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# Overview of FY2018 Appropriations for Commerce, Justice, Science, and Related Agencies (CJS)

(name redacted)

Analyst in Crime Policy

June 21, 2017

Congressional Research Service

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## Summary

This report describes actions taken by the Administration and Congress to provide FY2018 appropriations for the Commerce, Justice, Science, and Related Agencies (CJS) accounts. It also provides an overview of FY2017 appropriations for agencies and bureaus funded as part of annual CJS appropriations.

Division B of the Consolidated Appropriations Act, 2017 (P.L. 115-31) provided a total of \$66.360 billion (which includes \$109 million in emergency funding) for CJS. Under the act, the Department of Commerce received \$9.237 billion, the Department of Justice received \$28.962 billion, the science agencies received \$27.240 billion, and the related agencies received \$921 million.

The Trump Administration requests a total of \$62.331 billion for CJS for FY2018, a \$4.029 billion (6.1%) reduction compared to the FY2016-enacted appropriation. The request includes \$7.817 billion for the Department of Commerce, \$28.205 billion for the Department of Justice, \$25.751 billion for the science agencies, and \$559 million for the related agencies. The Administration's budget includes cuts for most CJS accounts. In addition to the funding reductions, the Administration proposes to eliminate several CJS agencies and programs, including the Economic Development Administration, the Minority Business Development Administration, the Legal Services Corporation, and the National Aeronautics and Space Administration's Office of Education.

Over the past 10 fiscal years, nominal appropriations for CJS have experienced both year-to-year increases and decreases. CJS appropriations increased from FY2007 to FY2010, but generally declined from FY2010 to FY2013. Nominal appropriations for CJS were relatively flat in FY2014 and FY2015. CJS appropriations increased again, by approximately \$4 billion, in FY2016, largely due to Congress increasing the discretionary budget cap in the Bipartisan Budget Act of 2015 (P.L. 114-74).

Increases in CJS appropriations in FY2009 and FY2010 were largely the result of Congress appropriating more funding for Commerce to support the 2010 decennial census. Although subsequent decreases in appropriations for Commerce account for much of 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 the trend of decreasing appropriations from FY2010 to FY2013 was the National Science Foundation (NSF). The NSF's appropriations 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 describes actions taken by the Administration and Congress to provide FY2018 appropriations for Commerce, Justice, Science, and Related Agencies (CJS) accounts. It also provides an overview of enacted FY2017 appropriations for agencies and bureaus funded as part of annual CJS appropriations.

The dollar amounts in this report reflect only new appropriations. 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 balance on the Crime Victims Fund). In the text of the report, appropriations are rounded to the nearest million. However, percentage changes are calculated using the full appropriation, meaning that in some instances the reported percentage change might not be consistent with the amount discussed in the report.

The FY2017 appropriated amounts were taken from the text of Division B of the Consolidated Appropriations Act, 2017 (P.L. 115-31) along with the explanatory statement printed in the May 3, 2017, edition of the *Congressional Record*. The amounts for the Administration's FY2018 budget request were taken from the congressional budget justifications for the Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation, and the appendix to the President's budget submission.

## Overview of CJS

The annual CJS appropriations act provides funding for the Departments of Commerce and Justice, select science agencies, and several related agencies. Appropriations for the Department of Commerce include funding for agencies such as the Census Bureau, the U.S. Patent and Trademark Office, the National Oceanic and Atmospheric Administration, and the National Institute of Standards and Technology. Appropriations for the Department of Justice (DOJ) provide funding for agencies such as the Federal Bureau of Investigation; the Bureau of Prisons; the U.S. Marshals; the Drug Enforcement Administration; and the Bureau of Alcohol, Tobacco, Firearms, and Explosives, along with funding for a variety of 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.<sup>1</sup> 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 promote “job creation, economic growth, sustainable development and improved standards of living ... by working in partnership with businesses, universities, communities and ... workers.”<sup>2</sup> 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.

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<sup>1</sup> Note that the science agencies funded in the CJS bill are not the only federal science agencies.

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

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

- *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
- *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."<sup>3</sup> DOJ also provides legal advice and opinions, upon request, to the President and executive branch department heads.

