

Amendment 3322 – Increases funding for education of children with disabilities by \$1,050,000 with funding provided by striking three unnecessary earmarks.

The Fiscal Year 2008 Labor/Health and Human Services/Education appropriations bill contains nearly 800 earmarks costing more than \$400 million. Many of these projects do little or nothing to advance the priorities of the Departments they are funded within and, as a result, siphon funding away from other programs.

There are numerous national health, education and labor needs that are of greater importance but lacking sufficient resources than the hundreds of the earmarks inserted by members of Congress throughout the bill.

The Individuals with Disabilities Education Act (IDEA) program, for example, provides federal funding to ensure that children with disabilities have the opportunity to receive appropriate public education, just like other children. IDEA guides how states and school districts provide special education and related services to more than six million eligible children with disabilities.

When IDEA passed in 1975, Congress understood that it was creating a law that would have increased financial impact at the state and local level and made a federal commitment to pay for the excess costs of educating a child with a disability. In the 32 year history of the Act, “the federal contribution has always fallen far short of the congressional commitment to fully fund IDEA.” As a result, local and state budgets have been forced to absorb the shortfall. According to the National Education Association (NEA) and other advocacy organizations, “IDEA appropriations still need a 130 percent increase before IDEA is fully funded.”¹

By contrast, no one outside of Washington, D.C., is claiming that Congress is not spending enough on earmarks. In fact, it is quite the contrary.

¹ The IDEA Funding Coalition. “IDEA Funding: Time for Congress to Live Up to the Commitment,” March, 2006, <http://www.nea.org/lac/idea/images/mandatory2006.pdf>

This amendment would simply help Congress keep the commitment made when it expanded federal involvement in special education with offsets from unnecessary earmarks.

Specifically, the amendment transfers \$1,050,000 from three earmarks— \$900,000 earmark for Lyndon Baines Johnson Foundation in Austin, Texas, for the Presidential timeline project; \$100,000 earmark for ECHO Center in Burlington, Vermont for education regarding the Lake Champlain Quadracentennial; and \$150,000 earmark for the Virginia Aquarium and Marine Science Center in Virginia Beach, Virginia, to expand its outreach programs—to IDEA special education programs.

Congress Should Fulfill Its Commitment to IDEA and Children with Disabilities

The Fiscal Year 2008 Department of Labor, Health and Human Services, Education, and Related Agencies Appropriation bill provides \$11.24 billion for special education grants to states under Part B of IDEA. This amendment would increase that amount by \$1,050,000.

IDEA governs how states and public agencies provide early intervention, special education and related services to more than 6.5 million eligible infants, toddlers, children, and youth with disabilities.²

An appropriate education provided by IDEA could consist of education in regular classes, education in regular classes with the use of supplementary services, or special education and related services in separate classrooms for all or portions of the school day. Special education may include specially designed instruction in classrooms, at home, or in private or public institutions, and may be accompanied by such related services as speech therapy, occupational and physical therapy, and psychological counseling and medical diagnostic services necessary to the child's education.³

² IDEA – Building the Legacy of IDEA 2004, <http://idea.ed.gov/>, accessed October 9 2007.

³ <http://www.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html>

Part B grants also support related services that are necessary for a child with a disability to participate in and benefit from the free appropriate education that IDEA guarantees. Examples of “related services” covered by IDEA include:

- transportation;
- developmental and corrective services;
- speech language pathology and audiology services;
- physical and occupational therapy;
- social work services; and
- school nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the individualized education program of the child.⁴

IDEA both assists those affected by disabilities to become more independent and, as a result, also reduces the long-term costs of other federal programs. This is because disabled persons who receive services early have a better chance of developing skills, which can help them achieve independence.⁵ Without early services, special needs children could be dependant on programs such as Social Security Income, Social Security Disability Insurance, and Medicaid for life.

In 1975, when Congress enacted IDEA’s predecessor, the Education for All Handicapped Children Act, a determination was made that the federal government would pay the national average per pupil-expenditure, known as the “APPE.”⁶

⁴ Individuals with Disabilities Education Act (IDEA) SEC. 602. DEFINITIONS, Sec. 602(26) RELATED SERVICES.—

(A) IN GENERAL.—The term ‘related services’ means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions in children.

