000;

7           “*Research, Development, Test and Evaluation,*  
8           *Army, 2009/2010*”, \$202,710,000;

9           “*Research, Development, Test and Evaluation,*  
10          *Navy, 2009/2010*”, \$270,260,000; and

11          “*Research, Development, Test and Evaluation,*  
12          *Air Force, 2009/2010*”, \$392,567,000.

13          *SEC. 309. None of the funds appropriated or otherwise*  
14          *made available by this title may be obligated or expended*  
15          *to provide award fees to any defense contractor contrary*  
16          *to the provisions of section 814 of the National Defense Au-*  
17          *thorization Act, Fiscal Year 2007 (Public Law 109–364).*

18          *SEC. 310. None of the funds provided in this title may*  
19          *be used to finance programs or activities denied by Congress*  
20          *in fiscal years 2008 or 2009 appropriations to the Depart-*  
21          *ment of Defense or to initiate a procurement or research,*  
22          *development, test and evaluation new start program with-*  
23          *out prior written notification to the congressional defense*  
24          *committees.*

1        *SEC. 311. None of the funds appropriated or otherwise*  
2 *made available by this or any other Act shall be obligated*  
3 *or expended by the United States Government for the pur-*  
4 *pose of establishing any military installation or base for*  
5 *the purpose of providing for the permanent stationing of*  
6 *United States Armed Forces in Afghanistan.*

7        *SEC. 312. (a) REPEAL OF SECRETARY OF DEFENSE*  
8 *REPORTS ON TRANSITION READINESS OF IRAQ AND AF-*  
9 *GHAN SECURITY FORCES.—Subsection (a) of section 9205*  
10 *of Public Law 110–252 (122 Stat. 2412) is repealed.*

11        *(b) MODIFICATION OF REPORTS ON USE OF CERTAIN*  
12 *SECURITY FORCES FUNDS.—*

13            *(1) PREPARATION IN CONSULTATION WITH COM-*  
14 *MANDER OF CENTCOM.—Subsection (b)(1) of such sec-*  
15 *tion is amended by inserting “the Commander of the*  
16 *United States Central Command;” after “the Sec-*  
17 *retary of Defense;”.*

18            *(2) PERIOD OF REPORTS.—Such subsection is*  
19 *further amended by striking “not later than 120 days*  
20 *after the date of the enactment of this Act and every*  
21 *90 days thereafter” and inserting “not later than 45*  
22 *days after the end of each fiscal year quarter”.*

23            *(3) FUNDS COVERED BY REPORTS.—Such sub-*  
24 *section is further amended by striking “and ‘Afghani-*  
25 *stan Security Forces Fund’” and inserting “, ‘Af-*

1 *ghanistan Security Forces Fund*, and *‘Pakistan*  
2 *Counterinsurgency Capability Fund’*”.

3 (c) *NOTICE NEW PROJECTS AND TRANSFERS OF*  
4 *FUNDS.*—*Subsection (c) of such section is amended by strik-*  
5 *ing “the headings” and all that follows and inserting “the*  
6 *headings as follows:*

7 “(1) *‘Iraq Security Forces Fund’.*

8 “(2) *‘Afghanistan Security Forces Fund’.*

9 “(3) *‘Pakistan Counterinsurgency Capability*  
10 *Fund’.*”.

11 (d) *EFFECTIVE DATE.*—*The amendments made by this*  
12 *section shall take effect on the date of the enactment of this*  
13 *Act.*

14 *SEC. 313. (a) Section 1174(h)(1) of title 10, United*  
15 *States Code, is amended to read as follows:*

16 “(1) *A member who has received separation pay*  
17 *under this section, or separation pay, severance pay,*  
18 *or readjustment pay under any other provision of*  
19 *law, based on service in the armed forces, and who*  
20 *later qualifies for retired or retainer pay under this*  
21 *title or title 14 shall have deducted from each pay-*  
22 *ment of such retired or retainer pay an amount, in*  
23 *such schedule of monthly installments as the Sec-*  
24 *retary of Defense shall specify, taking into account*  
25 *the financial ability of the member to pay and avoid-*

1        *ing the imposition of undue financial hardship on the*  
2        *member and member’s dependents, until the total*  
3        *amount deducted is equal to the total amount of separa-*  
4        *tion pay, severance pay, and readjustment pay so*  
5        *paid.”.*

6        *(b) Section 1175(e)(3)(A) of title 10, United States*  
7        *Code, is amended to read as follows:*

8                *“(3)(A) A member who has received the vol-*  
9                *untary separation incentive and who later qualifies*  
10              *for retired or retainer pay under this title shall have*  
11              *deducted from each payment of such retired or re-*  
12              *tainer pay an amount, in such schedule of monthly*  
13              *installments as the Secretary of Defense shall specify,*  
14              *taking into account the financial ability of the mem-*  
15              *ber to pay and avoiding the imposition of undue fi-*  
16              *nancial hardship on the member and member’s de-*  
17              *pendents, until the total amount deducted is equal to*  
18              *the total amount of separation pay, severance pay,*  
19              *and readjustment pay so paid. If the member elected*  
20              *to have a reduction in voluntary separation incentive*  
21              *for any period pursuant to paragraph (2), the deduc-*  
22              *tion required under the preceding sentence shall be re-*  
23              *duced as the Secretary of Defense shall specify.”.*

24        *(c) EFFECTIVE DATE.—The amendments made by this*  
25        *section shall apply to any repayments of separation pay,*

1 *severance pay, readjustment pay, special separation benefit,*  
2 *or voluntary separation incentive, that occur on or after*  
3 *the date of enactment, including any ongoing repayment*  
4 *actions that were initiated prior to this amendment.*

5       *SEC. 314. (a) IN GENERAL.—Unless otherwise des-*  
6 *ignated, each amount in this title is designated as being*  
7 *for overseas deployments and other activities pursuant to*  
8 *sections 401(c)(4) and 423(a) of S. Con. Res. 13 (111th*  
9 *Congress), the concurrent resolution on the budget for fiscal*  
10 *year 2010.*

11       *(b) EXCEPTION.—Subsection (a) shall not apply to the*  
12 *amount rescinded in section 308 for “Operation and Main-*  
13 *tenance, Air Force”.*

14       *SEC. 315. (a) REPORTS REQUIRED.—Not later than*  
15 *60 days after the date of the enactment of this Act and every*  
16 *90 days thereafter, the President shall submit to the mem-*  
17 *bers and committees of Congress specified in subsection (b)*  
18 *a report on the prisoner population at the detention facility*  
19 *at Naval Station Guantanamo Bay, Cuba.*

20       *(b) SPECIFIED MEMBERS AND COMMITTEES OF CON-*  
21 *GRESS.—The members and committees of Congress specified*  
22 *in this subsection are the following:*

23               *(1) The majority leader and minority leader of*  
24       *the Senate.*



1           (2) *The Chairman and Ranking Member on the*  
2           *Committee on Armed Services of the Senate.*

3           (3) *The Chairman and Vice Chairman of the Se-*  
4           *lect Committee on Intelligence of the Senate.*

5           (4) *The Speaker of the House of Representatives.*

6           (5) *The minority leader of the House of Rep-*  
7           *resentatives.*

8           (6) *The Chairman and Ranking Member on the*  
9           *Committee on Armed Services of the House of Rep-*  
10          *resentatives.*

11          (7) *The Chairman and Vice Chairman of the*  
12          *Permanent Select Committee on Intelligence of the*  
13          *House of Representatives*

14          (c) *MATTERS TO BE INCLUDED.*—*Each report sub-*  
15          *mitted under subsection (a) shall include the following:*

16               (1) *The name and country of origin of each de-*  
17               *tainee at the detention facility at Naval Station*  
18               *Guantanamo Bay, Cuba, as of the date of such report.*

19               (2) *A current summary of the evidence, intel-*  
20               *ligence, and information used to justify the detention*  
21               *of each detainee listed under paragraph (1) at Naval*  
22               *Station Guantanamo Bay.*

23               (3) *A current accounting of all the measures*  
24               *taken to transfer each detainee listed under para-*

1 *graph (1) to the individual's country of citizenship or*  
2 *another country.*

3 *(4) A current description of the number of indi-*  
4 *viduals released or transferred from detention at*  
5 *Naval Station Guantanamo Bay who are confirmed*  
6 *or suspected of returning to terrorist activities after*  
7 *release or transfer from Naval Station Guantanamo*  
8 *Bay.*

9 *(5) An assessment of any efforts by al Qaeda to*  
10 *recruit detainees released from detention at Naval*  
11 *Station Guantanamo Bay.*

12 *(6) For each detainee listed under paragraph*  
13 *(1), a threat assessment that includes—*

14 *(A) an assessment of the likelihood that such*  
15 *detainee may return to terrorist activity after re-*  
16 *lease or transfer from Naval Station Guanta-*  
17 *namo Bay;*

18 *(B) an evaluation of the status of any reha-*  
19 *ilitation program in such detainee's country of*  
20 *origin, or in the country such detainee is antici-*  
21 *ipated to be transferred to; and*

22 *(C) an assessment of the risk posed to the*  
23 *American people by the release or transfer of*  
24 *such detainee from Naval Station Guantanamo*  
25 *Bay.*

1       (d) *ADDITIONAL MATTERS TO BE INCLUDED IN INI-*  
2 *TIAL REPORT.*—*The first report submitted under subsection*  
3 *(a) shall also include the following:*

4           (1) *A description of the process that was pre-*  
5 *viously used for screening the detainees described by*  
6 *subsection (c)(4) prior to their release or transfer*  
7 *from detention at Naval Station Guantanamo Bay,*  
8 *Cuba.*

9           (2) *An assessment of the adequacy of that screen-*  
10 *ing process for reducing the risk that detainees pre-*  
11 *viously released or transferred from Naval Station*  
12 *Guantanamo Bay would return to terrorist activities*  
13 *after release or transfer from Naval Station Guanta-*  
14 *namo Bay.*

15           (3) *An assessment of lessons learned from pre-*  
16 *vious releases and transfers of individuals who re-*  
17 *turned to terrorist activities for reducing the risk that*  
18 *detainees released or transferred from Naval Station*  
19 *Guantanamo Bay will return to terrorist activities*  
20 *after their release or transfer.*

21       (e) *FORM.*—*Each report submitted under subsection*  
22 *(a), or parts thereof, may be submitted in classified form.*

23       (f) *LIMITATION ON RELEASE OR TRANSFER.*—*No de-*  
24 *tainee detained at the detention facility at Naval Station*  
25 *Guantanamo Bay, Cuba, as of the date of the enactment*

1 *of this Act may be released or transferred to another country*  
2 *until the President—*

3 *(1) submits to Congress the first report required*  
4 *by subsection (a); or*

5 *(2) certifies to the members and committees of*  
6 *Congress specified in subsection (b) that such action*  
7 *poses no threat to the members of the United States*  
8 *Armed Forces.*

9 *(g) SENSE OF SENATE.—It is the sense of the Senate*  
10 *that the Secretary of Defense should consult with State and*  
11 *local government officials before making any decision about*  
12 *where detainees at Naval Station Guantanamo Bay, Cuba,*  
13 *might be transferred, housed, or otherwise incarcerated as*  
14 *a result of the implementation of the Executive Order of*  
15 *the President to close the detention facilities at Naval Sta-*  
16 *tion Guantanamo Bay.*

17 *TITLE IV*

18 *DEPARTMENT OF DEFENSE—CIVIL*

19 *DEPARTMENT OF THE ARMY*

20 *CORPS OF ENGINEERS—CIVIL*

21 *OPERATION AND MAINTENANCE*

22 *For an additional amount for “Operation and Mainte-*  
23 *nance” to dredge navigation channels and repair damage*  
24 *to Corps projects nationwide related to natural disasters,*  
25 *\$38,375,000, to remain available until expended: Provided,*

1 *That the Assistant Secretary of the Army for Civil Works*  
2 *shall provide a monthly report to the Committees on Appro-*  
3 *priations of the House of Representatives and the Senate*  
4 *detailing the allocation and obligation of these funds, begin-*  
5 *ning not later than 60 days after enactment of this Act:*  
6 *Provided further, That the amount under this heading is*  
7 *designated as an emergency requirement and necessary to*  
8 *meet emergency needs pursuant to sections 403(a) and*  
9 *423(b) of S. Con. Res. 13 (111th Congress), the concurrent*  
10 *resolution on the budget for fiscal year 2010.*

11 *FLOOD CONTROL AND COASTAL EMERGENCIES*

12 *For an additional amount for “Flood Control and*  
13 *Coastal Emergencies”, as authorized by section 5 of the Act*  
14 *of August 18, 1941 (33 U.S.C. 701n), for necessary expenses*  
15 *relating to the consequences of natural disasters as author-*  
16 *ized by law, \$804,290,000, to remain available until ex-*  
17 *pended: Provided, That the Secretary of the Army is di-*  
18 *rected to use \$315,290,000 of the funds appropriated under*  
19 *this heading to support emergency operations, repair eligi-*  
20 *ble projects nationwide, and for other activities in response*  
21 *to natural disasters: Provided further, That the Secretary*  
22 *of the Army is directed to use \$489,000,000 of the amount*  
23 *provided under this heading for barrier island restoration*  
24 *and ecosystem restoration to restore historic levels of storm*  
25 *damage reduction to the Mississippi Gulf Coast: Provided*

1 *further, That this work shall be carried out at full Federal*  
2 *expense: Provided further, That the Assistant Secretary of*  
3 *the Army for Civil Works shall provide a monthly report*  
4 *to the Committees on Appropriations of the House of Rep-*  
5 *resentatives and the Senate detailing the allocation and ob-*  
6 *ligation of these funds, beginning not later than 60 days*  
7 *after enactment of this Act: Provided further, That the*  
8 *amount under this heading is designated as an emergency*  
9 *requirement and necessary to meet emergency needs pursu-*  
10 *ant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th*  
11 *Congress), the concurrent resolution on the budget for fiscal*  
12 *year 2010.*

13 *DEPARTMENT OF ENERGY*

14 *ENERGY PROGRAMS*

15 *STRATEGIC PETROLEUM RESERVE*

16 *(TRANSFER OF FUNDS)*

17 *For an additional amount for the “Strategic Petro-*  
18 *leum Reserve” account, \$21,585,723, to remain available*  
19 *until expended, to be derived by transfer from the “SPR*  
20 *Petroleum Account” for site maintenance activities: Pro-*  
21 *vided, That the amount under this heading is designated*  
22 *as an emergency requirement and necessary to meet emer-*  
23 *gency needs pursuant to sections 403(a) and 423(b) of S.*  
24 *Con. Res. 13 (111th Congress), the concurrent resolution on*  
25 *the budget for fiscal year 2010.*

