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Overview of FY2017 Appropriations for Commerce, Justice, Science, and Related Agencies (CJS)

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Summary

This report tracks and describes actions taken by the Administration and Congress to provide FY2017 appropriations for the Commerce, Justice, Science, and Related Agencies (CJS) accounts. It also provides an overview of FY2016 appropriations for agencies and bureaus funded as part of annual CJS appropriations.

Division B of the Consolidated Appropriations Act, 2016 (P.L. 114-113), provided \$66.000 billion for CJS, which included \$9.246 billion for the Department of Commerce, \$29.090 billion for the Department of Justice (DOJ), \$26.754 billion for the science agencies, and \$910 million for the related agencies.

For FY2017, the Administration requests a total of \$67.573 billion for CJS, which includes \$9.728 billion for the Department of Commerce, \$29.828 billion for DOJ, \$26.995 billion for the science agencies, and \$1.022 billion for the related agencies. The Administration proposes supplementing discretionary appropriations for the National Aeronautics and Space Administration (NASA) and the National Science Foundation (NSF) with \$763 million and \$400 million, respectively, in new one-time mandatory funding.

On April 21, 2016, the Senate Committee on Appropriations reported their FY2017 CJS appropriations bill (S. 2837). The bill would provide a total of \$66.309 billion for CJS, an amount that is 0.5% greater than the FY2016 appropriation, but 0.2% less than the Administration's request (excluding the requested \$1.163 billion in mandatory funding). The Senate bill includes \$9.316 billion for the Department of Commerce, \$29.246 billion for the Department of Justice, \$26.821 billion for the science agencies, and \$925 million for the related agencies.

Over the past 10 fiscal years, nominal appropriations for CJS increased starting with FY2007, peaked in FY2010, and generally declined between FY2010 and FY2013. Nominal appropriations for CJS were relatively flat in FY2014 and FY2015. CJS appropriations increased by approximately \$4 billion in FY2016, largely due to the fact that Congress increased the discretionary budget cap when it passed, and the President signed, the Bipartisan Budget Act of 2015 (P.L. 114-74).

The data show that the increases in CJS appropriations in FY2009 and FY2010 were largely the result of Congress appropriating more funding for Commerce in support of the 2010 decennial census. Although decreased appropriations for Commerce mostly explain the overall decrease in CJS appropriations between FY2010 and FY2013, cuts in funding for DOJ and NASA and sequestration in FY2013 also contributed to the decrease. The exception to this trend has been funding for the NSF, which has generally increased each fiscal year since FY2007. Appropriations for the Departments of Commerce and Justice and for NASA have generally increased each fiscal year since FY2013.

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This report tracks and describes actions taken by the Administration and Congress to provide FY2017 appropriations for Commerce, Justice, Science, and Related Agencies (CJS) accounts. It also provides an overview of enacted FY2016 appropriations for agencies and bureaus funded as part of annual CJS appropriations.

The amounts in this report reflect only new appropriations. Therefore, the amounts do not include any rescissions of unobligated or de-obligated balances that may be counted as offsets to newly enacted appropriations, nor do they include any scorekeeping adjustments (such as the balance on the Crime Victims Fund).

The FY2016-enacted appropriations were taken from the text of the Consolidated Appropriations Act, 2016 (P.L. 114-113) and the joint explanatory statement to accompany the act, printed in the December 17, 2015, *Congressional Record*. The Administration's FY2017 requested amounts were taken from each department's and agency's respective budget justification and the report to accompany S. 2837 (S.Rept. 114-239). The Senate Committee-reported amounts were taken from S.Rept. 114-239.

This report is meant to provide an overview of the FY2017 appropriations for CJS. Please see the following reports for a more in-depth review of appropriations for certain CJS departments and agencies:

- CRS Report R43908, *The National Institute of Standards and Technology: An Appropriations Overview*, by (name redacted)
- CRS Report R44424, *FY2017 Appropriations for the Department of Justice*, by (name redacted)
- CRS Report R44430, *FY2017 Appropriations for the Department of Justice Grant Programs*, by (name redacted)
- CRS Report R43935, *Office of Science and Technology Policy (OSTP): History and Overview*, by (name redacted) and (name redacted).
- CRS Report R44397, *NASA: FY2017 Budget and Appropriations*, by (name redacted)
- CRS Report RL34016, *Legal Services Corporation: Background and Funding*, by (name redacted)

Overview of CJS

The annual CJS appropriations act provides funding for the Departments of Commerce and Justice, the 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 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

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

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 promote “job creation, economic growth, sustainable development and improved standards of living ... by working in partnership with businesses, universities, communities and ... workers.”² The department 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 of Commerce affects 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. In addition, the department manages and monitors coastal and ocean resources and assets to support both environmental and economic health. It also conducts the constitutionally mandated decennial census. Finally, the Department of Commerce operates the national patent system.

The following agencies within the Department of Commerce carry out these missions:

- *International Trade Administration (ITA)* seeks to develop the export potential of U.S. firms and improve the trade performance of U.S. industry;
- *Bureau of Industry and Security (BIS)* enforces U.S. export laws consistent with national security, foreign policy, and short-supply objectives;
- *Economic Development Administration (EDA)* provides grants for economic development projects in economically distressed communities and regions;
- *Minority Business Development Agency (MBDA)* seeks to promote private- and public-sector investment in minority businesses;
- *Economics and Statistics Administration (ESA)*, excluding the Census Bureau, provides (1) information on the state of the economy through preparation, development, and interpretation of economic data and (2) analytical support to department officials in meeting their policy responsibilities;
- *Census Bureau*, a component of ESA, collects, compiles, and publishes a broad range of economic, demographic, and social data;
- *National Telecommunications and Information Administration (NTIA)* advises the President on domestic and international communications policy, manages the federal government’s use of the radio frequency spectrum, and performs research in telecommunications sciences;
- *United States Patent and Trademark Office (USPTO)* examines and approves applications for patents of claimed inventions and registration of trademarks;
- *National Institute of Standards and Technology (NIST)* assists industry in developing technology to improve product quality, modernize manufacturing processes, ensure product reliability, and facilitate rapid commercialization of products on the basis of new scientific discoveries; and

² U.S. Department of Commerce, “About Commerce,” at <http://www.commerce.gov/about-department-commerce>.

