

## Calendar No. 87

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**H. R. 2847****[Report No. 111-34]**

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 2009

Received; read twice and referred to the Committee on Appropriations

JUNE 25, 2009

Reported by Ms. MIKULSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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**AN ACT**

Making appropriations for the Departments of Commerce and Justice, and Science, 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,*  
3 ~~That the following sums are appropriated, out of any~~  
4 ~~money in the Treasury not otherwise appropriated, for the~~  
5 ~~fiscal year ending September 30, 2010, and for other pur-~~  
6 ~~poses, namely:~~

## CROSS AGENCY SUPPORT

1  
2       *For necessary expenses, not otherwise provided for, in*  
3 *the conduct and support of science, aeronautics, explo-*  
4 *ration, space operations and education research and devel-*  
5 *opment activities, including research, development, oper-*  
6 *ations, support, and services; maintenance; construction of*  
7 *facilities including repair, rehabilitation, revitalization,*  
8 *and modification of facilities, construction of new facilities*  
9 *and additions to existing facilities, facility planning and*  
10 *design, and restoration, and acquisition or condemnation*  
11 *of real property, as authorized by law; environmental com-*  
12 *pliance and restoration; space flight, spacecraft control, and*  
13 *communications activities; program management; per-*  
14 *sonnel and related costs, including uniforms or allowances*  
15 *therefor, as authorized by 5 U.S.C. 5901–5902; travel ex-*  
16 *penses; purchase and hire of passenger motor vehicles; not*  
17 *to exceed \$70,000 for official reception and representation*  
18 *expenses; and purchase, lease, charter, maintenance, and*  
19 *operation of mission and administrative aircraft,*  
20 *\$3,383,500,000, to remain available until September 30,*  
21 *2011: Provided, That within the amounts appropriated*  
22 *\$47,000,000 shall be used for the projects, and in the*  
23 *amounts, specified in the table entitled “Congressionally*  
24 *designated projects” in the report of the Committee on Ap-*  
25 *propriations of the Senate to accompany this Act.*

**Calendar No. 87**

111TH CONGRESS }  
*1st Session* }

SENATE

{ REPORT  
111-34

DEPARTMENTS OF COMMERCE AND JUSTICE, AND  
SCIENCE, AND RELATED AGENCIES APPROPRIATIONS  
BILL, 2010

\_\_\_\_\_  
JUNE 25, 2009.—Ordered to be printed  
\_\_\_\_\_

Ms. MIKULSKI, from the Committee on Appropriations,  
submitted the following

**REPORT**

[To accompany H.R. 2847]

The Committee on Appropriations to which was referred the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, reports the same to the Senate with an amendment, and recommends that the bill, as amended, do pass.

*Total obligational authority, fiscal year 2010*

Total of bill as reported to the Senate .....	\$67,492,432,000
Amount of 2009 appropriations .....	<sup>1</sup> 76,101,698,000
Amount of 2010 budget estimate .....	67,183,677,000
Amount of House allowance .....	67,196,907,000
Bill as recommended to Senate compared to—	
2009 appropriations .....	– 8,609,266,000
2010 budget estimate .....	+ 308,755,000
House allowance .....	+ 295,525,000

<sup>1</sup> Includes \$16,209,675,000 in emergency appropriations provided in the American Recovery and Reinvestment Act of 2009 and other supplemental appropriation funding acts.

## CROSS-AGENCY SUPPORT

Appropriations, 2009 .....	<sup>1</sup> \$3,356,387,000
Budget estimate, 2010 .....	3,400,600,000
House allowance .....	3,164,000,000
Committee recommendation .....	3,383,500,000

<sup>1</sup>Includes \$50,000,000 in American Recovery and Reinvestment Act of 2009 (Public Law 111-5) funding.

The Cross-Agency Support account funds Agency management, including headquarters and each of the nine NASA field centers, as well as the design and execution of non-programmatic Construction of Facilities and Environmental Compliance and Restoration activities.

