

## HR 3081

Continuing Appropriations Act, 2011

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Economics and Public Finance

**Introduced:** Jun 26, 2009

**Current Status:** Became Public Law No: 111-242.

**Latest Action:** Became Public Law No: 111-242. (Sep 30, 2010)

**Law:** 111-242 (Enacted Sep 30, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/3081>

### Sponsor

**Name:** Rep. Lowey, Nita M. [D-NY-18]

**Party:** Democratic • **State:** NY • **Chamber:** House

### Cosponsors

No cosponsors are listed for this bill.

### Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Jun 27, 2009

### Subjects & Policy Tags

#### Policy Area:

Economics and Public Finance

### Related Bills

Bill	Relationship	Last Action
111 HRES 1682	Related bill	Sep 29, 2010: Motion to reconsider laid on the table Agreed to without objection.
111 HR 3288	Related bill	Dec 16, 2009: Became Public Law No: 111-117.
111 HRES 617	Procedurally related	Jul 9, 2009: Motion to reconsider laid on the table Agreed to without objection.
111 S 1434	Related bill	Jul 9, 2009: Placed on Senate Legislative Calendar under General Orders. Calendar No. 103.

**(This measure has not been amended since it was passed by the Senate on September 29, 2010. The summary of that version is repeated here.)**

Continuing Appropriations Act, 2011 - Makes continuing appropriations for FY2011.

(Sec. 101) Appropriates amounts for continuing operations, projects, or activities conducted in FY2010, at the same rate as for FY2010, for which appropriations, funds, or other authority were made available in: (1) the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (P.L. 111-80); (2) Division A of the Department of Defense Appropriations Act, 2010 (division A of P.L. 111-118); (3) the Energy and Water Development Appropriations Act, 2010 (P.L. 111-85); (4) the Department of Homeland Security Appropriations Act, 2010 (P.L. 111-83) and section 601 of the Supplemental Appropriations Act, 2010 (SAA 2010) (P.L. 111-212); (5) the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of P.L. 111-88); (6) the Legislative Branch Appropriations Act, 2010 (division A of P.L. 111-68); (7) the Consolidated Appropriations Act, 2010 (CAA 2010) (P.L. 111-117); (8) Chapter 3 of title I of SAA 2010, with specified exceptions; (9) additional FY2010 appropriations in SAA 2010 for specified guaranteed loans in the rural housing insurance fund; and (10) the appropriation for the United States Patent and Trademark Office in the United States Patent and Trademark Office Supplemental Appropriations Act, 2010 (P.L. 111-224).

(Sec. 102) Prohibits the use of appropriations, funds, or authority granted under this Act for the Department of Defense (DOD) for: (1) the new production of items not funded for production in FY2010 or prior years; (2) the increase in production rates above those sustained with FY2010 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization for which appropriations, funds, or other authority were not available during FY2010.

Bars the use of DOD appropriations, funds, or authority granted under this Act to initiate multiyear procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

(Sec. 106) Makes appropriations in this Act available until the earliest of: (1) the enactment of an appropriation for any project or activity provided for in this Act; (2) the enactment of the applicable appropriations Act for FY2011 without any provision for such project or activity; or (3) December 3, 2010.

(Sec. 111) Continues through December 3, 2010, certain activities for entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for FY2010, and for activities under the Food and Nutrition Act of 2008.

(Sec. 112) Authorizes the apportionment of appropriations under this Act for federal civilian personnel compensation and benefits up to the rate for operations necessary to avoid furloughs within an agency or department, consistent with the applicable appropriations Act for FY2010. Prohibits the use of such authority until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

(Sec. 113) Authorizes the obligation and expenditure of funds appropriated by this Act, notwithstanding certain restrictions of specified federal law.

(Sec. 114) Designates as emergency requirements certain amounts: (1) incorporated by reference in this Act that were previously designated as available for overseas deployments and other activities pursuant to S.Con.Res. 13 (FY2010

budget resolution); and (2) made available pursuant to paragraph (8) of section 101 of this Act.

