Taken from the Senate Report 110-397 - DEPARTMENTS OF COMMERCE AND JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2009

SCIENCE AND TECHNOLOGY

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Appropriations, 2008	$755,847,000
Budget estimate, 2009	638,000,000
Committee recommendation	813,499,000

The Committee recommendation provides $813,499,000. The recommendation is $57,652,000 above the fiscal year 2008 enacted level and $175,499,000 above the budget request.

The recommendation provides that up to $12,300,000 may be transferred from the Scientific and Technical Research and Services account to the Working Capital Fund, which the National Institute of Standards and Technology [NIST] uses to purchase equipment for its laboratories.

NIST is one of the oldest Federal labs and has a long history of assisting with the Nation's industrial development. Beginning in the early 1900s with electricity standards, to assisting in the development of Standard Reference Material [SRM] such as SRM 143 DJK/RCK, to modern day mammograms and semiconductors, innumerable products and services rely in some way on technology, measurement, and standards provided by the National Institute of Standards and Technology. 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, 2008	$440,517,000

Budget estimate, 2009	535,000,000
Committee recommendation	489,499,000

The Committee recommendation provides $489,499,000. The recommendation is $48,982,000 above the fiscal year 2008 enacted level and $45,501,000 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	364,237
Strategic and Emerging Initiatives	27,750
NIST Center for neutron research	41,522
Center for nanoscale science technology	29,825
Baldridge National Quality Program	8,522
Corporate Services	17,643
Total STRS	489,499

Innovation Investments- The Committee recommendation provides for $31,380,000 in new fiscal year 2009 initiatives. Within the funding provided the Committee provides the following increases: $6,000,000 for Nano-Environment Safety and Health; $2,500,000 for Biosciences; $5,000,000 for Quantum Information Sciences; $5,000,000 for calibration support of climate change observation satellites; $380,000 for the Summer Teachers Institute at NIST targeting 5th through 8th grade math and science teachers; $3,250,000 for the National Earthquake Hazards Reduction Program; and $9,250,000 for Strategic Measurement Partnerships

Strategic Measurement Partnerships- The Committee feels strongly about the benefits of a robust measurements and standards research program that pushes the frontiers of science and helps lay the foundation for innovation. However, the Committee is concerned that the insular culture of the NIST laboratories prevents it from fully exploiting outside partnerships which can provide needed expertise and help accelerate measurement development. The Committee therefore has included funding for a new Strategic Measurement Partnerships [SMP] program to facilitate cost-shared collaborative research partnerships and alliances with institutions of higher education that are focused on developing next generation measurements and standards. Funding for these partnerships will be limited to 5 years in length with a second 5-year period renewable at the option of NIST. Funding will support planning and research. Research decisions utilizing these funds will be made at the discretion of NIST and its partner. NIST is directed to provide the Committee with an operational plan for this program no later than 120 days after enactment.

Printed Electronics Study- The Committee believes that flexible, large area and printed electronics technology holds great promise for the competitiveness of the United States. NIST shall enter into an agreement with the National Academy of Sciences to undertake a study that examines the position of the United States in flexible electronics relative to efforts in other countries. The National Academies shall also consider the particular technologies and commercial sectors to which flexible electronics apply and the recommendations that must be undertaken at a Federal level for a national initiative.

Office of Law Enforcement Standards [OLES]- The Committee remains a strong supporter of OLES and views its activities as an integral part efforts to support first responders. Therefore, the Committee continues support for OLES and provides $8,000,000 from `Laboratories and technical programs' to support this critical work.

Fiscal Year 2009 Spend Plan- The Committee is disappointed that NIST did not adhere to direction contained in the fiscal year 2008 Committee report to develop a new budget structure for the fiscal year 2009 budget submission. In response, the Committee directs NIST to submit a spend plan for the funding provided for `Laboratories and technical programs' and for Strategic and Emerging Initiatives no later than 45 days after enactment. The budget structure for this spend plan shall provide appropriation levels for each of the major laboratory operating units.

The Committee provides funding within the amounts for Strategic Measurement Partnerships for the following congressionally directed 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.

New York Center for National Competitiveness in Nanoscale Characterization--$1,000,000; UMBC/UMCP Ultrafast Dynamics for Next-Generation Nanotechnology--$2,000,000.

Finally, additional funds of $12,300,000 are available for transfer to the Working Capital Fund for equipment and other purposes related to the STRS account.

INDUSTRIAL TECHNOLOGY SERVICES

Appropriations, 2008	$154,840,000
Budget estimate, 2009	4,000,000
Committee recommendation	175,000,000

The Committee recommendation provides $175,000,000. The recommendation is $20,160,000 above the fiscal year 2008 enacted level and $171,000,000 above the budget request.

Hollings Manufacturing Extension Programs [MEP]- The Committee recommendation provides $110,000,000 to fund MEP centers restoring the program to its traditional operating level. MEP supports a network of locally run centers that provide technical advice and consultative services to small manufacturing companies in all 50 States and Puerto Rico. Many of these firms lack the in-house technical knowledge and experience to implement cutting edge technologies and cost saving processes, which places them at risk from foreign competition. Since its inception, MEP has consistently been the program that small manufacturers could look to for assistance.

Technology Innovation Program [TIP]- The Committee provides $65,000,000 to focus on developing innovative technologies that will improve the competitiveness of our nations. The Committee also provides bill language to allow TIP immediate access to prior year recoveries. The Committee recommendation will allow for approximately $40,000,000 in new project funding.

CONSTRUCTION OF RESEARCH FACILITIES

Appropriations, 2008	$160,490,000
Budget estimate, 2009	99,000,000
Committee recommendation	149,000,000

The Committee recommendation provides $149,000,000. The recommendation is $11,490,000 below the fiscal year 2008 enacted level and $50,000,000 above the budget request.

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

JILA Expansion- The Committee recommendation provides $13,000,000 towards the expansion of the building located on the University of Colorado's campus. The Committee is concerned that the proposed project, which has an estimated budget of $27,500,226, will require the Federal Government to pay over 80 percent of the total cost of construction. The Committee appreciates the great research that has been conducted through the JILA partnership, however it is unlikely that the Committee will provide more than 50 percent toward the total cost of this project unless it is convinced to do otherwise.

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NIST CONSTRUCTION PROJECTS
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Boulder Building 1 Extension Project	$43,538,000
NIST Child Care Center (Building 916)	6,000,000
JILA Expansion	13,000,000
Safety, Capacity, Major Modifications, and Repairs	42,462,000
Congressionally Directed Projects	44,000,000
Total Direct Obligations, CRF	149,000,000

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

The Committee provides funding for the following congressionally directed 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.

University of Alabama for a Interdisciplinary Science and Engineering Teaching and Research Center--$30,000,000; Mississippi St. University for expansion of the Research, Technology, and Economic Development Park--$6,500,000; University of Mississippi Medical Center--$6,500,000; University of Southern Mississippi for a Formulation Science building--$1,000,000.