

SUNDAY, SEPT. 21

1 DIVISION A—CONTINUING APPROPRIATIONS
2 RESOLUTION, 2009

3 The following sums are hereby appropriated, out of
4 any money in the Treasury not otherwise appropriated,
5 and out of applicable corporate or other revenues, receipts,
6 and funds, for the several departments, agencies, corpora-
7 tions, and other organizational units of Government for
8 fiscal year 2009, and for other purposes, namely:

9 SEC. 101. Such amounts as may be necessary, at a
10 rate for operations as provided in the applicable appro-
11 priations Acts for fiscal year 2008 and under the authority
12 and conditions provided in such Acts, for continuing
13 projects or activities (including the costs of direct loans
14 and loan guarantees) that are not otherwise specifically
15 provided for in this joint resolution, that were conducted
16 in fiscal year 2008, and for which appropriations, funds,
17 or other authority were made available in the following
18 appropriations Acts:

19 (1) The Department of Defense Appropriations
20 Act, 2008 (division A of Public Law 110–116).

21 (2) Divisions A through K of the Consolidated
22 Appropriations Act, 2008 (Public Law 110–161).

1 SEC. 102. Rates for operations shall be calculated
2 under section 101 without regard to any amount des-
3 ignated in the applicable appropriations Acts for fiscal
4 year 2008 as an emergency requirement or necessary to
5 meet emergency needs pursuant to any concurrent resolu-
6 tion on the budget, other than the following amounts:

7 (1) \$150,000,000 provided in Public Law 110–
8 252 for “Department of Health and Human Serv-
9 ices—Food and Drug Administration—Salaries and
10 Expenses”.

11 (2) \$143,539,000 provided in division B of
12 Public Law 110–161 for “Department of Justice—
13 Federal Bureau of Investigation—Salaries and Ex-
14 penses”.

15 (3) \$1,053,000,000 provided in division E of
16 Public Law 110–161 for “Department of Homeland
17 Security—U.S. Customs and Border Protection—
18 Border Security Fencing, Infrastructure, and Tech-
19 nology”.

20 (4) \$516,400,000 provided in division E of
21 Public Law 110–161 for “Department of Homeland
22 Security—U.S. Immigration and Customs Enforce-
23 ment—Salaries and Expenses”.

24 (5) \$60,000,000 of the \$80,000,000 provided in
25 division E of Public Law 110–161 for “Department

1 of Homeland Security—United States Citizenship
2 and Immigration Services”, without regard to the
3 second proviso under such heading.

4 (6) \$110,000,000 provided in Public Law 110–
5 252 for “Department of Labor—Employment and
6 Training Administration—State Unemployment In-
7 surance and Employment Service Operations”, with-
8 out regard to the dates specified under such head-
9 ing.

10 (7) \$272,000,000 of the \$575,000,000 provided
11 in division J of Public Law 110–161 for “Depart-
12 ment of State—Administration of Foreign Affairs—
13 Diplomatic and Consular Programs” in the first
14 paragraph under such heading, and \$206,632,000
15 provided in the last paragraph under such heading.

16 (8) \$76,700,000 provided in subchapter A of
17 chapter 4 of title I of Public Law 110–252 for “De-
18 partment of State—Administration of Foreign Af-
19 fairs—Embassy Security, Construction, and Mainte-
20 nance”.

21 SEC. 103. Appropriations made by section 101 shall
22 be available to the extent and in the manner that would
23 be provided by the pertinent appropriations Act.

24 SEC. 104. Except as otherwise provided in section
25 114, no appropriation or funds made available or author-

1 ity granted pursuant to section 101 shall be used to ini-
2 tiate or resume any project or activity for which appro-
3 priations, funds, or other authority were not available dur-
4 ing fiscal year 2008.

5 SEC. 105. Appropriations made and authority grant-
6 ed pursuant to this joint resolution shall cover all obliga-
7 tions or expenditures incurred for any project or activity
8 during the period for which funds or authority for such
9 project or activity are available under this joint resolution.

10 SEC. 106. Unless otherwise provided for in this joint
11 resolution or in the applicable appropriations Act for fiscal
12 year 2009, appropriations and funds made available and
13 authority granted pursuant to this joint resolution shall
14 be available until whichever of the following first occurs:
15 (1) the enactment into law of an appropriation for any
16 project or activity provided for in this joint resolution; (2)
17 the enactment into law of the applicable appropriations
18 Act for fiscal year 2009 without any provision for such
19 project or activity; or (3) March 6, 2009.

20 SEC. 107. Expenditures made pursuant to this joint
21 resolution shall be charged to the applicable appropriation,
22 fund, or authorization whenever a bill in which such appli-
23 cable appropriation, fund, or authorization is contained is
24 enacted into law.

1 SEC. 108. Appropriations made and funds made
2 available by or authority granted pursuant to this joint
3 resolution may be used without regard to the time limita-
4 tions for submission and approval of apportionments set
5 forth in section 1513 of title 31, United States Code, but
6 nothing in this joint resolution may be construed to waive
7 any other provision of law governing the apportionment
8 of funds.