1        *NATIONAL NUCLEAR SECURITY ADMINISTRATION*2                                *WEAPONS ACTIVITIES*3                                *(TRANSFER OF FUNDS)*

4        *For an additional amount for “Weapons Activities”,*  
5 *\$34,500,000, to remain available until expended, to be di-*  
6 *vided among the three national security laboratories of*  
7 *Livermore, Sandia and Los Alamos to fund a sustainable*  
8 *capability to analyze nuclear and biological weapons intel-*  
9 *ligence: Provided, That the Director of National Intelligence*  
10 *shall provide a written report to the Senate Appropriations*  
11 *Committee, the Senate Armed Services Committee and the*  
12 *Senate Select Committee on Intelligence within 90 days of*  
13 *enactment on how the National Nuclear Security Adminis-*  
14 *tration will invest these resources in technical and core ana-*  
15 *lytical capabilities: Provided further, That the amount*  
16 *under this heading is designated as being for overseas de-*  
17 *ployments and other activities pursuant to sections*  
18 *401(c)(4) and 423(a) of S. Con. Res. 13 (111th Congress),*  
19 *the concurrent resolution on the budget for fiscal year 2010.*

20                                *DEFENSE NUCLEAR NONPROLIFERATION*

21        *For an additional amount for “Defense Nuclear Non-*  
22 *proliferation” in the National Nuclear Security Adminis-*  
23 *tration, \$55,000,000, to remain available until expended,*  
24 *for the International Nuclear Materials Protection and Co-*  
25 *operation Program to counter emerging threats at nuclear*

1 *facilities in Russia and other countries of concern through*  
2 *detecting and deterring insider threats through security up-*  
3 *grades: Provided, That the amount under this heading is*  
4 *designated as being for overseas deployments and other ac-*  
5 *tivities pursuant to sections 401(c)(4) and 423(a) of S. Con.*  
6 *Res. 13 (111th Congress), the concurrent resolution on the*  
7 *budget for fiscal year 2010.*

8 **GENERAL PROVISIONS—THIS TITLE**

9 **LIMITED TRANSFER AUTHORITY**

10 *SEC. 401. Section 403 of title IV of division A of the*  
11 *American Recovery and Reinvestment Act of 2009 (Public*  
12 *Law 111–5) is amended by striking all of the text and in-*  
13 *serting the following:*

14 **“SEC. 403. LIMITED TRANSFER AUTHORITY.**

15 *“The Secretary of Energy may transfer up to 0.5 per-*  
16 *cent from each amount appropriated to the Department of*  
17 *Energy in this title to any other appropriate account with-*  
18 *in the Department of Energy, to be used for management*  
19 *and oversight activities: Provided, That the Secretary shall*  
20 *provide a report to the Committees on Appropriations of*  
21 *the House of Representatives and the Senate 15 days prior*  
22 *to any transfer: Provided further, That any funds so trans-*  
23 *ferred under this section shall remain available for obliga-*  
24 *tion until September 30, 2012.”.*



1        *WAIVER OF FEDERAL EMPLOYMENT REQUIREMENTS*

2        *SEC. 402. Section 4601(c)(1) of the Atomic Energy De-*  
3 *fense Act (50 U.S.C. 2701(c)(1)) is amended by striking*  
4 *“September 30, 2008” and inserting “September 30, 2009”.*

5                    *CORPS OF ENGINEERS TECHNICAL FIX*

6        *SEC. 403. (a) IN GENERAL.—Section 3181 of the*  
7 *Water Resources Development Act of 2007 (Public Law*  
8 *110–114; 121 Stat. 1158) is amended—*

9                    *(1) in subsection (a)—*

10                    *(A) by redesignating paragraphs (4)*  
11 *through (11) as paragraphs (5), (6), (8), (9),*  
12 *(10), (11), (12), and (13), respectively;*

13                    *(B) by inserting after paragraph (3) the fol-*  
14 *lowing:*

15                    *“(4) NORTHEAST HARBOR, MAINE.—The project*  
16 *for navigation, Northeast Harbor, Maine, authorized*  
17 *by section 2 of the Act of March 2, 1945 (59 Stat.*  
18 *12).”;* and

19                    *(C) by inserting after paragraph (6) (as re-*  
20 *designated by subparagraph (A)) the following:*

21                    *“(7) TENANTS HARBOR, MAINE.—The project for*  
22 *navigation, Tenants Harbor, Maine, authorized by*  
23 *the first section of the Act of March 2, 1919 (40 Stat.*  
24 *1275).”;* and

25                    *(2) in subsection (h)—*

1           (A) by striking paragraphs (15) and (16);  
2           and  
3           (B) by redesignating paragraphs (17)  
4           through (29) as paragraphs (15) through (27),  
5           respectively.

6           (b) *EFFECTIVE DATE.*—The amendments made by sub-  
7 section (a) shall take effect as if included in the Water Re-  
8 sources Development Act of 2007 (Public Law 110–114; 121  
9 Stat. 1041)

10       CORPS OF ENGINEERS REPROGRAMMING AUTHORITY

11       SEC. 404. *Unlimited reprogramming authority is*  
12 *granted to the Secretary of the Army for funds provided*  
13 *in title IV—Energy and Water Development of Public Law*  
14 *111–5 under the heading “Department of Defense—Civil,*  
15 *Department of the Army, Corps of Engineers—Civil”.*

16       BUREAU OF RECLAMATION REPROGRAMMING AUTHORITY

17       SEC. 405. *Unlimited reprogramming authority is*  
18 *granted to the Secretary of the Interior for funds provided*  
19 *in title IV—Energy and Water Development of Public Law*  
20 *111–5 under the heading “Bureau of Reclamation, Water*  
21 *and Related Resources”.*

22       COST ANALYSIS OF TRITIUM PROGRAM CHANGES

23       SEC. 406. *No funds in this Act, or other previous Acts,*  
24 *shall be provided to fund activities related to the mission*  
25 *relocation of either the design authority for the gas transfer*

1 *systems or tritium research and development facilities dur-*  
2 *ing the current fiscal year and until the Department can*  
3 *provide the Senate Appropriations Committee an inde-*  
4 *pendent technical mission review and cost analysis by the*  
5 *JASON's as proposed in the Complex Transformation Site-*  
6 *Wide Programmatic Environmental Impact Statement.*

7 *CORPS OF ENGINEERS PROJECT COST CEILING INCREASE*

8 *SEC. 407. The project for ecosystem restoration, Upper*  
9 *Newport Bay, California, authorized by section 101(b)(9)*  
10 *of the Water Resources Development Act of 2000 (114 Stat.*  
11 *2577), is modified to authorize the Secretary to construct*  
12 *the project at a total cost of \$50,659,000, with an estimated*  
13 *Federal cost of \$32,928,000 and a non-Federal cost of*  
14 *\$17,731,000.*

15 *SEC. 408. None of the funds provided in the matter*  
16 *under the heading entitled "Department of Defense—Civil"*  
17 *in this Act, or provided by previous appropriations Acts*  
18 *under the heading entitled "Department of Defense—Civil"*  
19 *may be used to deconstruct any work (including any par-*  
20 *tially completed work) completed under the Mississippi*  
21 *River and Tributaries Project authorized by the Act of May*  
22 *15, 1928 (45 2 Stat. 534; 100 Stat. 4183), during fiscal*  
23 *year 2009, 2010, and 2011.*



## TITLE V

## DEPARTMENT OF THE TREASURY

## DEPARTMENTAL OFFICES

## SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Departmental Offices, Salaries and Expenses”, \$4,000,000, to remain available until December 31, 2010: Provided, That, not later than 10 days following enactment of this Act, the Secretary of the Treasury shall transfer funds provided under this heading to an account to be designated for the necessary expenses of the Financial Crisis Inquiry Commission established pursuant to section 5 of the Fraud Enforcement and Recovery Act of 2009: Provided further, That the amount under this heading is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

EXECUTIVE OFFICE OF THE PRESIDENT AND  
FUNDS APPROPRIATED TO THE PRESIDENT

## NATIONAL SECURITY COUNCIL

## SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$2,936,000, of which \$800,000 shall remain available until expended and \$2,136,000 shall remain available

1 *until September 30, 2010: Provided, That the amount under*  
2 *this heading is designated as being for overseas deployments*  
3 *and other activities pursuant to sections 401(c)(4) and*  
4 *423(a) of S. Con. Res. 13 (111th Congress), the concurrent*  
5 *resolution on the budget for fiscal year 2010.*

6 *PANDEMIC PREPAREDNESS AND RESPONSE*

7 *(INCLUDING TRANSFERS OF FUNDS)*

8 *For an amount to be deposited into an account for*  
9 *“Pandemic Preparedness and Response” to be established*  
10 *within the Executive Office of the President for expenses to*  
11 *prepare for and respond to a potential pandemic disease*  
12 *outbreak and to assist international efforts to control the*  
13 *spread of such an outbreak, including for the 2009–H1N1*  
14 *influenza outbreak, \$1,500,000,000, to remain available*  
15 *until September 30, 2010, and to be transferred by the Di-*  
16 *rector of the Office of Management and Budget as follows:*  
17 *\$900,000,000 shall be transferred to and merged with funds*  
18 *made available under the heading “Department of Health*  
19 *and Human Services, Public Health and Social Services*  
20 *Emergency Fund” for allocation by the Secretary;*  
21 *\$190,000,000 shall be transferred to and merged with funds*  
22 *made available for the United States Department of Home-*  
23 *land Security under the heading “Departmental Manage-*  
24 *ment and Operations, Office of the Secretary and Executive*  
25 *Management” for allocation by the Secretary; \$100,000,000*

1 shall be transferred to and merged with funds made avail-  
2 able for the United States Department of Agriculture under  
3 the heading “Agricultural Programs, Production, Proc-  
4 essing and Marketing, Office of the Secretary” for allocation  
5 by the Secretary; \$50,000,000 shall be transferred to and  
6 merged with funds made available under the heading “De-  
7 partment of Health and Human Services, Food and Drug  
8 Administration, Salaries and Expenses”; \$110,000,000  
9 shall be transferred to and merged with funds made avail-  
10 able under the heading “Department of Veterans Affairs,  
11 Veterans Health Administration, Medical Services”; and  
12 \$150,000,000 shall be transferred to and merged with funds  
13 made available under the heading “Bilateral Economic As-  
14 sistance, Funds Appropriated to the President, Global  
15 Health and Child Survival”, to support programs of the  
16 United States Agency for International Development: Pro-  
17 vided, That such transfers shall be made not more than 10  
18 days after the date of enactment of this Act: Provided fur-  
19 ther, That none of the funds provided under this heading  
20 shall be available for obligation until 15 days following the  
21 submittal of a detailed spending plan by each Department  
22 receiving funds to the Committees on Appropriations of the  
23 House of Representatives and the Senate: Provided further,  
24 That the transfer authority provided under this heading is  
25 in addition to any other transfer authority available in this

1 *or any other Act: Provided further, That the amount under*  
2 *this heading is designated as an emergency requirement*  
3 *and necessary to meet emergency needs pursuant to sections*  
4 *403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the*  
5 *concurrent resolution on the budget for fiscal year 2010.*

6

*THE JUDICIARY*

7

*COURTS OF APPEALS, DISTRICT COURTS, AND OTHER*

8

*JUDICIAL SERVICES*

9

*SALARIES AND EXPENSES*

10

*(INCLUDING TRANSFER OF FUNDS)*

11

*For an additional amount for “Salaries and Ex-*  
12 *penses”, \$10,000,000, to remain available until September*  
13 *30, 2010: Provided, That notwithstanding section 302 of di-*  
14 *vision D of Public Law 111–8, funding shall be available*  
15 *for transfer between Judiciary accounts to meet increased*  
16 *workload requirements resulting from immigration and*  
17 *other law enforcement initiatives on the Southwest border:*  
18 *Provided further, That the amount under this heading is*  
19 *designated as being for overseas deployments and other ac-*  
20 *tivities pursuant to sections 401(c)(4) and 423(a) of S. Con.*  
21 *Res. 13 (111th Congress), the concurrent resolution on the*  
22 *budget for fiscal year 2010.*



1                                    *INDEPENDENT AGENCIES*  
2                                    *SECURITIES AND EXCHANGE COMMISSION*  
3                                    *SALARIES AND EXPENSES*

4            *For an additional amount for necessary expenses for*  
5 *the Securities and Exchange Commission, \$10,000,000, to*  
6 *remain available until September 30, 2010, for investiga-*  
7 *tion of securities fraud: Provided, That the amount under*  
8 *this heading is designated as an emergency requirement*  
9 *and necessary to meet emergency needs pursuant to sections*  
10 *403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the*  
11 *concurrent resolution on the budget for fiscal year 2010.*

12                                    *GENERAL PROVISIONS—THIS TITLE*

13            *SEC. 501. (a) IN GENERAL.—Section 3(c)(2)(A) of*  
14 *Public Law 110–428 is amended—*

15                                    *(1) in the matter before clause (i), by striking*  
16                                    *“4-year” and inserting “5-year”; and*

17                                    *(2) in clause (i), by striking “1-year” and in-*  
18                                    *serting “2-year”.*

19            *(b) EFFECTIVE DATE.—The amendments made by sub-*  
20 *section (a) shall take effect as if included in the enactment*  
21 *of Public Law 110–428.*

22            *SEC. 502. The fourth proviso under the heading “Dis-*  
23 *trict of Columbia Funds” of title IV of division D of the*  
24 *Omnibus Appropriations Act, 2009 (Public Law 111–8;*  
25 *123 Stat. 655) is amended by striking “and such title” and*

1 *inserting “, as amended by laws enacted pursuant to section*  
2 *442(c) of the Home Rule Act of the District of Columbia*  
3 *Home Rule Act of 1973, approved December 24, 1973 (87*  
4 *Stat. 798), and such title, as amended,”.*

5       *SEC. 503. Title V of division D of the Omnibus Appro-*  
6 *priations Act, 2009 (Public Law 111–8) is amended under*  
7 *the heading “Federal Communications Commission” by*  
8 *striking the first proviso and inserting the following: “Pro-*  
9 *vided, That of the funds provided, not less than \$3,000,000*  
10 *shall be available for developing a national broadband plan*  
11 *pursuant to title VI of division B of the American Recovery*  
12 *and Reinvestment Act of 2009 (Public Law 111–5) and for*  
13 *carrying out any other responsibility pursuant to that*  
14 *title:”.*

15                                   *EXTENSION OF LIMITATIONS*

16       *SEC. 504. (a) IN GENERAL.—Section 44(f)(1) of the*  
17 *Federal Deposit Insurance Act (12 U.S.C. 1831u(f)(1)) is*  
18 *amended—*

19                   (1) *by redesignating subparagraphs (A) and (B)*  
20 *as clauses (i) and (ii), respectively, and moving the*  
21 *margins 2 ems to the right;*

