

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.

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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.

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the training and employment of people with disabilities, \$26,679,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral and multilateral technical assistance and other international labor activities, \$313,871,000, of which \$86,074,000 is for the Bureau of International Labor Affairs (including \$6,500,000 to implement model programs to address worker rights issues through technical assistance in countries with which the United States has trade preference programs), and of which \$21,286,000 is for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs, which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy; together with not to exceed \$327,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

OFFICE OF JOB CORPS

To carry out subtitle C of title I of the Workforce Investment Act of 1998, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; \$1,683,938,000, plus reimbursements, as follows:

(1) \$1,540,276,000 for Job Corps Operations, of which \$949,276,000 shall be available for obligation for the period July 1, 2009 through June 30, 2010 and of which \$591,000,000 shall be available for obligation for the period October 1, 2009 through June 30, 2010;

(2) \$115,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, of which \$15,000,000 shall be available for the period July 1, 2009 through June 30, 2012 and \$100,000,000 shall be available for the period October 1, 2009 through June 30, 2012; and

(3) \$28,662,000 for necessary expenses of the Office of Job Corps shall be available for obligation for the period October 1, 2008 through September 30, 2009:

Provided, That the Office of Job Corps shall have contracting authority: *Provided further*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed \$205,468,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100-4113, 4211-4215, and 4321-4327, and Public Law 103-353, and which shall

[House Appropriations Committee Print]

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

**DIVISION F—DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES, AND EDU-
CATION, AND RELATED AGENCIES APPRO-
PRIATIONS ACT, 2009**

MSHA is directed to provide a report to the Committees on Appropriations of the House of Representatives and the Senate, no later than May 1, 2009, on staffing and budget resources expended or planned for fiscal years 2008 and 2009; findings and recommendations of audits conducted to date; and the status of all corrective actions recommended.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

The bill includes \$597,182,000 for the Bureau of Labor Statistics (BLS), which is \$52,381,000 above the fiscal year 2008 funding level and \$4,376,000 above the budget request.

The increase above the request for Employment and Unemployment Statistics is provided for BLS to maintain the American Time Use Survey.

The increase above the request for Compensation and Working Conditions is intended to strengthen the current examination of the differences between workers' compensation and BLS survey data, better understand employer injury and illness recording practices, and conduct a pilot study using multiple data sources to capture injury and illness data. BLS shall provide a letter report on its current and planned activities in this area to the Committees on Appropriations of the House of Representatives and the Senate not later than 90 days after enactment of this Act.

The bill provides that \$1,500,000 may be used for the Mass Lay-off Statistics Program. These resources, together with \$3,500,000 to be contributed from the Employment and Training Administration, are sufficient to continue this program.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

The bill includes \$26,679,000 for the Office of Disability Employment Policy (ODEP), which is the same as the fiscal year 2008 funding level and \$14,238,000 above the budget request. No less than 80 percent of these funds shall be used to design and implement research and technical assistance grants and contracts to develop policies that reduce barriers to employment for youth and adults with disabilities. Within the funds provided, \$500,000 shall be used to expand a structured internship program for undergraduate college students with disabilities.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The bill includes \$314,198,000 for Departmental Management, which is \$20,246,000 above the fiscal year 2008 funding level and \$50,715,000 above the budget request.

International Labor Affairs Bureau

The bill includes \$86,074,000 for the International Labor Affairs Bureau (ILAB). The detailed table below and accompanying statement language establish the allocation of these funds. The Depart-

ment may propose adjustments to this allocation through the transfer and reprogramming guidance provided by this Act, which include requirements for advance notification of the Committees on Appropriations of the House of Representatives and the Senate.

Budget Activity	FY 2009 Bill	FY 2009 Bill compared to—	
		FY 2008	FY 2009 Budget Request
ILO-IPEC contribution	\$39,260,000	+\$3,000,000	+\$39,260,000
Basic Grants	20,000,000	-1,750,000	+20,000,000
Promotion of worker rights in countries with trade preference programs	6,500,000	+1,777,000	+6,500,000
Research, policy, reporting and administration	20,314,000	+1,972,000	+5,492,000

ILAB shall use \$39,260,000 for the United States' contribution to expand on the successful efforts of the International Labor Organization's (ILO) International Program for the Elimination of Child Labor (IPEC). ILAB shall ensure that these funds are spent effectively in the effort to reduce the worst forms of child labor.

The bill also provides \$20,000,000 to continue the program of basic education grants in countries where the growing number of children removed from abusive and exploitative child labor need access to basic education. The Department shall continue to work with the governments of host countries to eliminate school fees that create a barrier to education.

The bill also provides \$6,500,000 to continue support for the implementation of model programs designed to address worker rights in countries with which the United States has trade preference programs. Within this amount, \$2,500,000 is included to expand the existing cooperative agreement for the development of an effective system of monitoring and transparent public reporting on the adherence to, and enforcement of, worker rights in the Republic of Haiti. These additional funds will allow the implementation of an effective monitoring program in factories, including the training of labor inspectors, and reflect the support for a multi-year funding commitment to improve the working conditions in Haiti's garment industry and increase compliance with core international labor standards. Cost sharing from Haiti shall continue to support this effort.

