



H. J. Res. 20

One Hundred Tenth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Thursday,
the fourth day of January, two thousand and seven*

Joint Resolution

Making further continuing appropriations for the fiscal year 2007, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "Revised Continuing Appropriations Resolution, 2007".

SEC. 2. The Continuing Appropriations Resolution, 2007 (Public Law 109-289, division B), as amended by Public Laws 109-369 and 109-383, is amended to read as follows:

"DIVISION B—CONTINUING APPROPRIATIONS RESOLUTION, 2007

"The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2007, and for other purposes, namely:

"TITLE I—FULL-YEAR CONTINUING APPROPRIATIONS

"SEC. 101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in the applicable appropriations Act for fiscal year 2006, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise provided for and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

"(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006.

"(2) The Energy and Water Development Appropriations Act, 2006.

"(3) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006.

"(4) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006.

"(5) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006.

"(6) The Legislative Branch Appropriations Act, 2006.

"(7) The Military Quality of Life and Veterans Affairs Appropriations Act, 2006.

"(8) The Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006.

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“(9) The Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006.

“(b) For purposes of this division, the term ‘level’ means an amount.

“(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that—

“(1) such level shall not include any amount designated as an emergency requirement, or to be for overseas contingency operations, pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006; and

“(2) such level shall be calculated without regard to any rescission or cancellation of funds or contract authority, other than—

“(A) the 1 percent government-wide rescission made by section 3801 of division B of Public Law 109–148;

“(B) the 0.476 percent across-the-board rescission made by section 439 of Public Law 109–54, relating to the Department of the Interior, environment, and related agencies; and

“(C) the 0.28 percent across-the-board rescission made by section 638 of Public Law 109–108, relating to Science, State, Justice, Commerce, and related agencies.

“SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

“SEC. 103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2006, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

“SEC. 104. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 101(a) shall continue in effect through the date specified in section 106.

“SEC. 105. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were specifically prohibited during fiscal year 2006.

“SEC. 106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2007.

“SEC. 107. Expenditures made pursuant to this division prior to the enactment of the Revised Continuing Appropriations Resolution, 2007, shall be charged to the applicable appropriation, fund, or authorization provided by this division (or the applicable regular appropriations Act for fiscal year 2007) as in effect following such enactment.

“SEC. 108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.

6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

“SEC. 109. With respect to any discretionary account for which advance appropriations were provided for fiscal year 2007 or 2008 in an appropriations Act for fiscal year 2006, the levels established by section 101 shall include advance appropriations in the same amount for fiscal year 2008 or 2009, respectively, with a comparable period of availability.

“SEC. 110. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2006, and for activities under the Food Stamp Act of 1977, the levels established by section 101 shall be the amounts necessary to maintain program levels under current law.

“(b) In addition to the amounts otherwise provided by section 101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2008:

“(1) ‘Department of Labor, Employment Standards Administration, Special Benefits for Disabled Coal Miners’, for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, \$68,000,000, to remain available until expended.

“(2) ‘Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid’, for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, \$65,257,617,000, to remain available until expended.

“(3) ‘Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs’, for payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$1,000,000,000, to remain available until expended.

“(4) ‘Department of Health and Human Services, Administration for Children and Families, Payments to States for Foster Care and Adoption Assistance’, for payments to States or other non-Federal entities under title IV-E of the Social Security Act, \$1,810,000,000.

“(5) ‘Social Security Administration, Supplemental Security Income Program’, for benefit payments under title XVI of the Social Security Act, \$16,810,000,000, to remain available until expended.

“SEC. 111. (a)(1) In addition to any amounts otherwise provided by this division, such sums as may be necessary are hereby appropriated to fund, for covered employees under a statutory pay system (as defined by section 5302 of title 5, United States Code), 50 percent of any increase in rates of pay which became effective under sections 5303 through 5304a of such title 5 in January 2007.

