

ADMINISTRATION FOR CHILDREN AND FAMILIES

RELATED EXCERPTS FROM THE FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

Public Law [112-110](#)

BILL LANGUAGE

AN ACT

Making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Department of Defense and Full-Year Continuing Appropriations Act, 2011'.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Division A--Department of Defense Appropriations, 2011
Division B--Full-Year Continuing Appropriations, 2011
Division C--Scholarships for Opportunity and Results Act

DIVISION B – FULL-YEAR CONTINUING APPROPRIATIONS, 2011

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 2011, and for other purposes, namely;

TITLE I – GENERAL PROVISIONS

Sec. 1101. (a) ... Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2010, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for, and for which appropriations, funds, or other authority were made available in the following appropriations Acts: *****

(1) *****

(2) *****

(3) *****

(4) *****

(5) *****

(6) The Consolidated Appropriations Act, 2010 (Public Law 111-117).

(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 previously designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010; and

(2) such level shall be calculated without regard to any rescission or cancellation of funds or contract authority.

Sec. 1102. Appropriations made by section 1101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

Sec. 1103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2010, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

Sec. 1104. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 1101(a) shall continue in effect through the date specified in section 1106.

Sec. 1105. No appropriations or funds made available or authority granted pursuant to section 1101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were specifically prohibited during fiscal year 2010.

Sec. 1106. 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, 2011.

Sec. 1107. Expenditures made pursuant to the Continuing Appropriations Act, 2011 (Public Law 111-242), shall be charged to the applicable appropriation, fund, or authorization provided by this division.

Sec. 1109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2010, and for activities under the Food and Nutrition Act of 2008, the levels established by section 1101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2010.

(b) In addition to the amounts otherwise provided by section 1101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2012:

(1) *****

(2) *****

(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), \$1,200,000,000, to remain available until expended.

(4) 'Department of Health and Human Services, Administration for Children and Families, Payments to States for Foster Care and Permanency', for payments to States or other non-Federal entities under title IV-E of the Social Security Act, \$1,850,000,000.

(5) *****

Sec. 1111. Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect with respect to funds appropriated by this division. For purposes of this section, the term 'earmark' means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of the rule XLIV of the Standing Rules of the Senate.

Sec. 1819. (a) Notwithstanding section 1101, the level for 'Department of Health and Human Services, Administration for Children and Families, Low Income Home Energy Assistance' shall be \$4,710,000,000 of which \$4,509,672,000 shall be for payments under subsections (b) and (d) of section 2602 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621); and of which \$200,328,000 shall be for payments under subsection (e) of such Act, to be made notwithstanding the designation requirements of such subsection.

(b) The second proviso under the heading 'Department of Health and Human Services, Administration for Children and Families, Low Income Home Energy Assistance' in division D of Public Law 111-117 shall not apply to funds appropriated by this division.

Sec. 1820. Of the unobligated balances available for 'Department of Health and Human Services, Administration for Children and Families, Refugee and Entrant Assistance' from funds appropriated under this heading in fiscal year 2010 and prior fiscal years, \$25,000,000 is rescinded.

Sec. 1821. (a) Notwithstanding section 1101, the level for 'Department of Health and Human Services, Administration for Children and Families, Payments to States for the Child Care and Development Block Grant' shall be \$2,277,081,000.

(b) The amount included in the first proviso under the heading 'Department of Health and Human, Administration for Children and Families, Payments to States for the Child Care and Development Block Grant' in division D of Public Law 111-117 shall be applied to funds appropriated by this division by substituting '\$0' for '\$1,000,000'.

(c) The amounts included in the second proviso under the heading 'Department of Health and Human Services, Administration for Children and Families, Payments to States for the Child Care and Department Block Grant' in division D of Public Law 111-117 shall be applied to funds appropriated by this division by substituting '\$284,160,000' for '\$271,401,000', and by substituting '\$104,213,000' for '\$99,534,000'.

Sec. 1822. (a) Notwithstanding section 1101, the level for 'Department of Health and Human Services, Administration for Children and Families, Children and Families Services Programs' shall be \$9,538,433,000, of which: (1) \$7,574,783,000 shall be for making payments under the Head Start Act; and (2) \$703,000,000 shall be for making payments under the Community Services Block Grant ('CSBG') Act, of which \$23,350,000 shall be for sections 680 and 678E(b)(2), of which \$18,000,000 shall be for section 680(a)(2), and not less than \$5,000,000 shall be for section 680(a)(3)(B) of the CSBG Act.

(b) For purposes of allocating such funds under the Head Start Act, the term 'base grant' as used in subsection (a)(7)(A) of section 640 of such Act with respect to funding provided to a Head Start agency (including each Early Head Start agency) for fiscal year 2010 shall be deemed to include 50 percent of the funds appropriated under 'Department of Health and Human Services, Administration for Children and Families, Children and Families Services Programs' in Public Law 111-5 provided to such agency for carrying out expansion of Head Start programs, as that phrase is used in subsection (a)(4)(D) of such section 640, and provided to such agency as the ongoing funding level for operations in the 12 month budget period beginning in fiscal year 2010.

(c) The fourteenth and fifteenth provisos under the heading 'Department of Health and Human and Services, Administration for Children and Families, Children and Families Services Programs' in division D of Public Law 111-117 shall not apply to funds appropriated by this division.