9 SEC. 109. Notwithstanding any other provision of
10 this joint resolution, except section 106, for those pro-
11 grams that would otherwise have high initial rates of oper-
12 ation or complete distribution of appropriations at the be-
13 ginning of fiscal year 2009 because of distributions of
14 funding to States, foreign countries, grantees, or others,
15 such high initial rates of operation or complete distribu-
16 tion shall not be made, and no grants shall be awarded
17 for such programs funded by this joint resolution that
18 would impinge on final funding prerogatives.

19 SEC. 110. This joint resolution shall be implemented
20 so that only the most limited funding action of that per-
21 mitted in the joint resolution shall be taken in order to
22 provide for continuation of projects and activities.

23 SEC. 111. (a) For entitlements and other mandatory
24 payments whose budget authority was provided in appro-
25 priations Acts for fiscal year 2008, and for activities under

1 the Food and Nutrition Act of 2008, activities shall be
2 continued at the rate to maintain program levels under
3 current law, under the authority and conditions provided
4 in the applicable appropriations Act for fiscal year 2008,
5 to be continued through the date specified in section
6 106(3).

7 (b) Notwithstanding section 106, obligations for man-
8 datory payments due on or about the first day of any
9 month that begins after October 2008 but not later than
10 30 days after the date specified in section 106(3) may con-
11 tinue to be made, and funds shall be available for such
12 payments.

13 SEC. 112. Amounts made available under section 101
14 for civilian personnel compensation and benefits in each
15 department and agency may be apportioned up to the rate
16 for operations necessary to avoid furloughs within such de-
17 partment or agency, consistent with the applicable appro-
18 priations Act for fiscal year 2008, except that such author-
19 ity provided under this section shall not be used until after
20 the department or agency has taken all necessary actions
21 to reduce or defer non-personnel-related administrative ex-
22 penses.

23 SEC. 113. Funds appropriated by this joint resolution
24 may be obligated and expended notwithstanding section 10
25 of Public Law 91-672 (22 U.S.C. 2412), section 15 of

1 the State Department Basic Authorities Act of 1956 (22
2 U.S.C. 2680), section 313 of the Foreign Relations Au-
3 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
4 6212), and section 504(a)(1) of the National Security Act
5 of 1947 (50 U.S.C. 414(a)(1)).

6 SEC. 114. (a) No appropriation or funds made avail-
7 able or authority granted pursuant to section 101 for the
8 Department of Defense shall be used for: (1) the new pro-
9 duction of items not funded for production in fiscal year
10 2008 or prior years; (2) the increase in production rates
11 above those sustained with fiscal year 2008 funds; or (3)
12 the initiation, resumption, or continuation of any project,
13 activity, operation, or organization (defined as any project,
14 subproject, activity, budget activity, program element, and
15 subprogram within a program element, and for any invest-
16 ment items defined as a P-1 line item in a budget activity
17 within an appropriation account and an R-1 line item that
18 includes a program element and subprogram element with-
19 in an appropriation account) for which appropriations,
20 funds, or other authority were not available during fiscal
21 year 2008.

22 (b) No appropriation or funds made available or au-
23 thority granted pursuant to section 101 for the Depart-
24 ment of Defense shall be used to initiate multi-year pro-
25 curements utilizing advance procurement funding for eco-

1 nomic order quantity procurement unless specifically ap-
2 propriated later.

3 (c) Notwithstanding this section, the Secretary of De-
4 fense may, following notification of the congressional de-
5 fense committees, initiate projects or activities required to
6 be undertaken for force protection purposes using funds
7 available from the Iraq Freedom Fund.

8 SEC. 115. Amounts made available under section 101
9 in the relevant “Military Personnel” accounts for each De-
10 partment of Defense component may be apportioned up
11 to the rate for operations necessary to continue without
12 interruption the payment of military pay, allowances, and
13 related entitlements and benefits within such component,
14 consistent with the applicable appropriations Act for fiscal
15 year 2008.

16 [OPERATING RATE FOR WIC; AGRICULTURE]

17 SEC. 116. Notwithstanding section 101, amounts are
18 provided for “Department of Agriculture—Food and Nu-
19 trition Service—Special Supplemental Nutrition Program
20 for Women, Infants, and Children (WIC)” at a rate for
21 operations of \$6,658,000,000.

22 [OPERATING RATE FOR RURAL RENTAL ASSISTANCE;
23 AGRICULTURE]

24 SEC. 117. Notwithstanding section 101, amounts are
25 provided for “Department of Agriculture—Rural Housing

1 Service—Rental Assistance Program” at a rate for oper-
2 ations of \$997,000,000.

3 [CHILD NUTRITION TECHNICAL CORRECTION;
4 AGRICULTURE]

5 SEC. 118. Section 14222(b)(1) of the Food, Con-
6 servation, and Energy Act of 2008 (Public Law 110–246)
7 shall not apply through the date specified in section
8 106(3) of this joint resolution.

