



COMMITTEES ON APPROPRIATIONS

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United States Senate

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SUMMARY: FY 2010 COMMERCE-JUSTICE-SCIENCE APPROPRIATIONS CONSOLIDATED APPROPRIATIONS BILL

The FY 2010 Commerce-Justice-Science Appropriations bill, which provides funding for the Departments of Commerce and Justice, as well as the National Science Foundation, the National Aeronautics and Space Administration and a number of related agencies, touches and enriches the lives of every American in many ways, including:

- Combating crime, terrorism, and illegal narcotics;
- Enabling new discoveries in science, both on Earth and in space, that lead to improvements in our health, environment and economy;
- Improving and protecting our Nation's waters, oceans and natural habitats;
- Assisting the poor with legal representation; and
- Providing appropriate, humane care for our inmate population and opportunities to reduce recidivism and return these men and women to productive lives in society.

The bill totals \$64.416 billion in net discretionary budget authority, a \$6.8 billion increase over the fiscal year 2009 enacted level and \$196 million below the President's request. Almost 60% of that increase, or \$4.2 billion, is for conducting the required 2010 census. The bill provides \$28.077 billion for the Department of Justice, \$14.038 billion for the Department of Commerce and \$25.658 billion in science funding to keep America on the cutting edge of scientific research and discovery.

Bill Total

FY 2009 Enacted:	\$57.652 billion (excludes emergency appropriations)
President's Request:	\$64.612 billion
House Passed:	\$64.413 billion
Senate Passed:	\$64.926 billion
Final Bill:	\$64.416 billion

KEY INVESTMENTS

JUSTICE

State and Local Law Enforcement and Crime Prevention Grants: \$3.71 billion, \$480 million above 2009, for grants to aid local and state law enforcement and crime victims. From 2001 to 2006 these grant programs were cut by nearly \$2 billion.

- **Community Oriented Policing Services (COPS):** \$791.6 million to support local law enforcement agencies with hiring, technology, training, body armor, and sex-offender management grants. This includes \$298 million specifically for COPS Hiring Grants to hire or retain approximately 1,400 officers. The COPS program has helped train nearly 500,000 law enforcement personnel, community members, and government leaders and has helped put over 121,500 additional officers on the beat nation-wide.
- **Office on Violence Against Women (OVW):** \$418.5 million, \$29.5 million above 2009, to prevent and prosecute violence against women and strengthen services to victims of domestic violence, sexual assault, and stalking. This includes \$210 million for STOP (Services, Training, Officers, and Prosecutors) formula grants, \$15 million for sexual assault victims services, and \$41 million for civil legal assistance. All other Violence Against Women Act programs meet 2009 funding levels.
- **Office of Justice Programs:** \$2.28 billion for grants to state and local organizations to fight and prevent crime, including \$519 million for Byrne Justice Assistance Grants, \$330 million for the State Criminal Alien Assistance Program, \$45 million for drug courts, and \$494 million for programs for at-risk youth and missing, exploited or abused children.

Second Chance Act Offender Reentry Programs: \$100 million, \$75 million above 2009, for demonstration programs and other activities to break the cycle of recidivism, increase public safety, and reduce the future costs of incarceration. Nearly 650,000 people are released from state and federal prison yearly and an even greater number reenter communities from local jails, and with a national recidivism rate of over 60%, nearly 400,000 of them will be back in prison within three years if we do not develop new ways to break this cycle.

Tribal Assistance: \$158 million for tribal law enforcement, \$68 million above 2009. This funding includes support for tribal courts and detention facilities, tribal law enforcement agencies, methamphetamine enforcement activities, and Federal investigation and prosecution activities in Indian Country.

Federal Bureau of Investigation: \$7.9 billion, \$680 million above 2009, to address national security needs, including cyber crime, potential weapons of mass destruction incidents, and surveillance, as well as criminal law enforcement priorities, such as financial fraud. Included in the total is \$101 million for the FBI's overseas contingency operations, previously funded through supplemental funding requests.

Combating Illegal Drugs: \$2 billion, \$81 million above 2009, to combat illegal drugs through the Drug Enforcement Administration (DEA). These funds will provide for 128 new DEA positions to help stop the flow of illegal drugs across the Southwest border and to investigate, disrupt and dismantle major Mexican drug cartels.

Bureau of Alcohol, Tobacco, Firearms: \$1.1 billion, \$67 million above 2009, to reduce violent crime and enforce Federal firearms and explosives laws. The total includes an additional \$18 million and 92 positions to combat firearms trafficking along the southwest border.

Department-wide Southwest Border Initiative: \$1.5 billion, \$338 million above 2009, for activities to combat violence, stop the flow of illegal weapons and drug trafficking, bring dangerous criminals to justice, and improve law enforcement capabilities along the southwest border.

Federal Bureau of Prisons: \$6.2 billion, \$108.8 million above the request, to address rising costs, add staff, reduce overcrowding and help inmates successfully reintegrate into their communities.

Adam Walsh and Child Exploitation: \$353.5 million, \$63.6 million above 2009, for Adam Walsh Act activities, which includes sex offender registration requirements, and other sex offender and child exploitation prevention and enforcement programs.

SCIENCE

Science Education: \$1.2 billion, \$113 million above 2009, to support an effort to combat the decline in U.S. student interest and performance in math and science fields. There is growing concern that the U.S. is not preparing a sufficient number of students, teachers, and practitioners in the areas of science, technology, engineering, and mathematics (STEM). The federal investment is intended to promote all aspects of STEM education from kindergarten through graduate school, with a particular emphasis placed on inquiry-based, hands-on approaches.

