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

April 22, 2019

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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.

The Administration requests $71.388 billion for CJS for FY2020, which is $1.520 billion (-2.1%) less than the $72.908 billion appropriated for CJS for FY2019. The Administration's request includes $12.214 billion for the Department of Commerce, $30.529 billion for the Department of Justice, $28.092 billion for the science agencies, and $552 million for the related agencies. 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.

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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.

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, 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.[1] 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."[2] 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."[3] 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.

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

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

[3] Ibid.

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;
- *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 to 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."[4] DOJ also

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

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;
- *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.[5] The OSTP director also manages the National Science and Technology Council,[6] 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,[7] 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 promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes."[8] 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.[9] 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.

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

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

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

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

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

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
- *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.

The Administration's FY2020 Budget Request

The Administration requests $71.388 billion for CJS for FY2020, which is $1.520 billion (-2.1%) less than the $72.908 billion appropriated for CJS for FY2019 (see **Table 1**). 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 requests the following:

- $12.214 billion for the Department of Commerce, which is $801 million (+7.0%) more than FY2019 enacted funding;
- $30.529 billion for the Department of Justice, which is $405 million (-1.3%) 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 several 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 (+$315 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.[10]

The annual CJS appropriations act traditionally includes an obligation cap of funds expended from the Crime Victims Fund (CVF).[11] 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 will 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.

Table 1 outlines the FY2019 funding and the Administration's FY2020 request 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 Passed	FY2020 Enacted
Department of Commerce					
International Trade Administration	$484.0	$460.1			
Bureau of Industry and Security	118.1	127.7			
Economic Development Administration	304.0	30.0			
Economic Development Assistance Programs	(265.0)	—			
Salaries and Expenses	(39.0)	(30.0)			
Minority Business Development Agency	40.0	10.0			
Economics and Statistics Administration (excluding Census)	101.0	108.0			
Census Bureau	3,281.4	6,149.4			
Current Surveys and Programs	(270.0)	(264.0)			

[10] 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)*.

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

Departments and Related Agencies	FY2019 Enacted	FY2020 Administration's Request	FY2020 House Passed	FY2020 Senate Passed	FY2020 Enacted
Periodic Censuses and Programs	(3,551.4)	(5,885.4)			
National Telecommunications and Information Administration	39.5	42.4			
U.S. Patent and Trademark Office (USPTO)[a]	3,370.0	3,450.7			
Offsetting Fee Receipts (USPTO)	-3,370.0	-3,450.7			
National Institute of Standards and Technology	985.5	686.8			
Scientific and Technical Research and Services	(724.5)	(611.7)			
Industrial Technology Services	(155.0)	(15.2)			
Manufacturing Extension Partnership	*(140.0)*	—			
National Network for Manufacturing Innovation	*(15.0)*	*(15.2)*			
Construction of Research Facilities	(106.0)	(59.9)			
National Oceanic and Atmospheric Administration	5,424.7	4,465.0			
Operations, Research, and Facilities[b]	(3,597.0)	(3,058.4)			
Procurement, Acquisition, and Construction	(1,755.4)	(1,406.2)			
Pacific Coast Salmon Recovery	(65.0)	—			
Fishermen's Contingency Fund	(0.3)	(0.3)			
Fisheries Finance Program Account	(-8.0)	—			
Fisheries Disaster Assistance	(15.0)	—			
Departmental Management	95.7	135.3			
Subtotal: Department of Commerce	**11,413.9**	**12,214.5**			
Department of Justice					
General Administration	805.4	919.2			
General Administration Salaries and Expenses	(113.0)	(114.7)			
Justice Information Sharing Technology	(32.0)	(33.9)			
Executive Office of Immigration Review	(559.4)	(669.0)			
Office of the Inspector General	(101.0)	(101.6)			
U.S. Parole Commission	13.0	13.5			