9 [RURAL SINGLE-FAMILY HOUSING LOAN GUARANTEES;
10 AGRICULTURE]

11 SEC. 119. Notwithstanding section 101, amounts are
12 provided for “Department of Agriculture—Rural Housing
13 Service—Rural Housing Insurance Fund Program Ac-
14 count”, for the cost of unsubsidized guaranteed loans for
15 section 502 borrowers, at the rate necessary to maintain
16 the same principal amount of loan guarantees as in fiscal
17 year 2008.

18 [CENSUS OPERATING RATE; CJS]

19 SEC. 120. Notwithstanding section 101, amounts are
20 provided for “Department of Commerce—Bureau of the
21 Census—Periodic Censuses and Programs” at a rate for
22 operations of \$2,906,262,000. From such amounts, funds
23 may be used for additional promotion, outreach, and mar-
24 keting activities.

1 [DTV ADMIN EXPENSES AT NTIA; CJS]

2 SEC. 121. Notwithstanding the limitations on admin-
3 istrative expenses in subsections (c)(2) and (c)(3)(A) of
4 section 3005 of the Digital Television Transition and Pub-
5 lic Safety Act of 2005 (Public Law 109–171; 120 Stat.
6 21), the Assistant Secretary (as such term is defined in
7 section 3001(b) of such Act) may expend funds made
8 available under sections 3006, 3008, 3009, and 3010 of
9 such Act for additional administrative expenses of the dig-
10 ital-to-analog converter box program established by such
11 section 3005 at a rate not to exceed \$180,000,000
12 through the date specified in section 106(3) of this joint
13 resolution.

14 [BUREAU OF PRISONS OPERATING RATE; CJS]

15 SEC. 122. Notwithstanding section 101, amounts are
16 provided for “Department of Justice—Federal Prison
17 System—Salaries and Expenses” at a rate for operations
18 of \$5,396,615,000.

19 [DETENTION TRUSTEE OPERATING RATE; CJS]

20 SEC. 123. Notwithstanding section 101, amounts are
21 provided for “Department of Justice—General Adminis-
22 tration—Detention Trustee” at a rate for operations of
23 \$1,245,920,000.

24 [EB-5 VISA EXTENSION; CJS]

25 SEC. 124. Section 610(b) of the Departments of
26 Commerce, Justice, and State, the Judiciary, and Related

1 Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note)
2 shall be applied by substituting the date specified in sec-
3 tion 106(3) of this joint resolution for “October 1, 2007”.

4 [NASA ACCOUNT STRUCTURE; CJS]

5 SEC. 125. Amounts provided by section 101 for the
6 National Aeronautics and Space Administration may be
7 obligated in the account and budget structure set forth
8 in S. 3182 (110th Congress), the Commerce, Justice,
9 Science, and Related Agencies Appropriations Act, 2009,
10 as reported by the Committee on Appropriations of the
11 Senate.

12 [VOTING RIGHTS ACT OBSERVERS; CJS & FINANCIAL
13 SERVICES]

14 SEC. 126. In addition to amounts otherwise provided
15 by section 101, an additional amount is provided for “De-
16 partment of Justice—Legal Activities—Salaries and Ex-
17 penses, General Legal Activities” to reimburse the Office
18 of Personnel Management for salaries and expenses asso-
19 ciated with the Federal observer program under section
20 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f),
21 at a rate for operations of \$3,390,000, of which
22 \$1,090,000 shall be derived by transfer from amounts pro-
23 vided by section 101 for “Office of Personnel Manage-
24 ment—Salaries and Expenses”.

1 [APPALACHIAN REGIONAL COMMISSION EXTENSION; EWD]

2 SEC. 127. Section 14704 of title 40, United States
3 Code, shall be applied by substituting the date specified
4 in section 106(3) of this joint resolution for “October 1,
5 2007”.

6 [USE OF INLAND WATERWAYS TRUST FUND; EWD]

7 SEC. 128. Amounts provided by section 101 for “De-
8 partment of the Army—Corps of Engineers-Civil—Con-
9 struction” for inland waterway major rehabilitation
10 projects shall not be derived from the Inland Waterways
11 Trust Fund.

12 [ADVANCED TECHNOLOGY VEHICLES MANUFACTURING
13 LOANS; EWD]

14 SEC. 129. Notwithstanding any other provision of
15 this joint resolution, there is appropriated \$7,510,000,000
16 for fiscal year 2009 for “Department of Energy—Energy
17 Programs—Advanced Technology Vehicles Manufacturing
18 Loan Program Account” for the cost of direct loans as
19 authorized by section 136(d) of the Energy Independence
20 and Security Act of 2007 (Public Law 110–140; 42
21 U.S.C. 17013(d)), to remain available until expended. Of
22 such amount, \$10,000,000 shall be used for administra-
23 tive expenses in carrying out the direct loan program.
24 Commitments for direct loans using such amount shall not
25 exceed \$25,000,000,000 in total loan principal. The cost
26 of such direct loans, including the cost of modifying such

1 loans, shall be as defined in section 502 of the Congres-
2 sional Budget Act of 1974.