The major functions of DOJ offices and agencies 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;

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

- *United States Marshals Service (USMS)* provides security for the federal judiciary, protects witnesses, executes warrants and court orders, manages seized assets, detains and transports offenders 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 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)* provides for the custody and care of the federal prison population and the maintenance of the federal prison system;
- *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;
- *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 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 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.<sup>4</sup> The OSTP director also manages the National Science and Technology Council,<sup>5</sup> 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,<sup>6</sup> 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 to conduct civilian space and aeronautics activities.<sup>7</sup> It has four mission directorates. The Human Exploration and Operations Mission Directorate is responsible for human spaceflight activities, including the International Space Station and development efforts for future crewed spacecraft. The Science Mission Directorate manages robotic science missions, such as the Hubble Space Telescope, the Mars rover Curiosity, and satellites for Earth science research. The Space Technology Mission Directorate develops new technologies for use in future space missions, such as advanced propulsion and laser communications. The Aeronautics Research Mission Directorate conducts research and development on aircraft and aviation systems. In addition, NASA’s Office of Education manages 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 “to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes.”<sup>8</sup> The NSF is a primary source of federal support for U.S. university research. 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.

## **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.

## **FY2017 Appropriations**

The Consolidated Appropriations Act, 2017 (P.L. 115-31) provided a total of \$66.360 billion for CJS. The total appropriation included \$9.237 billion for the Department of Commerce, \$28.962 billion for the Department of Justice, \$27.240 billion for the science agencies, and \$921 million for the related agencies. The act also included \$109 million in emergency funding provided under

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<sup>4</sup> National Science and Technology Policy, Organization, and Priorities Act of 1976 (P.L. 94-282).

<sup>5</sup> Executive Order 12881 established the National Science and Technology Council.

<sup>6</sup> Executive Order 13539 established the President’s Council of Advisors on Science and Technology.

<sup>7</sup> National Aeronautics and Space Act of 1958 (P.L. 85-568).

<sup>8</sup> The National Science Foundation Act of 1950 (P.L. 81-507).



the NASA Construction and Environmental Compliance and Restoration account for repairs at NASA-owned facilities that were damaged during recent natural disasters.

## **The Administration's FY2018 Budget Request**

The Trump Administration requests a total of \$62.331 billion for CJS for FY2018, a \$4.029 billion (6.1%) reduction compared to the FY2017-enacted appropriation. The request includes \$7.817 billion for the Department of Commerce, \$28.205 billion for the Department of Justice, \$25.751 billion for the science agencies, and \$559 million for the related agencies. The Administration's budget would reduce FY2018 funding for the Department of Commerce by \$1.420 billion (15.4%) and the Department of Justice by \$757 million (2.6%), the science agencies by \$1.489 billion (5.5%), and the related agencies by \$362 million (39.3%).

The Administration's budget includes funding reductions for many CJS agencies and bureaus. Within the Department of Commerce, the Administration proposes budget cuts for the International Trade Administration (-\$41 million, -8.4%), the National Institute of Standards and Technology (-\$227 million, -23.8%), and the National Oceanic and Atmospheric Administration (-\$902 million, -15.9%). The Administration's request also includes a \$232 million (-2.6%) reduction for the FBI, which is largely a result of a proposed \$187 million (-78.3%) reduction for the Construction account, but also includes a \$44 million (-0.5%) reduction for the Salaries and Expenses account. NASA's budget would decrease by \$670 million (-3.4%), which includes account-specific reductions of \$53 million (-0.9%) for Science, \$36 million (-5.5%) for Aeronautics, \$8 million (-1.2%) for Space Technology, \$390 million (-9.0%) for Exploration, \$210 million (-4.2%) for Space Operations, and \$63 million (-62.7%) for Education. NSF's budget would decrease by \$819 million (-11.0%), including a \$642 million (-11.1%) reduction in the Research and Related Activities account, a \$26 million (-12.5%) reduction in the Major Research Equipment and Facilities Construction account, and a \$119 million (-13.6%) reduction in the Education and Human Resources account.

In addition to proposed decreases for many CJS accounts, the Administration also proposes shuttering several CJS agencies and programs:

- Economic Development Administration,
- Minority Business Development Administration,
- National Institute of Standards and Technology's Hollings Manufacturing Extension Partnership,
- National Oceanic and Atmospheric Administration's Pacific Coastal Salmon Recovery Fund,
- National Aeronautics and Space Administration's Office of Science Education, and
- Legal Services Corporation.

In all instances except the Pacific Coastal Salmon Recovery Fund, the Administration requests some funding to assist with the closure of these agencies or programs.

Even though nearly all CJS accounts would face a reduction under the Administration's budget, there are some proposed increases, most of which are in DOJ:

- Office of the United States Attorneys (+\$22 million, 1.1%);
- U.S. Marshals Service's Federal Prisoner Detention account (+\$82 million, 5.6%);



- National Security Division (+\$5 million, 5.2%);
- Interagency Law Enforcement (+\$9 million, 1.7%);
- Bureau of Prisons’ Salaries and Expenses account (+\$76 million, 1.1%);
- Drug Enforcement Administration (+\$61 million, 2.9%);
- Bureau of Alcohol, Tobacco, Firearms, and Explosives (+\$15 million, 1.2%);
- Census Bureau’s Periodic Censuses and Programs account (+\$51 million, 4.3%);
- National Telecommunications and Information Administration (+\$4 million, 12.5%); and
- National Aeronautics and Space Administration’s Safety, Security, and Mission Services (+\$62 million, 2.2%) and Construction and Environmental Compliance and Restoration (+\$26 million, 5.6%) accounts.