(Sec. 115) Permits the use of funds appropriated under the heading "Food for Peace Title II Grants" in chapter 1 of title I of the SAA 2010 to reimburse obligations incurred for such purposes before the enactment of such Act.

(Sec. 116) Extends through the earlier of the enactment of an authorization Act related to the Richard B. Russell National School Lunch Act or December 3, 2010, the authority of the Secretary of Health and Human Services (HHS) to provide to California necessary sums to carry out a year-round school meal service program for eligible entities.

(Sec. 117) Provides specified amounts at a rate for operations for "Department of Commerce--Bureau of the Census--Periodic Censuses and Programs" for necessary expenses to collect and publish statistics for periodic censuses and programs provided for by law.

(Sec. 118) Continues through December 3, 2010, the authority for the Commander's Emergency Response Program (urgent humanitarian and reconstruction relief for Iraq and Afghanistan).

(Sec. 119) Treats a claim submitted under SAA 2009 before December 3, 2010, for a DOD payment of stop-loss special pay for certain members (including reserve and retired personnel) who served, under the President's stop-loss authority, as a claim for which payment may be made.

(Sec. 120) Rescinds the unobligated balance of authority provided for investigations under the heading "Department of Defense--Civil, Department of the Army, Corps of Engineers--Civil, Investigations" in chapter 4 of title I of SAA 2010.

Appropriates to the Department of the Army, Corps of Engineers, for such investigations an amount equal to such rescinded unobligated balance.

(Sec. 121) Rescinds the unobligated balance of authority provided for in SAA 2010 for drought emergency assistance, and appropriates the same amount to the Bureau of Reclamation for the same purpose.

(Sec. 122) Provides additional funding for "Department of Energy--Weapons Activities" at a specified rate for operations.

(Sec. 123) Authorizes the District of Columbia to expend local funds for certain programs and activities.

(Sec. 124) Amends the Department of Homeland Security Appropriations Act, 2007, as amended by the Department of Homeland Security Appropriations Act, 2010, to extend through December 3, 2010, the authority of the Secretary of Homeland Security (DHS) to issue interim final regulations establishing risk-based performance standards for the security of chemical facilities and requiring vulnerability assessments and the development and implementation of site security plans for chemical facilities that meet specified requirements.

(Sec. 125) Amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act to extend the Predisaster Hazard Mitigation Program through December 3, 2010.

(Sec. 126) Requires funds made available under this Act for the Federal Air Marshals to be obligated at a rate for operations not exceeding that necessary to sustain domestic and international flight coverage at the same level as the final quarter of FY2010.

(Sec. 127) Requires funds made available under this Act for U.S. Customs and Border Protection to be obligated at a rate for operations not exceeding that necessary to sustain the numbers of personnel in place in the final quarter of FY2010.

(Sec. 128) Provides additional funds for "Department of the Interior--Minerals Management Service--Royalty and Offshore Minerals Management" at a specified rate for operations.

(Sec. 129) Amends the Stem Cell Therapeutic and Research Act of 2005 to extend through December 3, 2010, HHS authority to contract with qualified cord blood stem cell banks to assist in the collection and maintenance of 150,000 new units of high-quality cord blood to be made available for transplantation through the C.W. Bill Young Cell Transplantation Program.

(Sec. 130) Makes certain funds transferred to "Department of Health and Human Services--Office of the Secretary--Public Health and Social Services Emergency Fund" by CAA 2010 available through December 3, 2010, to support advanced research and development pursuant to the Public Health Service Act, at a specified rate for operations.

(Sec. 131) Extends through December 3, 2010, and makes appropriations for, activities authorized by part A of title IV (Temporary Assistance to Needy Families) (TANF) of the Social Security Act (SSA) (other than the Emergency Contingency Fund for State Temporary Assistance for Needy Families Programs) in the manner authorized for FY2010, subject to the amendments made by this Act.

Makes appropriations (including an increase in the limitation) to the Contingency Fund for State Welfare Programs for FY2011-FY2012.

