

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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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 INTERIOR,
ENVIRONMENT, AND RELATED AGENCIES
APPROPRIATIONS ACT, 2009**

State	Project description	Amount
PA/NJ	Delaware Water Gap	1,000,000
SC	Congaree NP	2,690,000
TX	Big Thicket National Preserve	1,000,000
VA	Shenandoah Valley Battlefields Historic District	1,985,000
VI	Virgin Islands National Park—Maho Bay	2,250,000
WA	Lake Chelan NRA	900,000
WA	Mt. Rainier National Park—Carbon River Gateway	1,807,000
WI	Ice Age National Scenic Trail	1,000,000
WV	Gauley River National Recreation Area	780,000
WV	Harpers Ferry NHP	2,000,000
WV	New River Gorge National River	500,000
	Delayed Project Savings	-2,500,000
	Subtotal, Line Item Projects	30,940,000
	Acquisition Management	9,250,000
	Inholdings	2,500,000
	Emergencies and Hardships	2,500,000
	Total, NPS Land Acquisition	\$45,190,000
Assistance to States		
	Stateside conservation grants	\$19,000,000
	Administrative expenses	1,000,000
	Sub-total, NPS Assistance to States	20,000,000
	Rescission of prior year balances	-1,000,000
	Total, NPS Assistance to States	\$19,000,000

The Service is directed to submit the proposed allocation of the delayed project savings to the House and Senate Committees on Appropriations for approval.

URBAN PARKS AND RECREATION

Appropriation enacted, 2008	\$0
Budget estimate	-\$1,300,000
Bill, 2009	-1,300,000
Comparisons:	
Appropriations, 2008	-1,300,000
Budget estimate, 2009	0

The bill rescinds \$1,300,000, as requested, from prior year balances in the Urban Parks and Recreation Fund.

ADMINISTRATIVE PROVISIONS

The bill continues administrative provisions applicable to the National Park Service and adds two new provisions. The first new provision provides for the retention for administrative purposes of up to 3 percent of new funding for state Land and Water Conservation Fund grants authorized by Public Law 109-432. The second new proviso extends the authorization for the National Park Service Advisory Board for one year.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

Appropriation enacted, 2008	\$1,006,480,000
Budget estimate	968,516,000
Bill, 2009	1,043,803,000

Comparisons:

Appropriations, 2008	+37,323,000
Budget estimate, 2009	+75,287,000

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. The bill includes the proposed global change research technical adjustments which move funds from several activities into the global change activity. The proposed reductions for travel are not included for any activity. In addition, the bill also includes the following specific funding levels and directions:

Geographic Research and Remote Sensing.—The bill includes \$1,000,000 for the national cooperative geographic information system mapping program but does not include the funding increase requested for the national land imaging program. The bill includes the requested reduction for geographic research and the transfer of priority ecosystems science funding to biological research. The bill fully funds the budget request of \$24,150,000 for the Landsat Data Continuity Mission and \$16,000,000 to continue the Landsat 5/7 program. Satellite development and launch costs associated with future US Geological Survey (USGS) land remote sensing operations should not be transferred from the National Aeronautics and Space Administration (NASA) to the Department of the Interior (DOI). These are functions that are not a component of current DOI operations but clearly fall within NASA's jurisdiction. Until a new plan for future land imaging and remote sensing coordination is drawn up that evaluates how satellite development, launch and operations should be funded, DOI should not undertake any action that attempts to assume the funding responsibilities that have traditionally been a part of the NASA budget.

Geologic Hazards Assessments.—The bill includes \$3,000,000 for the earthquakes portion of the multi-hazards initiative and \$500,000 for the one-time costs of seismological equipment at the Arkansas Seismological Observatory, but the requested reduction for earthquake grants is not included. There is a general increase of \$2,000,000 for volcano hazards research. The Survey should evaluate ongoing needs for important volcano research and monitoring in active areas, such as Hawaii, Yellowstone, the Cascades and Alaska, where the USGS maintains observatories. The bill also includes a \$1,500,000 increase for the global seismographic network.

