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FY2016 Appropriations for the Department of Justice (DOJ)

Updated February 8, 2016

Congressional Research Service
https://crsreports.congress.gov
R43985

CRS REPORT
Prepared for Members and
Committees of Congress

Summary

The mission of the Department of Justice (DOJ) is to "enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans." DOJ carries out its mission through the activities of agencies and bureaus such as the Federal Bureau of Investigation; the Drug Enforcement Administration; the U.S. Marshals Service; the Bureau of Alcohol, Tobacco, Firearms, and Explosives; the U.S. Attorneys Office; and the Bureau of Prisons.

This report provides an overview of the FY2015 appropriations, the Administration's FY2016 request, House and Senate committee action, and FY2016 appropriations for DOJ.

The Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235) provided a total of $27.030 billion for DOJ for FY2015. The Administration requested $29.240 billion for DOJ for FY2016, an increase of 8.2%. The House recommended $28.007 billion for DOJ, while the Senate Committee on Appropriations recommended $27.828 billion. The FY2016-enacted appropriation for DOJ is $29.090 billion, an amount that is 7.6% greater than the FY2015 appropriation, but 0.5% below the Administration's request.

The Administration put forth several budget proposals for DOJ for FY2016. While policymakers might have an interest in a wide variety of topics within the purview of DOJ's responsibilities, the proposals discussed in this report are based on topics that either tend to be a perennial interest for policymakers or which have become topics of national significance due to recent events. Such topics might include the Bureau of Alcohol, Tobacco, Firearms, and Explosive's efforts to combat firearm violence in the United States through its administrative and enforcement functions; DOJ's efforts to combat cybercrime and ensure cybersecurity; grant funding for state and local law enforcement; federal marijuana enforcement efforts in light of state efforts to liberalize their marijuana policies; and federal efforts to combat violent extremism.

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DOJ provides legal advice and opinions, upon request, to the President and executive branch department heads. DOJ prosecutes individuals accused of violating federal laws and it represents the U.S. government in court. The department enforces federal criminal and civil laws, including antitrust, civil rights, environmental, and tax laws. DOJ, through agencies such as the Federal Bureau of Investigation (FBI); the Drug Enforcement Administration (DEA); and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), investigates organized and violent crime, illegal drugs, and gun and explosives violations. The department, through the U.S. Marshals Service (USMS), protects the federal judiciary, apprehends fugitives, and detains individuals who are not granted pretrial release. DOJ's Bureau of Prisons (BOP) incarcerates individuals convicted of violating federal laws. The department also provides grants and training to state, local, and tribal law enforcement agencies.[2]

Overview of DOJ's Accounts

Congress appropriates funding to support DOJ's operations as a part of the annual Commerce, Justice, Science, and Related Agencies appropriations legislation.[3] This section provides a brief overview of DOJ's accounts. **Table 1** provides data on the FY2015 appropriations, the FY2016 budget request, and the House recommended amounts for these accounts.

General Administration

The General Administration account provides funds for salaries and expenses for the Attorney General's office, the Inspector General's office, and other programs designed to ensure that the collaborative efforts of DOJ agencies are coordinated to help represent the government and fight crime as efficiently as possible.

General Administration

The General Administration account includes funding for salaries and expenses for DOJ administration as well as for Justice Information Sharing Technology. The account also funded the National Drug Intelligence Center (NDIC) prior to its closure.[4] In addition, this account funded Law Enforcement Wireless Communications before funding for related activities was shifted to the FBI.[5]

[1] U.S. Department of Justice, *About DOJ*, http://www.justice.gov/about/about.html.

[2] The **Appendix** provides a breakdown of appropriations for grant programs funded under the Office on Violence Against Women; Research, Evaluation, and Statistics; State and Local Law Enforcement Assistance; Juvenile Justice Programs; and Community Oriented Policing Services accounts.

[3] For more information on FY2015 and FY2016 appropriations for CJS, see CRS Report R43918, *Overview of FY2016 Appropriations for Commerce, Justice, Science, and Related Agencies (CJS)*, by Nathan James.

[4] Congress ceased funding for the NDIC after FY2012.

[5] Congress stopped providing funding for Law Enforcement Wireless Communications under the General Administration account after FY2012.

Administrative Review and Appeals (ARA)

Administrative Review and Appeals (ARA) includes the Executive Office of Immigration Review (EOIR) and the Office of the Pardon Attorney (OPA). The Attorney General is responsible for the review and adjudication of immigration cases in coordination with the Department of Homeland Security's (DHS's) efforts. The EOIR handles these matters, and the OPA receives and reviews petitions for executive clemency.

Office of the Inspector General (OIG)

The Office of the Inspector General (OIG) is responsible for detecting and deterring waste, fraud, and abuse involving DOJ programs and personnel; promoting economy and efficiency in DOJ operations; and investigating allegations of departmental misconduct.

U.S. Parole Commission

The U.S. Parole Commission adjudicates parole requests for prisoners who are serving felony sentences under federal and District of Columbia code violations. The commission also sets the conditions of release for offenders under its jurisdiction and makes determinations about whether to return offenders who have violated the terms of their release to prison.

Legal Activities

The Legal Activities account includes several subaccounts: General Legal Activities, U.S. Attorneys, the Antitrust Division, the Vaccine Injury Compensation Trust Fund, the U.S. Trustee System Fund, the Foreign Claims Settlement Commission, Fees and Expenses of Witnesses, and the Community Relations Service. Congress also establishes a limit on how much can be spent from the Assets Forfeiture Fund to cover certain expenses.

The General Legal Activities account funds the Solicitor General's supervision of the department's conduct in proceedings before the Supreme Court. It also funds several departmental divisions (tax, criminal, civil, environment and natural resources, legal counsel, civil rights, INTERPOL, and dispute resolution).

The U.S. Attorneys enforce federal laws through prosecution of criminal cases and represent the federal government in civil actions in all of the 94 federal judicial districts.

U.S. Marshals Service (USMS)

The U.S. Marshals Service (USMS) is responsible for the protection of the federal judicial process, including protecting judges, attorneys, witnesses, and jurors. In addition, the USMS provides physical security in courthouses, safeguards witnesses, transports prisoners from court proceedings, apprehends fugitives, executes warrants and court orders, and seizes forfeited property.[6]

[6] Under the Consolidated and Further Continuing Appropriations Act (P.L. 113-6), Congress eliminated funding for the Office of the Federal Detention Trustee account and instead provided funding for a Federal Prisoner Detention account under the USMS. Funding under this account covers the costs associated with the care of federal detainees.

National Security Division (NSD)

The National Security Division (NSD) coordinates DOJ's national security and terrorism missions through law enforcement investigations and prosecutions. The NSD was established in DOJ in response to the recommendations of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (WMD Commission), and authorized by Congress on March 9, 2006, in the USA PATRIOT Improvement and Reauthorization Act of 2005 (P.L. 109-177). Under the NSD, DOJ resources of the Office of Intelligence Policy and Review and the Criminal Division's Counterterrorism and Counterespionage Sections were consolidated to coordinate all intelligence-related resources and to ensure that criminal intelligence information is shared, as appropriate.

Interagency Law Enforcement

The Interagency Law Enforcement account reimburses departmental agencies for their participation in the Organized Crime Drug Enforcement Task Force (OCDETF) program. Organized into nine regional task forces, this program combines the expertise of federal agencies with the efforts of state and local law enforcement to disrupt and dismantle major narcotics trafficking and money laundering organizations. The federal agencies from DOJ that participate in OCDETF are the DEA, the FBI, the ATF, the USMS, the Tax and Criminal Divisions of DOJ, and the U.S. Attorneys. Other agencies participating in OCDETF are Immigration and Customs Enforcement and the U.S. Coast Guard from the Department of Homeland Security, and the Treasury Office of Enforcement and Internal Revenue Service from the Department of the Treasury. Moreover, state and local law enforcement agencies participate in approximately 90% of all OCDETF investigations.

Federal Bureau of Investigation (FBI)

The Federal Bureau of Investigation (FBI) is the lead federal investigative agency charged with defending the country against foreign terrorist and intelligence threats; enforcing federal laws; and providing leadership and criminal justice services to federal, state, municipal, tribal, and territorial law enforcement agencies and partners. Since the September 11, 2001 (9/11), terrorist attacks, the FBI has reorganized and reprioritized its efforts to focus on preventing terrorism and related criminal activities.

Drug Enforcement Administration (DEA)

The Drug Enforcement Administration (DEA) is the only single-mission federal agency tasked with enforcing the nation's controlled substance laws in order to reduce the availability and abuse of illicit drugs and the diversion of licit drugs for illicit purposes. The DEA's enforcement efforts include the disruption and dismantling of drug trafficking and money laundering organizations through drug interdiction and seizures of illicit revenues and assets derived from these organizations. The DEA continues to face evolving challenges in limiting the supply of illicit drugs as well as reducing drug trafficking from Mexico across the Southwest border into the United States. The agency plays a key role in the Administration's Southwest Border Initiative to counter drug-related border violence, focusing on the convergent threats of illegal drugs, drug-related violence, and terrorism in the region. The DEA also has an active role in the Administration's Prescription Drug Abuse Prevention Plan, targeting improper prescribing practices and promoting proper disposal of unused prescription drugs.

Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)

The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) enforces federal criminal law related to the manufacture, importation, and distribution of alcohol, tobacco, firearms, and explosives. The ATF works independently and through partnerships with industry groups; international, state, and local governments; and other federal agencies to investigate and reduce crime involving firearms and explosives, acts of arson, and illegal trafficking of alcohol and tobacco products.

Federal Prison System (Bureau of Prisons, BOP)

The Bureau of Prisons (BOP) was established in 1930 to house federal inmates, professionalize the prison service, and ensure consistent and centralized administration of the federal prison system. The mission of the BOP is to protect society by confining offenders in prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities for inmates so that they can become productive citizens after they are released. The BOP currently operates 121 correctional facilities across the country.[7] It also contracts with Residential Re-entry Centers (RRCs; i.e., halfway houses) to provide assistance to inmates nearing release. RRCs provide inmates with a structured and supervised environment along with employment counseling, job placement services, financial management assistance, and other programs and services.

