

One Hundred Eleventh Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the sixth day of January, two thousand and nine*

An Act

Making omnibus appropriations for the fiscal year ending September 30, 2009,
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 “Omnibus Appropriations Act,
2009”.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
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- Sec. 3. References.
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Title I—Department of Transportation
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DIVISION J—FURTHER PROVISIONS RELATING TO THE DEPARTMENT OF
HOMELAND SECURITY AND OTHER MATTERS

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act printed in the House of Representatives section of the Congressional Record on or about February 23, 2009 by the Chairman of the Committee on Appropriations of the House shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

SEC. 5. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2009.

SEC. 430. Within the amounts appropriated in this division, funding shall be allocated in the amounts specified for those projects and purposes delineated in the table titled “Congressionally Directed Spending” included in the explanatory statement accompanying this Act (as described in section 4, in the matter preceding division A of this consolidated Act).

This division may be cited as the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2009”.

DIVISION F—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2009

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Investment Act of 1998 (“WIA”), the Denali Commission Act of 1998, and the Women in Apprenticeship and Non-Traditional Occupations Act of 1992, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIA; \$3,626,448,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, \$2,969,449,000 as follows:

(A) \$861,540,000 for adult employment and training activities, of which \$149,540,000 shall be available for the period July 1, 2009, through June 30, 2010, and of which \$712,000,000 shall be available for the period October 1, 2009 through June 30, 2010;

(B) \$924,069,000 for youth activities, which shall be available for the period April 1, 2009 through June 30, 2010; and

(C) \$1,183,840,000 for dislocated worker employment and training activities, of which \$335,840,000 shall be available for the period July 1, 2009 through June 30, 2010, and of which \$848,000,000 shall be available for the period October 1, 2009 through June 30, 2010:

Provided, That notwithstanding the transfer limitation under section 133(b)(4) of the WIA, up to 30 percent of such funds may be transferred by a local board if approved by the Governor;

(2) for federally administered programs, \$489,429,000 as follows:

(A) \$283,051,000 for the dislocated workers assistance national reserve, of which \$71,051,000 shall be available for the period July 1, 2009 through June 30, 2010, and of which \$212,000,000 shall be available for the period October 1, 2009 through June 30, 2010: *Provided*, That up to \$125,000,000 may be made available for Community-

[House Appropriations Committee Print]

Omnibus Appropriations Act, 2009
(H.R. 1105; Public Law 111-8)

**DIVISION E—DEPARTMENT OF THE INTE-
RIOR, ENVIRONMENT, AND RELATED AGEN-
CIES APPROPRIATIONS ACT, 2009**

for state emergency programs, therefore, the Administration request to discontinue funding for this important program is denied.

BUREAU OF INDIAN AFFAIRS
OPERATION OF INDIAN PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2008	\$2,047,809,000
Budget estimate	1,988,290,000
Bill, 2009	2,128,630,000
Comparisons:	
Appropriations, 2008	+80,821,000
Budget estimate, 2009	+140,340,000

The detailed allocation of funding by program area and activity for the Bureau of Indian Affairs, Operation of Indian Programs, is included in the table at the end of this section of the statement.

Tribal Government.—Within the funds for tribal government, there is \$5,000,000 to partially restore the welfare assistance program and \$263,000 to restore the Western Shoshone Claims program.

Trust.—Natural Resource Management.—Within the funds for trust resource management, rights protection, there is \$1,713,000 for the Timber-Fish-Wildlife program. Within the funds for Tribal Management Development, there is \$1,000,000 for the inter-tribal bison cooperative, and \$345,000 for Lake Roosevelt law enforcement. Within the funds for Fish, Wildlife and Parks, there is a \$360,000 increase for the general program and \$500,000 for fish hatcheries.

Education.—The Bill includes the following distribution of funds within Indian Education:

ISEP (formula funds)	\$375,000,000
Student Transportation	50,500,000
Early Childhood Development (FACE)	15,223,000
Johnson O'Malley Education Assistance Grants	13,797,000
Tribal Colleges and Universities	59,321,000
Scholarships and Adult Education	29,663,000
Tribal Technical Colleges	6,000,000

The funds provided for tribal technical colleges are for the Navajo Technical College, \$2,000,000, and the United Tribes Technical College, \$4,000,000.