Finally, the Administration also proposes transferring \$610 million from the Crime Victims Fund to three of DOJ’s grant accounts (\$445 million to the Office on Violence Against Women, \$73 million to State and Local Law Enforcement Assistance, and \$92 million to Juvenile Justice Programs) to supplement direct appropriations.

**Table 1** outlines the FY2017-enacted appropriations and the Administration’s FY2018 request for the Departments of Commerce and Justice, the science agencies, and the related agencies.

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

(Budget authority in millions of dollars)

Departments and Related Agencies	FY2017 Enacted	FY2018 Administration’s Request	FY2018 Senate Passed	FY2018 House Passed	FY2018 Enacted
<b>Department of Commerce</b>					
International Trade Administration	\$483.0	\$442.5			
Bureau of Industry and Security	112.5	113.5			
Economic Development Administration	276.0	30.0			
Economic Development Assistance Programs	(237.0)	—			
Salaries and Expenses	(39.0)	(30.0)			
Minority Business Development Agency	34.0	6.0			
Economics and Statistics Administration (excluding Census)	107.3	97.0			
Census Bureau	1,470.0	1,497.0			
Current Surveys and Programs	(270.0)	(246.0)			
Periodic Censuses and Programs	(1,200.0)	(1,251.0)			
National Telecommunications and Information Administration	32.0	36.0			
U.S. Patent and Trademark Office (USPTO) <sup>a</sup>	3,230.0	3,586.2			

Departments and Related Agencies	FY2017 Enacted	FY2018 Administration's Request	FY2018 Senate Passed	FY2018 House Passed	FY2018 Enacted
Offsetting Fee Receipts (USPTO)	-3,230.0	-3,586.2			
National Institute of Standards and Technology	952.0	725.0			
Scientific and Technical Research and Services	(690.0)	(600.0)			
Industrial Technology Services	(153.0)	(21.0)			
<i>Manufacturing Extension Partnership</i>	(130.0)	(6.0)			
<i>National Network for Manufacturing Innovation</i>	(25.0)	(15.0)			
<i>Adjustment for Prior Year Recoveries</i>	(-2.0)	—			
Construction of Research Facilities	(109.0)	(104.0)			
National Oceanic and Atmospheric Administration	5,675.4	4,773.7			
Operations, Research, and Facilities <sup>b</sup>	(3,367.9)	(2,965.5)			
Procurement, Acquisition, and Construction	(2,242.6)	(1,807.8)			
Other Fishery Activities	(65.4)	(0.3)			
Fisheries Finance Program Account	(-0.4)	—			
Departmental Management	94.7	96.0			
<b>Subtotal: Department of Commerce</b>	<b>9,237.0</b>	<b>7,816.7</b>			
<b>Department of Justice</b>					
General Administration	676.7	741.6			
General Administration	(145.1)	(144.9)			
<i>Salaries and Expenses</i>	(114.1)	(114.0)			
<i>Justice Information Sharing Technology</i>	(31.0)	(30.9)			
Administrative Review & Appeals	—	(501.4)			
<i>Executive Office of Immigration Review</i>		(496.4)			
<i>Office of the Pardon Attorney</i>	—	(5.0)			
Executive Office of Immigration Review	(436.0)				
Office of the Inspector General	(95.6)	(95.3)			
U.S. Parole Commission	13.3	13.3			
Legal Activities	3,353.8	3,149.6			