“(2)(A) In addition to any amounts otherwise provided by this division, such sums as may be necessary are hereby appropriated to provide the amount which would be necessary to fund, for covered employees not described in paragraph (1), 50 percent of the cost of an increase in rates of pay, calculated as if such employees were covered by paragraph (1) and as if such increase had been made on the first day of the first pay period beginning in January

2007 based on the rates that were in effect for such employees as of the day before such first day.

“(B) Subparagraph (A) is intended only to provide funding for pay increases for covered employees not described in paragraph (1). Nothing in subparagraph (A) shall be considered to modify, supersede, or render inapplicable the provisions of law in accordance with which the size or timing of any pay increase actually provided with respect to such employees is determined.

“(b) Appropriations under this section shall include funding for pay periods beginning on or after January 1, 2007, and the pay costs covered by this appropriation shall include 50 percent of the increases in agency contributions for employee benefits resulting from the pay increases described in subsection (a).

“(c) For purposes of this section, the term ‘covered employees’ means employees whose pay is funded in whole or in part (including on a reimbursable basis) by any account for which funds are provided by this division (other than by chapters 2 and 11 of title II of this division) after October 4, 2006.

“SEC. 112. Any language specifying an earmark in a committee report or statement of managers accompanying an appropriations Act for fiscal year 2006 shall have no legal effect with respect to funds appropriated by this division.

“SEC. 113. Within 30 days of the enactment of this section, each of the following departments and agencies shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2007 at a level of detail below the account level:

- “(1) Department of Agriculture.
- “(2) Department of Commerce, including the United States Patent and Trademark Office.
- “(3) Department of Defense, with respect to military construction, family housing, the Department of Defense Base Closure accounts, and ‘Defense Health Program’.
- “(4) Department of Education.
- “(5) Department of Energy.
- “(6) Department of Health and Human Services.
- “(7) Department of Housing and Urban Development.
- “(8) Department of the Interior.
- “(9) Department of Justice.
- “(10) Department of Labor.
- “(11) Department of State and United States Agency for International Development.
- “(12) Department of Transportation.
- “(13) Department of the Treasury.
- “(14) Department of Veterans Affairs, including ‘Construction, Major Projects’.
- “(15) National Aeronautics and Space Administration.
- “(16) National Science Foundation.
- “(17) The Judiciary.
- “(18) Office of National Drug Control Policy.
- “(19) General Services Administration.
- “(20) Office of Personnel Management.
- “(21) National Archives and Records Administration.
- “(22) Environmental Protection Agency.
- “(23) Indian Health Service.
- “(24) Smithsonian Institution.
- “(25) Social Security Administration.

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“(26) Corporation for National and Community Service.

“(27) Corporation for Public Broadcasting.

“(28) Food and Drug Administration.

“SEC. 114. Within 15 days after the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate—

“(1) a report specifying, by account, the amounts provided by this division for executive branch departments and agencies; and

“(2) a report specifying, by account, the amounts provided by section 111 for executive branch departments and agencies.

“SEC. 115. Notwithstanding any other provision of this division and notwithstanding section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31), the percentage adjustment scheduled to take effect under such section for 2007 shall not take effect.

“TITLE II—ELIMINATION OF EARMARKS, ADJUSTMENTS IN FUNDING, AND OTHER PROVISIONS

“CHAPTER 1—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

“SEC. 20101. Notwithstanding section 101, the level for each of the following accounts for Agricultural Programs of the Department of Agriculture shall be as follows: ‘Common Computing Environment’, \$107,971,000; ‘Economic Research Service’, \$74,825,000; ‘National Agricultural Statistics Service’, \$146,543,000, of which up to \$36,074,000 shall be available until expended for the Census of Agriculture; ‘Agricultural Research Service, Buildings and Facilities’, \$0; ‘Cooperative State Research, Education, and Extension Service, Research and Education Activities’, \$671,224,000; ‘Cooperative State Research, Education, and Extension Service, Extension Activities’, \$450,252,000; ‘Animal and Plant Health Inspection Service, Salaries and Expenses’, \$841,970,000; ‘Agricultural Marketing Service, Payments to States and Possessions’, \$1,334,000; ‘Grain Inspection, Packers and Stockyards Administration, Salaries and Expenses’, \$37,564,000; ‘Food Safety and Inspection Service’, \$886,982,000; and ‘Farm Service Agency, Salaries and Expenses’, \$1,028,700,000.