(B) EXCEPTION.—The term does not include a medical device that is surgically implanted, or the replacement of such device.

⁵ <http://www.kidsource.com/kidsource/content/early.intervention.html>

⁶ Richard Apling, “Individuals with Disabilities Education Act (IDEA) Current Funding Trends,” CRS RL32085), p. 9.

At that time, Congress authorized the federal government to pay up to 40 percent of each state's excess cost of educating children with disabilities.⁷

Congress' intent was that a state's maximum grant under the grant-to-states program would be 40 percent of the APPE times the number of children with disabilities served.⁸ "Full funding" of the program was defined as the total funds necessary to provide each state with its maximum grant. Congress has failed to provide the annual level of appropriations needed to keep its commitment.

In 2004, specific authorization levels were adopted for FY 2005 through FY 2011 were set out in P.L. 108-446⁹ with the aim of meeting the federal contribution percentage to 40 percent by Fiscal Year 2011.¹⁰

For Fiscal Year 2008, Congress authorized \$19,229,188,286 to meet its committed share of IDEA Part B funding. The Fiscal Year 2008 Department of Labor, Health and Human Services, Education, and Related Agencies Appropriation bill, however, provides \$11,240,000,000, which is \$8 billion short of the goal set by Congress to meet the federal commitment.

⁷ Richard Apling, "Individuals with Disabilities Education Act (IDEA): Issues Regarding "full funding" of Part B Grants to States, CRS R130810, p 3

⁸ Richard Apling, "Individuals with Disabilities Education Act (IDEA) Current Funding Trends," CRS RL32085), p. 9.

⁹ P.L. 108-446, [http://www.congress.gov/cgi-lis/bdquery/R?d108:FLD002:@1\(108+446\)](http://www.congress.gov/cgi-lis/bdquery/R?d108:FLD002:@1(108+446)), accessed October 9, 2007.

¹⁰ Richard Apling, "Individuals with Disabilities Education Act (IDEA) Current Funding Trends," CRS RL32085), p. 6.

Amounts Authorized Compared to Amounts Appropriated by Congress for the IDEA Part B Grants-to-States Program

Fiscal Year	Amount Authorized	Amount Appropriated	Estimated Amount for "Full Funding"	Federal Shortfall in IDEA
2005	\$12,358,376,571	\$10,589,746,000	\$22,915,200,000	\$12,325,454,000
2006	\$14,648,647,143	\$10,582,961,000	\$23,947,121,600	\$13,364,160,600
2007	\$16,938,917,714	\$10,782,961,000	\$25,160,659,200	\$14,377,698,200
2008	\$19,229,188,286	\$11,240,000,000	\$25,568,006,400	\$14,328,006,400

According to a recent Congressional Research Services (CRS) report, the \$10.5 billion requested by President Bush amounts to the federal government only covering 16.5 percent of the additional costs associated with educating special needs children.¹¹ Moreover, the current Senate recommendation would provide 43.96 percent of the amount needed to fully fund the grant-to-states program. Again, "full funding" as originally intended by Congress is defined as the estimated amount necessary to provide maximum grants to states, which is 40 percent of the additional costs associated with educating special needs children.

The number of children served by IDEA has increased from about 5.6 million in 1996 to more than 6.8 million in 2007. The average amount spent on each child during this same period has jumped from \$413 to \$1,578. The costs of educating special needs children are projected to increase as will the number of children with disabilities served by IDEA, according to a recent CRS report.¹²

¹¹ CRS report summary, Richard Apling, RL32085, Individuals with Disabilities Education Act (IDEA): Current Funding Trends.

¹² CRS report summary, Richard Apling, RL32085, Individuals with Disabilities Education Act (IDEA): Current Funding Trends.