Office on Violence Against Women (OVW)

The Office on Violence Against Women (OVW) was established to administer programs created under the Violence Against Women Act (VAWA) of 1994 and subsequent legislation. These programs provide financial and technical assistance to communities around the country to facilitate the creation of programs, policies, and practices designed to improve criminal justice responses related to domestic violence, dating violence, sexual assault, and stalking.

Office of Justice Programs (OJP)

The Office of Justice Programs (OJP) manages and coordinates the National Institute of Justice, Bureau of Justice Statistics, Office of Juvenile Justice and Delinquency Prevention, Office of Victims of Crimes, Bureau of Justice Assistance, and related grant programs.

Research, Evaluation, and Statistics

The Research, Evaluation, and Statistics account (formerly the Justice Assistance account) funds the operations of the Bureau of Justice Statistics and the National Institute of Justice, among other things.

State and Local Law Enforcement Assistance

The State and Local Law Enforcement Assistance account includes funding for a variety of grant programs to improve the functioning of state, local, and tribal criminal justice systems. Some examples of programs that have traditionally been funded under this account include the Edward

[7] U.S. Department of Justice, Bureau of Prisons, *About the Bureau of Prisons, Federal Prisons*, http://www.bop.gov/about/facilities/federal_prisons.jsp.

Byrne Memorial Justice Assistance Grant (JAG) program, the Drug Courts program, the State Criminal Alien Assistance Program (SCAAP), and DNA backlog reduction grants.

Juvenile Justice Programs

The Juvenile Justice Programs account includes funding for grant programs to reduce juvenile delinquency and help state, local, and tribal governments improve the functioning of their juvenile justice systems.

Public Safety Officers Benefits Program (PSOB)

The Public Safety Officers Benefits (PSOB) program provides three different types of benefits to public safety officers and their survivors: death, disability, and education. The PSOB program is intended to assist in the recruitment and retention of law enforcement officers, firefighters, and first responders.

Community Oriented Policing Services (COPS)

The Community Oriented Policing Services (COPS) Office awards grants to state, local, and tribal law enforcement agencies throughout the United States so they can hire and train law enforcement officers to participate in community policing, purchase and deploy new crime-fighting technologies, and develop and test new and innovative policing strategies.

The Crime Victims Fund

The Crime Victims Fund (CVF) was established by the Victims of Crime Act of 1984 (P.L. 98-473, VOCA). It is administered by the Office for Victims of Crime (OVC), and provides funding to the states and territories for victim compensation and assistance programs. This account does not receive appropriations but instead is largely funded by criminal fines, forfeited bail bonds, penalties, and special assessments that are collected by U.S. Attorneys' Offices, U.S. courts, and the BOP.[8]

FY2015 and FY2016 Appropriations for DOJ

The Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235) provided a total of $27.030 billion for DOJ for FY2015. The Administration requested $29.240 billion for DOJ for FY2016, a proposed increase of 8.2%. The House recommended $28.007 billion for DOJ, while the Senate Committee on Appropriations recommended $27.828 billion. The FY2016-enacted appropriation for DOJ is $29.090 billion, an amount that is 7.6% greater than the FY2015 appropriation, but 0.5% below the Administration's request.

[8] U.S. Department of Justice, Office for Victims of Crime, *About OVC, Crime Victims Fund*, http://www.ojp.usdoj.gov/ovc/about/victimsfund.html.

Table 1. DOJ Appropriations, FY2015 and FY2016

Budget authority in millions of dollars

Account	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
General Administration	573.0	735.0	637.9	630.9	659.0
General Administration	(137.3)	(156.9)	(121.4)	(134.8)	(142.5)
Salaries and Expenses	*(111.5)*	*(119.4)*	*(95.5)*	*(109.0)*	*(111.5)*
Justice Information Sharing Technology	*(25.8)*	*(37.4)*	*(25.8)*	*(25.8)*	*(31.0)*
Administrative Review and Appeals	(347.1)	(484.4)	(422.8)	(407.1)	(422.8)
Office of the Inspector General	(88.6)	(93.7)	(93.7)	(89.0)	(93.7)
U.S. Parole Commission	13.3	13.5	13.3	13.3	13.3
Legal Activities	3,220.2	3,493.4	3,272.5	3,276.8	3,314.6
General legal activities	(885.0)	(1,037.4)	(882.0)	(885.0)	(893.0)
U.S. Attorneys	(1,960.0)	(2,032.2)	(1,995.0)	(1,973.0)	(2,000.0)
Antitrust Division (direct appropriation)[a]	(62.2)	(41.0)	(38.3)	(38.2)	(41.0)
U.S. Trustee Program[b]	(225.9)	(228.1)	(225.9)	(225.9)	(225.9)
Offsetting Fee Receipts (U.S. Trustee Program)	(-225.9)	(-162.0)	(-162.0)	(-162.0)	(-162.0)
Foreign Claims Settlement Commission	(2.3)	(2.4)	(2.3)	(2.4)	(2.4)
Fees and Expenses of Witnesses	(270.0)	(270.0)	(270.0)	(270.0)	(270.0)
Community Relations Service	(12.3)	(14.4)	(13.0)	(14.4)	(14.4)
Assets Forfeiture Fund[c]	(20.5)	(20.5)	—	(20.5)	(20.5)
Vaccine Injury Compensation Trust Fund	(7.8)	(9.4)	(8.0)	(9.4)	(9.4)
U.S. Marshals Service	1,700.1	2,700.0	2,289.1	2,659.2	2,700.0
Salaries and Expenses	(1,195.0)	(1,230.6)	(1,220.0)	(1,195.0)	(1,230.6)
Construction	(9.8)	(15.0)	(11.0)	(9.8)	(15.0)
Federal Prisoner Detention	(495.3)[d]	(1,454.4)	(1,058.1)	(1,454.4)	(1,454.4)
National Security Division	93.0	96.6	95.0	93.0	95.0
Interagency Law Enforcement	507.2	519.3	510.0	507.2	512.0
Federal Bureau of Investigation	8,436.6	8,483.6	8,547.8	8,542.5	8,798.8
Salaries and Expenses	(8,326.6)	(8,414.6)	(8,489.8)	(8,433.5)	(8,489.8)
Construction	(110.0)	(69.0)	(58.0)	(109.0)	(309.0)
Drug Enforcement Administration	2,033.3	2,091.6	2,050.9	2,033.3	2,080.0
Bureau of Alcohol, Tobacco, Firearms and Explosives	1,201.0	1,261.2	1,240.0	1,201.0	1,240.0

Account	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
Federal Prison System	6,923.7	7,347.4	7,181.2	6,956.7	7,481.2
Salaries and Expenses	(6,815.0)	(7,204.2)	(6,948.5)	(6,848.0)	(6,948.5)
Construction	(106.0)	(140.6)	(230.0)	(106.0)	(530.0)
Limitation on Administrative Expenses, Federal Prison Industries	(2.7)	(2.7)	(2.7)	(2.7)	(2.7)
Office on Violence Against Women	430.0	473.5	501.1	234.0[e]	101.0[f]
Office of Justice Programs	1,690.8	1,721.9	1,416.7	1,467.8	1,883.0
Research, Evaluation, and Statistics	(111.0)	(151.9)	—	(117.0)	(116.0)
State and Local Law Enforcement Assistance	(1,241.0)	(1,142.3)	(1,141.9)	(1,009.0)[g]	(1,408.5)
Juvenile Justice Programs	(251.5)	(339.4)	(186.5)	(253.5)[h]	(270.2)
Public Safety Officers Benefits	(87.3)	(88.3)	(88.3)	(88.3)	(88.3)
Community Oriented Policing Services	208.0	303.5	251.5	212.0	212.0
Crime Victims Fund (CVF)	2,361.0	1,000.0	2,705.2	2,602.0	3,042.0
Offsetting Receipts (CVF)	-2,361.0	-1,000.0	-2,705.2	-2,602.0	-3,042.0
Total	**27,030.2**[i]	**29,240.5**[j]	**28,006.9**[k]	**27,827.8**[l]	**29,089.8**[m]

Source: The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from H.Rept. 114-130. The House-passed amounts were taken from the text of H.R. 2578 and H.Rept. 114-130. The Senate committee-reported amounts were taken from S.Rept. 114-66. The FY2016-enacted amounts were taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759).

Notes: Amounts may not add to totals due to rounding. Amounts do not include any rescissions of unobligated balances, nor do they reflect any scorekeeping adjustments. Amounts in parenthesis are subaccounts.

a. Part of the annual appropriation for the Antitrust Division is offset by pre-merger filing fee collections.

b. The U.S. Trustee Program has historically been fully funded by the U.S. Trustee System Fund, which consists primarily of fees paid by parties and businesses invoking bankruptcy protection.

c. As a part of the annual CJS appropriations act, Congress traditionally sets a limit on the amount of expenses that can be paid for the purposes authorized under (B), (F), and (G) of Section 524(c)(1) of Title 28 of the United States Code.

d. This amount does not include a required transfer of $1.1 billion in unobligated balances from the Assets Forfeiture Fund to the U.S. Marshals Federal Prisoner Detention account.

e. This amount does not include a proposed transfer of $245 million from the Crime Victims Fund to the Office on Violence Against Women.

f. This amount does not include the $379 million transfer from the Crime Victims Fund to the Office on Violence Against Women per P.L. 113-114.

g. This amount does not include a proposal to fund some programs under the State and Local Law Enforcement Assistance account with funds from the Crime Victims Fund. In total, $93 million in funding from the Crime Victims Fund would have been used to fund programs under the State and Local Law Enforcement Assistance account.

h. This amount does not include a proposal to fund some programs under the Juvenile Justice Programs account with funds from the Crime Victims Fund. In total, $41 million in funding from the Crime Victims Fund would have been used to fund programs under the Juvenile Justice Programs account.

i. This amount does not include $671.7 million in rescissions of prior-year unobligated balances.

j. This amount does not include a proposed $563.5 million in rescissions of prior-year unobligated balances.
k. This amount does not include a proposed $364.5 million in rescissions of prior-year unobligated balances.
l. This amount does not include a proposed $582.5 million in rescissions of prior-year unobligated balances.
m. This amount does not include $878.7 million in rescissions of prior-year unobligated balances.

Select Legislative Proposals

This section of the report provides an overview of some of the Administration's proposals in its FY2016 budget for DOJ. While policymakers might have an interest in a wide variety of topics within the purview of DOJ's responsibilities, the proposals discussed in this section are based on topics that either tend to be a perennial interest for policymakers or which have become topics of national significance due to recent events.