3 [EXOP E-MAIL RESTORATION; FINANCIAL SERVICES]

4 SEC. 130. In addition to the amounts otherwise pro-
5 vided by section 101, an additional amount is provided for
6 “Executive Office of the President—Office of Administra-
7 tion—Salaries and Expenses” for e-mail restoration activi-
8 ties, at a rate for operations of \$5,700,000

9 [EXOP PRESIDENTIAL TRANSITION EXPENSES; FINANCIAL
10 SERVICES]

11 SEC. 131. Notwithstanding section 101, amounts are
12 provided for “Executive Office of the President—Office of
13 Administration—Administrative Support” to carry out the
14 Presidential Transition Act of 1963 (3 U.S.C. 102 note)
15 at a rate for operations of \$8,000,000. Such funds may
16 be transferred to other accounts that provide funding for
17 offices within the Executive Office of the President and
18 the Office of the Vice President in this joint resolution
19 or any other Act, to carry out such purposes.

20 [EXPENDITURE OF D.C. LOCAL FUNDS; FINANCIAL
21 SERVICES]

22 SEC. 132. Notwithstanding any other provision of
23 this joint resolution, except section 106, the District of
24 Columbia may expend local funds for programs and activi-
25 ties under the heading “District of Columbia Funds” for
26 such programs and activities under title IV of S. 3260

1 (110th Congress), as reported by the Committee on Ap-
2 propriations of the Senate, at the rate set forth under
3 “District of Columbia Funds” as included in the Fiscal
4 Year 2009 Proposed Budget and Financial Plan sub-
5 mitted to the Congress by the District of Columbia on
6 June 9, 2008.

7 [D.C. INAUGURAL SECURITY; FINANCIAL SERVICES]

8 SEC. 133. Notwithstanding section 101, amounts are
9 provided for “Federal Payment for Emergency Planning
10 and Security Costs in the District of Columbia” at a rate
11 for operations of \$15,000,000.

12 [ELECTION REFORM FUNDS; FINANCIAL SERVICES]

13 SEC. 134. Notwithstanding any other provision of
14 this joint resolution and effective on September 30, 2008,
15 \$115,000,000 of the amount provided in division D of
16 Public Law 110–161 for “Election Assistance Commis-
17 sion—Election Reform Programs” is rescinded, and there
18 is appropriated \$115,000,000 for an additional amount
19 for fiscal year 2008 for such account, to remain available
20 until expended.

21 [DTV TRANSITION COSTS AT FCC; FINANCIAL SERVICES]

22 SEC. 135. In addition to the amounts otherwise pro-
23 vided by section 101, an additional amount is provided for
24 “Federal Communications Commission—Salaries and Ex-
25 penses” for consumer education associated with the tran-

1 sition to digital television occurring on February 17, 2009,
2 at a rate for operations of \$20,000,000.

3 [GSA PRESIDENTIAL TRANSITION EXPENSES; FINANCIAL
4 SERVICES]

5 SEC. 136. Notwithstanding section 101, amounts are
6 provided for “General Services Administration—Ex-
7 penses, Presidential Transition” to carry out the Presi-
8 dential Transition Act of 1963 (3 U.S.C. 102 note) at a
9 rate for operations of \$8,520,000, of which not to exceed
10 \$1,000,000 is for activities authorized by paragraphs (8)
11 and (9) of section 3(a) of such Act.

12 [GSA, ALLOWANCES FOR FORMER PRESIDENTS;
13 FINANCIAL SERVICES]

14 SEC. 137. Notwithstanding section 101, amounts are
15 provided for “General Services Administration—Allow-
16 ances and Office Staff for Former Presidents” to carry
17 out the provisions of the Act of August 25, 1958 (3 U.S.C.
18 102 note) at a rate for operations of \$2,682,000.

19 [NCUA CENTRAL LIQUIDITY FUND; FINANCIAL
20 SERVICES]

21 [SEC. 138. Notwithstanding section 101, the limita-
22 tion on gross obligations applicable under the heading
23 “National Credit Union Administration—Central Liquid-
24 ity Facility” in division D of Public Law 110–161 shall
25 be the amount authorized by section 307(a)(4)(A) of the
26 Federal Credit Union Act (12 U.S.C. 1795f(a)(4)(A)).]

1 [POSTAL RATE COMMISSION; FINANCIAL SERVICES]

2 SEC. 139. Notwithstanding section 101, amounts are
3 provided to carry out section 504(d) of title 39, United
4 States Code, as amended by section 603(a) of the Postal
5 Accountability and Enhancement Act (Public Law 109–
6 435), at a rate for operations of \$14,043,000, to be de-
7 rived by transfer from the Postal Service Fund.

