

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.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Statement of appropriations.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG
ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2009

- Title I—Agricultural Programs
- Title II—Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V—Foreign Assistance and Related Programs
- Title VI—Related Agency and Food and Drug Administration
- Title VII—General Provisions

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES
APPROPRIATIONS ACT, 2009

- Title I—Department of Commerce
- Title II—Department of Justice
- Title III—Science
- Title IV—Related Agencies
- Title V—General Provisions

DIVISION C—ENERGY AND WATER DEVELOPMENT AND RELATED
AGENCIES APPROPRIATIONS ACT, 2009

- Title I—Department of Defense—Civil: Department of the Army
- Title II—Department of the Interior
- Title III—Department of Energy
- Title IV—Independent Agencies
- Title V—General Provisions

DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT
APPROPRIATIONS ACT, 2009

- Title I—Department of the Treasury
- Title II—Executive Office of the President and Funds Appropriated to the President
- Title III—The Judiciary
- Title IV—District of Columbia
- Title V—Independent Agencies

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$29,825,000: *Provided*, That within the amounts appropriated, \$825,000 shall be used for the projects, and in the amounts, specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$90,621,000, to remain available until September 30, 2010.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$233,588,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses to collect and publish statistics for periodic censuses and programs provided for by law, \$2,906,262,000, to remain available until September 30, 2010: *Provided*, That none of the funds provided in this or any other Act for any fiscal year may be used for the collection of census data on race identification that does not include “some other race” as a category: *Provided further*, That from amounts provided herein, funds may be used for additional promotion, outreach, and marketing activities: *Provided further*, That none of the funds made available in this Act shall be used for the conduct of sweepstakes in the 2010 Decennial Census.

NATIONAL TELECOMMUNICATIONS AND INFORMATION
ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$19,218,000, to remain available until September 30, 2010: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and

[House Appropriations Committee Print]

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

**DIVISION B—COMMERCE, JUSTICE, SCIENCE,
AND RELATED AGENCIES APPROPRIATIONS
ACT, 2009**

lied upon to solve permanently staffing shortages. EDA is directed to provide quarterly reports on its progress in hiring of permanent FTE and processing levels, to the House and Senate Committees on Appropriations, with the first report to be delivered within 90 days of enactment of this Act.

Hawaii field office.—EDA is strongly encouraged to increase staff support for this field office due to its exceptionally large geographic area.

Funding disbursements.—EDA is directed to allocate all funding, including supplemental and disaster funding, through the competitive, regional allocation process.

SALARIES AND EXPENSES

The bill includes \$32,800,000 for EDA salaries and expenses, \$1,968,000 above the budget request.

Current operational structure.—The bill fully funds the request for salaries and expenses appropriation, which provides adequate funding to begin filling vacancies within regional offices. EDA is directed to fill vacancies within regional offices prior to filling vacancies within headquarters. Continued commitment to the current operational structure, with six regional offices in Atlanta, Austin, Chicago, Denver, Philadelphia, and Seattle, is reiterated.

Transfer authority.—The bill includes language providing EDA with permissive transfer authority, not to exceed \$4,000,000, from EDA program grants, subject to the Section 505 limitations on transfers, for additional salaries and expenses for grant administration and management. EDA is also strongly encouraged to utilize retired EDA officials to address staffing needs on a volunteer basis.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The bill includes \$29,825,000 for the Minority Business Development Agency, which is \$1,202,000 above the budget request. Within the funds provided, existing Native American Business Development Centers are continued, and \$825,000 is provided for the following activities:

Minority Business Development Agency
Congressionally-designated Items
(\$ in thousands)

Recipient	Project	Location	Amount
Rural Enterprises of Oklahoma, Inc. (REI)	REI Business and Resource Center at Eastern Oklahoma State College	Durant, OK	175
Team NEO	Northeast Ohio Minority Business Attraction Initiative	Cleveland, Ohio	150
West Liberty State College	Emerging Minority Business Leaders	West Liberty, West Virginia	500

COMMERCE, JUSTICE, SCIENCE—Continued

Agency	Account	Recipient	Purpose	Location	Amount	Requester(s)	
						House	Senate
Department of Commerce	International Trade Administration	Textile/Clothing Technology Corporation [TC]	[TC]2 Textile Research	Cary, NC	\$1,000,000	Price, David E.; Aderholt, Robert B.	
Department of Commerce	International Trade Administration	Vermont Global Trade Partnership	to assist small businesses to participate in trade missions	Montpelier, VT	\$400,000		Leahy
Department of Commerce	Minority Business Development Agency	Rural Enterprises of Oklahoma, Inc. (REI)	REI Business and Resource Center at Eastern Oklahoma State College	Durant, OK	\$175,000	Boren, Dan	
Department of Commerce	Minority Business Development Agency	Team NEO	Northeast Ohio Minority Business Attraction Initiative	Cleveland, Ohio	\$150,000	Jones, Stephanie Tubbs	Brown
Department of Commerce	Minority Business Development Agency	West Liberty State College	Emerging Minority Business Leaders	West Liberty, West Virginia	\$500,000	Mollohan, Alan B.	
Department of Commerce	NIST—Construction of Research Facilities	Mississippi State University	for construction for a research and technology park	Starkville, MS	\$6,500,000	Pickering, Charles W. Chip	Cochran, Wicker
Department of Commerce	NIST—Construction of Research Facilities	The University of Mississippi Medical Center	for developing a biotechnology research park	Jackson, MS	\$6,500,000	Pickering, Charles W. Chip	Cochran, Wicker
Department of Commerce	NIST—Construction of Research Facilities	The University of Southern Mississippi	to create, develop, and commercialize new technology for advanced materials	Hattiesburg, MS	\$1,000,000		Cochran, Wicker