(Sec. 132) Extends through FY2011 and makes appropriations for SSA-authorized activities for the National Random Sample Study of Child Welfare in the manner authorized for FY2010.

(Sec. 133) Amends SSA Title IV subpart 2 (Promoting Safe and Stable Families) part B (Child and Family Services) to increase the authorization of appropriations to carry out such activities for FY2011.

Increases in FY2011 the amount HHS may reserve out of funds authorized for such purpose for grants to highest state courts to assess and improve handling of proceedings relating to foster care and adoption.

Extends through FY2011 grants to such courts for improved data collection and training.

Makes additional funds available (out of such reserved funds) for FY2011 grants to the highest state courts to: (1) insure that the safety, permanence, and well-being needs of children are met in a timely and complete manner; and (2) provide for the training of judges, attorneys and other legal personnel in child welfare cases.

(Sec. 134) Makes appropriations for payment in equal shares to the children and grandchildren of Robert C. Byrd (former Senator from West Virginia).

(Sec. 135) Provides additional funding for deposit into the DOD Base Closure Account 2005 at a specified rate for operations.

(Sec. 136) Provides additional funding for "Department of State--Administration of Foreign Affairs--Diplomatic and Consular Programs" at a specified rate for operations.

(Sec. 137) Provides additional funding for "International Security Assistance--Funds Appropriated to the President--Foreign Military Financing Program" at a specified rate for operations. Earmarks funding for Israel, Egypt, and Jordan.

(Sec. 138) Provides additional funding for "International Security Assistance--Funds Appropriated to the President--Pakistan Counterinsurgency Capability Fund" at a specified rate for operations.

(Sec. 139) Amends the Passport Act of June 4, 1920 to extend through December 3, 2010, the Secretary of State's authority to collect a surcharge in addition to the fees for execution and issuance of passports.

(Sec. 140) Amends SAA 2009 to extend through December 3, 2010, the authorized use of funds for recruitment, relocation, and retention bonuses to Foreign Service members, other than chiefs of mission and ambassadors at large, who are on official duty in Iraq, Afghanistan, or Pakistan.

Amends the Foreign Service Act of 1980 to extend through December 3, 2010, the Secretary of State's authority to waive certain annuity limitations for annuitants reemployed on a temporary basis or to grant such authority to an executive agency head.

Amends the State Department Basic Authorities Act of 1956 to extend through December 3, 2010, the Secretary of State's authority to waive specified requirements under the Act for reemployment of annuitants under the Civil Service Retirement System (CSRS) and the Federal Employee's Retirement System (FERS) in a Department of State position for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists to facilitate assignment of persons to Iraq, Pakistan, and Afghanistan or to posts vacated by members of the Services assigned to such countries.

Amends the Foreign Assistance Act of 1961 to extend through December 3, 2010, the authority of the Secretary of State and the Administrator of USAID to recruit retired Foreign Service or CSRS employees as reemployed annuitants to serve in Pakistan, Iraq, or Afghanistan.

(Sec. 141) Extends through December 3, 2010, the United States Advisory Commission on Public Diplomacy.

(Sec. 142) Limits to a specified rate for operations any commitments to guarantee loans incurred under the General and Special Risk Insurance Funds, as authorized by the National Housing Act. Permits total loan principal, any part of which is to be guaranteed, to be apportioned through December 3, 2010, using a specified formula.

(Sec. 143) Continues the Interagency Council on the Homeless through the earlier of: (1) December 3, 2010; or (2) the enactment of an authorization Act relating to the McKinney-Vento Homeless Assistance Act.

(Sec. 144) Declares that, for home equity conversion mortgages (HECMs, or reverse mortgages) for elderly homeowners for which the mortgagee issues credit approval for the borrower during FY2011, mortgage insurance benefits may not exceed 150% of the maximum dollar amount in effect of the original principal obligation of conventional mortgages purchased by the Federal Home Loan Mortgage Corporation (Freddie Mac).

