

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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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.

September 30, 2010, for academic year 2009–2010: *Provided*, That \$13,250,000 shall be for Recording for the Blind and Dyslexic, Inc., to support the development, production, and circulation of recorded educational materials: *Provided further*, That \$737,000 shall be for the recipient of funds provided by Public Law 105–78 under section 687(b)(2)(G) of the IDEA (as in effect prior to the enactment of the Individuals with Disabilities Education Improvement Act of 2004) to provide information on diagnosis, intervention, and teaching strategies for children with disabilities: *Provided further*, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2008, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percentage increase in the funds appropriated under section 611(i) of the IDEA: *Provided further*, That funds made available for the Special Olympics Sport and Empowerment Act of 2004 may be used to support expenses associated with the Special Olympics National and World games hosted in the United States.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, \$3,387,762,000: *Provided*, That \$3,088,000 shall be used for the projects, and in the amounts, specified under the heading “Rehabilitation Services and Disability Research” in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, \$22,599,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, \$64,212,000, of which \$1,175,000 shall be for construction and shall remain available until expended: *Provided*, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, \$124,000,000, of which \$6,000,000 shall be for construction and shall remain available until expended: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006, the

[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**

ference of State Legislatures. The bill also includes \$13,383,000 for the Cooperative Education Exchange program.

ENGLISH LANGUAGE ACQUISITION

The bill includes \$730,000,000 for the English Language Acquisition account, which is \$29,605,000 above the fiscal year 2008 funding level and the same as the budget request.

In the event a State experiences a drastic fluctuation in the estimated number of limited-English-proficient and immigrant children in a given year, as estimated by the American Community Survey (ACS), such that the fluctuation would result in a 10 percent or greater decrease in the State's title III allotment from the previous fiscal year, the Department shall determine the affected State's allocation using an average of the most recent 3 years of data (based on the ACS) for the number of limited-English-proficient and immigrant children residing in such State.

SPECIAL EDUCATION

The bill includes \$12,579,677,000 for the Special Education account, which is \$585,994,000 above the fiscal year 2008 funding level and \$243,734,000 above the budget request. The bill provides \$3,987,294,000 in fiscal year 2009 and \$8,592,383,000 in fiscal year 2010 funding for this account.

The bill includes \$38,615,000 for Technology and Media Services. Within this amount, \$737,000 is available for the Reading Rockets program, administered by the Greater Washington Educational Television Association. Also within this amount, the bill specifies \$13,250,000 for Recording for the Blind and Dyslexic, Inc., to support the development, production, and circulation of recorded educational materials.

The bill includes a new provision to allow funds to be used to support National and World Special Olympics games hosted in the United States. Further, Special Olympics International should use a portion of this funding to support the 2010 National Games being held in Nebraska.

Additional funds provided for Parent Information Centers should be used to increase the grant awards of Parent Information Centers that did not receive an increase in their awards from the 2008 appropriation, to enable all centers to better meet the training and information needs of parents of children with disabilities.

REHABILITATION SERVICES AND DISABILITY RESEARCH

The bill includes \$3,387,762,000 for the Rehabilitation Services and Disability Research account, which is \$110,995,000 above the fiscal year 2008 funding level and \$68,906,000 above the budget request.

Demonstration and training programs

The bill includes \$9,594,000 for Demonstration and Training Programs; within this amount \$3,088,000 shall be for the following projects in the following amounts:

Project	Amount
Access Living, Chicago, IL for a program to assist disabled veterans with reintegrating into society.....	95,000
Adelphi University, Garden City, NY for assessments, training and intervention for individuals with complex communication needs, which may include equipment.....	262,000
Alaska Adaptive Recreation Alliance, Anchorage, AK, for programs to provide adaptive and therapeutic recreation to disabled in Alaska.....	571,000
Alaska Statewide Independent Living Council, Anchorage, AK, for independent living programs for rural and remote areas.....	285,000
Arc of New London County, Norwich, CT, for adult vocational training.....	238,000
Best Buddies Maryland, Baltimore, MD for mentoring programs for persons with intellectual disabilities.....	190,000
Bethany College, Bethany, WV for the Autism Center and Sensory Classroom in the Hurf Education Center.....	81,000
Cumberland Perry Association for Retarded Citizens, Carlisle, PA, to support educational programming for young adults with disabilities.....	95,000
Enable America, Inc., Tampa, Florida, for civic/citizenship demonstration project for disabled adults.....	571,000
Jewish Foundation for Group Homes, Rockville, MD for transitional services for young adults with developmental disabilities.....	143,000
Lighthouse International, New York, NY for online accessible interactive lessons for health care providers who work with individuals with visual impairments.....	176,000
Southern Illinois University, Carbondale, IL for a program for disabled veterans, including education, counseling, and therapy, which may include scholarships and research.....	381,000

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Within the funds provided for Assistive Technology, the bill includes \$25,660,000 for State grants, \$4,300,000 for Protection and Advocacy, and \$1,000,000 for National activities.

The bill specifies \$107,741,000 for the National Institute on Disability and Rehabilitation Research (NIDRR). The increased funding should be used to restore the number of rehabilitation research and training centers focusing on the issues of traumatic brain injury, arthritis, neuromuscular disease and spinal cord injury. NIDRR shall award these funds on a competitive basis.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

The bill includes \$22,599,000 for the American Printing House for the Blind, which is \$983,000 above the fiscal year 2008 funding level and the budget request.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

The bill includes \$64,212,000 for the National Technical Institute for the Deaf, which is \$4,517,000 above the fiscal year 2008 funding level and \$5,017,000 above the budget request.