Amount Appropriated and Number of Children Served Annually By IDEA

Fiscal Year	Appropriations for IDEA Part B grants to states	Estimated children served under Part B	IDEA dollars per child
1996	\$2,323,837,000	5,629,000	\$413
1997	\$3,107,522,000	5,806,000	\$535
1998	\$3,801,000,000	5,978,000	\$636
1999	\$4,301,000,000	6,133,000	\$701
2000	\$4,989,685,000	6,274,000	\$795
2001	\$6,339,685,000	6,381,000	\$994
2002	\$7,528,533,000	6,483,000	\$1,161
2003	\$8,874,398,000	6,611,000	\$1,342
2004	\$10,068,106,000	6,723,000	\$1,498
2005	\$10,589,746,000	6,820,000	\$1,553
2006	\$10,582,961,000	6,814,000	\$1,553
2007	\$10,782,961,000	6,834,000	\$1,578

Source: U.S. Dept. of Education Budget Service

Additional IDEA funds will help both keep Congress' commitment to supporting education for children with special needs and IDEA live up to its original promise of providing a "free appropriate public education" to each eligible child with a disability.¹³

At a cost of nearly \$1,600 per student, more than **650** additional special needs children could access IDEA services with the \$1,050,000 provided by this amendment.

The National Parent Teacher Association notes that "IDEA is the only major federal education program that reaches every public school. Approximately 12 percent of public school students receive assistance through special education. These children have disabilities that require special attention and additional resources. If we are serious about reforming education and leaving no child behind, we should start with those children with greatest need."¹⁴

¹³ Richard Apling, "Individuals with Disabilities Education Act (IDEA) Current Funding Trends," CRS RL32085), p. 1.

¹⁴ The National Parent Teacher Association (PTA) at <http://www.pta.org/documents/IDEA3-07.pdf> .

By giving up just three of the nearly 800 earmarks in this bill, Congress could guarantee that 650 special needs children could access educational services that they may otherwise be denied.

Congress Can Keep Its Commitment to Children with Disabilities By Prioritizing Spending

When IDEA passed in 1975, Congress understood that it was creating a law that would have increased financial impact at the state and local level and made a federal commitment to pay for the excess costs of educating a child with a disability. In the 32 year history of the Act, the federal contribution has always fallen far short of the congressional commitment to fully fund IDEA. As a result, local and state budgets have been forced to absorb the shortfall. According to the National Education Association (NEA) and other advocacy organizations, “IDEA appropriations still need a 130 percent increase before IDEA is fully funded.”¹⁵

By contrast, no one outside of Washington is claiming that Congress is not spending enough on earmarks. In fact, it is quite the contrary.

This amendment would simply help Congress keep the commitment made when it expanded federal involvement in special education with offsets from a few of the nearly 800 unnecessary earmarks contained throughout this bill.

Specifically, the amendment transfer \$1,050,000 from three earmarks—\$900,000 earmark for Lyndon Baines Johnson Foundation in Austin, Texas, for the Presidential timeline project; \$100,000 earmark for ECHO Center in Burlington, Vermont for education regarding the Lake Champlain Quadracentennial; and \$150,000 earmark for the Virginia Aquarium and Marine Science Center in Virginia Beach, Virginia, to expand its outreach programs—to IDEA special education programs.

¹⁵ The IDEA Funding Coalition. “IDEA Funding: Time for Congress to Live Up to the Commitment,” March, 2006, <http://www.nea.org/lac/idea/images/mandatory2006.pdf>

Earmark Offset #1: \$900,000 for the Presidential timeline project

This earmark provides \$900,000 for the Lyndon Baines Johnson (LBJ) Foundation for the Presidential Timeline Project. The Appropriations Committee report does not make clear the purpose of or the need for this earmark.

The information that would be provided by this project is already publicly available and the recipient has sufficient financial resources to preclude the need for a Congressional earmark.

The LBJ Library and Museum website claims that “the LBJ Foundation is the organization that supports the activities of the LBJ Library and Museum that *are not funded by the federal government.*”¹⁶ Providing a federal earmark to the Foundation would obviously contradict this claim.