Departments and Related Agencies	FY2017 Enacted	FY2018 Administration's Request	FY2018 Senate Passed	FY2018 House Passed	FY2018 Enacted
General legal activities	(897.5)	(899.0)			
United States Attorneys	(2,035.0)	(2,057.3)			
Antitrust Division	(165.0)	(164.7)			
Offsetting Fee Collections (Antitrust Division)	(-125.0)	(-112.7)			
U.S. Trustee Program	(225.9)	(225.5)			
Offsetting Fee Collections (U.S. Trustee Program)	(-163.0)	(-112.7)			
New fees for U.S. Trustee Program <sup>c</sup>	—	(-289.0)			
Foreign Claims Settlement Commission	(2.4)	(2.4)			
Fees and Expenses of Witnesses	(270.0)	(270.0)			
Community Relations Service	(15.5)	(14.4)			
Assets Forfeiture Fund <sup>d</sup>	(20.5)	(21.5)			
Vaccine Injury Compensation Trust Fund	(10.0)	(9.3)			
United States Marshals Service	2,713.5	2,803.0			
Salaries and Expenses	(1,249.0)	(1,252.0)			
Construction	(10.0)	(15.0)			
Federal Prisoner Detention	(1,454.4)	(1,536.0)			
National Security Division	96.0	101.0			
Interagency Law Enforcement	517.0	526.0			
Federal Bureau of Investigation	9,006.4	8,774.7			
Salaries and Expenses	(8,767.2)	(8,722.9)			
Construction	(420.2)	(51.9)			
<i>Transfer of Balances from the Working Capital Fund</i>	(-181.0)	—			
Drug Enforcement Administration	2,103.0	2,164.1			
Bureau of Alcohol, Tobacco, Firearms and Explosives	1,258.6	1,273.8			
Federal Prison System	7,141.5	7,200.9			
Salaries and Expenses	(7,008.8)	(7,085.2)			
Construction	(130.0)	(113.0)			
Limitation on Administrative Expenses, Federal Prison Industries	(2.7)	(2.7)			
Office on Violence Against Women	155.5 <sup>e</sup>	35.0 <sup>f</sup>			
Office of Justice Programs	1,705.8	1,204.3			

Departments and Related Agencies	FY2017 Enacted	FY2018 Administration's Request	FY2018 Senate Passed	FY2018 House Passed	FY2018 Enacted
Research, Evaluation, and Statistics	(89.0)	(111.0)			
State and Local Law Enforcement Assistance	(1,280.5) <sup>g</sup>	(867.5) <sup>h</sup>			
Juvenile Justice Programs	(247.0)	(137.5) <sup>i</sup>			
Public Safety Officers Benefits	(89.3)	(88.3)			
Community Oriented Policing Services	221.5	218.0			
Obligation Cap on the Crime Victims Fund	2,573.0	3,000.0			
Offsetting Receipts	-2,573.0	-3,000.0			
<b>Subtotal: Department of Justice</b>	<b>28,962.5</b>	<b>28,205.4</b>			
<b>Science Agencies</b>					
Office of Science and Technology Policy	5.6	5.5			
National Aeronautics and Space Administration	19,762.3	19,092.2			
Science	(5,764.9)	(5,711.8)			
Aeronautics	(660.0)	(624.0)			
Space Technology	(686.5)	(678.6)			
Exploration	(4,324.0)	(3,934.1)			
Space Operations	(4,950.7)	(4,740.8)			
Education	(100.0)	(37.3)			
Safety, Security, and Mission Services	(2,768.6)	(2,830.2)			
Construction and Environmental Compliance and Restoration	(469.7) <sup>i</sup>	(496.1)			
Inspector General	(37.9)	(39.3)			
National Science Foundation	7,472.2	6,652.9			
Research and Related Activities	(6,033.6)	(5,361.7)			
Education and Human Resources	(880.0)	(760.6)			
Major Research Equipment and Facilities Construction	(209.0)	(182.8)			
Agency Operations and Award Management	(330.0)	(328.5)			
National Science Board	(4.4)	(4.4)			
Office of the Inspector General	(15.2)	(15.0)			
<b>Subtotal: Science Agencies</b>	<b>27,240.1</b>	<b>25,750.6</b>			

Departments and Related Agencies	FY2017 Enacted	FY2018 Administration's Request	FY2018 Senate Passed	FY2018 House Passed	FY2018 Enacted
<b>Related Agencies</b>					
U.S. Commission on Civil Rights	9.2	9.2			
Equal Employment Opportunity Commission	364.5	363.8			
International Trade Commission	91.5	87.6			
Legal Services Corporation	385.0	33.0			
Marine Mammal Commission	3.4	2.4			
Office of the U.S. Trade Representative	62.0	57.6			
State Justice Institute	5.1	5.1			
<b>Subtotal: Related Agencies</b>	<b>920.8</b>	<b>558.8</b>			
<b>CJS Total</b>	<b>66,360.3</b>	<b>62,331.5</b>			
<b>Rescission of Unobligated Balances</b>	<b>1,142.3</b>	<b>2,365.0</b>			

**Sources:** The 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). The amounts for the Administration's FY2018 budget request were taken from the congressional budget justifications for the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the appendix to the president's budget submission.