22                   (2) *by striking “evidence of debt by any insured”*  
23 *and inserting the following: “evidence of debt by—*

24                                   *“(A) any insured”; and*

1           (3) *by striking the period at the end and insert-*  
2 *ing the following: “; and*

3                   *“(B) any nondepository institution oper-*  
4 *ating in such State, shall be equal to not more*  
5 *than the greater of the State’s maximum lawful*  
6 *annual percentage rate or 17 percent—*

7                           *“(i) to facilitate the uniform imple-*  
8 *mentation of federally mandated or feder-*  
9 *ally established programs and financings*  
10 *related thereto, including—*

11                                   *“(I) uniform accessibility of stu-*  
12 *dent loans, including the issuance of*  
13 *qualified student loan bonds as set*  
14 *forth in section 144(b) of the Internal*  
15 *Revenue Code of 1986;*

16                                   *“(II) the uniform accessibility of*  
17 *mortgage loans, including the issuance*  
18 *of qualified mortgage bonds and quali-*  
19 *fied veterans’ mortgage bonds as set*  
20 *forth in section 143 of such Code;*

21                                   *“(III) the uniform accessibility of*  
22 *safe and affordable housing programs*  
23 *administered or subject to review by*  
24 *the Department of Housing and Urban*  
25 *Development, including—*

1           “(aa) the issuance of exempt  
2           facility bonds for qualified resi-  
3           dential rental property as set  
4           forth in section 142(d) of such  
5           Code;

6           “(bb) the issuance of low in-  
7           come housing tax credits as set  
8           forth in section 42 of such Code,  
9           to facilitate the uniform accessi-  
10          bility of provisions of the Amer-  
11          ican Recovery and Reinvestment  
12          Act of 2009; and

13          “(cc) the issuance of bonds  
14          and obligations issued under that  
15          Act, to facilitate economic devel-  
16          opment, higher education, and  
17          improvements to infrastructure,  
18          and the issuance of bonds and ob-  
19          ligations issued under any provi-  
20          sion of law to further the same;  
21          and

22          “(ii) to facilitate interstate commerce  
23          generally, including consumer loans, in the  
24          case of any person or governmental entity

1                   *(other than a depository institution subject*  
2                   *to subparagraph (A) and paragraph (2)).”.*

3           **(b) EFFECTIVE PERIOD.**—*The amendments made by*  
4 *subsection (a) shall apply with respect to contracts con-*  
5 *summated during the period beginning on the date of enact-*  
6 *ment of this Act and ending on December 31, 2010.*

7                                   **TITLE VI**

8                   **DEPARTMENT OF HOMELAND SECURITY**

9                   **U.S. CUSTOMS AND BORDER PROTECTION**

10                   **SALARIES AND EXPENSES**

11           *For an additional amount for “Salaries and Ex-*  
12 *penses”, \$46,200,000, to remain available until September*  
13 *30, 2010, of which \$6,200,000 shall be for the care, treat-*  
14 *ment, and transportation of unaccompanied alien children;*  
15 *and of which \$40,000,000 shall be for response to border*  
16 *security issues on the Southwest border of the United States.*

17                   **AIR AND MARINE INTERDICTION, OPERATIONS,**

18                   **MAINTENANCE, AND PROCUREMENT**

19           *For an additional amount for “Salaries and Ex-*  
20 *penses”, \$5,000,000, to remain available until September*  
21 *30, 2010, for response to border security issues on the South-*  
22 *west border of the United States.*

1 *U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT*2 *SALARIES AND EXPENSES*

3 *For an additional amount for “Salaries and Ex-*  
4 *penses”, \$66,800,000, to remain available until September*  
5 *30, 2010, of which \$11,800,000 shall be for the care, treat-*  
6 *ment, and transportation of unaccompanied alien children;*  
7 *and of which \$55,000,000 shall be for response to border*  
8 *security issues on the Southwest border of the United States.*

9 *COAST GUARD*10 *OPERATING EXPENSES*

11 *For an additional amount for “Operating Expenses”,*  
12 *\$139,503,000; of which \$129,503,000 shall be for Coast*  
13 *Guard operations in support of Operation Iraqi Freedom*  
14 *and Operation Enduring Freedom; and of which*  
15 *\$10,000,000 shall be available until September 30, 2010,*  
16 *for High Endurance Cutter maintenance, major repairs,*  
17 *and improvements.*

18 *FEDERAL EMERGENCY MANAGEMENT AGENCY*19 *STATE AND LOCAL PROGRAMS*

20 *For an additional amount for “State and Local Pro-*  
21 *grams”, \$30,000,000 shall be for Operation Stonegarden.*

22 *GENERAL PROVISIONS—THIS TITLE*23 *(INCLUDING RESCISSION)*

24 *SEC. 601. (a) RESCISSION.—Of amounts previously*  
25 *made available from “Federal Emergency Management*

1 *Agency, Disaster Relief” to the State of Mississippi pursu-*  
2 *ant to section 404 of the Robert T. Stafford Disaster Relief*  
3 *and Emergency Assistance Act (42 U.S.C. 5170c) for Hur-*  
4 *ricane Katrina, an additional \$100,000,000 are rescinded.*

5       **(b) APPROPRIATION.**—*For “Federal Emergency Man-*  
6 *agement Agency, State and Local Programs”, there is ap-*  
7 *propriated an additional \$100,000,000, to remain available*  
8 *until expended, for a grant to the State of Mississippi for*  
9 *an interoperable communications system required in the*  
10 *aftermath of Hurricane Katrina: Provided, That the*  
11 *amount under this heading is designated as an emergency*  
12 *requirement and necessary to meet emergency needs pursu-*  
13 *ant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th*  
14 *Congress), the concurrent resolution on the budget for fiscal*  
15 *year 2010.*

16       **SEC. 602.** *The Department of Homeland Security Ap-*  
17 *propriations Act, 2009 (Public Law 110–329) is amended*  
18 *under the heading “Federal Emergency Management Agen-*  
19 *cy, Management and Administration” after “the Robert T.*  
20 *Stafford Disaster Relief and Emergency Assistance Act (42*  
21 *U.S.C. 5121 et seq.),” by adding “Cerro Grande Fire Assist-*  
22 *ance Act of 2000 (division C, title I, 114 Stat. 583),”.*

23       **SEC. 603.** *Notwithstanding any provision under*  
24 *(a)(1)(A) of 15 U.S.C. 2229a specifying that grants must*  
25 *be used to increase the number of fire fighters in fire depart-*

1 ments, the Secretary of Homeland Security may, in making  
2 grants described under 15 U.S.C. 2229a for fiscal year 2009  
3 or 2010, grant waivers from the requirements of subsection  
4 (a)(1)(B), subsection (c)(1), subsection (c)(2), and sub-  
5 section (c)(4)(A), and may award grants for the hiring, re-  
6 hiring, or retention of firefighters.

7       *SEC. 604. The Administrator of the Federal Emer-*  
8 *gency Management Agency shall extend through March*  
9 *2010 reimbursement of case management activities con-*  
10 *ducted by the State of Mississippi under the Disaster Hous-*  
11 *ing Assistance Program to individuals in the program on*  
12 *April 30, 2009.*

13       *SEC. 605. Section 552 of division E of the Consolidated*  
14 *Appropriations Act, 2008 (Public Law 110–161) is amend-*  
15 *ed by striking “local educational agencies” and inserting*  
16 *“primary or secondary school sites” and by inserting “and*  
17 *section 406(c)(2)” after “section 406(c)(1)”.*

18       *SEC. 606. (a) IN GENERAL.—Each amount in this title*  
19 *is designated as being for overseas deployments and other*  
20 *activities pursuant to sections 401(c)(4) and 423(a) of S.*  
21 *Con. Res. 13 (111th Congress), the concurrent resolution on*  
22 *the budget for fiscal year 2010.*

23       *(b) EXCEPTION.—Subsection (a) shall not apply to*  
24 *any amount under section 601 of this title.*





1 *emergency requirement and necessary to meet emergency*  
2 *needs pursuant to sections 403(a) and 423(b) of S. Con.*  
3 *Res. 13 (111th Congress), the concurrent resolution on the*  
4 *budget for fiscal year 2010.*

5 *DEPARTMENT OF AGRICULTURE*

6 *FOREST SERVICE*

7 *WILDLAND FIRE MANAGEMENT*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For an additional amount to cover necessary expenses*  
10 *for wildfire suppression and emergency rehabilitation ac-*  
11 *tivities of the Forest Service, \$200,000,000, to remain avail-*  
12 *able until expended: Provided, That such funds shall only*  
13 *become available if funds provided previously for wildland*  
14 *fire suppression will be exhausted imminently and after the*  
15 *Secretary of Agriculture notifies the Committees on Appro-*  
16 *priations of the House of Representatives and the Senate*  
17 *in writing of the need for these additional funds: Provided*  
18 *further, That the Secretary of Agriculture may transfer not*  
19 *more than \$50,000,000 of these funds to the Secretary of*  
20 *the Interior if the transfer enhances the efficiency or effec-*  
21 *tiveness of Federal wildland fire suppression activities: Pro-*  
22 *vided further, That the amount under this heading is des-*  
23 *ignated as an emergency requirement and necessary to meet*  
24 *emergency needs pursuant to sections 403(a) and 423(b) of*

1 *S. Con. Res. 13 (111th Congress), the concurrent resolution*  
2 *on the budget for fiscal year 2010.*

3 **GENERAL PROVISIONS—THIS TITLE**

4 *SEC. 701. Public Law 111–8, division E, title III, De-*  
5 *partment of Health and Human Services, Agency for Toxic*  
6 *Substances and Disease Registry, Toxic Substances and En-*  
7 *vironmental Public Health is amended by inserting “per*  
8 *eligible employee” after “\$1,000”.*

9 *SEC. 702. (a) Section 1606 of division A, title XVI*  
10 *of Public Law 111–5 shall not be applied to projects carried*  
11 *out by youth conservation organizations under agreement*  
12 *with the Department of the Interior or the Forest Service*  
13 *for which funds were provided in title VII.*

14 *(b) For purposes of this provision, the term “youth*  
15 *conservation organizations” means not-for-profit organiza-*  
16 *tions that provide conservation service learning opportuni-*  
17 *ties for youth 16 to 25 years of age.*

18 **TITLE VIII**

19 **DEPARTMENT OF HEALTH AND HUMAN**  
20 **SERVICES**

21 **ADMINISTRATION FOR CHILDREN AND FAMILIES**

22 **REFUGEE AND ENTRANT ASSISTANCE**

23 *For an additional amount for “Refugee and Entrant*  
24 *Assistance” for necessary expenses for unaccompanied alien*  
25 *children as authorized by section 462 of the Homeland Se-*

1 *curity Act of 2002 and section 235 of the William Wilber-*  
2 *force Trafficking Victims Protection Reauthorization Act of*  
3 *2008, \$82,000,000, to remain available through September*  
4 *30, 2011: Provided, That the amount under this heading*  
5 *is designated as being for overseas deployments and other*  
6 *activities pursuant to sections 401(c)(4) and 423(a) of S.*  
7 *Con. Res. 13 (111th Congress), the concurrent resolution on*  
8 *the budget for fiscal year 2010.*

9 **GENERAL PROVISIONS—THIS TITLE**

10 *(TRANSFER OF FUNDS)*

11 *SEC. 801. Section 801(a) of division A of Public Law*  
12 *111–5 is amended by inserting “, and may be transferred*  
13 *by the Department of Labor to any other account within*  
14 *the Department for such purposes” before the end period.*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *SEC. 802. (a) Notwithstanding any other provision of*  
17 *law, during the period from September 1 through September*  
18 *30, 2009, the Secretary of Education shall transfer to the*  
19 *Career, Technical, and Adult Education account an*  
20 *amount not to exceed \$17,678,270 from amounts that would*  
21 *otherwise lapse at the end of fiscal year 2009 and that were*  
22 *originally made available under the Department of Edu-*  
23 *cation Appropriations Act, 2009 or any Department of*  
24 *Education Appropriations Act for a previous fiscal year.*



1 *the Capitol Police may not obligate any of the funds appro-*  
2 *priated under this heading without approval of an obliga-*  
3 *tion plan by the Committees on Appropriations of the Sen-*  
4 *ate and the House of Representatives.*

5 **CONGRESSIONAL BUDGET OFFICE**

6 **SALARIES AND EXPENSES**

7 *For an additional amount for “Salaries and Ex-*  
8 *penses”, \$2,000,000, to remain available until September*  
9 *30, 2010.*

10 **GENERAL PROVISION—THIS TITLE**

11 *SEC. 901. The amount available to the Committee on*  
12 *the Judiciary for expenses, including salaries, under section*  
13 *13(b) of Senate Resolution 73, agreed to March 10, 2009,*  
14 *is increased by \$500,000.*

15 **TITLE X**

16 **MILITARY CONSTRUCTION**

17 **MILITARY CONSTRUCTION, ARMY**

18 **(INCLUDING RESCISSION)**

19 *For an additional amount for “Military Construction,*  
20 *Army”, \$1,229,731,000, to remain available until Sep-*  
21 *tember 30, 2013: Provided, That notwithstanding any other*  
22 *provision of law, such funds may be obligated and expended*  
23 *to carry out planning and design and military construction*  
24 *projects not otherwise authorized by law: Provided further,*  
25 *That none of the funds provided under this heading for*

1 *military construction projects in Afghanistan shall be obli-*  
2 *gated or expended until the Secretary of Defense certifies*  
3 *to the Committees on Appropriations of both Houses of Con-*  
4 *gress that a prefinancing statement for each project has*  
5 *been submitted to the North Atlantic Treaty Organization*  
6 *(NATO) for consideration of funding by the NATO Security*  
7 *Investment Program.*

8 *For an additional amount for “Military Construction,*  
9 *Army”, \$49,000,000, to remain available until September*  
10 *30, 2013: Provided, That notwithstanding any other provi-*  
11 *sion of law, such funds may be obligated and expended to*  
12 *carry out planning and design and military construction*  
13 *projects not otherwise authorized by law: Provided further,*  
14 *That the preceding amount in this paragraph is designated*  
15 *as an emergency requirement and necessary to meet emer-*  
16 *gency needs pursuant to sections 403(a) and 423(b) of S.*  
17 *Con. Res. 13 (111th Congress), the concurrent resolution on*  
18 *the budget for fiscal year 2010: Provided further, That of*  
19 *the funds appropriated for “Military Construction, Army”*  
20 *under Public Law 110–252, \$49,000,000 are hereby re-*  
21 *scinded.*

22 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

23 *For an additional amount for “Military Construction,*  
24 *Navy and Marine Corps”, \$243,083,000, to remain avail-*  
25 *able until September 30, 2013: Provided, That notwith-*