Departments and Related Agencies	FY2019 Enacted	FY2020 Administration's Request	FY2020 House Passed	FY2020 Senate Passed	FY2020 Enacted
Legal Activities	3,329.4	3,350.8			
General legal activities	(904.0)	(927.5)			
United States Attorneys	(2,212.0)	(2,254.5)			
Antitrust Division	(165.0)	(166.8)			
Offsetting Fee Collections (Antitrust Division)	(-136.0)	(-136.0)			
U.S. Trustee Program	(226.0)	(227.2)			
Offsetting Fee Collections (U.S. Trustee Program)	(-360.0)	(-395.0)			
Foreign Claims Settlement Commission	(2.4)	(2.3)			
Fees and Expenses of Witnesses	(270.0)	(270.0)			
Community Relations Service	(15.5)	—			
Assets Forfeiture Fund[c]	(20.5)	(20.5)			
Vaccine Injury Compensation Trust Fund	(10.0)	(13.0)			
United States Marshals Service	2,925.4	3,255.8			
Salaries and Expenses	(1,358.0)	(1,373.4)			
Construction	(15.0)	(15.0)			
Federal Prisoner Detention	(1,552.4)	(1,876.5)			
National Security Division	101.4	109.6			
Interagency Law Enforcement	560.0	550.5			
Federal Bureau of Investigation	9,577.1	9,309.3			
Salaries and Expenses	(9,192.1)	(9,257.4)			
Construction	(385.0)	(51.9)			
Drug Enforcement Administration	2,267.0	2,533.2			
Salaries and Expenses	(2,267.0)	(2,279.2)			
High Intensity Drug Trafficking Areas	—	(254.0)			
Bureau of Alcohol, Tobacco, Firearms and Explosives	1,316.7	1,368.4			
Federal Prison System	7,516.7	7,163.9			
Salaries and Expenses	(7,250.0)	(7,062.0)			
Building and Facilities	(264.0)	(99.2)			
Limitation on Administrative Expenses, Federal Prison Industries	(2.7)	(2.7)			
Office on Violence Against Women	—[d]	—[e]			
Office of Justice Programs	2,218.8	1,955.0			

Departments and Related Agencies	FY2019 Enacted	FY2020 Administration's Request	FY2020 House Passed	FY2020 Senate Passed	FY2020 Enacted
Research, Evaluation, and Statistics	(80.0)	(94.5)			
State and Local Law Enforcement Assistance	(1,723.0)	(1,482.2)			
Juvenile Justice Programs	(287.0)	(238.5)			
Public Safety Officers Benefits	(128.8)	(193.8)			
Community Oriented Policing Services	303.5	—			
Obligation Cap on the Crime Victims Fund	3,353.0	—[f]			
Offsetting Receipts	-3,353.0	—			
Subtotal: Department of Justice	**30,934.4**	**30,529.2**			
Science Agencies					
Office of Science and Technology Policy	5.5	5.0			
National Space Council	2.0	1.9			
National Aeronautics and Space Administration	21,500.0	21,019.0			
Science	(6,905.7)	(6,303.7)			
Aeronautics	(725.0)	(666.9)			
Space Technology[g]	(926.9)	(1,014.3)			
Exploration[h]	(5,050.8)	(5,021.7)			
Space Operations[i]	(4,639.1)	(4,285.7)			
Science, Technology, Engineering, and Mathematics Engagement	(110.0)	—			
Safety, Security, and Mission Services	(2,755.0)	(3,084.6)			
Construction and Environmental Compliance and Restoration	(348.2)	(600.4)			
Inspector General	(39.3)	(41.7)			
National Science Foundation	8,075.0	7,066.0			
Research and Related Activities	(6,520.0)	(5,663.0)			
Education and Human Resources	(910.0)	(823.5)			
Major Research Equipment and Facilities Construction	(295.7)	(223.2)			
Agency Operations and Award Management	(329.5)	(336.9)			
National Science Board	(4.4)	(4.1)			
Office of the Inspector General	(15.4)	(15.4)			
Subtotal: Science Agencies	**29,582.5**	**28,091.9**			

