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SENATE

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DEPARTMENTS OF COMMERCE AND JUSTICE, SCIENCE,
AND RELATED AGENCIES APPROPRIATIONS BILL, 2017

APRIL 21, 2016.—Ordered to be printed

Mr. SHELBY, from the Committee on Appropriations,
submitted the following

REPORT

[To accompany S. 2837]

The Committee on Appropriations reports the bill (S. 2837) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2017, and for other purposes, reports favorably thereon and recommends that the bill do pass.

Total obligational authority, fiscal year 2017

Total of bill as reported to the Senate ¹	\$65,469,000,000
Amount of 2016 appropriations	65,121,000,000
Amount of 2017 budget estimate	65,652,349,000
Bill as recommended to Senate compared to—	
2016 appropriations	+348,000,000
2017 budget estimate	- 183,349,000

¹This level does not include -\$8,864,000,000 in adjustments that the Congressional Budget Office [CBO] scores to the bill. With these scorekeeping adjustments, the bill totals \$56,285,000,000 in discretionary budget authority.

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PURPOSE OF THE BILL

The bill provides funding for: (1) the Department of Commerce [DOC]; (2) the Department of Justice [DOJ]; (3) several independent science agencies: the Office of Science and Technology Policy [OSTP], the National Aeronautics and Space Administration [NASA], and the National Science Foundation [NSF]; and (4) several related commissions and agencies: the Commission on Civil Rights, the Equal Employment Opportunity Commission [EEOC], the International Trade Commission [ITC], the Legal Services Corporation [LSC], the Marine Mammal Commission, the Office of the United States Trade Representative, and the State Justice Institute [SJI].

SUMMARY OF THE BILL

The total amount of discretionary budget authority recommended by the Committee for fiscal year 2017 is \$56,285,000,000, which is \$563,000,000 above the fiscal year 2016 enacted level.

The Committee's recommendation is consistent with the allocation for the Commerce, Justice, Science, and Related Agencies appropriations bill. Within these boundaries, the Committee has achieved a careful balance between the competing priorities of law enforcement, national security, economic development, scientific research, and space exploration. As a result, this bill represents responsible spending that adheres to congressional budget agreements and provisions.

The Committee notes that the administration's budget requests for large programmatic increases, coupled with large amounts of unsubstantiated non-discretionary funding, continue to add financial pressure on existing core programs and operations throughout the bill. This remains true for the Department of Commerce, which is responsible for a variety of activities critical to our Nation's economic and scientific well-being, and also manages expensive, high-risk activities, including the build-up to the 2020 Decennial Census and efforts to launch the next generation of weather satellites. Strict oversight and fiscal responsibility are essential for the Department's success in fiscal year 2017.

This Committee remains supportive of science and innovation, and has maintained a healthy funding level for NSF while preserving a balanced and productive space program within the NASA. Ignoring the proposed funding cuts, this bill makes it possible for NASA to achieve efficient and cost-effective operations for the agency's science and exploration missions, many of which will reach critical stages of development during fiscal year 2017.

The constantly changing landscape of criminal activity at home and abroad tests the Department of Justice's ability to deal with emerging threats. The Committee believes that our Federal law enforcement agencies must work together—particularly in tough

budget environments—to focus limited resources in a manner that safeguards taxpayer dollars while preserving public safety. This bill provides either the full budget request or at least 1.5 percent increases to our Federal law enforcement agencies and United States Attorneys, and maintains strong funding for our State and local justice grants.

The bill provides \$2,957,000,000 to victims and victim services through the Crime Victims Fund [CVF], which is \$85,000,000 below the fiscal year 2016 enacted level and \$957,000,000 above the request. The Committee notes that the current estimates of the fund's annual collections are expected to decrease in fiscal year 2017. Even so, in order to maintain a comparable level of services for victims from fiscal year 2016 to 2017, the Committee has ensured that the amount disbursed to States is \$2,578,000,000, which matches the 3-year average of deposits into the CVF, a metric for CVF spending that has been called for by the Senate Budget Committee.

Balancing the Committee's consistent support for increased CVF spending with the Committee's concerns for fiscal oversight, this bill offsets \$379,000,000 from the CVF for victim-related discretionary grants in the DOJ's State and local accounts, which is the same as the fiscal year 2016 level and direction. The stagnant fiscal climate, coupled with high spending out of the CVF and increased demand to provide higher funding for grant programs, makes supporting important victim-related programs with discretionary funding unsustainable. As a result of this offset, overall funding for all of these DOJ grant programs, which are widely supported by many members of the Committee, remains close to the fiscal year 2016 enacted levels in this bill.

FIGHTING WASTE, FRAUD, AND ABUSE

The departments, agencies, boards, and commissions funded in this bill can and should continue to reduce operating expenses by placing greater scrutiny on overhead costs. Savings can and should be achieved by reducing non-essential travel, office supply, rent, and utility costs. The Committee also calls on departments, agencies, boards, and commissions funded in this bill to continue to achieve savings by lowering travel contractor costs related to air fares. The Committee continues longstanding restrictions on first class travel.

The Committee is extremely concerned about the persistent pattern of cost overruns and schedule slippages on major projects and missions carried out by the agencies within this bill. In addition, reports have exposed a culture within many agencies that exhibits a lack of accountability and oversight of grant funding. Therefore, the Committee has continued bill-wide provisions to ensure greater oversight and fiscal responsibility of taxpayer dollars.

First, the bill requires each agency to notify the Committee immediately upon identification of program cost overruns greater than 10 percent.

Second, the bill requires the Inspectors General of the Departments of Commerce and Justice, NASA, NSF, and the Legal Services Corporation to conduct reviews of grant and contract funds to ensure funds are being spent appropriately. This bill increases

funding above the fiscal year 2016 level for each of these offices so that the Inspectors General may conduct further investigations and audits. For projects with persistent accountability issues, such as the decennial census and weather satellites, special funding is provided for additional Inspector General scrutiny.

Third, the bill requires all departments and agencies to link all contracts that provide award fees to successful acquisition outcomes, and prohibits funds to pay for award or incentive fees for contractors with below satisfactory performance.

Fourth, the bill requires all departments and agencies funded in this act to provide full access to documents and data for their respective Inspectors General to conduct investigations and audits.

The Committee also supports long-standing provisions that were once solely included in this bill but have since become government-wide provisions. These include: requiring each department, agency, board, and commission funded in this act to report spending on large conferences with costs in excess of \$100,000 to the Inspectors General for audit; and prohibiting funds from being used for contracts, memoranda of understanding, cooperative agreements, grants, or loan activities if the proposed recipient has unpaid Federal tax liabilities or was convicted of a felony criminal violation.

Finally, the Committee intends to continue to work with the Government Accountability Office [GAO] to expand the review of selected large-scale acquisition and construction projects. Specifically, the Committee directs ongoing GAO reviews of large NASA projects and separate reviews of the James Webb Space Telescope, with reports to the Committee on a biannual basis. In this report, the Committee also directs GAO to review major research equipment and facilities construction at the National Science Foundation.

Agencies shall provide access to all necessary data, as determined by the GAO, in order for these reviews to be completed and provided in a timely manner to the Committee. The Committee believes that these project status reports are valuable in identifying cost overrun and schedule slippage problems early so they can be addressed immediately and has used information in the reviews to develop this recommendation.

Representation Funds.—The Committee has reduced official reception and representation funds by 25 percent since fiscal year 2011, and has denied all fiscal year 2017 budget requests to establish new reception funds for accounts in this bill. Modest representation funds are included for agency executives to provide necessary courtesies to our diplomatic partners and hold events to honor fallen officers, or to mark historic occasions such as space exploration missions or significant discoveries. However, savings can and should be achieved by reducing the costs of executive meetings, receptions, ceremonies, and conferences, and by purchasing fewer promotional items such as T-shirts, hats, mugs, key chains, and other similar items.

Federal Vehicle Fleet Management.—The General Services Administration [GSA] issues guidance on Federal fleet management, but the Federal vehicle fleet is decentralized, with each agency maintaining flexibility to manage vehicle utilization as appropriate. A January 2016, GAO report that audited five Federal agencies, including NASA, found discrepancies related to poor vehicle utiliza-

tion rates and a lack of documentation justifying the agency's need for several vehicles. In order to provide better transparency and accountability of funding for Federal vehicles, the Committee directs agencies funded in this bill to conduct an annual review of fleet utilization during the third quarter of each fiscal year and provide their corresponding Offices of Inspectors General [OIGs] with supporting documentation on the method used for determining optimal fleet inventories and justification for any deviation from GSA's Federal Property Management Regulations. OIGs shall be responsible for conducting annual audits of fleet management practices and make the subsequent results for non-law enforcement sensitive agencies publicly available.

Reducing Duplication and Improving Efficiencies.—Over the last 6 years, the Government Accountability Office [GAO] has published duplication reports that have exposed 200 areas of potential duplication and overlap, revealing more than 1,100 potentially duplicative Federal programs that cost taxpayers tens of billions of dollars every year. GAO has noted that the Nation has achieved roughly \$10,000,000,000 in savings based on these reports, but many more efficiencies may be realized. The Committee directs each agency funded in this bill to report to the Committee, within 1 year of enactment of this act, on all efforts made to address the duplication identified by the annual GAO reports along with identifying substantive challenges and legal barriers to implementing GAO's recommendations, along with suggested legislative recommendations that could help the agency to further reduce duplication.

REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

Section 505 contained in the "General Provisions" of title V provides procedures for the reprogramming of funds. To reprogram is to change the use of funds from the specific purposes provided for in the act and the accompanying report or, in the absence of direction from the Committee, from the specific purposes provided for in the administration's budget request. Each title of the bill has also traditionally included separate provisions that define permissible transfers of resources between appropriation accounts. These transfer authority provisions are also pursuant to section 505 and were initiated in the early 1990s to provide additional flexibility to the agencies under the subcommittee's jurisdiction.

The Committee expects each department and agency to closely follow the reprogramming procedures listed in section 505. These procedures apply to funds provided under this act, provided under previous appropriations acts that remain available for obligation or expenditure in fiscal year 2017, or provided from any accounts in the Treasury available to the agencies funded by this act. Section 505 requires that the Committee on Appropriations be notified by letter, at least 15 days prior to reprogramming of funds, whether permanent or temporary, in excess of \$500,000 or 10 percent, whichever is less, between programs, projects, or activities. Section 505 of this act is also applicable in cases where funding for an activity is reduced by 10 percent. In addition, the Committee is to be notified of reprogramming actions which are less than these amounts if such actions would have the effect of: committing the agency to significant funding requirements in future years; increas-

ing funds or personnel by any means for any program, project, or activity for which funds have been previously denied or restricted by Congress; creating new programs, offices, agencies, or commissions or substantially augmenting existing programs, offices, agencies, or commissions; relocating offices or employees; or reorganizing offices, programs, or activities.

The Committee also expects that any items that are subject to interpretation will be reported. The Committee is concerned that, in some instances, the departments or agencies funded within this appropriations act are not adhering to the Committee's reprogramming guidelines that are clearly set forth in this report and in section 505 of the accompanying bill. The Committee expects that each department and agency funded in the bill will follow these notification policies precisely and will not reallocate resources or reorganize activities prior to submitting the required notifications to the Committee.

The reprogramming process is based on comity between the Appropriations Committee and the administration. The Commerce, Justice, Science, and Related Agencies appropriations bill provides specific program guidance throughout this report and tables accompanying the bill. The process is intended to provide flexibility to meet changing circumstances and emergency requirements of agencies, if there is agreement between the executive branch and the Congress that such a change is warranted. Reprogramming procedures provide a means to agree on adjustments, if necessary, during a fiscal year, and to ensure that the Committee is kept apprised of instances where nonappropriated resources are used to meet program requirements, such as fee collections and unobligated balances that were not considered in the development of the appropriations legislation.

In the absence of comity and respect for the prerogatives of the Appropriations Committees and Congress in general, the Committee will have no choice but to prescribe specific program limitations and details legislatively. Under these circumstances, programs, projects, and activities become absolutes and the executive branch would lose the ability to propose changes in the use of appropriated funds through the reprogramming process between programs, projects, and activities without seeking some form of legislative action.

The Committee expects each executive branch department and agency to manage its programs, projects, and activities within the levels appropriated. Reprogramming or transfer requests shall be submitted only in the case of an unforeseen emergency or situation that could not have been anticipated when formulating the budget request for the current fiscal year.

CONGRESSIONAL BUDGET JUSTIFICATIONS

The Committee directs that all departments and agencies funded within this bill shall submit all of their fiscal year 2018 budget justifications concurrently with the official submission of the administration's budget to Congress. Further, all departments and agencies with classified programs funded within this act are directed to submit their classified budget justification documents to the Com-

mittee, through appropriate means, at the same time the unclassified budget justifications are transmitted.

These justifications shall include a sufficient level of detailed data, exhibits, and explanatory statements to support the appropriations requests, including tables that outline each agency's programs, projects, and activities for fiscal years 2017 and 2018. For example, when requesting an enhancement of resources, the justification should detail the existing program and what the new resources would buy. The Committee directs the chief financial officer of each department or agency funded in this act's jurisdiction to ensure that adequate justification is given to each increase, decrease, and staffing and function change proposed in the fiscal year 2018 budget, particularly within the departmental operations and management accounts.

The Committee expects that the fiscal year 2018 submissions will include sufficient detail to justify all programs, projects, and activities contained in each department, agency, or commission budget request. Budget justifications are prepared not for the use of the agencies but are the primary tool of the Committee to evaluate the resource requirements and proposals requested by the administration.

REPORTING REQUIREMENTS

The Committee directs the departments and agencies funded in this bill to submit reports by the deadlines detailed herein or to provide advance notification if there is sufficient reason why deadlines cannot be met, along with the expected date of submission.

The Committee also recognizes that some enduring reporting requirements from previous Appropriations laws may no longer be necessary for Congressional oversight purposes. In the interest of reducing government waste and expediting responses to current report mandates, each department or agency is invited to submit a list of reporting requirements that it considers outdated or no longer relevant for the review of the Committees on Appropriations. Any list submitted for review shall cite the original authority as well as a justification for eliminating each reporting requirement.

REDUCTIONS-IN-FORCE

The Committee directs departments or agencies funded in the accompanying bill that are planning to conduct a reduction-in-force [RIF] to notify the Committee in writing 30 days in advance of the date of the proposed personnel action.

APPROPRIATIONS LIAISONS

The Committee prefers to channel the majority of its inquiries and requests for information and assistance through the budget offices or comptroller offices of the departments and agencies which it oversees but reserves the right to call upon any individual or organization in any agency under its jurisdiction.

TITLE I

DEPARTMENT OF COMMERCE

The Committee recommends a total of \$9,316,456,000 for the Department of Commerce [DOC]. The recommendation is \$70,815,000 above the fiscal year 2016 enacted level and \$411,723,000 below the budget request.

The Department of Commerce is responsible for a variety of activities critical to our Nation’s well-being, including economic development, intellectual property protection, standards and measurements, trade enforcement, weather forecasting, and fisheries management. Our Nation relies on the Department to maintain America’s competitiveness within today’s foreign markets while promoting and expanding international trade opportunities. The Department brings together a diverse set of bureaus, specialized experts, research laboratories, and applied technology programs to support and expand opportunities for growth in the private sector. Few departments have such potential to directly impact the strength and sustainability of our communities and local businesses.

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

Appropriations, 2016	\$493,000,000
Budget estimate, 2017	533,421,000
Committee recommendation	495,000,000

The Committee’s recommendation provides \$495,000,000 for the International Trade Administration [ITA]. The recommendation is \$2,000,000 above the fiscal year 2016 enacted level and \$38,421,000 below the budget request. The appropriation is offset by \$12,000,000 in fee collections.

Offsetting Fee Collections.—ITA shall continue to identify and include an accurate assessment of expected fee collections and corresponding expenditures in its fiscal year 2017 spending plan and in its fiscal year 2018 budget request.

Trade Enforcement.—The Committee provides the requested funding level for the Office of Enforcement and Compliance. ITA should make enforcement of antidumping and countervailing duties a priority, including thoroughly investigating dumping and subsidies causing injury to domestic businesses and expeditiously reducing trade remedy case backlogs.

Additionally, the Committee notes that funding formerly requested for the Interagency Trade Enforcement Center has been moved from ITA to the Office of the United States Trade Representative following passage of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125). As such, no funds

are provided for these activities in ITA, but ITA shall continue to collaborate with all other Federal trade agencies to ensure U.S. trade laws and agreements are enforced fairly.

U.S. and Foreign Commercial Service.—The U.S. and Foreign Commercial Service [US&FCS] provides significant value to U.S. businesses looking to expand overseas export opportunities. Given the export potential of emerging and developing economies in Asia and other foreign markets, expanding market access and export opportunities is critical for economic growth in the United States. Therefore, the Committee directs ITA to fund US&FCS, and its core mission of export promotion, at the highest possible level in fiscal year 2017, and at no less than the amount provided in fiscal year 2016.

Sub-Saharan Africa.—In addition to offering unique export opportunities for U.S. businesses, increased trade activities in developing markets can help promote stability, security, and economic growth overseas that benefit U.S. security interests. While the Committee supports trade promotion activities in emerging markets, these activities should not be prioritized over trade promotion in developing markets, particularly those in Sub-Saharan Africa. The Committee encourages ITA to maintain, and when feasible, expand the number of Foreign Commercial Service officers and support staff in developing markets overseas.

SelectUSA.—Up to \$10,000,000 is provided for SelectUSA, except that none of the funds provided may be used to facilitate foreign direct investment in the United States unless an updated protocol to ensure that SelectUSA activities do not encourage such investments in the United States by State-owned entities is delivered to the Committee within 30 days of enactment of this act.

China Antidumping and Countervailing Duty Activities [AD/CVD].—The Committee provides no less than \$16,400,000 for China AD/CVD enforcement and compliance activities.

Survey of International Air Travelers.—Within funds provided, ITA is encouraged to increase the sample size for the Survey for International Air Travelers.

World Expositions and Fairs.—The Committee encourages the Department of Commerce to coordinate with the Department of State in planning future U.S. participation in world expos and fairs, including collaborating with private sector organizations, business leaders, and State and local government officials seeking to host an expo or fair in the United States.

BUREAU OF INDUSTRY AND SECURITY
OPERATIONS AND ADMINISTRATION

Appropriations, 2016	\$112,500,000
Budget estimate, 2017	126,945,000
Committee recommendation	112,500,000

The Committee’s recommendation provides \$112,500,000 for the Bureau of Industry and Security [BIS]. The recommendation is equal to the fiscal year 2016 enacted level and \$14,445,000 below the budget request.

BIS is the principal agency involved in the development, implementation, and enforcement of export controls for commercial tech-

nologies and for many military technologies as a result of the President's export control reform initiative. The Export Enforcement Division detects, prevents, investigates, and assists in the sanctioning of illegal exports of such items.

Export Control Reform.—The Committee directs BIS to continue its exporter outreach program to educate companies of all sizes on the new regulatory requirements resulting from export control reform. In this effort, BIS should continue targeting small- and medium-sized businesses and working with State and local trade and export associations, in addition to working with national industry groups.

ECONOMIC DEVELOPMENT ADMINISTRATION

Appropriations, 2016	\$261,000,000
Budget estimate, 2017	258,454,000
Committee recommendation	254,000,000

The Committee's recommendation provides \$254,000,000 for the Economic Development Administration [EDA]. The recommendation is \$7,000,000 below the fiscal year 2016 enacted level and \$4,454,000 below the budget request.

EDA provides grants to local governments and nonprofit agencies for public works, planning, and other projects designed to facilitate economic development. Funding amounts for the two appropriations accounts under this heading are displayed below.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Appropriations, 2016	\$222,000,000
Budget estimate, 2017	215,000,000
Committee recommendation	215,000,000

The Committee's recommendation provides \$215,000,000 for Economic Development Assistance Programs. The recommendation is \$7,000,000 below the fiscal year 2016 enacted level and equal to the budget request. EDA is directed to focus on its core programs and mission to aid the most distressed communities across the country. The Committee expects EDA to use all available carryover and prior year recoveries to the maximum extent possible. EDA shall consider geographic equity in making all award decisions and shall ensure that rural projects are adequately represented among those selected for funding. Of the amounts provided, funds are to be distributed as follows, and any deviation of funds shall be subject to the procedures set forth in section 505 of this act:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

[In thousands of dollars]

	Committee recommendation
Public Works	100,000
Economic Adjustment Assistance	36,500
Trade Adjustment Assistance for Firms	13,000
Regional Innovation Program	20,000
Partnership Planning	33,000
Technical Assistance	11,000
Research and Evaluation	1,500

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS—Continued
 [In thousands of dollars]

	Committee recommendation
Total	215,000

Economic Adjustment Assistance [EAA].—EAA is EDA’s most flexible economic development program, which provides access to appropriate funding for everything from disaster recovery to business accelerators and incubators. Within funding for EAA, the Committee provides no less than the fiscal year 2016 enacted level to support EDA’s collaborations with the Delta Regional Authority and Appalachian Regional Commission to assist distressed communities. The Committee encourages EDA to work with communities researching and developing new construction technologies such as engineered wood products. Furthermore, the Committee provides up to \$2,000,000 for innovative energy efficiency grants under EAA.

Regional Innovation Program.—The Committee provides \$20,000,000 to EDA for grants under the Regional Innovation Program [RIP] as authorized under the Revitalize American Manufacturing and Innovation Act of 2014 (Public Law 113–235). RIP awards competitive grants to regional entities in support of innovation and entrepreneurship. EDA shall continue to ensure that RIP awards go to multiple grantees in multiple and diverse geographic areas.

In addition, the Committee directs EDA to invest in university-based, high-tech business incubators to encourage entrepreneurship and promote technology commercialization through business startups. EDA should prioritize funds for incubator projects where a State has made significant financial commitment to establishing an incubator program.

Furthermore, within funds provided for RIP, \$3,000,000 shall be for cluster grants to support nonprofit, job-creating, revolving, equity-based seed capital funds.

Job Losses From Nuclear Power Plant Closures.—The Committee notes that recent closures of nuclear power plants throughout the United States have had a negative impact on the economic foundations of surrounding communities, and there is potential for additional plant closures in the coming years. The Committee encourages EDA to help identify and develop best practices to assist communities affected by nuclear power plant closures, including the coordination of economic development efforts across multiple States or Economic Development Districts. Additionally, the Committee reiterates that communities facing significant job losses are eligible for all EDA programs.

Revolving Loan Fund.—The Committee recognizes the importance of EDA’s Revolving Loan Fund program investments to spur economic prosperity in distressed communities, but is concerned about the reporting burden on grantees that persists even after Federal capitalization funds are lent and repaid. EDA is encouraged to review its reporting requirements with the aim of reducing the reporting burden without affecting EDA’s ability to oversee execution of Revolving Loan Fund grants. EDA is directed to submit

a report to the Committee not later than 120 days after enactment of this act on the potential to reduce this burden, including whether any regulatory or legislative changes may be required.

Investing in Manufacturing Communities Partnership Program [IMCP].—The Committee notes that no funding has been requested and no funding is provided for the Investing in Manufacturing Communities Partnership Program [IMCP] for fiscal year 2017. The Committee remains concerned with the underlying premise of IMCP and the potential for negative impacts on communities not designated under the IMCP program. Instead, the Department is directed to better utilize existing programs to assist various types of distressed communities across the country using a bottom-up, demand-driven approach to manufacturing investment.

SALARIES AND EXPENSES

Appropriations, 2016	\$39,000,000
Budget estimate, 2017	43,454,000
Committee recommendation	39,000,000

The Committee’s recommendation provides \$39,000,000 for salaries and expenses. The recommendation is the same as the fiscal year 2016 enacted level and \$4,454,000 below the budget request.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

Appropriations, 2016	\$32,000,000
Budget estimate, 2017	35,613,000
Committee recommendation	32,000,000

The Committee’s recommendation provides \$32,000,000 for the Minority Business Development Agency [MBDA]. The recommendation is equal to the fiscal year 2016 enacted level and is \$3,613,000 below the budget request. MBDA is the only Federal agency dedicated to promoting the growth of minority-owned firms and assists small, medium, and large minority business enterprises to increase revenues and create jobs.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

Appropriations, 2016	\$109,000,000
Budget estimate, 2017	114,643,000
Committee recommendation	109,000,000

The Committee’s recommendation provides \$109,000,000 for Economic and Statistical Analysis [ESA]. The recommendation is the same as the fiscal year 2016 enacted level and \$5,643,000 below the budget request. ESA conducts research to provide a better understanding of the U.S. economy, which helps Government make more informed policy decisions.

Within funds provided, ESA is encouraged to move forward with the development of the proposed Regional Economic Dashboard, including improved local area statistics and providing gross domestic product data by county and to work with the Census Bureau on efforts to accelerate and improve the quality of economic indicators. Additionally, the Committee supports the Bureau of Economic

Analysis's ongoing collaboration with the Federal Recreation Council and other Federal agencies to quantify the outdoor recreation sector's contributions to the U.S. economy.

BUREAU OF THE CENSUS

Appropriations, 2016	\$1,370,000,000
Budget estimate, 2017	1,633,606,000
Committee recommendation	1,518,319,000

The Committee's recommendation provides \$1,518,319,000 for the Census Bureau. The recommendation is \$148,319,000 above the fiscal year 2016 enacted level and \$115,287,000 below the budget request.

CURRENT SURVEYS AND PROGRAMS

Appropriations, 2016	\$270,000,000
Budget estimate, 2017	285,287,000
Committee recommendation	270,000,000

The Committee's recommendation provides \$270,000,000 for current surveys and programs. The recommendation is the same as the fiscal year 2016 enacted level and \$15,287,000 below the budget request. This account provides for the salaries and expenses associated with the statistical programs of the Bureau of the Census, including measurement of the Nation's economy and the demographic characteristics of the population.

PERIODIC CENSUSES AND PROGRAMS

Appropriations, 2016	\$1,100,000,000
Budget estimate, 2017	1,348,319,000
Committee recommendation	1,248,319,000

The Committee's recommendation provides \$1,248,319,000 for periodic censuses and programs. The recommendation is \$148,319,000 above the fiscal year 2016 enacted level and \$100,000,000 below the budget request.

This account provides for the constitutionally mandated Decennial Census as well as other cyclical programs. Additionally, individual surveys are conducted for other Federal agencies on a reimbursable basis.

Oversight of Periodic Census Programs.—The Committee's recommendation provides \$2,580,000 for the Office of Inspector General [OIG] to continue oversight and audits of periodic censuses and to provide the Bureau and Congress with independent recommendations for improving operations, which will be useful for oversight of the 2020 Decennial Census. The Committee directs the Bureau to incorporate the OIG's recommendations.

Quarterly Status Reports.—The Census Bureau is directed to continue its quarterly status reports to the Committee as it prepares for the 2020 Decennial Census.

2020 Decennial Census.—The Census Bureau is directed to prioritize spending for activities that have the greatest potential to reduce cost and risk for the 2020 Census. Controlling costs for the 2020 Decennial Census remains a top oversight concern for the Committee. The Bureau shall continue to work to bring down the cost of the 2020 Decennial Census to a level less than the 2010

Census, not adjusting for inflation. The Committee is mindful of the Bureau’s efforts and expects that the increased testing early in this decennial cycle will result in significant cost savings over the course of the entire 2020 Census.

Administrative Records.—The Census Bureau plans to save money during the 2020 Decennial Census cycle by using existing records and data to reduce unnecessary and costly duplication and to conduct more efficient non-response follow up. The Bureau is directed to work with Federal, State, tribal, local, and other partners to obtain the necessary records.

Census Enterprise Data Collection and Processing.—The Committee supports the Bureau’s development of more cost efficient and secure data processing in advance of the 2020 Census through the Census Enterprise Data Collection and Processing [CEDCaP] initiative. This initiative is consolidating IT programs and reducing costs by retiring multiple redundant and survey-specific systems and by bringing many of the Census Bureau’s total IT expenditures into a single integrated and scalable system. Plans in fiscal year 2017 include use of the CEDCaP in supporting the Economic Census and 2017 Census Test.