1 *standing any other provision of law, such funds may be*  
2 *obligated and expended to carry out planning and design*  
3 *and military construction projects not otherwise authorized*  
4 *by law.*

5 *MILITARY CONSTRUCTION, AIR FORCE*

6 *For an additional amount for “Military Construction,*  
7 *Air Force”, \$265,470,000, to remain available until Sep-*  
8 *tember 30, 2013: Provided, That notwithstanding any other*  
9 *provision of law, such funds may be obligated and expended*  
10 *to carry out planning and design and military construction*  
11 *projects not otherwise authorized by law: Provided further,*  
12 *That none of the funds provided under this heading for*  
13 *military construction projects in Afghanistan shall be obli-*  
14 *gated or expended until the Secretary of Defense certifies*  
15 *to the Committees on Appropriations of both Houses of Con-*  
16 *gress that a prefinancing statement for each project has*  
17 *been submitted to the North Atlantic Treaty Organization*  
18 *(NATO) for consideration of funding by the NATO Security*  
19 *Investment Program.*

20 *MILITARY CONSTRUCTION, DEFENSE-WIDE*

21 *For an additional amount for “Military Construction,*  
22 *Defense-Wide”, \$181,500,000, to remain available until*  
23 *September 30, 2013: Provided, That notwithstanding any*  
24 *other provision of law, such funds may be obligated and*  
25 *expended to carry out planning and design and military*



1 *construction projects not otherwise authorized by law: Pro-*  
2 *vided further, That \$1,781,500,000 is hereby authorized for*  
3 *fiscal years 2009 through 2013 for the purposes of this ap-*  
4 *propriation.*

5 *NORTH ATLANTIC TREATY ORGANIZATION SECURITY*  
6 *INVESTMENT PROGRAM*

7 *For an additional amount for “North Atlantic Treaty*  
8 *Organization Security Investment Program”,*  
9 *\$100,000,000, to remain available until expended: Pro-*  
10 *vided, That notwithstanding any other provision of law,*  
11 *such funds are authorized for the North Atlantic Treaty Se-*  
12 *curity Investment Program for purposes of section 2806 of*  
13 *title 10, United States Code, and section 2502 of the Mili-*  
14 *tary Construction Authorization Act for Fiscal Year 2009*  
15 *(division B of Public Law 110–417).*

16 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005*

17 *For deposit into the Department of Defense Base Clo-*  
18 *sure Account 2005, established by section 2906A(a)(1) of the*  
19 *Defense Base Closure and Realignment Act of 1990 (10*  
20 *U.S.C. 2687 note), \$230,900,000, to remain available until*  
21 *expended: Provided, That notwithstanding any other provi-*  
22 *sion of law, such funds may be obligated and expended to*  
23 *carry out operation and maintenance, planning and design*  
24 *and military construction projects not otherwise authorized*  
25 *by law.*

1            *GENERAL PROVISIONS—THIS TITLE*

2            *SEC. 1001. None of the funds appropriated in this or*  
3 *any other Act may be used to disestablish, reorganize, or*  
4 *relocate the Armed Forces Institute of Pathology, except for*  
5 *the Armed Forces Medical Examiner, until the President*  
6 *has established, as required by section 722 of the National*  
7 *Defense Authorization Act for Fiscal Year 2008 (Public*  
8 *Law 110–181; 122 Stat. 199; 10 U.S.C. 176 note), a Joint*  
9 *Pathology Center, and the Joint Pathology Center is demon-*  
10 *strably performing the minimum requirements set forth in*  
11 *section 722 of the National Defense Authorization Act for*  
12 *Fiscal Year 2008.*

13            *SEC. 1002. (a) IN GENERAL.—Unless otherwise des-*  
14 *ignated, each amount in this title is designated as being*  
15 *for overseas deployments and other activities pursuant to*  
16 *sections 401(c)(4) and 423(a) of S. Con. Res. 13 (111th*  
17 *Congress), the concurrent resolution on the budget for fiscal*  
18 *year 2010.*

19            *(b) EXCEPTION.—Subsection (a) shall not apply to*  
20 *any amount under the heading “Military Construction, De-*  
21 *fense-Wide”.*

1 *TITLE XI*  
2 *DEPARTMENT OF STATE*  
3 *ADMINISTRATION OF FOREIGN AFFAIRS*  
4 *DIPLOMATIC AND CONSULAR PROGRAMS*  
5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For an additional amount for “Diplomatic and Con-*  
7 *sular Programs”, \$645,444,000, to remain available until*  
8 *September 30, 2010, of which \$117,983,000 is for World*  
9 *Wide Security Protection and shall remain available until*  
10 *expended: Provided, That the Secretary of State may trans-*  
11 *fer up to \$135,629,000 of the total funds made available*  
12 *under this heading to any other appropriation of any de-*  
13 *partment or agency of the United States, upon the concur-*  
14 *rence of the head of such department or agency, to support*  
15 *operations in and assistance for Afghanistan and to carry*  
16 *out the provisions of the Foreign Assistance Act of 1961:*  
17 *Provided further, That of the funds appropriated under this*  
18 *heading, not more than \$10,000,000 for public diplomacy*  
19 *activities may be transferred to, and merged with, funds*  
20 *made available under the heading “International Broad-*  
21 *casting Operations” for broadcasting activities to the Paki-*  
22 *stan-Afghanistan border region: Provided further, That of*  
23 *the funds appropriated under this heading, \$57,000,000*  
24 *shall be made available for aircraft acquisition, mainte-*  
25 *nance, operations and leases in Afghanistan for the Depart-*

1 *ment of State and the United States Agency for Inter-*  
2 *national Development (USAID), and the uses and oversight*  
3 *of such aircraft shall be the responsibility of the United*  
4 *States Chief of Mission in Afghanistan: Provided further,*  
5 *That of the funds made available pursuant to the previous*  
6 *proviso, \$40,000,000 shall be transferred to, and merged*  
7 *with, funds made available under the heading “United*  
8 *States Agency for International Development, Funds Ap-*  
9 *propriated to the President, Operating Expenses” for the*  
10 *purpose of USAID’s air services: Provided further, That*  
11 *such aircraft utilized by USAID may be used to transport*  
12 *Federal and non-Federal personnel supporting USAID pro-*  
13 *grams and activities: Provided further, That official travel*  
14 *of other agencies for other purposes may be supported on*  
15 *a reimbursable basis, or without reimbursement when trav-*  
16 *eling on a space available basis.*

17 *OFFICE OF INSPECTOR GENERAL*  
18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For an additional amount for “Office of Inspector*  
20 *General”, \$22,200,000, to remain available until September*  
21 *30, 2010, of which \$7,000,000 shall be transferred to the*  
22 *Special Inspector General for Iraq Reconstruction for recon-*  
23 *struction oversight, and \$7,200,000 shall be transferred to*  
24 *the Special Inspector General for Afghanistan Reconstruc-*  
25 *tion for reconstruction oversight: Provided, That the Special*

1 *Inspector General for Afghanistan Reconstruction may ex-*  
2 *ercise the authorities of subsections (b) through (i) of section*  
3 *3161 of title 5, United States Code (without regard to sub-*  
4 *section (a) of such section) for funds made available for fis-*  
5 *cal years 2009 and 2010.*

6 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

7 *For an additional amount for “Embassy Security,*  
8 *Construction, and Maintenance”, \$820,500,000, to remain*  
9 *available until expended, for worldwide security upgrades,*  
10 *acquisition, and construction as authorized, and shall be*  
11 *made available for secure diplomatic facilities and housing*  
12 *for United States mission staff in Afghanistan and Paki-*  
13 *stan, and for mobile mail screening units.*

14 *INTERNATIONAL ORGANIZATIONS*

15 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

16 *ACTIVITIES*

17 *For an additional amount for “Contributions for*  
18 *International Peacekeeping Activities”, \$721,000,000, to re-*  
19 *main available until September 30, 2010.*

1 *UNITED STATES AGENCY FOR INTERNATIONAL*  
2 *DEVELOPMENT*

3 *FUNDS APPROPRIATED TO THE PRESIDENT*

4 *OPERATING EXPENSES*

5 *For an additional amount for “Operating Expenses”,*  
6 *\$112,600,000, to remain available until September 30,*  
7 *2010.*

8 *CAPITAL INVESTMENT FUND*

9 *For an additional amount for “Capital Investment*  
10 *Fund”, \$48,500,000, to remain available until expended.*

11 *OFFICE OF INSPECTOR GENERAL*

12 *For an additional amount for “Office of Inspector*  
13 *General”, \$3,500,000, to remain available until September*  
14 *30, 2010, for oversight of programs in Afghanistan and*  
15 *Pakistan.*

16 *BILATERAL ECONOMIC ASSISTANCE*

17 *FUNDS APPROPRIATED TO THE PRESIDENT*

18 *GLOBAL HEALTH AND CHILD SURVIVAL*

19 *For an additional amount for “Global Health and*  
20 *Child Survival”, \$50,000,000, to remain available until*  
21 *September 30, 2010, notwithstanding any other provision*  
22 *of law, except for the United States Leadership Against*  
23 *HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public*  
24 *Law 108–25), for a United States contribution to the Global*  
25 *Fund to Fight AIDS, Tuberculosis and Malaria.*



1 *propriated under this heading, not less than \$11,000,000*  
2 *shall be made available for the Afghan Civilian Assistance*  
3 *Program: Provided further, That of the funds appropriated*  
4 *under this heading, not less than \$439,000,000 shall be*  
5 *made available for assistance for Pakistan, of which not*  
6 *more than \$215,000,000 shall be made available for eco-*  
7 *nomie growth programs, including basic education to*  
8 *counter the influence of madrassas; not less than*  
9 *\$50,000,000 shall be made available for assistance for inter-*  
10 *nally displaced persons; and not less than \$10,000,000 shall*  
11 *be made available for democracy programs, including to*  
12 *strengthen democratic political parties: Provided further,*  
13 *That of the funds appropriated under this heading that are*  
14 *available for assistance for Afghanistan and Pakistan, not*  
15 *less than \$20,000,000 shall be made available for a cross*  
16 *border development program to be administered by the Spe-*  
17 *cial Representative for Afghanistan and Pakistan at the De-*  
18 *partment of State: Provided further, That of the funds ap-*  
19 *propriated under this heading, not less than \$439,000,000*  
20 *shall be made available for assistance for Iraq, of which*  
21 *not less than \$50,000,000 shall be for the Community Ac-*  
22 *tion Program and not less than \$10,000,000 shall be for*  
23 *the Marla Ruzicka Iraqi War Victims Fund: Provided fur-*  
24 *ther, That of the funds appropriated under this heading,*  
25 *not less than \$150,000,000 shall be made available for as-*



1 *sistance for Jordan to mitigate the impact of the global eco-*  
2 *nomie crisis, including for health, education, water and*  
3 *sanitation, and other assistance for Iraqi and other refugees*  
4 *in Jordan: Provided further, That of the funds appropriated*  
5 *under this heading, not less than \$15,000,000 shall be made*  
6 *available for assistance for Yemen; not less than*  
7 *\$10,000,000 shall be made available for assistance for So-*  
8 *malia; and not less than \$10,000,000 shall be made avail-*  
9 *able for programs and activities to assist victims of gender-*  
10 *based violence in the Democratic Republic of the Congo:*  
11 *Provided further, That funds made available pursuant to*  
12 *the previous proviso shall be administered by the United*  
13 *States Agency for International Development: Provided fur-*  
14 *ther, That none of the funds appropriated in this title for*  
15 *democracy and civil society programs may be made avail-*  
16 *able for the construction of facilities in the United States.*

17 *ASSISTANCE FOR EUROPE, EURASIA, AND CENTRAL ASIA*

18 *For an additional amount for “Assistance for Europe,*  
19 *Eurasia and Central Asia”, \$230,000,000, to remain avail-*  
20 *able until September 30, 2010, of which \$200,000,000 may*  
21 *be made available for assistance for Georgia and other Eur-*  
22 *asian countries: Provided, That of the funds appropriated*  
23 *under this heading, \$30,000,000 may be made available for*  
24 *assistance for the Kyrgyz Republic to provide a long-range*  
25 *air traffic control and safety system to support air oper-*

1 *ations in the Kyrgyz Republic, including at Manas Inter-*  
2 *national Airport, notwithstanding any other provision of*  
3 *law.*

4 *DEPARTMENT OF STATE*

5 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

6 *ENFORCEMENT*

7 *For an additional amount for “International Nar-*  
8 *cotics Control and Law Enforcement”, \$393,500,000, to re-*  
9 *main available until September 30, 2010: Provided, That*  
10 *of the funds appropriated under this heading, not more*  
11 *than \$109,000,000 may be made available for assistance for*  
12 *the West Bank and not more than \$66,000,000 may be*  
13 *made available for assistance for Mexico.*

14 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*

15 *RELATED PROGRAMS*

16 *For an additional amount for “Nonproliferation,*  
17 *Anti-Terrorism, Demining and Related Programs”,*  
18 *\$102,000,000, to remain available until September 30,*  
19 *2010: Provided, That of this amount, not more than*  
20 *\$77,000,000, to remain available until expended, may be*  
21 *made available for the Nonproliferation and Disarmament*  
22 *Fund, notwithstanding any other provision of law, of which*  
23 *not more than \$50,000,000 may be made available to en-*  
24 *hance security along the Gaza border: Provided further,*  
25 *That the Secretary of State shall work assiduously to facili-*

1 *tate the regular flow of people and licit goods in and out*  
2 *of Gaza at established border crossings and shall submit a*  
3 *report to the Committees on Appropriations not later than*  
4 *45 days after enactment of this Act, and every 45 days*  
5 *thereafter until September 30, 2010, detailing progress in*  
6 *this effort.*

7 *MIGRATION AND REFUGEE ASSISTANCE*

8 *For an additional amount for “Migration and Refugee*  
9 *Assistance”, \$345,000,000, to remain available until ex-*  
10 *pended.*

11 *INTERNATIONAL SECURITY ASSISTANCE*

12 *FUNDS APPROPRIATED TO THE PRESIDENT*

13 *PEACEKEEPING OPERATIONS*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For an additional amount for “Peacekeeping Oper-*  
16 *ations”, \$172,900,000, to remain available until September*  
17 *30, 2010, of which \$155,900,000 may be made available to*  
18 *support the African Union Mission to Somalia and which*  
19 *may be transferred to, and merged with, funds appro-*  
20 *priated under the heading “Contributions for International*  
21 *Peacekeeping Activities” for peacekeeping in Somalia: Pro-*  
22 *vided, That of the funds appropriated under this heading,*  
23 *\$15,000,000 shall be made available for assistance for the*  
24 *Democratic Republic of the Congo and \$2,000,000 shall be*

