

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:

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- Sec. 3. References.
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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 INTERIOR,
ENVIRONMENT, AND RELATED AGENCIES
APPROPRIATIONS ACT, 2009**

[CLERK'S NOTE: Reproduced below is the material relating to division E contained in the "Explanatory Statement Submitted by Mr. Obey, Chairman of the House Committee on Appropriations, Regarding H.R. 1105, Omnibus Appropriations Act, 2009".¹

DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2009

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

Appropriation enacted, 2008	\$853,931,000
Budget estimate	864,827,000
Bill, 2009	890,194,000
Comparisons:	
Appropriations, 2008	+36,263,000
Budget estimate, 2009	+25,367,000

The detailed allocation of funding by program, activity and sub-activity is included in the table at the end of this section of the statement. In addition, the bill also includes the following specific funding levels and directions:

Land Resources.—Within the funds provided for soil, water, and air management, there is a program increase of \$7,500,000 for abandoned mine remediation and inventory in the West. Of this amount, a minimum of \$6,000,000 is for actions to secure, seal, and remediate hazards from known mine openings. An amount up to \$1,500,000 may be used for discovery and inventory activities.

Cultural Resources Management.—Within the amounts provided, there is an increase of \$500,000 to begin implementation of the Galisteo Basin Archeological Sites Protection Act of 2004 (NM).

Wildlife Management.—Within the funds provided there is an additional \$4,600,000 for the native plant materials development program. This funding and program has been moved out of the Department's wildland fire management appropriation account. This program should continue previous activities as part of the national fire plan working closely with the Forest Service, and develop a seed bank of desirable native plant species to be available for use in burned area restoration, habitat restoration, and other related purposes by all of the Interior land management bureaus. An annual report on the accomplishments and expenditures of the program should be submitted no later than 90 days after the end of the fiscal year.

¹This Explanatory Statement was submitted for printing the *Congressional Record* on February 23, 2009, prior to House consideration of the bill and as directed by the House of Representatives in section 2 of H. Res. 92 (as amended by section 2 of H. Res. 108). The Statement appears in the February 23 *Congressional Record*, beginning on page H1653.

Recreation Resources Management.—Within the amounts provided, there is an increase of \$1,000,000 for management of the national scenic and historic trails.

Energy and Minerals.—The bill continues the same application for permits to drill (APD) fee as in fiscal year 2008, \$4,000 per APD, which is estimated to net \$36,400,000 during fiscal year 2009 to partially offset BLM administrative costs. In addition, the bill includes \$6,000,000 for Alaska legacy well remediation, no specific funds for gas hydrates research or North Slope science, and \$1,000,000 for oil shale sample shipment and storage in Colorado. The discretionary funding total for oil and gas management is \$79,478,000, which when added to the APD fee receipts, and the off-budget pilot offices funds, is a small increase over the total fiscal year 2008 oil and gas management funding.

Future budget justifications should clearly delineate how the Bureau is complying with section 713 of the Energy Independence and Security Act of 2007 dealing with inventories of carbon dioxide sequestration in Federal mineral leaseholds.

Realty Ownership and Management.—Within the funds provided, there is an increase of \$750,000 for GIS/cadastral mapping in Utah.

Resource Protection and Law Enforcement.—Within the amounts provided, there is an increase of \$5,100,000 for drug enforcement on public lands.

Hazardous Materials Management.—Within the amounts provided, there is an increase of \$1,000,000 for activities related to southwest border problems.

Challenge Cost Share.—The Bureau should not set aside a specific allocation for the National Landscape Conservation System as was proposed in the budget request.

National Monuments and Conservation Areas.—The bill includes the various funding transfers proposed by the Bureau, and an increase of \$6,371,000 above the request, for a total of \$28,196,000 for the new National Monuments and Conservation Areas activity. Additional National Landscape Conservation System funding is included in the wilderness and recreation activities in this account, and in the Oregon and California Grant Lands account.

Healthy Lands Initiative.—Within the amounts provided there is a total of \$7,797,000 for the Healthy Lands Initiative, including \$750,000 in soil, water and air management, \$2,586,000 in rangeland management, \$150,000 in forestry management, \$867,000 in riparian management, \$2,602,000 in wildlife management, \$292,000 in fisheries management, and \$550,000 in the threatened and endangered species activity.

