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# Overview of FY2020 Appropriations for Commerce, Justice, Science, and Related Agencies (CJS)

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SUMMARY

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# Overview of FY2020 Appropriations for Commerce, Justice, Science, and Related Agencies (CJS)

This report describes actions taken by the Trump Administration and Congress to provide FY2020 appropriations for Commerce, Justice, Science, and Related Agencies (CJS) accounts. The annual CJS appropriations act provides funding for the Department of Commerce, which includes agencies such as the Census Bureau, the U.S. Patent and Trademark Office (USPTO), the National Oceanic and Atmospheric Administration (NOAA), and the National Institute of Standards and Technology (NIST); the Department of Justice (DOJ), which includes agencies such as the Federal Bureau of Investigation (FBI), the Bureau of Prisons (BOP), the U.S. Marshals, the Drug Enforcement Administration (DEA), and the U.S. Attorneys; the National Aeronautics and Space Administration (NASA); the National Science Foundation (NSF); and several related agencies such as the Legal Services Corporation and the Equal Employment Opportunity Commission.

On September 27, 2019, President Trump signed into law the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (CR, P.L. 116-59). The CR, with a few exceptions, allows agencies funded through the annual CJS appropriation act to continue to obligate funding at the rate provided in the Consolidated Appropriations Act, 2019 (P.L. 116-6) until November 21, 2019, or until the FY2020 CJS appropriations act is signed into law.

For FY2019, CJS agencies received a total of $74.068 billion, which includes $72.908 billion in regular funding provided pursuant to the Consolidated Appropriations Act, 2019 (P.L. 116-6), $940 million in supplemental funding provided pursuant to the Additional Supplemental Appropriations for Disaster Relief Act, 2019 (P.L. 116-20), and $220 million provided pursuant to the Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act, 2019 (P.L. 116-26).

The Administration's initial request for CJS for FY2020 is $71.732 billion, which includes $12.475 billion for the Department of Commerce, $30.612 billion for the Department of Justice, $28.092 billion for the science agencies, and $552 million for the related agencies. On May 13, 2019, the Administration submitted a supplemental budget request to Congress, which includes a requested $1.597 billion for NASA to aid their efforts to return astronauts to the Moon by 2024. The Administration's FY2020 budget proposes eliminating several CJS agencies and programs, including the Economic Development Administration, the Community Oriented Policing Services Office, NASA's STEM Engagement Office (formerly the Office of Education), and the Legal Services Corporation. The Administration proposes reducing funding for many accounts in CJS, though there are a few exceptions—the most notable of which is the proposed $2.334 billion increase for the Census Bureau's Periodic Censuses and Programs account. The increased funding is requested to help the Census Bureau conduct the decennial 2020 Census.

The CJS appropriations bill passed by the House (H.R. 3055) would provide a total of $80.534 billion for CJS for FY2020. The House passed bill includes $16.433 billion for the Department of Commerce, $31.998 billion for DOJ, $30.959 billion for the science agencies, and $1.143 billion for the related agencies. The proposed increase in funding relative to both the FY2019 enacted appropriation and the Administration's request is partially attributable to the proposed increase in funding for the Census Bureau to help it conduct the 2020 decennial census ($4.629 billion, or 121.1%, more than the FY2019 enacted appropriation and $2.301 billion, or 37.4%, more than the Administration's request). The House also proposed increases for many other CJS accounts relative to the FY2019 enacted amount and the Administration's request. The House declined to adopt many of the Administration's proposals to eliminate several CJS agencies and programs.

The Senate committee reported bill (S. 2584) would provide a total of $79.716 billion for CJS. The committee reported bill includes $15.197 billion for the Department of Commerce, $32.446 billion for DOJ, $31.075 billion for the science agencies, and $999 million for the related agencies. Like the House bill, the funding increase for CJS proposed in S. 2584 is partially attributable to a proposed increase in funding for the Census Bureau to conduct the 2020 decennial census ($3.737 billion, or 97.8%, more than the FY2019 enacted appropriation and $1.409 billion, or 22.9%, more than the Administration's request). S. 2584 would increase funding for many CJS accounts relative to the FY2019 enacted amount or the Administration's request. Like the House, the committee declined to adopt many of the Administration's proposals to eliminate several CJS agencies and programs.

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This report describes actions taken by the Administration and Congress to provide FY2020 appropriations for Commerce, Justice, Science, and Related Agencies (CJS) accounts.

The dollar amounts in this report reflect only new appropriations made available at the start of the fiscal year. Therefore, the amounts do not include any rescissions of unobligated or deobligated balances that may be counted as offsets to newly enacted appropriations, nor do they include any scorekeeping adjustments (e.g., the budgetary effects of provisions limiting the availability of the balance in the Crime Victims Fund). In the text of the report, appropriations are rounded to the nearest million. However, percentage changes are calculated using whole, not rounded, numbers, meaning that in some instances there may be small differences between the actual percentage change and the percentage change that would be calculated by using the rounded amounts discussed in the report.

# CJS Under the Continuing Resolution

On September 27, 2019, President Trump signed into law the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (CR, P.L. 116-59). The CR allows agencies funded through the annual CJS appropriation act to continue to obligate funding at the level provided in the Consolidated Appropriations Act, 2019 (P.L. 116-6) until November 21, 2019, or until the FY2020 CJS appropriations act is signed into law.[1] The CR contained a few anomalies (i.e., exceptions to the duration, rate, or amount provided by the CR) that apply to CJS agencies:

- The CR states that the $674.0 million rescission on the Assets Forfeiture Fund that was enacted as a part of P.L. 116-6 will not be in effect for the duration of the CR.
- The CR allows the U.S. International Trade Commission to apportion funding at a rate necessary to meet the commission's responsibilities under the American Manufacturing Competitiveness Act of 2016 (P.L. 114-159).[2]
- The CR allows the Census Bureau to draw on money from the Periodic Censuses and Programs account—which includes the decennial census and other major programs such as the economic census, the census of governments, and intercensal demographic estimates, together with geographic and data-processing support—at the rate necessary to maintain the schedule and deliver the required data according to the statutory deadlines in the 2020 Decennial Census Program.

# Overview of CJS

The annual CJS appropriations act provides funding for the Departments of Commerce and Justice, select science agencies, and several related agencies. Appropriations for the Department of Commerce include funding for agencies such as the Census Bureau, the U.S. Patent and Trademark Office, the National Oceanic and Atmospheric Administration, and the National Institute of Standards and Technology. Appropriations for the Department of Justice (DOJ) provide funding for agencies such as the Federal Bureau of Investigation; the Bureau of Prisons; the U.S. Marshals; the Drug Enforcement Administration; and the Bureau of Alcohol, Tobacco,

[1] For an overview of the general contents of continuing resolutions, see CRS Report R42647, *Continuing Resolutions: Overview of Components and Practices*.

[2] For more information on the International Trade Commission's responsibilities under P.L. 114-159, see CRS In Focus IF10478, *Miscellaneous Tariff Bills (MTBs)*.

Firearms, and Explosives, along with funding for a variety of public safety-related grant programs for state, local, and tribal governments. The vast majority of funding for the science agencies goes to the National Aeronautics and Space Administration and the National Science Foundation.[3] The annual appropriation for the related agencies includes funding for agencies such as the Legal Services Corporation and the Equal Employment Opportunity Commission.

## Department of Commerce

The mission of the Department of Commerce is to "create the conditions for economic growth and opportunity."[4] The department promotes "job creation and economic growth by ensuring fair and reciprocal trade, providing the data necessary to support commerce and constitutional democracy, and fostering innovation by setting standards and conducting foundational research and development."[5] It has wide-ranging responsibilities including trade, economic development, technology, entrepreneurship and business development, monitoring the environment, forecasting weather, managing marine resources, and statistical research and analysis. The department pursues and implements policies that affect trade and economic development by working to open new markets for U.S. goods and services and promoting pro-growth business policies. It also invests in research and development to foster innovation.

The agencies within the Department of Commerce, and their responsibilities, include the following:

- *International Trade Administration (ITA)* seeks to strengthen the international competitiveness of U.S. industry, promote trade and investment, and ensure fair trade and compliance with trade laws and agreements;
- *Bureau of Industry and Security (BIS)* works to ensure an effective export control and treaty compliance system and promote continued U.S. leadership in strategic technologies by maintaining and strengthening adaptable, efficient, and effective export controls and treaty compliance systems, along with active leadership and involvement in international export control regimes;
- *Economic Development Administration (EDA)* promotes innovation and competitiveness, preparing American regions for growth and success in the worldwide economy;
- *Minority Business Development Agency (MBDA)* promotes the growth of minority owned businesses through the mobilization and advancement of public and private sector programs, policy, and research;
- *Economics and Statistics Administration (ESA)* is a federal statistical agency that promotes a better understanding of the U.S. economy by providing timely, relevant, and accurate economic accounts data in an objective and cost-effective manner;
- *Census Bureau*, a component of ESA, measures and disseminates information about the U.S. economy, society, and institutions, which fosters economic growth, advances scientific understanding, and facilitates informed decisions;

[3] Note that the science agencies funded in the CJS bill are not the only federal science agencies.

[4] U.S. Department of Commerce, "About Commerce: Mission," https://www.commerce.gov/page/about-commerce#mission.

[5] Ibid.