1 *made available for the Multinational Force and Observer*  
2 *mission in the Sinai.*

3 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

4 *For an additional amount for “International Military*  
5 *Education and Training”, \$2,000,000, to remain available*  
6 *until September 30, 2010, for assistance for Iraq.*

7 *FOREIGN MILITARY FINANCING PROGRAM*

8 *For an additional amount for “Foreign Military Fi-*  
9 *nancing Program”, \$98,000,000, to remain available until*  
10 *September 30, 2009, for assistance for Lebanon.*

11 *GENERAL PROVISIONS—THIS TITLE*

12 *AFGHANISTAN*

13 *SEC. 1101. (a) IN GENERAL.—Funds appropriated*  
14 *under the heading “Economic Support Fund” that are*  
15 *available for assistance for Afghanistan shall be made avail-*  
16 *able, to the maximum extent practicable, in a manner that*  
17 *utilizes Afghan entities and emphasizes the participation*  
18 *of Afghan women and directly improves the security, eco-*  
19 *nomics and social well-being, and political status, of Afghan*  
20 *women and girls.*

21 *(b) LIMITATION ON CONTRACTS AND GRANTS.—Funds*  
22 *appropriated under the heading “Economic Support Fund”*  
23 *that are available for assistance for Afghanistan shall not*  
24 *be used to initiate or make an amendment to any contract,*

1 *grant or cooperative agreement in an amount exceeding*  
2 *\$10,000,000.*

3 *(c) ASSISTANCE FOR WOMEN AND GIRLS.—*

4 *(1) Of the funds appropriated under the heading*  
5 *“International Narcotics Control and Law Enforce-*  
6 *ment” that are available for assistance for Afghani-*  
7 *stan, not less than \$10,000,000 shall be made avail-*  
8 *able to train and support Afghan women investiga-*  
9 *tors, police officers, prosecutors and judges with re-*  
10 *sponsibility for investigating, prosecuting, and pun-*  
11 *ishing crimes of violence against women and girls.*

12 *(2) Of the funds appropriated under the heading*  
13 *“Economic Support Fund” that are available for as-*  
14 *sistance for Afghanistan, not less than \$5,000,000*  
15 *shall be made available for capacity building for Af-*  
16 *ghan women-led nongovernmental organizations, and*  
17 *not less than \$25,000,000 shall be made available to*  
18 *support programs and activities of such organiza-*  
19 *tions, including to provide legal assistance and train-*  
20 *ing for Afghan women and girls about their rights,*  
21 *and to promote women’s health (including mental*  
22 *health), education, and leadership.*

23 *(d) ANTICORRUPTION.—Ten percent of the funds ap-*  
24 *propriated under the heading “International Narcotics*  
25 *Control and Law Enforcement” that are available for as-*

1 *sistance for the Government of Afghanistan shall be with-*  
2 *held from obligation until the Secretary of State reports to*  
3 *the Committees on Appropriations that the Government of*  
4 *Afghanistan is implementing a policy to promptly remove*  
5 *from office any government official who is credibly alleged*  
6 *to have engaged in narcotics trafficking, gross violations of*  
7 *human rights, or other major crimes.*

8       *(e) ACQUISITION OF PROPERTY.—Not more than*  
9 *\$10,000,000 of the funds appropriated in this title may be*  
10 *made available to pay for the acquisition of property for*  
11 *diplomatic facilities in Afghanistan.*

12       *(f) UNITED NATIONS DEVELOPMENT PROGRAM.—None*  
13 *of the funds appropriated in this title may be made avail-*  
14 *able for programs and activities of the United Nations De-*  
15 *velopment Program (UNDP) in Afghanistan unless the Sec-*  
16 *retary of State reports to the Committees on Appropriations*  
17 *that UNDP is fully cooperating with efforts of the United*  
18 *States Agency for International Development (USAID) to*  
19 *investigate expenditures by UNDP of USAID funds associ-*  
20 *ated with the Quick Impact Program in Afghanistan, and*  
21 *has agreed to reimburse USAID, if appropriate.*

22       *(g) TRAINING IN CIVILIAN-MILITARY COORDINA-*  
23 *TION.—The Secretary of State, in consultation with the Sec-*  
24 *retary of Defense and the Administrator of the United*  
25 *States Agency for International Development, shall seek to*

1 *ensure that civilian personnel assigned to serve in Afghani-*  
2 *stan receive civilian-military coordination training that fo-*  
3 *cuses on counterinsurgency and stability operations, and*  
4 *shall submit a report to the Committees on Appropriations*  
5 *and Foreign Relations of the Senate and the Committees*  
6 *on Appropriations and Foreign Affairs of the House of Rep-*  
7 *resentatives not later than 90 days after the date of the en-*  
8 *actment of this Act detailing how such training addresses*  
9 *current and future civilian-military coordination require-*  
10 *ments.*

11 *ALLOCATIONS*

12 *SEC. 1102. (a) Funds appropriated in this title for*  
13 *the following accounts shall be made available for programs*  
14 *and countries in the amounts contained in the respective*  
15 *tables included in the report accompanying this Act:*

16 *(1) "Diplomatic and Consular Programs".*

17 *(2) "Embassy Security, Construction, and Main-*  
18 *tenance".*

19 *(3) "Economic Support Fund".*

20 *(4) "International Narcotics Control and Law*  
21 *Enforcement".*

22 *(b) For the purposes of implementing this section, and*  
23 *only with respect to the tables included in the report accom-*  
24 *panying this Act, the Secretary of State and the Adminis-*  
25 *trator of the United States Agency for International Devel-*

1 *opment, as appropriate, may propose deviations to the*  
2 *amounts referenced in subsection (a), subject to the regular*  
3 *notification procedures of the Committees on Appropria-*  
4 *tions and section 634A of the Foreign Assistance Act of*  
5 *1961.*

6 *BURMA*

7 *SEC. 1103. (a) Funds appropriated under the heading*  
8 *“Economic Support Fund” for humanitarian assistance for*  
9 *Burma may be made available notwithstanding any other*  
10 *provision of law.*

11 *(b) Not later than 30 days after enactment of this Act,*  
12 *the Secretary of State shall submit to the Committees on*  
13 *Appropriations a report that details the findings and rec-*  
14 *ommendations of the Department of State’s review of*  
15 *United States policy toward Burma.*

16 *EXTENSION OF AUTHORITIES*

17 *SEC. 1104. Funds appropriated in this title may be*  
18 *obligated and expended notwithstanding section 10 of Pub-*  
19 *lic Law 91–672, section 15 of the State Department Basic*  
20 *Authorities Act of 1956, section 313 of the Foreign Rela-*  
21 *tions Authorization Act, Fiscal Years 1994 and 1995 (Pub-*  
22 *lic Law 103–236), and section 504(a)(1) of the National*  
23 *Security Act of 1947 (50 U.S.C. 414(a)(1)).*



## GLOBAL FINANCIAL CRISIS

1  
2       *SEC. 1105. (a) IN GENERAL.—Of the funds appro-*  
3 *priated under the heading “Economic Support Fund”, not*  
4 *more than \$285,000,000 may be made available for assist-*  
5 *ance for vulnerable populations in developing countries se-*  
6 *verely affected by the global financial crisis: Provided, That*  
7 *funds made available pursuant to this section may be obli-*  
8 *gated only after the Administrator of the United States*  
9 *Agency for International Development (USAID) submits a*  
10 *report to the Committees on Appropriations detailing a*  
11 *spending plan for each such country including criteria for*  
12 *eligibility, proposed amounts and purposes of assistance,*  
13 *and mechanisms for monitoring the uses of such assistance,*  
14 *and indicating that USAID has reviewed its existing pro-*  
15 *grams in such country to determine reprogramming oppor-*  
16 *tunities to increase assistance for vulnerable populations:*  
17 *Provided further, That funds made available pursuant to*  
18 *this section shall be transferred to, and merged with, the*  
19 *following accounts:*

20           *(1) Not less than \$12,000,000 for the “Develop-*  
21 *ment Credit Authority”, for the cost of direct loans*  
22 *and loan guarantees notwithstanding the dollar limi-*  
23 *tations in such account on transfers to the account*  
24 *and the principal amount of loans made or guaran-*  
25 *teed with respect to any single country or borrower:*

1       *Provided, That such transferred funds may be made*  
2       *available to subsidize total loan principal, any por-*  
3       *tion of which is to be guaranteed, of up to*  
4       *\$3,300,000,000: Provided further, That the authority*  
5       *provided in this subsection is in addition to authority*  
6       *provided under the heading “Development Credit Au-*  
7       *thority” in Public Law 111–8: Provided further, That*  
8       *and up to \$1,500,000 may be made available for ad-*  
9       *ministrative expenses to carry out credit programs*  
10       *administered by the United States Agency for Inter-*  
11       *national Development; and*

12               (2) *Not more than \$20,000,000 for the “Overseas*  
13       *Private Investment Corporation Program Account”,*  
14       *notwithstanding section 708(b) of Public Law 111–8:*  
15       *Provided, That such funds shall not be available for*  
16       *administrative expenses of the Overseas Private In-*  
17       *vestment Corporation.*

18       (b) *REPROGRAMMING AUTHORITY.—Notwithstanding*  
19       *any other provision of law and in addition to funds other-*  
20       *wise available for such purposes, funds appropriated under*  
21       *the heading “Millennium Challenge Corporation” (MCC) in*  
22       *prior Acts making appropriations for the Department of*  
23       *State, foreign operations, export financing, and related pro-*  
24       *grams may be transferred to, and merged with, funds ap-*



1 *not less than \$20,000,000 shall be made available for tar-*  
2 *geted development programs and activities in areas of con-*  
3 *flict in Iraq, and the responsibility for policy decisions and*  
4 *justifications for the use of such funds shall be the responsi-*  
5 *bility of the United States Chief of Mission in Iraq.*

6 *PROHIBITION ON ASSISTANCE FOR HAMAS*

7 *SEC. 1107. (a) None of the funds appropriated in this*  
8 *title may be made available for assistance to Hamas, or*  
9 *any entity effectively controlled by Hamas or any power-*  
10 *sharing government of which Hamas is a member.*

11 *(b) Notwithstanding the limitation of subsection (a),*  
12 *assistance may be provided to a power-sharing government*  
13 *only if the President certifies and reports to the Committees*  
14 *on Appropriations that such government, including all of*  
15 *its ministers or such equivalent, has publicly accepted and*  
16 *is complying with the principles contained in section*  
17 *620K(b)(1)(A) and (B) of the Foreign Assistance Act of*  
18 *1961, as amended.*

19 *(c) The President may exercise the authority in section*  
20 *620K(e) of the Foreign Assistance Act as added by the Pal-*  
21 *estinian Anti-Terrorism Act of 2006 (Public Law 109-446)*  
22 *with respect to this subsection.*

23 *(d) Whenever the certification pursuant to subsection*  
24 *(b) is exercised, the Secretary of State shall submit a report*  
25 *to the Committees on Appropriations within 120 days of*

1 *the certification and every quarter thereafter on whether*  
2 *such government, including all of its ministers or such*  
3 *equivalent, are continuing to comply with the principles*  
4 *contained in section 620K(b)(1)(A) and (B). The report*  
5 *shall also detail the amount, purposes and delivery mecha-*  
6 *nisms for any assistance provided pursuant to the*  
7 *abovementioned certification and a full accounting of any*  
8 *direct support of such government.*

9 *MEXICO*

10 *SEC. 1108. (a) Not later than 60 days after enactment*  
11 *of this Act, the Secretary of State shall submit a report to*  
12 *the Committees on Appropriations detailing actions taken*  
13 *by the Government of Mexico since June 30, 2008, to inves-*  
14 *tigate and prosecute violations of internationally recognized*  
15 *human rights by members of the Mexican Federal police*  
16 *and military forces, and to support a thorough, inde-*  
17 *pendent, and credible investigation of the murder of Amer-*  
18 *ican citizen Bradley Roland Will.*

19 *(b) None of the funds appropriated in this title may*  
20 *be made available for the cost of fuel for helicopters provided*  
21 *to Mexico, or for logistical support, including operations*  
22 *and maintenance, of aircraft purchased by the Government*  
23 *of Mexico.*

24 *(c) In order to enhance border security and coopera-*  
25 *tion in law enforcement efforts between Mexico and the*

1 *United States, funds appropriated in this title that are*  
2 *available for assistance for Mexico may be made available*  
3 *for the procurement of law enforcement communications*  
4 *equipment only if such equipment utilizes open standards*  
5 *and is compatible with, and capable of operating with,*  
6 *radio communications systems and related equipment uti-*  
7 *lized by Federal law enforcement agencies in the United*  
8 *States to enhance border security and cooperation in law*  
9 *enforcement efforts between Mexico and the United States.*

10 *MULTILATERAL DEVELOPMENT BANK REPLENISHMENTS*

11 *SEC. 1109. (a) INTERNATIONAL DEVELOPMENT ASSO-*  
12 *CIATION.—The International Development Association Act*  
13 *(22 U.S.C. 284 et seq.) is amended by adding at the end*  
14 *thereof the following:*

15 **“SEC. 24. FIFTEENTH REPLENISHMENT.**

16 *“(a) The United States Governor of the International*  
17 *Development Association is authorized to contribute on be-*  
18 *half of the United States \$3,705,000,000 to the fifteenth re-*  
19 *plenishment of the resources of the Association, subject to*  
20 *obtaining the necessary appropriations.*

21 *“(b) In order to pay for the United States contribution*  
22 *provided for in subsection (a), there are authorized to be*  
23 *appropriated, without fiscal year limitation,*  
24 *\$3,705,000,000 for payment by the Secretary of the Treas-*  
25 *ury.*

1 **“SEC. 25. MULTILATERAL DEBT RELIEF.**

2       “(a) *The Secretary of the Treasury is authorized to*  
3 *contribute, on behalf of the United States, not more than*  
4 *\$356,000,000 to the International Development Association*  
5 *for the purpose of funding debt relief under the Multilateral*  
6 *Debt Relief Initiative in the period governed by the fifteenth*  
7 *replenishment of resources of the International Development*  
8 *Association, subject to obtaining the necessary appropria-*  
9 *tions and without prejudice to any funding arrangements*  
10 *in existence on the date of the enactment of this section.*

11       “(b) *In order to pay for the United States contribution*  
12 *provided for in subsection (a), there are authorized to be*  
13 *appropriated, without fiscal year limitation, not more than*  
14 *\$356,000,000 for payment by the Secretary of the Treasury.*

15       “(c) *In this section, the term ‘Multilateral Debt Relief*  
16 *Initiative’ means the proposal set out in the G8 Finance*  
17 *Ministers’ Communique entitled ‘Conclusions on Develop-*  
18 *ment,’ done at London, June 11, 2005, and reaffirmed by*  
19 *G8 Heads of State at the Gleneagles Summit on July 8,*  
20 *2005.’”.*

21       (b) *AFRICAN DEVELOPMENT FUND.—The African De-*  
22 *velopment Fund Act (22 U.S.C. 290 et seq.) is amended*  
23 *by adding at the end thereof the following:*

24 **“SEC. 219. ELEVENTH REPLENISHMENT.**

25       “(a) *The United States Governor of the Fund is au-*  
26 *thorized to contribute on behalf of the United States*

1 \$468,165,000 to the eleventh replenishment of the resources  
2 of the Fund, subject to obtaining the necessary appropria-  
3 tions.