Departments and Related Agencies	FY2019 Enacted	FY2020 Administration's Request	FY2020 House Passed	FY2020 Senate Passed	FY2020 Enacted
Related Agencies					
U.S. Commission on Civil Rights	10.1	9.2			
Equal Employment Opportunity Commission	379.5	355.8			
International Trade Commission	95.0	91.1			
Legal Services Corporation	415.0	18.2			
Marine Mammal Commission	3.5	2.4			
Office of the U.S. Trade Representative	53.0	59.0			
Trade Enforcement Fund	15.0	10.0			
State Justice Institute	6.0	6.6			
Subtotal: Related Agencies	**977.1**	**552.3**			
CJS Total	**72,907.8**	**71,387.8**			
Rescission of Unobligated Balances	**-1,060.8**	**-947.0**			

Sources: The FY2019 enacted amounts were taken from H.Rept. 116-9. Amounts for the Administration's request were taken from the FY2020 congressional budget justifications for the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, and the National Science Foundation; and the appendix to the President's FY2020 budget.

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

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

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

e. 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.

f. 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.

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

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

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

Historical Funding for CJS

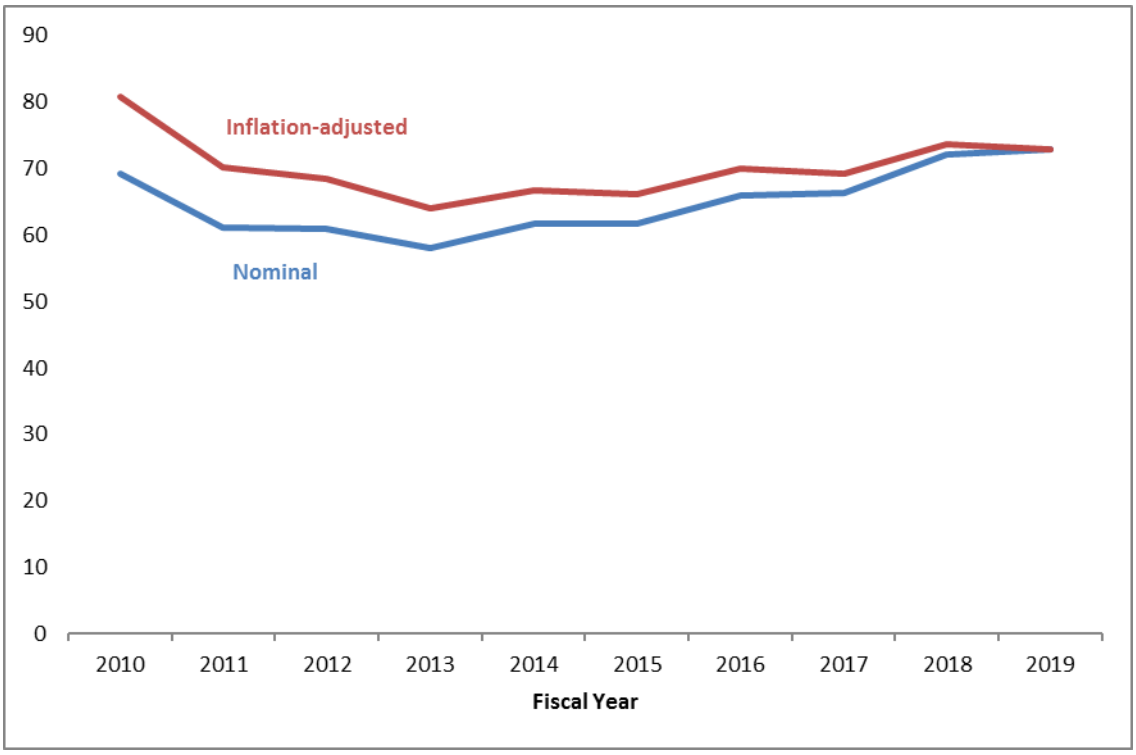
Figure 1 shows the total CJS funding for FY2010-FY2019, in both nominal and inflation-adjusted dollars (more-detailed historical appropriations data can be found in **Table 2**). The data show that nominal funding for CJS reached a 10-year high in FY2019, though in inflation-adjusted terms, funding for 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. 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).[12] 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.[13] 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

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

[13] Ibid.

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: 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) mostly explain the overall decrease in CJS appropriations from FY2010 to FY2013, cuts in funding for DOJ (-8.7%) and NASA (-9.8%) also contributed. Funding for NSF held relatively steady from FY2010 to FY2013.