- *National Oceanic and Atmospheric Administration (NOAA)* provides scientific, technical, and management expertise to (1) promote safe and efficient marine and air navigation; (2) assess the health of coastal and marine resources; (3) monitor and predict the coastal, ocean, and global environments (including weather forecasting); and (4) protect and manage the nation’s coastal resources.

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.”³ DOJ provides legal advice and opinions, upon request, to the President and executive branch department heads. It prosecutes individuals accused of violating federal laws and represents the U.S. government in court. DOJ enforces federal criminal and civil laws, including antitrust, civil rights, environmental, and tax laws. DOJ, through agencies such as the Federal Bureau of Investigation; the Drug Enforcement Administration; and the Bureau of Alcohol, Tobacco, Firearms and Explosives, investigates organized and violent crime, illegal drugs, and gun and explosives violations. Through the U.S. Marshals Service, the department protects the federal judiciary, apprehends fugitives, and detains individuals who are not granted pretrial release. It incarcerates individuals convicted of violating federal laws. DOJ also provides grants and training to state, local, and tribal law enforcement agencies.

The major functions of DOJ agencies and offices are described below:

- *United States Attorneys* prosecute criminal offenses against the United States, represent the federal government in civil actions, and initiate 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 prisoners who have not been sentenced, 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 over federal drug violations;
- *Drug Enforcement Administration (DEA)* investigates federal drug law violations; coordinates its efforts with state, local, and other federal law enforcement agencies; develops and maintains drug intelligence systems; regulates legitimate controlled substances activities; 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 (it was transferred from the Department of the Treasury to DOJ by the Homeland Security Act of 2002 [P.L. 107-296]);

³ U.S. Department of Justice, “About DOJ,” at <http://www.justice.gov/about/about.html>.

- *Federal Prison System (Bureau of Prisons; BOP)* provides for the custody and care of the federal prison population, the maintenance of prison-related facilities, and the boarding of sentenced federal prisoners incarcerated in state and local institutions;
- *Office on Violence Against Women (OVW)* coordinates legislative and other initiatives relating to violence against women and administers grant programs to help prevent, detect, and stop violence against women, including domestic 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, and Office of Victims of Crime; and
- *Community Oriented Policing Services (COPS)* advances the practice of community policing by awarding grants to law enforcement agencies to hire and train community policing professionals, acquire and deploy crime-fighting technologies, and develop and test innovative policing strategies.

The Science Agencies

The science agencies fund and otherwise 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

Congress established the Office of Science and Technology Policy (OSTP) through the National Science and Technology Policy, Organization, and Priorities Act of 1976 (P.L. 94-282). The act states that “the primary function of the OSTP director is to provide, within the Executive Office of the President, advice on the scientific, engineering, and technological aspects of issues that require attention at the highest level of Government.” The OSTP director also manages the National Science and Technology Council,⁴ which coordinates science and technology policy across the executive branch of the federal government, and co-chairs the President’s Council of Advisors on Science and Technology,⁵ a council of external advisors that provides advice to the President on matters related to science and technology policy.

National Aeronautics and Space Administration

The National Aeronautics and Space Administration (NASA) was created by the National Aeronautics and Space Act of 1958 (P.L. 85-568) to conduct civilian space and aeronautics activities. 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

⁴ Executive Order 12881 established the National Science and Technology Council.

⁵ Executive Order 13539 established the President’s Council of Advisors on Science and Technology.

communications. The Aeronautics Research Mission Directorate conducts research and development on aircraft and aviation systems. In addition, NASA's Office of Education manages formal and informal education programs for schoolchildren, college and university students, and the general public.

National Science Foundation

The National Science Foundation (NSF) supports basic research and education in the nonmedical sciences and engineering. Congress established the foundation as an independent federal agency in 1950 "to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes."⁶ The NSF is a primary source of federal support for U.S. university research. It also is responsible for significant shares of the federal science, technology, engineering, and mathematics (STEM) education program portfolio and federal STEM student aid and support.

Related Agencies

The annual CJS appropriations act includes funding for several related agencies: the U.S. Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the Legal Services Corporation, the Marine Mammal Commission, the Office of the U.S. Trade Representative, and the State Justice Institute.

FY2016 and FY2017 Appropriations for CJS

FY2016 Appropriations

On December 18, 2015, President Obama signed into law the Consolidated Appropriations Act, 2016 (P.L. 114-113). Division B of the act (the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016) provides \$66.000 billion for CJS, which includes \$9.246 billion for the Department of Commerce, \$29.090 billion for DOJ, \$26.754 billion for the science agencies, and \$910 million for the related agencies.

The Administration's FY2017 Request

For FY2017, the Administration requests a total of \$67.573 billion for CJS, which includes a proposed \$66.410 billion in discretionary funding and a proposed \$1.163 billion in new mandatory funding. The Administration's FY2017 budget proposal includes \$9.728 billion for the Department of Commerce, \$29.828 billion for DOJ, \$26.995 billion for the science agencies, and \$1.022 billion for the related agencies. The Administration's request includes \$1.163 billion in proposed new mandatory funding for NASA and NSF (see **Table 1**). The proposal is an attempt to fund what the Administration believes to be critical investments while adhering to the budget caps on discretionary spending currently in place. The Administration's FY2017 request includes the following:

- A proposed 22.6% increase (\$248 million) for the Census Bureau's Periodic Censuses and Programs account to help the agency prepare to conduct the 2020 census.

⁶ The National Science Foundation Act of 1950 (P.L. 81-507), Purpose.