The Committee directs the Bureau to ensure that cost estimates and implementation timelines are maintained and that the CEDCaP system is fully secured against cyber attacks and intrusions before any part of the system becomes operational. The Bureau is directed to cooperate with the OIG on all oversight activities for this system.

American Community Survey [ACS].—The Committee supports the ACS and directs the Bureau to continue using the ACS as a testbed for innovative survey and data processing techniques that will help to save money and reduce risk during the 2020 Census cycle. The Committee also notes that ACS is often the primary or only source of data available to States, localities, and Federal agencies that need adequate information on a wide range of topics, including the needs of veterans, retirees, and families with school-age children, in order to reliably serve those communities. The ACS is especially important to Americans who live in small towns and rural areas, as this survey often provides the only reliable and consistent source of information about these communities. The Committee directs the Bureau to again provide an update to the Committee on efforts to evaluate and, where possible, to reduce the number of questions included in the ACS, and the steps being taken to ensure that the ACS is conducted as efficiently and unobtrusively as possible.

NATIONAL TELECOMMUNICATIONS AND INFORMATION
ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 2016	\$39,500,000
Budget estimate, 2017	50,841,000
Committee recommendation	39,500,000

The Committee’s recommendation provides \$39,500,000 for National Telecommunications and Information Administration [NTIA] salaries and expenses. The recommendation is the same as the fis-

cal year 2016 enacted level and \$11,341,000 below the budget request.

The Committee retains language from previous years allowing the Secretary of Commerce to collect reimbursements from other Federal agencies for a portion of the cost resulting from the coordination of spectrum management, analysis, and operations. NTIA shall submit a report to the Committee no later than June 1, 2017, detailing the collection of reimbursements from other agencies.

Broadband.—The Committee’s recommendation does not include any funding to make new broadband grant awards. However, the Committee supports the continued monitoring of existing broadband grants for financial oversight and accountability purposes, and directs NTIA to ensure that funds are used appropriately by recipients.

Federal Spectrum Management.—The Committee directs NTIA to continue to evaluate options for repurposing spectrum for broadband in support of the President’s goal of making 500 megahertz [MHz] of spectrum available for wireless broadband use. NTIA shall also provide the Committee with quarterly updates on making 500 MHz of spectrum available for commercial mobile use, including the strategy for freeing up additional spectrum from Federal agencies.

Spectrum Relocation Fund Report.—No less than 180 days after enactment of this act, NTIA shall consult with the Office of Management and Budget and produce a report to the Committee with recommendations on options to reform the Spectrum Relocation Fund addressing how the Fund could cover costs incurred by Federal entities related to sharing radio frequency bands with radio technologies conducting unlicensed operations.

Internet Corporation for Assigned Names and Numbers [ICANN].—The Committee remains concerned that the Department of Commerce, through NTIA, has not been a strong advocate for American companies and consumers and urges greater participation and advocacy within the Governmental Advisory Committee [GAC] and any other mechanisms within ICANN in which NTIA is a participant. The Committee strongly encourages NTIA to be an active supporter of the interests of the Nation within ICANN and to ensure that the principles of accountability, transparency, security, and stability of the Internet are maintained for consumers, businesses, and Government.

Internet Governance.—The Committee understands that NTIA plans to transition the agency’s technical stewardship of the Internet Assigned Numbers Authority [IANA] and that NTIA is currently evaluating a transition plan submitted by ICANN. The current IANA contract expires at the end of September 2016, and at this time, NTIA is preparing to evaluate its existing option to extend that contract while reviewing the transition plan. The Committee continues to be concerned about this process and the security of the .gov and .mil domains. The Committee directs NTIA to continue quarterly reports to the Committee on all aspects of the transition process, and further directs NTIA to inform the Committee and the Senate Committee on Commerce, Science and Transportation not less than 45 days in advance of any decision with respect to a successor contract.

Internet of Things.—The Committee supports NTIA’s April 6, 2016, Request for Comment in the Federal Register soliciting input on the potential benefits and challenges of technology related to the “Internet of Things” and what role, if any, the U.S. Government should play in this area. The Committee encourages NTIA to continue its consideration of how to appropriately plan for and encourage the proliferation of network connected devices, including soliciting input from: industry stakeholders; subject matter experts; businesses, including small- and medium-sized businesses; consumer groups; and relevant Federal agencies.

FirstNet.—The Committee is supportive of FirstNet continuing a funding agreement with the Department of Commerce’s Inspector General for the purposes of oversight and accountability of FirstNet through the end of fiscal year 2017.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING, AND CONSTRUCTION

The Committee provides bill language allowing the NTIA to continue oversight and administration of previously awarded grants. NTIA shall not use unobligated balances to award new grants.

UNITED STATES PATENT AND TRADEMARK OFFICE

(INCLUDING TRANSFER OF FUNDS)

SALARIES AND EXPENSES

Appropriations, 2016	\$3,272,000,000
Budget estimate, 2017	3,230,000,000
Committee recommendation	3,230,000,000

The Committee’s recommendation provides \$3,230,000,000 for the United States Patent and Trademark Office [USPTO], which is \$42,000,000 below the fiscal year 2016 enacted level and equal to the budget request, to be derived from offsetting fee collections. Since fiscal year 2005, the Committee has refused to divert patent fees to other purposes. This decrease is due to a decrease in patent fee collections.

USPTO examines patent applications, grants patent protection for qualified inventions, and disseminates technological information disclosed in patents. USPTO also examines trademark applications and provides Federal registration to owners of qualified trademarks.

Budget Execution.—The Committee continues to allow USPTO full access to patent and trademark fees and provides bill language allowing USPTO to retain any revenue in excess of appropriated levels.

Transfer to Office of Inspector General.—The Committee provides \$2,000,000 for the Office of Inspector General [OIG] to continue oversight and audits of USPTO operations and budget transparency, and USPTO is directed to work with the Department of Commerce to implement all OIG recommendations.

Reprogramming and Spend Plan.—USPTO shall follow the reprogramming procedures outlined in section 505 of this act before using excess fee collections to forward fund expenses beyond fiscal year 2017. Any deviations from the funding distribution provided

for, including carryover balances, are subject to the standard reprogramming procedures set forth in section 505 of this act. USPTO is directed to provide, as part of the spending plan required in section 533 of this act, all carryover balances from previous fiscal years, and a description of any changes to the patent or trademark fee structure. Any changes from the spending plan shall also be subject to section 505 of this act. USPTO is directed to submit all reprogramming requests, spending plans, and budget justifications to the Committee through the Department of Commerce.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Appropriations, 2016	\$964,000,000
Budget estimate, 2017	1,014,519,000
Committee recommendation	974,000,000

The Committee’s recommendation provides \$974,000,000 for the National Institute of Standards and Technology [NIST]. The recommendation is \$10,000,000 above the fiscal year 2016 enacted level and \$40,519,000 below the budget request. Up to \$9,000,000 may be transferred from the Scientific and Technical Research and Services account to the Working Capital Fund.

NIST’s mission is to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life.

A description of each NIST account and the corresponding Committee recommendation follows in the subsequent three headings.

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$690,000,000
Budget estimate, 2017	730,533,000
Committee recommendation	700,000,000

The Committee’s recommendation provides \$700,000,000 for NIST research and services. The recommendation is \$10,000,000 above the fiscal year 2016 enacted level and \$30,533,000 below the budget request. The Committee requests a detailed spending plan for NIST’s highest priority laboratory programs describing resources used for each program, project, or activity.

The Committee provides \$75,700,000 for cybersecurity activities within NIST, an increase of \$1,500,000 above the fiscal year 2016 level. This includes \$33,000,000 for the National Cybersecurity Center of Excellence [NCCoE], \$4,000,000 for the National Initiative for Cybersecurity Education to address the need for a well-trained cybersecurity workforce, and \$38,700,000 for cybersecurity research and development.

National Cybersecurity Center of Excellence.—The Committee is encouraged by the work conducted to date by the NCCoE and the growing partnerships it is developing with private industry. The NCCoE is a model of collaboration through which the Federal Government, industry, and academia work together to solve daunting cybersecurity challenges. The Committee recommends that NIST continue to work in concert with its public, State, and county part-

ners to encourage co-location of companies involved in NCCoE activities, which will encourage further innovation by leveraging the development of new applications, business use cases, and technology transfer among all stakeholders.

In fiscal year 2016, the Committee directed the NCCoE to absorb the activities and mission of the National Strategy for Trusted Identities in Cyberspace. Not later than 90 days after enactment of this act, the NCCoE shall submit a report to the Committee on how the expanded Center will continue to leverage expertise from both programs to contribute to the greater mission of improving cybersecurity in the public and private sectors.

Cybersecurity Research and Grants.—The Committee encourages DOC to fund multidisciplinary programs of study and research that focus on tackling cybersecurity issues on a global scale. When establishing criteria for external grant funding, consideration should only be given to institutions of higher education, including community colleges, designated by the National Security Agency as Centers of Academic Excellence for Information Assurance Education and Centers for Academic Excellence for Information Assurance Research.

Forensic Science.—The Committee provides no less than the fiscal year 2016 enacted level for the Forensic Science Center of Excellence. The Committee recommends that NIST continue to work in concert with statisticians and researchers in related scientific fields to bring additional scientific resources and expertise to the practice and application of forensic science. Additionally, within funds provided, NIST is encouraged to work with the forensic science community to establish developmental validation standards for forensic science test methodologies.

Disaster Resilient Buildings.—The Committee recognizes the importance of industry and municipal standards to better mitigate the impact of natural disasters and extreme weather events, which can save lives, reduce destruction to property, and enable faster economic recovery. Current building codes often do not provide the necessary protection against natural hazards, particularly with regard to enabling immediate occupancy after a significant earthquake, hurricane, tornado, flood, or other natural disaster. The Committee supports efforts to promote the use of resilient engineering design and construction techniques to improve the resiliency of buildings, homes, and infrastructure, and encourages NIST to partner with academic research institutions and industry stakeholders that have expertise in mitigating the effects of natural disasters to study and recommend best practices for resilient planning and construction.

Of the amounts provided for Disaster Resilient Buildings and Infrastructure, not less than \$5,000,000 shall be distributed through competitive external awards to academic institutions to support the evaluation of potential technologies and architectural design criteria to aid the overall effort for science-based building codes to improve disaster resilience. Additionally, not later than 1 year after the enactment of this act, NIST, in coordination with other relevant agencies and standards development organizations, shall provide to the Committee a plan detailing the basic research, applied research, and implementation activities necessary to develop a new

“immediate occupancy” safety building performance objective for commercial and residential properties, as well as the engineering design principles needed to fulfill this objective.

Helmet Safety.—The Committee is aware of scientific data that demonstrates a correlation between football-related collisions and concussions, as well as other traumatic brain injuries that can lead to debilitating neural diseases such as dementia and chronic traumatic encephalopathy. The Committee encourages NIST to investigate an effective national testing standard to better scientifically understand the inadequacies of football helmets while exploring future product designs that can safely reduce the neural risk of playing football. A number of academic institutions have substantial capabilities and knowledge of these issues and NIST should work cooperatively with the academic community by funding research for advanced helmets and equipment and in developing new testing standards to ensure player safety.

Metals-Based Additive Manufacturing.—The Committee provides up to \$5,000,000 for competitive external grants for academic institutions to support research, development, and workforce training to overcome barriers to high-volume additive manufacturing of metals. While the Committee is aware of recent breakthroughs in metals-based additive manufacturing, major technical barriers still exist to dramatically improving build rates that would enable commercial markets to benefit from high-volume, metals-based additive manufacturing. In addition, NIST is directed to support partnerships and research opportunities with academic institutions in the advanced manufacturing of plastics and polymers and to explore ways to further reduce inefficiencies in the polymer manufacturing and extrusion process.

Biomanufacturing.—The Committee provides NIST’s full requested level for biomanufacturing activities.

Regenerative Medicine Standards.—The Committee recognizes the important role of standards in spurring the discovery and development of new and innovative therapies in regenerative medicine, cell therapy, and gene therapy, and commends NIST’s ongoing work with its Federal partners and the stakeholder community to coordinate development of technical process standards. The Committee directs NIST to continue its work with regenerative medicine, cell therapy, and gene therapy product developers, contract manufacturers, private standard setting bodies, the FDA, and other stakeholders to establish a strategic plan for the successful establishment and launch of a standards coordinating body for regenerative medicine to help develop and disseminate such standards, including a plan for its governance and activities.

Spectrum Challenge Prize.—The Committee encourages NIST, subject to the availability of funds, to conduct prize competitions to dramatically accelerate the development and commercialization of technology that improves spectrum efficiency and is capable of cost-effective deployment. NIST is encouraged to work with the Defense Advanced Research Projects Agency, the Federal Communications Commission, and other relevant Federal agencies to assist in the design of the prize competitions.

Urban Dome Program.—The Committee notes the value of NIST’s Urban Dome program and the importance of accurate meas-

urement science for environmental monitoring and human health, as more than half the world's population is living in urban areas, and this concentration is expected to intensify over the coming decades. The Committee provides no less than the fiscal year 2016 amount for the Office of Special Programs to maintain and expand the number of urban dome locations in fiscal year 2017.

INDUSTRIAL TECHNOLOGY SERVICES

Appropriations, 2016	\$155,000,000
Budget estimate, 2017	188,991,000
Committee recommendation	155,000,000

The Committee provides \$155,000,000 for Industrial Technology Services. The recommendation is equal to the fiscal year 2016 enacted level and \$33,991,000 below the budget request. Supporting the Nation's manufacturers, especially small businesses, is critical to keeping America innovative in a global marketplace.

Hollings Manufacturing Extension Partnership Program [MEP].—The Committee provides \$130,000,000 for MEP. The Committee supports MEP's focus on strengthening the existing network of MEP centers and providing additional support to centers based on the documented performance of the center's activities and the manufacturing capacity of the area served by the center.

MEP Cost Share.—The Committee is aware of concerns regarding the MEP's current cost-share structure. This matter is still being considered by the Committee on Commerce, Science, and Transportation. NIST is directed to expeditiously submit the report mandated by the Committee in fiscal year 2016.

National Network for Manufacturing Innovation.—The Committee provides \$25,000,000 for NIST's activities in the National Network for Manufacturing Innovation [NNMI], to include funding for center establishment and up to \$5,000,000 for coordination activities. NIST shall follow the direction of the Revitalize American Manufacturing and Innovation Act of 2014 (Public Law 113–235), which requires open competition to select the technological focus areas of these industry-driven institutes.

CONSTRUCTION OF RESEARCH FACILITIES

Appropriations, 2016	\$119,000,000
Budget estimate, 2017	94,995,000
Committee recommendation	119,000,000

The Committee provides \$119,000,000 for construction of research facilities. The recommendation is equal to the fiscal year 2016 enacted level and \$24,005,000 above the budget request.

Building 245.—The Committee provides \$60,000,000 for the continued renovation of NIST's radiation physics laboratories. NIST is directed to proceed with an aggressive construction and funding schedule in future budget requests, targeting a completion and occupancy date not later than fiscal year 2023.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$5,765,579,000
Budget estimate, 2017	5,848,243,000
Committee recommendation	5,691,169,000

The Committee’s recommendation provides \$5,691,169,000 for the National Oceanic and Atmospheric Administration [NOAA]. The recommendation is \$74,410,000 below the fiscal year 2016 enacted level and \$157,074,000 below the budget request. The Committee commends the Department for its work to bring down the costs of NOAA’s Procurement, Acquisition, and Construction [PAC] accounts, which have continuously consumed nearly half of NOAA’s budget. These costs were driven primarily by budget overruns and schedule slips in NOAA’s flagship weather satellite programs, which limited the resources available for NOAA’s other mission areas. The decrease in PAC resource needs in fiscal year 2017 reflects the Department’s and the Committee’s concerted efforts to rein in costs of NOAA’s satellite programs and put them on a sustainable path. While overall funding for NOAA is below the fiscal year 2016 level, the reduction in PAC resource needs alleviates the strain on other operations and research areas critical to NOAA’s core mission. This allowed for an increase above the fiscal year 2016 enacted level in NOAA’s Operations, Research, and Facilities accounts.

OPERATIONS, RESEARCH, AND FACILITIES
(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2016	\$3,305,813,000
Budget estimate, 2017	3,494,180,000
Committee recommendation	3,339,376,000

The Committee’s recommendation provides \$3,339,376,000 for NOAA’s operations, research, and facilities. The recommendation is \$33,563,000 above the fiscal year 2016 enacted level and \$154,804,000 below the budget request.

NOAA NATIONAL OCEAN SERVICE

The Committee’s recommendation provides \$522,071,000 for the National Ocean Service [NOS]. NOS programs provide scientific, technical, and management expertise to promote safe navigation; assess the health of coastal and marine resources; respond to natural and human-induced threats; and preserve coastal and ocean environments.

The Committee’s recommendations are displayed in the following table:

NATIONAL OCEAN SERVICE OPERATIONS, RESEARCH, AND FACILITIES
[In thousands of dollars]

	Committee recommendation
Navigation, Observations and Positioning:	
Navigation, Observations and Positioning	149,094
Hydrographic Survey Priorities/Contracts	27,000

NATIONAL OCEAN SERVICE OPERATIONS, RESEARCH, AND FACILITIES—Continued

[In thousands of dollars]

	Committee recommendation
Integrated Ocean Observing System—Regional Observations	31,500
Total, Navigation, Observations and Positioning	207,594
Coastal Science and Assessment:	
Coastal Science, Assessment, Response and Restoration	74,177
Competitive External Research	13,000
Total, Coastal Science and Assessment	87,177
Ocean and Coastal Management and Services:	
Coastal Zone Management and Services	42,500
Coastal Management Grants	85,000
Coral Reef Program	26,100
National Estuarine Research Reserve System	23,900
National Marine Sanctuaries	49,800
Total, Ocean and Coastal Management and Services	227,300
GRAND TOTAL NOS	522,071

Navigation, Observations and Positioning.—The Committee strongly supports activities under Navigation, Observations and Positioning, including the full operational funding for NOAA's Navigation Response Teams. In addition, not more than 5 percent of the funds available for the Hydrographic Surveys and Contracts program may be used for administrative expenses within NOAA.

Hydrographic Survey Backlog.—The Committee continues to be concerned with NOAA's slow progress to reduce the backlog of hydrographic survey work for navigationally significant areas in the U.S. Arctic. Within the amount provided for Hydrographic Survey Priorities/Contracts, NOAA is directed to accelerate the acquisition of survey data and the preparation of navigation charts necessary to minimize the risks associated with increased maritime traffic in the Arctic region.

Geospatial Modeling Grants.—The Committee provides no less than the fiscal year 2016 enacted level, within Navigation, Observations and Positioning to continue the competitive Geospatial Modeling Grants Program for which all funding shall be distributed externally.

Physical Oceanographic Real-Time System [PORTS].—The Committee provides no less than the fiscal year 2016 enacted level for PORTS. The Committee believes these operations, which exist as a partnership between NOAA and local port authorities, provide valuable information for safe vessel navigation and data for weather and coastal monitoring. The Committee encourages NOAA to request funding that reflects the program's full costs, including operations and maintenance as authorized by Hydrographic Services Improvement Act (Public Law 110-386) in future budget submissions.

Hydrographic Research and Technology Development.—The Committee supports the requested level and intended use of funds for Hydrographic Research and Technology Development. The Com-

mittee provides \$2,000,000 above the request for NOAA to designate joint ocean and coastal mapping centers in other areas of the country to be co-located with an institution of higher education as authorized by the Omnibus Public Land Management Act of 2009 (Public Law 111–11). The Committee emphasizes that additional funding is provided for the designation of other joint ocean and coastal mapping centers and therefore should not affect current operations of any existing center.

Marine Sensor Development.—The Committee supports NOAA’s Alliance for Coastal Technologies [ACT] and notes the program’s valuable expertise in marine sensor technology development, and provides no less than \$1,500,000 for ACT within NOS for fiscal year 2017.

Coastal Science, Assessment, Response and Restoration.—Within the funds provided for Coastal Science, Assessment, Response and Restoration, \$2,000,000 shall be for operations and staffing of the Gulf of Mexico Disaster Response Center [DRC]. The DRC shall continue to serve as the Gulf Coast hub for NOAA’s emergency preparedness, response, and recovery operations.

Marine Debris.—The Committee provides \$7,034,000 for NOAA’s Marine Debris Program. The Committee strongly supports ongoing efforts to address marine debris around the country. NOS is encouraged to prioritize marine debris projects in rural and remote communities, as well as projects in urban communities that include removal of abandoned vessels and pilings that harm the ecosystem and hinder recreational fishing. Additionally, due to the pervasive impact marine debris has on coastal waters of the Northern Gulf of Mexico, NOS is encouraged to work with communities in the Northern Gulf to help coordinate marine debris removal from waterways and the ecosystem. Activities under the Marine Debris program should help lead to the development of cost-effective programmatic solutions to address land-generated marine debris in all regions of the country.

Integrated Water Prediction.—Within funding provided for Coastal Zone Management and Services, the Committee provides the full requested increase for NOS to help develop and operate an Integrated Water Prediction program with NOAA’s National Weather Service.

Coastal Management Grants.—The Committee provides \$85,000,000 for Coastal Management Grants. This includes \$70,000,000 for Coastal Zone Management Grants and \$15,000,000 for Regional Coastal Resilience Grants [RCRG], which is \$10,000,000 above the fiscal year 2016 level. NOAA is encouraged to continue developing the RCRG program in coordination with other ocean and coastal funding opportunities to ensure that the broadest array of projects, geographic regions, and research needs for oceans, coasts, and Great Lakes are met. NOAA is also encouraged to prioritize projects that are coordinated between State, Federal, and tribal partners; non-governmental organizations; and academia. However, NOAA may only award these funds to coastal State projects that have written support from the State’s Governor.

As NOAA explores ways to make coastal areas more resilient, NOAA should consider depositing up to \$10,000,000 from the RCRG into the National Oceans and Coastal Security Fund for

grants as authorized in the Consolidated Appropriations Act, 2016 (Public Law 114–113), subject to the reprogramming procedures set forth in section 505 of this act.

Marine National Monuments.—The Committee notes the possibility of an expansion of existing marine national monuments in the Pacific. Should such an expansion occur in calendar year 2016, the Committee directs NOAA to update the report on marine national monuments required in Senate Report 114–66, and provide revised requirements for enforcement, research, management needs, and estimated costs within 120 days of such expansion or enactment of this act, whichever occurs later. In the event of such an expansion, up to \$500,000 of funds provided for National Marine Sanctuaries may be made available for competitive research and management grants for existing marine national monuments administered by NOS, provided such grants are subject to a 100 per cent non-Federal match.

National Estuarine Research Reserve System.—The Committee provides \$23,900,000 for the National Estuarine Research Reserve System [NERRS], which is \$900,000 above the President’s request and the fiscal year 2016 enacted level. NERRS sites provide mixed-use areas that are protected for long-term research, monitoring, education, and coastal stewardship. The program is a positive example of State and Federal partnership.

NERRS Blue Ribbon Panel and Strategic Plan.—The Committee applauds the work of the NERRS Blue Ribbon Panel and directs NOAA to act on its recommendations and complete the strategic plan for the NERRS system short- and long-term buildout. Additionally, NOAA is encouraged to increase its monitoring and research activities with partners through its NERRS, Integrated Ocean Observing System [IOOS], and National Centers for Coastal Ocean Science offices to improve and expand a collective state of the art environmental observing system.

NOAA is further encouraged to work with its NERRS and National Marine Sanctuary partners on efforts for early detection, rapid response, and control of invasive species, especially those that jeopardize endangered or threatened native species.

NOAA NATIONAL MARINE FISHERIES SERVICE

The Committee’s recommendation provides \$854,831,000 for the National Marine Fisheries Service [NMFS]. NMFS programs provide for the management and conservation of the Nation’s living marine resources and their environment, including fish stocks, marine mammals, and endangered species.

Committee recommendations are displayed in the following table:

NATIONAL MARINE FISHERIES SERVICE OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

	Committee recommendation
Protected Resources Science and Management:	
Marine Mammals, Sea Turtles, and Other Species	115,293
Species Recovery Grants	6,500
Atlantic Salmon	6,224

NATIONAL MARINE FISHERIES SERVICE OPERATIONS, RESEARCH, AND FACILITIES—Continued
 [In thousands of dollars]

	Committee recommendation
Pacific Salmon	61,000
Total, Protected Resources Science and Management	189,017
Fisheries Science and Management:	
Fisheries and Ecosystem Science Programs and Services	139,489
Fisheries Data Collections, Surveys and Assessments	163,876
Observers and Training	43,655
Fisheries Management Programs and Services	118,850
Aquaculture	9,300
Salmon Management Activities	31,531
Regional Councils and Fisheries Commissions	34,254
Interjurisdictional Fisheries Grants	3,004
Total, Fisheries Science and Management	543,959
Enforcement	69,331
Habitat Conservation and Restoration	52,524
GRAND TOTAL NMFS	854,831

Marine Mammal Protection.—The Committee supports NMFS’s mission under this activity to monitor, protect, and recover at-risk marine mammal species listed under the Endangered Species Act [ESA] in 2005, but whose populations continue to decline. The Committee encourages NMFS to utilize funding for the protection and recovery of marine mammal species at risk due to factors such as limited prey species, water-borne toxin accumulation, and vessel and sound impacts.

Puget Sound Federal Caucus.—The Committee commends NOAA for signing the Puget Sound Federal Caucus Memorandum of Understanding [MOU] on May 21, 2014. The recovery and cleanup of Puget Sound is essential to our Nation’s economy, and continued coordination and sharing of expertise among Federal partners is critical to furthering current efforts. The Committee encourages NMFS to work with its counterparts in the Puget Sound Federal Caucus to renew and strengthen the MOU prior to its expiration on March 27, 2017.

Hawaiian Monk Seals and Sea Turtles.—Within funding for Marine Mammals, Sea Turtles, and Other Species, the Committee provides NOAA’s full request for Hawaiian Monk Seals and Hawaiian Sea Turtles.

Species Recovery Grants.—The Committee provides \$6,500,000 for species recovery grants. NOAA is encouraged to seek efficiencies by aligning the program with the applicable Take Reduction Plans, as it currently does with the Community Based Restoration Program and Pacific Coast Salmon Recovery Fund.

Prescott Grants.—Within Marine Mammals, Sea Turtles, and Other Species, \$4,000,000 is provided for the John H. Prescott Marine Mammal Rescue Assistance grant program.

Marine Mammal Stranding Network Reimbursements.—The Committee notes that the United States recently reached a settle-

ment with BP and other parties involved in the 2010 Gulf oil spill, and directs NOAA to use a portion of the funding provided under this settlement to reimburse eligible members of NOAA's Marine Mammal Standing Network for legitimate costs associated with stranding activities, including the use of services, personnel, equipment, and facilities provided in response to the 2010 Deepwater Horizon oil spill.

Atlantic Salmon.—NOAA has identified major threats to Atlantic salmon, including interrelated effects of freshwater salmon habitat loss, lost prey buffering, and marine derived nutrients from declines of co-evolved diadromous species. Within funds provided, the Committee directs NOAA to enable a broader use of funds for restoration of diadromous species and habitats that support salmon recovery by providing ecological functions critical to the Atlantic salmon life cycle. The Committee further directs NOAA to ensure that adequate resources continue to be provided for State agencies to implement the recovery strategy effectively.

Pacific Salmon.—Within funding provided for Pacific salmon, NOAA shall consider expanding salmonid monitoring activities, including through the use of tags and acoustic tracking to utilize real-time monitoring to avoid impacts to protected species. NOAA is also encouraged to work with partners to address the backlog of hatchery genetic management plans.

