

“Taken from House Report 107-218
FY 2003 Commerce, Justice, State Appropriations House Report...”

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Appropriations, 2002	\$686,751,000
Budget estimate, 2003	563,110,000
Committee recommendation	692,169,000

The Committee recommends a total of \$692,169,000 for the three appropriations accounts under the National Institute of Standards and Technology [NIST]. The recommendation is \$129,059,000 above the budget request. The Committee recommendation includes the fiscal year 2002 funding level, a 4.1 percent pay adjustment for Federal employees and \$5,000,000 for requested Homeland Security program increases. A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

Appropriations, 2002	\$321,111,000
Budget estimate, 2003	384,809,000
Committee recommendation	336,443,000

The Committee recommends an appropriation of \$336,443,000. The recommendation is \$48,366,000 below the budget request.

The Committee recommendations are displayed in the following table:

Electronics and Electrical Engineering	\$41,876,000
Manufacturing Engineering	20,720,000
Chemical Science and Technology	36,256,000
Physics	33,565,000
Material Science and Engineering	57,434,000
Building and Fire Research	22,239,000
Computer Science and Applied Mathematics	20,936,000
Technology Assistance	17,936,000
National Quality Program	5,282,000
Research Support Activities	42,906
Total, STRS	336,443,000

Within the amounts provided, the Committee approves the following increases: (1) \$4,000,000 in the Building and Fire Research Program for the development of standards pertaining to construction of high-rise buildings; (2) \$4,000,000 in the Physics program to provide measurements, standards, and test methods for the development of advanced nanotechnologies; (3) \$4,000,000 in the Computer Science and Applied Mathematics

program to develop new measurements, test methods, and guidelines for the protection of the Nation's critical infrastructures; (4) \$3,400,000 in the Chemical Science and Technology Program to change measurement and standards activities related to the reduction and monitoring of global climate change, including \$1,000,000 to restore reductions in environmental measurements at the Hollings Marine Laboratory; (5) \$4,000,000 in the Computer Science and Applied Mathematics Program for quantum computing. The Committee recommendation includes \$48,581,000 for Research Support Activities, of which only \$12,100,000 may be used to fund business systems. The Committee recommends that no funds be used for FAIR Act studies. The Committee does not recommend funding for the Critical Infrastructure Protection Grants Program. The Advanced Technology Program was developed to evaluate these types of grant applications, and (6) \$2,500,000 under the Wind Research Program to continue funding an existing cooperative agreement between NIST and Texas Tech University.

INDUSTRIAL TECHNOLOGY SERVICES

Appropriations, 2002	\$291,032,000
Budget estimate, 2003	119,607,000
Committee recommendation	291,976,000

The Committee recommends an appropriation of \$291,976,000. The recommendation is \$172,369,000 above the budget request.

Manufacturing Extension Partnership Program [MEP]- The Committee recommends an appropriation of \$106,623,000 to fully fund all of the MEP centers.

Advanced Technology Program [ATP]- The Committee recommends an appropriation of \$185,353,000. The recommendation is \$39,198,000 above the budget request. This amount, when combined with approximately \$11,000,000 in carryover, will fully fund ATP awards at current levels. Within the amounts made available, \$45,000,000 shall be used for administrative costs, internal laboratory support, and for Small Business Innovation Research Program [SBIR] requirements. NIST may not apply a contracts and grants processing surcharge to the ATP program.

The Committee is concerned that the Department of Commerce has had difficulty understanding Congressional intent in regards to funding of new awards under the ATP program. In fiscal year 2002, the Committees on Appropriations provided \$60,700,000 for new ATP awards, yet the Department committed to issuing only \$35,000,000. The Committees on Appropriations clarified Congressional intent on this matter by modifying bill language in the fiscal year 2002 Supplemental Appropriations bill. The Committee recommends similar modified bill language which obligates the Department of Commerce to spending a full \$60,700,000 in fiscal year 2003 towards the awards. In addition, in the fiscal year budget request, NIST proposed reforms, supposedly designed to improve the ATP program. The Committee reminds NIST that the creation of

legislation regarding ATP reform is a function of the U.S. Congress and that NIST shall issue \$60,700,000 in new ATP awards in fiscal year 2003 even in the absence of Congressional action on suggested authorizing legislation.

In the budget request, the administration proposed reduced funding for the Advanced Technology Program. The Committee does not recommend this approach and is concerned that the ATP awarding process has been purposely hindered as a result of philosophical differences of opinion between the Department of Commerce and the U.S. Congress. Therefore, the Committee directs the Department of Commerce to submit a written plan on how it intends on making timely ATP awards in fiscal year 2003. This plan should be submitted and approved by the Appropriations Subcommittees on Commerce, Justice, State and the Judiciary before any funds are obligated for Department of Commerce, Departmental Management.

CONSTRUCTION OF RESEARCH FACILITIES

Appropriations, 2002	\$62,393,000
Budget estimate, 2003	54,212,000
Committee recommendation	63,750,000

The Committee recommends an appropriation of \$63,750,000. The recommendation is \$9,538,000 above the budget request and fully funds the highest priority safety, capacity, maintenance, and repair projects at NIST. Of the amounts provided, \$15,000,000 is provided for equipping and relocation expenses related to NIST's Advanced Measurement Laboratory in Gaithersburg, MD and \$19,265,000 is for construction and renovation projects at NIST's Boulder, CO site.