

stricted access to \$25,000,000 until the director begins a comprehensive re-evaluation of the work productivity goals for patent examiners.

Any deviations from the funding distribution provided for in this act, including carryover balances, are subject to the standard re-programming procedures set forth in section 505 of this act. In addition, 60 days after the date of enactment of this act, the USPTO shall submit to the Committee on Appropriations of the Senate a spending plan for fiscal year 2010. This spending plan shall incorporate all carryover balances from previous fiscal years, and describe any changes to the patent or trademark fee structure.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Appropriations, 2009	\$1,399,000,000
Budget estimate, 2010	846,100,000
House allowance	781,100,000
Committee recommendation	878,800,000

The Committee’s recommendation provides \$878,800,000 for the National Institute of Standards and Technology [NIST]. The recommendation is \$59,800,000 above the fiscal year 2009 enacted level not including supplemental funding and \$32,700,000 above the budget request.

The recommendation provides that up to \$9,000,000 may be transferred from the Scientific and Technical Research and Services account to the Working Capital Fund, which the NIST uses to purchase equipment for its laboratories.

NIST’s mission is to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life. It carries out its mission in four complementary programs.

A description of each NIST account and the corresponding Committee recommendation follows in the subsequent three headings.

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

Appropriations, 2009	¹ \$692,000,000
Budget estimate, 2010	534,600,000
House allowance	510,000,000
Committee recommendation	520,300,000

¹Includes \$220,000,000 in American Recovery and Reinvestment Act of 2009 (Public Law 111–5) funding.

The Committee recommendation provides \$520,300,000. The recommendation is \$48,300,000 above the fiscal year 2009 enacted level not including supplemental funding and \$14,300,000 below the budget request.

The Committee’s recommendations are displayed in the following table with specific increases described:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES, DIRECT OBLIGATIONS

[In thousands of dollars]

	Committee recommendation
Laboratories and technical programs	462,667
Innovations in measurement science	20,199

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES, DIRECT OBLIGATIONS—Continued

[In thousands of dollars]

	Committee recommendation
Next generation measurements training	11,030
Baldrige National Quality Program	9,627
Corporate Services	16,777
Total STRS	520,300

The Scientific and Technical Research account funds NIST Laboratories, which provide the measurement science and physical standards critical to supporting technology infrastructure for U.S. innovation. NIST is one of the science agencies supported by the America COMPETES Act of 2007 (Public Law 110–69), doubling funding for basic research over 10 years. The recommendation supports many of the administration’s new initiatives, increasing research funding by more than 7 percent over the 2009 fiscal year level. Within the funds provided, NIST is directed to expand its capabilities and resources into the Pacific region through a Pacific Islands component of NIST, and is provided \$750,000 to expand its biodiversity storage capabilities into the region.

The Committee includes funding within the amounts provided for Strategic Measurement Partnerships for the following congressionally designated projects, and directs the National Institute of Standards and Technology to refrain from charging administrative costs to these grants. The Committee expects that the National Institute of Standards and Technology will provide appropriate management and oversight of each grant.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY—SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

[Congressionally designated projects]

Recipient	Project	Description	Amount
LSU A&M, Baton Rouge, LA	Center for Digital Innovation	Develop exascale computing and digital media technologies ...	1,000,000
George Mason University, Arlington, VA	Center for Infrastructure Protection (CIP)	Support Cybersecurity and Cyber Conflict Analysis project	550,000
University of Rhode Island, Kingston, RI	Rhode Island Consortium for Nanoscience and Nanotechnology.	Advance the synthesis and manufacturing of nanomaterials ...	1,250,000
University of Hawaii, Maui, HI	Hawaii Open Supercomputing Center	Establish high performance supercomputing capability	5,000,000
University at Albany (SUNY), College of Nanoscale Science and Engineering (CNSE), Albany, NY.	Development and Deployment of New Nanoscale Measurement Strategies.	Increase infrastructure and equipment resources for advanced biomedical and nanomedical technology.	500,000
University of Maryland Baltimore County, Baltimore, MD	Maryland Center of Excellence for Terahertz Science and Application.	Research and develop tools for emerging terahertz technology.	2,000,000
University of Kentucky, Lexington, KY	Firefighter Gear Safety Research Program	Research the performance of firefighter turnout gear to reduce safety risks and potential health risks.	200,000

INDUSTRIAL TECHNOLOGY SERVICES

Appropriations, 2009	\$175,000,000
Budget estimate, 2010	194,600,000
House allowance	194,600,000
Committee recommendation	194,600,000

The Committee's recommendation provides \$194,600,000 for Industrial Technology Services [ITS]. The recommendation is \$19,600,000 above the fiscal year 2009 enacted level and equal to budget request.

Supporting the Nation's manufacturers, especially small businesses, is critical to keeping America innovative in a global marketplace. ITS provides a bridge for advancing cutting-edge technologies with cost-saving measures. The Committee is encouraged by the administration's healthy request for ITS, which shows a genuine intention to partner with industry for the benefit of the Nation's future. The Committee supports NIST's requested allocation of funding for the Hollings Manufacturing Extension Program [MEP] and the Technology Innovation Program.

Within MEP, NIST, and its partners are directed to consider the importance automation plays in accelerating and integrating manufacturing processes. The topic of automation cuts across all levels of industry, rather than serving as a stand-alone technology, and particularly affects the fields of control systems cyber security, industrial wireless sensors, systems interoperability, and other basic automation technologies necessary for the success of industrial enterprises. NIST is encouraged to consult and collaborate with independent experts in the field of automation to support the agency's efforts in working with industry to increase innovation, trade, security, and jobs.

CONSTRUCTION OF RESEARCH FACILITIES

Appropriations, 2009	¹ \$532,000,000
Budget estimate, 2010	116,900,000
House allowance	76,500,000
Committee recommendation	163,900,000

¹ Includes \$360,000,000 in American Recovery and Reinvestment Act of 2009 (Public Law 111-5) funding.

The Committee's recommendation provides \$163,900,000 for construction of research facilities. The recommendation is \$8,100,000 below the fiscal year 2009 enacted level not including supplemental funding and \$47,000,000 above the budget request.

The recommendation funds the highest priority safety, capacity, maintenance, and repair projects at NIST.

JILA Expansion.—The Committee has learned that NIST has not entered into a formal acquisition agreement with its partners to expand the JILA facility. Within 60 days of enactment of this act, the agency shall amend its formal memorandum of understanding with JILA partners to incorporate language addressing each party's responsibility including project contingencies and cost overruns.

The Committee directs NIST to provide quarterly reports on the status of all construction projects.

The Committee provides \$47,000,000 for congressionally designated projects, and directs the National Institute of Standards and Technology to refrain from charging administrative costs to

these grants. The Committee expects that the National Institute of Standards and Technology will provide appropriate management and oversight of each grant.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY—SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES
 [Congressionally designated projects]

Recipient	Project	Description	Amount
University of Alabama, Tuscaloosa, AL	Interdisciplinary Science and Engineering Teaching and Research Corridor.	Construct Interdisciplinary Science and Engineering Buildings.	\$30,000,000
Mississippi State University, Starkville, MS	Expansion of the Research, Technology and Economic Development Park.	Commercialize technologies developed through research	6,000,000
University of Mississippi Medical Center, Jackson, MS	Biotechnology Research Park	Commercialize new biotechnologies	6,000,000
North Dakota State University, Fargo, ND	Advanced Nanomaterials Research Facility	Construct a state-of-the-art nanomaterials research facility ...	5,000,000