Genetic Stock Identification.—The Committee supports continued research and testing of genetic stock identification [GSI] management techniques in the Pacific salmon fishery to meet the dual purpose of protecting weak and ESA listed stocks, while allowing for sustainable commercial and recreational access to healthy stocks in the wild. NMFS shall continue to support GSI research, including the collection, analysis, and testing of methods that rely on genetics-based data to identify and track the location of federally protected stocks in the wild.

Promote and Develop Fisheries Products and Research Funding Transfer.—The bill maintains the provision restricting the use of the Promote and Develop Fisheries Products and Research funds transferred from the Department of Agriculture to NOAA in a way that better meets the intended purpose of the transfer mandated by the Saltonstall-Kennedy Act. None of the funds may be used for internal NOAA or DOC management, but rather funds may only be used for activities that directly benefit U.S. fisheries and fishery communities. Specifically, these funds may only be used for: cooperative research; annual stock assessments; efforts to improve data collection, including catch monitoring and reporting for commercial, charter, and recreational fisheries; interjurisdictional fisheries grants; and Fisheries Information Networks.

As part of the fiscal year 2017 spending plan, NOAA shall include a clear accounting of how the Promote and Develop transfer funds will be allocated based on the funding criteria described in this bill.

The Committee further directs that not less than 15 percent of the total amount of the transferred funds shall be provided for the competitive Saltonstall-Kennedy Grant program. NOAA shall consult with each Regional Fishery Management Council and the Marine Fisheries Commissions to identify regional funding priorities.

Prior to the expenditure of any of these funds, NOAA shall provide the Committee with a detailed spending plan describing which fisheries activities will be funded in each of the regions and how the plan incorporates regional priorities.

Red Snapper Stock Assessments.—Within the amount provided for Fisheries Data Collections, Surveys, and Assessments, the Committee provides \$5,000,000 for the continued development and implementation of agency-independent and alternative approaches to research and stock assessments of reef fish in the Gulf of Mexico. NOAA shall incorporate this independent fishery data collected on artificial reefs, offshore oil platforms, and any other offshore fixed energy exploration infrastructure directly into the agency's stock assessments for reef fish in the Gulf of Mexico. Furthermore, within funding provided, NOAA shall develop and support a fishery management pilot program that allows States to lead reef fish management activities in designated zones over artificial reefs in the Gulf of Mexico. Not later than 60 days after enactment of this act, NOAA shall report to the Committee on how the pilot program will be implemented.

In addition, if an increase is made to the acceptable biological catch for red snapper in the Gulf of Mexico as a result of the direction provided in this report for stock assessments, the Committee urges NOAA to consider allocating not less than 80 percent of any total above 10 million pounds of quota to the recreational sector. While all sectors have faced challenges in the gulf red snapper fishery, the private boat recreational sector has been especially impacted.

Ecosystem Imbalance.—NOAA shall take into consideration any imbalance in the ecosystem that may be occurring between larger red snapper and other fish species before accepting amendments to existing regulations or implementing new regulations that directly affect red snapper quotas in the Gulf of Mexico.

Epipelagic Apex Predators.—The Committee acknowledges growing evidence that yellowfin tuna and other epipelagic apex predators are aggregating at offshore oil platforms in a similar manner to their more traditional aggregation points. These offshore platforms may alter yellowfin or other epipelagic apex predator movements, diet, diseases, growth, age at maturity, and spawning. However, NOAA lacks fundamental data on how this new association may impact these important species. Within funding provided, NOAA shall continue to examine the impact of offshore oil platforms on the biology of highly migratory species such as yellowfin tuna.

Fisheries Information Networks.—Within funding provided for Fisheries Data Collections, Surveys, and Assessments, \$22,500,000 is provided for Fisheries Information Networks.

Marine Recreational Information Program [MRIP].—The Committee remains concerned about the accuracy of NOAA's stock assessments and estimates due to a lack of data regarding fish abundance on reefs and human-made structures. While the Committee supports NMFS transitioning to an improved method of estimating total recreational catch, such transition must be coupled with improved methods of estimating fish populations. Therefore, no funding is provided to implement the May 5, 2015, MRIP report titled

“Transition Plan for the Fishing Effort Survey” until NMFS stock assessments are sufficiently advanced, including fully accounting for reef fish inhabiting areas of artificial reefs and fixed offshore energy infrastructure. However, funding is provided for NMFS to continue the development process and public outreach regarding MRIP’s transition plan.

Alaska Region Fisheries Personnel Costs.—Not later than 180 days after the date of the enactment of this act, NOAA shall report to the Committee on the costs associated with travel of NMFS personnel to and from research areas in Alaska. The report shall include an analysis of the costs of NOAA employees traveling to and from Alaska to conduct fisheries, marine mammal, and habitat research. The report shall also include a comparison of those costs to the estimated travel costs that would be incurred if the same NMFS personnel were located at the nearest practicable site to their research in Alaska.

Salmon Management Activities.—Within the amount provided for Salmon Management activities, the Committee recommends \$12,000,000 to enable States and tribal communities to implement necessary Pacific Salmon Treaty agreements. The Committee fully supports all other aspects of the budget request for Salmon Management activities that are essential to meeting these treaty obligations. NOAA shall report to the Committee within 45 days of enactment of this act on all fees charged by NOAA from the funding provided for Pacific Salmon Treaty activities. The Committee also provides additional funding above the request to be used for the operation and maintenance of Mitchell Act hatcheries. The Committee encourages NOAA to consider funding for activities to modernize and expand salmonid research, testing, and monitoring through use of genetic stock identification management techniques to improve the protection of federally protected salmonids, while also improving water supply, commercial fishing, and recreational fishing. These activities should include the use of near real-time data to minimize closures of commercial fisheries.

In addition, the Committee notes the number of California Sea Lions in the Columbia River Estuary and their impact on endangered wild salmon survival. NMFS has authorization for the lethal removal of sea lions in accordance with provisions of the Marine Mammal Protection Act, meant to reduce the impacts of sea lion predation on salmon stocks. The Committee encourages NMFS to review the current lethal removal program in order to monitor and assess the impacts of removal efforts on adult spring salmon migration survival within the Columbia River Estuary and to report its findings to Congress.

Fishery Councils and Commissions.—No less than \$34,254,000 is provided to support the Regional Fishery Management Councils, Interstate Marine Fisheries Commissions, and International Fisheries Commissions. All amounts provided by this act for NMFS Regional Councils and Fisheries Commissions, which are above amounts provided in fiscal year 2016, shall be distributed in equal proportion between the Councils and the Interstate Fish Commissions.

Baseline Data for Gulf of Mexico.—The Committee directs NOAA to continue supporting baseline research for fisheries health in the

Gulf of Mexico, including studies of pelagic species. NOAA is encouraged to increase and continue collaborations in the Gulf to establish an integrated and comprehensive ecosystem-level fisheries monitoring enterprise and sentinel species program.

Withheld Data from 2010 Gulf Oil Spill.—The Committee is concerned that NMFS's continued withholding of marine mammal data and samples, which has persisted in spite of the resolution of Federal and State claims against BP for the Deepwater Horizon oil spill in 2010, is preventing the scientific community from conducting vital research in the Gulf of Mexico. The Committee encourages NMFS to quickly and efficiently return marine mammal samples that were taken from Gulf investigators in the aftermath of the spill, lift restrictions on marine mammal carcass sample analyses, and make the restricted data public for independent analyses by experts in the field so that the free exchange of scientific information may resume.

Charter Vessels.—To help improve the quality and abundance of fishery data used for stock assessments, the Committee continues to encourage NOAA to expand the agency's activities in chartering commercial fishing vessels to serve as research and fishery survey vessels. Increasing these charter opportunities will enlarge the geographically diverse data collection for broad fish populations and enhance numerous ocean research programs. Other parts of NOAA, including the National Ocean Service and the Office of Oceanic and Atmospheric Research line offices, are also encouraged to charter commercial fishing vessels, when appropriate, to augment ongoing survey and research activities.

Bycatch Reduction.—The development and implementation of practical bycatch solutions is a priority for U.S. and international fisheries management and protected species conservation. The Committee supports the requested amount for Reducing Bycatch, of which NMFS is directed to make \$2,500,000 available for competitive grants to non-Federal researchers working with U.S. fishermen on the development of improved fishing practices and innovative gear technologies.

At-Sea Monitoring.—The Committee recognizes NMFS's responsibility to satisfy the observer coverage standards of the Standardized Bycatch Reporting Methodology [SBRM], but is very concerned by the impacts of NMFS's decision to fund such activities by decreasing funding for at-sea monitoring in fiscal year 2016. NMFS's decision came as a surprise to fishermen and communities and negatively disrupted the Northeast groundfish fishery in the middle of the season. Therefore, NMFS shall work with the New England Fishery Management Council to find a resolution to the disruption and hardship caused by this funding decision. The Committee reminds NMFS that future direction from this Committee and Congress should be treated as a priority and followed accordingly.

Observers and Training.—Since fiscal year 2012, the Committee has directed NMFS to provide adequate funding for at-sea and dockside monitoring for all fisheries with approved catch share management plans, including those catch share management plans that impose observer coverage for new or expanded fishing opportunities. The Committee is aware that implementation of some management programs continues to present substantial financial chal-

lenges to the participants as well as to the economic sustainability of those fisheries and fishing communities. Given these ongoing problems, the Committee encourages NMFS to continue working with regional fishery programs to identify adequate support for at-sea and dockside monitoring for fisheries with approved catch share management plans. Recognizing the financial challenges facing participants, including those in the Northeast Multispecies fishery sector management program, the Committee also directs NMFS to work with the regional fishery programs on a transition plan to an at-sea and dockside monitoring program that is more cost effective, accurate, and commensurate with the ex-vessel value.

Electronic Monitoring and Reporting.—Within Fisheries Ecosystem Science Programs and Services, the Committee provides NMFS's full request for Electronic Monitoring and Electronic Reporting [EM/ER] to support the development, testing, and installation of EM/ER technologies across the country. The Committee recognizes that advancements in EM/ER have the potential to cut costs and improve data collection for most U.S. fisheries. NMFS is directed to prioritize EM/ER implementation in fiscal year 2017, and expedite to the fullest extent practicable the transition to full EM/ER. Within the funds provided for these activities, not less than \$3,000,000 shall be available, in accordance with 16 U.S.C. 3701, for collaborative partnerships that include non-Federal matching funds to implement cost-shared EM/ER programs that support fisheries conservation and management. During the development and implementation of electronic reporting and monitoring programs, NOAA shall consult directly with industry and work through the Fishery Management Councils (established under sections 1851 and 1852 of title 16) to develop appropriate cost-sharing arrangements that are commensurate with the ex-vessel value of the fishery.

Furthermore, NMFS shall continue to work in fiscal year 2017 with the charter for-hire recreational fishery fleet in the Gulf of Mexico; the Northeast Multispecies/groundfish fishery fleet, including small vessels within that fleet; and any regional fishery fleet interested in implementing EM/ER technologies to better track information that is currently collected through the use of human observers. The Committee is aware that the New England Fishery Management Council has been working with NMFS to begin the transition to electronic monitoring systems. NMFS is directed to expedite this effort and to explore innovative ways to make such systems cost-effective for the fishery. NOAA shall report to the Committee within 90 days of the enactment of this act on the progress of this implementation in New England and work that remains to be done to provide an affordable monitoring system in the fishery.

EM/ER Central Repository and Cost Estimations.—NOAA shall consider developing a central repository for EM/ER documentation and information sharing to facilitate regional access to complete, organized, and accurate information. NOAA shall also consider developing an EM/ER cost estimation template, to include all necessary cost components, which shall be shared with regions and Fishery Management Councils and used to determine further deployment of EM/ER technologies.

Small Fixed-Gear Boats.—The Committee recognizes the importance of utilizing currently available technologies on small fixed-gear boats to improve fisheries management. Within funding provided for EM/ER, NMFS shall provide an adequate amount for the installation of currently available electronic monitoring systems to continue the development of workable alternatives to address catch or discard data needs.

Illegal, Unreported, and Unregulated [IUU] Fishing.—The Committee provides the requested increase of \$1,556,000 under Fisheries Management Programs and Services to combat IUU fishing. NOAA is encouraged to continue strengthening its efforts to detect and deter illegally harvested and improperly-documented seafood, including working with other U.S., international, and foreign agencies to ensure fair competition for our country's domestic fishermen and safety for American consumers.

Regional Pilots in Sustainable Aquaculture.—The Committee notes that more than ninety percent of seafood consumed in the United States is imported, that more than half of imported seafood is from overseas aquaculture, and that, while possessing the largest exclusive economic zone in the world, the United States ranks only fifteenth in aquaculture production. To address this major lost opportunity for job creation in coastal communities and to encourage the development of a domestic seafood supply, the NMFS Aquaculture Office is directed to conduct regional pilot programs for partnerships between the seafood industry and community partners that can develop, validate, and deploy economically and environmentally sustainable aquatic farming techniques and regional business practices to grow U.S. domestic seafood production. To maximize the impact of these pilot grants, NMFS is encouraged to give priority consideration to promising but less commercially developed technologies, such as those targeting shellfish, seaweed, and other relative newcomers to the domestic aquaculture industry. \$2,000,000 is included in NMFS Aquaculture budget for this purpose. This funding is in addition to the laboratory funding for NOAA's fisheries science centers engaged in aquaculture research, which shall be funded at no less than the fiscal year 2016 enacted level.

Aquaculture Activities at Fisheries Science Centers.—The Committee is concerned by reports that NMFS fisheries science centers are cutting resources and staff positions dedicated to aquaculture research. NOAA is expected to maintain viable financial and personnel resources at the Northeast and Northwest Fisheries Science Centers, including refraining from cutting aquaculture funding or staff resources and expeditiously filling open positions. Not later than 90 days after enactment of this act, NOAA shall provide a report to the Committee outlining how it plans to prioritize and leverage aquaculture research at the Northeast and Northwest Fisheries Science Centers.

Oyster Aquaculture, Research, and Restoration.—Within the increased funds provided for NMFS Aquaculture, the Committee provides not less than \$1,000,000 to support ongoing research in off-bottom oyster production in coastal areas, particularly those new to this method of production, including the Gulf of Mexico, and en-

courages NMFS to dedicate resources for further research in oyster genetics, disease, and economic modeling.

In addition, the Committee recognizes that the shellfish farming industry is composed of thousands of small farmers who are unable to fund critical research in the fields of shellfish disease, food safety, warming waters, and ocean acidification. To improve coordination and consistency, the Committee directs NMFS Aquaculture to engage and partner with industry, academic institutions, and States to conduct collaborative research to address the challenges facing this growing industry.

Furthermore, the Committee continues to encourage NOAA to work with its State and non-Federal partners to consider supporting oyster shell recycling programs as part of the agency's competitive external funding opportunities for habitat restoration projects.

Cooperative Research.—Depleted fish stocks result in significant economic losses to our Nation. At a time when fishing opportunities are constrained by uncertainty in stock assessments, and increased access to healthy stocks depends on better data, the Committee believes that maintenance of ongoing monitoring programs and surveys is critical. The Committee encourages the National Marine Fisheries Service to continue to prioritize long-time series surveys that are conducted cooperatively with industry and States. In addition, the Northeast Fisheries Science Center is directed to work collaboratively with the fishing industry to update and publish the Northeast Cooperative Research Strategic Plan, including: the identification of science priorities; a process for greater involvement of fishermen in data collection; and better communication of how the results of cooperative fisheries research are used.

Horseshoe Crab Survey.—The Committee remains concerned about the inability to estimate the abundance of the mid-Atlantic horseshoe crab population. Adequate data is required to ensure state and interstate managers can effectively manage the stock, which is important to the biomedical and commercial fishing industries, as well as to the ecology of the mid-Atlantic region. The Committee encourages NMFS to continue this important survey to generate the data necessary to ensure the mid-Atlantic horseshoe crab stock remains on a sustainable path.

Seafood Reporting.—The United States leads the world in responsibly managed fisheries and aquaculture, and the Committee supports NOAA's activities to inform consumers about our Nation's sustainable fisheries through the agency's FishWatch program. However, the Committee is concerned that the exclusive use or recognition of third-party certifications for seafood sustainability by the Department could have unintended consequences for various domestic fisheries. The Committee acknowledges that some U.S. fisheries voluntarily utilize third-party seafood sustainability certification schemes, but believes it is not the Department's role to adopt such certification schemes when doing so could result in the Department arbitrarily influencing the U.S. domestic seafood market. The Committee believes support for third-party certifications is best presented in non-governmental forums. Therefore, the Committee directs the Department not to adopt, use, or promote any third-party certification scheme for seafood sustainability but to in-

stead continue providing consumers with independent and accountable information generated from within the Department.

Habitat Conservation and Restoration.—The Committee provides \$52,524,000 for Habitat Conservation and Restoration activities. The Committee adopts the proposal to move Coastal Ecosystem Resiliency Grants, funded at \$10,000,000 in fiscal year 2016, into the National Ocean Service’s Regional Coastal Resilience Grant program. Therefore, the fiscal year 2017 funding level for Habitat Conservation and Restoration is effectively an increase of \$1,116,000 for these programs. Within the amount provided, NOAA is encouraged to include funding for the multi-year Habitat Blueprint Focus Area partnership agreements developed under the Habitat Blueprint initiative. The Committee encourages NOAA to include a broader ecosystem-based management philosophy; expand criteria to include recreational species, managed commercial species, and forage species; and prioritize proposals that engage local communities. NOAA should continue to emphasize the value of partnerships when evaluating grant applications.

NOAA OCEANIC AND ATMOSPHERIC RESEARCH

The Committee’s recommendation provides \$451,878,000 for Oceanic and Atmospheric Research [OAR]. OAR programs provide environmental research and technology needed to improve NOAA weather forecasts, climate predictions, and marine services. To accomplish these goals, OAR supports a network of scientists in its Federal research laboratories, universities, and joint institutes and partnership programs.

Committee recommendations are displayed in the following table:

OCEANIC AND ATMOSPHERIC RESEARCH OPERATIONS, RESEARCH AND FACILITIES

[In thousands of dollars]

	Committee recommendation
Climate Research:	
Laboratories and Cooperative Institutes	60,000
Regional Climate Data and Information	38,000
Climate Competitive Research	60,000
Total, Climate Research	158,000
Weather and Air Chemistry Research Programs:	
Laboratories and Cooperative Institutes	72,653
U.S. Weather Research Program	12,600
Tornado Severe Storm Research/Phased Array Radar	13,158
Total, Weather and Air Chemistry Research	98,411
Ocean, Coastal and Great Lakes Research:	
Laboratories and Cooperative Institutes	32,000
National Sea Grant College Program	64,000
Marine Aquaculture Research	10,000
Sustained Ocean Observations and Monitoring	41,823
Integrated Ocean Acidification	13,500
Ocean Exploration	20,000
Total, Ocean, Coastal and Great Lakes Research	181,323

OCEANIC AND ATMOSPHERIC RESEARCH OPERATIONS, RESEARCH AND FACILITIES—Continued
 [In thousands of dollars]

	Committee recommendation
High Performance Computing Initiatives	12,144
Research Transition Acceleration Program	2,000
GRAND TOTAL OAR	451,878

Laboratories and Cooperative Institutes.—The Committee recognizes the significant roles Laboratories and Cooperative Institutes play in fulfilling the mission requirements of NOAA. In order to strengthen the state of science within NOAA’s mission scope and create advantages in new scientific knowledge, NOAA must continue to support new technologies and improved services for coastal communities and the Nation. Therefore, the Committee provides \$4,611,000 above the budget request for Ocean, Coastal and Great Lakes Research Laboratories and Cooperative Institutes and expects the administration to fully fund cooperative institutes at appropriate levels in future years, including those currently supporting NOAA’s coastal resilience mission. The Committee strongly supports well-established institutes, including those focused on watershed effects on marine ecosystems, remote sensing, and long-term monitoring of oil spill impacts on marine ecosystem health. Additionally, as part of its “Cooperative Institutes in the 21st Century” [CI21] initiative, the Committee directs NOAA to consider how additional ocean and coastal Cooperative Institutes could support NOAA’s mission objectives, including those related to coastal resilience and other key research priorities, and shall update its CI21 report with guidance explaining how new research institutions can partner with NOAA scientists to expand the Cooperative Institute network in future years. Additionally, the Committee supports the budget request for ice cover activities within OAR’s cooperative institutes, which are important to various Great Lakes stakeholders, including the fishing industry, the commercial shipping industry, and the U.S. Coast Guard, which has a statutory icebreaking mission in the Great Lakes.

Autonomous Glider Demonstration.—The Committee rejects OAR’s proposed decrease to reduce support for an Autonomous Underwater Vehicle demonstration. Instead, OAR is directed to demonstrate how an autonomous ocean glider could address critical gaps in NOAA’s physical, chemical, biological, and other observational needs, particularly those observational needs of NOAA’s IOOS program.

Climate Research.—The Committee provides the requested level for supporting and expanding the National Integrated Drought Information System, including the Regional Drought Early Warning Information System.

Multi-Function Phased Array Radar [MPAR] Program.—The Committee recognizes the importance of the MPAR program in the development and implementation of the next generation weather and aircraft radar surveillance network. The Committee directs NOAA to maintain its leadership in the MPAR research and devel-

opment effort and encourages continued work on a Memorandum of Understanding between NOAA, the Federal Aviation Administration, the Department of Defense, and the Department of Homeland Security that delineates each agency's or Department's needs regarding the function and timeline of a joint MPAR system.

Vortex-Southeast [Vortex-SE].—The southeast United States commonly experiences devastating tornadoes under variables and conditions that differ considerably from the Midwest, where tornado research has historically been focused. Within funds provided for Weather and Air Chemistry Research Programs, up to \$5,000,000 is provided for OAR to continue collaborating with the National Science Foundation's Vortex-SE initiative to better understand how environmental factors that are characteristic of the southeast United States affect the formation, intensity, and storm path of tornadoes for this region.

Airborne Phased Array Radar [APAR].—Within funding for NOAA's U.S. Weather Research Program, an increase of \$4,642,000 is provided to research and develop aircraft-based hazardous weather observing systems, such as APAR. NOAA shall coordinate these research and development activities with the National Science Foundation.

Infrasonic Weather Monitoring Research.—Within funding provided for the U.S. Weather Research Program, the Committee provides up to \$500,000 to support external research opportunities with academic institutions in infrasonic monitoring methods of violent weather. The Committee believes that advanced infrasound signal processing methodologies and studies, deployed through a network of infrasound arrays to detect tornadoes and hurricanes, have the potential to improve forecast accuracy.

National Sea Grant College Program.—The Committee rejects NOAA's requested decrease to the National Sea Grant Program. Within funds provided, NOAA is encouraged to leverage resources and pursue partnerships with Sea Grant universities and other Federal agencies to carry out aquatic animal health monitoring and research. This effort contributes to Sea Grant's and NOAA's broader mission of providing services to enhance coastal community resilience. Further, NOAA is directed to continue its partnership with academic programs that provide legal expertise related to the missions of the program and NOAA.

Sea Grant funding should support key focus areas in the program's strategic plan, including healthy coastal ecosystems, sustainable fisheries and aquaculture, resilient communities and economies, environmental literacy, and workforce development. The Committee directs NOAA to continue funding all Sea Grant STEM education and fellowship programs.

Fisheries-Related Research.—The Committee remains concerned about the negative impacts of the short recreational fishing season for red snapper in the Gulf of Mexico. Additional data sources and assessment approaches would be beneficial and should be pursued by entities other than NOAA's regulating line office, NMFS. Therefore, the Committee provides up to the fiscal year 2016 level within Sea Grant to research and develop alternative approaches to data collection and analysis.

Aquaculture Research.—The Committee provides \$10,000,000 for marine aquaculture research. NOAA is directed to support marine aquaculture research and development in partnership with universities. Similar research efforts have led to beneficial outcomes such as the development and commercialization of new technologies to meet the domestic demand for warm water marine seafood, including finfish, shrimp, and oysters.

Ocean Exploration.—The Committee directs NOAA to use a portion of the funding provided for Ocean Exploration to make competitive external awards to institutions that have partnered with OAR’s Ocean Exploration program in the past. This includes those institutions with ocean-going assets, such as Autonomous Underwater Vehicles, to support new exploration missions, expeditions, and deep-sea research in the Gulf of Mexico. Furthermore, NOAA is encouraged to continue fundamental ocean exploration in which open source data are collected for the oceanographic community and private industries in real-time through telepresence technology.

Furthermore, NOAA’s ocean exploration program should continue fundamental exploration and surveys with primary focus on America’s Exclusive Economic Zones of the Continental United States, Alaska, Puerto Rico, Hawaii, the U.S. Virgin Islands and the Pacific Territories. The Committee encourages NOAA to emphasize areas for exploration that may be of interest to NOAA laboratories including unique deep water regions, and to consider collaborating with international partners when practicable.

Research Transition Acceleration Program [RTAP].—The Committee provides \$2,000,000 for NOAA to establish RTAP within OAR, to identify, prioritize, and fund the transition of the most promising research into operations, applications, and commercialization. However, no funding within RTAP shall be used to support transitioning research that is not directly related to NOAA’s core mission areas. Furthermore, NOAA shall look for ways to leverage funding in existing research lines to accelerate any research-to-operations transition under RTAP.

NOAA NATIONAL WEATHER SERVICE

The Committee’s recommendation provides \$991,264,000 for the National Weather Service [NWS]. NWS programs provide timely and accurate meteorologic, hydrologic, and oceanographic warnings and forecasts to ensure the safety of the population, mitigate property losses, and improve the economic productivity of the Nation. NWS is also responsible for issuing operational climate forecasts for the United States. The Committee has made saving lives and livelihoods through accurate weather forecasting a priority.

The Committee’s recommendations are displayed in the following table:

NATIONAL WEATHER SERVICE OPERATIONS, RESEARCH, AND FACILITIES
[In thousands of dollars]

	Committee recommendation
Observations	217,363
Central Processing	92,790

NATIONAL WEATHER SERVICE OPERATIONS, RESEARCH, AND FACILITIES—Continued
 [In thousands of dollars]

	Committee recommendation
Analyze, Forecast, and Support	497,810
Dissemination	46,743
Science and Technology Integration	136,558
GRAND TOTAL NWS	991,264

Information Technology Officers.—The Committee continues to support cost savings and steps to improve efficiency at NWS. However, NWS’s proposal to consolidate Information Technology Officer [ITO] positions at the agency’s regional weather forecast offices, including the plan laid out in the March 2016 report titled “Evolving Information Technology Service Delivery at NWS Field Offices,” comes before a comprehensive review of NWS operations has been completed. While the March plan is helpful in clarifying both the intent and proposed execution of the ITO consolidation, any move to consolidate these positions at this time would be premature. However, the Committee is pleased that NWS is engaged in a comprehensive, third-party review of its long-term operations and workforce needs, and looks forward to the results of this full, NWS-wide workforce assessment.

Although the proposal to consolidate 122 field ITO positions is not approved, NWS is invited to submit a proposal in its 2017 spending plan for a single pilot Regional Enterprise Application Development and Integration [READI] team comprised of volunteer ITOs. The successes and challenges of the pilot READI team project will assist the Committee in evaluating the larger consolidation proposal if resubmitted in future fiscal years.

National Data Buoy Center [NDBC].—The Committee provides sufficient funding to maintain, at a minimum, NDBC operations at 80 percent data availability. The Committee encourages NOAA to provide adequate funding to support maintenance and service of the Tropical Atmosphere/Ocean Array [TAO] and Deep Ocean Assessment and Reporting of Tsunamis [DART] array across the equatorial Pacific. In addition, not later than 180 days after enactment of this act, NOAA shall provide a report to the Committee detailing the resources necessary to properly maintain and operate the coastal weather buoy system in areas off the coast of Alaska and in the Arctic Ocean. The report shall include the identification of gaps in Arctic weather and sea ice observing networks in U.S. territories of the Arctic Ocean. The Committee directs NOAA to include a schedule to restore existing data buoy operability and its strategy to minimize outages in the future as part of the agency’s spending plan.

