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Overview of FY2021 Appropriations for Commerce, Justice, Science, and Related Agencies (CJS)

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SUMMARY

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Overview of FY2021 Appropriations for Commerce, Justice, Science, and Related Agencies (CJS)

This report describes actions taken to provide FY2021 appropriations for Commerce, Justice, Science, and Related Agencies (CJS) accounts. The annual CJS appropriations act provides funding for the Department of Commerce, which includes bureaus and offices 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; the Department of Justice (DOJ), which includes agencies such as the Federal Bureau of Investigation, the Bureau of Prisons, the U.S. Marshals, the Drug Enforcement Administration, 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 (LSC) and the Equal Employment Opportunity Commission.

The Administration requests $74.849 billion for CJS for FY2021, which is $4.910 billion (-6.2%) less than the $79.759 billion appropriated for CJS for FY2020. The Administration's request includes $8.318 billion for the Department of Commerce, $32.964 billion for the Department of Justice, $32.994 billion for specified science agencies, and $574 million for the related agencies. The Administration's FY2021 budget proposes reduced funding for the Department of Commerce, NSF, and most of the related agencies, and increased funding for DOJ and NASA. The proposed reduction in overall funding for CJS is partially the result of a proposed $5.886 billion (-77.9%) decrease in funding for the Census Bureau, which, in keeping with past precedent, receives less funding in the fiscal year after conducting the decennial census. The FY2021 budget request for CJS also includes reductions to several other CJS accounts along with proposals to eliminate 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 LSC.

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This report describes actions taken to provide FY2021 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 bureaus and offices 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;
- *Bureau of Economic Analysis (BEA)* 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* is a federal statistical agency that 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 in ways that enhance economic security and improve quality of life; 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."[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, 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 was first established in 1988 through P.L. 100-685.[8] The council ceased operations in 1993, and was reestablished by the Trump Administration in June 2017.[9]

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."[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

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

[6] Executive Order 12881, issued November 23, 1993, established the National Science and Technology Council.

[7] Executive Order 13539, issued October 22, 2019, established the President's Council of Advisors on Science and Technology.

[8] Title V of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1989 (P.L. 100-685), which was signed into law by President George H.W. Bush on November 17, 1988, established the National Space Council in the Executive Office of the President, effective February 1, 1989. President Bush established the council, its members, and its functions through Executive Order 12675, issued on April 20, 1989.

[9] Executive Order 13803, issued June 30, 2017.

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

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

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 (LSC)* 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 FY2021 Budget Request

The Administration's FY2021 budget request for CJS is $74.849 billion, which is $4.910 billion (-6.2%) less than the $79.759 billion appropriated for CJS for FY2020 (see **Table 1**). The Administration's FY2021 request includes the following:

- $8.318 billion for the Department of Commerce, which is $6.903 billion (-45.4%) less than the $15.221 billion provided for FY2020;
- $32.964 billion for the Department of Justice, which is $358 million (1.1%) more than the $32.605 billion provided for FY2020;
- $32.994 billion for the science agencies, which is $2.080 billion (6.7%) more than the $30.915 billion provided for FY2020; and
- $574 million for the related agencies, which is $445 million (-43.7%) less than the $1.019 billion provided for FY2020.

The decrease in funding for the Department of Commerce is largely the result of a proposed $5.886 billion (-77.9%) decrease in funding for the Census Bureau. For the past several fiscal years, Congress has increased funding for the Census Bureau to help build capacity for conducting the decennial 2020 Census. In keeping with past precedent, funding for the Census Bureau peaks in the year in which the decennial census is conducted and it decreases sharply in the following year (see the discussion on historical funding for CJS, below). However, the proposed reduction in funding for the Department of Commerce is not only the result of reduced funding for the Census Bureau. The Administration also proposes shuttering the EDA (though the Administration requests some funding to help provide for an orderly closeout of the EDA's operations) and eliminating NIST's Manufacturing Extension Partnership and NOAA's Pacific Coastal Salmon Recovery Fund. In addition, the Administration proposes reducing funding for several other Department of Commerce accounts, including the following:

- the International Trade Administration (-$36 million, -7.0%);
- NIST's Scientific and Technical Research and Services account (-$102 million, -13.5%);
- NIST's Industrial Technology Services account (-$137 million, -84.4%);
- NOAA's Operations, Research, and Facilities account (-$599 million, -15.9%); and
- NOAA's Procurement, Acquisition, and Facilities account (-$64 million, -4.2%).