“SEC. 20102. The amounts included under the heading ‘Cooperative State Research, Education, and Extension Service, Research and Education Activities’ in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006 (Public Law 109–97) shall be applied to funds appropriated by this division as follows: by substituting ‘\$322,597,000’ for ‘\$178,757,000’; by substituting ‘\$30,008,000’ for ‘\$22,230,000’; by substituting ‘for payments to eligible institutions (7 U.S.C. 3222), \$40,680,000’ for ‘for payments to the 1890 land-grant colleges, including Tuskegee University and West Virginia State University (7 U.S.C. 3222), \$37,591,000’; by substituting ‘\$0’ for ‘\$128,223,000’; by substituting ‘competitive grants for agricultural research on improved pest control’ for ‘special grants for agricultural research on improved pest control’; by substituting ‘\$190,229,000’ for ‘\$183,000,000’; by substituting ‘\$1,544,000’ for ‘\$1,039,000’; by substituting ‘competitive grants for the purpose

Resolution, 2007, to the "Forest Service, Wildland Fire Management" account and shall be available for hazardous fuels reduction, hazard mitigation, and rehabilitation activities of the Forest Service.

"SEC. 20520. Section 337 of division E of Public Law 108-447 is amended by striking '2006' and inserting '2007'.

"SEC. 20521. No funds appropriated or otherwise made available to the Department of the Interior may be used, in relation to any proposal to store water for the purpose of export, for approval of any right-of-way or similar authorization on the Mojave National Preserve or lands managed by the Needles Field Office of the Bureau of Land Management or for carrying out any activities associated with such right-of-way or similar approval.

"CHAPTER 6—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

"SEC. 20601. (a)(1) Notwithstanding section 101, the level for Employment and Training Administration, Training and Employment Services' shall be \$2,670,730,000 plus reimbursements.

"(2) Of the amount provided in paragraph (1)—

"(A) \$1,672,810,000 shall be available for obligation for the period July 1, 2007, through June 30, 2008, of which: (i) \$341,811,000 shall be for dislocated worker employment and training activities; (ii) \$70,092,000 shall be for the dislocated workers assistance national reserve; (iii) \$79,752,000 shall be for migrant and seasonal farmworkers, including \$74,302,000 for formula grants, \$4,950,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and \$500,000 for other discretionary purposes; (iv) \$878,538,000 shall be for Job Corps operations; (v) \$14,700,000 shall be for carrying out pilots, demonstrations, and research activities authorized by section 171(d) of the Workforce Investment Act of 1998; (vi) \$49,104,000 shall be for Responsible Reintegration of Youthful Offenders; (vii) \$4,921,000 shall be for Evaluation; and (viii) not less than \$1,000,000 shall be for carrying out the Women in Apprenticeship and Nontraditional Occupations Act (29 U.S.C. 2501 et seq.);

"(B) \$990,000,000 shall be available for obligation for the period April 1, 2007, through June 30, 2008, for youth activities, of which \$49,500,000 shall be available for the Youthbuild Program; and

"(C) \$7,920,000 shall be available for obligation for the period July 1, 2007, through June 30, 2010, for necessary expenses of construction, rehabilitation and acquisition of Job Corps centers.

"(3) The Secretary of Labor shall award the following grants on a competitive basis: (A) Community College Initiative grants or Community-Based Job Training Grants awarded from amounts provided for such purpose under section 109 of this division and under the Department of Labor Appropriations Act, 2006; and (B) grants for job training for employment in high growth industries awarded during fiscal year 2007 under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998.

"(4) None of the funds made available in this division or any other Act shall be available to finalize or implement any proposed

Title II Elimination of Earmarks, Adjustments in Funding and Other Provisions

Chapter 6 Departments of Labor, Health, and Human Services, and Education, and Related Agencies

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regulation under the Workforce Investment Act of 1998, Wagner-Peyser Act of 1933, or the Trade Adjustment Assistance Reform Act of 2002 until such time as legislation reauthorizing the Workforce Investment Act of 1998 and the Trade Adjustment Assistance Reform Act of 2002 is enacted.