Resources for the ATF's Administrative and Enforcement Missions

The ATF is the lead federal law enforcement agency charged with administering and enforcing federal laws related to firearms and explosives commerce.[9] The ATF is also responsible for investigating arson cases with a federal nexus, and criminal cases involving the diversion of alcohol and tobacco from legal channels of commerce.[10] For FY2016, Congress appropriated $1.24 billion for ATF. This is the same amount included in the House-passed bill, and is $39 million more than the amount included in the Senate-reported bill. The FY2016 appropriation is a 3.4% increase over the agency's FY2015 appropriation, but is 1.7% ($21.2 million) less than the administration's request.

The ATF's FY2016 budget justification asserts that the agency does not have enough resources to monitor the firearms industry, or conduct routine firearms traces for other law enforcement agencies. The ATF also maintains that it cannot meet its goal of inspecting every federal firearms license (FFL) for compliance on a three-year cycle. For FY2014, for example, ATF reported that it could only conduct 10,000 FFL compliance inspections, a 24% decrease from the previous year, and covering only 7% of the FFL population. The Administration, moreover, maintains that the ATF has been hamstrung by appropriations limitations, an increase in the number of FFLs, and a surge in firearms-related commerce.[11]

Figure 1 illustrates the net increase in the annual civilian gun stock. Total stock has fluctuated over the past 32 years but has generally increased from a little less than 5 million in 2003 to over 9 million in 2011. Annual increases in the civilian gun stock could be viewed as one possible

[9] The ATF was originally established as a separate bureau in the Department of the Treasury in 1972 by Treasury Department Order No. 120-1. As part of the Homeland Security Act, Congress transferred the ATF's enforcement and regulatory functions for firearms and explosives to DOJ from the Department of the Treasury, adding "explosives" to the ATF's title. See P.L. 107-296, 116 Stat. 2135, November 25, 2002, §1111 (effective January 24, 2003).

[10] The regulatory aspects of alcohol and tobacco commerce are the domain of the Tax and Trade Bureau (TTB), which encompasses former components of the ATF that remained at Treasury when other components of the ATF described above were transferred to DOJ on January 24, 2003, under P.L. 107-296.

[11] For example, for FY2016, the Administration requests the elimination of two long-standing provisos, included previously in the ATF salaries and expenses appropriations language, that prohibit ATF from:

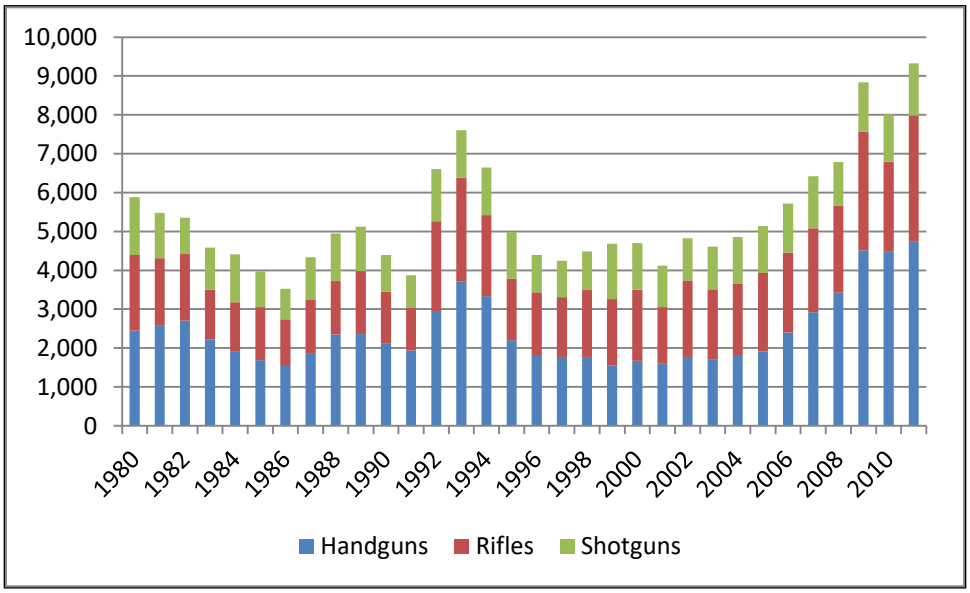
-altering the regulatory definition of "curios and relics," and

-requiring federally licensed gun dealers to conduct physical inventories.

Under the Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6), Congress included futurity language (in the current fiscal year and any fiscal year thereafter) in both of these provisions that appears to be intended to make these provisos permanent law.

measure for the ATF's correspondingly increasing responsibilities to monitor the gun industry and commerce.

Figure 1. Annual Net Increases in U.S. Civilian Gun Stock (1980-2011)

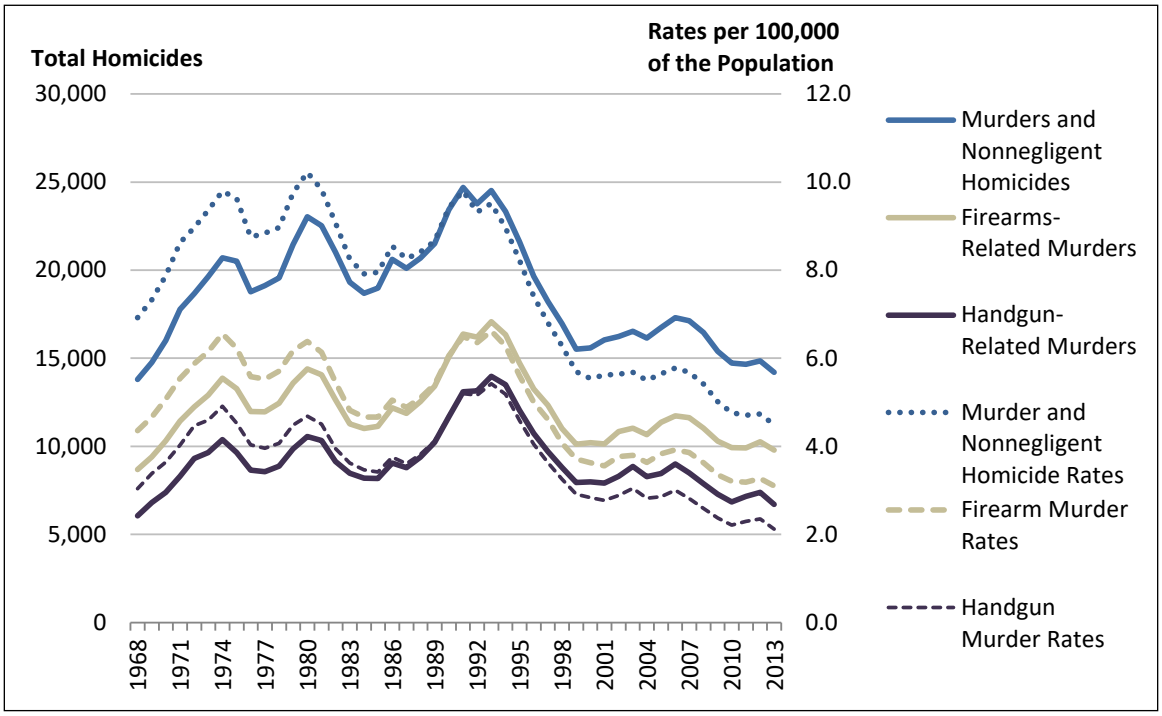


Source: Bureau of Alcohol, Tobacco, Firearms, and Explosives publications: *Commerce in Firearms in the United States* (February 2000), *Firearms Commerce Reports, 2012*, and *Annual Firearms Manufacturing and Exportation Report, 2013*.

Notes: Does not include certain pistol grip firearms, starter guns, and firearms frames and receivers, which generally fall under a category labeled "miscellaneous" by the ATF.

For FY2015 the ATF reported that it allocated $1.014 billion (84.4%) of its $1.201 billion appropriation under its "law enforcement operations" budget decision unit. The ATF proposed allocating a similar percentage (84.4%) for FY2016 for this budget decision unit. This means that less than 16% of ATF-appropriated funding would be allocated for its other budget decision unit, "investigative support services," which funds other arguably mission-critical activities, including FFL compliance inspections and firearms traces. While the ATF has traditionally allocated a greater share of its resources toward its enforcement mission over its regulatory (administrative) mission, the emphasis on enforcement over administration might have been exacerbated by the ATF's transfer from the Department of the Treasury to DOJ.

Figure 2. Estimated Firearms-Related Murders and Nonnegligent Homicides



Source: Federal Bureau of Investigation, *Uniform Crime Reports*.

In its FY2016 budget justifications, the ATF cited incidents of murder and nonnegligent manslaughter (homicide), robbery, and aggravated assault committed with a firearm in calendar year 2012. As **Figure 2** shows, about two-thirds of murders were committed with firearms from 1968 to 2013. About half of those murders were committed with handguns. Murders—committed with or without firearms—declined in the 1990s, fluctuated somewhat in the 2000s, but continued to decrease from 2007 to 2013. While the overall number of homicides was higher from 1999 through 2013 than in 1968, the rate per 100,000 of the population was lower for those years than in 1968.

The House-passed bill would have provided ATF with $1.24 billion for FY2016,[12] or the same amount provided by P.L. 114-113. Within this amount, House report language indicates that ATF should[13]

- meet its critical staffing requirements;
- improve its capacity to process National Firearms Act (NFA)[14] applications and service requests; and

[12] During floor consideration, the House passed two amendments (H.Amdt. 299 and H.Amdt. 300) that reduced the committee mark for ATF ($1.25 billion) by $10 million.

[13] U.S. Congress, House Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, *Commerce, Justice, Science, and Related Agencies Appropriations Bill, 2016 (H.R. 2578)*, 114th Cong., 1st sess., May 27, 2015, H.Rept. 114-130, p. 43.