National Fish and Wildlife Foundation.—The bill includes \$3,000,000 to continue cost share activities as in the past, including \$1,917,000 in wildlife management, \$246,000 in fisheries management, \$246,000 in threatened and endangered species, \$345,000 in rangeland management, and \$246,000 in riparian management.

Other.—The Bureau should retain its current level of support for the National Conservation Training Center; funds should be made available to the Center within 60 days of enactment.

CONSTRUCTION

Appropriation enacted, 2008	\$6,375,000
Budget estimate	4,476,000
Bill, 2009	6,590,000
Comparisons:	
Appropriations, 2008	+215,000
Budget estimate, 2009	+2,114,000

The bill includes the funds requested, plus an additional \$14,000 for architectural and engineering services, and \$1,500,000 for the California National Historic Trail visitor center in Nevada and \$600,000 for the King Range National Conservation Area, CA.

LAND ACQUISITION

Appropriation enacted, 2008	\$8,939,000
Budget estimate	4,475,000
Bill, 2009	14,775,000
Comparisons:	
Appropriations, 2008	+5,836,000
Budget estimate, 2009	+10,300,000

State	Project description	Amount
CA	Santa Rosa and San Jacinto NM	\$1,300,000
CA	Upper Sacramento River ACEC	2,200,000
CO	Arkansas River SRMA	2,200,000
ID	Henrys Lake ACEC	2,000,000
ID	Upper Snake/South Fork River ACEC/SRMA	500,000
MT	Meeteetsee Spires ACEC	1,000,000
OR	Cascade-Siskiyou NM	875,000
OR	Sandy River/Oregon NHT	1,350,000
	Subtotal, Line Item Projects	11,425,000
	Acquisition Management	1,850,000
	Inholdings, Emergencies, and Hardships	1,500,000
	Total, BLM Land Acquisition	\$14,775,000

OREGON AND CALIFORNIA GRANT LANDS

Appropriation enacted, 2008	\$108,522,000
Budget estimate	108,253,000
Bill, 2009	109,949,000
Comparisons:	
Appropriations, 2008	+1,427,000
Budget estimate, 2009	+1,696,000

The detailed allocation of funding by program, activity and sub-activity is included in the table at the end of this section of the statement.

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

The bill includes language, as in the past, allowing funds made available in the Forest Ecosystem Health and Recovery Fund to be used for various forestry purposes including planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem restoration activities.

RANGE IMPROVEMENTS

Appropriation enacted, 2008	\$10,000,000
Budget estimate	10,000,000
Bill, 2009	10,000,000

INTERIOR / ENVIRONMENT

Agency	Account	State	Project	Amount
Bureau of Land Management	Management of Lands and Resources	CO	Shipment and storage of oil shale core samples	\$1,000,000
Bureau of Land Management	Management of Lands and Resources	NM	Galisteo Basin Archaeological Sites Protection	\$500,000
Bureau of Land Management	Management of Lands and Resources	UT	GIS Cadastral Mapping in Utah	\$750,000
Bureau of Land Management	Construction	CA	King Range National Conservation Area—Paradise Ridge Mountain Bike Trail	\$600,000
Bureau of Land Management	Construction	NV	California National Historic Trail Interpretive Center—exhibits, trails, amphitheater	\$1,500,000
Bureau of Land Management	Land Acquisition	CA	Santa Rosa and San Jacinto Mountains National Monument	\$1,300,000
Bureau of Land Management	Land Acquisition	CA	Upper Sacramento River Area of Critical Environmental Concern (ACEC)	\$2,200,000
Bureau of Land Management	Land Acquisition	CO	Arkansas River Special Recreation Management Area (SRMA)	\$2,200,000
Bureau of Land Management	Land Acquisition	ID	Henry's Lake ACEC	\$2,000,000
Bureau of Land Management	Land Acquisition	ID	Upper Snake/South Fork Snake River ACEC/SRMA	\$500,000
Bureau of Land Management	Land Acquisition	MT	Meeteetse Spires ACEC	\$1,000,000
Bureau of Land Management	Land Acquisition	OR	Cascade-Siskiyou National Monument	\$875,000
Bureau of Land Management	Land Acquisition	OR	Sandy River/Oregon National Historic Trail	\$1,350,000
Fish and Wildlife Service	Resource Management	HI	Hawaii Invasive Species Management	\$350,000
Fish and Wildlife Service	Resource Management	ID	Idaho Sage Grouse	\$250,000
Fish and Wildlife Service	Resource Management	MS	Mississippi State Natural Resources Program	\$350,000