“(b) Notwithstanding section 101, the level for ‘Employment and Training Administration, Program Administration’ shall be \$116,702,000 (together with not to exceed \$82,049,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund), of which \$28,578,000 shall be for necessary expenses for the Office of Job Corps.

“(c) None of the funds made available in this division or under the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006 shall be used to reduce Job Corps total student training slots below 44,491 in program year 2006 or program year 2007.

“(d) Of the funds available under the heading ‘Employment and Training Administration, Training and Employment Services’ in the Department of Labor Appropriations Act, 2006 for the Responsible Reintegration of Youthful Offenders, \$25,000,000 shall be used for grants to local educational agencies to discourage youth in high-crime urban areas from involvement in violent crime.

“(e) Notwithstanding section 101, the level for ‘Employment and Training Administration, Community Service Employment for Older Americans’ shall be \$483,611,000.

“(f) Notwithstanding section 101, the level for administrative expenses of ‘Employment and Training Administration, State Unemployment Insurance and Employment Service Operations’ shall be \$106,252,000 (together with not to exceed \$3,234,098,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund), of which \$63,855,000 shall be available for one-stop career centers and labor market information activities. For purposes of this division, the first proviso under such heading in the Department of Labor Appropriations Act, 2006 shall be applied by substituting ‘2007’ and ‘2,703,000’ for ‘2006’ and ‘2,800,000’, respectively.

“SEC. 20602. Notwithstanding section 101, the level for ‘Employee Benefits Security Administration, Salaries and Expenses’ shall be \$140,834,000, of which no less than \$5,000,000 shall be for the development of an electronic Form 5500 filing system (EFAST2).

“SEC. 20603. Notwithstanding section 101, the level for ‘Employment Standards Administration, Salaries and Expenses’ shall be \$416,308,000 (together with \$2,028,000 which may be expended from the Special Fund in accordance with sections 39 (c), 44(d), and 44(j) of the Longshore and Harbor Workers’ Compensation Act).

“SEC. 20604. Notwithstanding section 101, the level for ‘Occupational Safety and Health Administration, Salaries and Expenses’ shall be \$485,074,000, of which \$7,500,000 shall be for continued development of the Occupational Safety and Health Information System, and of which \$10,116,000 shall be for the Susan Harwood training grants program. Notwithstanding any other provision of this division, the fifth proviso under such heading in the Department of Labor Appropriations Act, 2006 shall not apply to funds appropriated by this division.

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“SEC. 20605. Notwithstanding section 101, the level for ‘Mine Safety and Health Administration, Salaries and Expenses’ shall be \$299,836,000.

“SEC. 20606. Notwithstanding section 101, the level for ‘Bureau of Labor Statistics, Salaries and Expenses’ shall be \$468,512,000 (together with not to exceed \$77,067,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund).

“SEC. 20607. Notwithstanding section 101, the level for ‘Departmental Management, Salaries and Expenses’ shall be \$297,272,000 (together with not to exceed \$308,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund), of which \$72,516,000 shall be for contracts, grants, or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including \$60,390,000 for child labor activities, and of which not to exceed \$6,875,000 may remain available until September 30, 2008, for Frances Perkins Building Security Enhancements.

“SEC. 20608. (a) Notwithstanding section 101, the level for ‘Veterans Employment and Training, Salaries and Expenses’ shall not exceed \$193,753,000 which may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of sections 4100 through 4113, 4211 through 4215, and 4321 through 4327 of title 38, United States Code, and Public Law 103–353, of which \$1,967,000 is for the National Veterans Employment and Training Services Institute.

“(b) Notwithstanding section 101, the level to carry out the Homeless Veterans Reintegration Programs and the Veterans Workforce Investment Programs shall be \$29,244,000, of which \$7,435,000 shall be available for obligation for the period July 1, 2007, through June 30, 2008.