The Administration also proposes a $32 million (-75.5%) reduction for the Minority Business Development Administration. It proposes changing 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's FY2021 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 $294 million from the proposed fund to NIST's Construction of Research Facilities account for renovating NIST's Building 1 in Boulder, CO, which would be repaid by NIST from future appropriations at $20 million per year for 15 years.

While the Administration proposes increased funding for most DOJ offices and agencies, the budget request would reduce funding for the FBI (-$152 million, -1.5%) and BOP (-$67 million, -0.9%), though these reductions are the result of proposals for reduced funding for construction-related accounts. The Administration proposes reducing funding for two grant-related DOJ accounts, State and Local Law Enforcement Assistance (-$381 million, -20.1%) and Juvenile Justice Programs (-$93 million, -28.9%). The Administration also proposes to eliminate the COPS program as a separate account in DOJ and requests funding for COPS-related programs under the State and Local Law Enforcement Assistance account. The Administration proposes eliminating the Community Relations Service and moving its functions to DOJ's Civil Rights Division.

The Administration's FY2021 budget request would add two new accounts to DOJ. First, the Administration proposes moving 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. In addition, the Administration proposes adding a Construction account for ATF. The Administration requested this funding so the ATF can consolidate its laboratory facilities in Walnut Creek, CA and Atlanta, GA.

The annual CJS appropriations act traditionally includes an obligation cap of funds expended from the Crime Victims Fund (CVF).[12] The Administration's FY2021 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, $499 million would be for the OVW, $10 million would be for oversight of Office for Victims of Crime (OVC) programs by the Office of the Inspector General, $12 million would be for developing innovative crime victims services initiatives, and a set-aside of up to $115 million would be for tribal victims assistance grants. From the remaining amount, OVC would provide formula and nonformula grants to the states to support crime victim compensation and victims services programs. Under the Administration's proposal, the amount of the mandatory appropriation would decrease if the balance on the CVF falls below $5.000 billion in future fiscal years.

Also, the Administration's budget includes a proposal to transfer primary jurisdiction over federal tobacco and alcohol anti-smuggling laws from the ATF to the Department of the Treasury's Tax and Trade Bureau.

The Administration's budget request includes increased funding for NASA, but the Administration does propose reduced funding for the Science account (-$832 million, -11.7%) and eliminating the Office of STEM Engagement (formerly the Office of Education). The Administration also 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. Like the Administration's FY2020 budget, the FY2021 budget proposal does not appear to include a realignment of items that would be funded from these accounts, which is what the Administration proposed in its FY2019 budget request.[13]

The FY2021 budget request includes reduced funding for NSF (-$537 million, -6.5%), which includes proposed reductions for the Research and Related Activities (-$524 million, -7.8%), Major Research Equipment and Facilities Construction (-$13 million, -5.5%), and Education and Human Resources (-$9 million, -1.0%) accounts. The proposed reductions are partially offset by proposed increases for the Agency Operations and Award Management (+$9 million, +2.6%) and Office of the Inspector General (+$1 million, +8.2%) accounts.

The Administration requests reduced funding for most of the related agencies, which includes a proposal to close the LSC, though it requests some funding to help provide for an orderly closeout of the LSC's operations.

Table 1 outlines the FY2020 funding and the Administration's FY2021 request for the Department of Commerce, the Department of Justice, the science agencies, and the related agencies.

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

[13] 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)*.

Table 1. Funding for Commerce, Justice, Science, and Related Agencies (CJS), FY2020 and FY2021 Request