8 [POSTAL SERVICE IG; FINANCIAL SERVICES]

9 SEC. 140. Notwithstanding section 101, amounts are
10 provided to carry out section 8G(f)(6) of the Inspector
11 General Act of 1978 (5 U.S.C. App.), as added by section
12 603(b)(3) of the Postal Accountability and Enhancement
13 Act (Public Law 109–435), at a rate for operations of
14 \$233,440,000, to be derived by transfer from the Postal
15 Service Fund.

16 [E VERIFY EXTENSION; HOMELAND]

17 SEC. 141. Section 401(b) of the Illegal Immigration
18 Reform and Immigrant Responsibility Act of 1996 (8
19 U.S.C. 1324a note) shall be applied by substituting the
20 date specified in section 106 of this joint resolution for
21 “the 11-year period beginning on the first day the pilot
22 program is in effect”.

23 [TSA CHECKPOINT EQUIPMENT; HOMELAND]

24 SEC. 142. In addition to the amounts otherwise pro-
25 vided by section 101, an additional amount is provided for
26 “Department of Homeland Security—Transportation Se-

1 security Administration—Aviation Security’’ for checkpoint
2 equipment, at a rate for operations of \$250,000,000.

3 [CUSTOMS & BORDER PROTECTION STAFFING;

4 HOMELAND]

5 SEC. 143. Any funds made available pursuant to sec-
6 tion 101 for United States Customs and Border Protec-
7 tion may be obligated to support hiring, training, and
8 equipping of new border patrol agents at a rate for oper-
9 ations not exceeding that necessary to sustain the num-
10 bers of new border patrol agents hired, trained, and
11 equipped in the final quarter of fiscal year 2008. The
12 Commissioner of United States Customs and Border Pro-
13 tection shall notify the Committees on Appropriations of
14 the House of Representatives and the Senate on each use
15 of the authority provided in this section.

16 [HOMELAND SECURITY DETENTION SPACE; HOMELAND]

17 SEC. 144. The Secretary of Homeland Security may
18 continue, through the date specified in section 106(3) of
19 this joint resolution, to obligate funds at the rate the Sec-
20 retary determines necessary to maintain not more than the
21 average monthly number of detention bed spaces in use
22 during September 2008 at detention facilities operated or
23 contracted by the Department of Homeland Security

24 [PREDISASTER MITIGATION EXTENSION; HOMELAND]

25 SEC. 145. Section 203(m) of the Robert T. Stafford
26 Disaster Relief and Emergency Assistance Act (42 U.S.C.

1 5133(m)) shall be applied by substituting the date speci-
2 fied in section 106(3) of this joint resolution for “Sep-
3 tember 30, 2008”.

4 **[[NATIONAL FLOOD INSURANCE PROGRAM EXTENSION;**
5 **HOMELAND]**

6 **[SEC. 146. Sections 1309(a) and 1319 of the Na-**
7 **tional Flood Insurance Act of 1968 (42 U.S.C. 4016(a)**
8 **and 4026) shall each be applied by substituting the date**
9 **specified in section 106(3) of this joint resolution for**
10 **“September 30, 2008”.]**

11 **[EXTENSION OF “SERVICE FIRST” DEMONSTRATION;**
12 **INTERIOR]**

13 **SEC. 147. The authority provided by section 330 of**
14 **Public Law 106–291 (43 U.S.C. 1701 note), as amended**
15 **by section 428 of Public Law 109–54, shall continue in**
16 **effect through the date specified in section 106(3) of this**
17 **joint resolution.**

18 **[EXTENSION OF “GOOD NEIGHBOR” DEMONSTRATION;**
19 **INTERIOR]**

20 **SEC. 148. Section 337(a) of division E of Public Law**
21 **108–447, as amended by section 420 of division F of Pub-**
22 **lic Law 110–161, shall be applied by substituting the date**
23 **specified in section 106(3) of this joint resolution for**
24 **“September 30, 2008”.**

1 [EXTENSION OF FACILITY REALIGNMENT

2 DEMONSTRATION; INTERIOR]

3 SEC. 149. Section 503(f) of Public Law 109–54 (16
4 U.S.C. 580d note) shall be applied by substituting the date
5 specified in section 106(3) of this joint resolution for
6 “September 30, 2008”.

7 [EXTENSION OF GRAZING PERMITS PROVISION; INTERIOR]

8 SEC. 150. The authority provided by section 325 of
9 Public Law 108–108 (117 Stat. 1307) shall continue in
10 effect through the date specified in section 106(3) of this
11 joint resolution.

12 [PARK SERVICE INAUGURAL COSTS; INTERIOR]

13 SEC. 151. In addition to the amounts otherwise pro-
14 vided by section 101, an additional amount is provided for
15 “Department of the Interior—National Park Service—
16 Operation of the National Park System” for security and
17 visitor safety activities related to the Presidential Inau-
18 gural Ceremonies, at a rate for operations of \$2,000,000.