(Sec. 145) Extends through FY2011 the current Federal Housing Administration (FHA), Federal National Mortgage Association (Fannie Mae), Freddie Mac, and Government National Mortgage Association (Ginnie Mae) loan limits for high-cost areas, allowing agency discretion to increase such limits for sub-areas meeting specified requirements.

## Actions Timeline

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- **Sep 30, 2010:** Resolving differences -- House actions: On motion that the House agree to the Senate amendments Agreed to by recorded vote: 228 - 194 (Roll no. 564). (text as House agreed to Senate amendments: CR H7372-7375)
- **Sep 30, 2010:** On motion that the House agree to the Senate amendments Agreed to by recorded vote: 228 - 194 (Roll no. 564). (text as House agreed to Senate amendments: CR H7372-7375)
- **Sep 30, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 30, 2010:** Cleared for White House.
- **Sep 30, 2010:** Presented to President.
- **Sep 30, 2010:** Signed by President.
- **Sep 30, 2010:** Became Public Law No: 111-242.
- **Sep 29, 2010:** Motion to proceed to measure considered in Senate. (consideration: CR S7693-7703)
- **Sep 29, 2010:** Motion to proceed to consideration of measure agreed to in Senate by Unanimous Consent.
- **Sep 29, 2010:** Measure laid before Senate by unanimous consent. (consideration: CR S7703-7715)
- **Sep 29, 2010:** Passed/agreed to in Senate: Passed Senate with an amendment and an amendment to the Title by Yea-Nay Vote. 69 - 30. Record Vote Number: 247.
- **Sep 29, 2010:** Passed Senate with an amendment and an amendment to the Title by Yea-Nay Vote. 69 - 30. Record Vote Number: 247.
- **Sep 29, 2010:** Message on Senate action sent to the House.
- **Sep 29, 2010:** Rules Committee Resolution H. Res. 1682 Reported to House. Upon the adoption of the resolution it shall be in order for the Chairman of the Committee on Appropriations to make a motion that the House concur in the amendments of the Senate to H.R. 3081. The motion shall be debatable for one hour equally divided and controlled.
- **Sep 29, 2010:** Rule H. Res. 1682 passed House.
- **Sep 29, 2010:** Pursuant to the provisions of H. Res. 1682, the House moved to agree to the Senate amendments. (consideration: CR H7372-7377)
- **Sep 29, 2010:** DEBATE - The House proceeded with 1 hour of debate on the motion to agree in the Senate amendments to H.R. 3081.
- **Sep 29, 2010:** The previous question was ordered pursuant to the rule. (consideration: CR H7376)
- **Sep 28, 2010:** Cloture on the motion to proceed to the bill invoked in Senate by Yea-Nay Vote. 84 - 14. Record Vote Number: 243. (consideration: CR S7585; text: CR S7585)
- **Sep 24, 2010:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S7454)
- **Sep 24, 2010:** Cloture motion on the motion to proceed to the bill presented in Senate. (consideration: CR S7454; text: CR S7454)
- **Jul 13, 2009:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 107.
- **Jul 9, 2009:** Rule H. Res. 617 passed House.
- **Jul 9, 2009:** Considered under the provisions of rule H. Res. 617. (consideration: CR H7868-7910, H7910-7919; text of Title I as reported in House: CR H7876-7877, H7879-7881; text of Title II as reported in House: CR H7881; text of Title III as reported in House: CR H7881-7884, H7884, H7886-7887; text of Title IV as reported in House: CR H7887-7888; text of Title V as reported in House: CR H7888; text of Title VI as reported in House: CR H7888-7889; text of Title VII as reported in House: CR H7889-7895, H7895-7896, H7897-7905, H7905, H7914)
- **Jul 9, 2009:** Rule provides for consideration of H.R. 3081 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. A specified amendment is in order. ALI points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI.
- **Jul 9, 2009:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 617 and Rule XVIII.
- **Jul 9, 2009:** The Speaker designated the Honorable Michael E. Capuano to act as Chairman of the Committee.
- **Jul 9, 2009:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 3081.
- **Jul 9, 2009:** DEBATE - Pursuant to the provisions of H. Res. 617, the Committee of the Whole proceeded with 10 minutes of debate on the Lowey amendment.
- **Jul 9, 2009:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Lowey amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Kirk demanded

a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.