Appropriations in millions of dollars

Departments and Related Agencies	FY2020 Enacted	FY2021 Administration's Request	FY2021 House Passed	FY2021 Senate Passed	FY2021 Enacted
Department of Commerce					
International Trade Administration	$510.3	$474.4			
Bureau of Industry and Security	127.7	137.7			
Economic Development Administration	333.0	31.6			
Economic Development Assistance Programs	(292.5)	—			
Salaries and Expenses	(40.5)	(31.6)			
Minority Business Development Agency	42.0	10.3			
Economics and Statistics Administration (excluding Census)	108.0	111.9			
Census Bureau	7,558.3	1,672.0			
Current Surveys and Programs	(274.0)	(279.3)			
Periodic Censuses and Programs	(7.284.3)	(1,392.7)			
National Telecommunications and Information Administration	40.4	72.2			
U.S. Patent and Trademark Office (USPTO)[a]	3,450.7	3,695.3			
Offsetting Fee Receipts (USPTO)	-3,450.7	-3,695.3			
National Institute of Standards and Technology	1,034.0	1,011.9			
Scientific and Technical Research and Services	(754.0)	(652.0)			
Industrial Technology Services	(162.0)	(25.3)			
Manufacturing Extension Partnership	*(146.0)*	—			
National Network for Manufacturing Innovation	*(16.0)*	*(25.3)*			
Construction of Research Facilities, new appropriation	(118.0)	(40.6)			
Construction of Research Facilities, transfer from Federal Capital Revolving Fund (legislative proposal)	—	(294.0)[b]			

Departments and Related Agencies	FY2020 Enacted	FY2021 Administration's Request	FY2021 House Passed	FY2021 Senate Passed	FY2021 Enacted
National Oceanic and Atmospheric Administration	5,352.2	4,624.8			
Operations, Research, and Facilities[c]	(3,763.9)	(3,165.1)			
Procurement, Acquisition, and Construction	(1,530.9)	(1,466.7)			
Pacific Coast Salmon Recovery	(65.0)	—			
Fishermen's Contingency Fund	(0.3)	(0.3)			
Fisheries Finance Program Account	(-8.0)	(-7.6)			
Fisheries Disaster Assistance	—	(0.3)			
Departmental Management	115.0	170.8			
Subtotal: Department of Commerce	**15,220.8**	**8,317.5**			
Department of Justice					
General Administration	922.6	1,141.9			
General Administration Salaries and Expenses	(114.7)	(121.8)			
Justice Information Sharing Technology	(33.9)	(34.1)			
Executive Office of Immigration Review	(669.0)	(878.9)			
Office of the Inspector General	(105.0)	(107.2)			
U.S. Parole Commission	13.3	13.5			
Legal Activities	3,440.4	3,635.7			
General legal activities	(920.0)	(971.4)			
United States Attorneys	(2,254.5)	(2,378.4)			
Antitrust Division	(166.8)	(188.5)			
Offsetting Fee Collections (Antitrust Division)	(-141.0)	(-136.0)			
U.S. Trustee Program	(227.2)	(234.5)			
Offsetting Fee Collections (U.S. Trustee Program)	(-309.0)	(-313.0)			
Foreign Claims Settlement Commission	(2.3)	(2.4)			
Fees and Expenses of Witnesses	(270.0)	(270.0)			
Community Relations Service	(16.0)	—			

Departments and Related Agencies	FY2020 Enacted	FY2021 Administration's Request	FY2021 House Passed	FY2021 Senate Passed	FY2021 Enacted
Assets Forfeiture Fund[d]	(20.5)	(20.5)			
Vaccine Injury Compensation Trust Fund	(13.0)	(19.0)			
United States Marshals Service	3,312.5	3,669.7			
Salaries and Expenses	(1,430.0)	(1,608.1)			
Construction	(15.0)	(15.0)			
Federal Prisoner Detention	(1,867.5)	(2,046.6)			
National Security Division	110.0	117.5			
Interagency Law Enforcement	550.5	585.1			
Federal Bureau of Investigation	9,952.9	9,800.7			
Salaries and Expenses	(9,467.9)	(9,748.8)			
Construction	(485.0)	(51.9)			
Drug Enforcement Administration	2,279.2	2,652.8			
Salaries and Expenses	(2,279.2)	(2,398.8)			
High Intensity Drug Trafficking Areas	—	(254.0)			
Bureau of Alcohol, Tobacco, Firearms and Explosives	1,400.0	1,666.3			
Salaries and Expenses	(1,400.0)	(1,637.6)			
Construction	—	(28.7)			
Federal Prison System	7,780.7	7,713.3			
Salaries and Expenses	(7,470.0)	(7,611.1)			
Building and Facilities	(308.0)	(99.5)			
Limitation on Administrative Expenses, Federal Prison Industries	(2.7)	(2.7)			
Office on Violence Against Women	502.5	498.5			
Transfer from the Crime Victims Fund to the Office on Violence Against Women	-435.0	-498.5			
Office of Justice Programs	2,432.8	1,967.0			
Research, Evaluation, and Statistics	(79.0)	(86.5)			
State and Local Law Enforcement Assistance	(1,892.0)	(1,511.2)			
Juvenile Justice Programs	(320.0)	(227.5)			
Public Safety Officers Benefits	(141.8)	(141.8)			