Geologic Landscapes and Coastal Assessments.—The bill does not include the funds requested for the water census. The Administration should revisit that issue and consider resubmitting a more integrated program request in the next budget cycle. The bill moves funds for priority ecosystems science from earth surface dynamics to biological research as requested, and provides \$750,000 for Great Lakes region geological mapping within the National cooperative geologic mapping subactivity. The bill includes \$3,000,000 for extended continental shelf mapping in the Arctic Ocean, a total of \$1,000,000 for the ocean action plan coastal geology effort, and \$500,000 for California sea floor mapping.

Geologic Resources Assessments.—The bill provides the fiscal year 2008 funding level for the minerals resources activities and assessments and includes \$650,000 to initiate a minerals resource assess-

ment of federal lands in Nye County, Nevada, in collaboration with the University of Nevada, Las Vegas and the Nevada Bureau of Mines and Geology. The Survey's April 2008 petroleum resource assessment of the Bakken Formation was an important benchmark to further our nation's energy security. The Survey is strongly encouraged to expedite its efforts to conduct further applicable assessments or make additional data publicly available that can demonstrate the full range of energy resources in the stratigraphic sequences surrounding the Bakken Formation.

Ground Water Resources.—The bill does not provide funding for the Water for America initiative but it does include a \$500,000 general increase and \$900,000 for San Diego, CA, aquifer mapping. Although funding is not provided for new aspects of the Water for America initiative, the importance of this work is recognized and future budgets should consider a more integrated program request for this work.

National Water Quality Assessment.—The bill does not include the large reduction requested for this vital program.

Toxic Substances Hydrology.—As requested, the bill transfers funds for priority ecosystems science to the biological research program. In disagreement with the budget request, the bill continues funding for amphibian research and monitoring but moves that amount to biological research where the work will be accomplished.

Hydrologic Research & Development.—The bill provides \$270,000 to continue the Hood Canal, WA dissolved oxygen study, \$295,000 to maintain the San Pedro River partnership, AZ, \$400,000 for the Long Term Estuary Assessment Group, LA, and \$500,000 to continue work pursuant to the US-Mexico Transboundary Aquifer Assessment Act.

National Streamflow Information Program.—The bill does not include funds for the Water for America initiative but does include a general increase of \$2,000,000 for the stream gage program.

Hydrologic Networks and Analysis.—The bill maintains the fiscal year 2008 funding level for the ocean action plan in this sub-activity, provides \$497,000 to continue the Lake Champlain basin toxic materials study and \$500,000 to maintain Hawaii water resources monitoring activities. The Survey is encouraged to evaluate the need for selenium studies in Colorado and, to the extent possible, incorporate that work into other ongoing hydrologic research in the area.

Biological Research.—The bill includes the following: a total of \$750,000 for the Healthy Lands Initiative; the requested funds for priority ecosystems science; the fiscal year 2008 level for Pacific Northwest forest biology; \$650,000 for contaminant and endocrine biology research; \$200,000 for the science excellence program with the Fish and Wildlife Service; \$500,000 to maintain the San Francisco, CA salt ponds restoration science; \$800,000 to maintain the Leetown, WV molecular biology effort; \$750,000 to maintain amphibian research and monitoring; a \$1,000,000 increase for Great Lakes biological sciences; and a total of \$5,000,000 for National Biological Information Infrastructure. The Survey is encouraged to provide full support for the southern sea otter science and monitoring effort.

Facilities.—The bill provides the budget request, plus an additional \$4,000,000 for the deferred maintenance and capital improvement activity to continue the on-going project begun last year.

Global Climate Change Research.—The bill includes all of the internal funding transfers recommended by the Survey in order to establish this new budget activity, and an increase of \$14,045,000 above the total request. Within the amounts provided, \$10,000,000 is for the National Global Warming and Wildlife Science Center and at least \$3,000,000 is to implement required geological and biological carbon sequestration studies as required by sections 711, 712 and 714 of the Energy Independence and Security Act of 2007.

