

111TH CONGRESS  
1ST SESSION

# H. R. 3293

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IN THE SENATE OF THE UNITED STATES

JULY 27, 2009

Received; read twice and referred to the Committee on Appropriations

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## AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 of the United States gifts of services and real, personal,  
2 or other property in the aid of any projects or functions  
3 within the Director's jurisdiction.

4 FEDERAL MINE SAFETY AND HEALTH REVIEW

5 COMMISSION

6 SALARIES AND EXPENSES

7 For expenses necessary for the Federal Mine Safety  
8 and Health Review Commission, \$9,858,000.

9 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

10 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

11 AND ADMINISTRATION

12 For carrying out the Museum and Library Services  
13 Act of 1996 and the National Museum of African Amer-  
14 ican History and Culture Act, \$275,688,000, of which  
15 \$10,132,000 shall be used for the projects, and in the  
16 amounts, specified under the heading "Office of Museum  
17 and Library Services: Grants and Administration" in the  
18 report of the Committee on Appropriations of the House  
19 of Representatives accompanying this Act.

20 MEDICARE PAYMENT ADVISORY COMMISSION

21 SALARIES AND EXPENSES

22 For expenses necessary to carry out section 1805 of  
23 the Social Security Act, \$11,800,000, to be transferred to  
24 this appropriation from the Federal Hospital Insurance

111TH CONGRESS  
*1st Session*

HOUSE OF REPRESENTATIVES

REPORT  
111-220

DEPARTMENTS OF LABOR, HEALTH AND  
HUMAN SERVICES, AND EDUCATION, AND  
RELATED AGENCIES APPROPRIATIONS  
BILL, 2010

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R E P O R T

OF THE

COMMITTEE ON APPROPRIATIONS

together with

MINORITY VIEWS

[TO ACCOMPANY H.R. 3293]



JULY 22, 2009.—Committed to the Committee of the Whole House on  
the State of the Union and ordered to be printed

In recent years there has been a significant increase in the number of new cases brought before ALJs for review, more than doubling in one year from 4,100 in fiscal year 2007 to almost 9,000 in fiscal year 2008. The Committee is concerned that this increasing workload has resulted in a significant increase in cases pending, with cases pending at the beginning of the year expected to increase from just over 4,000 in fiscal 2008 to over 15,000 in fiscal year 2010. The Committee provides the full amount of the request to allow the Commission to hire additional ALJs and support staff. In addition, the Committee requests that the Commission include in its fiscal year 2011 Congressional budget justification information on how it plans to handle this increase in new cases while keeping the pending workload at a reasonable level.

INSTITUTE FOR MUSEUM AND LIBRARY SERVICES  
OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND  
ADMINISTRATION

The Committee provides \$275,688,000 for the Institute of Museum and Library Services (IMLS), which is \$848,000 above the fiscal year 2009 funding level and \$10,132,000 above the budget request.

IMLS, created in 1996 by the Museum and Library Services Act, provides support for museums and libraries to provide broad and equitable access to high-quality knowledge resources by administering the Library Services and Technology Act and the Museum Services Act. Within the total for IMLS, the Committee recommends the following amounts:

Budget activity	FY 2010 Committee	2009 Committee compared to—	
		FY 2009	FY 2010 Budget request
Library Services Technology Act (LSTA):			
Grants to States .....	\$172,561,000	+\$1,061,000	+\$204,000
Native American Library Services .....	3,717,000	0	-19,000
National Leadership: Libraries .....	12,437,000	0	-62,000
Laura Bush 21st Century Librarian .....	24,525,000	0	-123,000
Museum Services Act:			
Museums for America .....	19,176,000	0	-96,000
Museum Assessment Program .....	460,000	0	-2,000
21st Century Museum Professionals .....	1,280,000	0	-6,000
Conservation Project Support .....	3,052,000	0	-15,000
Conservation Assessment Program .....	803,000	0	-4,000
Native American/Hawaiian Museum Services .....	945,000	0	-5,000
National Leadership: Museums .....	7,981,000	0	-40,000
African American History and Culture Act:			
Museum Grants for African American History & Culture	1,485,000	+175,000	+168,000

*Library Services and Technology*

The Grants to State Library Agencies program provides funds to State Library Administrative Agencies using a population-based formula. The Committee recommendation ensures that all States receive a minimum funding level of \$680,000 provided for in the Library Services and Technology Act reauthorization, while ensuring that additional funds are distributed based on an equitable population based formula.

Native American/Native Hawaiian Library Services Grants support improved access to library services for Native Americans, Alaska Native Villages, and Native Hawaiians.

The National Leadership Grants for Libraries support cutting-edge projects to enhance library services nationwide by providing grants that enable libraries to address current problems in creative ways, develop and test innovative solutions, and expand the boundaries within which libraries operate.

The Laura Bush 21st Century Librarian Program builds the professional capacity of libraries by improving staff knowledge and skills, supporting recruitment and education efforts, and providing grants for research related to library education and library staffing needs.

#### *Museum Services*

Museums for America grants strengthen museums as active resources for lifelong learning and as community assets.

The Museum Assessment Program provides technical assistance to help institutions assess their strengths and weaknesses and create a plan for the future.

The 21st Century Museum Professionals program supports the preparation of museum professionals for the future by updating and expanding their knowledge and skills.