- A proposed \$11 million (28.7%) increase for the NTIA for, among other things, efforts to make more spectrum available for wireless broadband.
- A proposed 21.9% increase (\$40 million) for the NIST's Industrial Technology Services account to support efforts to enhance the competitiveness of U.S. manufacturers and develop a manufacturing research infrastructure to solve industry-relevant problems.
- A proposed \$27 million (85.7%) increase for DOJ's Justice Information Sharing account to support increased cybersecurity efforts.
- A proposed 8.0% increase (\$704 million) for the FBI, which is largely the result of a proposed \$475 million increase in the FBI's Construction account to help the FBI as it starts work on building a new headquarters.
- A proposed 2.4% reduction (\$179 million) for the BOP, which is the result of a proposed \$417 million (78.7%) reduction in the BOP's Construction account. The Administration proposes a 3.4% increase for BOP's Salaries and Expenses account.
- A proposal to transfer \$326 million from the CVF to the OVW.
- A proposed \$74 million (34.9%) increase for the COPS account.
- A proposal for \$763 million in mandatory funding for NASA. The Administration's request would be 1.3% below the FY2016 NASA appropriation with the mandatory funding and 5.3% below the FY2016 level without the mandatory funding.
- A proposal for \$400 million in mandatory funding for the NSF. The Administration's request would be 6.7% greater than the FY2016 NSF appropriation with the mandatory funding and 1.3% greater without the mandatory funding.
- A proposed \$90 million (23.4%) increase in funding for the Legal Services Corporation.

The Senate Committee-Reported FY2017 CJS Appropriations Bill

On April 21, 2016, the Senate Committee on Appropriations reported their FY2017 CJS appropriations bill (S. 2837). The bill would provide a total of \$66.309 billion for CJS, an amount that is 0.5% greater than the FY2016 appropriation, but 0.2% less than the Administration's request (excluding the requested \$1.163 billion in mandatory funding). The Senate bill includes \$9.316 billion for the Department of Commerce, \$29.246 billion for the Department of Justice, \$26.821 billion for the science agencies, and \$925 million for the related agencies. Notably, the Senate Committee on Appropriations rejected the Administration's request to provide a total of \$1.163 billion in new mandatory funding for NASA and NSF. The Senate Committee on Appropriations largely rejected the Administration's proposal to increase funding for many CJS accounts. The committee proposed funding for many CJS accounts at or near the FY2016-enacted level. The Senate bill includes the following:

- A proposed \$148 million (10.8%) increase in funding for the Census Bureau compared to the FY2016-enacted appropriation. The entire increase in the Census Bureau's funding was for the Periodic Censuses and Programs account.
- The committee rejected the Administration's proposal to decrease funding for NIST's Construction of Research Facilities account. The Senate Committee on

Appropriations recommends funding the account at the FY2016-enacted level (\$119 million).

- A proposed \$525 million (169.9%) increase in the FBI’s Construction account. The proposed increase is to help the FBI plan and build a new headquarters in the National Capital Region.
- The Senate bill would transfer \$379 million from the Crime Victims Fund to the Office on Violence Against Women.
- The committee proposes reducing funding for the State and Local Law Enforcement Assistance account by \$225 million (16.0%) compared to the FY2016 appropriation. However, the recommended amount would be \$86 million (7.8%) more than the Administration’s request.
- The committee proposes \$19.306 billion for NASA, which would be a \$21 million (0.1%) increase over the FY2016 appropriation.
- The committee proposes a \$46 million (0.6%) increase for NSF compared to the FY2016 appropriation.

Table 1 outlines the FY2016-enacted appropriations, the Administration’s FY2017 request, and the Senate Committee-reported amounts for the Departments of Commerce and Justice, the science agencies, and the related agencies. **Table 2** shows enacted appropriations for these agencies, in detail, for FY2007 through FY2016 (the FY2013 amounts shown in **Table 2** reflect sequestration).

Table 1. Commerce, Justice, Science, and Related Agencies (CJS) Appropriations, FY2016 and FY2017

(budget authority in millions of dollars)

Departments and Related Agencies	FY2016 Enacted	FY2017 Request	FY2017 Senate Committee-reported	FY2017 House Passed	FY2017 Enacted
Department of Commerce					
International Trade Administration	\$483.0	\$521.4	\$483.0		
Bureau of Industry and Security	112.5	126.9	112.5		
Economic Development Administration	261.0	258.5	254.0		
Economic Development Assistance Programs	(222.0)	(215.0)	(215.0)		
Salaries and Expenses	(39.0)	(43.5)	(39.0)		
Minority Business Development Agency	32.0	35.6	32.0		
Economics and Statistics Administration (excluding Census)	109.0	114.6	109.0		
Census Bureau	1,370.0	1,633.6	1,518.3		
Current Surveys and Programs	(270.0)	(285.3)	(270.0)		
Periodic Censuses and Programs	(1,100.0)	(1,348.3)	(1,248.3)		
National Telecommunications and Information Administration	39.5	50.8	39.5		

Departments and Related Agencies	FY2016 Enacted	FY2017 Request	FY2017 Senate Committee-reported	FY2017 House Passed	FY2017 Enacted
U.S. Patent and Trademark Office (USPTO) ^a	3,272.0	3,230.0	3,230.0		
Offsetting Fee Receipts (USPTO)	-3,272.0	-3,230.0	-3,230.0		
National Institute of Standards and Technology	964.0	1,014.5	974.0		
Scientific and Technical Research and Services	(690.0)	(730.5)	(700.0)		
Industrial Technology Services	(155.0)	(189.0)	(155.0)		
<i>Manufacturing Extension Partnerships</i>	(130.0)	(142.0)	(130.0)		
<i>National Network for Manufacturing Innovation</i>	(25.0)	(47.0)	(25.0)		
Construction of Research Facilities	(119.0)	(95.0)	(119.0)		
National Oceanic and Atmospheric Administration	5,765.6	5,848.2	5,691.2		
Operations, Research, and Facilities ^b	(3,305.8)	(3,494.2)	(3,339.4)		
Procurement, Acquisition, and Construction	(2,400.4)	(2,270.1)	(2,286.9)		
Other Fishery Activities	(65.4)	(84.4)	(65.4)		
Fisheries Finance Program Account	(-6.0)	(-0.4)	(-0.4)		
Departmental Management	109.1	123.9	103.0		
Subtotal: Department of Commerce	9,245.6	9,728.2	9,316.5		
Department of Justice					
General Administration	659.0	714.7	682.5		
General Administration	(142.5)	(183.5)	(164.1)		
<i>Salaries and Expenses</i>	(111.5)	(125.9)	(114.1)		
<i>Justice Information Sharing Technology</i>	(31.0)	(57.6)	(50.0)		
Administrative Review & Appeals	(422.8)	(433.4)	(422.8)		
Office of the Inspector General	(93.7)	(97.8)	(95.6)		
U.S. Parole Commission	13.3	14.0	13.3		
Legal Activities	3,314.6	3,352.9	3,342.6		
General legal activities	(893.0)	(957.4)	(893.0)		
United States Attorneys	(2,000.0)	(2,074.4)	(2,030.0)		
Antitrust Division	(165.0)	(180.5)	(165.0)		