- *National Telecommunications and Information Administration (NTIA)* advises the President on communications and information policy;
- *United States Patent and Trademark Office (USPTO)* fosters innovation, competitiveness, and economic growth domestically and abroad by providing high-quality and timely examination of patent and trademark applications, guiding domestic and international intellectual property (IP) policy, and delivering IP information and education worldwide;
- *National Institute of Standards and Technology (NIST)* promotes U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology enhancing economic security; and
- *National Oceanic and Atmospheric Administration (NOAA)* provides daily weather forecasts, severe storm warnings, climate monitoring, fisheries management, coastal restoration, and support of marine commerce.

## Department of Justice

DOJ's mission 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."[6] DOJ also provides legal advice and opinions, upon request, to the President and executive branch department heads.

The major DOJ offices and agencies, and their functions, are described below:

- *Office of the United States Attorneys* prosecutes violations of federal criminal laws, represents the federal government in civil actions, and initiates proceedings for the collection of fines, penalties, and forfeitures owed to the United States;
- *United States Marshals Service (USMS)* provides security for the federal judiciary, protects witnesses, executes warrants and court orders, manages seized assets, detains and transports alleged and convicted offenders prior to sentencing to their court hearings, and apprehends fugitives;
- *Federal Bureau of Investigation (FBI)* investigates violations of federal criminal law; helps protect the United States against terrorism and hostile intelligence efforts; provides assistance to other federal, state, and local law enforcement agencies; and shares jurisdiction with the Drug Enforcement Administration for the investigation of federal drug violations;
- *Drug Enforcement Administration (DEA)* investigates federal drug law violations; coordinates its efforts with other federal, state, and local law enforcement agencies; develops and maintains drug intelligence systems; regulates the manufacture, distribution, and dispensing of legitimate controlled substances; and conducts joint intelligence-gathering activities with foreign governments;
- *Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)* enforces federal law related to the manufacture, importation, and distribution of alcohol, tobacco, firearms, and explosives;

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

- *Federal Prison System* (*Bureau of Prisons; BOP*) houses offenders sentenced to a term of incarceration for a federal crime and provides for the operation and maintenance of the federal prison system;
- *Office on Violence Against Women (OVW)* provides federal leadership in developing the nation's capacity to reduce violence against women and administer justice for and strengthen services to victims of domestic violence, dating violence, sexual assault, and stalking;
- *Office of Justice Programs (OJP)* manages and coordinates the activities of the Bureau of Justice Assistance; Bureau of Justice Statistics; National Institute of Justice; Office of Juvenile Justice and Delinquency Prevention; Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking; and Office of Victims of Crime; and
- *Community Oriented Policing Services (COPS)* advances the practice of community policing by the nation's state, local, territorial, and tribal law enforcement agencies through information and grant resources.

## Science Offices and Agencies

The science offices and agencies support research and development and related activities across a wide variety of federal missions, including national competitiveness, space exploration, and fundamental discovery.

### Office of Science and Technology Policy

The primary function of the Office of Science and Technology Policy (OSTP) is to provide the President and others within the Executive Office of the President with advice on the scientific, engineering, and technological aspects of issues that require the attention of the federal government.[7] The OSTP director also manages the National Science and Technology Council,[8] which coordinates science and technology policy across the executive branch of the federal government, and cochairs the President's Council of Advisors on Science and Technology,[9] a council of external advisors that provides advice to the President on matters related to science and technology policy.

### The National Space Council

The National Space Council, in the Executive Office of the President, is a coordinating body for U.S. space policy. Chaired by the Vice President, it consists of the Secretaries of State, Defense, Commerce, Transportation, and Homeland Security; the Administrator of NASA; and other senior officials. The council previously existed from 1988 to 1993 and was reestablished by the Trump Administration in June 2017.

### National Science Foundation

The National Science Foundation (NSF) supports basic research and education in the nonmedical sciences and engineering. The foundation was established as an independent federal agency "to

[7] National Science and Technology Policy, Organization, and Priorities Act of 1976 (P.L. 94-282).

[8] Executive Order 12881 established the National Science and Technology Council.

[9] Executive Order 13539 established the President's Council of Advisors on Science and Technology.

promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes."[10] The NSF is a primary source of federal support for U.S. university research in the nonmedical sciences and engineering. It is also responsible for significant shares of the federal science, technology, engineering, and mathematics (STEM) education program portfolio and federal STEM student aid and support.

### National Aeronautics and Space Administration

The National Aeronautics and Space Administration (NASA) was created to conduct civilian space and aeronautics activities.[11] It has four mission directorates. The Human Exploration and Operations Mission Directorate is responsible for human spaceflight activities, including the International Space Station and development efforts for future crewed spacecraft. The Science Mission Directorate manages robotic science missions, such as the Hubble Space Telescope, the Mars rover Curiosity, and satellites for Earth science research. The Space Technology Mission Directorate develops new technologies for use in future space missions, such as advanced propulsion and laser communications. The Aeronautics Research Mission Directorate conducts research and development on aircraft and aviation systems. In addition, NASA's Office of STEM Engagement (formerly the Office of Education) manages education programs for schoolchildren, college and university students, and the general public.

## Related Agencies

The annual CJS appropriations act includes funding for several related agencies:

- *U.S. Commission on Civil Rights* informs the development of national civil rights policy and enhances enforcement of federal civil rights laws;
- *Equal Employment Opportunity Commission* is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability, or genetic information;
- *International Trade Commission* investigates the effects of dumped and subsidized imports on domestic industries and conducts global safeguard investigations, adjudicates cases involving imports that allegedly infringe intellectual property rights, and serves as a resource for trade data and other trade policy-related information;
- *Legal Services Corporation* is a federally funded nonprofit corporation that provides financial support for civil legal aid to low-income Americans;
- *Marine Mammal Commission* works for the conservation of marine mammals by providing science-based oversight of domestic and international policies and actions of federal agencies with a mandate to address human effects on marine mammals and their ecosystems;
- *Office of the U.S. Trade Representative* is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and overseeing negotiations with other countries; and

[10] The National Science Foundation Act of 1950 (P.L. 81-507).

[11] National Aeronautics and Space Act of 1958 (P.L. 85-568).

- *State Justice Institute* is a federally funded nonprofit corporation that awards grants to improve the quality of justice in state courts and foster innovative, efficient solutions to common issues faced by all courts.

# FY2019 Enacted Funding

For FY2019, Congress and the President provided a total of $74.068 billion for CJS. This included $72.908 billion in regular funding provided pursuant to the Consolidated Appropriations Act, 2019 (P.L. 116-6, see **Table 1**), $940 million in supplemental funding provided pursuant to the Additional Supplemental Appropriations for Disaster Relief Act, 2019 (P.L. 116-20), and $220 million in supplemental funding provided pursuant to the Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act, 2019 (P.L. 116-26) (see **Table 2**). The Department of Commerce received $12.309 billion ($11.414 billion in regular funding and $896 million in supplemental funding), the Department of Justice received $31.184 billion ($30.934 billion in regular funding and $250 million in supplemental funding), the science agencies received $29.583 billion, and the related agencies received $992 million ($977 million in regular funding and $15 million in supplemental funding).

Comparisons in this report between FY2019 enacted funding and the Administration's FY2020 request and the House passed amounts are based on FY2019 regular funding (i.e., FY2019 enacted funding *excluding* supplemental appropriations).

# The Administration's FY2020 Budget Request

The Administration's initial request for CJS for FY2020 is $71.732 billion, which is $1.176 billion (-1.6%) less than the $72.908 billion appropriated for CJS for FY2019 (see **Table 1**). On May 13, 2019, the Administration submitted a supplemental request to Congress, which included $1.597 billion for NASA (see **Table 3**). The requested increase in funding was to aid NASA's efforts to return astronauts to the Moon by 2024.

When comparing the Administration's FY2020 request to the FY2019 funding, it should be considered that the Administration formulated its FY2020 budget request before full-year appropriations for FY2019 were enacted.

The Administration's initial request includes the following:

- $12.475 billion for the Department of Commerce, which is $1.061 billion (+9.3%) more than FY2019 enacted funding;
- $30.612 billion for the Department of Justice, which is $322 million (-1.0%) less than FY2019 enacted funding;
- $28.092 billion for the science agencies, which is $1.491 billion (-5.0%) less than FY2019 enacted funding; and
- $552 million for the related agencies, which is $425 million (-43.5%) less than FY2019 enacted funding.

The increase in funding for the Department of Commerce is almost entirely the result of a proposed $2.334 billion (+65.7%) increase for the Census Bureau's Periodic Censuses and Programs account. The funding is requested to help the Census Bureau conduct the decennial 2020 Census.

The Administration's FY2020 budget for CJS proposes eliminating the following agencies and programs:

- EDA,
- NIST's Manufacturing Extension Partnership,
- NOAA's Pacific Coastal Salmon Recovery Fund,
- the Community Relations Service (its functions would be moved to DOJ's Civil Rights Division),
- the COPS Office (grants for community policing activities would be moved to OJP),
- NASA's Office of STEM Engagement (formerly the Office of Education), and
- the Legal Services Corporation.

The Administration requests some funding for the EDA ($30 million) and Legal Services Corporation ($18 million) to help provide for an orderly closeout of these agencies.

The Administration proposes a $30 million (-75.0%) reduction for the Minority Business Development Administration. It proposes to change the agency's focus to being a policy office that concentrates on advocating for the minority business community as a whole rather than supporting individual minority business enterprises.