“SEC. 20609. Notwithstanding section 101, the level for ‘Office of the Inspector General’ shall be \$66,783,000 (together with not to exceed \$5,552,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund).

“SEC. 20610. Section 193 of the Workforce Investment Act of 1998 (29 U.S.C. 2943) is amended to read as follows:

“**SEC. 193. TRANSFER OF FEDERAL EQUITY IN STATE EMPLOYMENT SECURITY REAL PROPERTY TO THE STATES.**

“(a) **TRANSFER OF FEDERAL EQUITY.**—Notwithstanding any other provision of law, any Federal equity acquired in real property through grants to States awarded under title III of the Social Security Act (42 U.S.C. 501 et seq.) or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) is transferred to the States that used the grants for the acquisition of such equity. The portion of any real property that is attributable to the Federal equity transferred under this section shall be used to carry out activities authorized under this Act, the Wagner-Peyser Act (29 U.S.C. 49 et seq.), or title III of the Social Security Act (42 U.S.C. 501 et seq.). Any disposition of such real property shall be carried out in accordance with the procedures prescribed by the Secretary and the portion of the proceeds from the disposition of such real property that is attributable to the Federal equity transferred under this section shall be used to carry out activities authorized under this

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Act, the Wagner-Peyser Act, or title III of the Social Security Act.

“(b) LIMITATION ON USE.—A State shall not use funds awarded under this Act, the Wagner-Peyser Act, or title III of the Social Security Act to amortize the costs of real property that is purchased by any State on or after the date of enactment of the Revised Continuing Appropriations Resolution, 2007.’

“SEC. 20611. (a)(1) Notwithstanding section 101 or any other provision of this division, the level for ‘Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services’ shall be \$6,883,586,000.

“(2) Of the amount provided in paragraph (1)—

“(A) \$1,988,000,000 shall be for carrying out section 330 of the Public Health Service Act (42 U.S.C. 254b; relating to health centers), of which \$25,000,000 shall be for base grant adjustments for existing health centers and \$13,959,000 shall be for carrying out Public Law 100–579, as amended by section 9168 of Public Law 102–396 (42 U.S.C. 11701 et seq.);

“(B) \$184,746,000 shall be for carrying out title VII of the Public Health Service Act (42 U.S.C. 292 et seq.; relating to health professions programs) of which: (i) \$31,548,000 shall be for carrying out section 753 of the Public Health Service Act (42 U.S.C. 294c; relating to geriatric programs); and (ii) \$48,851,000 shall be for carrying out section 747 of the Public Health Service Act (42 U.S.C. 293k; relating to training in primary care medicine and dentistry), of which: (I) not less than \$5,000,000 shall be for pediatric dentistry programs; (II) not less than \$5,000,000 shall be for general dentistry programs; and (III) not less than \$24,614,000 shall be for family medicine programs;

“(C) \$1,195,500,000 shall be for carrying out part B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff–11 et seq.; relating to Ryan White CARE Grants); and

“(D) \$495,000,000 shall be transferred to ‘Department of Health and Human Services, Office of the Secretary, Public Health and Social Services Emergency Fund’ to carry out sections 319C–2, 319F, and 319I of the Public Health Service Act (42 U.S.C. 247d–3b, 247d–6, 247d–7b; relating to hospital preparedness grants, bioterrorism training and curriculum development, and credentialing/emergency systems for advance registration of volunteer health professionals).

“(b) Notwithstanding any other provision of this division, the parenthetical preceding the first proviso under the heading ‘Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services’ in the Department of Health and Human Services Appropriations Act, 2006 shall not apply to funds appropriated by this division.

“(c) Amounts made available by this division to carry out parts A and B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff–11 et seq.; relating to Ryan White Emergency Relief Grants and CARE Grants) shall remain available for obligation by the Secretary of Health and Human Services through September 30, 2009.

“(d) Any assets and liabilities associated with any program under section 319C–2, 319F, or 319I of the Public Health Service Act (42 U.S.C. 247d–3b, 247d–6, 247d–7b; relating to hospital