Departments and Related Agencies	FY2016 Enacted	FY2017 Request	FY2017 Senate Committee-reported	FY2017 House Passed	FY2017 Enacted
Offsetting Fee Collections (Antitrust Division)	(-124.0)	(-125.0)	(-125.0)		
U.S. Trustee Program	(225.9)	(229.7)	(225.9)		
Offsetting Fee Collections (U.S. Trustee Program)	(-162.0)	(-163.0)	(-163.0)		
New fees for U.S. Trustee Program ^c	—	(-125.0)	—		
Foreign Claims Settlement Commission	(2.4)	(2.4)	(2.4)		
Fees and Expenses of Witnesses	(270.0)	(270.0)	(270.0)		
Community Relations Service	(14.4)	(19.0)	(14.4)		
Assets Forfeiture Fund ^d	(20.5)	(20.5)	(20.5)		
Vaccine Injury Compensation Trust Fund	(9.4)	(12.0)	(9.4)		
United States Marshals Service	2,700.0	2,789.2	2,713.5		
Salaries and Expenses	(1,230.6)	(1,275.2)	(1,249.0)		
Construction	(15.0)	(10.0)	(10.0)		
Federal Prisoner Detention	(1,454.4)	(1,504.0)	(1,454.4)		
National Security Division	95.0	97.3	95.0		
Interagency Law Enforcement	512.0	522.1	512.0		
Federal Bureau of Investigation	8,798.8	9,502.4	9,451.1		
Salaries and Expenses	(8,489.8)	(8,718.9)	(8,617.1)		
Construction	(309.0)	(783.5)	(834.0)		
Drug Enforcement Administration	2,080.0	2,103.0	2,103.0		
Bureau of Alcohol, Tobacco, Firearms and Explosives	1,240.0	1,306.1	1,258.6		
Federal Prison System	7,481.2	7,301.9	7,094.2		
Salaries and Expenses	(6,948.5)	(7,186.2)	(6,978.5)		
Construction	(530.0)	(113.0)	(113.0)		
Limitation on Administrative Expenses, Federal Prison Industries	(2.7)	(2.7)	(2.7)		
Office on Violence Against Women	101.0 ^e	163.0 ^f	102.5 ^g		
Office of Justice Programs	1,883.0	1,675.5	1,662.9		
Research, Evaluation, and Statistics	(116.0)	(154.0)	(118.0)		
State and Local Law Enforcement Assistance	(1,408.5)	(1,097.8)	(1,183.6)		
Juvenile Justice Programs	(270.2)	(334.4)	(272.0)		

Departments and Related Agencies	FY2016 Enacted	FY2017 Request	FY2017 Senate Committee-reported	FY2017 House Passed	FY2017 Enacted
Public Safety Officers Benefits	(88.3)	(89.3)	(89.3)		
Community Oriented Policing Services	212.0	286.0	215.0		
Obligation Cap on the Crime Victims Fund	3,042.0	2,000.0	2,957.0		
Offsetting Receipts	-3,042.0	-2,000.0	-2,957.0		
Subtotal: Department of Justice	29,089.8	29,828.1	29,246.2		
Science Agencies					
Office of Science and Technology Policy	5.6	5.6	5.6		
National Aeronautics and Space Administration	19,285.0	19,025.1	19,306.0		
Science (discretionary)	(5,589.4)	(5,302.5)	(5,395.0)		
Science (new mandatory)	—	(298.0)	—		
Aeronautics (discretionary)	(640.0)	(634.5)	(601.0)		
Aeronautics (new mandatory)	—	(155.9)	—		
Space Technology (discretionary)	(686.5)	(690.0)	(686.5)		
Space Technology (new mandatory)	—	(136.1)	—		
Exploration (discretionary)	(4,030.0)	(3,163.9)	(4,330.0)		
Exploration (new mandatory)	—	(173.0)	—		
Space Operations	(5,029.2)	(5,075.8)	(4,950.7)		
Education	(115.0)	(100.1)	(108.0)		
Safety, Security, and Mission Services	(2,768.6)	(2,836.8)	(2,796.7)		
Construction and Environmental Compliance and Restoration	(388.9)	(419.8)	(400.0)		
Inspector General	(37.4)	(38.1)	(38.1)		
National Science Foundation	7,463.5	7,964.0	7,509.8		
Research and Related Activities (discretionary)	(6,033.6)	(6,079.4)	(6,033.6)		
Research and Related Activities (new mandatory)	—	(346.0)	—		
Education and Human Resources (discretionary)	(880.0)	(898.9)	(880.0)		
Education and Human Resources (new mandatory)	—	(54.0)	—		
Major Research Equipment and Facilities Construction	(200.3)	(193.1)	(246.6)		

Departments and Related Agencies	FY2016 Enacted	FY2017 Request	FY2017 Senate Committee-reported	FY2017 House Passed	FY2017 Enacted
Agency Operations and Award Management	(330.0)	(373.0)	(330.0)		
National Science Board	(4.4)	(4.4)	(4.4)		
Office of the Inspector General	(15.2)	(15.2)	(15.2)		
Subtotal: Science Agencies	26,754.0	26,994.7	26,821.3		
Science Agencies (Discretionary)	26,754.0	25,831.7	26,821.3		
Science Agencies (New Mandatory)	—	1,163.0	—		
Related Agencies					
U.S. Commission on Civil Rights	9.2	9.4	9.2		
Equal Employment Opportunity Commission	364.5	376.6	364.5		
International Trade Commission	88.5	92.9	88.5		
Legal Services Corporation	385.0	475.0	395.0		
Marine Mammal Commission	3.4	3.4	3.4		
Office of the U.S. Trade Representative	54.5	59.4	59.4		
State Justice Institute	5.1	5.1	5.1		
Subtotal: Related Agencies	910.3	1,021.9	925.2		
CJS Total	65,999.7	67,572.9	66,309.1		
CJS Total (Discretionary)	65,999.7	66,409.9	66,309.1		
CJS Total (New Mandatory)	—	1,163.0	—		
Rescission of Unobligated Balances	878.7	757.5	840.1		

Sources: The FY2016-enacted amounts were taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759). The Administration's FY2017 requested amounts were taken from the departments' and agencies' respective budget justifications and S.Rept. 114-239. The Senate Committee-reported amounts were taken from S.Rept. 114-239.