Public Safety and Justice.—The Bill includes the following distribution of funds within Public Safety and Justice, Law Enforcement:

Criminal Investigation	\$163,148,000
Tribal LE and Special Investigations	15,022,000
Indian Police Academy	4,089,000

Within the funds for criminal investigation, there is an increase of \$25,000,000 for tribal law enforcement in Indian country to be targeted to addressing the problem of domestic violence, particularly violence against women, combating substance abuse, and engaging in community policing. There are epidemic levels of sexual violence against Native American and Alaska Native women in Indian Country, and this funding should begin to provide the necessary resources to support a coordinated response. The Bureau is directed to do the following:

- Partner with the Indian Health Service, community advocates, and tribal leaders to establish clear standards of practice and standardized protocols for responding to domestic violence and sexual assaults.
- Provide training programs that develop culturally sensitive protocols for officers in the field who are most often the first to respond to incidences of domestic violence and sexual assault as well as protocols for the collection and preservation of evidence for prosecution.
- Work with the Federal Bureau of Investigation and the United States Attorney’s Office to establish clear guidelines for the reporting of crimes and establishing evidentiary chains of command to maximize prosecutions.
- Work with Tribes, States, and local governments to clearly delineate jurisdictional responsibilities and protocols associated with reporting, responding to, and prosecuting these crimes.

Community and Economic Development.—Within the funds for Community and Economic Development, there is \$11,864,000 for job placement and training programs, \$3,893,000 for economic development, which includes \$400,000 for the ironworkers training program and \$26,046,000 for road maintenance.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2008	\$203,754,000
Budget estimate	173,261,000
Bill, 2009	217,688,000
Comparisons:	
Appropriations, 2008	+13,934,000
Budget estimate, 2009	+44,427,000

The detailed allocation of funding by program area and activity for the Bureau of Indian Affairs, Construction, is included in the table at the end of this section of the statement.

Education.—Within the funds for Education Construction, there is \$4,445,000 for employee housing, and \$84,974,000 for facility improvement and repair. The increased funds within employee housing are to be used for new and existing housing needs in remote areas to promote recruitment and retention of teachers and other vital educational staff.

Public Safety and Justice.—Within the funds for Public Safety and Justice Construction, there is \$21,500,000 for detention center replacement, \$3,500,000 for employee housing, and \$10,941,000 for facilities improvement and repair. The increased funds for employee housing are to be used for new and existing housing needs in remote areas to promote recruitment and retention of law enforcement officers.

Resource Management.—Within the funds for Resource Management Construction, there is \$2,000,000 for mitigation of uranium contamination on the Navajo and Hopi reservations.

INDIAN LAND AND WATER CLAIMS SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

Appropriation enacted, 2008	\$33,538,000
Budget estimate	21,627,000

INTERIOR / ENVIRONMENT—Continued

Agency	Account	State	Project	Amount
National Park Service	Land Acquisition	WI	Ice Age National Scenic Trail	\$1,000,000
National Park Service	Land Acquisition	WV	Gauley River National Recreation Area	\$780,000
National Park Service	Land Acquisition	WV	Harper's Ferry National Historic Park	\$2,000,000
National Park Service	Land Acquisition	WV	New River Gorge National River	\$500,000
U.S. Geological Survey	Surveys, Investigations & Research	AR	Arkansas Seismological Observatory	\$500,000
U.S. Geological Survey	Surveys, Investigations & Research	AZ	Upper San Pedro River Monitoring and Reporting	\$295,000
U.S. Geological Survey	Surveys, Investigations & Research	CA	CA seafloor mapping	\$500,000
U.S. Geological Survey	Surveys, Investigations & Research	CA	Salt Ponds restoration	\$500,000
U.S. Geological Survey	Surveys, Investigations & Research	CA	San Diego Formation aquifer mapping	\$900,000
U.S. Geological Survey	Surveys, Investigations & Research	HI	Well monitoring and water assessments	\$500,000
U.S. Geological Survey	Surveys, Investigations & Research	LA	Long Term Estuary Assessments Group	\$400,000
U.S. Geological Survey	Surveys, Investigations & Research	NM	US-Mexico Transboundary Aquifer Assessment	\$500,000
U.S. Geological Survey	Surveys, Investigations & Research	NV	Nye County, NV, mineral assessment	\$650,000
U.S. Geological Survey	Surveys, Investigations & Research	VT	Lake Champlain monitoring	\$497,000
U.S. Geological Survey	Surveys, Investigations & Research	WA	Hood Canal Dissolved Oxygen Study	\$270,000
U.S. Geological Survey	Surveys, Investigations & Research	WV	Leetown Science Center, molecular biology	\$800,000
Minerals Management Service	Minerals Management Service	MS	Center for Marine Resources and Environmental Technology	\$900,000
Bureau of Indian Affairs	Operation of Indian Programs	IL	National Ironworkers Training Program for American Indians	\$400,000