[14] The NFA (26 U.S.C. §5801 et seq.) regulates types of firearms considered to be especially lethal, most notably machine guns and short-barreled shotguns and rifles. This law also regulates firearms, other than pistols and revolvers, which can be more easily concealed on a person (e.g., pen, cane, and belt buckle guns), as well as firearms silencers/suppressors. It taxes all aspects of the manufacture and distribution of such weapons, and it compels the disclosure (through registration with the Attorney General) of the production and distribution system from

- sustain the updating and expansion of the National Integrated Ballistics Information Network (NIBIN).[15]

In addition, the report language directs ATF to provide an updated analysis of gun trafficking patterns, including Internet-based markets, criminal sources of firearms, and value of crime gun tracing.[16]

During floor consideration, the House passed several gun control-related amendments that would have blocked ATF regulatory initiatives related to administering armor piercing ammunition waivers under a sporting purposes test[17] and NFA trusts.[18] The House passed another amendment that would have overturned a long-standing appropriations rider that bans ATF from considering firearms disabilities relief applications.[19] However, none of these provisions were included in P.L. 114-113.

The House rejected an amendment that would have stripped two provisions from the bill.[20] One provision was included in P.L. 114-113, the other was not. For FY2016, the first provision prohibits ATF from blocking the importation of certain shotguns.[21] The other provision, not

manufacturer to buyer.

[15] In the late 1990s, ATF developed NIBIN to enable law enforcement agencies to share computerized images of bullets and cartridge casings recovered by law enforcement, including crime scene evidence. Those images are uploaded into several regional computer networks under the NIBIN program. For further information, see Daniel L. Cork et al., *Ballistic Imaging, Committee to Assess the Feasibility, Accuracy, and Technical Capability of a National Ballistic Database*, National Research Council, 2008, p. 133.

[16] H.Rept. 114-130, p. 44. NB: Report language cites a 2000 ATF report entitled *Following the Gun: Enforcing Federal Laws Against Firearms Traffickers*, which available on the ATF website, https://www.atf.gov/file/11876/download.

[17] On February 13, 2015, ATF proposed a framework for determining whether certain rifle cartridges, like the NATO M855 5.56x45mm, should be considered "armor piercing" due to the metallic composition of the projectile (bullet), and whether the Attorney General should waive such cartridges from an armor piercing ammunition ban, because they are "intended primarily to be used for sporting purposes." ATF justified the framework and its re-interpretation of the Law Enforcement Officers Protection Act of 1986 (LEOPA; P.L. 99-409), which was enacted to ban "cop killer" bullets that may be used in a handgun, because certain semiautomatic pistols based on M16 receivers have become available through ordinary commercial channels in the United States. However, the House and Senate Chairs of the Judiciary Committees, Representative Bob Goodlatte and Senator Charles Grassley, sent letters to the ATF Director and objected strongly to the reasoning behind the framework, under which ATF might have potentially banned a range of other rifle cartridges that had previously either been exempted, or not subject, to the armor piercing ammunition ban. On March 10, 2015, ATF withdrew its framework from further consideration due ostensibly to a negative public response. An amendment (H.Amdt. 329; Sec. 553) would prohibit the use of any funding provided under the bill to be used to classify M855 or SS109 (5.56x45mm) ammunition as armor piercing under P.L. 99-409. A related amendment (H.Amdt. 341; Sec. 568) would prohibit the use of funding provided under the bill to be used to ban any ammunition as armor piercing unless it had been "designed and intended for use in a handgun." Another House-passed amendment (H.Amdt. 343; Sec. 562) would prohibit the use any funding provided under the bill to be used to continue a ban on the importation of 5.45x39mm ammunition as armor piercing.

[18] A House-passed amendment (H.Amdt. 320; Sec. 548) would have prohibited the use of any funding under the bill to implement a proposed 2013 regulation that would change certain NFA requirements related to a sign-off by a Chief Law Enforcement Officer and NFA Trusts. Bureau of Alcohol, Tobacco, Firearms and Explosives, "Machine Guns, Destructive Devices and Certain Firearms; Background Checks for Responsible Persons of a Corporation, Trust or Other Legal Entity With Respect to Making or Transferring a Firearm," 78 *Federal Register* 55014-55029, September 9, 2015.

[19] For FY1993 and every year thereafter, Congress has included a proviso in the ATF salaries and expenses language that has prevented that agency from using appropriated funds to consider applications for disabilities relief (i.e., reinstatement of an applicant's right to gun ownership) from individuals who are otherwise ineligible to be transferred a firearm. An amendment (H.Amdt. 302) to that proviso for FY2016 would require ATF to consider such applications.

[20] The House-rejected amendment is H.Amdt. 307.

[21] Sec. 532 of P.L. 114-113 prohibits ATF from banning the importation of certain shotguns that the agency characterized as "non-sporting," because they include certain "military-style" features (e.g., pistol grips, folding or

included in P.L. 114-113, would have prohibited the ATF from collecting multiple rifle sales reports in Southwest border states.[22]

Funding to Combat Cybercrime

For over three decades, Congress has been concerned about cybercrime and its related threats.[23] Today, these concerns often arise in a larger discussion surrounding the federal government's role in ensuring cybersecurity. Specifically, there is interest in ensuring the federal government has the tools and capabilities to combat modern-day crimes—particularly crimes with cyber components—while safeguarding privacy rights.[24]

While a number of departments and agencies are involved in ensuring cybersecurity and thwarting cyber threats, DOJ has a particularly prominent role in countering cybercrime. Combatting cybercriminals is an issue that cuts across DOJ's investigative, intelligence, prosecutorial, and technological components. Not only must DOJ protect its own critical information systems from cyber intrusions, but the department must also be poised to investigate and prosecute modern-day cybercriminals. The President's FY2016 budget request for DOJ prioritized cybersecurity and included about $26.8 million in proposed cybersecurity increases. While Congress has directed DOJ to use some of its FY2016 funding to enhance its counter-cybercrime efforts (as discussed below), it is unclear exactly how much will be spent on these activities.

In bolstering DOJ's cybersecurity infrastructure, the President's FY2016 budget request included an additional $4.1 million in non-personnel costs for the information technology (IT) Transformation and Cybersecurity Program. With respect to cybersecurity, this money was specifically requested to acquire technology to better enable the department to detect advanced persistent threats and insider threats.[25] Some may question how the federal government—including DOJ—may enhance its systems and networks to keep pace with, or even stay ahead of, criminals and other malicious actors in cyberspace.

Within DOJ, the FBI is the lead agency investigating cybercrime and related criminal activities. Specifically, the FBI is involved in "investigating [computer and network] intrusions to determine criminal, terrorist, and nation-state actor identities, and engaging in activities which reduce or neutralize these threats."[26] Efforts include a Cyber Division at FBI headquarters, cyber squads

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collapsible stocks, laser sights, as well as the ability to accept large capacity ammunition feeding devices). For FY2012 and every year thereafter, such language has been included in enacted bills that appropriated funding for ATF.

[22] Sec. 537 of H.R. 2578 would have prohibited the use of any funding provided under the bill to continue implementing a 2011 information collection initiative, under which ATF has required federal firearms licensees (FFLs) to report to ATF whenever they make multiple sales or other dispositions of more than one rifle within five consecutive business days to an unlicensed person. Such reporting is limited to firearms that are (1) semiautomatic, (2) chambered for ammunition of greater than .22 caliber, and (3) capable of accepting a detachable magazine. For FY2011 and every year thereafter, the House CJS appropriations bills have included language to block this initiative, but such language has yet to be enacted.

[23] The original version of the Computer Fraud and Abuse Act was passed as part of the Comprehensive Crime Control Act of 1984 (P.L. 98-473). Prior to this, hearings were held over several Congresses. For more information on cybercrime, see CRS Report R42547, *Cybercrime: Conceptual Issues for Congress and U.S. Law Enforcement*, by Kristin Finklea and Catherine A. Theohary.

[24] See, for example, U.S. Congress, Senate Committee on the Judiciary, *Privacy in the Digital Age: Preventing Data Breaches and Combating Cybercrime*, 113th Cong., 2nd sess., February 4, 2014.

[25] U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, Justice Information Sharing Technology*, pp. 18-19.

[26] U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, Federal Bureau of*

operating around the country, cyber action teams that can be rapidly deployed around the world, and computer crimes task forces combining federal, state, and local partners.[27] Through the Next Generation Cyber Initiative, the FBI is focusing its cyber investigations on examining intrusions, hiring employees with specific technology expertise, and enhancing collaboration at the National Cyber Investigative Joint Task Force.[28] The President's FY2016 budget request included an additional $10.3 million in non-personnel costs to support the Next Generation Cyber Initiative. Within this initiative, the Administration had proposed that the requested funding increase would improve cyber investigations as well as cyber data collection and analysis.[29] The committee report accompanying the House-passed bill delineated that increased funding for the FBI was intended to support "several critical and underfunded elements of the FBI's mission," including the Next Generation Cyber Initiative and IT infrastructure as well as combating cyber intrusions and investigating cybercrime. No such language was included in P.L. 114-113 or the accompanying explanatory statement.

With respect to prosecuting cybercrime, the U.S. Attorneys and the Criminal Division at DOJ are both centrally involved. In enforcing federal criminal laws, the Criminal Division—namely through its Computer Crimes and Intellectual Property Section, which as of December 2014 includes a dedicated Cybersecurity Unit—has developed several Strategic Initiatives to Address Cyber Threats. These include training investigators and attorneys on cybercrime and digital evidence, increasing DOJ's digital forensics capacity, enhancing DOJ's cyberthreat expertise, improving information sharing efforts with the private sector, expanding relationships with foreign law enforcement partners, and enhancing cyberpolicy development.[30] The Administration proposed expanding these initiatives by $6.1 million and 54 positions over the existing $27.9 million and 118 positions.[31] The U.S. Attorneys, particularly through the Computer Hacking and Intellectual Property (CHIP) attorneys and National Security Cyber Specialists (NSCS) Network, prosecute cyber threats. As the number, scope, and complexity of cybercrime cases has grown, DOJ requested $6.1 million and 60 positions (over the existing $11.9 million and 68 positions) to help enhance cybercrime prosecutions.[32] The explanatory statement accompanying P.L. 114-113 encourages the U.S. Attorneys to use funding to strengthen the prosecution of cybercrime, among other violations.

As cybercrime threats impact not only public safety but also national security, DOJ's National Security Division (NSD) is involved in "the full range of U.S. cyber and cybersecurity efforts, including cyber threat prevention, detection, investigation, and prosecutions, cybersecurity program development and oversight, cybersecurity vulnerability management, and cyber policy development. To keep pace with the unique challenges of this evolving threat, NSD will need to

Investigation, p. 1-5.

[27] Federal Bureau of Investigation, *Computer Intrusions*, http://www.fbi.gov/about-us/investigate/cyber/computer-intrusions.