The Conservation Project Support program awards grants to help museums identify conservation needs and priorities and perform activities to ensure the safekeeping of their collections.

The Conservation Assessment Program assists small museums in laying the groundwork for effective collections management by providing professional assistance in analyzing all aspects of care, assessing current practices, and recommending actions to be taken.

Native American/Native Hawaiian Museum Services grants enable Native American tribes, Alaska Native villages or corporations, and organizations that primarily serve Native Hawaiians to benefit their communities and audiences through strengthened museum services.

National Leadership Grants for Museums support cutting-edge projects to enhance museum services nationwide by providing grants that enable museums to address current problems in creative ways, develop and test innovative solutions, and expand the boundaries within which museums operate.

#### *African American History and Culture*

Museum Grants for African American History and Culture build professional capacity in the African American museum community.

#### *Program Administration*

The Committee provides \$17,134,000 for Program Administration, which is \$217,000 above the fiscal year 2009 funding level and the same as the budget request. Program Administration funds provide administrative and management support for all programs administered by IMLS. Within the funds provided, the Committee includes funds for Policy, Research, and Statistics, including functions formerly conducted by the National Commission on Libraries and Information Science. This accommodates the directive in the

fiscal year 2003 reauthorization for IMLS to conduct and publish analyses of the impact of museum and library services.

The bill includes \$10,132,000 for the following projects in the following amounts:

Project	Committee recommendation
Aerospace Museum of California Foundation, Inc., McClellan, CA for maintenance of collections .....	\$930,000
Alameda County Library Foundation, Fremont, CA for technology and equipment for the Castro Calley Library .....	300,000
Botanical Research Institute of Texas, Ft. Worth, TX to enhance collections .....	500,000
Cedar Rapids Public Library, Cedar Rapids, IA for its flood recovery project .....	300,000
Center for American History, Austin, TX for educational programming at the Sam Rayburn Library and Museum .....	250,000
Children's Discovery Museum of San Jose, San Jose, CA for education programs .....	120,000
City of Chino Hills, CA for library facility improvements .....	250,000
City of Daphne, AL for library equipment .....	100,000
City of Desert Hot Springs, CA for preservation of collections at the Cabot's Pueblo Museum .....	100,000
City of San Diego, CA for books, technology, education and outreach programs for the Skyline Hills Branch Library .....	25,000
City of Twin Falls, ID to digitize collections .....	100,000
City of Yucaipa, CA for expanded library collections and technology upgrades .....	100,000
Downingtown Library Senior Center, Downingtown, PA to expand collections and for technology upgrades .....	350,000
Florida Holocaust Museum, St. Petersburg, FL for exhibits, collections and educational outreach programs .....	200,000
Gig Harbor History Museum, Gig Harbor, WA for exhibits and interactive displays .....	200,000
Glenville State College, Glenville, WV for programming and equipment for the college library's veteran's history project .....	350,000
Gulf Coast Exploreum Science Center, Mobile, AL for exhibits and educational outreach .....	100,000
Isamue Noguchi Foundation and Garden Museum, Long Island City, NY for conservation projects .....	30,000
Mississippi Museum of Natural Science Foundation, Jackson, MS for educational outreach programs .....	220,000
Morris Museum, Morristown, NJ for exhibits and educational programming .....	300,000
Museum of Aviation, Warner Robins, GA for science and educational programs .....	350,000
Museum of Science and Industry, Chicago, IL for teacher professional development .....	175,000
Mystic Seaport Museum, Inc., Mystic, CT for technology based educational programs .....	350,000
National Voting Rights Museum & Institute, Selma, AL for the preservation and restoration of exhibits .....	450,000
Native American Cultural Center and Museum, Oklahoma City, OK for exhibits and educational programming .....	750,000
New Jersey State Library for the Blind and Handicapped, Trenton, NJ for an awareness campaign and digital materials .....	100,000
Oakland Museum of California, Oakland, CA for a technology initiative for educational outreach .....	250,000
Orange County Library System, Orlando, FL for Spanish language media and books .....	500,000
Phoenixville Public Library, Phoenixville, PA to enhance collections .....	157,000
St. Louis Art Museum Foundation, St. Louis, MO for restoration and reinstallation of exhibits .....	225,000
Tallahatchie County Board of Supervisors, Glendora, MS for preservation of exhibits and collections for the Emmett Till memorial complex .....	400,000
Texas Southern University, Robert Terry Library and Mickey Leland Center, Houston, TX for archive preservation .....	300,000
Texas Tech University, Lubbock, TX for the Virtual Vietnam Archive .....	850,000
Theodore Roosevelt Inaugural Site Foundation, Buffalo, NY for exhibits and interactive displays .....	150,000
Town of Jamestown, Jamestown, CA for books and materials for the Jamestown County Library .....	100,000
Witte Museum, San Antonio, TX for exhibits and educational outreach .....	100,000
Young at Art Children's Museum, Davie, FL for the Global Village educational program .....	100,000

## MEDICARE PAYMENT ADVISORY COMMISSION

### SALARIES AND EXPENSES

The Committee recommends \$11,800,000 for the Medicare Payment Advisory Commission (MedPAC), which is \$397,000 above the fiscal year 2009 funding level and the same as the budget request. MedPAC advises Congress on payment and other policy issues affecting the Medicare program and on implications of changes in health care delivery and the market for health care services on the Medicare program.