National Water Center.—The Committee provides no less than \$14,750,000, which is equal to NOAA’s requested amount, for operations and staffing of the National Water Center [NWC] to develop and operate the Integrated Water Prediction [IWP] program. NWS shall leverage this funding with resources provided to NOS for IWP. The NWC will serve as the first ever clearinghouse for research and operational forecasting of all water-related issues facing

our Nation, including: severe floods, storm surge, droughts, and water quality, among others. Given the importance of the NWC to better protect lives and property of our Nation's citizens, NOAA is directed to expedite staffing and operations at the Center to achieve full operating capability as soon as possible. The Committee directs NOAA to provide a report no less than 45 days after enactment of this act with an updated staffing plan that includes an update on commitments from partner agencies and a timeline for accomplishing operational readiness in the first quarter of fiscal year 2017.

National Tsunami Hazard Mitigation Program [NTHMP].—The Committee rejects NOAA's proposal to terminate funding for tsunami preparedness within the NTHMP, and instead instructs the Agency to maintain funding at the fiscal year 2016 level and to strengthen the NTHMP in accordance with the 2011 evaluation by the National Academy of Sciences.

Consumer Option for an Alternative System To Allocate Losses [COASTAL] Act Implementation.—Within funding provided for Science and Technology Integration, the Committee provides not less than \$5,000,000 for the continued development and implementation of the COASTAL Act, which was included in the Flood Insurance Reform and Modernization Act of 2012 (Public Law 112-141). The Committee supports NOAA's work to assist homeowners impacted by destructive winds and storm surges associated with hurricanes and super-storms. The Committee directs NOAA to continue to leverage existing Federal assets, expertise, and partnerships in carrying out COASTAL Act activities. Furthermore, NOAA is directed to provide the Committee with updates every 6 months on progress made and challenges related to implementation, as well as any proposed solutions.

National Mesonet Program.—The Committee provides \$19,000,000 for the continuation and expansion of the National Mesonet Program. Funds should be made available through a competitive weather data procurement that sustains coverage of areas currently included within the national mesonet, as well as an expansion of coverage in high risk areas. NOAA is also encouraged to add new observations such as total lightning data, regional aircraft observations, and vertical column measurements in tornado-prone areas. Additionally, within funds provided, NOAA is encouraged to incorporate state mesonet data into the national mesonet network. NOAA should require that awardees provide mesonet data in formats that can be integrated by NWS for use in forecasts and severe weather alerts. Of the funds provided, up to \$500,000 may be used for Meteorological Assimilation Data Ingest System [MADIS] activities, and up to \$500,000 may be used for costs associated with the National Mesonet Program Office. The Committee views the national mesonet as an important component of any effort to effectively develop a "Weather-Ready Nation" and expects that future NOAA budget requests will continue to reflect it as a priority.

NOAA NATIONAL ENVIRONMENTAL SATELLITE, DATA AND
INFORMATION SERVICE

The Committee's recommendation provides \$198,884,000 for National Environmental Satellite, Data and Information Service [NESDIS] operations. NESDIS programs operate environmental polar-orbiting and geostationary satellites and collect and archive global environmental data and information for distribution to users in commerce, industry, agriculture, science and engineering, the general public, and Federal, State, and local agencies.

The Committee's recommendations are displayed in the following table:

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE OPERATIONS, RESEARCH,
AND FACILITIES
[In thousands of dollars]

	Committee recommendation
Environmental Satellite Observing Systems:	
Office of Satellite and Product Operations	107,008
Product Development, Readiness & Application	27,014
Commercial Remote Sensing Licensing & Enforcement	2,065
Office of Space Commercialization	2,000
Group on Earth Observations [GEO]	500
Total, Environmental Satellite Observing Systems	138,587
National Environmental Information Office	60,297
GRAND TOTAL NESDIS	198,884

National Environmental Information Office.—The Committee recommends \$60,297,000 for the National Environmental Information Office [NEIO], which is a new office that consolidates several programs previously funded separately. While the Committee supports the updated budget structure for NESDIS, it is essential to ensure that key programs continue to receive adequate funding. Specifically, the Committee provides not less than the fiscal year 2016 enacted levels of \$6,000,000 for Regional Climate Services, \$3,650,000 for Regional Climate Centers, and \$4,567,000 for Coastal Data Development. Within NEIO, the Committee encourages NOAA to fully support critical international partnerships, including the Global Climate Observing System.

NOAA MISSION SUPPORT

The Committee's recommendation provides \$256,981,000 for NOAA's mission support activities. These programs provide for overall NOAA management, including staffing of the Under Secretary's office and services to NOAA and DOC field offices through the regional Administrative Support Centers. These programs also support NOAA's Education Office consistent with the recommendations of the Joint Ocean Commission. The facilities subactivity provides for repair and maintenance to existing facilities, planning and design, and environmental compliance.

Committee recommendations are displayed in the following table:

PROGRAM SUPPORT OPERATIONS, RESEARCH, AND FACILITIES
[In thousands of dollars]

	Committee recommendation
Corporate Services:	
Executive Leadership	27,000
Mission Services Management	150,000
IT Security	10,050
Payment to DOC Working Capital Fund	43,000
Total, Corporate Services	230,050
NOAA Education Program	26,931
GRAND TOTAL, MISSION SUPPORT	256,981

Corporate Services.—Within the increased funds provided for Corporate Services, NOAA is directed to focus on restoring the functionality of its Workforce Management Office and Acquisition and Grant Services.

Education.—Within the funds provided for NOAA’s Education Program, \$5,000,000 is for competitive educational grants, which includes continued support for Environmental Literacy Grants and for improving geographic literacy; \$14,431,000 is for the Educational Partnership Program with minority-serving institutions; and \$7,500,000 is for Bay-Watershed Education and Training regional programs.

NOAA Leases.—While the Committee is supportive of increasing funding for the NOAA Weather Radio network in this bill to assist with the cost of its tower agreements, the Committee has previously raised concerns about the agency’s large amount of real property commercial leases. Without a clear understanding of the extent of its holdover leases, NOAA may be unable to budget for liabilities created by the termination of these holdover leases, which, in turn, could cause Antideficiency Act violations. To fully account for the potential budgetary impact of its holdover leases, NOAA shall: ensure that it understands the extent of its lease holdover issues; that it maintains complete and accurate records on owned and leased property; and that it provides these records to the Committee and the OIG upon request.

Responsiveness to Congress.—The Committee notes that NOAA often fails to respond in a timely manner to inquiries from Congress. Letters from members have gone unanswered and repeated requests for drafting assistance have been ignored. Congress plays an important role in the oversight of NOAA, and the Committee directs the agency to be responsive to congressional inquiries.

Outstanding Loan Balances.—The Committee encourages NOAA and its respective line offices to work with communities and businesses, on a case-by-case basis, to resolve outstanding balances in a manner that considers the borrower’s current financial ability but remains fair to American taxpayers.

NOAA OFFICE OF MARINE AND AVIATION OPERATIONS

The Committee's recommendation provides \$211,131,000 for NOAA's marine and aviation operations. The Office of Marine and Aviation Operations provides aircraft and marine data acquisition, repair, and maintenance of the existing fleet; planning of future modernization; and technical and management support for NOAA-wide activities through the NOAA Commissioned Officer Corps.

OFFICE OF MARINE AND AVIATION OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

	Committee recommendation
Marine Operations and Maintenance	178,838
Aviation Operations	32,293
GRAND TOTAL, OMAO	211,131

Capital Assets.—Any decisions related to laying up any vessels, grounding any aircraft, or decommissioning any capital asset are subject to the standard reprogramming procedures set forth in section 505 of this act. Any changes from the spending plan shall also be subject to section 505 of this act. NOAA shall continue to provide the Committee with a monthly operational status of the fleet and aircraft. NOAA is further directed to provide the Committee with updated long-term management and acquisition plans for the fleet and aircraft within 60 days of enactment of this act.

Aviation Operations.—In February 2016, MacDill Air Force Base formally notified NOAA that the Aircraft Operations Center [AOC] must vacate their hanger facilities by July 2017. AOC's aircraft play a critical role in the Nation's hurricane forecasting capabilities. The Committee is aware that NOAA is seeking a short term lease at another airport within a 50 mile radius of its current location so as to help mitigate any impacts a sudden move could have on operations during the 2017 hurricane season and to provide more reliable accommodations for the next few years. While the Committee fully supports NOAA's near term plans, the Committee views such arrangements as temporary. Soon after NOAA settles into the new short-term lease agreement, the Committee directs the agency to embark on a comprehensive plan to find a permanent, cost-effective home for AOC in the Gulf Coast region, potentially co-located with a Federal partner that can meet NOAA's operational needs.

NOAA PROCUREMENT, ACQUISITION, AND CONSTRUCTION

Appropriations, 2016	\$2,400,416,000
Budget estimate, 2017	2,270,123,000
Committee recommendation	2,286,853,000

The Committee's recommendation provides \$2,286,853,000 for NOAA's procurement, acquisition, and construction. The recommendation is \$113,563,000 below the fiscal year 2016 enacted level and \$16,730,000 above the budget request.

Committee recommendations are displayed in the following table:

PROCUREMENT, ACQUISITION AND CONSTRUCTION

[In thousands of dollars]

	Committee recommendation
National Ocean Service:	
National Estuarine Research Reserve Construction	1,700
Marine Sanctuaries Construction/Acquisition	2,000
Total National Ocean Service—PAC	3,700
Ocean and Atmospheric Research:	
Research Super Computing	28,379
National Weather Service:	
Observations	32,755
Central Processing	67,761
Dissemination	34,619
WFO Construction	8,650
Total, National Weather Service—PAC	143,785
National Environmental Satellite, Data and Information Services:	
Geostationary Systems [GOES-R]	752,784
Joint Polar Satellite System [JPSS]	787,246
Polar Follow-on	383,000
CDARS	500
DSCOVR	3,745
Space Weather Follow-on	7,500
COSMIC-2	8,100
Satellite Ground Services	54,000
System Architecture and Advanced Planning	3,929
Projects, Planning, and Analysis	25,200
Satellite CDA Facility	2,228
Commercial Weather Data Pilot	3,000
Total, NESDIS—PAC	2,031,232
Mission Support:	
NOAA Construction	6,057
Total, Mission Support—PAC	6,057
Office of Marine and Aviation Operations:	
Vessel Equip. and Tech Refresh	11,700
New Vessel Construction	75,000
Total, OMAO—PAC	86,700
Unobligated balances from prior years	- 13,000
GRAND TOTAL, PAC	2,286,853

National Estuarine Research Reserve Construction.—The Committee remains concerned about the increased costs and lack of transparency associated with certain third-party green building rating systems. The use of certain green building standards can arbitrarily discriminate against domestic building materials such as wood that could be locally sourced, thereby increasing costs to taxpayers without significant benefits in energy and water savings. The Committee again directs NOAA to use funding provided for NERR Construction subject only to green building rating systems or standards that are voluntary consensus standards; have achieved American National Standard Institute [ANSI] Designa-

tion; or were developed by an ANSI Audited Designator, and take into consideration the environmental and economic benefits of building materials through lifecycle analysis. Not later than 90 days after enactment of this act, NOAA shall notify the Committee on any new, existing, or planned construction projects at NERRS sites that receive accreditation for energy savings from a third-party green building rating system.

High Performance Computing.—The Committee recognizes NOAA's high performance computing needs and its current limitations on providing high fidelity results in near real-time. Within funding provided for OAR Research Supercomputing, up to \$8,000,000 shall be used to develop a dedicated high performance computing facility in collaboration with partners with existing high performance computing expertise and scientific synergies. This facility shall be used in part to research improved weather modeling capabilities.

NWS Observations.—The Committee provides NOAA's full request for Observations under NWS PAC, which includes the full requested increase for the Automated Surface Observing System and Next Generation Weather Radar Service Life Extension Programs.

Integrated Water Prediction [IWP].—The Committee provides NOAA's full request for Central Processing under NWS PAC, which includes not less than the requested amount of \$4,500,000 to procure operational high performance computing resources to enable modeling improvements associated with the IWP initiative.

Weather Satellites.—The Committee provides full funding for the continued procurement and acquisition of the Joint Polar Satellite System [JPSS] and the Geostationary Operational Environmental Satellite R-series [GOES-R], NOAA's flagship weather satellite programs. NOAA is directed to prioritize satellite programs directly related to weather forecasting and that result in the greatest reduction of risk to lives and property. Keeping JPSS and GOES-R programs on budget and on schedule is critical, as is maintaining their respective cost controls, particularly when NOAA's satellite missions continue to dominate the agency's annual budget requirements. The Committee reiterates its previous direction to NOAA to find savings from operating expenses and to reduce duplicative Government overhead shared with the National Aeronautics and Space Administration.

Polar Follow-On.—The Committee provides \$383,000,000 for the Polar Follow-On mission. Ensuring a risk-averse and robust continuation of polar orbiting weather satellites is essential to avoid gaps in the data that is required for accurate weather forecasting. The Committee is still awaiting an Independent Cost Estimate [ICE] directed for the Polar Follow-on program in fiscal year 2016. Not later than 45 days following enactment of this act, NOAA shall provide detailed results from the ICE analysis to the Committee, including a comparison to the agency's internal estimate of the program's life-cycle cost.

Jason-3.—The Committee strongly supports the Jason-3 mission, which after months of delay successfully launched in January 2016. The Jason-3 mission will support national and international users of sea surface height measurements, and allow the NWS to more accurately forecast the strength of tropical cyclones that

threaten U.S. coastal communities. Now that Jason-3 has launched, the Committee expects any associated analysis and processing to be accounted for within NESDIS ORF.

Space Weather Follow-on.—The Committee provides \$7,500,000, an increase of \$6,300,000 above the fiscal year 2016 level, for space weather follow-on activities. Funds should be used to accelerate the development of advanced technologies and an architecture study for a series of space weather follow-on flight missions that implement the National Space Weather Strategy and Space Weather Action Plan. A detailed account of how this funding will be spent and accompanying deliverables shall be submitted to the Committee with the fiscal year 2017 spend plan.

The Committee recognizes that expanding data collection through enhanced space weather observations and models can significantly improve warning times for severe space weather events. Therefore, NOAA shall maintain the multi-year funding profile and schedule that was presented with the 2017 budget request in its fiscal year 2018 budget submission.

COSMIC-2.—The Committee provides \$8,100,000 for the Constellation Observing System for Meteorology, Ionosphere, and Climate 2 [COSMIC-2] program, to support the ground reception and processing of Global Navigation Satellite System Radio Occultation satellite data. These data will augment current models used for global weather forecasts and studies. However, no funding is provided for the procurement of a second set of radio occultation [RO] sensors that NOAA proposes to launch into polar orbit in 2019. The Committee notes that the U.S. Air Force—NOAA’s partner on COSMIC-2—has not committed to providing launch services for a polar constellation of RO sensors. Furthermore, NOAA has not yet identified any other launch provider for this proposed polar constellation. The Committee encourages NOAA to utilize funding provided for NESDIS’s Commercial Weather Data Pilot program to potentially meet identified needs in polar orbiting RO data.

Commercial Weather Data Pilot.—The Committee provides \$3,000,000 to support NOAA’s newly launched assessment and potential use of commercial data in NOAA’s weather modeling and forecasting through pilot purchases of commercial data.

NOAA Satellite Reporting.—The Committee directs NOAA to provide quarterly programmatic and procurement status reports of all satellites actively flying, in space but in standby mode, and under development unless any reprogramming, system failure, construction delay, or other extraordinary circumstance warrants an immediate update. As part of the agency’s quarterly satellite briefing, NOAA shall include updates on preparations and enhancements necessary to accommodate an increased volume of satellite data and shall compare initial cost estimates to actual expenditures.

New Vessel Construction.—Recapitalizing NOAA’s aging fleet and building new ships is a long-term endeavor, requiring a foundation of financial stability. The Committee recognizes that the fits-and-starts method of periodically appropriating a large tranche of funding to construct one vessel at a time is untenable in the foreseeable fiscal climate, especially for a fleet that requires several new vessels.

With a baseline ocean class design in hand and a near-term path to restart work with the U.S. Navy, and after repeated reassurances that the requested ocean class vessel construction was a top priority for the Department, the Committee responded to both the immediate- and long-term fleet need by providing \$80,050,000 for vessel construction in fiscal year 2016, and anticipating no less than \$75,000,000 provided for new vessel construction each year thereafter. The Committee's expectation was that, provided annually, this funding would put NOAA on a steadier financial path and allow the agency to construct a new vessel every 2 years.

As such, the Committee was stunned and disappointed to see the administration's change of tack in the fiscal year 2017 request, as well as a reprogramming request for the fiscal year 2016 funding, in support of a smaller vessel that had no initial design, no supporting operational requirements, no immediate path for construction, and which cut the vessel construction account by 71 percent. The request eroded the financial foothold that the Committee worked hard to establish in fiscal year 2016 and jeopardizes the fleet's long term stability.

Additionally, the proposal in fiscal year 2017 to use \$100,000,000 of unsubstantiated non-discretionary funding not in the jurisdiction of this Committee for a second yet-to-be-conceived regional class vessel suggests that the administration does not take fleet recapitalization seriously. Proposing disingenuous budget gimmicks to spend money outside the current budget agreement does not solve real Federal infrastructure problems, regardless of the agency or the account.

Subsequent to the fiscal year 2017 budget submission, the Committee appreciated receiving the administration's "Federal Fleet Status Report" in March 2016, which provided a comprehensive snapshot of various U.S. Federal oceanographic vessels, including those operated by NOAA. This report is a tool for the Committee that not only examines NOAA's operational status, but that of the University-National Oceanographic Laboratory System ships and the U.S. Coast Guard icebreakers, which are used by the National Science Foundation. The interagency working group's plan clearly shows that NOAA needs to build both regional class and ocean-going ships in the coming years, though the plan did not sufficiently address the relative needs or prioritization among regional, ocean, and global class vessels, and instead focused on justifying the new regional class request. The Committee notes that not all of NOAA's marine operations can be conducted using regional class vessels, and to presume as such would suggest a drastic change in NOAA's ability to carry out its responsibilities, which is a much larger discussion than can be presented in a near-term fleet report card.

The Committee does not intend to determine which vessel classes are of the highest priority at any given time, which vessels to replace at which homeports, or which of NOAA's at-sea operations to favor. However, the Committee does expect the administration to provide the Congress with a clear and realistic plan for recapitalizing NOAA's fleet that remains consistent from one fiscal year to the next, and to consistently follow that plan in the future. A short-term snapshot report of the entire Federal oceanographic fleet is an

important tool to gain an interagency perspective, but the “Federal Fleet Status Report” is not the agency-specific fleet recapitalization plan that the Committee requested or expected in the fiscal year 2016 bill. The Committee understands that an independent review team is currently analyzing NOAA’s short-term and long-term fleet needs, which has a greater potential to yield a more in depth NOAA-centric fleet recapitalization plan when that report is delivered in the first quarter of fiscal year 2017.

In the meantime, the Committee is willing to stay on its original course, for now, by providing no less than \$75,000,000 for NOAA’s on-going fleet recapitalization efforts with a continued focus on an ocean class vessel and to retain a pathway for financial stability for future fiscal years. The Committee intends to work with all levels of the administration now and throughout fiscal year 2017 to create a stable and successful plan for NOAA to continue the agency’s at-sea operations should the administration continue to see value in supporting such operations in future fiscal years.

Mission Support Construction.—The Committee supports NOAA’s decision to designate Newport, Rhode Island, as the homeport for the NOAA Ship *Henry B. Bigelow*, a Fisheries Survey Vessel [FSV] which has been temporarily based in Rhode Island since its commissioning in 2005. The Committee provides \$1,500,000 under Mission Support PAC to continue the necessary environmental assessments, permitting activities, and additional design work for new berthing facilities that will permanently accommodate this FSV and possibly other vessels in future fiscal years.

Mission Support, Facilities Initiative.—The Committee provides NOAA’s full request for major renovation and repair activities at the Northwest Fisheries Science Center facility under Construction PAC.

Fishing Community Presence.—NOAA shall consider all viable ports when undertaking capital planning reviews, including those that do not currently have a significant NOAA presence.

PACIFIC COASTAL SALMON RECOVERY FUND

Appropriations, 2016	\$65,000,000
Budget estimate, 2017	65,000,000
Committee recommendation	65,000,000

The Committee’s recommendation provides \$65,000,000 for the Pacific Coastal Salmon Recovery Fund. The recommendation is the same as the fiscal year 2016 enacted level and the budget estimate. Funds are for conservation and restoration of Pacific salmon populations. State and local recipients of this funding will provide matching contributions of at least 33 percent of Federal funds. In addition, funds will be available to tribes without a matching requirement.

FISHERMEN’S CONTINGENCY FUND

Appropriations, 2016	\$350,000
Budget estimate, 2017	350,000
Committee recommendation	350,000

The Committee’s recommendation provides \$350,000 for the Fishermen’s Contingency Fund. The recommendation is the same as the fiscal year 2016 enacted level and the President’s request.

FISHERIES FINANCE PROGRAM ACCOUNT

Appropriations, 2016	-\$6,000,000
Budget estimate, 2017	-410,000
Committee recommendation	-410,000

The Committee recommends that direct loans administered through this account for individual fishing quotas may not exceed \$24,000,000. Traditional direct loans may not exceed \$100,000,000, which is the same as the fiscal year 2016 enacted level and budget request.

Permit Banks and Trusts.—The Committee notes that there is some confusion in the fishing community regarding whether fishing permit banks or trusts are eligible applicants for the Fisheries Finance Program. Permit banks and trusts have proven to be effective tools in retaining and anchoring fish harvesting rights within coastal communities, and have been uniquely effective in helping young fishermen engage in our fisheries by leasing quota and permits to them. The Committee directs NOAA to work with the fishing community and to provide a report within 180 days of enactment of this act clarifying whether fishing permit banks and trusts are eligible for the program. Additionally, if applicable, the report shall detail whether legislative or regulatory changes are necessary to establish eligibility or to clarify the application requirements for fishing permit banks and trusts.

OTHER

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

Appropriations, 2016	\$58,000,000
Budget estimate, 2017	74,503,000
Committee recommendation	58,000,000

The Committee's recommendation provides \$58,000,000 for Departmental Management Salaries and Expenses. The recommendation is equal to the fiscal year 2016 enacted level and \$16,503,000 below the budget request.

Within Departmental Management, the Salaries and Expenses account provides funding for the Secretary, Deputy Secretary, and support staff. Responsibilities involve policy development and implementation affecting U.S. and international activities, as well as establishing internal goals for operations of the Department.

Not less than 90 days after enactment of this act, the Department shall submit to the Committee a report detailing actions taken to cut costs and a detailed account of funds saved by such actions across the Department's bureaus.

Working Capital Funds.—For each of the three working capital funds within DOC, the following are to be provided to the Committee and the Office of Inspector General by November 30 of each fiscal year: (1) A comparison of the final budget or spending plan at the project or activity level to the actual year-end data as of September 30 of the prior fiscal year, including detailed narratives for variances greater than 5 percent at the project or activity; (2) the initial budget or spending plan by project or activity for the current fiscal year; and (3) a detailed schedule of fiscal year-end unobli-

gated and carryover balances by source funding category and by expiring budget fiscal year, to include: direct authority, Federal and intragovernmental reimbursable authority by trading partner, non-Federal reimbursable authority, amounts held for future asset replacement, and other categories.

BusinessUSA.—The Committee provides funding up to the amount provided in fiscal year 2016 for BusinessUSA. BusinessUSA is an online tool and shared inter-agency call center designed to facilitate information sharing, improve services to the public, and reduce interagency redundancies. Funds provided shall not be used to expand staffing or open any offices.

Small Business Innovation Research.—The Committee recognizes the importance of the Small Business Innovation Research [SBIR] program and its previous accomplishments in facilitating commercial successes from federally funded research and development projects. The SBIR program encourages small domestic businesses to engage in Federal research and development and creates jobs in the smallest firms. The Committee therefore directs the DOC to place an increased focus on awarding SBIR grants to firms with fewer than 50 people.

Unobligated Balances.—The Committee remains concerned about the amount of unobligated funding within DOC. The Department is directed to report all unobligated balances to the Committee on a quarterly basis following enactment of this act.

Spending Plans.—Under section 533 of this act, the Department is required to submit a spending plan within 45 days of the enactment of this act. That plan should describe the programs, projects, and activities of the Department so that the Committee receives detailed descriptions of how the Department intends to operationalize the funding provided in annual appropriations bills. The Committee expects a detailed accounting of each bureau’s spending, including reimbursable, fee-funded, or Working Capital Fund spending, particularly with regard to specific programs, projects, and activities described in the bill and accompanying report. The Department shall continue to work with the Committee to ensure that its spending plans provide adequate information for continued oversight of the Department.

RENOVATION AND MODERNIZATION

Appropriations, 2016	\$19,062,000
Budget estimate, 2017	12,224,000
Committee recommendation	12,224,000

The Committee recommendation provides \$12,224,000, which is \$6,838,000 below the fiscal year 2016 enacted level and equal to the budget request, for building renovation at the Department of Commerce. Furthermore, unobligated balances of discretionary funds appropriated for the Department of Commerce may be transferred to and merged with this account subject to certain limitations and the procedures set forth in section 505 of this act.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2016	\$32,000,000
Budget estimate, 2017	37,167,000
Committee recommendation	32,744,000

The Committee's recommendation provides \$32,744,000 for the Office of Inspector General [OIG]. The recommendation is \$744,000 above the fiscal year 2016 enacted level and \$4,423,000 below the budget request.

In addition to funds provided under this heading, the Committee has recommended transfers to the OIG: \$2,000,000 from the U.S. Patent and Trademark Office; \$1,302,000 from the National Oceanic and Atmospheric Administration; and \$2,580,000 from the Census Bureau for oversight and audits of those activities. The Committee directs the OIG to continue strict oversight activities for satellite procurements, cybersecurity, and the decennial census.

Working Capital Fund Audits.—The Committee continues to direct the OIG to audit all of the working capital funds within the Department to evaluate the Department's budgetary controls over all funds. The OIG shall assess: the controls in place to develop reimbursement formulas; the relationship of reimbursements to client services; the appropriateness of the level of fund balances; and compliance with appropriations law and direction. As part of this assessment, the Inspector General shall pay particular attention to the increasing amounts of funding needed to support the Department's Office of General Counsel, including the justification and metrics for how such funding is being levied against each agency and, reciprocally, how the agencies account for the services they receive from the Office of General Counsel. If at any point during these audits the OIG encounters problems with accessing any necessary information or data from the Department, the OIG is directed to notify the Committee immediately.

Audits and Investigations.—The OIG serves a critical oversight role at the Department. The Committee believes that robust investigations and audits are essential to rooting out waste, fraud, and abuse, but that limiting inquiries only to individuals in the Department does not necessarily lead to comprehensive findings and recommendations. The Committee directs the OIG to modify its policies and procedures to ensure that investigations or reports include interviews with all parties to the project or program in question, including, but not limited to, contractors responsible for projects under review. The Committee cautions the OIG against issuing preliminary findings prior to interviewing a majority of the entities involved with the program or project under investigation, unless the OIG believes the findings are time sensitive or additional interviews are immaterial.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

Section 101 makes Commerce Department funds available for advanced payments only upon certification of officials designated by the Secretary that such payments are considered to be in the public interest.

Section 102 makes appropriations for salaries and expenses available for the hire of passenger motor vehicles, and for services, uniforms, and allowances as authorized by law.

Section 103 provides the authority to transfer funds between Department of Commerce accounts. The provision makes transfers subject to the Committee's standard reprogramming procedures.

Section 104 extends congressional notification requirements for the NOAA satellite programs.