According to the LBJ Library, the Presidential Timeline provides a single point of access to documents, photographs, audio recordings, and video relating to the events of the lives of the last 12 U.S. Presidents. The goal of the project is to make these resources readily and freely available to students, educators, and adult learners throughout the world.

Interactive timelines of every former president since Herbert Hoover are available along with photo galleries and online exhibits from the presidential libraries for these 12 former presidents. This timeline is currently accessible online at www.presidentialtimeline.org.

The documents from the twelve Presidential libraries featured in this timeline all can be readily accessed online and include timelines, photographs, and other related documents and information.

In accordance with the wishes of President Johnson, the LBJ Library does not charge for admission and the LBJ Foundation was created to provide financial support.¹⁷

¹⁶ <http://www.lbjlib.utexas.edu/johnson/joinus.hom/foundation.shtm>

¹⁷ The Lyndon Baines Johnson Foundation – About the Foundation, <http://www.lbjfoundation.org/about/>; accessed October 15, 2007.

The Baltimore Sun reported that “It says something about the late President Lyndon Baines Johnson that his is the only presidential library offering free admission. The others -- those paying tribute to Herbert Hoover, Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Richard M. Nixon, Gerald R. Ford, Jimmy Carter and Ronald Reagan-- all charge a fee. But this library reflects the man who, when he was in office, started what he called ‘the war on poverty.’ ‘He insisted that the library be kept free,’ said a docent at the Lyndon Baines Johnson Library and Museum.”¹⁸

This earmark, paid for by taxing Americans, undermines President Johnson’s intent by essentially forcing many to pay for admission who may never have an opportunity to even visit the former President’s library.

Not only does this undermine the spirit of former President’s wishes, but it also appears to be financially unnecessary. In 2005, the LBJ Foundation enjoyed net revenues greater than \$36.7 million and increased total assets to over \$136.5 million.¹⁹

Additionally, the University of Texas system, which includes the University of Texas at Austin and the Learning Technology Center, where the Presidential Timeline Project was created, has the fourth largest endowment in the country at more than \$13.2 billion.²⁰ Since 2000, the University of Texas has received just under \$1 billion in federal grants²¹ – including \$883 million for the University of Texas at Austin alone²² – and more than \$1.1 billion in federal contracts.²³

The Presidential Timeline Project was, in fact, created in 2005 with a grant from the National Endowment for the Humanities in cooperation

¹⁸ Susanne Hopkins. “LBJ’s life and times, documented in a Texas building; Troubled times: Johnson’s presidential library-museum tells his story, and the story of the ‘60s. And it’s all free to the public,” *The Baltimore Sun*, November 5, 1995, Page 2K.

¹⁹ 2005 990-Form, http://204.203.220.33/EINS/741774063/741774063_2005_02DCA9AF.PDF

²⁰ 2006 NACUBO Endowment Study, http://www.nacubo.org/documents/research/2006NES_Listing.pdf

²¹ http://www.fedspending.org/faads/faads.php?recip_id=879701&sortby=u&detail=-1&datatype=T&reptype=r&database=faads&fiscal_year=&submit=GO

²² http://www.fedspending.org/faads/faads.php?recip_id=879715&sortby=u&detail=-1&datatype=T&reptype=r&database=faads&fiscal_year=&submit=GO

²³ http://www.fedspending.org/fpds/fpds.php?parent_id=293557&sortby=u&detail=-1&datatype=T&reptype=r&database=fpds&fiscal_year=&submit=GO

with the twelve Presidential libraries, in order to develop “a Web-based resource to give the public access to the libraries’ rich archives of historical artifacts.”²⁴ The grant amount totaled \$233,000 over two years.

Even without this earmark, federal funds are available for this project. The Institute of Museum and Library Services, and the National Science Foundation’s Informal Science Education Program (ISE) both provide tens of millions of dollars in grants every year for museums. Unlike Congressional earmarks, these grants are awarded under an open and competitive process.

While the Presidential Timeline Project may be an interesting and convenient educational resource, it is clear that the documents and information that it would provide are already available to the public, the recipient of the funds has sufficient financial resources available to conduct this project, other federal resources are available if additional funds are needed, and forcing taxpayers to pay the bill undermines President Johnson’s stated intent to not require the public to finance his Presidential library.