The Administration proposes to move funding for the High Intensity Drug Trafficking Areas (HIDTA) program to the DEA. Currently, HIDTA funding is administered by the Office of National Drug Control Policy.

The Administration's requested funding for many CJS accounts is below FY2019 levels; however, there are a few exceptions, which include the following:

- BIS (+$10 million, +8.1%),
- Economic and Statistical Analysis (+$7 million, +6.9%),
- NTIA (+$3 million, +7.4%),
- the Executive Office of Immigration Review (+$110 million, +19.6%),
- DOJ's general legal activities (+$23 million, +2.6%),
- the U.S. Marshals' Federal Prisoner Detention account (+$324 million, +20.3%),
- DOJ's National Security Division (+$8 million, +8.1%),
- ATF (+$52 million, +3.9%), and
- the Office of the U.S. Trade Representative (+$6 million, +11.3%).

The Administration proposes renaming three of NASA's accounts: the Space Technology account would be changed to the Exploration Technology account, the Exploration account would be changed to the Deep Space Exploration Systems account, and the Space Operations account would be changed to the Low Earth Orbit and Spaceflight Operations account. Unlike the Administration's FY2019 budget, which proposed a new account structure for NASA, the FY2020 budget proposal does not appear to include a realignment of items that would be funded from these accounts.[12]

[12] For more information on the Administration's FY2019 budget request for NASA, see CRS Report R45237, *Overview of FY2019 Appropriations for Commerce, Justice, Science, and Related Agencies (CJS)*.

The Administration's FY2020 budget includes a proposal to establish a Federal Capital Revolving Fund, which would be administered by the General Services Administration (GSA). The Administration proposes to transfer $288 million from the proposed fund to NIST's Construction of Research Facilities account for renovating NIST's Building 1 in Boulder, CO, to be repaid by NIST from future appropriations at $19 million per year for 15 years.

The annual CJS appropriations act traditionally includes an obligation cap of funds expended from the Crime Victims Fund (CVF).[13] The Administration's FY2020 budget does not include a proposed obligation cap for the CVF. Rather, the Administration proposes a new $2.300 billion annual mandatory appropriation for crime victims programs. Within this amount, $492.5 million would be for the OVW, $10.0 million would be for oversight of OVC programs by the OIG, $12.0 million would be for developing innovative crime victims services initiatives, and a set-aside of up to $115.0 million would be for tribal victims assistance grants. From the remaining amount, the Office for Victims of Crime (OVC) would provide formula and non-formula grants to the states to support crime victim compensation and victims services programs.

Also, the Administration's budget includes a proposal to transfer all of the ATF's responsibilities related to alcohol and tobacco enforcement to the Department of the Treasury's Tax and Trade Bureau. The Administration argues that the proposed realignment would allow the ATF to focus on its efforts to prevent violent crime. The proposal does not affect how much the Administration requests for the ATF for FY2020.

# The House Passed Bill (H.R. 3055)

On June 25, 2019, the House passed an amended version of H.R. 3055, which contains the FY2020 CJS appropriations bill (Division A) along with the FY2020 Agriculture; Interior and Environment; Military Construction and Veterans Affairs; and Transportation and Housing and Urban Development appropriations bills. The House recommends a total of $80.534 billion for CJS for FY2020. This amount is $7.626 billion (+10.5%) greater than the FY2019 enacted appropriation and $8.802 billion (+12.3%) greater than the Administration's initial request for CJS.[14]

The House passed bill includes the following:

- $16.433 billion for the Department of Commerce, which is $5.019 billion (+44.0%) more than the FY2019 enacted appropriation and $3.958 billion (+31.7%) more than the Administration's request;
- $31.998 billion for the Department of Justice, which is $1.064 billion (+3.4%) more than the FY2019 enacted appropriation and $1.386 billion (+4.5%) more than the Administration's request;
- $30.959 billion for the science agencies, which is $1.377 billion (+4.7%) more than the FY2019 enacted appropriation and $2.867 billion (+10.2%) more than the Administration's initial request; and

[13] For more information on how the CVF is funded, see CRS Report R42672, *The Crime Victims Fund: Federal Support for Victims of Crime*.

[14] In the report to accompany H.R. 3055 (H.Rept. 116-101), the committee compares amounts in the bill for NASA to the Administration's initial request, not the amount after the Administration submitted its supplemental request. For the sake of consistency, this report will compare amounts in H.R. 3055 to the Administration's initial request when discussing differences between the Administration's request and totals for the bill, the science agencies, NASA, or the Science, Space Technology, or Exploration accounts.

- $1.143 billion for the related agencies, which is $166 million (+17.0%) more than the FY2019 enacted appropriation and $591 million (+107.0%) more than the Administration's request.

The increase in funding for CJS proposed by the House relative to both the FY2019 enacted appropriation and the Administration's request is partially attributable to the proposed increase in funding for the Census Bureau to help it conduct the 2020 decennial census ($4.629 billion, or 121.1%, more than the FY2019 enacted appropriation and $2.301 billion, or 37.4%, more than the Administration's request).

The House recommends increased funding for nearly all CJS accounts for FY2020 relative to the FY2019 enacted appropriation. However, there are a few exceptions, including the following:

- NOAA's Procurement, Acquisition, and Construction account (-$259 million, -14.8%);
- the FBI's Construction account (-$333 million, -86.5%);
- the BOP's Buildings and Facilities account (-$114 million, -43.2%);
- NASA's Aeronautics account (-$25 million, -3.4%);
- NASA's Space Operations account (-$353 million, -7.6%); and
- NSF's Major Research Equipment and Facilities Construction account (-$73 million, -24.5%).

The increased funding proposed by the House relative to the Administration's initial request is partially attributable to the House declining to adopt the Administration's proposals to eliminate several agencies and programs enumerated previously. The House also recommends funding above the levels requested by the Administration for many of CJS's accounts. Alternatively, there were a few instances where the House recommended funding below the Administration's request, including the following:

- The U.S. Marshals' Federal Prisoner Detention account (-$88 million, -4.7%);
- OJP's Research, Evaluations, and Statistics account (-$13 million, -13.2%);
- DOJ's General Administration Salaries and Expenses account (-$36 million, -31.1%);
- NASA's Construction and Environmental Compliance and Restoration account (-$103 million, -17.2%); and
- the Office of the U.S. Trade Representative (-$2 million, -3.4%).

The House declined to supplement funding for NIST's Construction of Research Facilities account with a transfer from the Federal Capital Revolving Fund proposed by the Administration. In addition, the House declined to adopt the Administration's proposal to fund crime victims programs with a new mandatory appropriation. The House also declined to adopt the Administration's proposal to transfer the HIDTA program to the DEA. The report to accompany the committee-reported version of H.R. 3055 does not discuss the Administration's proposal to transfer some of the ATF's responsibilities to the Department of the Treasury's Tax and Trade Bureau.

H.R. 3055 contains a general provision that would prohibit the Department of Commerce from using any "of the funds made available in this Act or any other Act" to "incorporate into the 2020 Decennial Census any question that was not included in the 2018 End-to-End Census Test in Providence County, Rhode Island." This provision would prevent the department from adding a question about citizenship status to the 2020 census form.

# The Senate Committee Reported Bill (S. 2584)

On September 26, 2019, the Senate Committee on Appropriations reported its version of the FY2020 CJS appropriations bill (S. 2584). The bill would provide a total of $79.716 billion for CJS, which is $6.809 billion (+9.3%) more than the FY2019 enacted appropriation and $7.985 billion (+11.1%) more than the Administration's initial request for CJS.

The committee reported bill includes the following:

- $15.197 billion for the Department of Commerce, which is $3.783 (+33.1%) more than the FY2019 enacted amount and $2.722 billion (+21.8%) more than the Administration's request;
- $32.446 billion for the Department of Justice, which is $1.512 billion (+4.9%) more than the FY2019 enacted amount and $1.834 billion (+6.0%) more than the Administration's request;
- $31.075 billion for the science agencies, which is $1.492 billion (+5.0%) more than the FY2019 enacted amount and $2.983 billion (+10.6%) more than the Administration's initial request; and
- $999 million for the related agencies, which is $21 million (+2.2%) more than the FY2019 enacted amount and $446 million (+80.8%) more than the Administration's request.

Like the House passed bill, the increase in funding for CJS proposed by the Senate Committee on Appropriations relative to both the FY2019 enacted appropriation and the Administration's request is partially attributable to the proposed increase in funding for the Census Bureau to help it conduct the 2020 decennial census ($3.737 billion, or 97.8%, more than the FY2019 enacted appropriation and $1.409 billion, or 22.9%, more than the Administration's request). The Senate Committee on Appropriations also proposed increases for many other CJS accounts relative to the FY2019 enacted amount and the Administration's request.

The Senate committee reported bill would provide increased funding for many of the accounts in CJS relative to the FY2019 enacted appropriation, with some of the following exceptions:

- NOAA's Procurement, Acquisition, and Construction account (-$203 million, -11.6%);
- DOJ's Interagency Law Enforcement account (-$10 million, -1.7%);
- NASA's Space Operations account (-$489 million, -10.5%); and
- NSF's Major Research Equipment and Facilities Construction account (-$43 million, -14.4%).

In addition, the committee recommends eliminating funding for NOAA's Fisheries Disaster Assistance account (-$15 million).