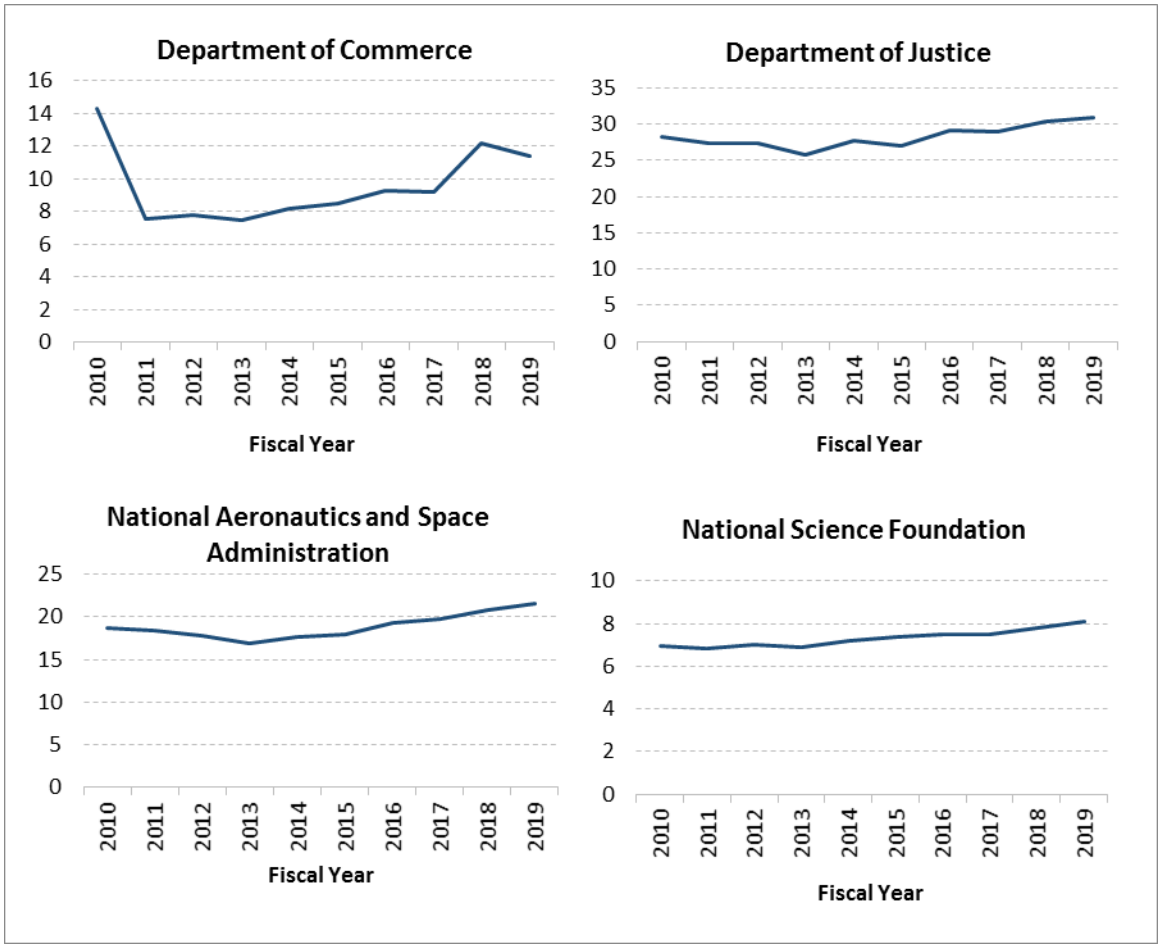
Overall CJS funding has increased since FY2014, and this is partially explained by more funding for the Department of Commerce to help the Census Bureau prepare for the 2020 decennial census. While funding for the Department of Commerce decreased from FY2018 to FY2019, it is partly the result of the department receiving $1.000 billion in emergency supplemental funding for FY2018.[14] 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 41.0% from FY2014 to FY2018 and funding for NIST increased by 15.9% over the same time period. 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.

[14] 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 2. 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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