Section 105 provides authority for the Secretary of Commerce to furnish certain services within the Herbert C. Hoover Building.

Section 106 clarifies that grant recipients under the Department of Commerce may continue to deter child pornography, copyright infringement, or any other unlawful activity over their networks.

Section 107 provides NOAA the authority to share resources with entities outside the agency.

Section 108 requires that, before charging for congressional reports, the National Technical Information Service [NTIS] advise the public of free ways to receive or access these reports. For those reports that cannot be found free of charge or when a customer requires a mailed, hard copy, NTIS may only charge a de minimus copying and mailing fee. The Committee is concerned about outrageous fees the National Technical Information Service charges the public for hard copies of congressional reports and documents available for free online.

Section 109 allows the Secretary of Commerce to waive the bond requirement for research vessel repair and construction contracts that would align Commerce's authorities with those of other Federal agencies and address difficulties NOAA has experienced in obtaining competitive bids for ship repairs.

Prior to exercising waiver authority under section 109 of this act, the Secretary of Commerce shall promulgate regulations specifying criteria under which waiver authority may be used, including the types of contracts eligible for consideration, surety alternatives, and acceptable risk profiles in order to protect the taxpayer and ensure that NOAA maximizes cost-savings. The Department is directed to notify the Committee not less than 15 days prior to any waiver issued under this section. In addition, the Department shall, not later than 120 days after the date of enactment of this act, prepare a report including the actual costs of repairing, rehabilitating, and replacing vessels in fiscal years 2013, 2014, 2015, 2016, 2017, and annually thereafter, including an indication of those vessels for which NOAA waived the Miller Act.

Section 110 prohibits funds for certain fishery management policies in the Gulf of Mexico.

Section 111 allows NOAA to be reimbursed by Federal and non-Federal entities for performing certain activities.

The Committee remains concerned that agreements for offsetting collections provided for under this section could result in a conflict of interest, or the appearance of a conflict of interest, for the Department. The Department is directed to exercise caution and consider any unintended consequences that could result from such agreements, including, but not limited to, augmentation of appropriations, initiation of new programs not authorized by this act or any other act of Congress, and liabilities extending beyond the period of any such agreement. The Department shall provide to the Committee monthly updates on all offsetting fee collections, including each entity participating in the agreement, as well as the terms of and specific activities funded by the agreement. Additionally, estimates of anticipated fee collections shall be included in the Department's annual spend plans. To further ensure the Committee

maintains sufficient oversight for activities carried out under this section, language is included specifying that any offsetting collection would require the consent of each party subject to the agreement and all offsetting collections shall be subject to procedures set forth by section 505 of this act.

Section 112 provides authority for the programs of the Bureau of Economic Analysis and the U.S. Census to enter into cooperative agreements in order to assist in improving statistical methodology and research.

Section 113 ensures full access to departmental and agency information and data for the Office of Inspector General [OIG]. Since fiscal year 2015, the Committee has directed the Department to ensure that the OIG has access to all documents needed to conduct its audit and oversight function. In order to correct the erroneous interpretation by the Department of Justice of the Committee's bill language, the Committee clarified the provision in question in section 540 of the Commerce, Justice, Science and Related Agencies Act, 2016 (division B of Public Law 114-113). Yet the Committee continues to receive notices from the OIG that components within the Department are withholding documents based on a misinterpretation of the 2015 language and on concerns about OIG protection of confidential documents. Providing documents to the OIG does not change the protected status of the documents. Classified information remains classified, and business proprietary information remains confidential. Should the Committee receive a notice under section 536 of this act from the Inspector General regarding the Department's deliberate withholding of information, no funds shall be provided for the Department's Office of General Counsel until such time that the Committee receives a follow-up notice from the OIG that the Department has resolved the matter.

TITLE II

DEPARTMENT OF JUSTICE

The Committee recommends a total of \$29,246,199,000 for the Department of Justice [DOJ]. The recommendation is \$156,391,000 above the fiscal year 2016 funding level and \$581,936,000 below the budget request. The Committee's recommendation emphasizes key priorities regarding funding for the Department's critical ongoing missions and activities to protect the safety, security, and rights of our citizens.

Fighting Heroin and Opioids.—The Committee remains committed to helping States and local communities in the fight against heroin and illegal use of opioids. Resources totaling \$132,000,000 are provided in fiscal year 2017 to support enforcement efforts as well as prevention and treatment programs.

To assist with law enforcement efforts, the Committee provides \$10,000,000 for the COPS Office's Anti-Heroin Task Force grant program to help Statewide task forces take heroin off of our streets through the investigation and location of the distribution of heroin or the unlawful distribution of prescription opioids. As the Department administers this program, the Committee encourages adoption of a more comprehensive set of criteria for evaluating high per capita rates of heroin and opioid abuse, particularly one that includes overdose deaths and drug seizures. The Drug Enforcement Administration [DEA] is provided \$12,500,000 to create four new enforcement groups focused on counteracting heroin trafficking and eradicating its availability in the United States. While DEA currently works to investigate and interdict drug trafficking, the explosion of heroin use and abuse of opioids requires a more concentrated enforcement effort.

Communities cannot just enforce their way out of this epidemic. Therefore, the Committee supports comprehensive prevention and treatment programs to discourage experimentation with heroin or abusing prescription medication in the first place and to help those who are addicted to find affordable and accessible options to aid recovery. The Committee provides \$14,000,000 for Residential Substance Abuse Treatment grants to assist State, local, and tribal governments in the development and implementation of substance abuse treatment programs in correctional and detention facilities, as well as in the creation and maintenance of community-based aftercare services; \$14,000,000 for the Prescription Drug Monitoring Program which plans, implements, and enhances prescription drug monitoring programs to prevent and reduce misuse and abuse of prescription drugs and aids in investigations of pharmaceutical crime; and \$43,000,000 for drug courts to help non-violent offenders get intensive treatment and support. Within the Second Chance Act, \$37,500,000 is provided for prevention of drug use and

drug treatment for those who were formerly incarcerated returning to our communities. The Committee also provides \$1,000,000 to the Bureau of Prisons to continue to increase their medication-assisted treatment pilot program for approximately 200 inmates with heroin and opioid addiction. The science supporting the use of medication as a critical component of treating opioid addiction, including heroin, is clear in that this type of treatment saves lives.

Trafficking in Persons.—The fight against human and sex trafficking, including the apprehension of perpetrators who use online classified Web sites to facilitate the sexual exploitation of children, crosses many jurisdictions within the Department. The Department shall dedicate no less than the fiscal year 2016 level for the Human Trafficking Prosecution Unit [HTPU] and encourage HTPU and the Anti-Trafficking Coordination Teams to continue working with victim service providers and non-governmental organizations to ensure victim needs are prioritized as part of the overall strategy to combat human trafficking and forced labor in the United States. Furthermore, the Committee directs the HTPU to report to the Committees on Appropriations no later than 120 days following enactment of this act on: (1) the total number of human trafficking cases it prosecuted or assisted in prosecuting within the last 3 years disaggregated by type of trafficking, and including instances in which an online classified Web site is determined to be the conduit for exploiting trafficked persons, especially minors, and the actions being taken to shut down these sites; (2) the number of (a) Assistant U.S. Attorneys, (b) Federal law enforcement, and (c) State and local law enforcement who received training on human trafficking within the last 3 years that included sex and labor trafficking, disaggregated from those who receive training just on sex trafficking; and (3) the number of Assistant U.S. Attorneys who received training on restitution for human trafficking victims within the last 3 years.

The Federal Bureau of Investigation [FBI] is directed to provide no less than the fiscal year 2016 level to investigate severe forms of trafficking in persons. As the lead Federal law enforcement agency, the FBI's ability to combat trafficking and forced labor requires resources devoted specifically to the growing problem of trafficking and forced labor. Funding shall be used for investigations into human trafficking and forced labor and providing victim witness coordinators when needed on an emergency basis through the Office of Victim Assistance via the Office of Victims of Crime.

In addition, the Committee directs the FBI to submit a report for Innocence Lost Operations encompassing the previous 5 years that details the: (1) number of traffickers arrested, (2) the number of adults arrested on charges of prostitution, (3) the number of minor victims identified, (4) the number of minor victims criminally charged, and (5) the placement and social service support secured for each child in each State operation within 180 days of enactment of this act.

The Executive Office of U.S. Attorneys [EOUSA] and the FBI shall continue to follow direction as outlined by the Committee in Senate Report 114–66 regarding designated points of contact and improved processes for T-visas for EOUSA and support for victims of trafficking through Continued Presence for the FBI.

Intellectual Property Rights [IPR] Enforcement.—The Committee expects the Department to continue to make IPR enforcement an investigative and prosecutorial priority. Sophisticated, transnational, criminal enterprises engage in a range of illegal activity, including identity theft, connected to the theft of copyrighted content. Given the strong links to other illegal activity, the Department's IP-dedicated personnel should investigate U.S.-based sites and apps that are engaged in such criminal activity. The Committee directs the Criminal Division and FBI to maintain dedicated positions to combat intellectual property crimes and fund IPR efforts at no less than fiscal year 2016 enacted levels. In addition, the FBI shall provide quarterly updates to the Committee detailing the activities of its dedicated agents investigating IPR cases.

Sole Sourcing of Equipment and Scientific Instruments.—The direction provided to the Department on this issue in Senate Report 114–66 remains in effect for fiscal year 2017.

Cybersecurity.—The Department has several offices with cybersecurity responsibilities, including those within the FBI, the National Security Division, the Criminal Division, and U.S. Attorneys Offices [USAO]. At a minimum, the Committee directs the Department to maintain its cybersecurity posture at no less than the fiscal year 2016 level to defend and respond to current and emerging attacks that threaten its own infrastructure and activities. In other cases, such as with the USAO, DEA, and the FBI, the Committee has specific direction detailed later in this report to increase cyber-related investigations and to prosecute additional cybercrimes. Throughout this title, the Committee's recommendation for cybersecurity-related activities for the Department totals \$896,325,000 for fiscal year 2017, which is an increase of \$82,679,000, or 10 percent, above the fiscal year 2016 level.

Strengthening Police-Community Relations.—The Committee continues to recognize and support the important need for lasting collaborative relationships between local police and the public. To assist with strengthening this relationship, the Committee has dedicated resources totaling \$121,254,370 across a variety of program areas. Strong partnerships between the police and the communities they protect reduce crime, ensure that citizens' civil rights are protected, and improve officer safety.

The Community Trust Initiative is again funded at \$70,000,000 for fiscal year 2017. Funding is included for law enforcement to purchase body cameras, the Justice Reinvestment Initiative, the Byrne Criminal Justice Innovation program and the National Crime Statistics Exchange. More details on these programs are found in the Office of Justice Programs section of this report. The Committee also provides a total of \$15,000,000 for specific programs within the Byrne-JAG program: \$5,000,000 for improved training for police responses to people with mental illness and \$10,000,000 to support evidence-based approaches in responding to crime, called the Smart Policing program.

Within the COPS Office, the Committee sets aside \$10,000,000 for the continuation of the Collaborative Reform Model, which assists local law enforcement agencies to identify problems and develop solutions to some of the most critical issues facing law enforcement today, such as use of force, fair and impartial policing,

and improved accountability. Another \$10,000,000 is set aside for Community Policing Development [CPD] within the COPS Office. CPD funds are used to advance community policing in law enforcement agencies through training and technical assistance, demonstration projects, development of innovative policing strategies, and best practices that are national in scope.

The Committee is providing funding for departmental agencies that assist with training State and local law enforcement officers and help with mediating conflicts in communities. The Community Relations Service is funded by the Committee at \$14,446,000, which will allow for continued efforts to mediate, train, and facilitate discussion between police departments and communities where tensions exist. The Committee fully funds the FBI's request of \$1,808,370 for the National Academy, a professional development course for State, local and international law enforcement leaders that serves to improve the administration of justice and raise law enforcement standards, knowledge, and cooperation worldwide. This funding will allow approximately 900 police officers to attend the National Academy to receive world class training on leadership and specific law enforcement issues like use of force.

Federal Water Usage Violations.—The Committee is aware that the Department of Justice should receive notifications from the U.S. Army Corps of Engineers [USACE] regarding violations of Federal water contracts involving multi-State river basins. For example, the Department has been involved in litigation in the past regarding the USACE's administration of its dams and reservoirs in both the Alabama-Coosa-Tallapoosa [ACT] and the Apalachicola-Chattahoochee-Flint [ACF] river basins. The Committee directs the Department to provide a report within 60 days of enactment of this act that includes: an audit of all Federal water contract violations in multi-State water basins since 2005; an audit of any contract violation notifications DOJ has received from USACE regarding all multi-State river basins since 2005; a record of how DOJ has handled these violations and notifications; and a comprehensive plan for how DOJ intends to enforce the law and respond to these contract violations now and in the future.

The Committee also directs the Department to enter into an agreement with USACE whereby the Department contemporaneously receives all water contract violation notifications produced or issued by the USACE, in whatever form.

Gang Violence.—The Committee recognizes the challenges posed by the increasing number of gang members and the violent crimes they commit in urban, suburban, and rural communities. The Committee understands that combating these gangs requires continued and increased cooperation between Federal, State, and local law enforcement as well as support, coordination, and expertise from the Federal level. The Committee acknowledges the work currently being undertaken to fight gangs by the FBI Violent Safe Streets Task Forces, the DEA, the National Gang Targeting, Enforcement and Coordination Center [GangTECC], the Bureau of Alcohol, Tobacco, Firearms and Explosives [ATF], the U.S. Marshals Service [USMS], the Bureau of Prisons [BOP], the USAO, and other Federal agencies. The Committee urges these agencies to intensify current efforts, including supporting and prosecuting cases under the

Racketeer Influenced and Corrupt Organizations Act [RICO], while enhancing coordination across the Federal Government and with State and local law enforcement in order to maximize the impact of limited personnel resources. The Committee's recommendation includes \$5,000,000 for the USMS for gang enforcement efforts within the Regional Fugitive Task Forces and \$6,500,000 for the Violent Gang and Gun Crime Reduction Program within the Office of Justice Programs [OJP] aimed at reducing gang violence.

Elder Justice Initiative.—In July 2013, the Government Accountability Office [GAO] published its review of elder justice program issues, including a recommendation that the Department of Health and Human Services [HHS] in cooperation with the Department of Justice develop a national elder justice public awareness campaign. The Committee understands that more than 2 years later, GAO considers this recommendation open and unimplemented. The Committee is aware of the work being carried out by the Elder Justice Coordinating Council [EJCC], of which the Department is a permanent member, and remains supportive of efforts to help protect older adults from all forms of abuse, including through increasing public awareness to occurrences of elder abuse, including fraud, and the dissemination of information about how members of the public may obtain services. Through the work of the EJCC, the Committee urges the Department to work with the Secretary of HHS, and other relevant agencies, to develop a national elder justice awareness campaign.

Emmett Till Unsolved Civil Rights Crime Act.—The Committee fully supports the goals of the Emmett Till Unsolved Civil Rights Crime Act of 2007 (Public Law 110–344) to investigate and prosecute previously unresolved civil rights era “cold case” murders suspected of having been racially motivated, through a partnership among the Civil Rights Division [CRT], the FBI, and the Community Relations Service [CRS], as well as with State and local grant resources. To continue supporting Emmett Till activities, the Committee urges the Department to: use such sums as may be necessary from within the budget base for the CRT's Cold Case Initiative; for the FBI to pursue Emmett Till Act cold cases; and for the CRS to partner with law enforcement agencies and communities to help resolve conflicts resulting from the investigation of unsolved civil rights era cases. Additionally, the Committee directs the National Institute of Justice, the Bureau of Justice Assistance, and the Office for Victims of Crime to continue providing grants for cold case DNA investigations to aid State and local law enforcement agencies in their investigation and prosecution of unsolved civil rights cold cases.

Working Capital Fund [WCF].—The Committee expects the Department to execute funding to the fullest extent possible without any carryover balances. The Committee directs DOJ to continue to use the WCF only as a repository for reimbursable funds from components and to obligate and execute that funding expeditiously. The DOJ shall provide a report to the Committee within 45 days of enactment of this act regarding balances in the WCF including carryover funds, the intended uses of those funds, and a spending plan. The spending plan shall include: the amount each component contributes to the WCF; a detailed accounting of collections into the

WCF from appropriations, reimbursable funds, and alternative sources of funding including the Three Percent Fund; a list of settlements and collections from the Three Percent Fund in excess of \$3,000,000; and a categorical accounting of obligations out of the WCF including a breakdown of services provided from the Department to each component. The Department is further directed to provide quarterly updates on the WCF to the Committee.

DOJ Settlements.—The Committee is aware of the Department’s ability to enter into civil settlement agreements in which a defendant is required to make a donation to a third-party organization. On a quarterly basis, the Department shall provide the Committee with a list of settlements in which the Department required defendants to donate money to third-party groups that includes the amount of funding and the intended use of the funds.

Cell-Site Simulator [CSS] Technology.—Funds provided in this act shall be used only to deploy or facilitate the use of CSS technology for criminal investigations if such use complies fully with DOJ guidance issued on September 3, 2015. The Department shall ensure its guidance is followed strictly by Federal, State, and local entities that receive funds under this act, to include compliance with requirements of the Fourth Amendment and the Pen Register Act. As directed in the guidance, CSS technology must be configured only as pen registers and may not be used to collect content of any communication or subscriber account information. In addition, Departmental guidance to be implemented includes conducting comprehensive and consistent training on the appropriate use of CSS technology; adopting rigorous practices for handling and retaining data acquired through the use of this technology; and scrupulously auditing the use of such technology.

Spending Plan.—In compliance with section 533 of this act, the Committee directs the Department of Justice to submit a spending plan, signed by the Attorney General, within 45 days of enactment of this act.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 2016	\$111,500,000
Budget estimate, 2017	125,896,000
Committee recommendation	114,124,000

The Committee’s recommendation provides \$114,124,000 for General Administration salaries and expenses. The recommendation is \$2,624,000 above the fiscal year 2016 enacted level and \$11,772,000 below the budget request.

The General Administration account provides funding for senior policy officials responsible for departmental management and policy development. The specific offices funded by this account include: the immediate Office of the Attorney General; the immediate Office of the Deputy Attorney General; the immediate Office of the Associate Attorney General; Office of Legal Policy; Office of Public Affairs; Office of Legislative Affairs; Office of Professional Responsibility; Office of Intergovernmental and Public Liaison; and the Justice Management Division.

The Committee directs that any increased funding provided above the fiscal year 2016 level for this account shall only be allocated to operations within the Justice Management Division.

Wildlife Trafficking.—The Committee notes the sharp increase of criminal activity involving wildlife that includes the illegal trade in rhinoceros horns and elephant ivory, poaching of wild animals for their parts, illegal capture and transport of endangered animals, and illegally harvested timber, as well as money laundering that comes with these products' sale on the black market. There are indisputable linkages between these activities and the financing of armed insurgencies and transnational organized crime that threaten the stability and development of African countries and pose a serious threat to U.S. security interests.

The Committee directs the Attorney General to continue to report on the specific steps the Department is taking to further address wildlife trafficking and the illegal natural resources trade, as specifically outlined in Senate Report 114–66. The report should also include the investigative efforts of INTERPOL programs like Operation Worthy II and Operation Paws, as well as the issuance of Red Notices for criminals engaging in these activities.

Office of Legislative Affairs.—While the Committee primarily communicates with the Department through the Justice Management Division, it reserves the right to call upon any individual or organization within its jurisdiction for requests for information, including the Department's Office of Legislative Affairs [OLA]. The Committee notes that recent responses from OLA have been neither helpful nor timely, with some answers left completely void of any meaningful information whatsoever. The Committee has received similar feedback from other Senate offices about OLA's performance, leading the Committee to question the efficacy of fully funding OLA's budget. The Committee reminds DOJ that requests from the Congress to OLA should be treated as a priority for the Department and responded to both courteously and expeditiously.

Guidance to Communities.—The Committee recognizes that it can be difficult for States and local communities recovering from terrorist attacks or State declarations of emergency to navigate varying Department of Justice program rules, requirements, and timelines. The Committee directs the Attorney General to ensure that the Office of Legislative Affairs maintains a comprehensive list of all grants made available by Departmental components, along with application periods and deadlines, and serves as a one-stop shop for communities recovering from a terrorist attack or State-declared emergency situation. In addition, not later than 180 days after enactment of this act, the Attorney General shall provide to Congress and make publically available a single guidance document for local communities that describes currently available DOJ programs, assistance, and points of contact for which local communities recovering from a terrorist attack or State declaration of emergency would be eligible.

Internet Gambling.—Since 1961, the Wire Act has prohibited nearly all forms of gambling over interstate wires, including the Internet. However, beginning in 2011, certain States began to permit Internet gambling. The Committee notes that the Wire Act did not change in 2011. The Committee also notes that the Supreme

Court of the United States has stated that “criminal laws are for courts, not for the Government, to construe.” *Abramski v. U.S.*, 134 S.Ct. 2259, 2274 (2014) (internal citation omitted).

JUSTICE INFORMATION SHARING TECHNOLOGY
(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$31,000,000
Budget estimate, 2017	57,561,000
Committee recommendation	50,000,000

The Committee’s recommendation provides \$50,000,000 for Justice Information Sharing Technology [JIST]. The recommendation is \$19,000,000 above the fiscal year 2016 enacted level and \$7,561,000 below the budget request.

Cybersecurity.—The Committee’s recommendation supports the requested programmatic changes for Information Security Continuous Monitoring and the Insider Threat Prevention and Detection Program for a total increase of \$10,600,000. This level of funding will allow DOJ to continue to proactively defend against and respond to current and emerging cybersecurity threats and attacks against DOJ’s network infrastructure.

ADMINISTRATIVE REVIEW AND APPEALS
(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$426,791,000
Budget estimate, 2017	437,444,000
Committee recommendation	426,791,000

The Committee’s recommendation provides \$426,791,000 for Administrative Review and Appeals, of which \$4,000,000 is a transfer from the U.S. Citizenship and Immigration Services [USCIS] Immigration Examiners Fee Account. The recommendation is equal to the fiscal year 2016 enacted level and \$10,653,000 below the budget request.

This account funds the Executive Office for Immigration Review [EOIR], including the Board of Immigration Appeals [BIA], immigration judges, and administrative law judges who decide through administrative hearings whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged. This account also funds the Office of the Pardon Attorney, which receives, investigates, and considers petitions for all forms of executive clemency.

EOIR Backlog of Cases and Immigration Judge Hiring.—EOIR represents the Department’s frontline presence with respect to the application of immigration law. EOIR receives cases directly from Department of Homeland Security [DHS] enforcement personnel, in which the Federal Government is seeking the removal of immigrants who are in the United States without lawful status or who have committed some act, typically a criminal offense, that renders them removable.

The Committee directs EOIR to continue submitting monthly performance and operating reports, which have provided the Committee with clear statistics on the dire situation at EOIR with regard to the backlog of cases and the hiring of new Immigration

Judge Teams to process them. EOIR's immigration court caseload continues to escalate as a result of heightened border enforcement efforts. At the end of fiscal year 2015 there were over 457,000 cases pending in immigration courts around the country, and by the end of February 2016 the number of cases pending adjudication had risen to over 480,000.

For fiscal year 2016, the Committee provided funding to hire 55 new Immigration Judge Teams and to equip them with the necessary technology and support to do their jobs efficiently. The Committee is extremely disappointed to learn that despite the provision of these needed resources, the funds cannot be fully utilized in fiscal year 2016. The immigration judge hiring process remains severely backlogged due to a cumbersome process that is further delayed by the lethargy of the Department's review procedures. Compounding the ongoing problem of the hiring backlog is the Administration's failure to include a funding request for any new Immigration Judge Teams in fiscal year 2017. The Committee directs the Department to prioritize hiring new immigration judges, which is the only way to reverse the alarming growth in the caseload backlog.

Training for Immigration Judges on Children's Cases.—The Committee was deeply troubled to hear the recent comments of EOIR headquarters personnel that children as young as age 3 or 4 can understand immigration law and court procedures. The Committee continues to direct that EOIR's training for immigration judges should address how to properly adjudicate children's cases, including forms of relief for children, how to elicit information from children, the impact of trauma on children, and other relevant child development issues.

Legal Orientation Program [LOP].—The Committee's recommendation maintains the fiscal year 2016 base funding for LOP, pursuant to the Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110-457), for custodians of unaccompanied, undocumented children to address the custodian's responsibility for the child's appearance at all immigration proceedings, and to protect the child from mistreatment, exploitation, and trafficking.

Pardons and Sentence Commutations.—Regarding funding for the Office of the Pardon Attorney, the Committee prohibits the use of funding related to the review, consideration, or approval of clemency or pardon petitions as part of the Department's April 23, 2014, announcement on executive clemency requesting relief from convictions for gun crimes or crimes involving violence. The Committee reminds the Administration of the limitations contained in the Department's April 2014 criteria for considering Federal inmates for the President's initiative for executive clemency that limited consideration to non-violent individuals who would not pose a threat to public safety if released; low-level offenders without significant ties to large-scale criminal organizations, gangs, or cartels; inmates who do not have a significant criminal history; and those who have no history of violence prior to, or during, their current term of imprisonment.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2016	\$93,709,000
Budget estimate, 2017	97,814,000
Committee recommendation	95,583,000

The Committee's recommendation provides \$95,583,000 for the Office of Inspector General [OIG]. The recommendation is \$1,874,000 above the fiscal year 2016 enacted level and \$2,231,000 below the budget request.

This account finances the activities of the OIG, including audits, inspections, investigations, and other reviews of programs and operations of the Department of Justice to promote efficiency and effectiveness, and to prevent and detect fraud, waste, and abuse, as well as violations of ethical standards arising from the conduct of Department employees in their numerous and diverse activities.

Oversight of Crime Victims Fund Grants.—Section 510 of this act maintains \$10,000,000 for the OIG to continue its expanded audits of the Crime Victims Fund [CVF]. The Committee remains concerned that the Department is not doing enough to proportionately adjust its grant monitoring activities to reflect significant changes in CVF spending in order to avoid waste, fraud and abuse. The Committee directs the OIG to continue to increase its audit of CVF awards and assist the Department to ensure these important funds are used appropriately and effectively.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2016	\$13,308,000
Budget estimate, 2017	14,000,000
Committee recommendation	13,308,000

The Committee's recommendation provides \$13,308,000 for the United States Parole Commission. The recommendation is equal to the fiscal year 2016 enacted level and \$692,000 below the budget request.

Commissioner Continuity.—The Committee directs the Department to follow its fiscal year 2017 request allowing a Commissioner to continue to serve until a successor has been appointed, even if that Commissioner's term of office has expired. The request matches language contained in division B of the Consolidated Appropriations Act of 2016 (Public Law 114–113).

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

Appropriations, 2016	\$893,000,000
Budget estimate, 2017	957,423,000
Committee recommendation	893,000,000

The Committee's recommendation provides \$893,000,000 for General Legal Activities salaries and expenses. The recommendation is equal to the fiscal year 2016 enacted level and \$64,423,000 below the budget request.

This appropriation funds the establishment of litigation policy, conduct of litigation, and various other legal responsibilities

through the Office of the Solicitor General, the Tax Division, the Criminal Division [CRM], the Civil Division [CIV], the Environmental and Natural Resources Division, the Civil Rights Division [CRT], the Office of Legal Counsel, and INTERPOL Washington.

INTERPOL Washington.—From within funds provided for General Legal Activities, the Committee directs the Department to provide no less than the fiscal year 2016 level for INTERPOL Washington. The Committee has provided no-year authority in the amount of \$685,000 to ensure sufficient resources are available for INTERPOL Washington's dues payments and help the Department better manage fluctuations in currency exchange rates. INTERPOL Washington's command center [IOCC] operates 24 hours a day, 7 days a week, 365 days a year, responding to requests for international criminal investigative and humanitarian assistance from more than 18,000 U.S. law enforcement agencies and their counterparts in 189 other INTERPOL-member countries. INTERPOL Washington's responsibility to respond to increasing foreign and domestic requests places additional operational demands on the resources of this organization.