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

- 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 a \$326 million transfer from the Crime Victims Fund to the Office on Violence Against Women per P.L. 115-31.
- f. The Administration proposes transferring \$445 million from the Crime Victims Fund to the Office on Violence Against Women.
- g. This amount includes \$7 million that was appropriated pursuant to the Further Continuing and Security Assistance Appropriations Act, 2017 (P.L. 114-254) for the Edward Byrne Memorial Justice Assistance Grant (JAG) program to reimburse overtime costs associated with providing security for President-elect Donald Trump that was extended until the end of FY2017 by the Consolidated Appropriations Act, 2017 (P.L. 115-31). This amount also includes \$15 million that was appropriated for the Emergency Federal Law Enforcement Assistance program pursuant to Section 542 of Division B of the Consolidated Appropriations Act, 2017 (P.L. 115-31).
- h. The Administration proposes transferring \$73 million from the Crime Victims Fund to the State and Local Law Enforcement Assistance account.
- i. The Administration proposes transferring \$92 million from the Crime Victims Fund to the Juvenile Justice Programs account.

- j. This amount includes \$109 million in emergency funding for repairing NASA-owned facilities that were damaged by natural disasters appropriated pursuant to Section 540 of Division B of the Consolidated Appropriations Act, 2017 (P.L. 115-31).

## Historical Funding for CJS

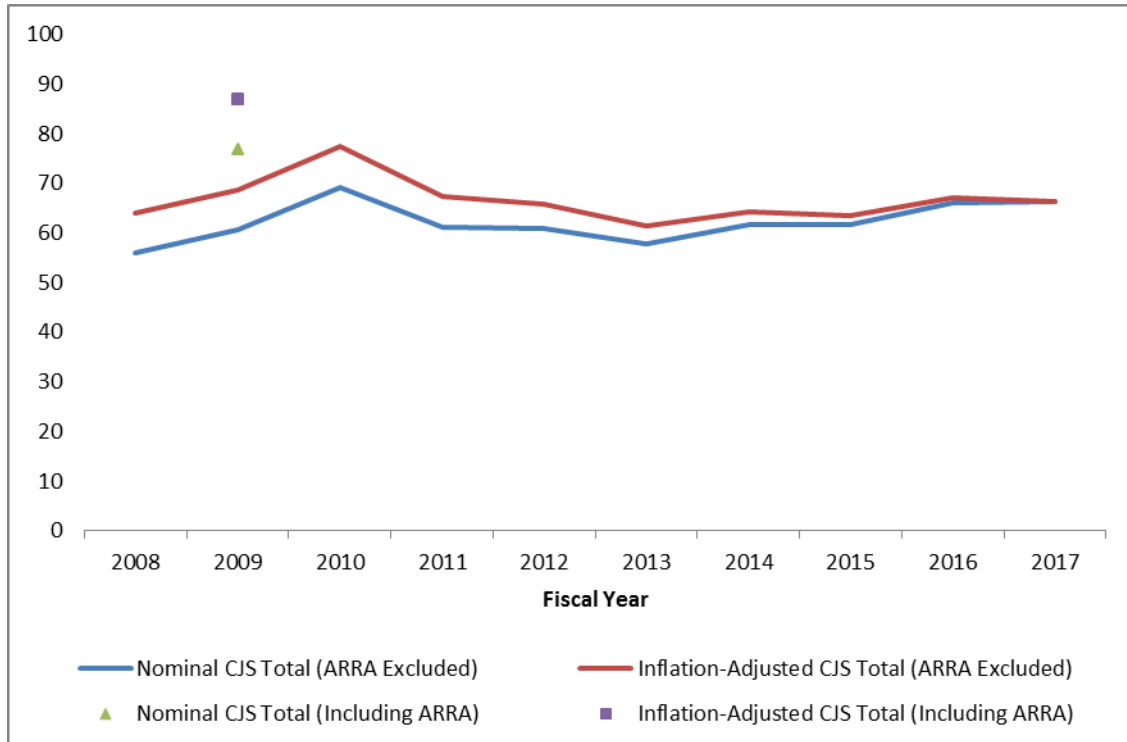
**Figure 1** shows the total appropriations, in both nominal and inflation-adjusted dollars, for CJS for FY2008-FY2017 (more detailed historical appropriations data can be found in **Table 2**). The data show that nominal appropriations for CJS increased from FY2008 to FY2010.

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 approximately 25% of the amount Congress provided for CJS through regular appropriations.

Nominal appropriations for CJS decreased from FY2010 to FY2013, but they have increased in each subsequent fiscal year. 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 Congress increasing the discretionary budget cap when it passed, and the President signed, the Bipartisan Budget Act of 2015 (P.L. 114-74). CJS appropriations increased marginally in FY2017 (\$361 million, or 0.1%).

**Figure 1. Nominal and Inflation-Adjusted Appropriations for CJS, FY2008-FY2017**

Appropriations in billions of dollars



**Sources:** 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); 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); and 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).