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

- a. The U.S. Patent and Trademark Office (USPTO) is fully funded by user fees. The fees collected but not obligated during the current fiscal year are available for obligation in the following fiscal year and do not count toward the appropriations totals. Only newly appropriated funds count toward the annual appropriations totals. Total figures for the Department of Commerce exclude the USPTO.
- b. The amount for the Operations, Research, and Facilities account includes a transfer out for the Promote and Develop Fund.
- c. In the FY2017 budget request for the Department of Justice, the Administration proposed an amendment to 28 U.S.C. § 1930(a) to increase the amount of fees the U.S. Trustees can collect.
- 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 (B), (F), and (G) of Section 524(c)(1) of Title 28 of the *United States Code*.

- e. This amount does not include the \$379 million transfer from the Crime Victims Fund to the Office on Violence Against Women per P.L. 114-113.
- f. The Administration proposes transferring \$326 million from the Crime Victims Fund to the Office on Violence Against Women.
- g. S. 2837 includes a proposal to transfer \$379 million from the Crime Victims Fund to the Office on Violence Against Women.

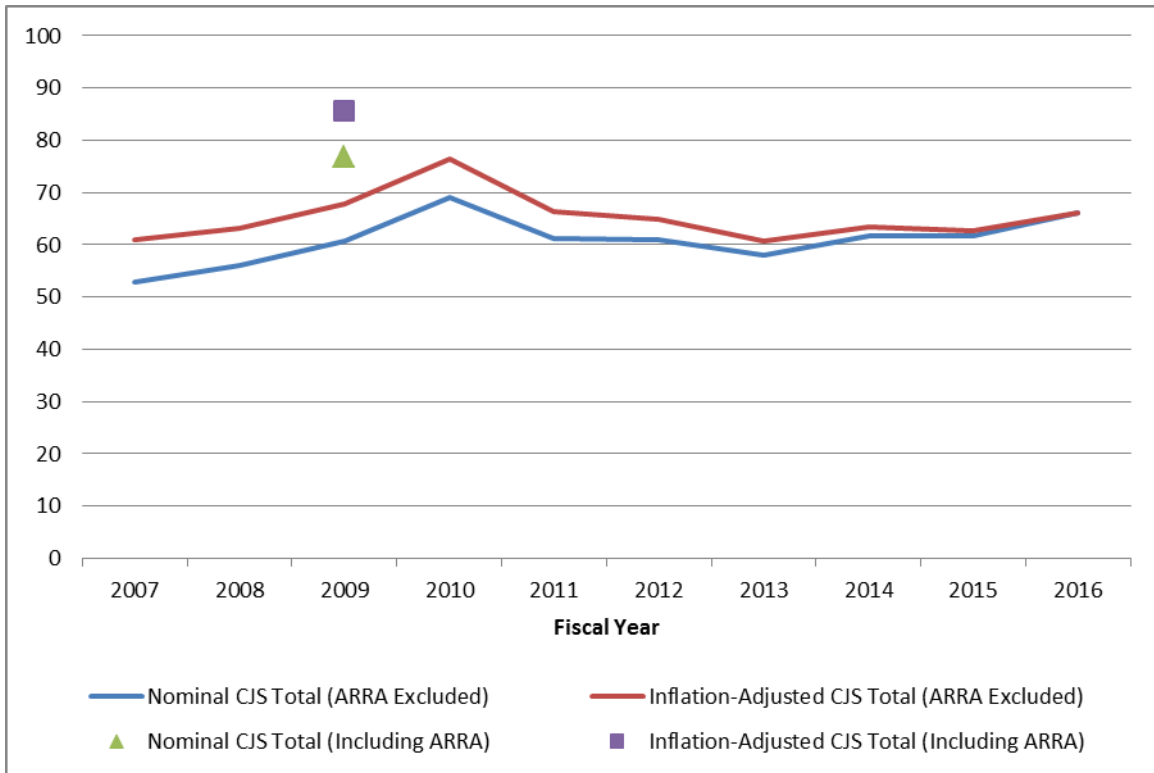
Historical Funding for CJS

Figure 1 shows the total appropriations, in both nominal and inflation-adjusted dollars, for CJS for FY2007-FY2016 (more detailed historical appropriations data can be found in **Table 2**).⁷ The data show that nominal appropriations for CJS increased between FY2007 and FY2010. Appropriations for CJS peaked in FY2009 at \$76.782 billion if emergency supplemental appropriations from the American Recovery and Reinvestment Act of 2009 (ARRA; P.L. 111-5) are included. If ARRA funding is not considered, appropriations peaked in FY2010 at \$69.146 billion. ARRA provided a substantial increase in appropriations for FY2009. The \$15.992 billion Congress appropriated for CJS under ARRA was equal to approximately 25% of the amount Congress provided for CJS through regular appropriations.

Appropriations for CJS decreased in each of the three fiscal years after FY2010. Nominal appropriations for CJS were relatively flat in FY2014 and FY2015, though appropriations in both FY2014 and FY2015 were higher than they were in FY2013. If not for sequestration, which cut nearly \$4 billion out of the total amount Congress appropriated for CJS for FY2013, funding for CJS would have held steady at approximately \$61 billion between FY2011 and FY2015. CJS appropriations increased by approximately \$4 billion in FY2016, largely due to the fact that Congress increased the discretionary budget cap when it passed, and the President signed, the Bipartisan Budget Act of 2015 (P.L. 114-74).