Like the House, the Senate Committee on Appropriations declined to adopt the Administration's proposals to eliminate several agencies and programs enumerated previously, which partially explains the proposed increased funding for CJS relative to the Administration's initial request. The Senate Committee on Appropriations also recommends funding above the levels requested by the Administration for many of CJS's accounts. However, there are some cases where the committee's recommended funding is below the Administration's request, including the following:

- DOJ's General Legal Activities account (-$3 million, -0.4%);

- DOJ's Research, Evaluation, and Statistics account (-$15 million, -15.3%);
- NASA's Space Operations account (-$136 million, -3.2%);
- NASA's Safety, Security, and Mission Services account (-$150 million, -4.9%);
- NASA's Construction and Environmental Compliance account (-$76 million, -12.7%); and
- Office of the U.S. Trade Representative (-$5 million, -8.5%).

Like the House, the Senate Committee on Appropriations declined to supplement funding for NIST's Construction of Research Facilities account with a transfer from the Federal Capital Revolving Fund, fund crime victims programs with a new mandatory appropriation, or transfer the HIDTA program to the DEA. The report to accompany S. 2584 does not discuss the Administration's proposal to transfer some of the ATF's responsibilities to the Department of the Treasury's Tax and Trade Bureau.

**Table 1** outlines the FY2019 funding, the Administration's FY2020 request, the House passed, and the Senate committee reported amounts for the Department of Commerce, the Department of Justice, the science agencies, and the related agencies.

**Table 1. Funding for Commerce, Justice, Science, and Related Agencies (CJS), FY2019 and FY2020**

Appropriations in millions of dollars

| Departments and Related Agencies | FY2019 Enacted | FY2020 Administration's Request | FY2020 House Passed | FY2020 Senate Committee Reported | FY2020 Enacted |
|---|---|---|---|---|---|
| **Department of Commerce** | | | | | |
| International Trade Administration | $484.0 | $460.1 | $521.0 | $510.3 | |
| Bureau of Industry and Security | 118.1 | 127.7 | 127.7 | 127.7 | |
| Economic Development Administration | 304.0 | 30.0 | 540.0 | 319.5 | |
| Economic Development Assistance Programs | (265.0) | — | (498.4) | (279.5) | |
| Salaries and Expenses | (39.0) | (30.0) | (41.7) | (40.0) | |
| Minority Business Development Agency | 40.0 | 10.0 | 44.0 | 40.0 | |
| Economics and Statistics Administration (excluding Census) | 101.0 | 108.0 | 108.0 | 107.0 | |
| Census Bureau | 3,821.4 | 6,149.4 | 8,450.0 | 7,558.3 | |
| Current Surveys and Programs | (270.0) | (264.0) | (275.0) | (274.0) | |
| Periodic Censuses and Programs | (3,551.4) | (5,885.4) | (8,175.0)[a] | (7,284.3)[b] | |
| National Telecommunications and Information Administration | 39.5 | 42.4 | 42.4 | 42.4 | |

| Departments and Related Agencies | FY2019 Enacted | FY2020 Administration's Request | FY2020 House Passed | FY2020 Senate Committee Reported | FY2020 Enacted |
|---|---|---|---|---|---|
| U.S. Patent and Trademark Office (USPTO)[c] | 3,370.0 | 3,450.7 | 3,450.7 | 3,450.7 | |
| Offsetting Fee Receipts (USPTO) | -3,370.0 | -3,450.7 | -3,450.7 | -3,450.7 | |
| National Institute of Standards and Technology | 985.5 | 955.6 | 1,040.2 | 1,038.0 | |
| Scientific and Technical Research and Services | (724.5) | (611.7) | (751.0) | (753.5) | |
| Industrial Technology Services | (155.0) | (15.2) | (169.2) | (161.5) | |
| *Manufacturing Extension Partnership* | *(140.0)* | — | *(154.0)* | *(145.5)* | |
| *National Network for Manufacturing Innovation* | *(15.0)* | *(15.2)* | *(15.2)* | *(16.0)* | |
| Construction of Research Facilities, new appropriation | (106.0) | (40.7) | (120.0) | (123.0) | |
| Construction of Research Facilities, transfer from Federal Capital Revolving Fund (legislative proposal) | — | (288.0)[d] | — | — | |
| National Oceanic and Atmospheric Administration | 5,424.7 | 4,457.0 | 5,489.0 | 5,337.3 | |
| Operations, Research, and Facilities[e] | (3,597.0) | (3,058.4) | (3,920.5) | (3,727.5) | |
| Procurement, Acquisition, and Construction | (1,755.4) | (1,406.2) | (1,496.0) | (1,552.5) | |
| Pacific Coast Salmon Recovery | (65.0) | — | (65.0) | (65.0) | |
| Fishermen's Contingency Fund | (0.3) | (0.3) | (0.3) | (0.3) | |
| Fisheries Finance Program Account | (-8.0) | (-8.0) | (-8.0) | (-8.0) | |
| Fisheries Disaster Assistance | (15.0) | — | (15.0) | — | |
| Departmental Management | 95.7 | 135.3 | 71.2 | 116.7 | |
| **Subtotal: Department of Commerce** | **11,413.9** | **12,475.3** | **16,433.4** | **15,197.2** | |
| **Department of Justice** | | | | | |
| General Administration | 805.4 | 919.2 | 887.4 | 922.6 | |
| General Administration Salaries and Expenses | (113.0) | (114.7) | (79.0) | (114.7) | |
| Justice Information Sharing Technology | (32.0) | (33.9) | (33.9) | (33.9) | |
| Executive Office of Immigration Review | (559.4) | (669.0) | (669.0) | (669.0) | |

| Departments and Related Agencies | FY2019 Enacted | FY2020 Administration's Request | FY2020 House Passed | FY2020 Senate Committee Reported | FY2020 Enacted |
|---|---|---|---|---|---|
| Office of the Inspector General | (101.0) | (101.6) | (105.5) | (105.0) | |
| U.S. Parole Commission | 13.0 | 13.3 | 13.3 | 13.3 | |
| Legal Activities | 3,329.4 | 3,431.8 | 3,531.2 | 3,468.2 | |
| General legal activities | (904.0) | (927.5) | (934.6) | (924.0) | |
| United States Attorneys | (2,212.0) | (2,254.5) | (2,329.8) | (2,278.4) | |
| Antitrust Division | (165.0) | (166.8) | (166.8) | (166.8) | |
| Offsetting Fee Collections (Antitrust Division) | (-136.0) | (-141.0) | (-141.0) | (-141.0) | |
| U.S. Trustee Program | (226.0) | (227.2) | (227.2) | (227.2) | |
| Offsetting Fee Collections (U.S. Trustee Program) | (-360.0) | (-309.0) | (-309.0) | (-309.0) | |
| Foreign Claims Settlement Commission | (2.4) | (2.3) | (2.3) | (2.3) | |
| Fees and Expenses of Witnesses | (270.0) | (270.0) | (270.0) | (270.0) | |
| Community Relations Service | (15.5) | — | (17.0) | (16.0) | |
| Assets Forfeiture Fund[f] | (20.5) | (20.5) | (20.5) | (20.5) | |
| Vaccine Injury Compensation Trust Fund | (10.0) | (13.0) | (13.0) | (13.0) | |
| United States Marshals Service | 2,925.4 | 3,255.8 | 3,252.1 | 3,294.5 | |
| Salaries and Expenses | (1,358.0) | (1,373.4) | (1,444.6) | (1,410.0) | |
| Construction | (15.0) | (15.0) | (15.0) | (17.0) | |
| Federal Prisoner Detention | (1,552.4) | (1,867.5) | (1,779.5) | (1,867.5) | |
| National Security Division | 101.4 | 109.6 | 110.6 | 110.0 | |
| Interagency Law Enforcement | 560.0 | 550.5 | 570.0 | 550.5 | |
| Federal Bureau of Investigation | 9,577.1 | 9,309.3 | 9,507.8 | 9,952.9 | |
| Salaries and Expenses | (9,192.1) | (9,257.4) | (9,455.9) | (9,467.9) | |
| Construction | (385.0) | (51.9) | (51.9) | (485.0) | |
| Drug Enforcement Administration | 2,267.0 | 2,533.2 | 2,351.9 | 2,340.0 | |
| Salaries and Expenses | (2,267.0) | (2,279.2) | (2,351.9) | (2,340.0) | |
| High Intensity Drug Trafficking Areas | — | (254.0) | — | — | |
| Bureau of Alcohol, Tobacco, Firearms and Explosives | 1,316.7 | 1,368.4 | 1,439.0 | 1,370.0 | |
| Federal Prison System | 7,516.7 | 7,163.9 | 7,477.7 | 7,762.7 | |
| Salaries and Expenses | (7,250.0) | (7,062.0) | (7,325.0) | (7,470.0) | |

