



CONGRESSMAN ALAN B. MOLLOHAN, CHAIRMAN

HOUSE APPROPRIATIONS SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE & RELATED AGENCIES

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Opening Statement of Chairman Mollohan

Subcommittee Markup – FY 2010 Commerce, Justice, Science & Related Agencies Appropriations Bill

Good morning to everyone. We are assembled today to mark up the fiscal year 2010 appropriations bill for the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, and several independent agencies.

Earlier this year, in preparation for this occasion, our Subcommittee held an extensive set of hearings, focusing principally on the Nation's science enterprise; climate change and mitigation; prisoner reentry, recidivism and criminal justice reform; and southwest border law enforcement. The Subcommittee received testimony from some 68 outside witnesses, as well as testimony from the Secretary of Commerce, the Attorney General, the Acting Administrator of the National Aeronautics and Space Administration, and the Director of the Federal Bureau of Prisons. We have been very busy since January.

At the outset, let me thank the Chairman of the Full Committee, Mr. Obey, for the thoughtful considerations and courtesies he has extended to this Subcommittee and to me, personally. I also want to thank the Chairman for the allocation provided to the Subcommittee, which permits us to continue to invest in critical science research, like climate change, and education as well as in state and local law enforcement. As all of my colleagues know, the budget resolution adopted by the Congress reduces discretionary spending in the aggregate from the levels requested by the President. So, while our allocation provides resources to continue these very important programs, reductions in some programs from the fiscal year 2009 levels and from the budget request in several areas are necessitated.

I also want to acknowledge the work of the Ranking Member, Congressman Frank Wolf, for his contributions to the development of the bill.

As I have said before, this bill touches and enriches the lives of every American in many varied ways. This bill:

- Assists the poor with legal representation;
- Combats crime and deters terrorism and the scourge of drugs;
- Improves and protects our Nation's waters and oceans and natural habitats;
- Enables new discoveries in science, both on *terra firma* and in space, that lead to improvements in our health, environment and economy; and
- Provides appropriate, humane care for our inmate population and opportunities to reduce recidivism and return these men and women to productive lives in society.

In brief summary, this bill totals \$64.4 billion, an increase of \$6.7 billion over last year and \$200 million below the budget request. On the surface, these figures may lead some to conclude that the Subcommittee was not faced with hard choices – to the contrary. One must consider that the budget reduced state and local grant programs by almost \$800 million, including the complete elimination of the state criminal alien assistance program, a program that many members support. In reality then, the Subcommittee had to identify \$1 billion in program savings. Difficult decisions were made, but all in all, the bill presented to you today is a good bill, balanced, and it warrants your full support.

In particular, the bill provides \$30.6 billion for investments in science, technology and innovation, an increase of \$1.0 billion over comparable levels from last year. Within this level, the Subcommittee bill provides \$6.9 billion for the National Science Foundation and \$18.2 billion for NASA. For NIST, the bill provides \$781.1 million. NOAA is recommended for \$4.6 billion. The Subcommittee recommendation continues to provide resources consistent with the doubling path identified for NSF and NIST in the COMPETES Act. It also considers the science and research conducted at NOAA and NASA as critical to the Nation's science enterprise as that performed by the NSF and NIST, and investments are recommended accordingly.

Within overall science funding, the bill provides over \$1 billion for science, technology, engineering and math – or STEM – education. This funding recognizes the need to sustain a growing technically able population for our innovation workforce. In light of testimony before this Subcommittee particular emphasis is placed on identifying and recommending the best models of K-12 STEM education domestically and internationally, inspiring an interest in science in students in elementary school and encouraging hands-on, inquiry-based education.

For climate change, the bill provides \$2.0 billion, an increase of \$64.6 million over last year's level. The Subcommittee recommendation includes resources to accelerate the Earth decadal surveys and to provide funds for critical science data collection and analysis. Funding at NOAA is increased to support the founding of the National Climate Service.

For law enforcement and other activities of the Department of Justice, the bill provides a total of \$27.7 billion. Full funding of \$7.9 billion for the FBI is recommended; \$2 billion for the DEA; and \$1.1 billion for the ATF.