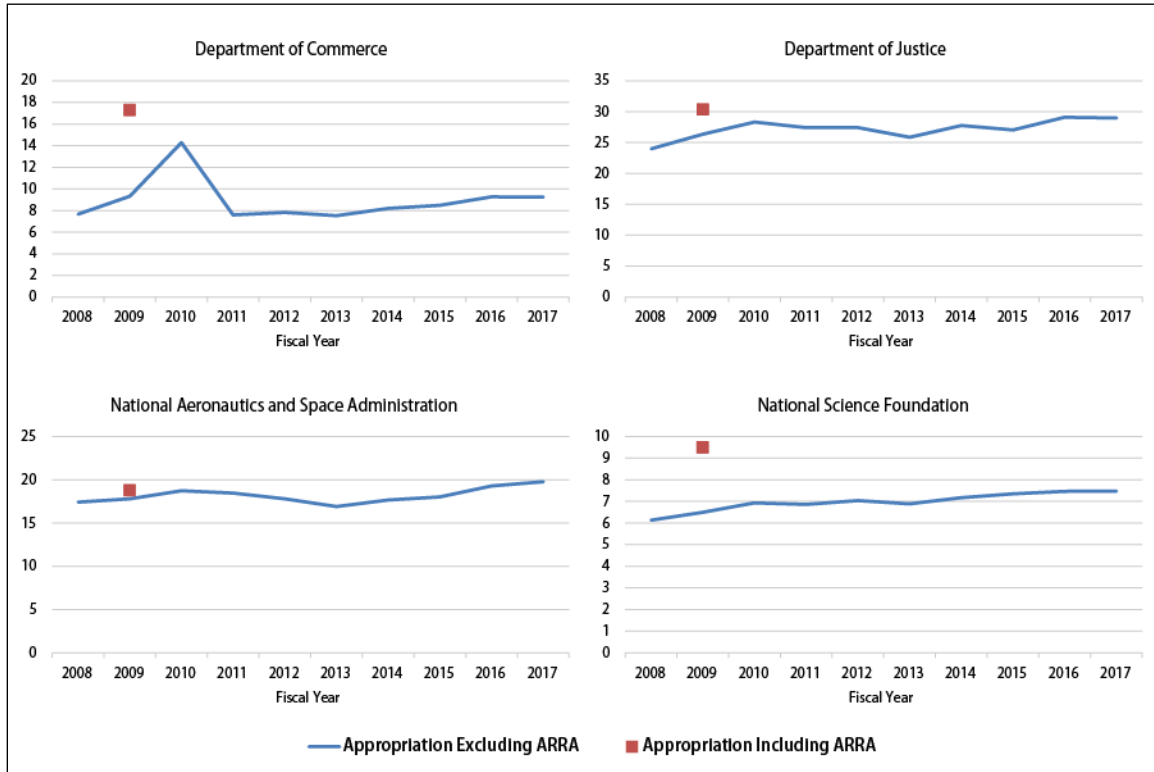
**Notes:** Inflation-adjusted appropriations are presented in FY2017 dollars. Appropriations were adjusted using the Gross Domestic Product (Chained) Price Index presented in Table 10.1 of the Historical Tables in the President's FY2018 budget submission. The amounts do not include rescissions of unobligated balances or scorekeeping credits (e.g., the balance on the Crime Victims Fund). The amounts include any rescissions of current-year budget authority.

**Figure 2** shows total appropriations for CJS for FY2008-FY2017 by major component (i.e., the Departments of Commerce and Justice, NASA, and the NSF). Increases in CJS appropriations in FY2009 (not including ARRA funding) and FY2010 largely resulted from Congress appropriating more funding for the Department of Commerce in support of the 2010 decennial census, though there were small increases in funding for DOJ, NASA, and NSF.

Although decreased appropriations for the Department of Commerce mostly explain the overall decrease in CJS appropriations from FY2010 to FY2013 (a 47.4% reduction), cuts in funding for DOJ (-8.7%) and NASA (-9.8%) also contributed. Appropriations for NSF held relatively steady from FY2010 to FY2013.



**Figure 2. Nominal Total CJS Appropriations, by Major Component, FY2008-FY2017**  
 Appropriations in billions of dollars



**Sources:** 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); 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); and 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).