| Departments and Related Agencies | FY2019 Enacted | FY2020 Administration's Request | FY2020 House Passed | FY2020 Senate Committee Reported | FY2020 Enacted |
|---|---|---|---|---|---|
| Building and Facilities | (264.0) | (99.2) | (150.0) | (290.0) | |
| Limitation on Administrative Expenses, Federal Prison Industries | (2.7) | (2.7) | (2.7) | (2.7) | |
| Office on Violence Against Women | —[g] | —[h] | —[i] | —[j] | |
| Office of Justice Programs | 2,218.8 | 1,957.0 | 2,544.3 | 2,326.6 | |
| Research, Evaluation, and Statistics | (80.0) | (94.5) | (82.0) | (80.0) | |
| State and Local Law Enforcement Assistance | (1,723.0) | (1,482.2) | (1,960.0) | (1,789.8) | |
| Juvenile Justice Programs | (287.0) | (238.5) | (360.5) | (315.0) | |
| Public Safety Officers Benefits | (128.8) | (141.8) | (141.8) | (141.8) | |
| Community Oriented Policing Services | 303.5 | — | 325.7 | 335.0 | |
| Obligation Cap on the Crime Victims Fund | 3,353.0 | —[k] | 2,838.0 | 3,177.0 | |
| Offsetting Receipts | -3,353.0 | — | -2,838.0 | -3,177.0 | |
| **Subtotal: Department of Justice** | **30,934.4** | **30,612.0** | **31,997.9** | **32,446.2** | |
| **Science Agencies** | | | | | |
| Office of Science and Technology Policy | 5.5 | 5.0 | 5.0 | 5.5 | |
| National Space Council | 2.0 | 1.9 | 1.9 | 2.0 | |
| National Aeronautics and Space Administration | 21,500.0 | 21,019.0 | 22,315.0 | 22,750 | |
| Science | (6,905.7) | (6,303.7) | (7,161.3) | (6,905.7) | |
| Aeronautics | (725.0) | (666.9) | (700.0) | (783.9) | |
| Space Technology[l] | (926.9) | (1,014.3) | (1,291.6) | (1,076.4) | |
| Exploration[m] | (5,050.8) | (5,021.7) | (5,129.9) | (6,222.6) | |
| Space Operations[n] | (4,639.1) | (4,285.7) | (4,285.7) | (4,150.2) | |
| Science, Technology, Engineering, and Mathematics Engagement | (110.0) | — | (124.0) | (112.0) | |
| Safety, Security, and Mission Services | (2,755.0) | (3,084.6) | (3,084.6) | (2,934.8) | |
| Construction and Environmental Compliance and Restoration | (348.2) | (600.4) | (497.2) | (524.4) | |
| Inspector General | (39.3) | (41.7) | (41.7) | (40.0) | |

| Departments and Related Agencies | FY2019 Enacted | FY2020 Administration's Request | FY2020 House Passed | FY2020 Senate Committee Reported | FY2020 Enacted |
|---|---|---|---|---|---|
| National Science Foundation | 8,075.0 | 7,066.0 | 8,636.1 | 8,317.0 | |
| Research and Related Activities | (6,520.0) | (5,663.0) | (7,106.3) | (6,769.7) | |
| Education and Human Resources | (910.0) | (823.5) | (950.0) | (937.0) | |
| Major Research Equipment and Facilities Construction | (295.7) | (223.2) | (223.2) | (253.2) | |
| Agency Operations and Award Management | (329.5) | (336.9) | (336.9) | (336.9) | |
| National Science Board | (4.4) | (4.1) | (4.4) | (4.5) | |
| Office of the Inspector General | (15.4) | (15.4) | (15.4) | (15.7) | |
| **Subtotal: Science Agencies** | **29,582.5** | **28,091.9** | **30,959.0** | **31,074.5** | |
| **Related Agencies** | | | | | |
| U.S. Commission on Civil Rights | 10.1 | 9.2 | 10.5 | 10.2 | |
| Equal Employment Opportunity Commission | 379.5 | 355.8 | 399.5 | 384.5 | |
| International Trade Commission | 95.0 | 91.1 | 101.0 | 99.4 | |
| Legal Services Corporation | 415.0 | 18.2 | 550.0 | 425.5 | |
| Marine Mammal Commission | 3.5 | 2.4 | 3.6 | 3.6 | |
| Office of the U.S. Trade Representative | 53.0 | 59.0 | 57.0 | 54.0 | |
| Trade Enforcement Fund | 15.0 | 10.0 | 15.0 | 15.0 | |
| State Justice Institute | 6.0 | 6.6 | 6.6 | 6.3 | |
| **Subtotal: Related Agencies** | **977.1** | **552.3** | **1,143.2** | **998.5** | |
| **CJS Total** | **72,907.8** | **71,731.5** | **80,533.5** | **79,716.5** | |
| **Rescission of Unobligated Balances** | **-1,060.8** | **-947.0** | **-245.0** | **-327.0** | |

**Sources:** The FY2019 enacted amounts were taken from H.Rept. 116-9. The Administration's requested amounts were taken from H.Rept. 116-101. The House-passed amounts were taken from the text of the House-passed version of H.R. 3055. The Senate committee reported amounts were taken from the text of S. 2584 and S.Rept. 116-127.

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

a. The House recommends a total of $8.175 billion for the Periodic Censuses and Programs account, to remain available until September 30, 2022. Of this amount, $675.0 million would be for "collecting, compiling, analyzing, preparing, and publishing statistics for periodic censuses and programs provided for by law," with $3.6 million to be transferred to the Commerce's Department's Office of Inspector General for continuing Census Bureau oversight. In addition, $7.500 billion in new budget authority would be for the 2020 census, as specified for purposes of Section 1(g)(1) of H.Res. 293, 116th Congress. Section 1(g)(1) provides that "If a bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2020 specifies an amount for the 2020 Census in the Periodic Censuses and Programs account …, then

the adjustment shall be the new budget authority provided in such measure for such purpose, but shall not exceed $7,500,000,000."

b. The Senate committee reported bill includes a total of $7.284 billion for the Periodic Censuses and Programs account, to remain available until September 30, 2022. Of this amount, $3.6 million would be transferred to the Commerce's Department's Office of Inspector General for continuing Census Bureau oversight. In addition, $2.500 billion in new budget authority is designated "by the Congress as being for the 2020 Census pursuant to section 251(b)(2)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985."

c. Funding for the U.S. Patent and Trademark Office (USPTO) is fully derived from user fees.

d. According to the NIST FY2020 budget justification, "NIST's Building 1 project at the Boulder campus has been identified as a candidate project to be funded through the GSA Federal Capital Revolving Fund [that was proposed in the President's FY2020 budget]. The Fund would provide up-front funding, estimated to be $288.0 million, to renovate Wing 5, Wing 4, Spine, Wing 1, Wing 2 and a portion of the Headhouse (auditorium, library, front lobby, conference rooms, police dispatch, and cafeteria). At the FY 2020 base funding level, NIST would repay this GSA revolving fund through annual discretionary appropriations in 15 annual payments of $19.2 million." However, the Congressional Budget Office (CBO) estimated this proposal in a manner consistent with current practice that capital expenditures are recorded on a cash basis in the federal budget (For more information, see https://www.cbo.gov/system/files/115th-congress-2017-2018/reports/53461-cashaccrualmeasures.pdf.)

e. The amount for the Operations, Research, and Facilities account includes a transfer out for the Promote and Develop Fund.

f. 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 subparagraphs (B), (F), and (G) of Section 524(c)(1) of Title 28 of the *United States Code*.

g. Per P.L. 116-6, $497.5 million is to be transferred from the Crime Victims Fund to the Office on Violence Against Women.

h. The Administration's budget requests proposes to fund OVW at $492.5 million for FY2020, all of which would be derived from a transfer from the Crime Victims Fund.

i. H.R. 3055 would provide $592.5 million for the Office on Violence Against Women, which would come from a transfer from the Crime Victims Fund.

j. S. 2584 would provide $500.0 million for the Office on Violence Against Women, which would come from a transfer from the Crime Victims Fund.

k. The Administration's FY2020 budget does not include a proposed obligation cap on the Crime Victims Fund (CVF). Rather, the Administration proposes establishing a new $2.3 billion annual mandatory appropriation for crime victims programs.

l. The Administration proposes changing the name of the "Space Technology" account to "Exploration Technology."

m. The Administration proposes changing the name of the "Exploration" account to "Deep Space Exploration Systems."

n. The Administration proposes changing the name of the "Space Operations" account to "Low Earth Orbit and Spaceflight Operations."

**Table 2. Supplemental Appropriations for Commerce, Justice, Science, and Related Agencies (CJS), FY2019**

Appropriations in millions of dollars

| | FY2019 Enacted | |
|---|---|---|
| **Departments and Related Agencies** | **P.L. 116-20** | **P.L. 116-26** |
| Economic Development Administration | $600.0 | — |
| Economic Development Assistance Programs | (600.0) | — |
| National Oceanic and Atmospheric Administration | 295.6 | — |

| Departments and Related Agencies | FY2019 Enacted P.L. 116-20 | FY2019 Enacted P.L. 116-26 |
|---|---|---|
| Operations, Research, and Facilities | (120.6) | — |
| Procurement, Acquisition, and Construction | (25.0) | — |
| Fisheries Disaster Assistance | (150.0) | — |
| **Subtotal: Department of Commerce** | **895.6** | — |
| Executive Office for Immigration Review | — | 65.0 |
| United States Marshals Service | 1.3 | 155.0 |
| Salaries and Expenses | (1.3) | — |
| Federal Prisoner Detention | — | (155.0) |
| Federal Prison System | 28.4 | — |
| Buildings and Facilities | (28.4) | — |
| **Subtotal: Department of Justice** | **29.7** | **220.0** |
| Legal Services Corporation | 15.0 | — |
| **Subtotal: Related Agencies** | **15.0** | — |
| **Supplemental Appropriations Total** | **940.3** | **220.0** |

**Source:** Supplemental appropriations amounts were taken from the text of P.L. 116-20 and P.L. 116-26.

**Notes:** Amounts may not add to totals due to rounding. Amounts in parenthesis are subaccounts and not offsets.

**Table 3. Supplemental Request for Commerce, Justice, Science, and Related Agencies (CJS), FY2020**

Appropriations in millions of dollars

| Departments and Related Agencies | FY2020 Supplemental Request |
|---|---|
| National Aeronautics and Space Administration | $1,596.7 |
| Science | (90.0) |
| Space Technology | (132.0) |
| Exploration | (1,374.7) |
| **Supplemental Request Total** | **1,596.7** |

**Source:** Supplemental request amounts were taken from the Administration's supplemental budget request for FY2020, submitted to Congress on May 13, 2019.