## CROSS-AGENCY SUPPORT

[In thousands of dollars]

	Committee recommendation
Center Management and Operations .....	2,084,000
Center Institutional Capabilities .....	1,608,600
Center Programmatic Capabilities .....	475,400
Agency Management and Operations .....	926,100
Agency Management .....	400,000
Safety and Mission Success .....	183,900
Safety and Mission Assurance .....	48,300
Chief Engineer .....	102,200
Chief Health and Medical Officer .....	3,700
Independent Verification and Validation .....	29,700
Agency IT Services .....	146,700
IT Management .....	30,000
Applications .....	68,400
Infrastructure .....	48,300
Innovative Partnerships Program .....	166,100
Technology Infusion .....	10,000
Small Business Innovative Research .....	115,000
Small Business Technology Transfer Research .....	14,100
Innovation Incubator .....	1,000
Future Centennial Challenges .....	4,000
Partnership Development .....	20,000
Innovative Technology .....	2,000
Strategic Capabilities Assets Program .....	29,400
Simulators .....	11,700
Thermal Vacuum Chambers .....	8,300
Arc Jets .....	9,400
Institutional Investments .....	351,200
Institutional Construction of Facilities .....	280,000
Environmental Compliance and Restoration .....	71,200
Congressionally Designated Projects .....	47,000
General Reduction .....	(24,800)
<b>Total, Cross-Agency Support .....</b>	<b>3,383,500</b>

*Chief Engineer.*—The Committee provides the full budget request for activities of NASA's Chief Engineer to increase direct technical support to high risk aspects of NASA's missions in order to improve mission success, cost containment, and schedule performance across all mission directorates. These activities are critical to addressing Agency weaknesses described in the Government Accountability Office's [GAO] high risk report regarding NASA's acquisition management.

*Independent Verification and Validation [IV&V] Program.*—Within the amounts provided for cross-agency support, the Committee recommends the full budget request of \$30,200,000 for NASA's IV&V Program.

*Mississippi Army Ammunition Plant.*—NASA's Stennis Space Center is about to inherit an ammunition plant, portions of which the Army has left derelict for many years. Upon transfer of this facility, NASA will become the caretaker for an additional 18 million square feet of facility floor space, of which only 1 million square feet is occupied. NASA has estimated that costs related to the transfer will be at least \$114,000,000. The Committee is extremely disappointed that NASA has not requested funds to make the remainder of this facility useable for work at Stennis Space Center. This facility, if fully utilized, would benefit all tenants at Stennis Space Center by providing additional revenue to reinvest in the center for its mission.

*Energy Efficiency at NASA Centers.*—The Committee is concerned that the agency may not be utilizing all possible technologies to attain the goals of Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management. NASA has informed the Committee that increased electricity costs at each of their centers are eroding the ability of NASA to maintain its centers without placing other activities at risk. As a lead agency for scientific computing and information technology, NASA has a strong focus on managing information flow and the costs related to data management to support its missions. The Committee strongly recommends that NASA pursue information efficiency technologies, to include virtualization, in its facilities and data centers to promote energy efficiency and reduce current and future power consumption.

*Technical Civil Service Workforce.*—The Committee is concerned that NASA's full cost accounting structure does not provide a transparent view of the funding requirements for the Agency's civil service workforce because funding for technical civil service personnel is included in the program lines. The Committee therefore directs NASA to include in its fiscal year 2011 budget request justification an accounting of civil service salary and expense requirements contained within each program.

*NASA's Use of Term Positions.*—The Committee directs NASA to provide a report no later than 60 days after enactment of this act providing the total number of term positions (both new hires and renewals) to be funded under this act, as well as a summary of NASA's use of term positions since 1990.

*Congressionally Designated Projects.*—The Committee provides funding for the following congressionally designated projects, directs NASA to refrain from charging administrative costs to these grants, and expects that NASA will provide appropriate management and oversight of each grant:

CONGRESSIONALLY DESIGNATED PROJECTS—Continued

Agency	Account	Recipient	Project	Amount	Requesting Senator(s)
DOJ .....	OJP—JJ .....	YWCA of Indianapolis, IN, Indianapolis, IN .....	Out of School Time Project for At-Risk Youth .....	\$100,000	Lugar
DOJ .....	OJP—JJ .....	YWCA of St. Joseph County, IN, South Bend, IN .....	Getting Ahead Project for Domestic Violence Survivors and Their Families.	\$200,000	Lugar
DOJ .....	OJP—JJ .....	Zelpha's Cultural Development Corp., Inc., Tuscaloosa, AL.	University of Alabama After-School Delinquency Prevention Program.	\$150,000	Shelby
NASA .....	Cross Agency Support .....	Alabama A&M University Research Institute, Normal, AL.	High temperature materials research and development for Crew Exploration Vehicle [CEV] and Crew Launch Vehicle [CLV] Initiatives.	\$500,000	Shelby
NASA .....	Cross Agency Support .....	Austin Peay State University, Clarksville, TN .....	Solar Energy Laser Physics Program .....	\$500,000	Alexander
NASA .....	Cross Agency Support .....	Aviation Maintenance Technology Center, Roswell, NM .....	Flight Research Training Center .....	\$300,000	Udall, T
NASA .....	Cross Agency Support .....	Bay Area Houston Economic Partnership, Houston, TX .....	Space Alliance Technology Outreach Program [SATOP] .....	\$250,000	Cornyn
NASA .....	Cross Agency Support .....	Baylor College of Medicine, Houston, TX .....	Center for Space Medicine .....	\$750,000	Hutchison
NASA .....	Cross Agency Support .....	Burlington Community and Economic Development Office, Burlington, VT.	Burlington Aviation Technology Center .....	\$1,500,000	Leahy
NASA .....	Cross Agency Support .....	Dillard University, New Orleans, LA .....	Dillard University Eighth Grade Initiative .....	\$300,000	Landrieu
NASA .....	Cross Agency Support .....	Johnson Space Center, Houston, TX .....	Constellation Program Data Storage Equipment and Systems.	\$250,000	Hutchison
NASA .....	Cross Agency Support .....	Lehigh University, Bethlehem, PA .....	Nanomaterials Research .....	\$250,000	Specter; Casey
NASA .....	Cross Agency Support .....	Marshall Space Flight Center, Huntsville, AL .....	Radically Segmented Launch Vehicle [RSLV] LOX/Methane Technology Maturation Program.	\$1,000,000	Kohl
NASA .....	Cross Agency Support .....	Marshall Space Flight Center, Huntsville, AL .....	Development of characterization techniques for advanced high temperature materials in space launch applications.	\$1,000,000	Shelby
NASA .....	Cross Agency Support .....	Marshall Space Flight Center, Huntsville, AL .....	Advanced algorithm, integration, and maturation .....	\$1,000,000	Shelby
NASA .....	Cross Agency Support .....	Marshall Space Flight Center, Huntsville, AL .....	Space nuclear power systems research & development ...	\$1,000,000	Shelby
NASA .....	Cross Agency Support .....	Marshall Space Flight Center, Huntsville, AL .....	Product lifecycle management and advanced modeling and simulation methods.	\$1,000,000	Shelby
NASA .....	Cross Agency Support .....	Marshall Space Flight Center, Huntsville, AL .....	Robotic Lander Multi-Propellant Diagnostic Test Bed .....	\$1,000,000	Shelby
NASA .....	Cross Agency Support .....	Marshall Space Flight Center, Huntsville, AL .....	Increasing K-16 genetics and biotechnology education ...	\$1,000,000	Shelby
NASA .....	Cross Agency Support .....	Morgan State University, University of Maryland Eastern Shore, and Bowie State University, Baltimore, Princess Anne and Bowie, MD.	Chesapeake Information Based Aeronautics Consortium [CIBAC].	\$3,000,000	Mikulski; Cardin
NASA .....	Cross Agency Support .....	Imiloa Astronomy Center, Hilo, HI .....	Imiloa Astronomy Center .....	\$2,500,000	Inouye; Akaka
NASA .....	Cross Agency Support .....	National Institute for Aviation Research, Wichita, KS .....	National Center for Advanced Materials Performance .....	\$600,000	Brownback; Roberts
NASA .....	Cross Agency Support .....	New Mexico State University, Las Cruces, NM .....	Science, Engineering, Math, and Aerospace Academy .....	\$200,000	Bingaman; Tom Udall