Bureau of Indian Affairs	Operation of Indian Programs	Multi	Inter-Tribal Bison Cooperative	\$1,000,000
Bureau of Indian Affairs	Operation of Indian Programs	ND	United Tribes Technical College	\$4,000,000
Bureau of Indian Affairs	Operation of Indian Programs	NM	Navajo Technical College	\$2,000,000
Bureau of Indian Affairs	Operation of Indian Programs	NV	Western Shoshone Claims Distribution Act	\$263,000
Bureau of Indian Affairs	Operation of Indian Programs	WA	Lake Roosevelt security program	\$345,000
Bureau of Indian Affairs	Operation of Indian Programs	WA	Timber-Fish-Wildlife program	\$1,713,000
Environmental Protection Agency	Science & Technology	CA	Southwest Consortium for Environmental Research and Policy	\$1,000,000
Environmental Protection Agency	Science & Technology	Nat	Water Environment Research Foundation	\$2,000,000
Environmental Protection Agency	Science & Technology	Nat	Consortium for Plant Biotechnology	\$750,000
Environmental Protection Agency	Science & Technology	Nat	American Water Works Research Foundation (Water Research Foundation)	\$1,700,000
Environmental Protection Agency	Environmental Programs and Management	CA	San Francisco Bay Restoration Grants	\$5,000,000
Environmental Protection Agency	Environmental Programs and Management	Nat	Small Public Water Systems Technology Assistance Program	\$2,000,000
Environmental Protection Agency	Environmental Programs and Management	Nat	Water Systems Council WellCare	\$700,000
Environmental Protection Agency	Environmental Programs and Management	Nat	National Biosolids Partnership Program	\$750,000
Environmental Protection Agency	Environmental Programs and Management	Nat	National Rural Water Association	\$11,500,000
Environmental Protection Agency	Environmental Programs and Management	Nat	Water Information Sharing and Analysis Center / Association of Metropolitan Water Agencies	\$2,000,000
Environmental Protection Agency	Environmental Programs and Management	Nat	Rural Community Assistance Partnership	\$2,500,000
Environmental Protection Agency	STAG—Other	CA	Hunter's Point Naval Shipyard remediation	\$8,000,000
Environmental Protection Agency	STAG—Other	CA	California Emission Reduction Grants	\$15,000,000

INTERIOR / ENVIRONMENT—Continued

Agency	Account	State	Project	Amount	Requester(s)	
					Senate	House
Minerals Management Service	Minerals Management Service	MS	Center for Marine Resources and Environmental Technology	\$900,000	Cochran, Wicker	Childers
Bureau of Indian Affairs	Operation of Indian Programs	IL	National Ironworkers Training Program for American Indians	\$400,000		Lynch, Stephen F.
Bureau of Indian Affairs	Operation of Indian Programs	Multi	Inter-Tribal Bison Cooperative	\$1,000,000	Dorgan, Johnson, Bingaman, Salazar	Herseth Sandlin, Stephanie; Udall, Tom
Bureau of Indian Affairs	Operation of Indian Programs	ND	United Tribes Technical College	\$4,000,000	Dorgan, Conrad	Pomeroy, Earl
Bureau of Indian Affairs	Operation of Indian Programs	NM	Navajo Technical College	\$2,000,000	Bingaman	
Bureau of Indian Affairs	Operation of Indian Programs	NV	Western Shoshone Claims Distribution Act	\$263,000	Reid	
Bureau of Indian Affairs	Operation of Indian Programs	WA	Lake Roosevelt security program	\$345,000	Murray, Cantwell	
Bureau of Indian Affairs	Operation of Indian Programs	WA	Timber-Fish-Wildlife program	\$1,713,000	Murray, Cantwell	
Environmental Protection Agency	Science & Technology	CA	Southwest Consortium for Environmental Research and Policy	\$1,000,000	Feinstein, Bingaman, Boxer	Pastor, Ed
Environmental Protection Agency	Science & Technology	Nat	Water Environment Research Foundation	\$2,000,000	Mikulski, Kohl, Durbin, Lautenberg, Brown, Cardin, Clinton, Kennedy, Kerry, Salazar, Schumer, Collins, Smith, Snowe	Moran, James P.