INTERIOR / ENVIRONMENT

Agency	Account	State	Project	Amount	Requester(s)	
					Senate	House
Bureau of Land Management	Management of Lands and Resources	CO	Shipment and storage of oil shale core samples	\$1,000,000	Allard	
Bureau of Land Management	Management of Lands and Resources	NM	Galisteo Basin Archaeological Sites Protection	\$500,000		Udall, Tom
Bureau of Land Management	Management of Lands and Resources	UT	GIS Cadastral Mapping in Utah	\$750,000	Bennett	
Bureau of Land Management	Construction	CA	King Range National Conservation Area—Paradise Ridge Mountain Bike Trail	\$600,000	Feinstein	Thompson, Mike
Bureau of Land Management	Construction	NV	California National Historic Trail Interpretive Center—exhibits, trails, amphitheater	\$1,500,000	Reid	
Bureau of Land Management	Land Acquisition	CA	Santa Rosa and San Jacinto Mountains National Monument	\$1,300,000	Feinstein	Bono Mack, Mary
Bureau of Land Management	Land Acquisition	CA	Upper Sacramento River Area of Critical Environmental Concern (ACEC)	\$2,200,000	Feinstein	
Bureau of Land Management	Land Acquisition	CO	Arkansas River Special Recreation Management Area (SRMA)	\$2,200,000	President, Salazar	
Bureau of Land Management	Land Acquisition	ID	Henry's Lake ACEC	\$2,000,000	Craig, Crapo	Simpson, Michael K.
Bureau of Land Management	Land Acquisition	ID	Upper Snake/South Fork Snake River ACEC/SRMA	\$500,000	President, Craig, Crapo	Simpson, Michael K.
Bureau of Land Management	Land Acquisition	MT	Meeteetse Spires ACEC	\$1,000,000	President, Baucus, Tester	Rehberg, Dennis R.
Bureau of Land Management	Land Acquisition	OR	Cascade-Siskiyou National Monument	\$875,000	Wyden	DeFazio, Peter A.; Pelosi, Nancy

Bureau of Land Management	Land Acquisition	OR	Sandy River/Oregon National Historic Trail	\$1,350,000	President, Wyden, Smith	Blumenauer, Earl
Fish and Wildlife Service	Resource Management	HI	Hawaii Invasive Species Management	\$350,000	Inouye, Akaka	Hirono, Mazie K.; Abercrombie, Neil
Fish and Wildlife Service	Resource Management	ID	Idaho Sage Grouse	\$250,000	Craig	Simpson, Michael K.
Fish and Wildlife Service	Resource Management	MS	Mississippi State Natural Resources Program	\$350,000	Cochran, Wicker	
Fish and Wildlife Service	Resource Management	NV	Lahontan Cutthroat Trout	\$250,000	Reid	
Fish and Wildlife Service	Resource Management	NV	Nevada Biodiversity Research and Conservation Project	\$350,000	Reid	
Fish and Wildlife Service	Resource Management	TX	Caddo Lake Ramsar Center	\$150,000	Hutchison	
Fish and Wildlife Service	Construction	AL	Cahaba River National Wildlife Refuge—plan and design visitor center	\$300,000	Shelby	Bachus, Spencer
Fish and Wildlife Service	Construction	AR	Mammoth Springs National Fish Hatchery—complete visitor center	\$1,750,000	Lincoln, Pryor	
Fish and Wildlife Service	Construction	CA	Don Edwards San Francisco Bay National Wildlife Refuge Complex—San Francisco Bay salt pond restoration and levee maintenance	\$4,000,000	Feinstein, Boxer	
Fish and Wildlife Service	Construction	HI	Kealia Pond National Wildlife Refuge—plan and design replacement office and visitor center	\$750,000	Inouye, Akaka	
Fish and Wildlife Service	Construction	MD	Patuxent Research Refuge—major safety reconstruction	\$3,000,000	Cardin	Hoyer, Steny H.
Fish and Wildlife Service	Construction	MI	Great Lakes Mass Marking	\$1,500,000		Dingell, John D.