**Notes:** Amounts may not add to totals due to rounding. Amounts in parenthesis are subaccounts and not offsets.

# Historical Funding for CJS

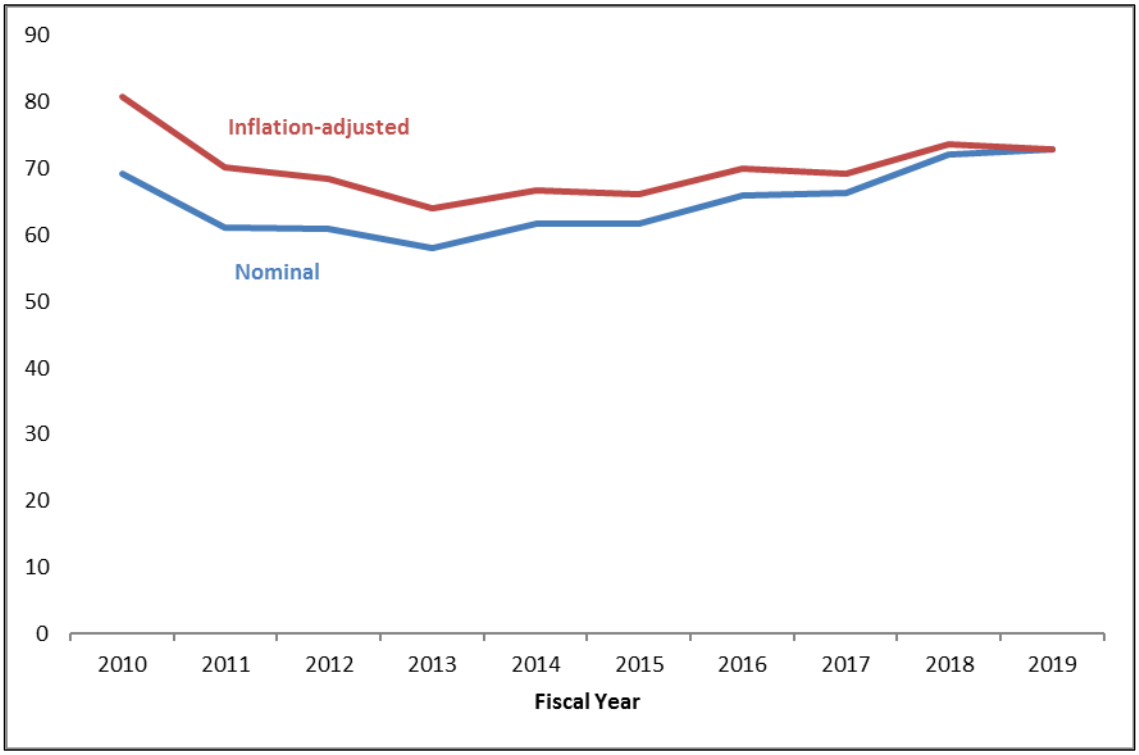
**Figure 1** shows the total CJS funding for FY2010-FY2019, in both nominal and inflation-adjusted dollars (more-detailed historical appropriations data can be found in **Table 4**). The data show that nominal funding for CJS reached a 10-year high in FY2019, though in inflation-adjusted terms, funding for FY2019 was lower than it was in FY2010.

There is a cyclical nature to total nominal funding for CJS because of appropriations for the Census Bureau to administer decennial censuses. Overall funding for CJS traditionally starts to increase a few years before the decennial census, peaks in the fiscal year in which the census is conducted, and then declines immediately thereafter. This is discussed in more detail below.

Increased funding for CJS also coincides with increases to the discretionary budget caps under the Budget Control Act of 2011 (BCA, P.L. 112-25).[15] The BCA put into effect statutory limits on discretionary spending for FY2012-FY2021. Under the act, discretionary spending limits were scheduled to be adjusted downward each fiscal year until FY2021. However, legislation was enacted that increased discretionary spending caps for FY2014 to FY2019.[16] A sequestration of discretionary funding, ordered pursuant to the BCA, cut $2.973 billion out of the total amount Congress and the President provided for CJS for FY2013. Since then, funding for CJS has increased as more discretionary funding has been allowed under the BCA.

**Figure 1. Nominal and Inflation-Adjusted Funding for CJS, FY2010-FY2019**

Appropriations in billions of dollars




**Sources:** FY2010 enacted amounts were taken from S.Rept. 111-229, P.L. 111-212, P.L. 111-224, and P.L. 111-230; FY2011 enacted amounts were taken from H.Rept. 112-169; FY2012 enacted amounts were taken from H.Rept. 112-463; FY2013 post-sequestration amounts were provided by the Department of Commerce, the Department of Justice, the Office of Science and Technology Policy, the National Aeronautics and Space Administration, the National Science Foundation, and each of the respective related agencies and P.L. 113-2; FY2014 enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-76, printed in the January 15, 2014, *Congressional Record* (pp. H507-H532); 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); 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); FY2017 enacted amounts

[15] For more information on the BCA, see CRS Report R44874, *The Budget Control Act: Frequently Asked Questions*.

[16] Ibid.

were taken from the joint explanatory statement to accompany P.L. 115-31, printed in the May 3, 2017, *Congressional Record* (pp. H3365-H3390); FY2018 enacted amounts were taken from the joint explanatory statement to accompany P.L. 115-141, printed in the March 22, 2018, *Congressional Record* (pp. H2084-H2115) and P.L. 115-123; FY2019 enacted amounts were taken from H.Rept. 116-9.

**Notes:** Inflation-adjusted appropriations are presented in FY2019 dollars. Appropriations were adjusted using the Gross Domestic Product (Chained) Price Index presented in Table 10.1 of the Historical Tables in the President's FY2020 budget submission. The amounts do not include rescissions of unobligated balances or scorekeeping credits (e.g., the balance on the Crime Victims Fund). The amounts include any rescissions of current-year budget authority and any supplemental appropriations.

**Figure 2** shows total CJS funding for FY2010-FY2019 by major component (i.e., the Department of Commerce, the Department of Justice, NASA, and the NSF). Although decreased appropriations for the Department of Commerce (a 47.4% reduction) from FY2010 to FY2013, during years immediately following the 2010 census, mostly explain the overall decrease in CJS appropriations during this time, cuts in funding for DOJ (-8.7%) and NASA (-9.8%) also contributed. Funding for NSF held relatively steady from FY2010 to FY2013.

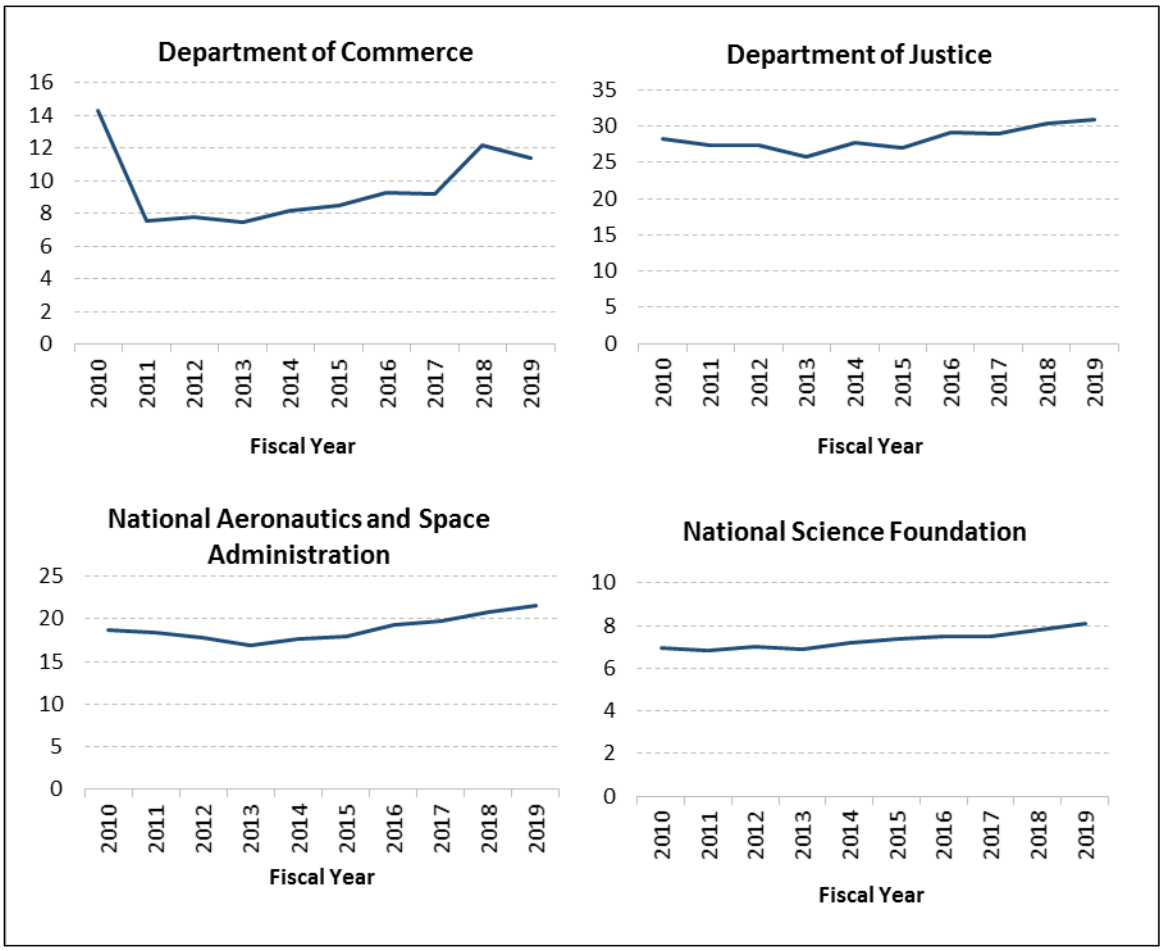
Overall CJS funding has increased since FY2014, and this is partially explained by more funding for the Department of Commerce to help the Census Bureau prepare for the 2020 decennial census. While funding for the Department of Commerce decreased from FY2018 to FY2019, it was partly the result of the department receiving $1.000 billion in emergency supplemental funding for FY2018.[17] If supplemental funding is excluded, appropriations for the Department of Commerce increased 2.5% from FY2018 to FY2019.