[28] Federal Bureau of Investigation, "Robert Anderson, Jr., Executive Assistant Director, Criminal, Cyber, Response, and Services Branch, Statement Before the Senate Committee on Homeland Security and Governmental Affairs," press release, September 10, 2014.

[29] U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, Federal Bureau of Investigation*, pp. 5-1 – 5-6.

[30] U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, Criminal Division*, p. 43.

[31] U.S. Department of Justice, *FY2016 Budget Request: National Security*, p. 3.

[32] Ibid. See also U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, United States Attorneys*, p. 54.

recruit, hire, and train additional cyber specialists."[33] As such, for FY2016 the Administration requested an expansion of $1.7 million and 12 positions over the existing $2.7 million and 19 positions.[34] The explanatory statement accompanying P.L. 114-113 directs the NSD to "strengthen its support of the Intelligence Community in identifying and disrupting cyber threats."

The "Smart on Crime" Initiative

Crime in the United States, especially violent crime, is at a historic low. The FBI reported that the violent crime rate for 2013 was 368 violent crimes per 100,000 people, which is approximately half of what the rate was at its peak in 1991.[35] The violent crime rate in 2013 was the lowest it had been since 1969. However, at the end of 2013 there were over 2.2 million people incarcerated in the United States, which included nearly 1.6 million prison inmates and another 730,000 people incarcerated in local jails.[36] In comparison, at the end of 1990 there were approximately 740,000 prison inmates and 405,000 people incarcerated in jails.[37] Research suggests that although incarceration did contribute to lower violent crime rates in the 1990s (one estimate is that increased incarceration was responsible for approximately 5% of the drop in crime in the 1990s), there are declining marginal returns associated with ever-increasing levels of incarceration.[38]

There is a growing sense that the United States can no longer afford to rely solely on incarceration as a means to public safety. Spending on corrections is straining public budgets. The Justice Center at the Council of State Governments notes that state spending on corrections increased from $12 billion in 1988 to $53 billion in 2012.[39] Funding for the Bureau of Prisons (BOP) accounted for approximately 25% of the total FY2015 appropriation for DOJ.[40] In addition to the financial cost of operating prisons, there is a social cost associated with increasing levels of incarceration. More people, especially black males, are having problems finding work because they have criminal histories; more children are growing up in homes where their father is

[33] U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, National Security Division*, p. 41.

[34] U.S. Department of Justice, *FY2016 Budget Request: National Security*, p. 4.

[35] Violent crime rates for the years 1960-2012 can be found in University at Albany, School of Criminal Justice, Hindelang Criminal Justice Research Center, *Sourcebook of Criminal Justice Statistics (online)*, Table 3.106.2012. The violent crime rate for 2013 can be found in Federal Bureau of Investigation, *Crime in the United States, 2013*, Table 1.

[36] Lauren E. Glaze and Danielle Kaeble, *Correctional Populations in the United States, 2013*, U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, NCJ 248479, Washington, DC, December 2014, p. 2, http://www.bjs.gov/content/pub/pdf/cpus13.pdf.

[37] University at Albany, School of Criminal Justice, Hindelang Criminal Justice Research Center, *Sourcebook of Criminal Justice Statistics (online)*, Table 6.1.2011.

[38] For a discussion of what contributed to decreasing crime rates in the 1990s see Inimai M. Chettiar, "The Many Causes of America's Decline in Crime," *The Atlantic*, February 11, 2015, http://www.theatlantic.com/features/archive/2015/02/the-many-causes-of-americas-decline-in-crime/385364/. For a discussion on the marginal returns of increasing incarceration rates, see Anne Morrison Piehl and Bert Useem, "Prisons," in *Crime and Public Policy*, ed. Joan Petersilia and James Q. Wilson, 2nd ed. (New York: Oxford University Press, 2011), p. 542.

[39] Council of State Governments, Justice Center, *About Justice Reinvestment*, http://csgjusticecenter.org/jr/about/.

[40] For FY2015, Congress appropriated $27.030 billion for DOJ, of which $6.924 billion was for BOP. See CRS Report R43509, *Commerce, Justice, Science, and Related Agencies: FY2015 Appropriations*, coordinated by Nathan James, Jennifer D. Williams, and John F. Sargent Jr.

incarcerated; and some neighborhoods in urban areas have to cope with the effects of a growing number of returning ex-offenders.[41]

DOJ's "Smart on Crime" Initiative

In early 2013, at the direction of Attorney General Holder, DOJ conducted a review of the criminal justice system in order to promote the fair and effective enforcement of federal laws. As part of its review, DOJ studied all phases of the criminal justice system, including charging, sentencing, incarceration, and re-entry, to identify the practices that are successful at deterring crime and protecting the public. According to DOJ, the initiative focuses on using its resources for its important law enforcement priorities, addressing disparate impacts in the criminal justice system, and changing DOJ's response to low-level, nonviolent offenses. The initiative also seeks to bolster re-entry and rehabilitation programs to reduce recidivism.

The Administration requested $247 million in program increases for the "Smart on Crime" initiative, which included some of the following proposed increases:

- $10 million to fund Prevention and Re-entry Coordinators in each U.S. Attorneys office. Each coordinator would work on prevention and re-entry efforts for the district.
- $15 million for the U.S. Attorneys to expand diversion and re-entry efforts for each district.
- $146 million for the BOP to expand re-entry and recidivism-reducing programs, including programs to strengthen family bonds, expand vocational training and the employer bonding program, and hire more mental health staff.
- $2 million for the Office of the Pardon Attorney (OPA) to hire additional staff to help review applications for clemency received from certain low-level, nonviolent offenders seeking to have their sentences reduced under the Administration's clemency initiative.[42]

Also, the Administration requested an additional $52 million (for a total of $120 million) for grants to state, local, and tribal governments under the Second Chance Act. Grants authorized under the act provide funding for employment assistance, substance abuse treatment, housing, family programming, mentoring, victims support, and other services that can help reduce recidivism.

P.L. 114-113 and the accompanying explanatory statement were largely silent as to Congress's actions regarding the Administration's "Smart on Crime" proposals. Congress provided $68 million for Second Chance Act grants, the same as the FY2015 appropriation. The explanatory statement was silent as to whether any of the increased funding for the U.S. Attorneys or the BOP was for any of the Administration's proposals. The explanatory statement notes that any plan to augment OPA staffing through the transfer or temporary assignment of non-OPA employees is subject to the reprogramming requirements set forth in Section 505 of the CJS appropriations act (Division B of P.L. 114-113). This condition would appear to reflect some policymakers' concern about and desire to provide oversight of the Administration's clemency initiative.

[41] For a discussion of the issues related to incarceration and offender reentry, see Jeremy Travis, *But They All Come Back: Facing the Challenges of Prisoner Reentry* (Washington, DC: Urban Institute Press, 2005).

[42] For more on the Administration's clemency initiative, including the criteria for applying for a sentence commutation under the initiative, see http://www.justice.gov/opa/pr/announcing-new-clemency-initiative-deputy-attorney-general-james-m-cole-details-broad-new.

Immigration Case Backlogs

The Attorney General is responsible for the review and adjudication of immigration cases in coordination with the Department of Homeland Security's (DHS's) efforts. The Executive Office of Immigration Review (EOIR) conducts immigration court proceedings, appellate reviews, and administrative hearings on behalf of DOJ. The EOIR's mission is to "provide the timely and uniform interpretation and application of immigration law, ensuring due process and fair treatment for all parties involved."[43] The EOIR operates 58 immigration courts across the country.[44]

The EOIR is facing a backlog of immigration cases due to increased enforcement efforts by DHS and a decrease in the number of immigration judges. DOJ notes that the EOIR's workload is largely dictated by cases brought by DHS seeking the removal of undocumented aliens from the United States.[45] DOJ notes that DHS enforcement efforts spiked last summer when a high volume of families and unaccompanied children were identified along the Southwest border, which resulted in an increase in the EOIR's caseload. DOJ reports that the number of cases pending adjudication rose from 262,681at the end of FY2010 to 418,861 at the end of FY2014, a nearly 60% increase in five fiscal years.[46] The backlog of immigration cases can also be attributed to the decreasing number of immigration judges. DOJ reports that there were 237 immigration judges as of January 2015, down from a high of 272 by mid-December 2010.[47]

For FY2016, the Administration requested a $124 million increase for the EOIR to help work though immigration case backlogs. This included $50 million for legal representation for children, $60 million for immigration judge teams, and $10 million to expand the Legal Orientation Program.[48]

P.L. 114-113 provided a 21.8% increase for the Administrative Review and Appeals account, which provides funding for EOIR. The FY2016 appropriation is 12.7% below the Administration's request. The explanatory statement to accompany P.L. 114-113 indicates that the FY2016 appropriation provides funding for 55 new immigration judge teams, enhancements in teleconferencing and information technology, and support for immigration enforcement initiatives. The funding is intended to have all new judges and support teams hired and on-board by November 2016.

Countering Violent Extremism

Recent "lone wolf" terrorist attacks in France and Denmark and concerns about the rise of the Islamic State might generate concerns amongst policymakers about radicalized individuals conducting a similar attack in the United States. According to the Administration, one of DOJ's highest priorities is protecting U.S. citizens from both domestic and foreign terrorism.[49] The

[43] U.S. Department of Justice, *FY2016 Congressional Budget Submission, Administrative Review and Appeals*, p. 2.

[44] Ibid.

[45] Ibid., p. 15.

[46] Ibid.

[47] Ibid., p. 14.

[48] The Legal Orientation Program educates detained aliens about their rights and the overall immigration hearing process.

[49] U.S. Department of Justice, *National Security*, FY2016 Budget Fact Sheet, p. 1, http://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/01/30/1_national_security_fact_sheet.pdf.

Administration argues that national security threats are "constantly evolving, requiring additional investments to adapt to those threats in innovative ways."[50]

What Is Countering Violent Extremism?