Within the funds provided for research, policy, reporting and administration, sufficient funds are included to expand the competitively awarded contract for oversight of public and private initiatives to eliminate the worst forms of child labor in the cocoa sector in Cote d'Ivoire and Ghana. These funds are intended to support the assessment of the implementation of the child labor monitoring system by industry covering 100 percent of the cocoa growing areas in Cote d'Ivoire and Ghana and other objectives of the current contract where full assessment has not been possible due to the delay in the implementation of a transparent certification system. These funds will support continued annual reporting through 2010, which should include a programmatic review of industry and national government efforts to remediate the worst forms of child labor and adult forced labor in the cocoa supply chain. The review should also include recommendations for the frequency of data collection needed in the field to accurately report on the incidence of the worst

forms of child labor and adult forced labor in order to measure the decline over time of these abusive labor practices.

Also within research, policy, reporting and administration, not more than \$1,500,000 shall be available for research activities authorized by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, as proposed in the budget request.

Sufficient funding within research, policy, reporting and administration also is included for the effective oversight, monitoring, audit and evaluation of ILAB's project portfolio to ensure that taxpayer dollars are well spent in the effort to eliminate exploitive child labor, increase respect for and compliance with the fundamental rights of workers, and meet ILAB's other mandates and responsibilities. ILAB shall ensure that funding in this bill is spent effectively in carrying out its mission and achieving its performance goals and objectives.

Legal Services

The Office of the Solicitor shall support no less than an increase of five full-time equivalents for enforcement support for the Mine Safety and Health Administration.

Women's Bureau

Within the funds provided for the Women's Bureau are sufficient resources for the expansion of a competitive award designed to support local women's employment and training programs throughout the United States. These funds shall be used to continue to support technical assistance, online and toll-free referral services, and other activities that advance unemployed and underemployed women in the workforce.

Minority unemployment

The Secretary of Labor shall provide a report to the Committees on Appropriations of the House of Representatives and the Senate by July 1, 2009 detailing the actions that the Department will take under existing authorities to ensure that its programs and policies are oriented to reduce the disparities in unemployment rates across racial and ethnic groups.

Greenhouse gas emissions

The Secretary of Labor is directed to provide the Committees on Appropriations of the House of Representatives and the Senate a detailed inventory of the Department's greenhouse gas emissions, and a plan to reduce these emissions, by December 31, 2009.

OFFICE OF JOB CORPS

The bill provides \$1,683,938,000 for the Office of Job Corps, which is \$73,432,000 above the fiscal year 2008 funding level and \$119,239,000 above the budget request.

The funds provided for Job Corps Operations are intended to support the operations of the 122 current Job Corps centers, as well as allow two new centers, in Florida and Wisconsin, to begin operations, as scheduled, in program year 2009. The Department also should work to reverse the erosion in training offerings that has occurred over the past two years. In restoring career training

Department of Education—National Projects	Special Education	Washington Educational Television Association for a national program to provide information on diagnosis, intervention, and teaching strategies for children with disabilities authorized under Public Law 105-78	\$737,000		Cochran
Department of Education—National Projects	Special Education	Special Olympics for Special Olympics educational programs that can be integrated into classroom instruction and for activities to increase the participation of individuals with intellectual disabilities, as authorized under the Special Olympics Sport and Empowerment Act	\$8,095,000	DeLauro, Rosa L.; Honda, Michael M.; Hoyer, Steny H.; Price, David E.; Terry, Lee	Harkin, Craig, Ben Nelson
Department of Health & Human Services—National Projects	ACF	National Association of Child Care Resources and Referral Agencies for the Child Care Aware toll-free hotline authorized under the Child Care Development Block Grant Act	\$1,000,000	Moran, James	
Department of Health & Human Services—National Projects	HRSA	Native Hawaiian Health Care to provide primary health promotion and disease prevention services to Native Hawaiians through regional clinics under the Native Hawaiian Health Care Act of 1988	\$14,200,000	Abercrombie, Neil; Hirono, Mazie K.; Honda, Michael M.	Inouye, Akaka
Department of HHS—National Projects	HRSA	Delta Health Alliance, Inc. to improve the delivery of public health services in the Mississippi Delta region under title III of the Public Health Service Act	\$26,000,000		Cochran
Department of HHS—National Projects	HRSA	Denali Commission to support health projects and economic development activities for the arctic region under the Denali Commission Act of 1998	\$19,642,000		Murkowski
Department of Labor—National Projects	Departmental Management	International Program for the Elimination of Child Labor for the U.S. contribution to a multinational effort to combat child labor, consistent with Executive Order 12216 and the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008	\$39,260,000		Harkin
Department of Labor—National Projects	ETA	Denali Commission for job training activities under the Denali Commission Act of 1998	\$3,378,000		Murkowski
Department of Labor—National Projects	OSHA	Institutional Competency Grants under the Susan Harwood Training Program authorized under the Occupational Safety and Health Act	\$3,144,000	Miller, George	Harkin; Specter