The National Global Warming and Wildlife Science Center funding includes \$2,500,000 to complete establishment of the Center. Additionally, the funding allows the Center to develop mechanisms that will ensure that it is responsive to the research and management needs of Federal and State agencies regarding the impacts of global warming on fish, wildlife, plants and ecological processes and the mechanisms for adaptation to, mitigation of, or prevention of those impacts. The recommendation also includes \$7,500,000 for the Center to fund research projects, including use of external and independent scientific peer review, to address the needs of resource management agencies and the American public through greatly accelerated global warming research and through development of decision support tools.

The Secretary, with the assistance of the USGS National Climate Change and Wildlife Science Center and a science advisory board, including members recommended by the National Academy of Sciences, should initiate development of a national strategy to assist fish, wildlife, plants, and associated ecological processes in becoming more resilient, adapting to, and surviving the impacts of climate change. In developing this national framework for flora and fauna conservation in a changing climate, the Secretary should consult with other Federal agencies, State fish, wildlife and conservation data agencies, Territories, Tribes, scientists, and stakeholders, and the Secretary should provide the public with notice and opportunity for comment.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

Appropriation enacted, 2008	\$154,750,000
Budget estimate	154,270,000
Bill, 2009	157,373,000
Comparisons:	
Appropriations, 2008	+2,623,000
Budget estimate, 2009	+3,103,000

The detailed allocation of funding by program and activity is included in the table at the end of this section of the statement. The bill incorporates the requested increases for the leasing and environmental, resource and evaluation, regulatory, compliance and asset management, and revenue and operations programs. These increases are largely offset by savings from the delays in the OCS-connect project. The proposed reductions for travel are not included for any activity. In addition, the bill also includes the following specific funding levels and directions:

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

National Park Service	Land Acquisition	WI	Ice Age National Scenic Trail	\$1,000,000	Kohl	Baldwin, Tammy; Petri, Thomas E.; Obey, David R.
National Park Service	Land Acquisition	WV	Gauley River National Recreation Area	\$780,000	Byrd	
National Park Service	Land Acquisition	WV	Harper's Ferry National Historic Park	\$2,000,000	Byrd	
National Park Service	Land Acquisition	WV	New River Gorge National River	\$500,000	Byrd	
U.S. Geological Survey	Surveys, Investigations & Research	AR	Arkansas Seismological Observatory	\$500,000	Lincoln, Pryor	Snyder, Vic
U.S. Geological Survey	Surveys, Investigations & Research	AZ	Upper San Pedro River Monitoring and Reporting	\$295,000		Giffords, Gabrielle
U.S. Geological Survey	Surveys, Investigations & Research	CA	CA seafloor mapping	\$500,000	Feinstein	
U.S. Geological Survey	Surveys, Investigations & Research	CA	Salt Ponds restoration	\$500,000	Feinstein, Boxer	Honda, Michael M.; Lofgren, Zoe
U.S. Geological Survey	Surveys, Investigations & Research	CA	San Diego Formation aquifer mapping	\$900,000	Feinstein	Filner, Bob; Davis, Susan A.
U.S. Geological Survey	Surveys, Investigations & Research	HI	Well monitoring and water assessments	\$500,000	Inouye, Akaka	
U.S. Geological Survey	Surveys, Investigations & Research	LA	Long Term Estuary Assessments Group	\$400,000	Landrieu, Vitter	Melancon, Charlie; Jefferson, William J.; Alexander, Rodney
U.S. Geological Survey	Surveys, Investigations & Research	NM	US-Mexico Transboundary Aquifer Assessment	\$500,000	Bingaman	Pastor, Ed; Grijalva, Raúl M.; Pearce, Stevan
U.S. Geological Survey	Surveys, Investigations & Research	NV	Nye County, NV, mineral assessment	\$650,000	Reid, Ensign	
U.S. Geological Survey	Surveys, Investigations & Research	VT	Lake Champlain monitoring	\$497,000	Leahy	
U.S. Geological Survey	Surveys, Investigations & Research	WA	Hood Canal Dissolved Oxygen Study	\$270,000		Dicks, Norman D.
U.S. Geological Survey	Surveys, Investigations & Research	WV	Leetown Science Center, molecular biology	\$800,000	Byrd	