19 [FEDERAL OIL AND GAS LEASING; INTERIOR]

20 SEC. 152. Notwithstanding section 101, the terms
21 and conditions for Federal oil and gas leasing set out in
22 title I of the Comprehensive American Energy Security
23 and Consumer Protection Act (H.R. 6899), as passed by
24 the House of Representatives on September 16, 2008,
25 shall apply in lieu of the terms and conditions in sections
26 104, 105, and 433 of division F of Public Law 110–161.

1 [EXTENSION OF TRADE ADJUSTMENT ASSISTANCE;
2 LABOR-HHS-ED]

3 SEC. 153. Activities authorized by chapters 2, 3, and
4 5 of title II of the Trade Act of 1974 (19 U.S.C. 2271
5 et seq.), including section 246 of such Act, shall continue
6 through the date specified in section 106(3) of this joint
7 resolution.

8 [LOW-INCOME HOME ENERGY ASSISTANCE; LABOR-HHS-
9 ED]

10 SEC. 154. (a) In lieu of the amount otherwise pro-
11 vided by section 101 for “Department of Health and
12 Human Services—Administration for Children and Fami-
13 lies—Low-Income Home Energy Assistance”, there is ap-
14 propriated for such account for making payments under
15 the Low-Income Home Energy Assistance Act of 1981,
16 \$5,100,000,000, which shall remain available through
17 September 30, 2009. Of such amount, \$4,509,672,000 is
18 for payments under subsections (b) and (d) of section
19 2602 of such Act and \$590,328,000 is for payments under
20 subsection (e) of such section. All but \$839,792,000 of
21 the amount provided by this section for such subsections
22 (b) and (d) shall be allocated as though the total appro-
23 priation for such payments for fiscal year 2009 was less
24 than \$1,975,000,000.

25 (b) Notwithstanding section 2605(b)(2)(B)(ii) of
26 such Act, a State may use any amount of an allotment

1 from prior appropriations Acts that is available to that
2 State for providing assistance in fiscal year 2009, and any
3 allotment from funds appropriated in this section or in
4 any other appropriations Act for fiscal year 2009, to pro-
5 vide assistance to households whose income does not ex-
6 ceed 75 percent of the State median income.

7 (c) The amount provided by this section shall be obli-
8 gated to States within 30 calender days from the date of
9 enactment of this joint resolution.

10 (d) Of the amount provided by this section,
11 \$2,529,672,000 is designated as an emergency require-
12 ment and necessary to meet emergency needs pursuant to
13 section 204(a) of S. Con. Res. 21 (110th Congress) and
14 section 301(b)(2) of S. Con. Res. 70 (110th Congress),
15 the concurrent resolutions on the budget for fiscal years
16 2008 and 2009.

17 (e) The provisions of this section shall apply notwith-
18 standing any other provision of this joint resolution.

19 [NATIONAL COMMISSION ON CHILDREN & DISASTERS
20 AUTHORITY; LABOR-HHS-ED]

21 SEC. 155. (a) Amounts provided by section 101 for
22 “Department of Health and Human Services—Office of
23 the Secretary—General Departmental Management” are
24 also available for the purpose of funding the National
25 Commission on Children and Disasters authorized under

1 title VI of division G of Public Law 110–161 (the “title
2 VI Commission”).

3 (b) Effective on and after the date of enactment of
4 this resolution (1) the National Commission on Children
5 and Disasters established by the Secretary of Health and
6 Human Services under section 1114 of the Social Security
7 Act (the “section 1114 Commission”), together with its
8 members, personnel, and other resources and obligations,
9 shall be considered to be the title VI Commission and shall
10 no longer be subject to the provisions of such section 1114;
11 and (2) for purposes of any contract entered into by any
12 component of the Department of Health and Human Serv-
13 ices in fiscal year 2008 for support of the section 1114
14 Commission, any reference to the section 1114 Commis-
15 sion shall be deemed to refer to the title VI Commission.

16 [DEATH PAYMENT FOR FAMILY OF REP. TUBBS JONES;
17 LEG BRANCH]

18 SEC. 156. Notwithstanding any other provision of
19 this joint resolution, there is appropriated for payment to
20 the heirs-at-law of Stephanie Tubbs Jones, late a Rep-
21 resentative from the State of Ohio, \$169,300.

22 [VETERANS MEDICAL CARE OPERATING RATES; MILCON/
23 VA]

24 SEC. 157. Notwithstanding section 101, amounts are
25 provided for the following accounts of the Department of
26 Veterans Affairs at the following rates for operations:

1 “Veterans Health Administration—Medical Services”,
2 \$30,854,270,000; “Veterans Health Administration—
3 Medical Administration”, \$4,400,000; “Veterans Health
4 Administration—Medical Facilities”, \$5,029,000; and
5 “Departmental Administration—General Operating Ex-
6 penses”, \$1,801,867,000.