While increased funding for the Department of Commerce partially explains the overall increase in funding for CJS since FY2014, there have also been steady increases in funding for DOJ (+11.5%), NASA (+21.8%), and NSF (+12.6%), as higher discretionary spending caps have been used to provide additional funding to these agencies. Also, increased funding for the Department of Commerce is not only the result of more funding for the Census Bureau. Funding for NOAA increased by 18.7% from FY2014 to FY2018 (though funding for NOAA did not increase steadily over this period) and funding for NIST increased by 41.0% over the same time period (see **Table 4**). However, funding for both of these agencies decreased from FY2018 to FY2019, meaning that the increase in the Department of Commerce's funding during this time period was almost solely attributable to increased funding for the Census Bureau.

[17] For more information on emergency supplemental funding for CJS for FY2018, see CRS Report R45237, *Overview of FY2019 Appropriations for Commerce, Justice, Science, and Related Agencies (CJS)*.

**Figure 2. Nominal Total CJS Funding, by Major Component, FY2010-FY2019**

Appropriations in billions of dollars




**Sources:** FY2010 enacted amounts were taken from S.Rept. 111-229, P.L. 111-212, P.L. 111-224, and P.L. 111-230; FY2011 enacted amounts were taken from H.Rept. 112-169; FY2012 enacted amounts were taken from H.Rept. 112-463; FY2013 post-sequestration amounts were provided by the Department of Commerce, the Department of Justice, the Office of Science and Technology Policy, the National Aeronautics and Space Administration, the National Science Foundation, and each of the respective related agencies, and P.L. 113-2; FY2014 enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-76, printed in the January 15, 2014, *Congressional Record* (pp. H507-H532); 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); 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); FY2017 enacted amounts were taken from the joint explanatory statement to accompany P.L. 115-31, printed in the May 3, 2017, *Congressional Record* (pp. H3365-H3390); FY2018 enacted amounts were taken from the joint explanatory statement to accompany P.L. 115-141, printed in the March 22, 2018, *Congressional Record* (pp. H2084-H2115) and P.L. 115-123; FY2019 enacted amounts were taken from H.Rept. 116-9.

**Notes:** The amounts do not include rescissions of unobligated balances or scorekeeping credits (e.g., the balance on the Crime Victims Fund). The amounts include any rescissions of current-year budget authority and any supplemental appropriations.

**Table 4. Nominal Funding for CJS Agencies, by Account, FY2010-FY2019**

Appropriations in millions of dollars

| Bureau or Agency | FY2010 | FY2011 | FY2012 | FY2013[a] | FY2014 | FY2015 | FY2016 | FY2017 | FY2018 | FY2019 |
|---|---|---|---|---|---|---|---|---|---|---|
| **Department of Commerce** | | | | | | | | | | |
| International Trade Administration | $446.8 | $440.7 | $455.6 | $438.5 | $460.6 | $462.0 | $483.0 | $483.0 | $482.0 | $484.0 |
| Bureau of Industry and Security | 100.3 | 100.1 | 101.0 | 93.6 | 101.5 | 102.5 | 112.5 | 112.5 | 113.5 | 118.1 |
| Economic Development Administration | 347.0 | 283.4 | 457.5 | 218.3 | 246.5 | 250.0 | 261.0 | 276.0 | 901.5 | 304.0 |
| Minority Business Development Agency | 31.5 | 30.3 | 30.3 | 27.5 | 28.0 | 30.0 | 32.0 | 34.0 | 39.0 | 40.0 |
| Economic and Statistical Analysis | 97.2 | 97.1 | 96.0 | 93.3 | 99.0 | 100.0 | 109.0 | 107.3 | 99.0 | 101.0 |
| Census Bureau | 7,324.7 | 1,149.7 | 888.3 | 840.6 | 945.0 | 1,088.0 | 1,370.0 | 1,470.0 | 2,814.0 | 3,821.4 |
| National Telecommunications and Information Administration | 40.0 | 41.6 | 45.6 | 42.7 | 46.0 | 38.2 | 39.5 | 32.0 | 39.5 | 39.5 |
| U.S. Patent and Trademark Office (USPTO) | 2,016.0 | 2,090.0 | 2,706.3 | 2,783.7 | 3,024.0 | 3,458.0 | 3,272.0 | 3,230.0 | 3,500.0 | 3,370.0 |
| Offsetting Fee Receipts (USPTO) | -1,887.0 | -2,090.0 | -2,706.3 | -2,933.2 | -3,024.0 | -3,458.0 | -3,272.0 | -3,230.0 | -3,500.0 | -3,370.0 |
| National Institute of Standards and Technology | 856.6 | 750.1 | 750.8 | 769.3 | 850.0 | 863.9 | 964.0 | 952.0 | 1,198.5 | 985.5 |
| National Oceanic and Atmospheric Administration | 4,788.5 | 4,588.0 | 4,893.7 | 5,050.7 | 5,314.6 | 5,441.0 | 5,765.6 | 5,675.4 | 6,309.5 | 5,424.7 |
| Departmental Management | 107.5 | 99.8 | 88.9 | 84.6 | 89.5 | 91.1 | 109.1 | 94.7 | 140.9 | 95.7 |
| **Commerce Subtotal** | **14,269.2** | **7,580.9** | **7,807.7** | **7,509.6** | **8,180.6** | **8,466.7** | **9,245.6** | **9,237.0** | **12,137.4** | **11,413.9** |
| **Department of Justice** | | | | | | | | | | |
| General Administration | 2,285.8 | 2,208.1 | 2,227.9 | 503.5 | 533.2 | 435.6 | 659.0 | 676.7 | 746.8 | 805.4 |
| General Administration | (456.9) | (312.2) | (262.1) | (135.7) | (135.8) | (137.3) | (142.5) | (145.1) | (149.0) | (145.0) |
| Administrative Review & Appeals | (298.8) | (296.1) | (301.0) | (287.9) | (311.0) | (347.1) | (422.8) | — | — | — |
| Executive Office for Immigration Review | — | — | — | — | — | — | — | (436.0) | (500.5) | (559.4) |