⁷ In FY2007, the CJS Appropriations Act included funding for the Department of State. Appropriations for the Department of State are not reflected in the total appropriations for FY2007. In addition, in FY2007 and FY2008, the CJS appropriations acts included several “related agencies” (e.g., the Federal Trade Commission, the Federal Communications Commission, the Small Business Administration) that are no longer funded through the CJS appropriations act. To make the total appropriations for each fiscal year as comparable as possible, the total only includes appropriations for the “related agencies” that are currently in the CJS appropriations act.

Figure 1. Nominal and Inflation-Adjusted Appropriations for CJS, FY2007-FY2016
(appropriations in billions of dollars)



Sources: FY2007-enacted amounts were taken from H.Rept. 110-240 and P.L. 110-28; FY2008-enacted amounts were taken from the House Committee on Appropriations' Committee Print on the Omnibus Appropriations Act, 2009 (P.L. 111-8), Division B; FY2009-enacted amounts were taken from H.Rept. 111-149; FY2010-enacted amounts were taken from S.Rept. 111-229; 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 Departments of Commerce and 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; 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); and FY2016-enacted amounts were taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759).

Notes: Inflation-adjusted appropriations are presented in FY2015 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 FY2017 budget submission. The amounts presented in **Figure 1** do not include rescissions of unobligated balances or scorekeeping credits (e.g., the balance on the Crime Victims Fund). The amounts in **Figure 1** include any rescissions of current-year budget authority.

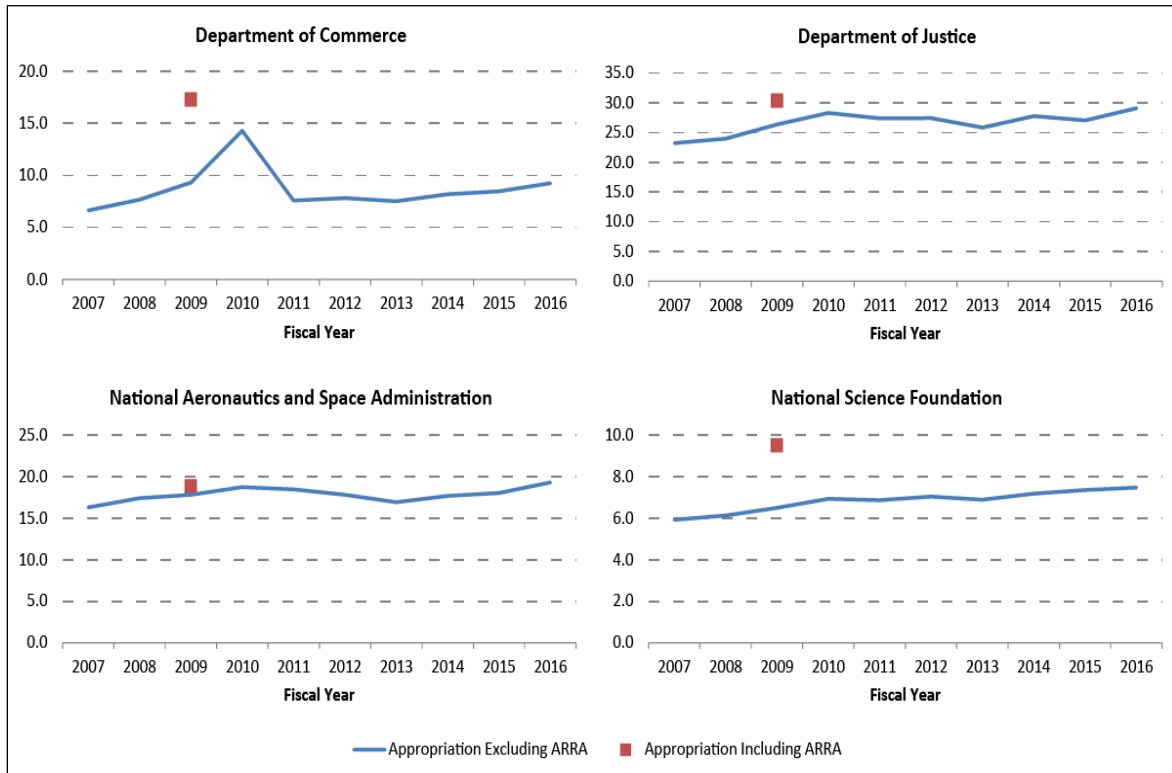
Figure 2 shows total appropriations for CJS for FY2007-FY2016 by major component (i.e., the Departments of Commerce and Justice, NASA, and the NSF). The data indicate that the increases in CJS appropriations in FY2009 (not including ARRA funding) and FY2010 resulted from Congress appropriating more funding for the Department of Commerce in support of the 2010 decennial census.

Although decreased appropriations for the Department of Commerce mostly explain the overall decrease in CJS appropriations between FY2010 and FY2013 (a 47.4% reduction), cuts in funding for DOJ (-8.7%) and NASA (-9.8%) also contributed to the decrease. However, despite

the reductions in funding for DOJ and NASA during these fiscal years, their appropriation in FY2013, even after sequestration, was greater than their appropriation in FY2007. Appropriations for both the Departments of Commerce and Justice and NASA have generally increased in the three fiscal years since FY2013.

Funding for the NSF has, for the most part, steadily increased over the past 10 fiscal years. The NSF’s appropriation increased in seven of the fiscal years between FY2007 and FY2016, and the decrease in the NSF’s funding for FY2013 was the result of sequestration. Increased appropriations for the NSF have mostly resulted from Congress increasing funding for the NSF’s Research and Related Activities account.

Figure 2. Nominal Total CJS Appropriations, by Major Component, FY2007-FY2016
(appropriations in billions of dollars)



Source: FY2007-enacted amounts were taken from H.Rept. 110-240 and P.L. 110-28; FY2008-enacted amounts were taken from the House Committee on Appropriations’ Committee Print on the Omnibus Appropriations Act, 2009 (P.L. 111-8), Division B; FY2009-enacted amounts were taken from H.Rept. 111-149; FY2010-enacted amounts were taken from S.Rept. 111-229; 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 Departments of Commerce and 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; 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); and FY2016-enacted amounts were taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759).