Departments and Related Agencies	FY2020 Enacted	FY2021 Administration's Request	FY2021 House Passed	FY2021 Senate Passed	FY2021 Enacted
Community Oriented Policing Services	343.0	—			
Obligation Cap on the Crime Victims Fund	2,641.0	—[e]			
Offsetting Receipts	-2,641.0	—			
Subtotal: Department of Justice	**32,605.2**	**32,963.5**			
Science Agencies					
Office of Science and Technology Policy	5.5	5.0			
National Space Council	2.0	2.0			
National Aeronautics and Space Administration	22,629.0	25,246.0			
Science	(7,138.9)	(6,306.5)			
Aeronautics	(783.9)	(819.0)			
Space Technology[f]	(1,110.0)	(1,578.3)			
Exploration[g]	(6,017.6)	(8,761.7)			
Space Operations[h]	(4,140.2)	(4,187.3)			
Science, Technology, Engineering, and Mathematics Engagement	(120.0)	—			
Safety, Security, and Mission Services	(2,913.3)	(3,009.9)			
Construction and Environmental Compliance and Restoration	(373.4)	(539.1)			
Inspector General	(41.7)	(44.2)			
National Science Foundation	8,278.3	7,741.4			
Research and Related Activities	(6,737.2)	(6,213.0)			
Education and Human Resources	(940.0)	(930.9)			
Major Research Equipment and Facilities Construction	(243.2)	(229.8)			
Agency Operations and Award Management	(336.9)	(345.6)			
National Science Board	(4.5)	(4.2)			
Office of the Inspector General	(16.5)	(17.9)			
Subtotal: Science Agencies	**30,914.8**	**32,994.4**			

Departments and Related Agencies	FY2020 Enacted	FY2021 Administration's Request	FY2021 House Passed	FY2021 Senate Passed	FY2021 Enacted
Related Agencies					
U.S. Commission on Civil Rights	10.5	10.1			
Equal Employment Opportunity Commission	389.5	362.5			
International Trade Commission	99.4	99.6			
Legal Services Corporation	440.0	18.2			
Marine Mammal Commission	3.6	2.4			
Office of the U.S. Trade Representative	54.0	60.0			
Trade Enforcement Fund	15.0	13.0			
State Justice Institute	6.6	8.0			
Subtotal: Related Agencies	**1,018.6**	**573.8**			
CJS Total	**79,759.5**	**74,849.2**			
Rescission of Unobligated Balances	**-364.0**	**-1,021.6**			

Sources: The FY2020 enacted amounts were taken from the explanatory statement to accompany P.L. 116-93, published in the December 17, 2019 *Congressional Record* (pp. H10961-H10989). The Administration's requested amounts were taken from the 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 budget.

Notes: The accounts presented in **Table 1** are consistent with those used by the Congressional Budget Office (CBO) to score the CJS appropriations bill.

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

b. According to the NIST FY2021 congressional budget justification, "The FY 2021 budget request proposes to use the [Federal Capital Revolving Fund] FCRF to fund the completion of the $294 million renovation of NIST Building One in Boulder, Colorado. In accordance with the principles and design of the FCRF, the FY 2021 budget requests appropriations language designating the renovation as a project to be funded out of the FCRF along with 1/15 of the renovation costs, or $19.6 million, for the first-year repayment back to the FCRF." However, CBO estimates 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.)

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

d. 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*.

e. The Administration's FY2021 budget did not include a proposed obligation cap on the Crime Victims Fund (CVF). Rather, the Administration proposed establishing a new $2.3 billion annual mandatory appropriation for crime victims programs.

f. The Administration proposed changing the name of the "Space Technology" account to "Exploration Technology."

g. The Administration proposed changing the name of the "Exploration" account to "Deep Space Exploration Systems."

h. The Administration proposed 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-FY2020, in both nominal and inflation-adjusted dollars (more-detailed historical appropriations data can be found in **Table 2**). The data show that in FY2020 nominal funding for CJS reached its highest level since FY2010, though in inflation-adjusted terms, funding for FY2020 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. **Figure 1** shows how total funding for CJS decreased after the 2010 Census and started to ramp up again as the Census Bureau prepared to conduct the 2020 Census.