In August 2011, the Obama Administration announced its Countering Violent Extremism (CVE) strategy. It is designed to address the forces that influence some people living in the United States to acquire and hold radical or extremist beliefs that may eventually compel them to commit terrorism. This was the first such strategy for the federal government. Since the Al Qaeda attacks of September 11, 2001, the U.S. government has prosecuted hundreds of individuals on terrorism charges. Unlike the necessarily secretive law enforcement and intelligence efforts driving these investigations, the CVE strategy includes sizeable government activity within the open marketplace of ideas, where private citizens are free to weigh competing ideologies and engage in constitutionally protected speech and expression. The federal CVE strategy has revolved around (1) enhancing the federal government's engagement with local communities on issues tied to terrorism, (2) developing greater government and law enforcement expertise for preventing violent extremism, and (3) countering violent extremist propaganda.[51]

For FY2016, the Administration requested $15 million in funding for grants and training and technical assistance to help state and local governments counter violent extremism (CVE). The Administration's request included the following:

- $6 million under the State and Local Law Enforcement Assistance account for a Countering Violent Extremism grant program that would provide funding to support flexible, locally developed, community-led CVE models. The proposed program would emphasize coordination with federal partners, knowledge building, and model development by requiring research, technical assistance, and program assessment.
- $4 million under the Research, Evaluation, and Statistics account to conduct research to identify causes of violent extremism and related phenomena and advance evidence-based strategies for prevention and intervention.
- $3 million under the Community Oriented Policing Services account to enhance the ability of law enforcement agencies to partner with local residents, community groups, and other stakeholders to combat CVE though community policing practices.
- $2 million set-aside from the Edward Byrne Memorial Justice Assistance Grant (JAG) program to provide training and technical assistance to state and local law enforcement in their CVE efforts.

For FY2016, Congress provided $4 million for domestic radicalization research through a set-aside from the JAG program.

However, the $15 million requested by the Administration represents only part of DOJ's effort in this area. Policymakers are left in the dark regarding the rest of DOJ's CVE expenditures—namely how much U.S. Attorneys (charged with leading federal CVE efforts) and the FBI (a significant federal CVE player) spend on the program.[52] Providing such granular insight may not be particularly important for the budgets of many DOJ programs. However, one can argue that an

[50] Ibid.

[51] *Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States,* December 2011, http://www.whitehouse.gov/sites/default/files/sip-final.pdf.

[52] *Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States,* December 2011, http://www.whitehouse.gov/sites/default/files/sip-final.pdf.

effective CVE program *transparently* operates in the public arena, and a detailed accounting of DOJ's CVE programs would help provide such transparency and facilitate congressional oversight. Additionally, some Muslim community leaders have been wary of DOJ's CVE efforts, in part because the department is also charged with intelligence gathering and pursuing terrorists.[53] Greater budgetary transparency may allay the fears that some community and advocacy groups have about CVE—that it is an effort to co-opt communities into the security process, providing tips, leads, sources, and informants rather than real engagement. Some maintain that this threatens to "securitize" a relationship intended as outreach within the marketplace of ideas.

Grants for State and Local Law Enforcement

Some policymakers might believe that state and local governments, not the federal government, should be responsible for providing funding for police forces, and that it is not prudent to increase funding for law enforcement at a time when crime is decreasing and the federal government is facing annual deficits. Some policymakers might also believe that it would be short-sighted, in a tight budgetary environment, to scale back funding for DOJ agencies in order to support grants for state and local law enforcement. However, some policymakers might also believe that grants to state and local law enforcement might be a way to provide for the safety of U.S. citizens, since much of the country's law enforcement services are provided by local law enforcement agencies.

Appropriations for two of DOJ's most prominent grant programs to assist state and local law enforcement—the Edward Byrne Memorial Justice Assistance Grant (JAG) and the COPS hiring programs—have decreased in recent fiscal years. Appropriations for JAG decreased from a high of $539 million in FY2009 to $333 million in FY2015.[54] The Administration requested $320 million for the JAG program for FY2016. Congress provided $347 million for JAG for FY2016.[55] Appropriations for the COPS hiring program have decreased from $298 million in FY2010 to $135 million in FY2015.[56] The Administration requested $210 million for the COPS hiring program for FY2016. P.L. 114-113 includes $137 million for the COPS hiring program.

Some policymakers may be interested in providing grants to state and local governments to foster better police-community relations and enhance police accountability in light of several high-profile civilian deaths at the hands of law enforcement officers. As mentioned, the Administration requested $210 million for the COPS hiring program. This program provides grants to state, local,

[53] Paul McEnroe, "Twin Cities Muslim Leaders Challenge Federal Outreach Effort as Cloak for Spying," *Minneapolis Star Tribune,* February 17, 2015; Juliet Eilperin, "Trying to Counter Extremism at Home, U.S. Faces a Risk: Sowing More Mistrust," *Washington Post,* February 16, 2015.

[54] The FY2009 appropriation does not included the $2 billion Congress appropriated for JAG under the American Recovery and Reinvestment Act of 2009 (P.L. 111-5). The appropriations for JAG exclude set-asides for other programs or purposes. For more information on annual set-asides from the JAG program, see CRS Report RS22416, *Edward Byrne Memorial Justice Assistance Grant (JAG) Program: In Brief*, by Nathan James.

[55] The total appropriation for JAG for FY2016 was $476 million, but Congress set aside the following amounts from the total: $15 million for the VALOR Initiative, $4 million for domestic radicalization research, $5 million for smart policing, $2.5 million for smart prosecution, $100 million for security at the presidential nominating conventions, and $2.4 million for the National Missing and Unidentified Persons System.

[56] Congress provided $1 billion for the COPS hiring program under the American Recovery and Reinvestment Act of 2009 (P.L. 111-5). The FY2015 appropriation for the COPS hiring program excludes transfers to other programs. For more information on appropriations for the COPS hiring program, see CRS Report RL33308, *Community Oriented Policing Services (COPS): In Brief*, by Nathan James.

and tribal law enforcement agencies to help them hire new officers to engage in community policing activities. The President's budget also included requests for

- $5 million under the COPS account for incentive grants to promote diversity in law enforcement;
- $20 million under the COPS account for the Collaborative Reform Initiative, which provides funding to technical assistance providers to help law enforcement agencies assess issues that affect their relationships with the communities they serve;
- $30 million under the State and Local Law Enforcement Assistance account to help law enforcement agencies purchase, deploy, and maintain body-worn cameras (BWCs)[57] and $10 million to study the effectiveness of BWCs and develop best practices for BWC programs; and
- $20 million under the State and Local Law Enforcement Assistance account for grants to support efforts focused on enhancing procedural justice, reducing bias, and supporting racial reconciliation in the criminal and juvenile justice systems.

For FY2016, Congress provided $10 million for COPS's Collaborative Reform Initiative. Congress also provided $70 million for a Community Trust Initiative, which includes

- $22.5 million to help law enforcement purchase BWCs;
- $27.5 million for DOJ's Justice Reinvestment Initiative;
- $15 million for the Byrne Criminal Justice Innovation program; and
- $5 million for research and statistics on community trust in law enforcement.

Funding for Marijuana Enforcement

Over half of all states as well as the District of Columbia allow for medical use of marijuana. These states do so in various ways.[58] For example, while some states exempt qualified users of medical marijuana from state prosecution, others specifically authorize and regulate medical marijuana.[59] California has a comprehensive law (enacted in 1996) that allows patients to obtain and use marijuana for multiple medical purposes.[60] While some states have legalized medical marijuana in their respective jurisdictions, medical marijuana remains illegal under federal law.

The federal Controlled Substances Act (CSA)[61] does not distinguish between the medical and recreational use of marijuana. Under the CSA, marijuana has "no currently accepted medical use

[57] Body-worn cameras are mobile cameras that allow law enforcement officers to record what they see and hear. They can be attached to a helmet, a pair of glasses, or an officer's shirt or badge.

[58] National Conference of State Legislatures, State Medical Marijuana Laws, January 2016, http://www.ncsl.org/issues-research/health/state-medical-marijuana-laws.aspx.

[59] For a broader discussion of state medical marijuana laws, see CRS Report R42398, *Medical Marijuana: The Supremacy Clause, Federalism, and the Interplay Between State and Federal Laws*, by Todd Garvey.

[60] See CA Proposition 215, http://vote96.sos.ca.gov/BP/215text.htm.

[61] The CSA, enacted as Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513), placed the control of select plants, drugs, and chemical substances under federal jurisdiction. Congress passed this legislation, in part, to replace previous federal drug laws with a single comprehensive statute. While federal agencies enforce drug laws under the CSA, all states and territories have their own statutory frameworks through which they enforce drug laws; however, the CSA places drug control under federal jurisdiction regardless of state laws. In other words, federal agencies may enforce the CSA in all states and territories. For more information about the CSA and drug enforcement in the United States, see CRS Report R43749, *Drug Enforcement in the United States: History, Policy,*

in treatment in the United States,"[62] and states' allowance of its use for medical purposes contrasts with the federal position. Federal law enforcement has investigated, arrested, and prosecuted individuals for medical marijuana-related offenses *regardless* of whether they are in compliance with state law; however, federal law enforcement emphasizes the investigation and prosecution of growers and dispensers over the individual users of medical marijuana.

In a continuing effort to curtail federal interference with state medical marijuana laws,[63] Congress enacted as part of the FY2016 Omnibus language that prohibits DOJ from using funds provided in the act to "prevent" 40 states, Guam, Puerto Rico, and the District of Columbia from "implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana."[64] While media outlets and others characterized this language as preventing DOJ from *enforcing* federal marijuana laws in states listed in the appropriations law, DOJ has said that this language will not stop the department from prosecuting individuals who are in compliance with state law but violating federal law (the CSA).[65] Despite this response from DOJ, the House once again enacted language that prohibits DOJ from using funds provided in the act to "prevent" specified states and territories[66] from "implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana."[67]

The DEA is the primary federal agency responsible for enforcing the CSA. In the DEA's FY2016 Performance Budget Congressional Submission, the agency cited state allowance of the cultivation, distribution, possession, and use of marijuana for medical purposes as an obstacle in meeting its performance objectives in FY2016.[68] The FY2016 enacted appropriation for the DEA was $2.08 billion. While it is difficult to decipher how much of the DEA budget is used toward marijuana enforcement, the agency's Domestic Cannabis Eradication/Suppression Program exclusively targets marijuana. This program is funded under the DEA's Domestic Enforcement account, which encompasses the majority of the DEA's investigative and support resources. The FY2015 enacted amount for the DEA's Domestic Enforcement account was $1.59 billion.