For the Bureau of Prisons, the bill provides \$6.2 billion to address long standing, critical shortages in corrections staffing, education and drug treatment.

For state and local law enforcement activities, the bill provides a total of more than \$3.4 billion, restoring, in large part, reductions proposed by the Administration.

For programs funded through the Office on Violence Against Women, the bill provides an increase of \$11 million, including a \$10 million increase for STOP formula grants and a \$1 million increase for Sexual Assault Victims Services. I want to be clear that, while the funding table in the report for the Office on Violence Against Women might appear to show a funding decrease, that is only because the bill moves a number of programs to the Office of Justice Programs, which actually administers those programs. So let me repeat, this bill increases funding for Office on Violence Against Women programs by \$11 million compared to fiscal year 2009.

The bill provides full funding of \$298 million for the COPS hiring program. Combined with the \$1 billion provided for the program in the Recovery Act, this will put 7,000 new officers on the streets of American communities.

In other areas within the Justice Department, the bill provides \$325 million, an increase of \$41 million over the fiscal year 2009 level, for Adam Walsh Act activities and other sex offender and child exploitation prevention and enforcement programs.

With respect to border security, the bill provides \$1.5 billion, a 30% increase over the fiscal year 2009 level. These funds will be used to address firearms and narcotics trafficking between the U.S. and Mexico, as well as cartel-related violence in the border region. In addition, these funds will help to address years of imbalance between the budgets of DOJ and DHS by providing resources needed to detain, adjudicate and prosecute criminal aliens referred by DHS.

For Second Chance Act programs, the bill includes a total of \$114 million to develop and implement evidence-based strategies and programs, at the Federal and State levels, to reduce recidivism and the future costs of incarceration.

A significant initiative across the Department of Justice is increased investments in law enforcement and prosecution efforts in Indian Country, for which the bill provides approximately \$155 million. That is an increase of \$65 million above the fiscal year 2009 level and the request. The Subcommittee heard compelling testimony from a number of outside witnesses on the need for such investments.

With respect to the Department of Commerce, \$4.6 billion is slated for the National Oceanic and Atmospheric Administration, an increase of \$129 million above the request. The

Subcommittee heard testimony that NOAA research is not markedly different or less important than other science disciplines supported by NSF and NIST, and there was little reason that NOAA research activities not be considered in the context of the doubling path envisioned in the COMPETES Act. These investments are critical as our Nation establishes a National Climate Service.

The bill provides \$7.4 billion for Census, the same level as the budget request.

For NASA, the bill provides a total of \$18.2 billion, an increase of \$421 million over last year's level. Investments have been made in Earth science to further the decadal surveys. The recommendation, however, acknowledges that the Administration has established a blue ribbon panel, led by Dr. Norm Augustine, to review the current vision for human space flight. Funds are provided in the bill to continue investments in human space flight at the same level as provided in fiscal year 2009. Reductions from the budget request should not be viewed as a diminution of my support or that of the Subcommittee in NASA's human space flight activities. Rather, the deferral is taken without prejudice; it is a pause, a time-out, to allow the President to establish his vision for human space exploration and to commit to realistic future funding levels to realize this vision.

The Subcommittee looks forward to receiving the findings of Dr. Augustine's panel and the recommendation of the Administration on the way forward. I do believe, however, in order to avoid continuing cost increases and further delays in the initial operating capability of our Nation's next generation of human space flight architecture to follow the Shuttle's successful and impressive run, it is imperative that the Administration and Congress provide the necessary resources to meet that policy directive – in the annual President's budget and the annual Congressional budget process. When President Kennedy said we would put a man on the moon, the Nation followed – in spirit and with the resources to get the job done. We collectively should do no differently today.

Lastly, the bill provides \$440 million for the Legal Services Administration. The bill continues the existing limitation on the use of funds, except it lifts the current restriction on attorney's fees.

Each of your staff has been fully briefed on the contents of the recommendation. At this time, I would like to ask if our Ranking Member, Mr. Wolf, has any comments he would like to make, after which, I will recognize Mr. Obey for his comments.