

PUBLIC LAW 110-5—FEB. 15, 2007

REVISED CONTINUING APPROPRIATIONS  
RESOLUTION, 2007

Public Law 110–5  
110th Congress

Joint Resolution

Feb. 15, 2007  
[H.J. Res. 20]

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

Revised  
Continuing  
Appropriations  
Resolution, 2007.

*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”.*

120 Stat. 1311.

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.

“(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.

42 USC 12651i  
note.

“(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.

Earmarks.

“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:

Deadline.  
Operating plan.

“(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.

this division: *Provided*, That such report shall include a comparison of amounts, by category of assistance, provided or intended to be provided from funds appropriated for fiscal years 2006 and 2007, for each country and international organization.

“SEC. 20414. The seventh proviso under the heading ‘Bilateral Economic Assistance, Funds Appropriated to the President, United States Agency for International Development, Child Survival and Health Programs Fund’ of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109-102) shall be applied to funds made available under this division by substituting ‘The GAVI Fund’ for ‘The Vaccine Fund’.

“SEC. 20415. Section 501(i) of H.R. 3425, as enacted into law by section 1000(a)(5) of division B of Public Law 106-113 (Appendix E, 113 Stat. 1501A-313), as amended by section 591(b) of division D of Public Law 108-447 (118 Stat. 3037), shall apply to fiscal year 2007.

#### **“CHAPTER 5—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES**

“SEC. 20501. Notwithstanding section 101, the level for each of the following accounts shall be as follows: ‘Bureau of Land Management, Management of Lands and Resources’, \$862,632,000; ‘United States Fish and Wildlife Service, Resource Management’, \$1,009,037,000; ‘National Park Service, Historic Preservation Fund’, \$55,663,000; ‘United States Geological Survey, Surveys, Investigations, and Research’, \$977,675,000; and ‘Environmental Protection Agency, Hazardous Substance Superfund’, \$1,251,574,000.

“SEC. 20502. Notwithstanding section 101, the level for ‘National Park Service, Operation of the National Park Service’, shall be \$1,758,415,000, of which not to exceed \$5,000,000 may be transferred to the United States Park Police.

“SEC. 20503. Notwithstanding section 101, under ‘National Park Service, Construction’, the designations under Public Law 109-54 of specific amounts and sources of funding for modified water deliveries and the national historic landmark shall not apply.

“SEC. 20504. The contract authority provided for fiscal year 2007 under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-10a) is rescinded.

“SEC. 20505. Notwithstanding section 101, the level for ‘Bureau of Indian Affairs, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians’, shall be \$42,000,000 for payments required for settlements approved by Congress or a court of competent jurisdiction.

“SEC. 20506. Notwithstanding section 101, the ‘Minerals Management Service, Royalty and Offshore Minerals Management’ shall credit an amount not to exceed \$128,730,000 under the same terms and conditions of the credit to said account as in Public Law 109-54. To the extent \$128,730,000 in addition to receipts are not realized from sources of receipts stated above, the amount needed to reach \$128,730,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993.

“SEC. 20507. Notwithstanding section 101, within the amounts made available under ‘Environmental Protection Agency, State and Tribal Assistance Grants’, \$1,083,817, 000, shall be for making

16 USC 4601-10a  
note.

capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended, and no funds shall be available for making special project grants for the construction of drinking water, wastewater, and storm water infrastructure and for water quality protection in accordance with the terms and conditions specified for such grants in the joint explanatory statement of the managers in Conference Report 109-188.

“SEC. 20508. Notwithstanding section 101, for ‘Forest Service, State and Private Forestry’, the \$1,000,000 specified in the second proviso and the \$1,500,000 specified in the third proviso in Public Law 109-54 are not required.

“SEC. 20509. Notwithstanding section 101, the level for ‘Forest Service, National Forest System’, shall be \$1,445,646,000, except that the \$5,000,000 specified as an additional regional allocation is not required.

“SEC. 20510. Notwithstanding section 101, the level for ‘Forest Service, Wildland Fire Management’, shall be \$1,816,091,000 of which the allocation provided for fire suppression operations shall be \$741,477,000; the allocation for hazardous fuels reduction shall be \$298,828,000; and other funding allocations and terms and conditions shall follow Public Law 109-54.

“SEC. 20511. Notwithstanding section 101, of the level for ‘Forest Service, Capital Improvement and Maintenance’, the \$3,000,000 specified in the third proviso is not required.

“SEC. 20512. Notwithstanding section 101, the level for ‘Indian Health Service, Indian Health Services’, shall be \$2,817,099,000 and the \$15,000,000 allocation of funding under the eleventh proviso shall not be required.

“SEC. 20513. Notwithstanding section 101, the level for ‘Smithsonian Institution, Salaries and Expenses’ shall be \$533,218,000, except that current terms and conditions shall not be interpreted to require a specific grant for the Council of American Overseas Research Centers or for the reopening of the Patent Office Building.

“SEC. 20514. Notwithstanding section 101, no additional funding is made available by this division for fiscal year 2007 based on the terms of section 134 and section 437 of Public Law 109-54.

“SEC. 20515. Notwithstanding section 101, the level for ‘Bureau of Indian Affairs, Operation of Indian Programs’ shall be \$1,984,190,000, of which not less than \$75,477,000 is for post-secondary education programs.

“SEC. 20516. The rule referenced in section 126 of Public Law 109-54 shall continue in effect for the 2006-2007 winter use season.

“SEC. 20517. Section 123 of Public Law 109-54 is amended by striking ‘9’ in the first sentence and inserting ‘10’.

“SEC. 20518. For fiscal year 2007, the Minerals Management Service may retain 3 percent of the amounts disbursed under section 31(b)(1) of the Coastal Impact Assistance Program, authorized by section 31 of the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1456(a)), for administrative costs, to remain available until expended.

“SEC. 20519. Of the funds made available in section 8098(b) of Public Law 108-287, to construct a wildfire management training facility, \$7,400,000 shall be transferred not later than 15 days after the date of the enactment of the Continuing Appropriations

Regulations.

119 Stat. 524.

Deadline.

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.

118 Stat. 3102.

“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.

Grants.

“(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

121 STAT. 60

PUBLIC LAW 110-5—FEB. 15, 2007

“This division may be cited as the ‘Continuing Appropriations Resolution, 2007’.”

Approved February 15, 2007.

---

LEGISLATIVE HISTORY—H.J. Res. 20:

CONGRESSIONAL RECORD, Vol. 153 (2007):

Jan. 31, considered and passed House.

Feb. 8, 13, 14, considered and passed Senate.