GALLAUDET UNIVERSITY

The bill includes \$124,000,000 for Gallaudet University, which is \$10,616,000 above the fiscal year 2008 funding level and \$4,616,000 above the budget request. The bill designates \$6,000,000 of this amount for construction and provides that the funds are available until expended.

CAREER, TECHNICAL, AND ADULT EDUCATION

The bill includes \$1,944,348,000 for the Career, Technical, and Adult Education account, which is \$2,706,000 above the fiscal year 2008 funding level and \$1,369,758,000 above the budget request. The bill provides \$1,153,348,000 in fiscal year 2009 funding, of which \$1,148,948,000 is available on July 1, 2009 and \$4,400,000 is available on October 1, 2008. The bill also makes \$791,000,000 available on October 1, 2009.

For Adult Education, National Leadership Activities, the Department is directed to submit a report to the Committees on Appropriations of the House of Representatives and the Senate prior to the formal release of any contracting opportunity for USA Learns, which details any cost savings that could be achieved by using commercially-available English language training technologies or solutions along with full justification of any decision to expend funds that might duplicate existing training materials.

For Smaller Learning Communities, the Department is required to use program funds only for activities related to establishing Smaller Learning Communities within large high schools or small high schools that provide alternatives for students enrolled in large high schools. Further, the Department shall consult with the Committees on Appropriations of the House of Representatives and the Senate prior to the release of program guidance for fiscal years 2008 and 2009. Finally, the Department shall submit an operating

Department of Education	Higher Education (includes FIPSE)	Wheelock College, Boston, MA, for continued development of science programs for K-12 teachers	\$95,000		Kennedy; Kerry
Department of Education	Higher Education (includes FIPSE)	White Mountains Community College, Berlin, NH for the commercial driver license training program, which may include equipment	\$243,000	Hodes, Paul W.	
Department of Education	Higher Education (includes FIPSE)	Wildlife Conservation Society, Bronx, NY for recruitment and training of science teachers, which may include curriculum development and scholarships	\$143,000	Serrano, José; Lowey, Nita M.	Schumer
Department of Education	Higher Education (includes FIPSE)	William Jewell College, Liberty, MO, for purchase of equipment	\$190,000	Graves, Sam	
Department of Education	Higher Education (includes FIPSE)	Wilson College, Chambersburg, PA, for science laboratory equipment acquisition	\$95,000		Specter
Department of Education	Higher Education (includes FIPSE)	Wisconsin Association of Independent Colleges and Universities, Madison, WI, for consolidated administrative support functions for independent colleges and universities	\$285,000	Petri, Thomas E.	Kohl
Department of Education	Higher Education (includes FIPSE)	Wofford College, Spartanburg, SC, for technology upgrades, including the purchase of equipment	\$285,000		Graham
Department of Education	Higher Education (includes FIPSE)	Year Up Providence, Providence, RI, for a bridge to career and college program	\$571,000		Reed
Department of Education	Higher Education (includes FIPSE)	Zane State College, Zanesville, OH for curriculum development, which may include equipment	\$200,000	Space, Zachary T.	Brown; Voinovich
Department of Education	Rehabilitation Services & Disability Research	Access Living, Chicago, IL for a program to assist disabled veterans with reintegrating into society	\$95,000	Schakowsky, Janice D.	
Department of Education	Rehabilitation Services & Disability Research	Adelphi University, Garden City, NY for assessments, training and intervention for individuals with complex communication needs, which may include equipment	\$262,000	McCarthy, Carolyn	Schumer
Department of Education	Rehabilitation Services & Disability Research	Alaska Adaptive Recreation Alliance, Anchorage, AK, for programs to provide adaptive and therapeutic recreation to disabled in Alaska	\$571,000		Murkowski

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION—Continued

Agency	Account	Project	Amount	Requester(s)	
				House	Senate
Department of Education	Rehabilitation Services & Disability Research	Alaska Statewide Independent Living Council, Anchorage, AK, for independent living programs for rural and remote areas	\$285,000		Murkowski
Department of Education	Rehabilitation Services & Disability Research	Arc of New London County, Norwich, CT, for adult vocational training	\$238,000		Dodd; Lieberman
Department of Education	Rehabilitation Services & Disability Research	Best Buddies Maryland, Baltimore, MD for mentoring programs for persons with intellectual disabilities	\$190,000	Hoyer, Steny H.	
Department of Education	Rehabilitation Services & Disability Research	Bethany College, Bethany, WV for the Autism Center and Sensory Classroom in the Hurl Education Center	\$81,000	Mollohan, Alan B.	
Department of Education	Rehabilitation Services & Disability Research	Cumberland Perry Association for Retarded Citizens, Carlisle, PA, to support educational programming for young adults with disabilities	\$95,000		Specter
Department of Education	Rehabilitation Services & Disability Research	Enable America, Inc., Tampa, Florida, for civic/citizenship demonstration project for disabled adults	\$571,000		Harkin
Department of Education	Rehabilitation Services & Disability Research	Jewish Foundation for Group Homes, Rockville, MD for transitional services for young adults with developmental disabilities	\$143,000	Van Hollen, Chris	
Department of Education	Rehabilitation Services & Disability Research	Lighthouse International, New York, NY for online accessible interactive lessons for health care providers who work with individuals with visual impairments	\$176,000	Maloney, Carolyn B.	Schumer
Department of Education	Rehabilitation Services & Disability Research	Southern Illinois University, Carbondale, IL for a program for disabled veterans, including education, counseling, and therapy, which may include scholarships and research	\$381,000	Costello, Jerry F.	
Department of Health & Human Services	Administration for Children and Families (ACF)—Child Abuse Prevention	Addison County Parent/Child Center, Middlebury, Vermont, to support and expand parental education activities	\$238,000		Sanders