Civil Rights.—The Committee provides no less than the fiscal year 2016 enacted level to continue its efforts to enforce civil rights laws; expand its capacity to prosecute and provide litigation support for human trafficking, hate crimes, and unsolved civil rights era crimes; carry out its responsibilities associated with the civil rights of institutionalized persons and the access rights of the disabled; investigate and prosecute police misconduct; and enhance the enforcement of fair housing and fair lending laws.

Civil Rights Violations in State and Local Prisons and Jails.—The Committee continues to be concerned by reports of civil rights violations in State and local prisons and jails, and directs the CRT to increase efforts to investigate and address violations of the Civil Rights of Institutionalized Persons Act in State and local prisons and jails. The Committee directs the CRT to use such sums as necessary from amounts appropriated in fiscal year 2017 to address such issues in State and local prisons and jails.

Human Rights Crimes.—The Committee remains concerned by the large number of suspected human rights violators from foreign countries who have found safe haven in the United States and directs the CRM to continue its efforts to investigate and prosecute serious human rights crimes, including genocide, torture, use or recruitment of child soldiers, and war crimes. For this purpose, the Committee's recommendation supports continued funding for the CRM to investigate and prosecute individuals who violate Federal laws regarding serious human rights abuses.

International Training.—The Committee remains concerned about the instability of budget and staffing challenges faced by the Office of Overseas Prosecutorial Development, Assistance and Training [OPDAT] and International Criminal Investigative Training Assistance Program [ICITAP] programs under the current funding structure provided via the Department of State. While the Committee encourages the Departments of Justice and State to maintain open communications regarding programmatic and resource needs to truly execute their missions, OPDAT and ICITAP should ideally receive a transfer of funds from State within 90 days

of enactment of this act. Should an immediate source of funding be needed ahead of a completed transfer of funds, the Committee suggests that the Department of Justice notify the Committee immediately.

Protecting the Rights of Servicemembers and Veterans.—The Committee recognizes the importance of ensuring that servicemembers and veterans have access to essential legal resources that educate them and their families on their rights and defend them during times of need. The Committee supports funding this program at no less than the fiscal year 2016 level to continue to enforce existing law, such as the Uniformed Services Employment and Reemployment Rights Act, and to provide outreach and training efforts on behalf of servicemembers, veterans, and their families.

Enforcing Federal Animal Welfare Laws.—Animal cruelty violations were listed as separate violent crime offenses under the FBI’s Uniform Crime Reporting System in January 2016. Given the disturbing increase in this type of criminal behavior, the Committee supports the request to deter and enforce violations of Federal animal welfare laws.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

Appropriations, 2016	\$9,358,000
Budget estimate, 2017	11,970,000
Committee recommendation	9,358,000

The Committee’s recommendation provides a reimbursement of \$9,358,000 for legal costs. The recommendation is equal to the fiscal year 2016 enacted level and is \$2,612,000 below the budget request.

This account covers the Department’s expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660).

SALARIES AND EXPENSES, ANTITRUST DIVISION

Appropriations, 2016	\$164,977,000
Budget estimate, 2017	180,506,000
Committee recommendation	164,977,000

The Committee’s recommendation provides \$164,977,000 for the Antitrust Division. The recommendation is equal to the fiscal year 2016 enacted level and \$15,529,000 below the budget request. This appropriation is offset by \$125,000,000 in pre-merger filing fee collections, resulting in a direct appropriation of \$39,977,000.

UNITED STATES ATTORNEYS

SALARIES AND EXPENSES

Appropriations, 2016	\$2,000,000,000
Budget estimate, 2017	2,074,402,000
Committee recommendation	2,030,000,000

The Committee’s recommendation provides \$2,030,000,000 for the Executive Office for United States Attorneys [EOUSA] and the 94 U.S. Attorneys [USAs] offices. The recommendation is \$30,000,000 above the fiscal year 2016 enacted level and \$44,402,000 below the budget request.

As in past years, the Committee directs the USAs to focus their efforts on those crimes where the unique resources, expertise, or jurisdiction of the Federal Government can be most effective.

Adam Walsh Act Implementation.—The Committee expects the EOUSA to continue to focus on investigations and prosecutions related to the sexual exploitation of children, as authorized by the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248), and as part of Project Safe Childhood. The recommendation fully funds the budget request of \$46,378,000 for this purpose in fiscal year 2017.

Combating Financial and Mortgage Fraud.—The Committee directs the EOUSA to provide no less than the fiscal year 2016 level to conduct criminal investigations and prosecutions of mortgage and financial fraud, predatory lending, financial fraud, and market manipulation matters.

Civil Rights Prosecutions.—The Committee’s recommendation provides no less than the fiscal year 2016 level for continued civil rights enforcement that will advance both criminal and civil litigations, including the prosecution of sex and labor trafficking.

Cybercrime.—As national and international cyber threats become increasingly sophisticated, our Federal prosecutors must become better versed in digital forensic evidence. The Committee’s recommendation provides no less than \$58,331,000, which is \$2,666,000 above the budget request, for cybercrime activities. The USAO will be able to increase the number of investigations and prosecutions of cyber attacks and cyber intrusions, and provide the high-caliber level of training on cybercrime and digital evidence needed for Assistant U.S. Attorneys to be able to analyze and present digital evidence across all types of criminal cases.

The Committee does not support proposed funding cuts for Intellectual Property and Child Pornography activities, and instead directs USAO to provide no less than the fiscal year 2016 funding level for prosecution of these cyber-related crimes.

National Advocacy Center.—While the Committee remains disappointed that a change in circumstances resulted in Project Palmetto not becoming a reality as envisioned, it commends the two parties for coming to a mutually amicable resolution. The Committee is also aware of the need to address outstanding administrative adjustment issues related to Palmetto and encourages the parties to quickly conclude those discussions.

UNITED STATES TRUSTEE SYSTEM FUND

Appropriations, 2016	\$225,908,000
Budget estimate, 2017	229,717,000
Committee recommendation	225,908,000

The Committee’s recommendation provides \$225,908,000 for the U.S. Trustee System Fund. The recommendation is equal to the fiscal year 2016 enacted level and \$3,809,000 below the budget request. The appropriation is offset by \$163,000,000 in fee collections.

The U.S. Trustee Program, authorized by 28 U.S.C. 581 et seq., is the component of the Department with responsibility for protecting the integrity of the bankruptcy system by overseeing case administration and litigation to enforce the bankruptcy laws. In fis-

cal year 2017, the U.S. Trustee Program will participate in an estimated 685,000 business and consumer bankruptcy case filings.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

Appropriations, 2016	\$2,374,000
Budget estimate, 2017	2,409,000
Committee recommendation	2,374,000

The Committee's recommendation provides \$2,374,000 for the Foreign Claims Settlement Commission. The recommendation is equal to the fiscal year 2016 enacted level and \$35,000 below the budget request.

The Foreign Claims Settlement Commission settles claims of American citizens arising from nationalization, expropriation, or other takings of their properties and interests by foreign governments.

FEEES AND EXPENSES OF WITNESSES

Appropriations, 2016	\$270,000,000
Budget estimate, 2017	270,000,000
Committee recommendation	270,000,000

The Committee's recommendation provides \$270,000,000 for fees and expenses of witnesses. The recommendation is equal to the fiscal year 2016 enacted level and the budget request.

This appropriation, which is considered mandatory for scorekeeping purposes, provides for fees and expenses of witnesses who appear on behalf of the Government in cases in which the United States is a party, including fact and expert witnesses. These funds are also used for mental competency examinations, and witness and informant protection. The Committee includes bill language prohibiting the Department from transferring funds out of this account.

The Committee expects that no funds will be expended for expert witness services, including the payment of fees and expenses of expert witnesses, from any other DOJ accounts but Fees and Expenses of Witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$14,446,000
Budget estimate, 2017	18,990,000
Committee recommendation	14,446,000

The Committee's recommendation provides \$14,446,000 for the Community Relations Service [CRS]. The recommendation is equal to the fiscal year 2016 enacted level and \$4,544,000 below the budget request.

The Community Relations Service, established by title X of the Civil Rights Act of 1964, provides assistance to communities and persons in the prevention and resolution of disagreements arising from discriminatory practices.

Hate Crimes Prevention.—Within the funds provided, the Committee provides no less than the fiscal year 2016 level to handle the workload and responsibilities stemming from passage of the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act

[HCPA] (Public Law 111–84). The HCPA expanded the CRS’s mandate, requiring that it help communities prevent and respond to violent hate crimes committed on the basis of gender, gender identity, sexual orientation, religion, and disability, in addition to race, color, and national origin. This funding will maximize the CRS crisis response nationwide and enable CRS to fulfill both its original mandate and expanded mandate under the HCPA.

ASSETS FORFEITURE FUND

Appropriations, 2016	\$20,514,000
Budget estimate, 2017	20,514,000
Committee recommendation	20,514,000

The Committee’s recommendation provides \$20,514,000 for the Assets Forfeiture Fund [AFF]. The recommendation is equal to the fiscal year 2016 enacted level and equal to the budget request.

Equitable Sharing.—The Department’s AFF provides for qualifying expenses of Federal law enforcement agencies and their State and local partners based on assets seized, including as part of criminal and counternarcotic investigations. The Committee was concerned by the unexpected suspension of reimbursements to States and localities through the AFF in December 2015. This abrupt suspension of reimbursements through AFF, coupled with the increased demands on law enforcement including those of the heroin and opioid crisis, put some State and local law enforcement agencies in a difficult financial position. The Department is directed to provide to the Committee advanced notice of at least 10 business days regarding any future changes to the Equitable Sharing Program.

UNITED STATES MARSHALS SERVICE

Appropriations, 2016	\$2,699,995,000
Budget estimate, 2017	2,789,165,000
Committee recommendation	2,713,454,000

The Committee’s recommendation provides a total of \$2,713,454,000 for the United States Marshals Service [USMS]. The recommendation is \$13,459,000 above the fiscal year 2016 enacted level and is \$75,711,000 below the budget request.

SALARIES AND EXPENSES

Appropriations, 2016	\$1,230,581,000
Budget estimate, 2017	1,275,156,000
Committee recommendation	1,249,040,000

The Committee’s recommendation provides \$1,249,040,000 for USMS salaries and expenses. The recommendation is \$18,459,000 above the fiscal year 2016 enacted level and \$26,116,000 below the budget request. The core missions of the USMS include the apprehension of fugitives; protection of the Federal judiciary and witnesses; execution of warrants and court orders; and the custody and transportation of unsentenced prisoners.

In addition to receiving direct appropriations, the Committee is aware that USMS also receives funding from the Department’s Assets Forfeiture Fund [AFF] to augment salaries and expenses that are intended to directly administer AFF-related activities like the

management and sale of forfeited assets. In an effort to increase transparency to USMS's use of AFF funding, the Department is directed to provide the Committee with quarterly reports that include: a detailed list of USMS's AFF expenditures; the number of Federal employees and contractor staff, including the assigned division for each, for any personnel expenses using AFF funds; and justifications for each expenditure, including connections with AFF-related operations.

Implementation of International Megan's Law.—In 2009, to fulfill the mission assigned it by the Adam Walsh and Child Protection Safety Act of 2006, the USMS established the National Sex Offender Targeting Center [NSOTC]. The mission of the NSOTC is to serve as an interagency intelligence and operations center supporting the identification, investigation, location, apprehension, and prosecution of non-compliant, unregistered fugitive sex offenders. In February 2016, Congress passed, and the President signed, International Megan's Law (Public Law 114–119), which granted new authorities to the USMS regarding registered sex offenders. This new law, among other things, directs the USMS to alert foreign governments when registered sex offenders plan to travel abroad in an effort to prevent further victimization of children.

Within the amount provided, the USMS shall dedicate not less than \$5,000,000 to fulfill the critical role of vetting and providing notification of sex offenders traveling abroad, including dedicating Deputy U.S. Marshals to this new mission. The Committee expects that the funds provided herein will be used to enhance the USMS's NSOTC role as detailed in the International Megan's Law including, providing advanced notice of travel by registered sex offenders to destination countries using the INTERPOL notification system; coordinating communication and enforcement between the newly established Angel Watch Center within the Department of Homeland Security and the NSOTC to carry out the required checks of State sex offender registries, advanced notices of international travel by registered offenders, the Angel Watch Center notifications of covered sex offenders, and flight manifests; and streamlining the international notification system to ensure that no registered sex offenders go "un-noticed" when leaving the United States.

Regional Fugitive Task Forces [RFTFs].—The oldest Federal law enforcement agency, the USMS, is also the Federal Government's primary agency for apprehending fugitives and providing assistance and expertise to other Federal, State, and local law enforcement agencies in support of fugitive investigations. One key way to accomplish this dangerous task is through the USMS's network of 60 district-led Violent Offender Task Forces and seven RFTFs.

The Committee supports the USMS's request of \$7,650,000 to establish an additional RFTF in the location proposed in the fiscal year 2017 budget request, including the hiring of Deputy U.S. Marshals and other personnel to fully staff the RFTF. With this new RFTF, the USMS expects it will be able to locate and arrest the most egregious offenders, and help reduce violent crime within our communities, including an anticipated increased arrest rate of at least 840 violent fugitives. Should the Department need additional resources to fully fund this effort, funding from unobligated balances should be used.

Gang Enforcement.—The Committee recognizes the need to reduce gang crime by apprehending violent fugitives. Within the amount provided in the budget request, the USMS shall dedicate no less than \$5,000,000 to operate anti-gang investigative units within the RFTFs, including supporting the supervisory, operational, equipment, and training needs of these units, in order to target gangs of national significance.

Sex Offender Apprehension.—The Adam Walsh Child Protection and Safety Act of 2006 [AWA] (Public Law 109–248) gives the USMS the authority to apprehend convicted sex offenders who fail to register as fugitives. The act also directs the USMS to assist jurisdictions in locating and apprehending these individuals.

The Committee’s recommendation provides not less than the requested amount of \$61,305,000 to continue AWA enforcement. While the USMS is a leading DOJ agency conducting AWA-related activities, the Committee notes that the administration requests \$188,116,000 throughout the Department to support the entire suite of AWA enforcement, prosecutions, and nationwide grants, which the Committee supports.

CONSTRUCTION

Appropriations, 2016	\$15,000,000
Budget estimate, 2017	10,000,000
Committee recommendation	10,000,000

The Committee’s recommendation provides \$10,000,000 for construction in space controlled, occupied, or utilized by the USMS in Federal courthouses and buildings, including but not limited to the creation, renovation, and expansion of prisoner movement areas, elevators, and other law enforcement and court security support space. The recommendation is \$5,000,000 below the fiscal year 2016 enacted level and equal to the budget request.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$1,454,414,000
Budget estimate, 2017	1,504,009,000
Committee recommendation	1,454,414,000

The Committee’s recommendation provides \$1,454,414,000 for Federal Prisoner Detention [FPD]. The recommendation is equal to the fiscal year 2016 enacted level including offsetting funds from other accounts and is \$49,595,000 below the budget request.

The Committee expects the USMS to anticipate the true funding needs for this account in order to avoid funding shortfalls and the need for emergency reprogrammings to avert deficiencies. The Committee directs the USMS to report to the Committee on a quarterly basis the current number of individuals in the detention system, the projected number of individuals, and the associated annualized costs.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$95,000,000
Budget estimate, 2017	97,337,000
Committee recommendation	95,000,000

The Committee's recommendation provides \$95,000,000 for the National Security Division [NSD]. The recommendation is equal to the fiscal year 2016 enacted level and \$2,337,000 below the budget request.

The NSD coordinates the Department's national security and counterterrorism missions through law enforcement investigations and prosecutions, and handles counterespionage cases. The NSD works in coordination with the FBI, the Intelligence Community, and the U.S. Attorneys. Its primary function is to prevent acts of terrorism and espionage from being perpetrated in the United States by foreign powers.

Combating Cyber Threats to National Security.—The Committee's recommendation provides not less than the fiscal year 2016 level for cybersecurity activities within the NSD for investigative, prosecutorial, intelligence collection, and oversight abilities that support the Intelligence Community in identifying and disrupting cyber threats to national security.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

Appropriations, 2016	\$512,000,000
Budget estimate, 2017	522,135,000
Committee recommendation	512,000,000

The Committee's recommendation provides \$512,000,000 for Interagency Crime and Drug Enforcement. The recommendation is equal to the fiscal year 2016 enacted level and \$10,135,000 below the budget request.

The Interagency Crime and Drug Enforcement account funds the Organized Crime and Drug Enforcement Task Forces [OCDETF], which is the centerpiece of the Department's drug enforcement and counternarcotics efforts. The mission of the OCDETF is to ensure a coordinated, multi-agency, intelligence-based, and prosecutor-led approach to identifying, disrupting, and dismantling those drug trafficking and money laundering organizations primarily responsible for the Nation's illicit drug supply and drug-related violence.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

Appropriations, 2016	\$8,489,786,000
Budget estimate, 2017	8,718,884,000
Committee recommendation	8,617,133,000

The Committee's recommendation provides \$8,617,133,000 for the Federal Bureau of Investigation [FBI] salaries and expenses.

The recommendation is \$127,347,000 above the fiscal year 2016 enacted level and \$101,751,000 below the budget request.

Criminal Justice Information Services [CJIS].—The Committee recommends the full funding request for CJIS including fee collections. The recommendation provides up to \$121,081,000, the same as the requested level, for the FBI to continue improvements to the National Instant Criminal Background Check System [NICS] to increase the capacity and efficiency of the existing NICS system to perform background checks on prospective firearms buyers.

Cybersecurity.—The FBI remains the only agency with the statutory authority, expertise, and ability to combine counterterrorism, counterintelligence, and criminal investigatory resources to neutralize, mitigate, and disrupt illegal computer-supported operations domestically. The Committee supports the requested \$17,950,000 adjustments-to-base increase for cybersecurity activities throughout the FBI. In addition, the Committee supports the programmatic increases of \$43,075,000 at the Cyber Division as part of the Bureau's ongoing efforts to strengthen its cyber capabilities and investigations including those into ransomware attacks against institutions such as hospitals.

Terrorist Explosive Device Analytical Center [TEDAC].—The Committee continues to view TEDAC as a critical resource in combating the global threat posed by terrorist use of explosives and in sharing Improvised Explosive Devices [IED] threat information and intelligence. As such, the Committee's recommendation provides \$61,700,000 of full operational funding to TEDAC in fiscal year 2017, which the administration proposed to partially cut in the budget request. This funding will continue to strengthen the role of TEDAC as the U.S. Government's strategic-level improvised explosive device exploitation center and provide the resources necessary to staff the new facility as it comes online.

Associated with TEDAC, the Committee provides \$1,700,000 for additional operational support associated with the counter-IED campus encompassing TEDAC, Hazardous Devices School Weapons of Mass Destruction Directorate, and other FBI operations co-located together. Funding will be used for the operations of an in-processing center for FBI employees, official visitors, and students attending training, as well as support for the project management office.

Hazardous Devices School [HDS].—HDS is the sole U.S. Government entity for accrediting and certifying U.S. public safety bomb squads and bomb technicians. The Committee notes that the FBI and the Department of the Army have completed a staffing transition at HDS that maintains the instruction and increases operational efficiencies and effectiveness at the school. The Committee does not support the budget request to cut HDS and instead reinstates full funding for operations provided in fiscal year 2016.

Ballistic Research Facility.—The Committee supports the relocation of the Ballistic Research Facility, which had to move due to facility limitations at the FBI Academy grounds. The recommendation provides \$1,000,000 above the fiscal year 2016 level for additional staff and equipment for the new facility's operations.

Human Rights Violations.—The Committee directs the FBI to continue its efforts to investigate and support the DOJ's criminal

prosecution of serious human rights crimes committed by foreign nationals, including genocide, torture, use or recruitment of child soldiers, and war crimes. The Committee's recommendation continues funding this effort at the fiscal year 2016 enacted level.

Innocent Images National Initiative.—The Committee's recommendation provides \$79,114,000 for the Innocent Images National Initiative, which is \$886,000 above the requested level, allowing the FBI to target and investigate sexual predators on the Internet. This funding will address the critical requirements for Federal law enforcement in targeting child sexual exploitation and child victimization. The Committee is concerned that the proposed reductions to the base program are insufficient to cover the current Innocent Images caseload.

FBI Specialized Fleet Issues.—As the FBI has diverse investigatory missions, the Committee understands there are subsequent unique needs for vehicle purchases to appropriately assist with investigations. The FBI is directed to report to the Committee on any policy or legislative barriers to obtaining the necessary vehicles, including recommended changes to policy or law.

CONSTRUCTION

Appropriations, 2016	\$308,982,000
Budget estimate, 2017	783,482,000
Committee recommendation	833,982,000

The Committee's recommendation provides \$833,982,000 for FBI construction. The recommendation is \$525,000,000 above the fiscal year 2016 enacted level and \$50,500,000 above the budget request.

FBI Headquarters Consolidation.—The Committee expects the FBI and the General Services Administration [GSA] to continue to coordinate closely on moving forward in a timely and transparent way with the full consolidation of FBI Headquarters. Consolidation is critical to an FBI workforce that is currently dispersed between the J. Edgar Hoover building and approximately 13 leased offices in the National Capital region. The Committee supports the administration's request of \$646,000,000 within the FBI's Construction account to build a new FBI Headquarters facility that will provide the operational work environment necessary for the FBI to be successful in performing its national security, intelligence, and criminal investigative missions.

21st Century Facilities.—The Committee is aware that as the FBI prepares to transition to a new headquarters, the Bureau is developing a strategic plan for its facilities that establishes a long-term vision to improve its operations, taking into consideration its changing footprint at Quantico. In drafting the plan, the FBI has sought to identify missions, workforce, and land requirements to secure space for supporting a variety of functions. The Committee supports the FBI's vision for the strategic plan, and encourages the Bureau to formalize its concepts into a multi-year phased proposal.

In the meantime, the Committee supports the FBI's near-term facility plans to better leverage current agency investments in the co-location of TEDAC, HDS, and Weapons of Mass Destruction Directorate [WMDD] explosives-related training operations. The Committee provides \$75,500,000 to complete the FBI's project development currently underway in this field so as to continue trans-

forming the campus into a key government research and development center. Such facilities should include: phase 4 of TEDAC's Explosives Technical Laboratory, mobile deployment trailers pad, warehouse for response vehicles, and forensic explosives test range; further HDS range modernizations; base infrastructure improvements and in-processing entry control; interim Regional Computer Forensic Laboratory and Training Facility; and defense systems unit facility.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 2016	\$2,451,514,000
Budget estimate, 2017	2,485,638,000
Committee recommendation	2,485,638,000

The Committee's recommendation provides total resources of \$2,485,638,000 for the Drug Enforcement Administration [DEA], of which \$382,662,000 is derived from the DEA's Drug Diversion Control Fee Account. The recommendation is \$34,124,000 above the fiscal year 2016 enacted level and the same as the budget request.

The DEA's mission is to enforce the controlled substances laws and regulations of the United States and bring to the criminal and civil justice system of the United States—or any other competent jurisdiction—those organizations and principal members of organizations involved in the growing, manufacturing, or distribution of controlled substances appearing in or destined for illicit traffic in the United States; and to support non-enforcement programs aimed at reducing the availability of illicit controlled substances on the domestic and international markets.

Heroin Enforcement Groups.—As the DEA's 2015 National Drug Threat Assessment notes, heroin and the illegal use of prescription drugs are now the most significant drug threats in the United States. To combat this growing threat, the Committee provides \$12,500,000 to the DEA for the creation of four new enforcement groups concentrated on targeting, disrupting, and dismantling heroin trafficking.

Diversion Control Program.—Full funding of \$382,662,000 is provided for the Diversion Control Program, which is an increase of \$11,148,000 from the fiscal year 2016 enacted level for expanded forensic support of diversion cases and is fully offset with fee collections.

Drug Diversion at Veterans Health Administration Facilities.—The Committee remains alarmed by the rates of prescription drug opioid abuse and related overdoses among veterans, as well as allegations of diversion of prescription opioids from Veterans Health Administration [VHA] facilities into the illicit drug market. The notion that VHA facilities are a source for the illicit distribution and use of opioids is extremely concerning, and the Committee directs the DEA to ensure that investigations of drug diversion in VHA facilities remain a priority and that sufficient resources are allocated for these efforts from the funds appropriated for its operations. The Committee anticipates reviewing the reports regarding drug diversion investigations involving the VHA, as requested in Senate Report 114–66.

Cooperation with State and Local Forensic Crime Laboratory Community.—The Committee encourages the DEA to collaborate and share any available resources with State and local forensic crime laboratories in their important efforts to combat the growing use of synthetic, or designer, drugs.

Medical Registration Coordination.—The Committee directs the Attorney General to coordinate with the Secretary of Health and Human Services to take additional steps to limit the over-prescribing of opioids by medical practitioners and clearly identify how the DEA can help to regulate registrations for the dispensing of controlled substances based on this criterion. Not later than 90 days after enactment of this act, both the Departments of Justice and Health and Human Services shall submit to the Committee a plan for moving forward on this effort, including ways for medical professionals to demonstrate, via certification to the DEA, that they have obtained training in proper prescribing of schedule II controlled substances, including pain management, and the prevention and treatment of addiction.

Implementation and Compliance with Recent Law.—The Committee urges the DEA to promptly implement Public Law 114–89, the Improving Regulatory Transparency for New Medical Therapies Act, which streamlines DEA’s approval process for drugs that fall under the Controlled Substances Act by creating a specific timeline for the DEA to schedule certain controlled substances. The Committee directs that the DEA report to the Committee within 180 days of the enactment of this act on its efforts to implement Public Law 114–89, including logistical or resource constraints. The DEA is urged to continue efforts to improve communication and transparency with stakeholders regarding its prescription drug diversion efforts.

The Committee also directs the DEA to report to the Committee within 180 days of the enactment of this act on its efforts to implement Public Law 113–260, the Designer Anabolic Steroid Control Act of 2014, which was enacted on December 14, 2014.

Cybersecurity.—Within the funding provided, the Committee supports the budget request to increase cybersecurity activities at DEA by \$7,763,000, for a total of \$30,602,000, which includes improving DEA’s internal network defenses and investigating and monitoring online pharmacies.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

Appropriations, 2016	\$1,240,000,000
Budget estimate, 2017	1,306,063,000
Committee recommendation	1,258,600,000

The Committee’s recommendation provides \$1,258,600,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives [ATF]. The recommendation is \$18,600,000 above the fiscal year 2016 enacted level and \$47,463,000 below the budget request. ATF has diverse law enforcement responsibilities, and the funding increase is provided to allow ATF to carry out these duties and to fill vacant existing positions.

The ATF reduces the criminal use of firearms and illegal firearms trafficking, and assists other Federal, State, and local law enforcement agencies in reducing crime and violence. The ATF investigates bombing and arson incidents and assists with improving public safety by reducing the criminal misuse of and trafficking in explosives, combating acts of arson and arson-for-profit schemes, and removing safety hazards caused by improper and unsafe storage of explosive materials.

Combating Gun Violence and Enforcing Existing Gun Laws.—The Committee's recommendation maintains ATF's ability to enforce existing firearms laws and perform regulatory oversight and training, including the National Integrated Ballistics Information Network [NIBIN]. This will enable the ATF to continue to collect, report, and share ballistic intelligence with Federal, State, local and tribal law enforcement partners to identify, target, and disrupt violent criminals, including serial shooters. Funds will support work with State and local law enforcement agencies and laboratories to collect ballistic hit information to provide leads to Firearms Intelligence Groups for investigations and document successful prosecutions as a result of NIBIN.