Earmark Offset #2: \$100,000 for the Lake Champlain Quadracentennial

This earmark appropriates \$100,000 for the Ecology, Culture, History, and Opportunity (ECHO) Center in Vermont to provide for educational activities in 2009 related to the 400th anniversary of explorer Samuel de Champlain’s first visit to the region and his exploration of the lake that now bears his name.

This earmark is unnecessary because numerous projects are currently underway to promote the historic and natural heritage of Lake Champlain, significant resources are available at the state and local level to support these efforts, and millions of federal dollars have already been directed to many of these efforts over the past decade.

²⁴ “LTC Receives NEH Grant to Develop Online Presidential Library Resources,” Press release from the Learning Technology Center, Laurie Caldwell, 05/16/2005, http://www.edb.utexas.edu/ltc/news/2005/prestimeline_press.php

To complete the ECHO center, for example, a \$14.5 million ten-year fundraising campaign was necessary and the federal government provided more than half of the funds for this effort.²⁵

The Lake Champlain Basin Science Center – the non-profit organization that runs ECHO – listed a total of more than \$12 million in assets at the close of the 2005 fiscal year²⁶ and has received more than \$4.4 million in federal grants since 2000 – including more than \$600,000 last year.²⁷

ECHO's parent center, known as the "Patrick and Marcelle Leahy Center for Lake Champlain," has greatly benefited financially from its namesake, Senator Patrick Leahy, who has helped steer federal funds to the center and other lake projects. According to the group, "He has been the guiding force behind the Lake Champlain Basin Program for well over a decade from his senior position on the U.S. Senate Appropriations Committee:

- obtaining over \$70 million for Lake clean-up efforts;
- amending NOAA's National Sea Grant Program to include Lake Champlain;
- expanding the U. S. Fish & Wildlife Lake Champlain operations;
- encouraging several other federal agencies to enhance their efforts in the Basin, including the U. S. Geological Survey and the USDA Natural Resource and Conservation Service.

"As a historian and scuba diver, Senator Leahy has been a strong supporter of the underwater lake bottom side scan sonar survey and the work of the Lake Champlain Maritime Museum."²⁸

This museum— which is essentially a permanent celebration of Champlain's exploration and the Lake's natural and historical characteristics— has received more than \$300,000 in federal

²⁵ <http://www.echovermont.org/ourmission/leahycenter.html>

²⁶ http://204.203.220.33/EINS/030347288/030347288_2005_027B3498.PDF

²⁷ http://www.fedspending.org/faads/faads.php?recip_id=490540&sortby=u&detail=-1&datatype=T&reptype=r&database=faads&fiscal_year=&submit=GO

²⁸ <http://www.echovermont.org/ourmission/leahycenter.html>

contracts and grants (\$138,235 in federal contracts²⁹ and \$177,500 in federal grants³⁰) since 2000 and has assets of almost \$4.5 million.³¹

Located just 30 miles south of the ECHO Center, the Lake Champlain Maritime Museum provides “educational programming to suit nearly every age and learning objective.” According to its website, “From our on-site education at Basin Harbor, to our touring replica schooner *Lois McClure*; from the simplicity of having our educators visit your classroom, to the adventure of taking kids out in boats, we have a fun, exciting, and educational program for your students.”³² It provides detailed history of the Lake dating back to prehistoric times,³³ through its discovery by European explorers,³⁴ to the present.³⁵

This museum will continue to educate visitors about Lake Champlain long after the quadricentennial celebration has ended.

While the recipient of this earmark is located in Vermont, the quadricentennial celebration will involve two states – Vermont and New York – and the province of Quebec, Canada.

The earmark in this bill may not be the only support that the celebration receives from Congress. Just last month, the U.S. House of Representatives passed a bill, H.R. 1520, which would create the Champlain Quadricentennial Commemoration Commission to plan and execute programs and activities to commemorate the anniversary and authorize \$1.125 million in federal funding for both Vermont and New York. The bill has now been placed on the Senate calendar for consideration.