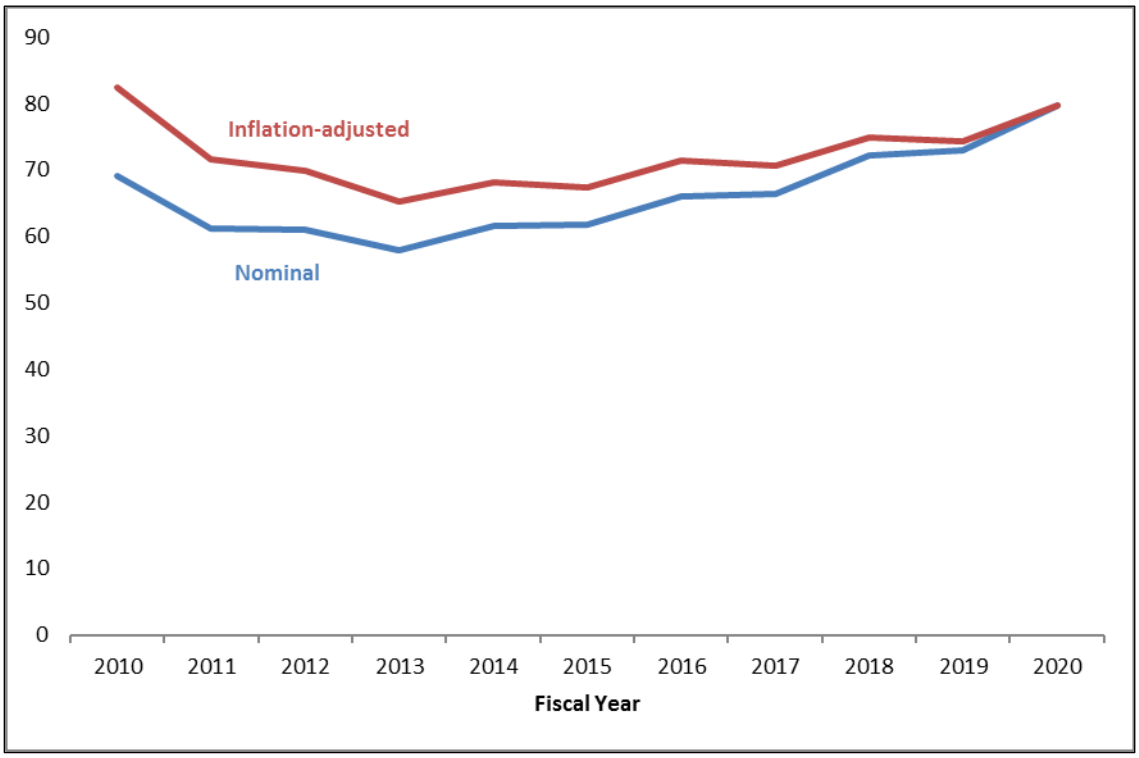
Increased funding for CJS also coincides with increases to the discretionary budget caps under the Budget Control Act of 2011 (BCA, P.L. 112-25).[14] The BCA put into effect statutory limits on discretionary spending for FY2012-FY2021. Under the act, discretionary spending limits were scheduled to be adjusted downward each fiscal year until FY2021. However, legislation was enacted that increased discretionary spending caps for FY2014 to FY2021.[15] 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.

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

[15] Ibid.

Figure 1. Nominal and Inflation-Adjusted Funding for CJS, FY2010-FY2020

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; FY2020 enacted amounts were taken from the explanatory statement to accompany P.L. 116-93, published in the December 17, 2019 *Congressional Record* (pp. H10961-H10989).

Notes: Inflation-adjusted appropriations are presented in FY2020 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 FY2021 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.