Notes: The amounts presented in **Figure 2** do not include rescissions of unobligated balances or scorekeeping credits (e.g., the balance on the Crime Victims Fund). The amounts in **Figure 2** include any rescissions of current-year budget authority.

Table 2. Appropriations for CJS Agencies, by Account, FY2007-FY2016

(budget authority in millions of dollars)

Bureau or Agency	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013 ^a	FY2014	FY2015	FY2016
Department of Commerce										
International Trade Administration	\$395.6	\$405.2	\$420.4	\$446.8	\$440.7	\$455.6	\$438.5	\$460.6	\$462.0	\$483.0
Bureau of Industry and Security	75.4	72.9	83.7	100.3	100.1	101.0	93.6	101.5	102.5	112.5
Economic Development Administration	280.6	779.9 ^b	312.8	347.0	283.4	457.5	218.3	246.5	250.0	261.0
Minority Business Development Agency	29.7	28.6	29.8	31.5	30.3	30.3	27.5	28.0	30.0	32.0
Economic and Statistical Analysis	79.8	81.1	90.6	97.2	97.1	96.0	93.3	99.0	100.0	109.0
Census Bureau	893.0	1,440.2	3,139.9	7,324.7	1,149.7	888.3	840.6	945.0	1,088.0	1,370.0
National Telecommunications and Information Administration	39.8	36.3	39.2	40.0	41.6	45.6	42.7	46.0	38.2	39.5
U.S. Patent and Trademark Office (USPTO)	1,771.0	1,915.5	2,010.1	2,016.0	2,090.0	2,706.3	2,783.7	3,024.0	3,458.0	3,272.0
Offsetting Fee Receipts (USPTO)	-1,771.0	-1,915.5	-2,087.0	-1,887.0	-2,090.0	-2,706.3	-2,933.2	-3,024.0	-3,458.0	-3,272.0
Technology Administration	2.0	—	—	—	—	—	—	—	—	—
National Institute of Standards and Technology	676.9	755.8	819.0	856.6	750.1	750.8	769.3	850.0	863.9	964.0
National Oceanic and Atmospheric Administration	4,078.3	3,988.5	4,365.2	4,788.5	4,588.0	4,893.7	5,050.7	5,314.6	5,441.0	5,765.6
Departmental Management	73.7	70.0	83.8	107.5	99.8	88.9	84.6	89.5	91.1	109.1
Commerce Subtotal	6,624.8	7,658.5	9,307.5	14,269.2	7,580.9	7,807.7	7,509.6	8,180.6	8,466.7	9,245.6
Department of Justice										
General Administration	1,836.1	1,798.8	2,067.8	2,285.8	2,208.1	2,227.9	503.5	533.2	435.6	659.0
General Administration	(310.6)	(257.6)	(370.8)	(456.9)	(312.2)	(262.1)	(135.7)	(135.8)	(137.3)	(142.5)
Administrative Review & Appeals	(229.1)	(240.6)	(266.0)	(298.8)	(296.1)	(301.0)	(287.9)	(311.0)	(347.1)	(422.8)
Detention Trustee ^c	(1,225.8)	(1,225.9)	(1,355.3)	(1,445.7)	(1,515.6)	(1,580.6)	—	—	—	—

Bureau or Agency	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013 ^a	FY2014	FY2015	FY2016
Office of the Inspector General	(70.6)	(74.8)	(75.7)	(84.4)	(84.2)	(84.2)	(80.0)	(86.4)	(88.6)	(93.7)
U.S. Parole Commission	11.5	11.5	12.6	12.9	12.8	12.8	11.9	12.6	13.3	13.3
Legal Activities	2,567.8	2,724.1	2,918.2	3,108.3	3,177.3	3,187.2	2,989.5	3,180.8	3,220.2	3,314.6
General legal activities	(678.8)	(747.2)	(805.7)	(889.0)	(863.4)	(863.4)	(819.3)	(867.0)	(885.0)	(893.0)
United States Attorneys	(1,659.9)	(1,759.8)	(1,851.3)	(1,943.2)	(1,930.1)	(1,960.0)	(1,830.3)	(1,944.0)	(1,960.0)	(2,000.0)
Other ^d	(229.1)	(217.1)	(261.2)	(276.1)	(383.8)	(363.8)	(340.0)	(369.8)	(375.2)	(421.6)
U.S. Marshals Service	825.4	895.1	964.0	1,190.0	1,140.1	1,189.0	2,655.6	2,727.8	1,700.1 ^e	2,700.0
National Security Division	68.7	73.4	85.2	87.9	87.8	87.0	83.8	91.8	93.0	95.0
Interagency Law Enforcement	497.9	497.9	515.0	549.6	527.5	527.5	484.4	514.0	507.2	512.0
Federal Bureau of Investigation	6,298.6	6,763.8	7,336.2	7,922.5	7,926.3	8,118.0	7,558.8	8,343.3	8,436.6	8,798.8
Drug Enforcement Administration	1,757.1	1,887.4	1,959.1	2,053.4	2,015.6	2,035.0	1,907.3	2,018.0	2,033.3	2,080.0
Bureau of Alcohol, Tobacco, Firearms & Explosives	988.1	1,011.6	1,068.2	1,158.3	1,112.5	1,152.0	1,071.6	1,179.0	1,201.0	1,240.0
Federal Prison System	5,448.2	5,612.6	6,178.9	6,208.1	6,384.1	6,644.0	6,447.2	6,861.7	6,923.7	7,481.2
Office of Violence Against Women (OVW)	382.6	400.0	415.0	418.5	417.7	412.5	387.9	417.0	430.0	101.0 ^f
Office of Justice Programs (OJP)	1,986.7	1,694.8	2,066.6	2,283.5	1,697.9	1,616.3	1,518.5	1,643.3	1,690.8	1,883.0
Research, Evaluation, and Statistics	(238.3)	(196.2)	(220.0)	(235.0)	(234.5)	(113.0)	(119.1)	(120.0)	(111.0)	(116.0)
State and Local Law Enforcement Assistance	(1,286.8)	(1,008.1)	(1,328.5)	(1,534.8)	(1,117.8)	(1,162.5)	(1,060.5)	(1,171.5)	(1,241.0)	(1,408.5)
Weed and Seed	(49.4)	(32.1)	(25.0)	(20.0)	—	—	—	—	—	—
Juvenile Justice Programs	(338.4)	(383.5)	(374.0)	(423.6)	(275.4)	(262.5)	(261.0)	(254.5)	(251.5)	(270.2)
Public Safety Officers Benefits	(73.8)	(74.8)	(119.1)	(70.1)	(70.1)	(78.3)	(77.9)	(97.3)	(87.3)	(88.3)
Community Oriented Policing Services (COPS)	541.8	857.2	550.5	791.6	494.9	198.5	209.7	214.0	208.0	212.0