This will not be the first Quadricentennial Commission either.

²⁹ http://www.fedspending.org/fpds/fpds.php?parent_id=163647&sortby=u&detail=-1&datype=T&reptype=r&database=fpds&fiscal_year=&submit=GO

³⁰ http://www.fedspending.org/fpds/fpds.php?parent_id=163647&sortby=u&detail=-1&datype=T&reptype=r&database=fpds&fiscal_year=&submit=GO

³¹ http://204.203.220.33/EINS/222570380/222570380_2005_028ABBD4.PDF

³² <http://www.lcmm.org/education/education.htm>

³³ http://www.lcmm.org/shipwrecks_history/history/history_native.htm

³⁴ http://www.lcmm.org/shipwrecks_history/history/history_contact.htm

³⁵ http://www.lcmm.org/shipwrecks_history/history/history_recreation.htm

A Lake Champlain Quadricentennial Commission was created by Vermont Governor Jim Douglas in October 2003 “to plan, promote, and implement heritage tourism activities that will encourage learning and exploration of the area’s history, culture, and landscape by both visitors and Vermonters.”³⁶ Commissions in both New York and Quebec have also existed for the past several years.

One of the stated objectives of Vermont’s Lake Champlain 2009 Strategic Plan is to “establish and support a federal funding mechanism for quadricentennial events and activities.” Unlike the federal government, which has a \$9 trillion debt, Vermont boasts a state budget surplus of \$18.48 million.³⁷ The state of New York boasts an even larger surplus of \$1.5 billion.³⁸

Other objectives include the development of a grant program with the Lake Champlain Basin Program (LCBP) to fund community “legacy projects” and quadricentennial activities, to “enhance educational opportunities to help schools, teachers, students and organizations better understand and explore the natural and cultural heritage of Lake Champlain,” and “to develop new programs in other locations, and explore decentralized and mobile exhibit options” to “foster and encourage place-based cultural and natural heritage programs for all ages at existing sites in the Champlain Valley.”³⁹

The LCBP is administered jointly by several agencies including the U.S. Environmental Protection Agency, New York State Department of Environmental Conservation, Vermont Agency of Natural Resources, Quebec Ministry of Environment, and the New England Interstate Water Pollution Control Commission. The LCBP works with its program partners, a lengthy list that includes the Leahy Center for Lake Champlain, using a variety of federal, state and local funds (core funding is through the EPA). Legislation passed by Congress in 2002, authorized the appropriation of up to \$396 million for Champlain Lake remediation efforts.

³⁶ http://www.champlain400.com/docs/champlain400_plan0307.pdf

³⁷ <http://www.leg.state.vt.us/jfo/Fiscal%20Facts%20&%20Fiscal%20Focus/2007%20Fiscal%20Facts.pdf>

³⁸ <http://publications.budget.state.ny.us/fy0708littlebook/FinancialPlan.html>

³⁹ *ibid*

Additionally, “the United States National Park Service estimates that the development of a 400th Anniversary celebration could generate \$133 million in additional revenues in the Champlain Valley over the next six years.”⁴⁰

This earmark is unnecessary because numerous educational and heritage-related initiatives already exist at the state and local level including a museum; the states surrounding Lake Champlain currently have budget surpluses while the federal government has a \$9 trillion debt; and millions in federal funds are already supporting initiatives that highlight the natural and historic heritage of Lake Champlain.

Earmark Offset #3: \$150,000 for the Virginia Aquarium and Marine Science Center in Virginia Beach to expand its outreach programs

This earmark provides \$150,000 for the Virginia Aquarium and Marine Science Center to expand outreach programs.