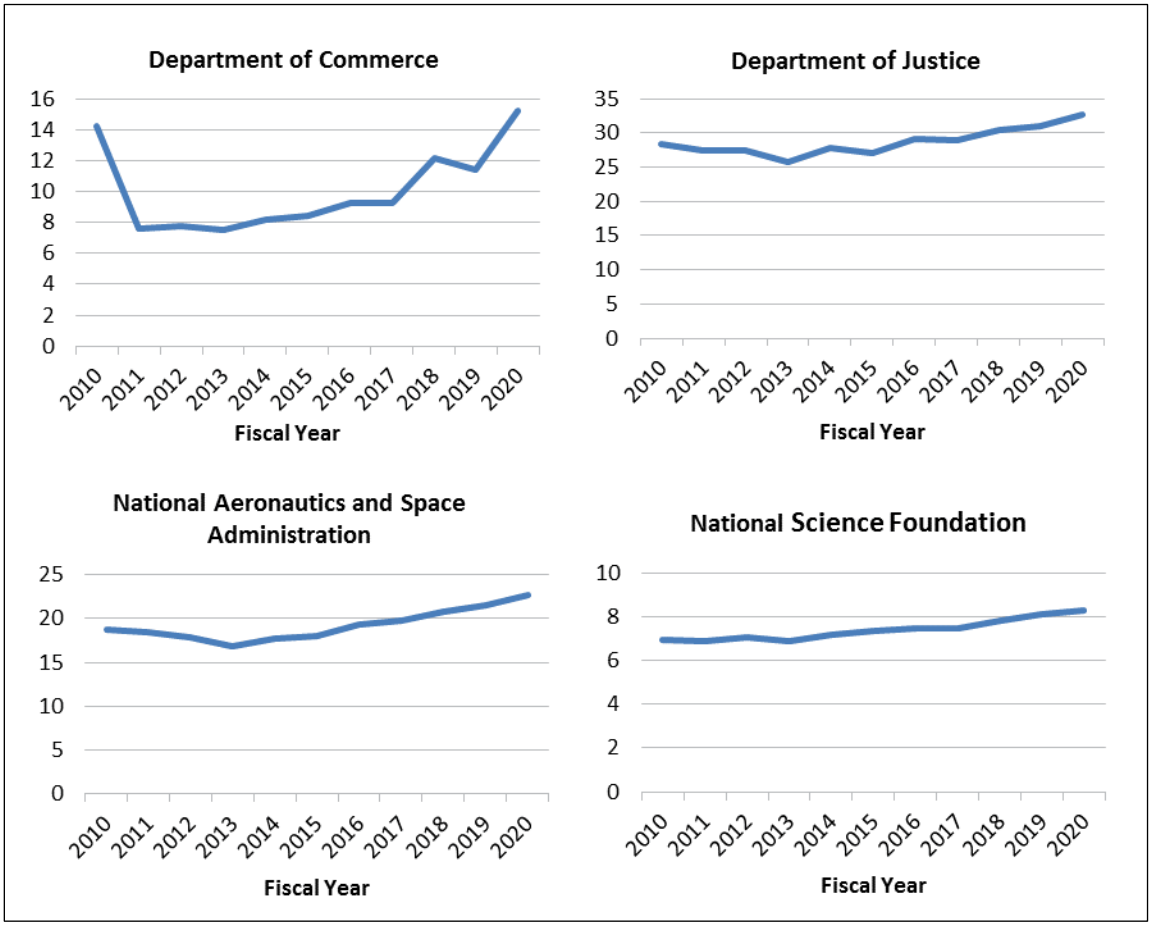
Figure 2 shows total CJS funding for FY2010-FY2020 by major component (i.e., the Department of Commerce, DOJ, NASA, and the NSF). Although decreased appropriations for the Department of Commerce (-47.4%) from FY2010 to FY2013, during years immediately following the 2010 Census, mostly explain the overall 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 Census. While funding for the Department of Commerce decreased from FY2018 to FY2019, it was partly a function of the department receiving $1.000 billion in emergency supplemental funding for FY2018.[16] 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 (+17.6%), NASA (+28.2%), and NSF (+12.6%), as higher discretionary spending caps have been used to provide additional funding to these agencies.

Figure 2. Nominal Total CJS Funding, by Major Component, FY2010-FY2020

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

[16] 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)*.

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; FY2020 enacted amounts were taken from the explanatory statement to accompany P.L. 116-93, published in the December 17, 2019 *Congressional Record* (pp. H10961-H10989).