In the accompanying report to H.R. 2578, the committee directed the DEA to review the medical efficacy of marijuana. Specifically, the committee asked that the DEA "review all relevant DEA rules governing research on the medical efficacy of marijuana and determine ways to facilitate further research through streamlining the DEA approval process."[69] It directed the agency to collaborate with the National Institutes of Health, National Institute on Drug Abuse and the Food and Drug Administration on these efforts and to report back to the committee within 120 days with "a plan by which the agency can facilitate additional research."[70]

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and Trends, by Lisa N. Sacco.

[62] 21 U.S.C. §812(b)(1).

[63] Congress enacted nearly identical language in FY2015 appropriations.

[64] P.L. 113-235, §538.

[65] Timothy M. Phelps, "Justice Department says it can still prosecute medical marijuana cases," *Los Angeles Times*, April 2, 2015.

[66] In contrast to FY2015 appropriations language which listed 32 states and the District of Columbia, the FY2016 Omnibus lists 40 states in addition to Puerto Rico, Guam and the District of Columbia.

[67] Sec. 558. of H.R. 2578.

[68] U.S. Department of Justice, Drug Enforcement Administration, *FY2016 Performance Budget Congressional Submission*, p. 30, http://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/02/01/25._drug_enforcement_administration_dea.pdf.

[69] See page 43 of H.Rept. 114-130.

[70] Ibid.

Increases to the Crime Victims Fund Obligation Cap

In FY2015, Congress set the Crime Victims Fund (CVF) obligation cap at $2.361 billion, a 216.9% increase over the FY2014 cap. Congress did not specify directions for the increase in CVF funds, which were distributed to crime victims programs according to a formula established by the Victims of Crime Act (VOCA). In FY2016, Congress set the cap at $3.042 billion, a further increase to the cap; however, $379 million was transferred to the Office on Violence Against Women (OVW; for purposes outside of VOCA) and $10 million was designated for the DOJ, Office of the Inspector General for oversight and auditing purposes. After deducting these amounts specified in P.L. 114-113, the obligation cap is equal to $2.653 billion, a 12.4% increase over the FY2015 cap. While the Administration has previously proposed to fund OVW programs with CVF funds, it had not done so for FY2016 and had requested that the obligation cap be set at $1 billion. The Administration's FY2016 budget had included a proposal to use the CVF to fund grants for domestic trafficking victims, but Congress did not direct CVF money for this purpose in FY2016.[71]

Until FY2016, CVF money had not been used to fund *grant programs* outside of those authorized by VOCA, but as the CVF continues to receive comparatively large deposits each year, Congress might consider whether to use receipts from the CVF to continue to fund grant programs that are not authorized by VOCA. While it could be argued that these programs (non-VOCA) assist crime victims, it raises a question about whether this might pave the way for the CVF to be used to support grant programs that might not be victim-focused. On the other hand, as mentioned above, the CVF has a balance of more than $12 billion, which indicates that receipts to the fund were exceeding the congressionally specified cap; however, as mentioned, Congress substantially increased the cap in FY2015 and increased it further in FY2016.

In a time of fiscal constraint, the CVF might provide an avenue to fund some DOJ grant programs while reducing DOJ's discretionary appropriation; however, there is no guarantee that receipts going into the CVF will be consistent from one year to the next. Therefore, if Congress were to further increase the cap and continue to use funding from the CVF for non-VOCA programs, it is not possible to ensure that there will be a consistent level of funding to support these programs in future budget cycles.

Congress could decide to eliminate the cap on the Crime Victims Fund altogether. If Congress should decide to eliminate the cap and allow all collected funds to be distributed in a given fiscal year, it could possibly have significant consequences for the DOJ budget. As mentioned, the capped amount and remaining balance in the CVF are considered part of the DOJ budget total. These amounts impact the DOJ appropriation, are used to offset spending limits for DOJ programs, and are included in the overall budget score for DOJ. If Congress were to eliminate the cap, it would have to make up the amount of the CVF through offsets. Moreover, Congress may assess whether VOCA programs would be able to use all money in the fund if the obligation cap were eliminated.

[71] U.S. Department of Justice, *FY2016 Performance Budget Office of Justice Programs*, February 2015, p. 261, https://edit.justice.gov/sites/default/files/jmd/pages/attachments/2015/02/02/28._office_of_justice_programs_ojp.pdf.

Appendix. DOJ Grant Programs

This appendix provides a breakdown of FY2015-enacted, FY2016-requested, House-recommended, Senate committee-reported, and FY2016-enacted amounts for grant programs funded under the Office on Violence Against Women (OVW); Research, Evaluation, and Statistics; State and Local Law Enforcement Assistance; Juvenile Justice Programs; and Community Oriented Policing Services accounts.

Table A-1. Funding for OVW Programs, FY2015 and FY2016

Budget authority in millions of dollars

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Committee -Reported	FY2016 Enacted
STOP Grants	$195.0	$193.0	$196.0	$215.0	$215.0
Research and Evaluation on Violence Against Women	3.0	3.0	8.0	3.0	5.0
Transitional Housing Assistance	26.0	25.0	28.0	30.0	30.0
Grants to Encourage Arrest Policies	50.0	50.0	51.0	51.0	51.0
Homicide Reduction Initiative	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)
Rural Domestic Violence and Child Abuse Enforcement Assistance Grants	33.0	33.0	33.0	35.0	34.0
Violence on College Campuses	12.0	26.0	16.0	20.0	20.0
Improve Campus Response to Sexual Violence	—	(14.0)	—	—	—
Civil Legal Assistance	42.5	52.5	42.5	45.0	45.0
Sexual Assault Victims Services	30.0	27.0	35.0	35.0	35.0
Elder Abuse Grant Program	4.5	4.3	5.3	5.0	5.0
Education and Training for Disabled Female Victims	6.0	5.8	6.0	6.0	6.0
Research on Violence Against Indian Women	1.0	1.0	1.0	1.0	1.0
Consolidated Youth Oriented Program	10.0	10.0	15.0	11.0	11.0
National Resource Center on Workplace Responses	0.5	0.5	0.5	0.5	0.5
Indian Country Sexual Assault Clearinghouse	0.5	0.5	0.5	0.5	0.5
Family Civil Justice Program	16.0	16.0	16.0	16.0	16.0

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Committee -Reported	FY2016 Enacted
VAWA 20/20 Initiative	—	21.0	—	—	—
Tribal Special Domestic Violence Criminal Jurisdiction	—	5.0	—	5.0	2.5
Victims Services Program for Victims of Trafficking	—	—	42.3	—	—
Rape Survivor Child Custody Act	—	—	5.0	—	2.5
Total: OVW	**430.0**	**473.5**	**501.1**	**479.0**[a]	**480.0**[b]

Source: The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice. The House-passed amounts were taken from the text of H.R. 2578 and H.Rept. 114-130. The Senate committee-reported amounts were taken from S.Rept. 114-66. The FY2016-enacted amounts were taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759).

Note: Amounts may not add to totals due to rounding.

a. This amount includes a proposed transfer of $245 million from the Crime Victims Fund to the Office on Violence Against Women.

b. This amount includes the $379 million transfer from the Crime Victims Fund to the Office on Violence Against Women per P.L. 113-114.

Table A-2. Funding for Research, Evaluation, and Statistics, FY2015 and FY2016

Budget authority in millions of dollars

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
Bureau of Justice Statistics	$41.0	$61.4	—	$41.0	$41.0
National Institute of Justice	36.0	52.5	—	36.0	36.0
Regional Information Sharing System	30.0	25.0	—[a]	35.0	35.0
Evaluation Clearinghouse	—	3.0	—	—	—
Forensic Science Improvement	4.0	6.0	—	5.0	4.0
Domestic Radicalization Research	—	4.0	—	—	—
Total: Research, Evaluation, and Statistics	**111.0**	**151.9**	—	**117.0**	**116.0**

Source: The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice. The House-passed amounts were taken from the text of H.R. 2578 and H.Rept. 114-130. The Senate committee-reported amounts were taken from S.Rept. 114-66. The FY2016-enacted amounts were taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759).

Note: Amounts may not add to totals due to rounding.

a. The House proposed funding this program under the Community Oriented Policing Services account.

Table A-3. Funding for State and Local Law Enforcement Assistance Programs, FY2015 and FY2016

Budget authority in millions of dollars

Program	FY2015 Enacted	FY2016 Request	FY2016 House-Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
Byrne Memorial Justice Assistance Grants (JAG)	$376.0	$388.0	$509.0	$382.0	$476.0
State and Local Intelligence Training	—	(2.0)	—	—	—
Bulletproof Vests Grant Program	—	(22.5)	(22.5)	—	—
State and Local Assistance Help Desk and Diagnostic Center	—	(2.0)	—	—	—
VALOR Initiative	(15.0)	(15.0)	(15.0)	(15.0)	(15.0)
Evidence-based Policing Initiative	(5.0)	(20.0)	—	(10.0)	(5.0)
Prosecutorial Decision-making Initiative	(2.5)	(5.0)	—	(2.5)	(2.5)
Training and Technical Assistance to Counter Domestic Violent Extremism	—	(2.0)	—	—	—
Domestic Radicalization Research	(4.0)	—	(4.0)	—	(4.0)
Juvenile Indigent Defense	(2.5)	—	(2.5)	—	—
Grants for Firearms Safety Materials and Gun Locks	(3.0)	—	—	—	—
Missing Alzheimer's Patient Grants	(0.8)	—	—	—	—
Byrne Criminal Justice Innovation Program	(10.5)	—	—	(15.0)	—
Security at Presidential Nominating Conventions	—	—	(20.0)	—	(100.0)
Body-Worn Cameras	—	—	—	(20.0)	
National Missing and Unidentified Persons System	—	—	—	(2.4)	(2.4)
Byrne Incentive Grants	—	15.0	—	—	—
Byrne Competitive Grants	—	15.0	—	—	—
John R. Justice Grant Program	2.0	—	—	3.0	2.0