Bureau or Agency	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013 ^a	FY2014	FY2015	FY2016
OVW, OJP, and COPS Salaries and Expenses	—	—	195.0	213.4	186.6	—	—	—	—	—
DOJ Subtotal	23,210.4	23,958.3	26,332.3	28,283.7	27,389.2	27,407.7	25,829.7	27,736.6	27,030.2	29,089.8
Science Agencies										
Office of Science and Technology Policy	5.5	5.2	5.3	7.0	6.6	4.5	5.5	5.6	5.6	5.6
National Aeronautics and Space Administration	16,284.3	17,401.9	17,782.4	18,724.3	18,448.0	17,800.0	16,879.5	17,646.5	18,010.2	19,285.0
National Science Foundation	5,917.2	6,127.5	6,490.4	6,926.5	6,859.9	7,033.1	6,884.1	7,171.9	7,344.2	7,463.5
Science Agencies Subtotal	22,207.0	23,534.6	24,278.1	25,657.8	25,314.5	24,837.6	23,769.2	24,824.0	25,360.0	26,754.0
Related Agencies										
Commission on Civil Rights	9.0	8.5	8.8	9.4	9.4	9.2	8.7	9.0	9.2	9.2
Equal Employment Opportunity Commission	328.7	329.3	343.9	367.3	366.6	360.0	344.2	364.0	364.5	364.5
International Trade Commission	62.0	68.4	75.1	81.9	81.7	80.0	78.9	83.0	84.5	88.5
Legal Services Corporation	348.6	350.5	390.0	420.0	404.2	348.0	340.9	365.0	375.0	385.0
Marine Mammal Commission	2.9	2.8	3.2	3.3	3.2	3.0	2.9	3.3	3.3	3.4
U.S. Trade Representative	44.2	44.1	47.3	47.8	47.7	51.3	47.6	52.6	54.3	54.5
State Justice Institute	3.5	3.8	4.1	5.1	5.1	5.1	4.8	4.9	5.1	5.1
Related Agencies Subtotal	798.8	807.4	872.4	934.8	917.9	856.6	827.9	881.8	895.9	910.3
Total Appropriation	52,841.0	55,958.7	60,790.3	69,145.5	61,202.5	60,909.6	57,936.4	61,622.9	61,752.7	65,999.7
American Recovery and Reinvestment Act	—	—	15,922.0^g	—	—	—	—	—	—	—
Rescission of Unobligated Balances	360.5	901.8	610.6	2,559.7^h	2,416.0	905.9	881.6	219.3	679.6	878.7

Sources: FY2007-enacted amounts were taken from H.Rept. 110-240 and P.L. 110-28; FY2008-enacted amounts were taken from the House Committee on Appropriations' Committee Print on the Omnibus Appropriations Act, 2009 (P.L. 111-8), Division B; FY2009-enacted amounts were taken from H.Rept. 111-149; FY2010-enacted amounts were taken from S.Rept. 111-229; 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 Departments of Commerce and 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; 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); and FY2016-enacted amounts were taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759).

Notes: Amounts may not add to totals due to rounding. Amounts include all supplemental appropriations, except that the FY2009 amounts do not include appropriations pursuant to the American Recovery and Reinvestment Act (P.L. 111-5). Amounts also include all rescission of current-year budget authority, but they do not include rescissions of prior year's unobligated balances. In FY2005, FY2006, and FY2007, the CJS appropriations acts included funding for the Department of State, and in FY2005 the act also included funding for the Judiciary. Appropriations for the Department of State and the Judiciary are not reflected in the total appropriations for FY2005-FY2007. In addition, between FY2005 and FY2008, the CJS appropriations acts included several "related agencies" (e.g., the Federal Trade Commission, the Federal Communications Commission, the Small Business Administration) that are no longer funded through the CJS appropriations act. To make the total appropriation for each fiscal year as comparable as possible, the total appropriation only includes appropriations for the "related agencies" that are currently in the CJS appropriations act.

- a. FY2013 appropriations include sequestration.
- b. For FY2008, the Economic Development Administration received \$100.0 million in supplemental funding under P.L. 110-252 and \$400.0 million in supplemental funding under P.L. 110-329.
- c. 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.
- d. "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.
- e. 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.
- f. This amount does not include the \$379 million transfer from the Crime Victims Fund to the Office on Violence Against Women per P.L. 114-113.
- g. A total of \$15.922 billion was included in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) for CJS accounts. This included \$150.0 million for the Economic Development Administration; \$1.0 billion for the Census Bureau; \$5.4 billion for the National Telecommunications and Information Administration; \$580.0 million for the National Institute of Standards and Technology; \$830.0 million for the National Oceanic and Atmospheric Administration; \$6.0 million for the Department of Commerce's Office of the Inspector General; \$2.0 million for the Department of Justice's Office of the Inspector General; \$225.0 million for the Office on Violence Against Women; \$2.765 billion for the State and Local Law Enforcement Assistance account (of which \$10.0 million was transferred to the ATF); \$1.0 billion for the Community Oriented Policing Services Office; \$10.0 million for the OVW, OJP, and COPS Salaries and Expenses; \$1.002 billion for the National Aeronautics and Space Administration; and \$3.002 billion for the National Science Foundation.
- h. 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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