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-FY2020

Appropriations in millions of dollars

Bureau or Agency	FY2010	FY2011	FY2012	FY2013[a]	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
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	$510.3
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	127.7
Economic Development Administration	347.0	283.4	457.5	218.3	246.5	250.0	261.0	276.0	901.5	304.0	333.0
Minority Business Development Agency	31.5	30.3	30.3	27.5	28.0	30.0	32.0	34.0	39.0	40.0	42.0
Economic and Statistical Analysis	97.2	97.1	96.0	93.3	99.0	100.0	109.0	107.3	99.0	101.0	108.0
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	7,558.3
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	40.4
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	3,450.7
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	-3.450.7
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	1,034.0
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	5,352.2
Departmental Management	107.5	99.8	88.9	84.6	89.5	91.1	109.1	94.7	140.9	95.7	115.0
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**	**15,220.8**

Bureau or Agency	FY2010	FY2011	FY2012	FY2013[a]	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
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	922.6
General Administration	(456.9)	(312.2)	(262.1)	(135.7)	(135.8)	(137.3)	(142.5)	(145.1)	(149.0)	(145.0)	(148.6)
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)	(669.0)
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)	(105.0)
U.S. Parole Commission	12.9	12.8	12.8	11.9	12.6	13.3	13.3	13.3	13.3	13.0	13.3
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	3,440.4
General legal activities	(889.0)	(863.4)	(863.4)	(819.3)	(867.0)	(885.0)	(893.0)	(897.5)	(897.5)	(904.0)	(920.0)
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)	(2,254.5)
Other[c]	(276.1)	(383.8)	(363.8)	(340.0)	(369.8)	(375.2)	(421.6)	(421.3)	(352.3)	(213.4)	(265.8)
U.S. Marshals Service	1,190.0	1,140.1	1,189.0	2,655.6	2,727.8	1,700.1d	2,700.0	2,713.5	2,903.4	2,925.4	3,312.5
National Security Division	87.9	87.8	87.0	83.8	91.8	93.0	95.0	96.0	101.0	101.4	110.0
Interagency Law Enforcement	549.6	527.5	527.5	484.4	514.0	507.2	512.0	517.0	542.9	560.0	550.5
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	9,952.9
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	2,279.2
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	1,400.0
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	7,780.7

Bureau or Agency	FY2010	FY2011	FY2012	FY2013[a]	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
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]	67.5[i]
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	2,432.8
Research, Evaluation, and Statistics	(235.0)	(234.5)	(113.0)	(119.1)	(120.0)	(111.0)	(116.0)	(89.0)	(90.0)	(80.0)	(79.0)
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)	(1,892.0)
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)	(320.0)
Public Safety Officers Benefits	(70.1)	(70.1)	(78.3)	(77.9)	(97.3)	(87.3)	(88.3)	(89.3)	(116.8)	(128.8)	(141.8)
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	343.0
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**	**32,605.2**
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	5.5
National Space Council	—	—	—	—	—	—	—	—	2.0	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	22,629.0
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	8,278.3
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**	**30,914.8**

Bureau or Agency	FY2010	FY2011	FY2012	FY2013[a]	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Related Agencies											
U.S. Commission on Civil Rights	9.4	9.4	9.2	8.7	9.0	9.2	9.2	9.2	9.7	10.1	10.5
Equal Employment Opportunity Commission	367.3	366.6	360.0	344.2	364.0	364.5	364.5	364.5	379.5	379.5	389.5
International Trade Commission	81.9	81.7	80.0	78.9	83.0	84.5	88.5	91.5	93.7	95.0	99.4
Legal Services Corporation	420.0	404.2	348.0	340.9	365.0	375.0	385.0	385.0	425.0	415.0	440.0
Marine Mammal Commission	3.3	3.2	3.0	2.9	3.3	3.3	3.4	3.4	3.4	3.5	3.6
U.S. Trade Representative	47.8	47.7	51.3	47.6	52.6	54.3	54.5	62.0	57.6	53.0	54.0
Trade Enforcement Fund	—	—	—	—	—	—	—	—	15.0	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	6.6
Related Agencies Subtotal	**934.8**	**917.9**	**856.6**	**827.9**	**881.8**	**895.9**	**910.3**	**920.8**	**989.1**	**977.1**	**1,018.6**
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**	**79.759.5**
Rescission of Unobligated Balances	**-2,559.7[j]**	**-2,416.0**	**-905.9**	**-881.6**	**-219.3**	**-679.6**	**-878.7**	**-1,142.3**	**-661.1**	**-1,060.8**	**-364.0**

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; FY2020 enacted amounts were taken from the explanatory statement to accompany P.L. 116-93, published in the December 17, 2019 *Congressional Record* (pp. H10961-H10989).

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 does not include a $435.0 million transfer from the Crime Victims Fund to the Office on Violence Against Women per P.L. 116-93.

j. 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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