Program	FY2015 Enacted	FY2016 Request	FY2016 House-Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
Tribal Assistance	30.0	—	—	—	30.0
State Criminal Alien Assistance Program	185.0	—	220.0	75.0	210.0
Victims of Trafficking Grants	42.3	10.5	—	[50.0]	45.0
Residential Substance Abuse Treatment	10.0	14.0	—	12.0	12.0
Mentally Ill Offenders Act	8.5	14.0	13.0	10.0	10.0
Drug Courts	41.0	36.0	46.0	41.0	42.0
Veterans' Treatment Courts	5.0	4.0	15.5	5.0	6.0
Prescription Drug Monitoring	11.0	9.0	16.0	7.0	13.0
Prison Rape Prevention and Prosecution	13.0	10.5	13.0	—	10.5
Capital Litigation/ Wrongful Conviction Review	2.0	2.0	2.0	4.0	2.5
Missing Alzheimer's Patient Grants	—[a]	—	—	—	—
Economic, High-tech and Cybercrime Prevention	13.0	15.0	5.0	13.0	13.0
CASA-Special Advocates	6.0	6.0	6.0	[12.0]	9.0
Second Chance Act	68.0	120.0	—[b]	68.0	68.0
Smart Probation	(6.0)	(10.0)	—	(6.0)	(6.0)
Children of Incarcerated Parents Demonstration Grants	(5.0)	(10.0)	—	(5.0)	(5.0)
Pay for Success	(7.5)	(30.0)	—	(7.0)	(7.5)
Project HOPE	—	—	—	—	(4.0)
Violent Gang and Gun Crime Reduction (Project Safe Neighborhoods)	5.0	5.0	—	8.5	6.5
National Criminal History Improvement	73.0	50.0	73.0	55.0	73.0
NICS Improvements	(25.0)	—	—	(12.0)	(25.0)
NICS Improvements	—	5.0	—	—	—
Paul Coverdell Forensic Science Grants	12.0	—	—	15.0	13.5
Implementation of the Adam Walsh Act	20.0	20.0	20.0	20.0	20.0
Programs for Children Exposed to Violence	8.0	23.0	—	[16.0]	8.0
Byrne Criminal Justice Innovation Program	—[a]	29.5	—	—	—

Program	FY2015 Enacted	FY2016 Request	FY2016 House-Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
National Sex Offender Public Website	1.0	1.0	1.0	1.0	1.0
Bulletproof Vests Grant Program	22.3	—[c]	—	22.5	22.5
DNA Initiatives	125.0	105.0	125.0	125.0	125.0
DNA Analysis and Capacity Enhancement	(117.0)	—	(117.0)	(117.0)	(117.0)
Post-conviction DNA Testing Grants	(4.0)	—	(4.0)	(4.0)	(4.0)
Sexual Assault Nurse Examiners	(4.0)	—	(4.0)	(4.0)	(4.0)
Rape Kit Backlog Reduction	—	(20.0)	—	—	—
Grants for Community Teams to Reduce the Sexual Assault Kit Backlog	41.0	41.0	—[b]	41.0	45.0
Campus Public Safety	2.0	—	—	—	—
Justice Reinvestment Initiative	27.5	45.0	—	22.0	—
HOPE Model Implementation Grants	4.0	10.0	—	4.0	—
Vision 21	12.5	—	—	[15.0]	—
Ensuring the Right to Counsel for All Individuals	—	5.4	—	—	—
Competitive Grant Program to Incentivize Statewide Civil Legal Aid Planning	—	5.0	—	—	—
Program to Promote Fairness in the Criminal Justice System	—	20.0	—	—	—
Comprehensive School Safety Initiative	75.0	75.0	75.0	75.0	75.0
Program to Counter Domestic Violent Extremism	—	6.0	—	—	—
Grants to Purchase Body Worn Cameras	—	30.0	—[d]	—	—
Next Generation Identification Grants	—	5.0	—	—	—
National Missing and Unidentified Persons System	—	2.4	2.4	—	—
Community Trust Initiative	—	—	—	—	70.0
Body Worn Camera Partnership Initiative	—	—	—	—	(22.5)

Program	FY2015 Enacted	FY2016 Request	FY2016 House-Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
Justice Reinvestment Initiative	—	—	—	—	(27.5)
Research and Statistics on Community Trust	—	—	—	—	(5.0)
Byrne Criminal Justice Innovation Program	—	—	—	—	(15.0)
Total: State and Local Law Enforcement	**1,241.0**	**1,142.3**	**1,141.9**	**1,102.0**[e]	**1,408.5**

Source: The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice. The House-passed amounts were taken from the text of H.R. 2578 and H.Rept. 114-130. The Senate committee-reported amounts were taken from S.Rept. 114-66. The FY2016-enacted amounts were taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759).

Note: Amounts may not add to totals due to rounding.

a. For FY2015, this program was funded through a set-aside from appropriations for the Edward Byrne Memorial Justice Assistance Grant program.

b. The House proposed funding this program under the Community Oriented Policing Services account.

c. The Administration proposed to fund this program through a set-aside from the Edward Byrne Memorial Justice Assistance Grant program.

d. The House-passed bill included $25.0 million under the Community Oriented Policing Services account for a Body-Worn Camera Partnership Initiative.

e. This amount includes a proposal to fund some programs under the State and Local Law Enforcement Assistance account with funds from the Crime Victims Fund. In total, $93 million in funding from the Crime Victims Fund would have been used to fund programs under the State and Local Law Enforcement Assistance account. Programs that would have been funded through the transfer of funds from the Crime Victims Fund are denoted in brackets.

Table A-4. Funding for Juvenile Justice Programs, FY2015 and FY2016

Budget authority in millions of dollars

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
Part B—State Formula	$55.5	$70.0	—	$65.5	$58.0
Emergency Planning—Juvenile Detention Facilities	(0.5)	—	—	(0.5)	(0.5)
Youth Mentoring Grants	90.0	58.0	95.0	75.0	90.0
Title V—Delinquency Prevention Grants	15.0	42.0	—	40.0	17.5
Tribal Youth	(5.0)	—	—	(10.0)	(10.0)
Gang Prevention	(3.0)	—	—	(5.0)	(5.0)
Alcohol Use Prevention	—	—	—	—	—

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
Juvenile Justice and Education Collaboration Assistance	—	(10.0)	—	—	—
Community-based Violence Prevention Initiative	(6.0)	—	—	—	—
National Forum on Youth Violence Prevention	(1.0)	—	—	—	—
Children of Incarcerated Parents Web Portal	—	—	—	—	(0.5)
Girls in the Justice System	—	—	—	—	(2.0)
Investigation and Prosecution of Child Abuse Programs	19.0	11.0	22.0	[20.0]	20.0
Juvenile Accountability Block Grants	—	30.0	—	—	—
Smart on Juvenile Justice Initiative	—	30.0	—	—	—
Community-based Violence Prevention Initiative	—[a]	18.0	—	[18.0]	8.0
Child Abuse Training for Judicial Personnel	1.5	1.5	1.5	[3.0]	2.0
Missing and Exploited Children Programs	68.0	67.0	68.0	68.0	72.2
National Forum on Youth Violence Prevention	—[a]	4.0	—	—	—
Competitive Grants Focusing on Girls in the Juvenile Justice System	2.0	2.0	—	—	—
Children of Incarcerated Parents Web Portal	0.5	0.5	—	0.5	—
Improving Juvenile Indigent Defense Program	—	5.4	—	2.5	2.5
Girls in the Justice System	—	—	—	2.0	—
Total: Juvenile Justice Programs	**251.5**	**339.4**	**186.5**	**294.5**[b]	**270.2**

Source: The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice. The House-passed amounts were taken from the text of H.R. 2578 and H.Rept. 114-130. The Senate committee-reported amounts were taken from S.Rept. 114-66. The FY2016-enacted amounts were taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759).

Note: Amounts may not add to totals due to rounding.

a. For FY2015, this program was funded through a set-aside from appropriations for the Title V—Delinquency Prevention Grants.

b. This amount includes a proposal to fund some programs under the Juvenile Justice Programs account with funds from the Crime Victims Fund. In total, $41 million from the Crime Victims Fund would have been used to fund programs under the Juvenile Justice Programs account. Programs that would have been funded through the transfer of funds from the Crime Victims Fund are denoted in brackets.

Table A-5. Funding for Community Oriented Policing Services Programs, FY2015 and FY2016

Budget authority in millions of dollars

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
COPS Hiring Program	$180.0	$249.5	—	$187.0	$187.0
Transfer to the Tribal Resources Grant Program	(33.0)	(15.0)	—	(30.0)	(30.0)
Community Policing Development	(7.5)	(20.0)	—	(10.0)	(10.0)
Training and Technical Assistance on the Collaborative Reform Model	(5.0)	—	—	(10.0)	(10.0)
Incentive Grants to Diversify Law Enforcement	—	(5.0)	—	—	—
Transfer to the Drug Enforcement Administration for Methamphetamine Lab Clean-up	7.0	11.0	11.0	11.0	11.0
Tribal Resources Grant Program	—[a]	20.0	30.0	—	—
Anti-methamphetamine Task Forces	7.0	—	—	7.0	7.0
Anti-heroin Task Forces	7.0	—	—	7.0	7.0
Regional Gang Task Forces	7.0	—	—	—	—
Training and Technical Assistance on the Collaborative Reform Model	—[a]	20.0	—	—	—
Countering Violent Extremism	—	3.0	—	—	—
Initiatives to Improve Police-community Relations	—	—	62.5	—	—
Collaborative Reform	—	—	(5.0)	—	—
Body-worn Camera Partnership Initiative	—	—	(25.0)	—	—
Justice Reinvestment Initiative	—	—	(27.5)	—	—
Research and Statistics on Community Trust	—	—	(5.0)	—	—

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Committee-Reported	FY2016 Enacted
Grants for Community Teams to Reduce the Sexual Assault Kit Backlog	—[b]	—[c]	45.0	—	—
Second Chance Act	—[b]	—[c]	68.0	—	—
Regional Information Sharing System	—[d]	—[e]	35.0	—	—
Total: Community Oriented Policing Services	**208.0**	**303.5**	**251.5**	**212.0**	**212.0**

Source: The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice. The House-passed amounts were taken from the text of H.R. 2578 and H.Rept. 114-130. The Senate committee-reported amounts were taken from S.Rept. 114-66. The FY2016-enacted amounts were taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759).

Note: Amounts may not add to totals due to rounding.

a. For FY2015, this program was funded through a set-aside from appropriations for the COPS hiring program.

b. For FY2015, funding for this program was provided under the State and Local Law Enforcement Assistance account.

c. The Administration requested funding for this program under the State and Local Law Enforcement Assistance account.

d. For FY2015, funding for this program was provided under the Research, Evaluation, and Statistics account.

e. The Administration requested funding for this program under the Research, Evaluation, and Statistics account.

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