- **Jul 9, 2009: DEBATE** - Pursuant to the provisions of H. Res. 617, the Committee of the Whole proceeded with 10 minutes of debate on the Buyer amendment.
- **Jul 9, 2009: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Buyer amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Buyer demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 9, 2009: DEBATE** - Pursuant to the provisions of H. Res. 617, the Committee of the Whole proceeded with 10 minutes of debate on the Stearns amendment.
- **Jul 9, 2009: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Stearns amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Stearns demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 9, 2009: DEBATE** - Pursuant to the provisions of H. Res. 617, the Committee of the Whole proceeded with 10 minutes of debate on the Weiner amendment.
- **Jul 9, 2009: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Weiner amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Weiner demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 9, 2009: DEBATE** - Pursuant to the provisions of H. Res. 617, the Committee of the Whole proceeded with 10 minutes of debate on the Culberson amendment.
- **Jul 9, 2009: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Culberson amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Culberson demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 9, 2009: DEBATE** - Pursuant to the provisions of H. Res. 617, the Committee of the Whole proceeded with 10 minutes of debate on the Kirk amendment.
- **Jul 9, 2009: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Kirk amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Kirk demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 9, 2009: DEBATE** - Pursuant to the provisions of H. Res. 617, the Committee of the Whole proceeded with 10 minutes of debate on the Flake amendment.
- **Jul 9, 2009: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Flake amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Flake demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Jul 9, 2009: UNFINISHED BUSINESS** - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jul 9, 2009:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 3081.
- **Jul 9, 2009:** The previous question was ordered pursuant to the rule. (consideration: CR H7914)
- **Jul 9, 2009:** Mr. Kirk moved to recommit with instructions to Appropriations. (consideration: CR H7914-7916; text: CR H7914-7915)
- **Jul 9, 2009:** Mrs. Lowey raised a point of order against the motion to recommit with instructions. The provisions of the motion to recommit constitute legislation in an appropriations bill. Sustained by the Chair.
- **Jul 9, 2009:** Point of order sustained against the motion to recommit with instructions.
- **Jul 9, 2009:** Mr. Kirk appealed the ruling of the chair. The question was then put on sustaining the ruling of the chair. (consideration: CR H7916)
- **Jul 9, 2009:** Mrs. Lowey moved to table the motion to appeal the ruling of the chair (consideration: CR H7916)
- **Jul 9, 2009:** On motion to table the motion to appeal the ruling of the chair Agreed to by recorded vote: 238 - 180 (Roll no. 523).
- **Jul 9, 2009:** Mr. Kirk moved to recommit with instructions to Appropriations. (consideration: CR H7916-7918; text: CR H7916)

**Jul 9, 2009: DEBATE** - The House proceeded with ten minutes of debate on the Kirk motion to recommit. The instructions contained in the motion seek to redirect funds by transfer.

- **Jul 9, 2009:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H7918)
- **Jul 9, 2009:** On motion to recommit with instructions Failed by recorded vote: 192 - 233 (Roll no. 524).
- **Jul 9, 2009:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 318 - 106 (Roll no. 525).
- **Jul 9, 2009:** On passage Passed by the Yeas and Nays: 318 - 106 (Roll no. 525).
- **Jul 9, 2009:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 8, 2009:** Rules Committee Resolution H. Res. 617 Reported to House. Rule provides for consideration of H.R. 3081 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. A specified amendment is in order. ALI points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI.
- **Jun 26, 2009:** Introduced in House
- **Jun 26, 2009:** The House Committee on Appropriations reported an original measure, H. Rept. 111-187, by Mrs. Lowey.
- **Jun 26, 2009:** Placed on the Union Calendar, Calendar No. 100.