NASA	Cross Agency Support	Northern Kentucky University Foundation, Highland Heights, KY.	Sky Dome: Strengthening Science Achievement in Grades 4 until 12 through Immersive Technology.	\$200,000	Bunning
NASA	Cross Agency Support	Rocky Mountain College, Billings, MT	Bair Science Center	\$125,000	Tester; Baucus
NASA	Cross Agency Support	Sci-Port: Louisiana's Science Center, Shreveport, LA	Sci-Port: Renewing Science Education in the South	\$300,000	Landrieu
NASA	Cross Agency Support	Southeast Missouri State University, Cape Girardeau, MO	Missouri NASA Math, Science and Technology Education Enhancement Program.	\$500,000	Bond
NASA	Cross Agency Support	Space Dynamics Laboratory, Logan, UT	Technical support of satellite sensor calibration for the Global Climate Observing System.	\$400,000	Bennett
NASA	Cross Agency Support	Space Florida, Kennedy Space Center, FL	Thermal Vacuum Chamber	\$400,000	Nelson, Bill
NASA	Cross Agency Support	Space Florida, Kennedy Space Center, FL	Launch Complexes 36 and 46	\$1,100,000	Nelson, Bill
NASA	Cross Agency Support	St. Louis Community College, St. Louis, MO	St. Louis Community College BioBench and Training Facility.	\$600,000	Bond
NASA	Cross Agency Support	Teach for America, New York, NY	Teach for America STEM Activities	\$3,000,000	Mikulski
NASA	Cross Agency Support	Technological Research And Development Authority, Melbourne, FL.	Space Alliance Technology Outreach Program	\$100,000	Nelson, Bill; Martinez
NASA	Cross Agency Support	Texas A&M University, College Station, TX	Advanced robotics for Lunar and Martian Exploration	\$750,000	Hutchison
NASA	Cross Agency Support	The University of Alabama in Huntsville, Huntsville, AL	Virtual Environment Simulation Laboratory	\$500,000	Shelby
NASA	Cross Agency Support	The University of Alabama, Tuscaloosa, AL	Diagnostic sensing for predictive maintenance of aerospace vehicles.	\$500,000	Shelby
NASA	Cross Agency Support	Towson University, Coppin State University, and University of Maryland Biotechnology Institute, Towson and Baltimore, MD.	Baltimore Excellence in Science Teaching (BEST) Partnership.	\$1,000,000	Mikulski
NASA	Cross Agency Support	University of Louisville, Louisville, KY	University of Louisville for diagnosing and mitigating human exposure to radiation.	\$2,000,000	McConnell
NASA	Cross Agency Support	University of Mississippi, Oxford, MS	National Center for Remote Sensing, Air, and Space Law	\$2,000,000	Cochran
NASA	Cross Agency Support	University of Nebraska Medical Center, Omaha, NE	Supporting Surgical Options in Space	\$2,700,000	Nelson, Ben
NASA	Cross Agency Support	University of Nevada, Las Vegas, Las Vegas, NV	Gravity Insensitive Solid-Gas Sorption Climate Control System.	\$750,000	Reid
NASA	Cross Agency Support	University of New Orleans, New Orleans, LA	UNO, National Center for Advance Manufacturing	\$250,000	Landrieu; Vitter
NASA	Cross Agency Support	University of North Dakota, Grand Forks, ND	Upper Midwest Aerospace Consortium	\$3,000,000	Dorgan; Conrad
NASA	Cross Agency Support	University of Northern Iowa, Cedar Falls, IA	National Institute for Early Math and Science Education.	\$700,000	Harkin; Grassley
NASA	Cross Agency Support	University of South Alabama, Mobile, AL	Center for Advanced Materials Engineering	\$500,000	Shelby
NASA	Cross Agency Support	University of Southern Mississippi, Hattiesburg, MS	National Formulation Science Laboratory	\$1,000,000	Cochran
NASA	Cross Agency Support	University of Southern Mississippi, Hattiesburg, MS	Technology Industry Partnership for transitioning space technologies into the commercial sector.	\$750,000	Cochran
NASA	Cross Agency Support	University of Vermont, Burlington, VT	Complex Systems and Advanced Computing Center	\$500,000	Leahy
NASA	Cross Agency Support	Wheeling Jesuit University, Wheeling, WV	HEALTHeWV	\$5,000,000	Byrd
NASA	Cross Agency Support	Wheelock College, Boston, MA	Math and Science Learning Community	\$800,000	Kennedy; Kerry