| Bureau or Agency | FY2010 | FY2011 | FY2012 | FY2013[a] | FY2014 | FY2015 | FY2016 | FY2017 | FY2018 | FY2019 |
|---|---|---|---|---|---|---|---|---|---|---|
| Detention Trustee[b] | (1,445.7) | (1,515.6) | (1,580.6) | — | — | — | — | — | — | — |
| Office of the Inspector General | (84.4) | (84.2) | (84.2) | (80.0) | (86.4) | (88.6) | (93.7) | (95.6) | (97.3) | (101.0) |
| U.S. Parole Commission | 12.9 | 12.8 | 12.8 | 11.9 | 12.6 | 13.3 | 13.3 | 13.3 | 13.3 | 13.0 |
| Legal Activities | 3,108.3 | 3,177.3 | 3,187.2 | 2,989.5 | 3,180.8 | 3,220.2 | 3,314.6 | 3,353.8 | 3,386.6 | 3,329.4 |
| General legal activities | (889.0) | (863.4) | (863.4) | (819.3) | (867.0) | (885.0) | (893.0) | (897.5) | (897.5) | (904.0) |
| United States Attorneys | (1,943.2) | (1,930.1) | (1,960.0) | (1,830.3) | (1,944.0) | (1,960.0) | (2,000.0) | (2,035.0) | (2,136.8) | (2,212.0) |
| Other[c] | (276.1) | (383.8) | (363.8) | (340.0) | (369.8) | (375.2) | (421.6) | (421.3) | (352.3) | (213.4) |
| U.S. Marshals Service | 1,190.0 | 1,140.1 | 1,189.0 | 2,655.6 | 2,727.8 | 1,700.1[d] | 2,700.0 | 2,713.5 | 2,903.4 | 2,925.4 |
| National Security Division | 87.9 | 87.8 | 87.0 | 83.8 | 91.8 | 93.0 | 95.0 | 96.0 | 101.0 | 101.4 |
| Interagency Law Enforcement | 549.6 | 527.5 | 527.5 | 484.4 | 514.0 | 507.2 | 512.0 | 517.0 | 542.9 | 560.0 |
| Federal Bureau of Investigation | 7,922.5 | 7,926.3 | 8,118.0 | 7,558.8 | 8,343.3 | 8,436.6 | 8,798.8 | 9,006.4 | 9,421.4 | 9,577.1 |
| Drug Enforcement Administration | 2,053.4 | 2,015.6 | 2,035.0 | 1,907.3 | 2,018.0 | 2,033.3 | 2,080.0 | 2,103.0 | 2,201.8 | 2,267.0 |
| Bureau of Alcohol, Tobacco, Firearms & Explosives | 1,158.3 | 1,112.5 | 1,152.0 | 1,071.6 | 1,179.0 | 1,201.0 | 1,240.0 | 1,258.6 | 1,293.8 | 1,316.7 |
| Federal Prison System | 6,208.1 | 6,384.1 | 6,644.0 | 6,447.2 | 6,861.7 | 6,923.7 | 7,481.2 | 7,141.5 | 7,328.3 | 7,516.7 |
| Office of Violence Against Women (OVW) | 418.5 | 417.7 | 412.5 | 387.9 | 417.0 | 430.0 | 101.0[e] | 155.5[f] | —[g] | —[h] |
| Office of Justice Programs (OJP) | 2,283.5 | 1,697.9 | 1,616.3 | 1,518.5 | 1,643.3 | 1,690.8 | 1,883.0 | 1,705.8 | 2,169.3 | 2,218.8 |
| Research, Evaluation, and Statistics | (235.0) | (234.5) | (113.0) | (119.1) | (120.0) | (111.0) | (116.0) | (89.0) | (90.0) | (80.0) |
| State and Local Law Enforcement Assistance | (1,534.8) | (1,117.8) | (1,162.5) | (1,060.5) | (1,171.5) | (1,241.0) | (1,408.5) | (1,280.5) | (1,680.0) | (1,723.0) |
| Weed and Seed | (20.0) | — | — | — | — | — | — | — | — | — |
| Juvenile Justice Programs | (423.6) | (275.4) | (262.5) | (261.0) | (254.5) | (251.5) | (270.2) | (247.0) | (282.5) | (287.0) |
| Public Safety Officers Benefits | (70.1) | (70.1) | (78.3) | (77.9) | (97.3) | (87.3) | (88.3) | (89.3) | (116.8) | (128.8) |
| Community Oriented Policing Services (COPS) | 791.6 | 494.9 | 198.5 | 209.7 | 214.0 | 208.0 | 212.0 | 221.5 | 275.5 | 303.5 |

| Bureau or Agency | FY2010 | FY2011 | FY2012 | FY2013[a] | FY2014 | FY2015 | FY2016 | FY2017 | FY2018 | FY2019 |
|---|---|---|---|---|---|---|---|---|---|---|
| OVW, OJP, and COPS Salaries and Expenses | 213.4 | 186.6 | — | — | — | — | — | — | — | — |
| **DOJ Subtotal** | **28,283.7** | **27,389.2** | **27,407.7** | **25,829.7** | **27,736.6** | **27,030.2** | **29,089.8** | **28,962.5** | **30.384.0** | **30,934.4** |
| **Science Agencies** | | | | | | | | | | |
| Office of Science and Technology Policy | 7.0 | 6.6 | 4.5 | 5.5 | 5.6 | 5.6 | 5.6 | 5.6 | 5.5 | 5.5 |
| National Space Council | — | — | — | — | — | — | — | — | 2.0 | 2.0 |
| National Aeronautics and Space Administration | 18,724.3 | 18,448.0 | 17,800.0 | 16,879.5 | 17,646.5 | 18,010.2 | 19,285.0 | 19,762.3 | 20,817.4 | 21,500.0 |
| National Science Foundation | 6,926.5 | 6,859.9 | 7,033.1 | 6,884.1 | 7,171.9 | 7,344.2 | 7,463.5 | 7,472.2 | 7,783.7 | 8,075.0 |
| **Science Agencies Subtotal** | **25,657.8** | **25,314.5** | **24,837.6** | **23,769.2** | **24,824.0** | **25,360.0** | **26,754.0** | **27,240.1** | **28,608.6** | **29,582.5** |
| **Related Agencies** | | | | | | | | | | |
| Commission on Civil Rights | 9.4 | 9.4 | 9.2 | 8.7 | 9.0 | 9.2 | 9.2 | 9.2 | 9.7 | 10.1 |
| Equal Employment Opportunity Commission | 367.3 | 366.6 | 360.0 | 344.2 | 364.0 | 364.5 | 364.5 | 364.5 | 379.5 | 379.5 |
| International Trade Commission | 81.9 | 81.7 | 80.0 | 78.9 | 83.0 | 84.5 | 88.5 | 91.5 | 93.7 | 95.0 |
| Legal Services Corporation | 420.0 | 404.2 | 348.0 | 340.9 | 365.0 | 375.0 | 385.0 | 385.0 | 425.0 | 415.0 |
| Marine Mammal Commission | 3.3 | 3.2 | 3.0 | 2.9 | 3.3 | 3.3 | 3.4 | 3.4 | 3.4 | 3.5 |
| U.S. Trade Representative | 47.8 | 47.7 | 51.3 | 47.6 | 52.6 | 54.3 | 54.5 | 62.0 | 57.6 | 53.0 |
| Trade Enforcement Fund | — | — | — | — | — | — | — | — | 15.0 | 15.0 |
| State Justice Institute | 5.1 | 5.1 | 5.1 | 4.8 | 4.9 | 5.1 | 5.1 | 5.1 | 5.1 | 6.0 |
| **Related Agencies Subtotal** | **934.8** | **917.9** | **856.6** | **827.9** | **881.8** | **895.9** | **910.3** | **920.8** | **989.1** | **977.1** |
| **Total Appropriation** | **69,145.5** | **61,202.5** | **60,909.6** | **57,936.4** | **61,622.9** | **61,752.7** | **65,999.7** | **66,360.3** | **72.119.0** | **72,907.8** |
| **Rescission of Unobligated Balances** | **-2,559.7**[i] | **-2,416.0** | **-905.9** | **-881.6** | **-219.3** | **-679.6** | **-878.7** | **-1,142.3** | **-661.1** | **-1,060.8** |

**Sources:** FY2010 enacted amounts were taken from S.Rept. 111-229, P.L. 111-212, P.L. 111-224, and P.L. 111-230; FY2011 enacted amounts were taken from H.Rept. 112-169; FY2012 enacted amounts were taken from H.Rept. 112-463; FY2013 post-sequestration amounts were provided by the Department of Commerce, the Department of Justice, the Office of Science and Technology Policy, the National Aeronautics and Space Administration, the National Science Foundation, and each of the respective related agencies, and P.L. 113-2; FY2014 enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-76, printed in the January

15, 2014, *Congressional Record* (pp. H507-H532); 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); 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); FY2017 enacted amounts were taken from the joint explanatory statement to accompany P.L. 115-31, printed in the May 3, 2017, *Congressional Record* (pp. H3365-H3390); FY2018 enacted amounts were taken from the joint explanatory statement to accompany P.L. 115-141, printed in the March 22, 2018, *Congressional Record* (pp. H2084-H2115) and P.L. 115-123; FY2019 enacted amounts were taken from H.Rept. 116-9.

**Notes:** Amounts may not add to totals due to rounding. Amounts include all supplemental appropriations. Amounts also include all rescission of current-year budget authority, but they do not include rescissions of a prior year's unobligated balances. Amounts in parenthesis are subaccounts and not offsets.

a. FY2013 appropriations include sequestration.

b. 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 U.S. Marshals Service. Funding under this account covers the costs associated with the care of federal detainees.

c. "Other" includes subaccounts for the Antitrust Division, Vaccine Injury Compensation Trust Fund, U.S. Trustee System Fund, Foreign Claims Settlement Commission, Fees and Expenses of Witnesses, Community Relations Service, and the Asset Forfeiture Fund.

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 $379.0 million transfer from the Crime Victims Fund to the Office on Violence Against Women per P.L. 114-113.

f. This amount does not include a $326.0 million transfer from the Crime Victims Fund to the Office on Violence Against Women per P.L. 115-31.

g. Per P.L. 115-141, $492.0 million was transferred from the Crime Victims Fund to the Office on Violence Against Women.

h. Per P.L. 116-6, $497.5 million was transferred from the Crime Victims Fund to the Office on Violence Against Women.

i. This amount includes $531.2 million in rescissions of unobligated balances included in P.L. 111-117, $111.5 million in rescissions of unobligated balances included in P.L. 111-212, $129.0 million in rescissions of unobligated balances included in P.L. 111-224, and $1.788 billion in rescissions of unobligated balance included in P.L. 112-6.

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