7 [VETERANS AFFAIRS EXTENSIONS; MILCON/VA]

8 SEC. 158. Sections 1710(f)(2)(B), 1729(a)(2)(E),
9 1703(d)(4), and 5317(g) of title 38, United States Code,
10 shall each be applied by substituting the date specified in
11 section 106(3) of this joint resolution for the date specified
12 in each such provision.

13 [NATO SECURITY INVESTMENT PROGRAM; MILCON/VA]

14 SEC. 159. Funds appropriated by this joint resolution
15 may be obligated and expended for the North Atlantic
16 Treaty Organization Security Investment Program not-
17 withstanding section 2806 of title 10, United States Code,
18 through the earlier of the date of enactment of the Mili-
19 tary Construction Authorization Act for Fiscal Year 2009
20 or the date specified in section 106(3) of this joint resolu-
21 tion.

22 [AUTHORIZATION OF BENEFITS IN IRAQ/AFGHANISTAN;

23 STATE FOROPS]

24 SEC. 160. The authority provided by section 1603(a)
25 of Public Law 109–234 shall continue in effect through
26 the date specified in section 106(3) of this joint resolution.

1 [EXTENSION OF OPIC; STATE FOROPS]

2 SEC. 161. Notwithstanding section 235(a)(2) of the
3 Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)),
4 the authority of subsections (a) through (c) of section 234
5 of such Act shall remain in effect through the date speci-
6 fied in section 106(3) of this joint resolution.

7 [LIBERIA DEBT RELIEF; STATE FOROPS]

8 SEC. 162. Notwithstanding any other provision of
9 this joint resolution, up to \$5,000,000 of the amounts ap-
10 propriated under the heading “Other Bilateral Economic
11 Assistance—Department of the Treasury—Debt Restruc-
12 turing” in Public Law 109–102, in such Act as made ap-
13 plicable to fiscal year 2007 by the Continuing Appropria-
14 tions Resolution, 2007 (as amended by Public Law 110–
15 5), and in title III of division J of Public Law 110–161,
16 may be used to assist Liberia in buying back its commer-
17 cial debt through the Debt Reduction Facility of the Inter-
18 national Development Association.

19 [MIGRATION AND REFUGEE ASSISTANCE; STATE FOROPS]

20 SEC. 163. The first proviso under the heading “De-
21 partment of State—Migration and Refugee Assistance” in
22 title III of division J of Public Law 110–161 shall not
23 apply to amounts provided by this joint resolution.

1 [FOREIGN MILITARY FINANCING PROGRAM, ISRAEL;
2 STATE FOROPS]

3 SEC. 164. Notwithstanding section 101 of this joint
4 resolution, the amount specified in the third proviso under
5 the heading “Military Assistance—Funds Appropriated to
6 the President—Foreign Military Financing Program” in
7 title IV of division J of Public Law 110–161 shall be
8 deemed to be \$670,650,000 for the purpose of applying
9 funds appropriated under such heading by this joint reso-
10 lution. Not later than 90 days after the date of enactment
11 of this joint resolution, the Secretary of State shall report
12 to the Committees on Appropriations of the House of Rep-
13 resentatives and the Senate on the extent to which the
14 \$2,550,000,000 made available for assistance for Israel in
15 fiscal year 2009 will assist Israel in maintaining its quali-
16 tative edge over military threats to the State of Israel.

17 [FAA OPERATING RATE; THUD]

18 SEC. 165. Notwithstanding section 101, amounts are
19 provided for “Department of Transportation—Federal
20 Aviation Administration—Operations” at a rate for oper-
21 ations of \$8,756,800,000, of which not less than
22 \$1,099,402,000 shall be available for aviation safety ac-
23 tivities.

1 [AVIATION EXCISE TAXES AND TRUST FUND EXTENSION;
2 THUD]

3 SEC. 166. (a) Sections 4081(d)(2)(B),
4 4261(j)(1)(A)(ii), 4271(d)(1)(A)(ii), 9502(d)(1), and
5 9502(e)(2) of the Internal Revenue Code of 1986 shall
6 each be applied by substituting the date specified in sec-
7 tion 106(3) of this joint resolution for “September 30,
8 2008” or “October 1, 2008”, as the case may be.

9 (b) Subparagraph (A) of section 9502(d)(1) of the
10 Internal Revenue Code of 1986 is amended by inserting
11 “or any joint resolution making continuing appropriations
12 for the fiscal year 2009” before the semicolon at the end.

13 [WAR RISK INSURANCE EXTENSION; THUD]

14 SEC. 167. Section 44302(f)(1) of title 49, United
15 States Code, shall be applied by substituting the date spec-
16 ified in section 106(3) of this joint resolution for “Novem-
17 ber 30, 2008, and may extend through December 31,
18 2008”.