United States Bomb Data Center.—The Committee is encouraged by ATF's recent announcement that it is permanently moving the U.S. Bomb Data Center [USBDC] to the National Center for Explosives Training and Research, which will effectively combine the three components of explosives research, training, and information sharing in one location. DOJ has designated the Bomb Arson Tracking System [BATS] repository maintained at the USBDC as the sole repository for explosives incidents, and has directed all DOJ components to use this system to document explosives-related incidents. The Committee believes that the USBDC will be more productive with regular input and analysis from multiple agencies. The Committee encourages ATF to work with the FBI and the Department of Homeland Security's Office of Bombing Prevention to make space available for any analysts or agents from those agencies who may be assigned to the USBDC to increase Federal collaboration on bomb information.

United States-Mexico Firearms Trafficking.—The Committee continues to support the ATF's efforts to combat weapon trafficking on the border. The ATF shall continue to provide the Committee with annual data on the total number of firearms recovered by the Government of Mexico, and of those, the number for which an ATF trace is attempted, the number successfully traced, and the number determined to have originated in the United States prior to being recovered in Mexico.

National Center for Explosives Training and Research [NCETR].—The Committee supports the enhancements at NCETR, including additional advanced explosives disposal techniques courses for public safety bomb technicians. Given that NCETR serves as the Bureau's Center of Excellence for arson and explosives training, the Committee supports co-locating the Bureau's canine training operations for explosives and accelerant detection at NCETR in fiscal year 2017 and directs ATF to provide details on the merger as part of the Department's spending plan. The Committee also supports NCETR's research expertise and encourages

further investigations into the functions and effects of explosive devices in order to better exploit design weaknesses. Within the increased funds provided for ATF in fiscal year 2017, up to \$2,500,000 may be made available for an advanced counter explosive device research program focusing on hypervelocity impact and hypervelocity flight dynamics.

FEDERAL PRISON SYSTEM

The Committee's recommendation provides a total of \$7,094,222,000 for the Federal Prison System, or the Bureau of Prisons [BOP]. The recommendation is \$386,978,000 below the fiscal year 2016 enacted level and \$207,725,000 below the budget request.

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$6,948,500,000
Budget estimate, 2017	7,186,225,000
Committee recommendation	6,978,500,000

The Committee's recommendation provides \$6,978,500,000 for BOP salaries and expenses. The recommendation is \$30,000,000 above the fiscal year 2016 enacted level and \$207,725,000 below the budget request. The Committee supports the Department's request to increase funding for BOP's cybersecurity, including improving network defenses and mitigating insider threats.

Augmentation.—Although the overall Federal inmate population has declined from fiscal year 2015 to fiscal year 2016, overcrowding remains a serious threat to officer safety, particularly at high and medium security facilities which are overcrowded at rates of 45 percent and 28 percent, respectively. To meet staffing needs, the BOP routinely uses a process called "augmentation", whereby a non-custody employee is assigned custody responsibilities. The Committee directs the BOP to curtail its overreliance on augmentation and instead hire additional full-time correctional staff before continuing to augment existing staff. BOP is further directed to submit quarterly reports to the Committee on the inmate-to-correctional officer ratios at each facility.

Unit Officer Staff at High Security Institutions.—The Committee supports the continued efforts to sustain the addition of correctional officers for each housing unit at high security institutions to ensure that no officer has to work alone. This will allow all BOP high security institutions to have at least two correctional officers on duty in each housing unit for all three shifts. BOP is directed to submit quarterly reports to the Committee showing compliance and provide a strategic plan for implementation for any high security institution that has not activated the second officer within 90 days of enactment of this act.

Alleviating Overcrowding at High Security Facilities.—The overcrowding rate at high-security prisons continues to remain high at 45 percent. The Committee supports BOP's efforts to alleviate overcrowding at high security facilities through the process of opening additional prisons. The Committee expects the BOP to adhere to the activation schedule included in the BOP's budget submission

regarding these prison facilities, including the new U.S. Penitentiary in Thomson, Illinois. The BOP shall notify the Committee of any deviations from this schedule.

Medication-Assisted Treatment Pilot Expansion.—The Committee supports the request of \$1,000,000 for the BOP to continue the medication-assisted treatment pilot program for inmates with heroin and opioid addiction. This voluntary pilot program will treat approximately 200 inmates.

Federal Detainers.—In an effort to ensure that criminal aliens are not improperly released into our communities, the Committee directs the BOP to offer Immigration and Customs Enforcement [ICE] the first opportunity to take into custody and remove an individual with a Federal detainer instead of BOP and ICE automatically deferring to States and municipalities who are seeking custody of the same individual. ICE’s decision to exercise this right of first refusal with BOP will be informed, in part, by the State or municipality’s willingness to cooperate with Federal authorities on ICE detainers.

International Prisoner Transfer Program.—The Committee is interested in the Department’s effective use and administration of the International Prisoner Transfer Program, which permits certain foreign national inmates from treaty nations to serve the remainder of their sentences in their home countries. While the BOP has made efforts to improve its utilization of this program after a 2011 review by the DOJ Office of the Inspector General, the Committee is disappointed that the program remains significantly underused. Increasing the number of foreign national inmates transferred out of BOP facilities to their home countries could result in considerable cost savings.

The BOP, in coordination with the Criminal Division, is directed to submit a report to the Committee not later than 90 days after enactment of this act detailing how the International Prisoner Transfer Program is currently being administered, including: methods for educating eligible foreign national inmates about the program, the estimated number of currently eligible foreign national inmates compared to the number of applicants, the process for approving transfers, the number of prisoner transfers in the previous 5 fiscal years, the corresponding countries to which prisoners were transferred, and the long-term cost savings this program has achieved for BOP along with projected cost savings if the program were operating at full capacity.

The Committee continues to await the overdue submission of this report as directed by Senate Report 114–66 and requests its immediate submission.

BUILDINGS AND FACILITIES

Appropriations, 2016	\$530,000,000
Budget estimate, 2017	113,022,000
Committee recommendation	113,022,000

The Committee’s recommendation provides \$113,022,000 for the construction, modernization, maintenance, and repair of prison and detention facilities housing Federal prisoners. The recommendation is \$416,978,000 below the fiscal year 2016 enacted level and equal to the budget request.

The Committee includes bill language in Title V—General Provisions stipulating that no BOP resources may be used for facilities to house detainees from the United States Naval Station, Guantánamo Bay, Cuba.

Reporting.—The Committee believes that the consideration of any new facility or facility expansion should be based upon a long-term strategic plan which incorporates a robust capital planning process including leading capital planning practices as outlined in OMB and GAO guidance. The Committee directs the BOP to continue providing quarterly reports to the Committee on the progress of its efforts, including funding for new prison construction if merited in future requests.

The Committee also directs the BOP to continue providing the Committee with the most recent monthly status of construction report, and to notify the Committee of any deviations from the construction and activation schedule identified in that report, including detailed explanations of the causes of delays and actions proposed to address them.

FEDERAL PRISON INDUSTRIES, INCORPORATED

(LIMITATION ON ADMINISTRATIVE EXPENSES)

Appropriations, 2016	\$2,700,000
Budget estimate, 2017	2,700,000
Committee recommendation	2,700,000

The Committee’s recommendation provides a limitation on the administrative expenses of \$2,700,000 for the Federal Prison Industries, Inc. The recommendation is equal to the fiscal year 2016 enacted level and the budget request.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, the Committee recommends \$4,937,449,000 for State and local law enforcement and crime prevention grant programs, including: \$1,980,449,000 in discretionary appropriations and in mandatory appropriations, and \$2,957,000,000 from funds provided under section 510 of this act. The total is \$300,511,000 below the fiscal year 2016 enacted level and \$812,949,000 above the budget estimate.

Management and Administration Expenses.—The Department shall, in preparing its fiscal year 2017 spending plan, assess management and administration [M&A] expenses compared to program funding. The Committee directs the Department to ensure that its assessment methodology is equitable and, for programs funded through the Crime Victims Fund, that the assessment reflects a fair representation of the share of each program devoted to common M&A costs. The Committee also directs grant offices to minimize administrative spending in order to maximize the amount of funding that can be used for grants or training and technical assistance. The Committee reiterates the direction provided in Public Law 113–76 that the Department shall detail, as part of its budget submission for fiscal year 2018 and future years, the actual costs for each grant office with respect to training, technical assistance, research and statistics, and peer review for the prior fiscal year, along with estimates of planned expenditures by each grant office

in each of these categories for the current year and the budget year.

Compliance with Federal Laws.—The Committee directs the Department to ensure that all applicants for Edward Byrne Memorial Justice Assistance Grants [Byrne JAG], Community Oriented Policing Services [COPS] grants, and State Criminal Alien Assistance Program [SCAAP] funds are required to attest and certify that the potential grant recipients are in compliance with all applicable Federal laws, and shall be required to continue to remain compliant throughout the duration of their grant award period as the Attorney General has testified before this Committee.

Prudence in Budget Proposals for Grant Programs.—Many of the initiatives proposed by the Department come at the expense of effective existing grant programs which currently serve our communities, including State and local law enforcement, well. Such proposals put the Committee in an untenable position in a fiscal environment of limited funding resources. As virtually all of the new programs proposed for funding have never been authorized or previously vetted by Congress, the Committee is left to choose between well-established grant programs and new ideas which are untested. The Committee reminds the Department to work more closely with the appropriate congressional committees to seriously consider the modification or omission of existing outdated programs before new proposals and initiatives are unveiled.

Duplication of DOJ Grant Programs.—The Committee believes that, as the Federal budget continues to experience fiscal constraints, there is an ever-increasing need to ensure that governmental resources, including those awarded through grants and subgrants, are appropriately targeted and that unnecessary duplication is mitigated. Recent GAO reports have found that, as established in statute, some of the grant programs administered by the Office of Justice Programs [OJP], Office on Violence Against Women [OVW], and the COPS Office are similar in scope and grant applicants can apply for and receive grant awards from more than one program. Moreover, grant recipients may choose to award a portion of their grant to subgrantees. These subgrantees may also apply directly to Justice for funding through other grant programs for the same or similar purposes.

Yet, the Department's ability to characterize the landscape of potential duplicative programs and overlapping award opportunities remains unsatisfactory. This was evident during the Committee's February 25, 2016, hearing on DOJ's fiscal year 2017 budget request, when a Committee member noted that the Department's recent efforts to follow Committee direction from the fiscal year 2016 act to report duplications in Justice grants resulted in a paltry three page document of very general statements with no real detail. A more comprehensive report on duplication is clearly needed. Therefore, the Attorney General shall submit a report to the Committee within 120 days of enactment of this act that includes the following:

—An assessment to better understand the extent to which DOJ grant programs overlap with one another along with a determination as to whether grant programs should be consolidated to mitigate the risk of unnecessary duplication. To the extent that DOJ

identifies any statutory obstacles to consolidating its grant programs, it should work with Congress to address them, as needed; and

—Direction given to granting agencies to coordinate with one another on a consistent basis to review potential or recent grant awards, including subgrant awards reported by DOJ prime grant awardees, to the extent possible, before awarding grants. This could help ensure an accurate understanding of DOJ resources already provided to applicants and the communities they serve, as well as knowledge of those applicants proposing to carry out the same or similar activities with funds from one or more of the granting agencies' programs. The Department should also take steps to establish written policies and procedures to govern this coordination and help ensure that it occurs.

Grant Funding Set-Asides.—The Committee notes the significant number of reductions in grant funding allowable for various purposes, including training, technical assistance, research, evaluation and statistics activities with set-asides ranging anywhere from 2 percent to 10 percent of total grant funding provided. To that end, the Committee directs the Department to continue providing a comprehensive report concurrently with the spending plan that details the total amount provided for each grant program in this act, the specific reductions taken, the purpose for those reductions and the final use of those resources, including any transfers that may occur within OJP, OVW, and COPS. The Committee expects that the report will provide a complete analysis of the final amounts externally awarded and the amounts retained internally for other purposes.

Grant Funds for Rural, High Poverty Areas.—The Committee is concerned about the needs of rural, high poverty areas, especially those communities with high crime rates. The Committee wants to ensure that the challenges encountered by the residents of these areas are being addressed through the equitable use of grant funding. The Committee reminds the Department to keep the unique needs of rural, high poverty communities in mind when making grant awards through the numerous programs funded under this act.

Performance Partnership Pilots.—The bill includes language permitting OJP to participate, with other Federal agencies, in the Performance Partnership Pilot program authorized in division H of Public Law 113–76 and division G of Public Law 113–235. Performance Partnership Pilots take an evidence-based approach to better serve disconnected youth in our communities. The Committee supports innovative efforts to coordinate programs across the Federal Government that serve these young people. Nonetheless, the Department must remain accountable for the proper use and effectiveness of its grant funds. The proposal for these pilots states that outcome-focused criteria will be used as part of the evaluation process. In addition, jurisdictions receiving funding will be held accountable to a set of cross-agency, data-driven outcomes and interventions will be measured and rigorously evaluated using real-time performance and outcome data.

The Department's Office of Inspector General should continue to coordinate with the Inspectors General of other participating de-

partments and agencies to ensure timely audits and oversight of these funds.

Trauma-Informed Training.—The Committee encourages the Department’s grant making agencies to focus on efforts to provide specialized trauma-informed training in responding to, and investigating, sexual assault, including forensic interviewing and evidence-gathering techniques and trauma-informed investigative skills. The goal is to increase the capacity of law enforcement agencies whose officers may come into contact with survivors of sexual assault, including survivors of sexual assault on college campuses, and to help ensure law enforcement resources are made available in an appropriate and timely manner.

Submission of Officer Training Information.—The Committee directs the Department to continue following direction provided in fiscal year 2016 regarding the submission of officer training data as part of the Byrne-JAG and COPS hiring grant process.

Office for Victims of Crime Final Rulemaking.—While the deadline for public comment to the Office for Victims of Crime’s proposed rulemaking on changes to Victim Assistance formula grants was October 28, 2013 [28 CFR Part 94], no final regulations have been announced nearly 3 years later. The Committee requests an expeditious closure to this review and publication of a final rulemaking. Unserved and underserved victim service areas such as tribal communities; human, sex, and labor trafficking victims; and exonerees should be given consideration for covered purpose areas of victim assistance.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

Appropriations, 2016	\$480,000,000
Budget estimate, 2017	¹ 489,000,000
Committee recommendation	² 481,500,000

¹ Of the \$489,000,000 provided in this heading, \$326,000,000 is requested to be derived from funding available under section 510 of this act.

² Of the \$481,500,000 provided in this heading, \$102,500,000 is provided in direct appropriations and \$379,000,000 is derived by transfer from amounts available for obligation in this Act from the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (42 U.S.C. 10601), notwithstanding section 1402(d) of such act of 1984.

The Committee’s recommendation provides \$481,500,000 for OVW grants. The recommendation is \$1,500,000 above the fiscal year 2016 enacted level, and \$7,500,000 below the budget request. Resources are provided to the OVW to respond to the needs of all victims of domestic violence, sexual assault, dating violence, and stalking, including, but not limited to, Native women, immigrants, LGBT victims, college students, youths, and public housing residents.

The table below displays the Committee’s recommendations for the programs under this office.

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

[In thousands of dollars]

Program	Committee recommendation
STOP Grants	215,000
Transitional Housing Assistance	30,000
National Institute of Justice Research and Evaluation on Violence Against Women	3,000
Consolidated Youth Oriented Program	11,000
Grants to Encourage Arrest Policies	53,000
Homicide Reduction Initiative	[4,000]
Domestic Violence Firearm Lethality Reduction Initiative	[4,000]
Sexual Assault Victims Services	35,000
Rural Domestic Violence Assistance Grants	35,000
Violence on College Campuses	20,000
Civil Legal Assistance	45,000
Elder Abuse Grant Program	5,000
Family Civil Justice	16,000
Education and Training for Disabled Female Victims	6,000
National Center on Workplace Responses	500
Research—Violence Against Indian Women	1,000
Sex Assault in Indian Country Clearinghouse	500
Tribal Special Domestic Violence Criminal Jurisdiction	4,000
Rape Survivor Child Custody Act	1,500
Total	481,500

STOP Grants.—Within the discretionary budget authority appropriated, \$215,000,000 is for formula grants to the States. This is \$15,000,000 above the budget request and equal to the fiscal year 2016 enacted level. The recommendation supports increasing access to comprehensive legal services for victims, providing short-term housing assistance and support services for domestic violence victims, and education and training to end violence against and abuse of women with disabilities.

The Committee has included bill language providing a 1-year exemption from the penalties required under the Prison Rape Elimination Act for the OVW's STOP Grants.

Sexual Assault Services Act [SASA].—The Committee's recommendation provides \$35,000,000, which is equal to the budget request and the fiscal year 2016 enacted level, to directly fund the needs of sexual assault victims.

As part of VAWA 2005 and reauthorized by VAWA 2013, the Sexual Assault Services Program addresses considerable gaps in services to sexual assault victims. The Committee supports a dedicated stream of funding to provide a broad range of services to male, female, and child sexual assault victims and their families through the well-established and well-regarded system of community-based rape crisis centers throughout the United States, and maintains its strong commitment to ensuring that these rape crisis centers have access to technical assistance, training, and support.

OFFICE OF JUSTICE PROGRAMS

The Office of Justice Programs [OJP] is responsible for providing leadership, coordination, and assistance to its Federal, State, local, and tribal partners to enhance the effectiveness and efficiency of the U.S. justice system in preventing, controlling, and responding to crime. As most of the responsibility for crime control and prevention falls to law enforcement officers in States, cities, and other lo-

calities, the Federal Government is effective in these areas only to the extent that it can enter into successful partnerships with these jurisdictions. Therefore, the OJP is tasked with administering grants; collecting statistical data and conducting analyses; identifying emerging criminal justice issues; developing and testing promising and innovative approaches to address these issues; evaluating program results; and disseminating these findings and other information to State, local, and tribal governments. The Committee directs the OJP to submit a quarterly report on grant programs that have not received a sufficient number of qualified applicants.

Gang Prevention Grants and Crime Rates.—The Committee remains concerned about gang activity and violent crime throughout the country, noting that Federal partnership with law enforcement is essential not only in our largest cities, but also in suburban and rural jurisdictions, where gang activity and violent crime rates can exceed national averages. To strengthen Federal partnership across all jurisdictions, the Committee directs the OJP to review the criteria by which the OJP awards discretionary grants relating to gang violence and prevention under the State and Local Law Enforcement Assistance and Juvenile Justice Programs on a per capita basis of applicant cities and jurisdictions where gang activity and violent crime rates exceed national averages. The Committee encourages the OJP to report on the relative success rate of awards granted to applicant cities and jurisdictions with disproportionately high gang and violent crime activity, including the murder rates of those cities and jurisdictions. The report should also consider the relative success rate of applicant cities and jurisdictions that have an established gang commission or community planning body, have completed the Office of Juvenile Justice Delinquency Prevention [OJJDP] gang assessment, and have consulted with or received technical assistance from the OJJDP National Gang Center regarding gang initiatives in the community.

Legal Training.—Training of State and local prosecutors and defense attorneys is essential to the functioning of the criminal justice system and ensuring justice is served. The Committee encourages OJP to explore funding options, including Byrne-JAG, that support training for prosecutors and defense attorneys that provide a hands-on approach to topics such as criminal process, trial advocacy, ethics, and evidence.

Combating Online Crime, Hate, and Terror Groups.—The Committee encourages OJP to provide funding within existing grant opportunities targeted at expanding the ability of academic forensic technology programs to assist in identifying and profiling online crime, hate, and terror groups.

RESEARCH, EVALUATION AND STATISTICS

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$116,000,000
Budget estimate, 2017	154,000,000
Committee recommendation	118,000,000

The Committee’s recommendation provides \$118,000,000 for the Research, Evaluation and Statistics account. The recommendation

is \$2,000,000 above the fiscal year 2016 enacted level and \$36,000,000 below the budget request.

Funding in this account provides assistance in the areas of research, evaluation, statistics, hate crimes, DNA and forensics, criminal background checks, and gun safety technology, among others.

The Committee's recommendations are displayed in the following table:

RESEARCH, EVALUATION AND STATISTICS

[In thousands of dollars]

Program	Committee recommendation
Bureau of Justice Statistics	41,000
National Institute of Justice	36,000
Regional Info Sharing Activities	36,000
Forensic Initiative	5,000
Transfer to NIST	[4,000]
Total	118,000

Spending Plans.—The Department shall submit to the Committee as part of its spending plan for State and Local Law Enforcement Activities a plan for the use of all funding administered by the National Institute of Justice and the Bureau of Justice Statistics, respectively, for approval by the Committee prior to the obligation of any such funds.

National Institute of Justice [NIJ].—The Committee's recommendation provides \$36,000,000 for the NIJ, in addition to \$4,000,000 transferred from the OVW for research and evaluation on violence against women and Indian women. The NIJ's mission is to advance scientific research, development, and evaluation to advance the administration of justice and public safety.

Forensic Initiative.—The Committee provides \$5,000,000 for a forensic initiative, of which \$4,000,000 is provided by transfer to the National Institute of Standards and Technology [NIST] to support Scientific Working Groups. The Department of Justice shall coordinate its forensic initiative activities with NIST.

Regional Information Sharing Activities.—The Committee recommends \$36,000,000, an increase of \$11,000,000 above the budget request and \$1,000,000 above the fiscal year 2016 enacted level, to support activities that enable the sharing of nationwide criminal intelligence and other resources with State, local, and other law enforcement agencies and organizations. Such activities should address critical and chronic criminal threats, including gangs, terrorism, narcotics, weapons and officer safety or "event deconfliction," and should reflect regional as well as national threat priorities. In addition, funds shall be available to support local-to-local law enforcement data and information sharing efforts focused on solving routine crimes by sharing law enforcement information not categorized as criminal intelligence. All activities shall be consistent with national information-sharing standards and requirements as determined by the Bureau of Justice Assistance.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$1,408,500,000
Budget estimate, 2017	1,097,800,000
Committee recommendation	1,183,649,000

The Committee's recommendation provides \$1,183,649,000 for State and local law enforcement assistance. The recommendation is \$227,500,000 below the fiscal year 2016 enacted level, and \$83,200,000 above the budget request.

The Committee's recommendations are displayed in the following table:

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

[In thousands of dollars]

Program	Committee recommendation
Byrne Memorial Justice Assistance Grants	384,000
VALOR Initiative	[15,000]
Smart Policing	[10,000]
Smart Prosecution	[2,500]
Firearm Safety and Gun Locks	[1,000]
NamUS	[2,400]
Improved Police Responses to the Mentally Ill	[5,000]
State Criminal Alien Assistance Program	100,000
Victims of Trafficking Grants	47,649
Drug Courts	43,000
Mentally Ill Offender Courts	11,000
Residential Substance Abuse Treatment	14,000
Capital Litigation/Wrongful Prosecution Review	2,500
Economic, High-Tech, and Cybercrime Prevention	14,000
IP Enforcement	[2,500]
Cybercrime Prosecutor Pilot Program	[1,000]
John R. Justice Grant Program	2,000
Adam Walsh Act Implementation	20,000
Children Exposed to Violence Initiative	8,000
Bulletproof Vests Partnership	22,500
Transfer to NIST/OLES	[1,500]
National Sex Offender Public Web site	1,000
Violent Gang and Gun Crime Reduction	6,500
National Instant Criminal Background Check System [NICS] Initiative	75,000
NICS Improvements	[25,000]
Paul Coverdell Forensic Science	13,500
DNA Initiative	125,000
Debbie Smith DNA Backlog Grants	[117,000]
Kirk Bloodsworth Post-Conviction DNA Testing Grants	[4,000]
Sex Assault Exam Kits	[4,000]
Community-Based Sexual Assault Response Reform	45,000
Court-Appointed Special Advocates [CASA]	9,000
Second Chance Act	75,000
Smart Probation	[6,000]
Children of Incarcerated Parents Demo Grants	[5,000]
Project HOPE Opportunity Probation with Enforcement	[4,000]
Pay for Success	[7,500]
Veterans Treatment Courts	6,000
Prescription Drug Monitoring	14,000
Comprehensive School Safety Program	75,000
Community Trust Initiative	70,000
Body-Worn Camera Partnership Program	[22,500]
Justice Reinvestment Initiative	[25,000]

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE—Continued
[In thousands of dollars]

Program	Committee recommendation
Byrne Criminal Justice Innovation Program	[17,500]
National Crime Statistics Exchange (NCS-X)	[5,000]
Total	1,183,649

Edward Byrne Memorial Justice Assistance Grant Program.—The Committee recommends \$384,000,000 for Edward Byrne Memorial Justice Assistance Grants [Byrne-JAG]. Funding is not available for luxury items, real estate, or construction projects. The Department should expect State, local, and tribal governments to target funding to programs and activities that conform with evidence-based strategic plans developed through broad stakeholder involvement. The Committee directs the Department to make technical assistance available to State, local, and tribal governments for the development or update of such plans. Funding is authorized for law enforcement programs including those that promote data interoperability between disparate law enforcement entities; prosecution and court programs; prevention and education programs; corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs, other than compensation.

Training for Forensic Services.—The Committee is interested in solution-based approaches to train local law enforcement officers and utilize available technology to reduce court backlogs and prosecutions. To the extent appropriate, OJP should explore ways to provide resources for multi-jurisdictional forensic service providers, in collaboration with universities, to provide access to forensic expertise, assistance, and continuing education to law enforcement agencies. The Committee encourages OJP to remind awardees that these objectives could be met through the Byrne-JAG program.

VALOR Initiative.—The Committee's recommendation fully funds the budget request of \$15,000,000 within Byrne-JAG for the Officer Robert Wilson III Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative [VALOR]. This is a national training initiative that promotes a culture of safety within Federal, State, local, and tribal law enforcement agencies by training officers to respond to and react better in deadly situations, such as ambush attacks, while on duty. The Committee expects Federal law enforcement agencies to continue and expand on efforts to provide local police with information as to whether or not a suspect has a violent history, to the extent that transfer of such information is allowable and available via Federal law enforcement databases, in an effort to prevent officer deaths.

National Instant Criminal Background Check System [NICS] Initiative Grants.—The Committee recommends funding the program at \$75,000,000, which is \$20,000,000 above the budget request, to continue to improve the submission of State criminal and mental health records to NICS. This investment will strengthen the national background check system by assisting States in finding ways to make more records available in the NICS system, especially

mental health records, thereby addressing gaps in Federal and State records currently available in NICS. Those gaps significantly hinder the ability of NICS to quickly confirm whether a prospective purchaser is prohibited from acquiring a firearm.

Grants to Combat Human Trafficking.—Trafficking victims are subjected to physical, mental, and sexual abuse and need various types of assistance to begin healing and recovery, including counseling, housing, medical care, support groups, and legal assistance. The Committee's recommendation provides \$47,649,000 for services and task force activities for U.S. citizens, permanent residents, and foreign nationals who are victims of trafficking. The OJP shall consult with stakeholder groups in determining the overall allocation of Victims of Trafficking funding and shall provide to the Committee a plan for the use of these funds as part of the Department's fiscal year 2017 spending plan.

The Committee notes that funding provided in this program may be used for victims of sex and labor trafficking who are minors, as authorized under VAWA 2013. Child trafficking victims require specialized care, and these resources can be used for items like residential care, emergency social services, mental health counseling, and legal services.

Funding to assist State and local law enforcement in strengthening and expanding the investigation and prosecution of human trafficking and training law enforcement personnel on the identification of trafficking victims was authorized under VAWA 2013. The Committee recommends that funds be made available for human trafficking task forces, particularly those that combat the sex trafficking of minors in High Intensity Child Prostitution areas identified by the FBI. Trafficking task forces can also use funding for innovative technological instruments to assist in the rescue of trafficking victims.