4 “(b) In order to pay for the United States contribution  
5 provided for in subsection (a), there are authorized to be  
6 appropriated, without fiscal year limitation, \$468,165,000  
7 for payment by the Secretary of the Treasury.

8 **“SEC. 220. MULTILATERAL DEBT RELIEF INITIATIVE.**

9 “(a) The Secretary of the Treasury is authorized to  
10 contribute, on behalf of the United States, not more than  
11 \$26,000,000 to the African Development Fund for the pur-  
12 pose of funding debt relief under the Multilateral Debt Re-  
13 lief Initiative in the period governed by the eleventh replen-  
14 ishment of resources of the African Development Fund, sub-  
15 ject to obtaining the necessary appropriations and without  
16 prejudice to any funding arrangements in existence on the  
17 date of the enactment of this section.

18 “(b) In order to pay for the United States contribution  
19 provided for in subsection (a), there are authorized to be  
20 appropriated, without fiscal year limitation, not more than  
21 \$26,000,000 for payment by the Secretary of the Treas-  
22 ury.”.



1 *PROMOTION OF POLICY GOALS AT THE WORLD BANK GROUP*

2       *SEC. 1110. Title XVI of the International Financial*  
3 *Institutions Act (22 U.S.C. 262p et seq.) is amended by*  
4 *adding at the end thereof the following:*

5 **“SEC. 1626. REFORM OF THE ‘DOING BUSINESS’ REPORT OF**  
6                               **THE WORLD BANK.**

7       “(a) *The Secretary of the Treasury shall instruct the*  
8 *United States Executive Directors at the International*  
9 *Bank for Reconstruction and Development, the Inter-*  
10 *national Development Association, and the International*  
11 *Finance Corporation of the following United States policy*  
12 *goals, and to use the voice and vote of the United States*  
13 *to actively promote and work to achieve these goals:*

14               “(1) *Suspension of the use of the ‘Employing*  
15 *Workers’ Indicator for the purpose of ranking or scor-*  
16 *ing country performance in the annual Doing Busi-*  
17 *ness Report of the World Bank until a set of indica-*  
18 *tors can be devised that fairly represent the value of*  
19 *internationally recognized workers’ rights, including*  
20 *core labor standards, in creating a stable and favor-*  
21 *able environment for attracting private investment.*  
22 *The indicators shall bring to bear the experiences of*  
23 *the member governments in dealing with the eco-*  
24 *nomie, social and political complexity of labor market*  
25 *issues. The indicators should be developed through col-*

1 *laborative discussions with and between the World*  
2 *Bank, the International Finance Corporation, the*  
3 *International Labor Organization, private companies,*  
4 *and labor unions.*

5 “(2) *Elimination of the ‘Labor Tax and Social*  
6 *Contributions’ Subindicator from the annual Doing*  
7 *Business Report of the World Bank.*

8 “(3) *Removal of the ‘Employing Workers’ Indi-*  
9 *cator as a ‘guidepost’ for calculating the annual*  
10 *Country Policy and Institutional Assessment score for*  
11 *each recipient country.*

12 “(b) *Within 60 days after the date of the enactment*  
13 *of this section, the Secretary of the Treasury shall provide*  
14 *an instruction to the United States Executive Directors re-*  
15 *ferred to in subsection (a) to take appropriate actions with*  
16 *respect to implementing the policy goals of the United*  
17 *States set forth in subsection (a), and such instruction shall*  
18 *be posted on the website of the Department of the Treasury.*

19 **“SEC. 1627. ENHANCING THE TRANSPARENCY AND EFFEC-**  
20 **TIVENESS OF THE INSPECTION PANEL PROC-**  
21 **ESS OF THE WORLD BANK.**

22 “(a) *ENHANCING TRANSPARENCY IN IMPLEMENTATION*  
23 *OF MANAGEMENT ACTION PLANS.—The Secretary of the*  
24 *Treasury shall direct the United States Executive Directors*  
25 *at the World Bank to seek to ensure that World Bank Proce-*

1 *dure 17.55, which establishes the operating procedures of*  
2 *Management with regard to the Inspection Panel, provides*  
3 *that Management prepare and make available to the public*  
4 *semiannual progress reports describing implementation of*  
5 *Action Plans considered by the Board; allow and receive*  
6 *comments from Requesters and other Affected Parties for*  
7 *two months after the date of disclosure of the progress re-*  
8 *ports; post these comments on World Bank and Inspection*  
9 *Panel websites (after receiving permission from the reques-*  
10 *tors to post with or without attribution); submit the reports*  
11 *to the Board with any comments received; and make public*  
12 *the substance of any actions taken by the Board after Board*  
13 *consideration of the reports.*

14       “(b) *SAFEGUARDING THE INDEPENDENCE AND EFFEC-*  
15 *TIVENESS OF THE INSPECTION PANEL.—The Secretary of*  
16 *the Treasury shall direct the United States Executive Direc-*  
17 *tors at the World Bank to continue to promote the inde-*  
18 *pendence and effectiveness of the Inspection Panel, includ-*  
19 *ing by seeking to ensure the availability of, and access by*  
20 *claimants to, the Inspection Panel for projects supported*  
21 *by World Bank resources.*

22       “(c) *EVALUATION OF COUNTRY SYSTEMS.—The Sec-*  
23 *retary of the Treasury shall direct the United States Execu-*  
24 *tive Directors at the World Bank to request an evaluation*  
25 *by the Independent Evaluation Group on the use of country*

1 *environmental and social safeguard systems to determine*  
2 *the degree to which, in practice, the use of such systems*  
3 *provides the same level of protection at the project level as*  
4 *do the policies and procedures of the World Bank.*

5 “(d) *WORLD BANK DEFINED.*—*In this section, the*  
6 *term ‘World Bank’ means the International Bank for Re-*  
7 *construction and Development and the International Devel-*  
8 *opment Association.”.*

9 *CLIMATE CHANGE MITIGATION AND GREENHOUSE GAS*

10 *ACCOUNTING*

11 *SEC. 1111. Title XIII of the International Financial*  
12 *Institutions Act (22 U.S.C. 262m et seq.) is amended by*  
13 *adding at the end thereof the following:*

14 “**SEC. 1308. CLIMATE CHANGE MITIGATION AND GREEN-**  
15 **HOUSE GAS ACCOUNTING.**

16 “(a) *USE OF GREENHOUSE GAS ACCOUNTING.*—*The*  
17 *Secretary of the Treasury shall seek to ensure that multilat-*  
18 *eral development banks (as defined in section 1701(c)(4) of*  
19 *this Act) adopt and implement greenhouse gas accounting*  
20 *in analyzing the benefits and costs of individual projects*  
21 *(excluding those with de minimus greenhouse gas emissions)*  
22 *for which funding is sought from the bank.*

23 “(b) *EXPANSION OF CLIMATE CHANGE MITIGATION*  
24 *ACTIVITIES.*—*The Secretary of the Treasury shall work to*  
25 *ensure that the multilateral development banks (as defined*

1 *in section 1701(c)(4)) expand their activities supporting*  
2 *climate change mitigation by—*

3           “(1) *significantly expanding support for invest-*  
4 *ments in energy efficiency and renewable energy, in-*  
5 *cluding zero carbon technologies;*

6           “(2) *reviewing all proposed infrastructure invest-*  
7 *ments to ensure that all opportunities for integrating*  
8 *energy efficiency measures have been considered;*

9           “(3) *increasing the dialogue with the govern-*  
10 *ments of developing countries regarding—*

11               “(A) *analysis and policy measures needed*  
12 *for low carbon emission economic development;*  
13 *and*

14               “(B) *reforms needed to promote private sec-*  
15 *tor investments in energy efficiency and renew-*  
16 *able energy, including zero carbon technologies;*  
17 *and*

18           “(4) *integrate low carbon emission economic de-*  
19 *velopment objectives into multilateral development*  
20 *bank country strategies.*

21           “(c) *REPORT TO CONGRESS.—Not later than 1 year*  
22 *after the date of the enactment of this section, and annually*  
23 *thereafter, the Secretary of the Treasury shall submit a re-*  
24 *port on the status of efforts to implement this section to*  
25 *the Committee on Foreign Relations and the Committee on*

1 *Appropriations of the Senate and the Committee on Finan-*  
2 *cial Services and the Committee on Appropriations of the*  
3 *House of Representatives.”.*

4 *MULTILATERAL DEVELOPMENT BANK REFORM*

5 *SEC. 1112. (a) BUDGET DISCLOSURE.—The Secretary*  
6 *of the Treasury shall seek to ensure that the multilateral*  
7 *development banks make timely, public disclosure of their*  
8 *operating budgets including expenses for staff, consultants,*  
9 *travel and facilities.*

10 *(b) EVALUATION.—The Secretary of the Treasury shall*  
11 *seek to ensure that multilateral development banks rigor-*  
12 *ously evaluate the development impact of selected bank*  
13 *projects, programs, and financing operations, and empha-*  
14 *size use of random assignment in conducting such evalua-*  
15 *tions, where appropriate and to the extent feasible.*

16 *(c) EXTRACTIVE INDUSTRIES.—The Secretary of the*  
17 *Treasury shall direct the United States Executive Directors*  
18 *at the multilateral development banks to promote the en-*  
19 *dorsement of the Extractive Industry Transparency Initia-*  
20 *tive (EITI) by these institutions and the integration of the*  
21 *principles of the EITI into extractive industry-related*  
22 *projects that are funded by the multilateral development*  
23 *banks.*

24 *(d) REPORT.—Not later than September 30, 2009, the*  
25 *Secretary of the Treasury shall submit a report to the Com-*

1 *mittee on Appropriations and the Committee on Foreign*  
2 *Relations of the Senate, and the Committee on Appropria-*  
3 *tions and the Committee on Foreign Affairs of the House,*  
4 *detailing actions taken by the multilateral development*  
5 *banks to achieve the objectives of this section.*

6       *(e) COORDINATION OF DEVELOPMENT POLICY.—The*  
7 *Secretary of the Treasury shall coordinate the formulation*  
8 *and implementation of United States policy relating to the*  
9 *development activities of the World Bank Group with the*  
10 *Secretary of State, the Administrator of the United States*  
11 *Agency for International Development, and other Federal*  
12 *agencies, as appropriate.*

13           *OVERSEAS COMPARABILITY PAY ADJUSTMENT*

14       *SEC. 1113. (a) Subject to such regulations prescribed*  
15 *by the Secretary of State, including with respect to phase-*  
16 *in schedule and treatment as basic pay, and notwith-*  
17 *standing any other provision of law, funds appropriated*  
18 *for this fiscal year in this or any other Act may be used*  
19 *to pay an eligible member of the Foreign Service as defined*  
20 *in subsection (b) of this section a locality-based com-*  
21 *parability payment (stated as a percentage) up to the*  
22 *amount of the locality-based comparability payment (stated*  
23 *as a percentage) that would be payable to such member*  
24 *under section 5304 of title 5, United States Code if such*

1 *member's official duty station were in the District of Co-*  
2 *lumbia.*

3       **(b)** *A member of the Service shall be eligible for a pay-*  
4 *ment under this section only if the member is designated*  
5 *class 1 or below for purposes of section 403 of the Foreign*  
6 *Service Act of 1980 (22 U.S.C. 3963) and the member's offi-*  
7 *cial duty station is not in the continental United States*  
8 *or in a non-foreign area, as defined in section 591.205 of*  
9 *title 5, Code of Federal Regulations.*

10       **(c)** *The amount of any locality-based comparability*  
11 *payment that is paid to a member of the Foreign Service*  
12 *under this section shall be subject to any limitations on pay*  
13 *applicable to locality-based comparability payments under*  
14 *section 5304 of title 5, United States Code.*

15           **ASSESSMENT ON AFGHANISTAN AND PAKISTAN**

16       **SEC. 1114. (a) FINDING.**—*The Congress supports eco-*  
17 *nomie and security assistance for Afghanistan and Paki-*  
18 *stan, but long-term stability and security in those countries*  
19 *is tied more to the capacity and conduct of the Afghan and*  
20 *Pakistani governments and the resolve of both societies for*  
21 *peace and stability, to include combating extremist net-*  
22 *works, than it is to the policies of the United States.*

23       **(b) REPORT.**—*The President shall submit a report to*  
24 *the appropriate congressional committees, not later than 90*  
25 *days after the date of enactment of this Act and every 6*



1 months thereafter until September 30, 2010, in classified  
2 form if necessary, assessing the extent to which the Afghan  
3 and Pakistani governments are demonstrating the necessary  
4 commitment, capability, conduct and unity of purpose to  
5 warrant the continuation of the President's policy an-  
6 nounced on March 27, 2009, to include:

7           (1) The level of political consensus and unity of  
8           purpose across ethnic, tribal, religious and political  
9           party affiliations to confront the political and secu-  
10          rity challenges facing the region;

11          (2) The level of official corruption that under-  
12          mines such political consensus and unity of purpose,  
13          and actions taken to eliminate it;

14          (3) The actions taken by the respective security  
15          forces and appropriate government entities in devel-  
16          oping a counterinsurgency capability, conducting  
17          counterinsurgency operations, and establishing secu-  
18          rity and governance on the ground;

19          (4) The actions taken by the respective intel-  
20          ligence agencies in cooperating with the United States  
21          on counterinsurgency and counterterrorism operations  
22          and in terminating policies and programs, and re-  
23          moving personnel, that provide material support to  
24          extremist networks that target United States troops or  
25          undermine United States objectives in the region;



1           (2) *Since 2001, the United States has provided*  
2           *more than \$12,000,000,000 in economic and security*  
3           *assistance to Pakistan;*

4           (3) *Afghanistan and Pakistan are facing grave*  
5           *threats to their internal security from a growing in-*  
6           *surgency fueled by al Qaeda, the Taliban and other*  
7           *violent extremist groups operating in areas along the*  
8           *Afghanistan-Pakistan border; and*

9           (4) *The United States is committed to sup-*  
10          *porting vigorous efforts by the Government of Paki-*  
11          *stan to secure Pakistan's western border and counter*  
12          *violent extremism, expand government services, sup-*  
13          *port economic development, combat corruption and*  
14          *uphold the rule of law in such areas.*