19 [AIRPORT IMPROVEMENT PROGRAM EXTENSION; THUD]

20 SEC. 168. (a) Section 48103(5) of title 49, United
21 States Code, shall be applied (1) by substituting the
22 amount specified in such section with an amount that
23 equals \$3,400,000,000 multiplied by the ratio of the num-
24 ber of days covered by this joint resolution to 365; and
25 (2) by substituting the fiscal year specified in such section
26 with the period beginning October 1, 2008, through the

1 date specified in section 106(3) of this joint resolution.
2 This subsection shall be in effect through the earlier of
3 the date of enactment of an Act amending section 48103
4 of title 49, United States Code, or the date specified in
5 section 106(3) of this joint resolution.

6 (b) Section 47104(c) of title 49, United States Code,
7 shall be applied by substituting “2009” for “2008”.

8 (c) Nothing in this section shall affect the availability
9 of any balances of the amounts provided under section
10 48103 of title 49, United States Code, for fiscal year 2008
11 and any prior fiscal year.

12 [WASHINGTON AIRPORTS AUTHORITIES EXTENSION;
13 THUD]

14 SEC. 169. Section 49108 of title 49, United States
15 Code, shall be applied by substituting the date specified
16 in section 106(3) of this joint resolution for “October 1,
17 2008”.

18 [MERCHANT MARINE ACADEMY FUNDING; THUD]

19 SEC. 170. Amounts provided by section 101 for “De-
20 partment of Transportation—Maritime Administration—
21 Operations and Training” shall include amounts necessary
22 to satisfy the salaries and benefits of employees of the
23 United States Merchant Marine Academy, to be derived
24 solely from the total amount made available in this joint
25 resolution for the United States Merchant Marine Acad-
26 emy. The Secretary of Transportation shall inform the

1 Committees on Appropriations of the House of Represent-
2 atives and the Senate of salaries and expenses funding ob-
3 ligated for personnel that had heretofore not been com-
4 pensated from funds made available under this account.

5 [SECTION 8 HOUSING CONTRACT RENEWALS; THUD]

6 SEC. 171. Notwithstanding any other provision of
7 this joint resolution, other than section 106, the Secretary
8 of Housing and Urban Development shall obligate funds
9 provided by section 101 at a rate the Secretary determines
10 is necessary to renew, in a timely manner, all terminating
11 or expiring section 8 project-based rental assistance con-
12 tracts. In renewing such contracts, the Secretary may pro-
13 vide for payments to be made beyond the period covered
14 by this joint resolution.

15 [“HOPE VI” HOUSING EXTENSION; THUD]

16 SEC. 172. Section 24(o) of the United States Hous-
17 ing Act of 1937 (42 U.S.C. 1437v(o)) shall be applied by
18 substituting the date specified in section 106(3) of this
19 joint resolution for “September 30, 2008”.

20 [HOME EQUITY CONVERSION MORTGAGES EXTENSION;
21 THUD]

22 SEC. 173. Notwithstanding the limitation in the first
23 sentence of section 255(g) of the National Housing Act
24 (12 U.S.C. 1715z-20(g)), the Secretary of Housing and
25 Urban Development may, until the date specified in sec-
26 tion 106(3) of this joint resolution, insure and enter into

1 commitments to insure mortgages under section 255 of
2 such Act.

3 [FHA MORTGAGE INSURANCE COMMITMENTS; THUD]

4 SEC. 174. During the period covered by this joint res-
5 olution, commitments to guarantee loans insured under
6 the Mutual Mortgage Insurance Fund, as authorized by
7 the National Housing Act (12 U.S.C. 1701 et seq.), shall
8 not exceed a loan principal of \$1,154,000,000 multiplied
9 by the number of days in such period.

10 [TRANSFER TO HUD WORKING CAPITAL FUND; THUD]

11 SEC. 175. Notwithstanding any other provision of
12 this joint resolution, from funds made available for per-
13 sonnel compensation and benefits or salaries and expenses
14 under any account in title II of division K of Public Law
15 110–161 (except for “Office of Inspector General” and
16 “Office of Federal Housing Enterprise Oversight—Sala-
17 ries and Expenses”), up to \$15,000,000 may be trans-
18 ferred to “Working Capital Fund” for information tech-
19 nology needs for the Federal Housing Administration.

20 [NTSB CAPITAL LEASE PAYMENTS; THUD]

21 SEC. 176. Amounts provided by section 101 for “Na-
22 tional Transportation Safety Board—Salaries and Ex-
23 penses” shall include amounts necessary to make lease
24 payments due in fiscal year 2009 only on an obligation
25 incurred in 2001 under a capital lease.

1 [INTERAGENCY COUNCIL ON HOMELESSNESS EXTENSION;
2 THUD]

3 SEC. 177. The provisions of title II of the McKinney-
4 Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.)
5 shall continue in effect, notwithstanding section 209 of
6 such Act, through the earlier of (1) the date specified in
7 section 106(3) of this joint resolution; or (2) the date of
8 enactment of an authorization Act relating to the McKin-
9 ney-Vento Homeless Assistance Act.

10 This division may be cited as the “Continuing Appro-
11 priations Resolution, 2009”.