**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.

**Table 2. Appropriations for CJS Agencies, by Account, FY2008-FY2017**

Budget authority in millions of dollars

Bureau or Agency	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013 <sup>a</sup>	FY2014	FY2015	FY2016	FY2017
<b>Department of Commerce</b>										
International Trade Administration	\$405.2	\$420.4	\$446.8	\$440.7	\$455.6	\$438.5	\$460.6	\$462.0	\$483.0	\$483.0
Bureau of Industry and Security	72.9	83.7	100.3	100.1	101.0	93.6	101.5	102.5	112.5	112.5
Economic Development Administration	779.9 <sup>b</sup>	312.8	347.0	283.4	457.5	218.3	246.5	250.0	261.0	276.0
Minority Business Development Agency	28.6	29.8	31.5	30.3	30.3	27.5	28.0	30.0	32.0	34.0
Economic and Statistical Analysis	81.1	90.6	97.2	97.1	96.0	93.3	99.0	100.0	109.0	107.3
Census Bureau	1,440.2	3,139.9	7,324.7	1,149.7	888.3	840.6	945.0	1,088.0	1,370.0	1,470.0
National Telecommunications and Information Administration	36.3	39.2	40.0	41.6	45.6	42.7	46.0	38.2	39.5	32.0
U.S. Patent and Trademark Office (USPTO)	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	3,230.0
Offsetting Fee Receipts (USPTO)	-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	-3,230.0
National Institute of Standards and Technology	755.8	819.0	856.6	750.1	750.8	769.3	850.0	863.9	964.0	952.0
National Oceanic and Atmospheric Administration	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	5,675.4
Departmental Management	70.0	83.8	107.5	99.8	88.9	84.6	89.5	91.1	109.1	94.7
<b>Commerce Subtotal</b>	<b>7,658.5</b>	<b>9,307.5</b>	<b>14,269.2</b>	<b>7,580.9</b>	<b>7,807.7</b>	<b>7,509.6</b>	<b>8,180.6</b>	<b>8,466.7</b>	<b>9,245.6</b>	<b>9,237.0</b>
<b>Department of Justice</b>										
General Administration	1,798.8	2,067.8	2,285.8	2,208.1	2,227.9	503.5	533.2	435.6	659.0	676.7
General Administration	(257.6)	(370.8)	(456.9)	(312.2)	(262.1)	(135.7)	(135.8)	(137.3)	(142.5)	(145.1)
Administrative Review & Appeals	(240.6)	(266.0)	(298.8)	(296.1)	(301.0)	(287.9)	(311.0)	(347.1)	(422.8)	—
Executive Office for Immigration Review	—	—	—	—	—	—	—	—	—	(436.0)

Bureau or Agency	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013 <sup>a</sup>	FY2014	FY2015	FY2016	FY2017
Detention Trustee <sup>c</sup>	(1,225.9)	(1,355.3)	(1,445.7)	(1,515.6)	(1,580.6)	—	—	—	—	—
Office of the Inspector General	(74.8)	(75.7)	(84.4)	(84.2)	(84.2)	(80.0)	(86.4)	(88.6)	(93.7)	(95.6)
U.S. Parole Commission	11.5	12.6	12.9	12.8	12.8	11.9	12.6	13.3	13.3	13.3
Legal Activities	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	3,353.8
General legal activities	(747.2)	(805.7)	(889.0)	(863.4)	(863.4)	(819.3)	(867.0)	(885.0)	(893.0)	(897.5)
United States Attorneys	(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)	(2,035.0)
Other <sup>d</sup>	(217.1)	(261.2)	(276.1)	(383.8)	(363.8)	(340.0)	(369.8)	(375.2)	(421.6)	(421.3)
U.S. Marshals Service	895.1	964.0	1,190.0	1,140.1	1,189.0	2,655.6	2,727.8	1,700.1 <sup>e</sup>	2,700.0	2,713.5
National Security Division	73.4	85.2	87.9	87.8	87.0	83.8	91.8	93.0	95.0	96.0
Interagency Law Enforcement	497.9	515.0	549.6	527.5	527.5	484.4	514.0	507.2	512.0	517.0
Federal Bureau of Investigation	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	9,006.4
Drug Enforcement Administration	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	2,103.0
Bureau of Alcohol, Tobacco, Firearms & Explosives	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	1,258.6
Federal Prison System	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	7,141.5
Office of Violence Against Women (OVW)	400.0	415.0	418.5	417.7	412.5	387.9	417.0	430.0	101.0 <sup>f</sup>	155.5 <sup>g</sup>
Office of Justice Programs (OJP)	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	1,705.8
Research, Evaluation, and Statistics	(196.2)	(220.0)	(235.0)	(234.5)	(113.0)	(119.1)	(120.0)	(111.0)	(116.0)	(89.0)
State and Local Law Enforcement Assistance	(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)	(1,280.5) <sup>h</sup>
Weed and Seed	(32.1)	(25.0)	(20.0)	—	—	—	—	—	—	—
Juvenile Justice Programs	(383.5)	(374.0)	(423.6)	(275.4)	(262.5)	(261.0)	(254.5)	(251.5)	(270.2)	(247.0)
Public Safety Officers Benefits	(74.8)	(119.1)	(70.1)	(70.1)	(78.3)	(77.9)	(97.3)	(87.3)	(88.3)	(89.3)
Community Oriented Policing Services (COPS)	857.2	550.5	791.6	494.9	198.5	209.7	214.0	208.0	212.0	221.5