The Virginia Aquarium and Marine Science Center boasts “one of the best aquariums and live animal habitats in the country,” hundreds of hands-on exhibits, outdoor aviary, nature trail, marshlands, and 3D IMAX Theater.⁴¹

The Virginia Marine Science Museum Foundation, Inc. was founded in 1981 to support the museum's mission to increase the public's knowledge and appreciation of Virginia's marine environment and inspire commitment to preserve its existence. It is the chief source through which the museum has been able to secure private donations and grants. The Virginia Marine Science Museum Foundation primarily funds the museum's exhibits, marine animal Stranding Program, educational programs and special projects.⁴²

⁴⁰ :ibid
⁴¹

<http://www.virginiaaquarium.com/vgn.aspx?vgnextchannel=c283975336192110VgnVCM100000190c640aRCRD>

⁴² <http://www.guidestar.org/pqShowGsReport.do?partner=guidestar&npoId=195425>

The exhibits, educational programs and special events that are funded by the Foundation reach more than 600,000 visitors each year and the aquarium. The museum charge range from \$12 for the aquarium to \$7.50 for the IMAX theatre.⁴³ If the museum asked for only an additional 25 cents from each visitor, the \$150,000 provided by this earmark could be obtained without shifting the financial burden to the federal government.

The Virginia Aquarium and Marine Science Center is already well financed. According to the Virginia Marine Science Museum Foundation's 2005 form 990 501(c), the Virginia Aquarium & Marine Science Center Foundation recorded more than \$6 million in revenues and their expenses only totaled a little over \$2 million, equating to an excess or surplus of over \$4 million. The Foundation lists \$3,791,679 in savings and temporary cash investments and net assets in excess of \$12 million.⁴⁴

According to its tax forms, the Foundation spent \$98,270 on catering, \$34,098 on conferences and meetings, and \$28,097 on travel. These non-essential activities add up to over \$160,000 which exceeds the amount provided by this earmark. Clearly, even if the Foundation did not have the significant resources that it does, it could still provide the funding for this earmark by reducing nonessential costs.

The Commonwealth of Virginia has had at least \$1 billion in a budget stabilization, or "rainy day," fund since Fiscal Year 2005.⁴⁵ Conversely, the United States national debt now exceeds \$9 trillion with annual spending deficits exceeding \$200 billion. Virginia, not the debt ridden U.S. federal government, has the financial means to finance the Virginia Aquarium and Marine Science Center's outreach efforts.

Even without this earmark, federal funds are available for this and other museums through competitive grants. The Institute of Museum and Library Services, and the National Science Foundation's Informal Science Education Program (ISE) both provide tens of millions of

⁴³ <http://www.guidestar.org/pqShowGsReport.do?partner=guidestar&npoId=195425>

⁴⁴ Virginia Aquarium & Marine Science Center Foundation, Inc. 2005 Form 990 501(C)

⁴⁵ National Association of State Budget Officers.

http://www.nasbo.org/Publications/PDFs/Fall%202006%20Fiscal%20Survey%20of%20States_FINAL.pdf

dollars in grants every year for museums. In fact, the Virginia Aquarium and Marine Science Museum has received nearly half a million dollars in grants from the Institute of Museum of Library Services since 1992. The most recent grant for \$149,922 was awarded in 2004.⁴⁶ Unlike Congressional earmarks, these grants are awarded under an open and competitive process that take need and merit into consideration.

Recipient	Program	Fiscal Year	Award Amount
Virginia Aquarium & Marine Science Museum	General Operating Support	1992	\$75,000
Virginia Aquarium & Marine Science Museum	General Operating Support	1994	\$112,500
Virginia Aquarium & Marine Science Museum	Museum Assessment Program	1999	\$1,775
Virginia Aquarium & Marine Science Museum	General Operating Support	2002	\$112,500
Virginia Aquarium & Marine Science Museum	Museums for America	2004	\$149,922
		Total	\$451,697

The center's goals of expanding outreach programs and increasing the public's knowledge and appreciation of Virginia's marine environment are well intentioned goals, but are clearly not urgent, federal priorities at a time when our nation is in the midst of a global war on terrorism and is straddled with a \$9 trillion debt. Fortunately, the center is very popular and can ask its visitors to spare an extra 25 cents in admission, reduce nonessential expenses for catering, travel and meetings, or rely on its Foundation sufficient financial assets and very successful fund raising efforts.

⁴⁶ Institute of Museum of Library Services Congressional liaison, October 17, 2007