15          (b) *REPORT.—Not later than 90 days after enactment*  
16          *of this Act, the Secretary of State shall submit a report,*  
17          *in classified form if necessary, to the Committees on Appro-*  
18          *priations detailing—*

19               (1) *a spending plan for the proposed uses of*  
20               *funds appropriated in this title under the headings*  
21               *“Economic Support Fund” and “International Nar-*  
22               *cotics Control and Law Enforcement” that are avail-*  
23               *able for assistance for Pakistan including amounts,*  
24               *the purposes for which funds are to be made available,*  
25               *and intended results;*



1 *Committees on Appropriations a report detailing planned*  
2 *expenditures for funds appropriated in this title, except for*  
3 *funds appropriated under the headings “International Dis-*  
4 *aster Assistance” and “Migration and Refugee Assistance”.*

5 (b) *NOTIFICATION.*—*Funds appropriated in this title,*  
6 *with the exception of funds appropriated under the headings*  
7 *“International Disaster Assistance” and “Migration and*  
8 *Refugee Assistance”, shall be subject to the regular notifica-*  
9 *tion procedures of the Committees on Appropriations and*  
10 *section 634A of the Foreign Assistance Act of 1961.*

11 *TECHNICAL PROVISIONS*

12 *SEC. 1118. (a) MODIFICATIONS.*—*The funding limita-*  
13 *tion in section 7046(a) of Public Law 111–8 shall not apply*  
14 *to funds made available for assistance for Colombia through*  
15 *the United States Agency for International Development’s*  
16 *Office of Transition Initiatives: Provided, That title III of*  
17 *division H of Public Law 111–8 is amended under the*  
18 *heading “Economic Support Fund” in the second proviso*  
19 *by striking “up to \$20,000,000” and inserting “not less*  
20 *than \$20,000,000”.*

21 (b) *NOTIFICATION REQUIREMENT.*—*Funds appro-*  
22 *priated by this Act that are transferred to the Department*  
23 *of State or the United States Agency for International De-*  
24 *velopment shall be subject to the regular notification proce-*

1 *dures of the Committees on Appropriations, notwith-*  
2 *standing any other provision of law.*

3       (c) *AUTHORITY.—Funds appropriated in this title,*  
4 *and subsequent and prior acts appropriating funds for De-*  
5 *partment of State, Foreign Operations, and Related Pro-*  
6 *grams and under the heading “Public Law 480 Title II*  
7 *Grants” in this, subsequent, and prior Acts appropriating*  
8 *funds for Agriculture, Rural Development, Food and Drug*  
9 *Administration, and Related Agencies, shall be made avail-*  
10 *able notwithstanding the requirements of and amendments*  
11 *made by section 3511 of Public Law 110–417.*

12       (d) *REEMPLOYMENT OF ANNUITANTS.—*

13           (1) *Section 824 of the Foreign Service Act of*  
14 *1980 (22 U.S.C. 4064) is amended in subsection*  
15 *(g)(1)(B) by inserting “, Pakistan,” after “Iraq” each*  
16 *place it appears; by inserting “to positions in the Re-*  
17 *sponse Readiness Corps,” before “or to posts vacated”;*  
18 *and, in subsection (g)(2) by striking “2009” and in-*  
19 *serting instead “2012”.*

20           (2) *Section 61 of the State Department Basic*  
21 *Authorities Act of 1956 (22 U.S.C. 2733) is amended*  
22 *in subsection (a)(1) by adding “, Pakistan,” after*  
23 *“Iraq” each place it appears; by inserting “, to posi-*  
24 *tions in the Response Readiness Corps,” before “or to*

1        *posts vacated*”; and, in subsection (a)(2) by striking  
2        “2008” and inserting instead “2012”.

3            (3) Section 625 of the Foreign Assistance Act of  
4        1961 (22 U.S.C. 2385) is amended in subsection  
5        (j)(1)(A) by adding “, Pakistan,” after “Iraq” each  
6        place it appears; by inserting “, to positions in the  
7        Response Readiness Corps,” before “or to posts va-  
8        cated”; and, in subsection (J)(1)(B) by striking  
9        “2008” and inserting instead “2012”.

10        (e) *INCENTIVES FOR CRITICAL POSTS.*—Notwith-  
11        standing sections 5753(a)(2)(A) and 5754(a)(2)(A) of title  
12        5, United States Code, appropriations made available by  
13        this or any other Act may be used to pay recruitment, relo-  
14        cation, and retention bonuses under chapter 57 of title 5,  
15        United States Code to members of the Foreign Service, other  
16        than chiefs of mission and ambassadors at large, who are  
17        on official duty in Iraq, Afghanistan, or Pakistan. This au-  
18        thority shall terminate on October 1, 2012.

19        (f) Of the funds appropriated under the heading “For-  
20        eign Military Financing Program” in Public Law 110–161  
21        that are available for assistance for Colombia, \$500,000  
22        may be transferred to, and merged with, funds appro-  
23        priated under the heading “International Narcotics Control  
24        and Law Enforcement” to provide medical and rehabilita-

1 *tion assistance for members of Colombian security forces*  
2 *who have suffered severe injuries.*

3 *TERMS AND CONDITIONS*

4 *SEC. 1119. Unless otherwise provided for in this Act,*  
5 *funds appropriated or otherwise made available in this title*  
6 *shall be available under the authorities and conditions pro-*  
7 *vided in the Department of State, Foreign Operations, and*  
8 *Related Programs Appropriations Act, 2009 (division H of*  
9 *Public Law 111–8), except that sections 7042(a) and (c)*  
10 *and 7070(e)(2) of such Act shall not apply to such funds.*

11 *OVERSEAS DEPLOYMENTS*

12 *SEC. 1120. Each amount in this title is designated as*  
13 *being for overseas deployments and other activities pursu-*  
14 *ant to sections 401(c)(4) and 423(a) of S. Con. Res. 13*  
15 *(111th Congress), the concurrent resolution on the budget*  
16 *for fiscal year 2010.*

17 *AFGHANISTAN AND PAKISTAN POLICY*

18 *SEC. 1121. (a) OBJECTIVES FOR AFGHANISTAN AND*  
19 *PAKISTAN.—Not later than 60 days after the date of the*  
20 *enactment of this Act, the President shall develop and sub-*  
21 *mit to the appropriate committees of Congress the following:*

22 *(1) A clear statement of the objectives of United*  
23 *States policy with respect to Afghanistan and Paki-*  
24 *stan.*



1           (2) *Metrics to be utilized to assess progress to-*  
2           *ward achieving the objectives developed under para-*  
3           *graph (1).*

4           **(b) REPORTS.—**

5           (1) *IN GENERAL.—Not later than March 30,*  
6           *2010 and every 120 days thereafter until September*  
7           *30, 2011, the President, in consultation with Coali-*  
8           *tion partners as appropriate, shall submit to the ap-*  
9           *propriate committees of Congress a report setting*  
10          *forth the following:*

11                   (A) *A description and assessment of the*  
12                   *progress of United States Government efforts, in-*  
13                   *cluding those of the Department of Defense, the*  
14                   *Department of State, the United States Agency*  
15                   *for International Development, and the Depart-*  
16                   *ment of Justice, in achieving the objectives for*  
17                   *Afghanistan and Pakistan developed under sub-*  
18                   *section (a)(1).*

19                   (B) *Any modification of the metrics devel-*  
20                   *oped under subsection (a)(2) in light of cir-*  
21                   *cumstances in Afghanistan or Pakistan, together*  
22                   *with a justification for such modification.*

23                   (C) *Recommendations for the additional re-*  
24                   *sources or authorities, if any, required to achieve*  
25                   *such objectives for Afghanistan and Pakistan.*

1           (2) *FORM.*—Each report under this subsection  
2           may be submitted in classified or unclassified form.  
3           Any report submitted in classified form shall include  
4           an unclassified annex or summary of the matters con-  
5           tained in the report.

6           (3) *APPROPRIATE COMMITTEES OF CONGRESS*  
7           *DEFINED.*—In this subsection, the term “appropriate  
8           committees of Congress” means—

9                   (A) the Committees on Armed Services, Ap-  
10                  propriations, Foreign Relations, Homeland Se-  
11                  curity and Governmental Affairs, and the Judi-  
12                  ciary and the Select Committee on Intelligence of  
13                  the Senate; and

14                  (B) the Committees on Armed Services, Ap-  
15                  propriations, Foreign Affairs, Homeland Secu-  
16                  rity, and the Judiciary and the Permanent Se-  
17                  lect Committee on Intelligence of the House of  
18                  Representatives.

19           *ADDITIONAL AMOUNT FOR ASSISTANCE FOR GEORGIA*

20           *SEC. 1122.* The amount appropriated by this title  
21           under the heading “Assistance for Europe, Eurasia and  
22           Central Asia” may be increased by up to \$42,500,000, with  
23           the amount of the increase to be available for assistance for  
24           Georgia.

1 *TITLE XII*  
2 *DEPARTMENT OF TRANSPORTATION*  
3 *OFFICE OF THE SECRETARY*  
4 *PAYMENTS TO AIR CARRIERS*  
5 *(AIRPORT AND AIRWAY TRUST FUND)*

6 *In addition to funds made available under Public Law*  
7 *111–8 and funds authorized under subsection 41742(a)(1)*  
8 *of title 49, United States Code, to carry out the essential*  
9 *air service program, to be derived from the Airport and Air-*  
10 *way Trust Fund, \$13,200,000, to remain available until*  
11 *expended.*

12 *FEDERAL AVIATION ADMINISTRATION*  
13 *GRANTS-IN-AID FOR AIRPORTS*  
14 *(AIRPORT AND AIRWAY TRUST FUND)*  
15 *(RESCISSION)*

16 *Of the amounts authorized under sections 48103 and*  
17 *48112 of title 49, United States Code, \$13,200,000 are per-*  
18 *manently rescinded from amounts authorized for the fiscal*  
19 *year ending September 30, 2008.*

20 *GENERAL PROVISIONS—THIS TITLE*

21 *SEC. 1201. Section 1937 of Public Law 109–59 (119*  
22 *Stat. 1144, 1510) is amended—*

23 *(1) in paragraph (1) by striking “expenditures”*  
24 *each place that it appears and inserting “alloca-*  
25 *tions”; and*

1           (2) in paragraph (2) by striking “expenditure”  
2           and inserting “allocation”.

3           SEC. 1202. A recipient and subrecipient of funds ap-  
4           propriated in Public Law 111–5 and apportioned pursuant  
5           to section 5311 and section 5336 (other than subsection  
6           (i)(1) and (j)) of title 49, United States Code, may use up  
7           to 10 percent of the amount apportioned for the operating  
8           costs of equipment and facilities for use in public transpor-  
9           tation: Provided, That a grant obligating such funds prior  
10          to the date of the enactment of this Act may be amended  
11          to allow a recipient and subrecipient to use the funds made  
12          available for operating assistance: Provided further, That  
13          such funds are designated as an emergency requirement  
14          pursuant to section 403 of S. Con. Res. 13 (111th Congress),  
15          the concurrent resolution on the budget for fiscal year 2010.

16          SEC. 1203. Public Law 110–329, under the heading  
17          “Project-Based Rental Assistance”, is amended by striking  
18          “project-based vouchers” and all that follows up to the pe-  
19          riod and inserting “activities and assistance for the provi-  
20          sion of tenant-based rental assistance, including related ad-  
21          ministrative expenses, as authorized under the United  
22          States Housing Act of 1937, as amended (42 U.S.C. 1437  
23          et seq.), \$80,000,000, to remain available until expended:  
24          Provided, That such funds shall be made available within  
25          60 days of the enactment of this Act: Provided further, That

1 *in carrying out the activities authorized under this heading,*  
 2 *the Secretary shall waive section (o)(13)(B) of the United*  
 3 *States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)(B))”:*  
 4 *Provided, That such additional funds are designated as an*  
 5 *emergency requirement pursuant to section 403 of S. Con.*  
 6 *Res. 13 (111th Congress), the concurrent resolution on the*  
 7 *budget for fiscal year 2010.*

8       *SEC. 1204. Public Law 111–5 is amended by striking*  
 9 *the second proviso under the heading “HOME Investment*  
 10 *Partnerships Program” and inserting “Provided further,*  
 11 *That the housing credit agencies in each State shall dis-*  
 12 *tribute these funds competitively under this heading and*  
 13 *pursuant to their qualified allocation plan (as defined in*  
 14 *section 42(m) of the Internal Revenue Code of 1986) to own-*  
 15 *ers of projects who have received or receive simultaneously*  
 16 *an award of low-income housing tax credits under sections*  
 17 *42(h) and 1400N of the Internal Revenue Code of 1986.”.*

### 18                                   *TITLE XIII*

#### 19                                   *OTHER MATTERS*

#### 20                                   *INTERNATIONAL ASSISTANCE PROGRAMS*

#### 21                                   *INTERNATIONAL MONETARY PROGRAMS*

#### 22                                   *UNITED STATES QUOTA, INTERNATIONAL MONETARY*

#### 23                                   *FUND*

24       *For an increase in the United States quota in the*  
 25 *International Monetary Fund, the dollar equivalent of*

1 4,973,100,000 *Special Drawing Rights*, to remain available  
2 until expended: *Provided, That the cost of the amounts pro-*  
3 *vided herein shall be determined as provided under the Fed-*  
4 *eral Credit Reform Act of 1990 (2 U.S.C. 661 et. seq.): Pro-*  
5 *vided further, That for purposes of section 502(5) of the*  
6 *Federal Credit Reform Act of 1990, the discount rate in*  
7 *section 502(5)(E) shall be adjusted for market risks: Pro-*  
8 *vided further, That section 504(b) of the Federal Credit Re-*  
9 *form Act of 1990 (2 U.S.C. 661c(b)) shall not apply.*

10 *LOANS TO INTERNATIONAL MONETARY FUND*

11 *For loans to the International Monetary Fund under*  
12 *section 17(a)(ii) and (b)(ii) of the Bretton Woods Agree-*  
13 *ments Act (Public Law 87-490, 22 U.S.C. 286e-2), as*  
14 *amended by this Act pursuant to the New Arrangements*  
15 *to Borrow, the dollar equivalent of up to 75,000,000,000*  
16 *Special Drawing Rights, to remain available until ex-*  
17 *pended, in addition to any amounts previously appro-*  
18 *priated under section 17 of such Act: Provided, That if the*  
19 *United States agrees to an expansion of its credit arrange-*  
20 *ment in an amount less than the dollar equivalent of*  
21 *75,000,000,000 Special Drawing Rights, any amount over*  
22 *the United States' agreement shall not be available until*  
23 *further appropriated: Provided further, That the cost of the*  
24 *amounts provided herein shall be determined as provided*  
25 *under the Federal Credit Reform Act of 1990 (2 U.S.C. 661*