Space Science: \$4.5 billion for research and observations to enhance our understanding of the global environment, the space environment, the solar system and the universe.

National Aeronautics and Space Administration (NASA): \$18.7 billion, \$942 million above 2009, for scientific discovery, national security, and space exploration.

- **Earth Science:** \$1.5 billion to support NASA's continuing work to develop and launch space-based and suborbital sensors to study climate change and the global environment.
- **Space Exploration:** \$3.8 billion to extend America's capabilities in human spaceflight.

National Science Foundation (NSF): \$6.9 billion, \$436 million above 2009, for the most promising scientific research at America's colleges and universities, and for supporting scientists with cutting edge labs and equipment. The bill supports the President's commitment to double funding for basic scientific research in key agencies over 10 years.

National Institute of Standards and Technology (NIST): \$856.6 million, \$37.6 million above 2009, including \$662 million for scientific and technical research and construction of research facilities.

- **Manufacturing Extension Partnerships:** \$125 million to help small and mid-size manufacturers compete globally by providing them with technical advice and access to technology, as well as leveraging private funds to save and create jobs.
- **Technology Innovation Program:** \$70 million to fund high-risk, high-reward research into areas of critical national need done by U.S. businesses, colleges and universities, and national labs.

National Oceanic and Atmospheric Administration (NOAA): \$4.7 billion, \$372 million above 2009, to increase important ocean, weather, and climate research and provide for satellite acquisitions. NOAA research focuses on weather forecasts including hurricanes and tornadoes; on protecting and managing the nation's coastal and ocean resources, and on planning for and responding to climate change.

Global Climate Change Research: \$2 billion, \$75 million above 2009, to study and respond to global climate change, one of the greatest challenges facing our country. This includes:

- **NASA:** \$1.32 billion, including nearly \$940 million to develop and demonstrate space-based climate measurements identified by the National Academy of Science and the science community.
- **NOAA:** \$375 million to enhance climate change research and regional assessments; climate data records, data access and archiving requirements; and climate change educational programs.
- **NSF:** \$310 million for climate change research, modeling and education.
- **Economic Development Administration:** \$25 million for green building initiatives.
- **NIST:** \$5 million for the development of greenhouse gas emission standards.

OTHER IMPORTANT PROGRAMS

Census Bureau: \$7.3 billion, \$4.2 billion above 2009, to ramp up efforts for the 2010 census. The Census Bureau plans to hire approximately one million workers nationwide to aid in the collection of census data.

Economic Development Assistance Programs: \$293 million, \$20 million above 2009, to promote innovation and competitiveness that will spur economic growth.

Legal Services Corporation (LSC): \$420 million, \$30 million above 2009, for civil legal assistance to people who are unable to afford it. LSC is the largest provider of civil legal aid for the nation's economically disadvantaged. However, there is still a large unmet need for legal services; a 2005 study found that for every eligible person served, another was turned away due to lack of LSC resources.

Equal Employment Opportunity Commission (EEOC): \$367 million, \$23 million above 2009, to begin reducing the backlog of pending employment discrimination cases. The EEOC has a backlog of more than 70,000 cases.

Civil Rights Division: \$145 million, \$22 million above 2009, to reinvigorate the civil rights program at the Department of Justice. New staff will allow for the vigorous pursuit of human trafficking crimes and unsolved Civil Rights Era crimes.

SIGNIFICANT ADJUSTMENTS

The bill contains more than \$895 million in program terminations, reductions and other savings from the fiscal year 2009 level and more than \$620 million from the budget request.

IMPORTANT POLICY ITEMS

LSC Restrictions: Language is included that lifts the existing restriction on recovery of attorneys' fees by LSC grantees.

Guantanamo Detainees: Language is included that 1) Prohibits current detainees from being released into the continental United States, Alaska, Hawaii, D.C., or any U.S. territory; 2) Prohibits current detainees from being transferred to the continental United States, Alaska, Hawaii, D.C., or any U.S. territory, except to be prosecuted and only 45 days after Congress receives a plan detailing: risks involved and a plan for mitigating such risk; cost of the transfer; legal rationale and court demands; and a copy of the notification provided to the Governor of the receiving State 14 days before a transfer with a certification by the Attorney General that the individual poses little or no security risk; 3) Current detainees cannot be transferred or released to another country (including freely associated states) unless the President submits to Congress 15 days prior to such transfer: the name of the individual and the country the individual will be transferred to; an assessment of risks posed and actions taken to mitigate such risks; and the terms of the transfer agreement with the other country, including any financial assistance; 4) Requires the President to submit a report to Congress describing the disposition of each current detainee before the facility can be closed.

Human Spaceflight: In October 2009, the Review of U.S. Human Spaceflight Plans Committee (The Augustine Commission) reported its findings on NASA's human spaceflight program. The Augustine Commission raised several issues regarding the current program and budget profile that will require thoughtful consideration by the Administration. In the absence of a bona fide proposal from the Administration on the future of U.S. human spaceflight activities and investments, the bill provides the budget request of \$3.8 billion for activities to support human spaceflight in fiscal year 2010; however, the bill requires that any program termination or elimination or the creation of any new program, project or activity not contemplated in the budget request must be approved in subsequent appropriations Acts.