Bureau or Agency	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013 <sup>a</sup>	FY2014	FY2015	FY2016	FY2017
OVW, OJP, and COPS Salaries and Expenses	—	195.0	213.4	186.6	—	—	—	—	—	—
<b>DOJ Subtotal</b>	<b>23,958.3</b>	<b>26,332.3</b>	<b>28,283.7</b>	<b>27,389.2</b>	<b>27,407.7</b>	<b>25,829.7</b>	<b>27,736.6</b>	<b>27,030.2</b>	<b>29,089.8</b>	<b>28,962.5</b>
<b>Science Agencies</b>										
Office of Science and Technology Policy	5.2	5.3	7.0	6.6	4.5	5.5	5.6	5.6	5.6	5.6
National Aeronautics and Space Administration	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	19,762.3 <sup>i</sup>
National Science Foundation	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	7,472.2
<b>Science Agencies Subtotal</b>	<b>23,534.6</b>	<b>24,278.1</b>	<b>25,657.8</b>	<b>25,314.5</b>	<b>24,837.6</b>	<b>23,769.2</b>	<b>24,824.0</b>	<b>25,360.0</b>	<b>26,754.0</b>	<b>27,240.1</b>
<b>Related Agencies</b>										
Commission on Civil Rights	8.5	8.8	9.4	9.4	9.2	8.7	9.0	9.2	9.2	9.2
Equal Employment Opportunity Commission	329.3	343.9	367.3	366.6	360.0	344.2	364.0	364.5	364.5	364.5
International Trade Commission	68.4	75.1	81.9	81.7	80.0	78.9	83.0	84.5	88.5	91.5
Legal Services Corporation	350.5	390.0	420.0	404.2	348.0	340.9	365.0	375.0	385.0	385.0
Marine Mammal Commission	2.8	3.2	3.3	3.2	3.0	2.9	3.3	3.3	3.4	3.4
U.S. Trade Representative	44.1	47.3	47.8	47.7	51.3	47.6	52.6	54.3	54.5	62.0
State Justice Institute	3.8	4.1	5.1	5.1	5.1	4.8	4.9	5.1	5.1	5.1
<b>Related Agencies Subtotal</b>	<b>807.4</b>	<b>872.4</b>	<b>934.8</b>	<b>917.9</b>	<b>856.6</b>	<b>827.9</b>	<b>881.8</b>	<b>895.9</b>	<b>910.3</b>	<b>920.8</b>
<b>Total Appropriation</b>	<b>55,958.7</b>	<b>60,790.3</b>	<b>69,145.5</b>	<b>61,202.5</b>	<b>60,909.6</b>	<b>57,936.4</b>	<b>61,622.9</b>	<b>61,752.7</b>	<b>65,999.7</b>	<b>66,360.3</b>
<b>American Recovery and Reinvestment Act</b>	<b>—</b>	<b>15,922.0<sup>i</sup></b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>
<b>Rescission of Unobligated Balances</b>	<b>901.8</b>	<b>610.6</b>	<b>2,559.7<sup>k</sup></b>	<b>2,416.0</b>	<b>905.9</b>	<b>881.6</b>	<b>219.3</b>	<b>679.6</b>	<b>878.7</b>	<b>1,142.3</b>

**Sources:** 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); 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); and 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).

**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 a prior year's unobligated balances. In addition, in 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. This amount does not include a \$326 million transfer from the Crime Victims Fund to the Office on Violence Against Women per P.L. 115-31.
- h. This amount includes \$7 million that was appropriated pursuant to the Further Continuing and Security Assistance Appropriations Act, 2017 (P.L. 114-254) for the Edward Byrne Memorial Justice Assistance Grant (JAG) program to reimburse overtime costs associated with providing security for President-elect Donald Trump that was extended until the end of FY2017 by the Consolidated Appropriations Act, 2017 (P.L. 115-31). This amount also includes \$15 million that was appropriated for the Emergency Federal Law Enforcement Assistance program pursuant to Section 542 of Division B of the Consolidated Appropriations Act, 2017 (P.L. 115-31).
- i. This amount includes \$109 million in emergency funding for repairing NASA-owned facilities that were damaged by natural disasters appropriated pursuant to Section 540 of Division B of the Consolidated Appropriations Act, 2017 (P.L. 115-31).
- j. 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.

- k. 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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