1 *et. seq.): Provided further, That for purposes of section*  
2 *502(5) of the Federal Credit Reform Act of 1990, the dis-*  
3 *count rate in section 502(5)(E) shall be adjusted for market*  
4 *risks: Provided further, That section 504(b) of the Federal*  
5 *Credit Reform Act of 1990 (2 U.S.C. 661c(b)) shall not*  
6 *apply.*

7 *GENERAL PROVISIONS—INTERNATIONAL*

8 *ASSISTANCE PROGRAMS*

9 *SEC. 1301. Section 17 of the Bretton Woods Agree-*  
10 *ments Act (22 U.S.C. 286e-2) is amended—*

11 *(1) in subsection (a)—*

12 *(A) by inserting “(1)” before “In order to”;*

13 *and*

14 *(B) by adding at the end the following:*

15 *“(2) In order to carry out the purposes of a one-*  
16 *time decision of the Executive Directors of the Inter-*  
17 *national Monetary Fund (the Fund) to expand the re-*  
18 *sources of the New Arrangements to Borrow, estab-*  
19 *lished pursuant to the decision of January 27, 1997*  
20 *referred to in paragraph (1) above, and to make other*  
21 *amendments to the New Arrangements to Borrow to*  
22 *achieve an expanded and more flexible New Arrange-*  
23 *ments to Borrow as contemplated by paragraph 17 of*  
24 *the G-20 Leaders’ Statement of April 2, 2009 in Lon-*  
25 *don, the Secretary of the Treasury is authorized to in-*

1        *struct the United States Executive Director to consent*  
2        *to such amendments notwithstanding subsection (d) of*  
3        *this section, and to make loans, in an amount not to*  
4        *exceed the dollar equivalent of 75,000,000,000 Special*  
5        *Drawing Rights, in addition to any amounts pre-*  
6        *viously authorized under this section and limited to*  
7        *such amounts as are provided in advance in appro-*  
8        *propriations Acts, except that prior to activation, the*  
9        *Secretary of the Treasury shall report to Congress on*  
10       *whether supplementary resources are needed to fore-*  
11       *stall or cope with an impairment of the international*  
12       *monetary system and whether the Fund has fully ex-*  
13       *plored other means of funding, to the Fund under ar-*  
14       *ticle VII, section 1(i), of the Articles of Agreement of*  
15       *the Fund: Provided, That prior to instructing the*  
16       *United States Executive Director to provide consent*  
17       *to such amendments, the Secretary of the Treasury*  
18       *shall consult with the Committee on Foreign Rela-*  
19       *tions and the Committee on Banking, Housing, and*  
20       *Urban Affairs of the Senate and the Committee on*  
21       *Financial Services of the House of Representatives on*  
22       *the amendments to be made to the New Arrangements*  
23       *to Borrow, including guidelines and criteria gov-*  
24       *erning the use of its resources; the countries that have*  
25       *made commitments to contribute to the New Arrange-*



1        *ments to Borrow and the amount of such commit-*  
2        *ments; and the steps taken by the United States to ex-*  
3        *pend the number of countries so the United States*  
4        *share of the expanded New Arrangements to Borrow*  
5        *is representative of its share as of the date of enact-*  
6        *ment of this Act: Provided further, That any loan*  
7        *under the authority granted in this subsection shall be*  
8        *made with due regard to the present and prospective*  
9        *balance of payments and reserve position of the*  
10       *United States.”.*

11       *and*

12                *(2) in subsection (b)—*

13                        *(A) by inserting “(1)” before “For the pur-*  
14                        *pose of”;*

15                        *(B) by inserting “subsection (a)(1) of” after*  
16                        *“pursuant to”; and*

17                        *(C) by adding at the end the following:*

18                        *“(2) For the purpose of making loans to the*  
19        *International Monetary Fund pursuant to subsection*  
20        *(a)(2) of this section, there is hereby authorized to be*  
21        *appropriated not to exceed the dollar equivalent of*  
22        *75,000,000,000 Special Drawing Rights, in addition*  
23        *to any amounts previously authorized under this sec-*  
24        *tion, except that prior to activation, the Secretary of*  
25        *the Treasury shall report to Congress on whether sup-*

1       plementary resources are needed to forestall or cope  
2       with an impairment of the international monetary  
3       system and whether the Fund has fully explored other  
4       means of funding, to remain available until expended  
5       to meet calls by the Fund. Any payments made to the  
6       United States by the Fund as a repayment on ac-  
7       count of the principal of a loan made under this sec-  
8       tion shall continue to be available for loans to the  
9       Fund.”.

10       SEC. 1302. *The Bretton Woods Agreements Act* (22  
11 *U.S.C. 286 et seq.*) is amended by adding at the end the  
12 following:

13       **“SEC. 64. ACCEPTANCE OF AMENDMENTS TO THE ARTICLES**  
14                               **OF AGREEMENT OF THE FUND.**

15       “The United States Governor of the Fund may agree  
16 to and accept the amendments to the Articles of Agreement  
17 of the Fund as proposed in the resolutions numbered 63–  
18 2 and 63–3 of the Board of Governors of the Fund which  
19 were approved by such Board on April 28, 2008 and May  
20 5, 2008, respectively.

21       **“SEC. 65. QUOTA INCREASE.**

22       “(a) *IN GENERAL.*—The United States Governor of the  
23 Fund may consent to an increase in the quota of the United  
24 States in the Fund equivalent to 4,973,100,000 Special  
25 Drawing Rights.

1       “(b) *SUBJECT TO APPROPRIATIONS.—The authority*  
2 *provided by subsection (a) shall be effective only to such*  
3 *extent or in such amounts as are provided in advance in*  
4 *appropriations Acts.*

5       **“SEC. 66. APPROVAL TO SELL A LIMITED AMOUNT OF THE**  
6                                   **FUND’S GOLD.**

7       “(a) *The Secretary of the Treasury is authorized to*  
8 *instruct the United States Executive Director of the Fund*  
9 *to vote to approve the sale of up to 12,965,649 ounces of*  
10 *the Fund’s gold acquired since the second Amendment to*  
11 *the Fund’s Articles of Agreement, only if such sales are con-*  
12 *sistent with the guidelines agreed to by the Executive Board*  
13 *of the Fund described in the Report of the Managing Direc-*  
14 *tor to the International Monetary and Financial Committee*  
15 *on a New Income and Expenditure Framework for the*  
16 *International Monetary Fund (April 9, 2008) to prevent*  
17 *disruption to the world gold market: Provided, That at least*  
18 *30 days prior to any such vote, the Secretary shall consult*  
19 *with the Committee on Foreign Relations and the Com-*  
20 *mittee on Banking, Housing, and Urban Affairs of the Sen-*  
21 *ate and the Committee on Financial Services of the House*  
22 *of Representatives regarding the use of proceeds from the*  
23 *sale of such gold: Provided further, That the Secretary of*  
24 *the Treasury shall seek to ensure that:*

1           “(1) the Fund will provide support to low-in-  
2           come countries that are eligible for the Poverty Reduc-  
3           tion and Growth Facility or other low-income lending  
4           from the Fund by making available Fund resources of  
5           not less than \$4 billion;

6           “(2) such Fund resources referenced above will be  
7           used to leverage additional support by a significant  
8           multiple to provide loans with substantial  
9           concessionality and debt service payment relief and/  
10          or grants, as appropriate to a country’s cir-  
11          cumstances:

12          “(3) support provided through forgiveness of in-  
13          terest on concessional loans will be provided for not  
14          less than two years; and

15          “(4) the support provided to low-income coun-  
16          tries occurs within six years, a substantial amount of  
17          which shall occur within the initial two years.

18          “(b) In addition to agreeing to and accepting the  
19          amendments referred to in section 64 of this Act relating  
20          to the use of proceeds from the sale of such gold, the United  
21          States Governor is authorized, consistent with subsection  
22          (a), to take such actions as may be necessary, including  
23          those referred to in section 5(e) of this Act, to also use such  
24          proceeds for the purpose of assisting low-income countries.

1 **“SEC. 67. ACCEPTANCE OF AMENDMENT TO THE ARTICLES**  
2 **OF AGREEMENT OF THE FUND.**

3 *“The United States Governor of the Fund may agree*  
4 *to and accept the amendment to the Articles of Agreement*  
5 *of the Fund as proposed in the resolution numbered 54–*  
6 *4 of the Board of Governors of the Fund which was ap-*  
7 *proved by such Board on October 22, 1997: Provided, That*  
8 *not more than one year after the acceptance of such amend-*  
9 *ments to the Fund’s Articles of Agreement, the Secretary*  
10 *of the Treasury shall submit a report to the Committee on*  
11 *Foreign Relations and the Committee on Banking, Hous-*  
12 *ing, and Urban Affairs of the Senate and the Committee*  
13 *on Financial Services of the House of Representatives ana-*  
14 *lyzing Special Drawing Rights, to include a discussion of*  
15 *how those countries that significantly use or acquire Special*  
16 *Drawing Rights in accordance with Article XIX, Section*  
17 *2(c), use or acquire them; the extent to which countries expe-*  
18 *riencing balance of payment difficulties exchange or use*  
19 *their Special Drawing Rights to acquire reserve currencies;*  
20 *and the manner in which those reserve currencies are ac-*  
21 *quired when utilizing Special Drawing Rights.”.*

22 *SEC. 1303. (a) Not later than 30 days after enactment*  
23 *of this Act, the Secretary of the Treasury, in consultation*  
24 *with the Executive Director of the World Bank and the Ex-*  
25 *ecutive Board of the International Monetary Fund (IMF),*  
26 *shall submit a report to the appropriate congressional com-*

1 *mittees detailing the steps taken to coordinate the activities*  
2 *of the World Bank and the IMF to avoid duplication of*  
3 *missions and programs, and steps taken by the Department*  
4 *of the Treasury and the IMF to increase the oversight and*  
5 *accountability of IMF activities.*

6       *(b) For the purposes of this section, the “appropriate*  
7 *congressional committees” means the Committees on Appro-*  
8 *priations, Banking, Housing, and Urban Affairs, and For-*  
9 *ign Relations of the Senate, and the Committees on Appro-*  
10 *priations, Foreign Affairs, and Ways and Means of the*  
11 *House of Representatives.*

12       *(c) In the next report to Congress on international eco-*  
13 *nomie and exchange rate policies, the Secretary of the*  
14 *Treasury shall: (1) report on ways in which the IMF’s sur-*  
15 *veillance function under Article IV could be enhanced and*  
16 *made more effective in terms of avoiding currency manipu-*  
17 *lation; (2) report on the feasibility and usefulness of pub-*  
18 *lishing the IMF’s internal calculations of indicative ex-*  
19 *change rates; and (3) provide recommendations on the steps*  
20 *that the IMF can take to promote global financial stability*  
21 *and conduct effective multilateral surveillance.*

22       *(d) The Secretary of the Treasury shall instruct the*  
23 *United States Executive Director of the International Mon-*  
24 *etary Fund to use the voice and vote of the United States*  
25 *to oppose any loan, project, agreement, memorandum, in-*

1 *strument, plan, or other program of the Fund to a Heavily*  
2 *Indebted Poor Country that imposes budget caps or re-*  
3 *straints that do not allow the maintenance of or an increase*  
4 *in governmental spending on health care or education; and*  
5 *to promote government spending on health care, education,*  
6 *food aid, or other critical safety net programs in all of the*  
7 *Fund’s activities with respect to Heavily Indebted Poor*  
8 *Countries.*

9       *SEC. 1304. Each amount in this title is designated as*  
10 *being for overseas deployments and other activities pursu-*  
11 *ant to sections 401(c)(4) and 423(a) of S. Con. Res. 13*  
12 *(111th Congress), the concurrent resolution on the budget*  
13 *for fiscal year 2010.*

14       *DETAINEE PHOTOGRAPHIC RECORDS PROTECTION*

15       *SEC. 1305. (a) SHORT TITLE.—This section may be*  
16 *cited as the “Detainee Photographic Records Protection Act*  
17 *of 2009”.*

18       *(b) DEFINITIONS.—In this section:*

19           *(1) COVERED RECORD.—The term “covered*  
20 *record” means any record—*

21                   *(A) that is a photograph that was taken be-*  
22 *tween September 11, 2001 and January 22, 2009*  
23 *relating to the treatment of individuals engaged,*  
24 *captured, or detained after September 11, 2001,*

1           *by the Armed Forces of the United States in op-*  
2           *erations outside of the United States; and*

3                   *(B) for which a certification by the Sec-*  
4           *retary of Defense under subsection (c) is in effect.*

5           (2) *PHOTOGRAPH.*—*The term “photograph” en-*  
6           *compasses all photographic images, whether originals*  
7           *or copies, including still photographs, negatives, dig-*  
8           *ital images, films, video tapes, and motion pictures.*

9           (c) *CERTIFICATION.*—

10                   (1) *IN GENERAL.*—*For any photograph described*  
11           *under subsection (b)(1)(A), the Secretary of Defense*  
12           *shall certify, if the Secretary of Defense, in consulta-*  
13           *tion with the Chairman of the Joint Chiefs of Staff,*  
14           *determines that the disclosure of that photograph*  
15           *would endanger—*

16                           (A) *citizens of the United States; or*

17                           (B) *members of the Armed Forces or em-*  
18           *ployees of the United States Government de-*  
19           *ployed outside the United States.*

20           (2) *CERTIFICATION EXPIRATION.*—*A certification*  
21           *submitted under paragraph (1) and a renewal of a*  
22           *certification submitted under paragraph (3) shall ex-*  
23           *pire 3 years after the date on which the certification*  
24           *or renewal, as the case may be, is submitted to the*  
25           *President.*





1        *SPECIFIC CITATIONS IN STATUTORY EXEMPTIONS*

2        *SEC. 1307. Section 552(b) of title 5, United States*  
3 *Code, is amended by striking paragraph (3) and inserting*  
4 *the following:*

5            *“(3) specifically exempted from disclosure by*  
6 *statute (other than section 552b of this title), if that*  
7 *statute—*

8            *“(A)(i) requires that the matters be withheld*  
9 *from the public in such a manner as to leave no*  
10 *discretion on the issue; or*

11            *“(ii) establishes particular criteria for*  
12 *withholding or refers to particular types of*  
13 *matters to be withheld; and*

14            *“(B) if enacted after the date of enactment*  
15 *of the OPEN FOIA Act of 2009, specifically cites*  
16 *to this paragraph.”.*

17        *GENERAL PROVISION—THIS ACT*18            *AVAILABILITY OF FUNDS*

19        *SEC. 1308. No part of any appropriation contained*  
20 *in this Act shall remain available for obligation beyond the*  
21 *current fiscal year unless expressly so provided herein.*