Violent Gang and Gun Crime Reduction.—Violent crime and homicide continue to exact a heavy toll on victims, families, and neighborhoods. The Committee's recommendation provides \$6,500,000, which is equal to the fiscal year 2016 enacted level and \$1,500,000 above the budget request, for competitive grants aimed at reducing homicides and gun-related violent crime in communities overwhelmed by gangs of national significance and illegally purchased and trafficked guns. Popularly known as the Project Safe Neighborhoods model, this funding shall be used to hire new Federal and State prosecutors, support investigators, provide investigative and litigation training, deter juvenile gun crime, and develop and promote community outreach efforts, as well as to support other gun and gang violence reduction strategies.

Veterans Treatment Courts.—The Committee urges the Department to work in conjunction with the Department of Veterans Affairs to provide grant support for collaborative, rehabilitative approaches for continuing judicial supervision of offenders who are veterans. The Committee recommends not less than \$6,000,000 for Veterans Treatment Courts and urges the Department to strengthen funding for existing Veterans Treatment Courts with successful track records to promote best practices.

Bulletproof Vests.—Within the \$22,500,000 provided for bulletproof vests, \$1,500,000 is to be transferred directly to the NIST Of-

Office of Law Enforcement Standards [OLEES] to continue supporting ballistic- and stab-resistant material compliance testing programs. The Committee expects the BJA to continue strengthening internal controls to manage the Bulletproof Vest Partnership program. Improving grantee accountability in the timely use of Federal funds to purchase body armor will help every police officer who needs a vest to get one, thus saving officers' lives.

Second Chance Act Grants and Drug Treatment.—The recommendation provides \$75,000,000 for Second Chance Act [SCA] grants. The Committee expects that SCA funding will support grants that foster the implementation of strategies that have been proven to reduce recidivism and ensure safe and successful reentry back to their communities of adults released from prisons and jails. The SCA supports activities such as employment assistance, substance abuse treatment, housing, local transportation, mentoring, family programming, and victim support. SCA grants will also support demonstration projects designed to test the impact of new strategies and frameworks.

The Committee agrees with the White House's scoring mechanism for SCA grant funding as part of the President's February 2, 2016, announcement addressing the national opioid abuse and heroin epidemic. Under this method, 50 percent of SCA grant funding is deemed as drug treatment, and the Committee expects OJP to follow this strategy in awarding grant funds for fiscal year 2017.

In addition, when awarding SCA grants, OJP shall consider the impact of reentry of prisoners on communities in which a disproportionate number of individuals are already residing after release from incarceration. This includes assessing the reentry burdens borne by local communities and local law enforcement agencies; reviewing the resources available in such communities to support successful reentry; and making recommendations to strengthen the resources in such communities available to support successful reentry and to lessen the burden placed on such communities by the need to support reentry.

DNA Backlog and Crime Lab Improvements.—The Committee is once again extremely disappointed that the Department's budget request slashes funding by \$20,000,000 for critical grant programs to help State and local agencies address their backlogs and test forensic evidence. The Committee continues its strong support for DNA backlog and crime lab improvements by recommending \$125,000,000 to strengthen and improve Federal and State DNA collection and analysis systems that can be used to accelerate the prosecution of the guilty while simultaneously protecting the innocent from wrongful prosecution. Within funds provided, \$117,000,000 is for Debbie Smith DNA Backlog Reduction grants, \$4,000,000 is for Kirk Bloodsworth Post-Conviction DNA Testing grants, and \$4,000,000 is for Sexual Assault Nurse Examiners grants.

From within the funding provided for Debbie Smith DNA Backlog Reduction grants, the Committee expects the Department to prioritize reducing rape kit backlogs, given that it is the primary reason why the Committee continues to provide robust funding for these grants. The Committee directs the Department to provide not less than 75 percent of the total grant amounts for direct testing

activities to reduce the backlog. The Committee further directs DOJ to provide at least 5 percent of funds to law enforcement agencies to conduct audits of their backlogged rape kits and to prioritize testing in those cases in which the statute of limitations will soon expire, as authorized by the Sexual Assault Forensic Evidence Reporting Act of 2013 (Public Law 113–4).

The Committee expects that the OJP will make funding for DNA analysis and capacity enhancement a priority in order to meet the purposes of the Debbie Smith DNA Backlog Grant Program. The Committee directs the Department to submit to the Committee as part of its spending plan for State and Local Law Enforcement Activities a plan with respect to funds appropriated for DNA-related and forensic programs, including the alignment of appropriated funds with the authorized purposes of the Debbie Smith DNA Backlog Grant Program.

Reducing the Rape Kit Backlog.—The Committee’s recommendation includes \$45,000,000 to continue a competitive grant program started in fiscal year 2015 as part of the initiative to reduce the backlog of rape kits at law enforcement agencies. The NIJ shall provide competitively awarded grants with a comprehensive community-based approach to addressing the resolution of cases in the backlog. The Committee directs the NIJ to provide a report not later than 90 days after enactment of this act on its progress in developing a strategy and model to serve as best practices for discovering and testing kits, training law enforcement, and supporting victims throughout the process as required by Public Law 113–235.

Comprehensive School Safety.—The Committee’s recommendation includes \$75,000,000 to continue a competitive grant program as part of the comprehensive school safety initiative started in fiscal year 2014. The NIJ shall provide competitively awarded grants with strong research and evaluation components to local school districts and State educational agencies to support the implementation of school safety interventions under the existing construct. The Committee directs the NIJ to provide a report not later than 90 days after enactment of this act, on the continued development of a strategy and model for comprehensive school safety.

Economic, High-Tech, and Cybercrime Prevention.—The Committee recommends \$14,000,000 to assist State and local law enforcement agencies in the prevention, investigation, and prosecution of economic, high-tech, and Internet crimes. Given the importance of protecting our Nation’s new technologies, ideas, and products, the Committee includes the request of \$2,500,000 for competitive grants that help State and local law enforcement tackle intellectual property [IP] thefts, such as counterfeiting and piracy.

With the growing prevalence of cybercrimes and the ubiquitous nature of the existence of digital evidence in nearly every crime committed, the Committee is concerned that insufficient training and support of law enforcement, prosecutors, and judges could hinder the investigation and prosecution of cyber and traditional crimes. Within the funds provided, \$1,000,000 is for the creation of a Cybercrime and Digital Evidence Resource Prosecutor Pilot Program to provide State and local prosecutors with training and trial experience in cybercrimes and digital evidence.

John R. Justice Program.—The Committee notes that the Department of Justice plans to implement administrative changes to the long-running John R. Justice program, and is concerned that changes may be inconsistent with the intent of Congress in enacting section 952 of Public Law 110–315, which created the program. The Committee directs the Department to present details of the plan to the Committee within 30 days of enactment of this act, including the rationale and benefits for implementing proposed changes to this established program.

Flexible Tribal Assistance.—The Committee recommends funding tribal grant programs by permitting 7 percent of discretionary grant and reimbursement program funds made available to the OJP to be used for tribal criminal justice assistance, and continues to strongly support efforts to help tribes improve the capacity of their criminal justice systems. The OJP is expected to consult closely with tribal stakeholders in determining how tribal assistance funds will be awarded for detention facilities, courts, alcohol and substance abuse programs, civil and criminal legal assistance, and other priorities. The Committee directs the OJP to submit, as part of the Department’s spending plan for fiscal year 2017, a plan for the use of these funds that has been informed by such consultation. The Committee notes that the bill includes additional grant funding for tribal law enforcement programs through COPS and OVW.

Prescription Drug Monitoring Program.—The Committee directs the Bureau of Justice Assistance to assess the impact of establishing threshold enrollment and utilization rates for the Prescription Drug Monitoring Program and, where enrollment and utilization rates are below 100 percent, assess the feasibility of requiring benchmarks for improvements in enrollment and utilization as grant eligibility criteria. The Committee directs the Department to report, not later than 180 days after enactment of this act, on this assessment, including the potential of prioritizing funding based on the goal of optimizing prescriber and dispenser enrollment and utilization rates for Prescription Drug Monitoring Programs by prescribers and dispensers as a ratio compared to the potential universe of prescribers and dispensers and controlled substance prescribing rates, respectively.

Community Trust Initiative.—The Committee’s recommendation provides \$70,000,000 for the Community Trust Initiative to continue funding for the program established in fiscal year 2016. The Community Trust Initiative aims to improve police-community relations and build cooperation and trust between law enforcement agencies and the people they serve. The Committee has included funding for four component programs within the Community Trust Initiative, with \$22,500,000 provided for the Body-Worn Camera Partnership Program, \$25,000,000 provided for the Justice Reinvestment Initiative, \$17,500,000 provided for the Byrne Criminal Justice Innovation [BCJI] Program, and \$5,000,000 provided for the National Crime Statistics Exchange [NCS–X].

The Body-Worn Camera Partnership Program funding is to be used for matching grants for ongoing efforts to equip law enforcement officers with body-worn cameras. In order to qualify for grants, jurisdictions must provide training in the proper use of

body-worn cameras and have privacy and data retention policies already in place.

The Justice Reinvestment Initiative is a data-driven approach to improving public safety in communities. The funding for this program supports State and local efforts to reduce corrections expenditures while at the same time making communities safer and stronger.

The BCJI Program provides demonstration grants in communities to support innovative, evidence-based approaches to fighting crime and improving public safety, as well as addressing underlying problems. This program builds upon the approach of supporting communities with strategies that combine law enforcement, community policing, prevention, intervention, treatment, and neighborhood restoration. Due to the award of numerous promising BCJI planning grants in recent years, the Committee directs OJP to award no less than \$15,000,000 in implementation grants for fiscal year 2017 to allow these planning projects to flourish.

NCS-X will improve the collection and reporting into the National Incident-Based Reporting System [NIBRS], which provides more detailed criminal data like officer related shooting incidents. Approximately 6,300 out of the Nation’s 18,000 law enforcement agencies currently participate in NIBRS. The funding provided for NCS-X will add 300 additional law enforcement agencies into NIBRS and allow the Bureau of Justice Statistics to produce nationally representative estimates of crimes known to the police that can be disaggregated by victim-offender characteristics, the circumstances of the crime, victim-offender relationship, and other important elements of criminal events.

JUVENILE JUSTICE PROGRAMS

Appropriations, 2016	\$270,160,000
Budget estimate, 2017	334,400,000
Committee recommendation	272,000,000

The Committee’s recommendation provides \$272,000,000 for juvenile justice programs. The recommendation is \$1,840,000 above the fiscal year 2016 enacted level and \$62,400,000 below the budget request.

The Committee strongly supports a comprehensive approach of substantial funding for a robust portfolio of programs that work to improve the lives of the youth in our communities. Title II State Formula and title V juvenile delinquency prevention grants are the backbone of programs assisting State and local agencies to prevent juvenile delinquency and ensure that youth who are in contact with the juvenile justice system are treated fairly. Combined with other critical programs like youth mentoring, the Committee believes that a balanced level of programming is the way to best help at-risk and vulnerable youth and their families.

The Committee’s recommendations are displayed in the following table:

JUVENILE JUSTICE PROGRAMS
[In thousands of dollars]

	Committee recommendation
Part B—State Formula	63,000
Emergency Planning—Juvenile Detention Facilities	[500]
Youth Mentoring Grants	75,000
Title V—Delinquency Prevention	27,500
Tribal Youth	[10,000]
Gang and Youth Violence Education and Prevention	[5,000]
Children of Incarcerated Parents Web Portal	[500]
Girls in the Justice System	[2,000]
Victims of Child Abuse (VOCA)	21,000
Community-Based Violence Prevention	8,000
Missing & Exploited Children Programs	73,000
Child Abuse Training for Judicial Personnel	2,000
Juvenile Indigent Defense	2,500
Total	272,000

Any deviation from the above plan is subject to the reprogramming requirements of section 505 of this act.

Part B: State Formula Grants.—The Committee provides \$63,000,000 for grants to implement comprehensive State juvenile justice plans, including community-based prevention and intervention programs and activities for juvenile offenders. This amount is \$5,000,000 above the fiscal year 2016 enacted level and \$12,000,000 below the budget request.

Within the amount provided, the Committee recommends \$500,000 for competitive demonstration grants for State, local, and tribal juvenile justice detention facilities and systems to meet the needs of children and adolescents housed in detention facilities in preparation for, during, and after a disaster, as detailed in the 2011 emergency planning guidance issued by the OJJDP.

The Committee directs the OJP to submit as part of its spending plan for State and Local Law Enforcement Activities a plan for the administration of Part B State Formula Grants. The Committee expects this plan to include details pertaining to the formulas utilized in awarding grants under this heading.

The Committee urges DOJ to encourage title II grant recipients to coordinate with their State education agencies to support continuity of education opportunities for adjudicated youth.

Youth Mentoring Grants.—To support the critical work of national, regional, and local organizations in nurturing and mentoring at-risk children and youths, the Committee recommends \$75,000,000 for competitive, peer-reviewed youth mentoring grants. Within 45 days of enactment of this act, the OJP is directed to provide a report and spend plan to the Committee detailing the criteria and methodology that will be used to award these grants, as well as an explanation of any deviations from the criteria and Committee directions used in fiscal year 2016. The Committee expects that the OJJDP will take all steps necessary to ensure fairness and objectivity in the award of these and future competitive grants.

Victims of Child Abuse Act.—The Committee's recommendation provides \$21,000,000 for the various programs authorized under the Victims of Child Abuse Act [VOCA] (Public Law 101–647) and directs the OJJDP to ensure that not less than 90 percent of the

grants awarded are for the purposes of developing and maintaining child advocacy centers, including training and accreditation. Within the funds provided, \$5,000,000 shall be for Regional Children’s Advocacy Centers [RCACs] Programs. The RCACs were established to provide information, consultation, training, and technical assistance to communities, and to help establish child-focused programs that facilitate and support coordination among agencies responding to child abuse.

The Committee recognizes the excellent work of Children’s Advocacy Centers [CAC] in coordinating State and local agencies’ intervention in cases of child abuse, and the valuable collaboration that has arisen between CACs and military installations through memoranda of understanding. The Committee encourages CACs to continue to explore ways in which their unique model and expertise can be leveraged to help military installations address cases of child abuse, and provides an additional \$1,000,000 to support a pilot project to identify, develop, and operationalize best practices.

Missing and Exploited Children Programs.—The OJP works with law enforcement agencies to find missing children and to target and prosecute predatory child molesters and those who traffic in child pornography. The Committee recommends \$73,000,000 for Missing and Exploited Children Programs and expects the Department to allocate no less than the current funding level for task force grants, training and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children [ICAC] program. The Committee directs the OJP to provide a spending plan for the use of these funds as part of the Department’s spending plan for fiscal year 2017, which shall include only investments in authorized national programs that serve as a resource center and clearinghouse on missing and exploited children. The Committee will not entertain spending on new activities, such as unauthorized demonstration programs.

The Committee supports efforts across the country to train child protection professionals, beginning with undergraduate and graduate curricula and following up with ongoing training for professionals in the field, including the development of State forensic interviewing courses. The Committee directs the OJJDP to provide training and technical assistance to improve forensic interview training for investigation and prosecution professionals, evidence-based community prevention programs for child protection professionals, and undergraduate and graduate curricula on the maltreatment and exploitation of children.

PUBLIC SAFETY OFFICERS BENEFITS

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2016	\$88,300,000
Budget estimate, 2017	89,300,000
Committee recommendation	89,300,000

The Committee’s recommendation provides \$89,300,000 for public safety officers benefits. The recommendation is \$1,000,000 above the fiscal year 2016 enacted level and equal to the budget estimate. This program provides a one-time death benefit payment to eligible survivors of Federal, State, and local public safety officers whose

death was the direct and proximate result of a traumatic injury sustained in the line of duty or certain eligible heart attacks or strokes. Within funds provided, \$73,000,000 is for death benefits for survivors, an amount estimated by the Congressional Budget Office and considered mandatory for scorekeeping purposes.

The Committee also recommends \$16,300,000, as requested, for disability benefits for injured officers and education benefits for the families of officers who have been permanently disabled or killed in the line of duty.

Claims Process Improvements.—The Committee encourages the Public Safety Officers Benefits [PSOB] Office to streamline the documentation requirements for a claim to reduce the burden on injured officers or surviving families, improve communication with claimants and agencies regarding these documentation requirements, provide regular updates to claimants on the status of their claim, improve PSOB claim decision-making documentation to facilitate timely and efficient legal review, improve the collection and management of PSOB claims data, and establish metrics and regularly report on program performance. Not later than 90 days after enactment of this act, the PSOB Office shall report to the Committee regarding the steps it will take to implement these priorities.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

Appropriations, 2016	\$212,000,000
Budget estimate, 2017	286,000,000
Committee recommendation	215,000,000

The Committee’s recommendation provides \$215,000,000 for community oriented policing services. The recommendation is \$3,000,000 above the fiscal year 2016 enacted level and \$71,000,000 below the budget request.

Local law enforcement is not only essential to ensuring the safety of the public, but also plays a critical role in preventing and responding to terrorist threats. Since its creation, the Community Oriented Policing Services [COPS] Office has assisted State and local law enforcement agencies by providing grants, training, and technical assistance that not only ensure public safety from traditional crime, but also better enable law enforcement officers to address the growing threat from terrorist organizations.

The Committee’s recommendations are displayed in the following table:

COMMUNITY ORIENTED POLICING SERVICES

[In thousands of dollars]

Program	Committee recommendation
Methamphetamine Lab Cleanup (Transfer to DEA)	11,000
COPS Hiring Grants	187,000
Transfer to Tribal Resources Grant Program	[30,000]
Community Policing Development/Training and Technical Assistance	[10,000]
Collaborative Reform Model	[10,000]
Anti-Meth Task Forces	7,000

COMMUNITY ORIENTED POLICING SERVICES—Continued

[In thousands of dollars]

Program	Committee recommendation
Anti-Heroin Task Forces	10,000
Total	215,000

Any deviations from the above plan are subject to the reprogramming requirements of section 505.

COPS Hiring Program.—The Committee recommends \$187,000,000 for COPS Hiring grants to help State, local, or tribal law enforcement agencies to create and preserve police officer positions and to increase community policing capacity and crime prevention efforts. As in the request, the grants will have an award cap of \$125,000 and require grantees to provide a 25 percent local match.

Methamphetamine Hot Spots.—The Committee's recommendation includes a \$11,000,000 transfer to reimburse the DEA for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs, and to initiate container programs. This is the level the DEA estimates will be sufficient in fiscal year 2017 to operate the full cleanup program for States to transition to container program cleanups, and to cover the costs of smaller methamphetamine cleanups in States where the problem is intermittent.

Anti-Methamphetamine Task Forces.—The Committee's recommendation provides \$7,000,000 for the COPS Office to make competitive grants to law enforcement agencies in States with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures. These funds shall be utilized for investigative purposes to locate or investigate illicit activities such as precursor diversion, laboratories, or methamphetamine traffickers.

Anti-Heroin Task Forces.—The Committee has repeatedly expressed its concern over the dramatic rise of heroin abuse and related crime in the United States. The need for additional resources and training to address these challenges is apparent, and the Committee created the anti-heroin program within the COPS Office in fiscal year 2015. Despite the plea for additional resources from law enforcement as well as the interest of the Committee, the Department eliminated this program as part of the fiscal year 2017 budget request. The Committee provides \$10,000,000 for the COPS Office to make competitive grants to law enforcement agencies in States with high per capita levels of primary treatment admissions for both heroin and other opioids. These funds shall be utilized for drug enforcement, including investigations and activities related to the distribution of heroin or unlawful diversion and distribution of prescription opioids. Priority shall be given to those drug task forces, managed and operated by the State, serving a majority of counties in the State.

Policing Practices and Accountability Initiative.—In December 2015, a Policing Practices and Accountability Initiative was created within the COPS Office to oversee the Collaborative Reform and

Critical Response technical assistance programs and assist law enforcement in developing strategies to implement recommendations of the President's Task Force on 21st Century Policing. The Committee supports the COPS Office's efforts to integrate the Task Force recommendations and urges the Policing Practices and Accountability Initiative to work across Department of Justice programs and agencies to provide support and best practices for law enforcement agencies working to address issues of public trust.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The Committee recommends the following general provisions:

Section 201 limits the amount of funding the Attorney General can use for official reception and representation.

Section 202 prohibits the use of funds in this title to pay for an abortion except where the life of the mother would be in danger.

Section 203 prohibits the use of funds in this title to require a person to perform or facilitate an abortion.

Section 204 requires female prisoners to be escorted when off prison grounds.

Section 205 allows the Department of Justice, subject to the Committee's reprogramming procedures, to transfer up to 5 percent between appropriations, but limits to 10 percent the amount that can be transferred into any one appropriation.

Section 206 limits the placement of maximum or high security prisoners to appropriately secure facilities.

Section 207 restricts Federal prisoner access to certain amenities.

Section 208 requires review by the Deputy Attorney General and the Department's Investigative Review Board prior to the obligation or expenditure of funds for major technology projects.

Section 209 requires the Department to follow reprogramming procedures prior to any deviation from the program amounts specified in this title or the reuse of specified deobligated funds provided in previous years.

Section 210 prohibits the use of funds for OMB Circular A-76 competitions for work performed by employees of the Bureau of Prisons or of the Federal Prison Industries, Incorporated.

Section 211 prohibits U.S. Attorneys from simultaneously holding multiple jobs outside of the scope of a U.S. Attorney's professional duties.

Section 212 permits up to 3 percent of grant and reimbursement program funds made available to the Office of Justice Programs to be used for training and technical assistance, permits up to 2 percent of grant and reimbursement program funds made available to that office to be transferred to the National Institute of Justice or the Bureau of Justice Statistics for criminal justice research and statistics, and permits up to 7 percent of discretionary grant and reimbursement program funds made available to OJP to be used for tribal criminal justice assistance. The Committee continues to strongly support efforts to help tribes improve the capacity of their criminal justice systems.

Section 213 gives the Attorney General the authority to waive matching requirements for Second Chance Act adult and juvenile reentry demonstration projects; State, tribal and local reentry courts; and drug treatment programs.

Section 214 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 215 prohibits funds, other than funds for the national instant criminal background check system established under the Brady Handgun Violence Prevention Act, from being used to facilitate the transfer of an operable firearm to a known or suspected agent of a drug cartel where law enforcement personnel do not continuously monitor or control such firearm.

Section 216 permits the Department of Justice to participate in Performance Partnership Pilot collaboration programs.

Section 217 allows the Department of Justice to transfer funds from the Working Capital Fund to the Federal Bureau of Investigation.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Appropriations, 2016	\$5,555,000
Budget estimate, 2017	5,566,000
Committee recommendation	5,555,000

The Committee’s recommendation provides \$5,555,000 for the Office of Science and Technology Policy. The recommendation is the same as the fiscal year 2016 enacted level and \$11,000 below the budget request.

The Office of Science and Technology Policy [OSTP] was created by the National Science and Technology Policy, Organization, and Priorities Act of 1976 (Public Law 94–282) and coordinates science and technology policy for the White House. OSTP provides scientific and technological information, analyses, and advice for the President and the executive branch; participates in the formulation, coordination, and implementation of national and international policies and programs that involve science and technology; maintains and promotes the health and vitality of the U.S. science and technology infrastructure; reviews and analyzes, with the Office of Management and Budget, the research and development budgets for all Federal agencies; and coordinates research and development efforts of the Federal Government to maximize the return on the public’s investment in science and technology and to ensure Federal resources are used efficiently and appropriately.

Open Access to Federal Research.—The Committee has received reports by OSTP on the progress of all Federal agencies in developing and implementing policies to increase public access to federally funded scientific research. The Committee is pleased by the progress, but previously instructed OSTP to have all relevant departments’ and agencies’ plans approved by the end of calendar year 2014 with implementation occurring by early calendar year 2016. OSTP is directed to continue providing quarterly reports to the Committee in order to keep Congress apprised of the remaining progress needed to make federally funded research accessible to the public as expeditiously as possible.

Science, Technology, Engineering, and Mathematics Education.—The Committee continues to support effective mission-oriented science, technology, engineering, and mathematics [STEM] education programs at NASA, NOAA, and NIST within this bill, and encourages OSTP to work with non-Federal education and outreach communities. OSTP and its partners should be mindful of ensuring that scientists supported by the Federal Government are not absolved of responsibility to educate and train the next generation. OSTP should also take care to preserve effective training and edu-

cation programs designed to directly fulfill the unique STEM-related mission needs of the agencies administering them.

National Science and Technology Council Subcommittee.—The Committee understands the importance of engaging and recruiting a diverse talent pool to work in STEM fields. The Committee also believes that limited Federal budgets require innovative approaches that are collaborative and build upon existing training to promote a diverse Federal workforce and make the most efficient use of limited resources. The Committee directs the Office of Science and Technology Policy to work with the Office of Personnel Management, the National Science Foundation, and the National Institute of Standards and Technology to create a National Science and Technology Council Subcommittee to build on existing efforts and develop and implement STEM Inclusion training for use in both the Federal Government and academe. The training should address advancement barriers for underrepresented groups in STEM careers, including implicit bias, stereotype threat, and work-life balance and caregiving issues so as to foster more inclusive workplace environments. Related legal requirements, including those under title IX, should also be addressed.

Interagency Working Group on Medical Imaging.—The Committee is pleased that OSTP has convened the Interagency Working Group on Medical Imaging as directed in this Committee’s fiscal year 2015 report, Senate Report 113–181. Basic, use-inspired discoveries in core technologies like medical imaging can spur the type of technology-driven jobs and start up activity that will result in sustainable economic growth and drive the Nation’s economy in the coming century. OSTP is directed to provide a report with an update on the Working Group’s activities and recommendations not later than 180 days after the enactment of this act.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Appropriations, 2016	\$19,285,000,000
Budget estimate, 2017	18,262,100,000
Committee recommendation	19,306,000,000

The Committee’s recommendation provides \$19,306,000,000 for the National Aeronautics and Space Administration [NASA]. The recommendation is \$21,000,000 above the fiscal year 2016 enacted level and \$1,043,900,000 above the budget request.

NASA was established by the National Aeronautics and Space Act of 1958 (Public Law 85–568) to conduct space and aeronautical research and development and to conduct flight activities for peaceful purposes. NASA’s unique mission of exploration, discovery, and innovation is intended to preserve the United States’ role as both a leader in world aviation and as the pre-eminent space-faring nation. It is NASA’s mission to: advance human and robotic exploration, use, and development of space; advance and communicate scientific knowledge and understanding of the Earth, the solar system, and the universe; and research, develop, verify, and transfer advanced aeronautics and space technologies.

NASA’s budget is a diverse blend of human and robotic missions, education, and research and technology development with the overarching goal to discover and explore. It is the responsibility of NASA to request appropriate funding to accomplish its mission. It

is also incumbent upon NASA to properly manage budget and schedule in order to maintain a high probability of mission success which will enhance the value of its missions, scientific discoveries, and further provide the inspiration that will encourage the Nation's next generation of scientists and engineers.

The proposed budget request by NASA is significantly flawed compared to the solid fiscal foundation that was provided by the Congress in fiscal year 2016. NASA irresponsibly chose to present a budget that conflated mandatory funding and discretionary funding to reach a misleading budget total that still falls \$259,900,000 short of the fiscal year 2016 enacted level. Only the discretionary portion of the request is within this Committee's jurisdiction, and therefore the Committee must make all comparisons to the request of \$18,262,100,000, over which the Committee has jurisdiction.

Unfortunately, the proposed discretionary budget fails to meet even basic funding needs for priorities agreed upon by NASA and Congress. Human exploration missions would miss launch dates that NASA has formally committed to meet, science missions would be terminated early, and the agency would struggle to fully fund its own civil servants working on next generation technologies. Following the discretionary fiscal year 2017 budget proposed for NASA would only create unnecessary mission cost growth and inefficient resource allocation throughout the agency. The Committee has chosen to meet NASA's needs solely through discretionary funds.

For Science, the Committee's recommendation strives to keep NASA's near-term launches on track to continue progress in exploring our solar system and the universe, understanding the sun, and observing our planet. The Committee expects NASA to continue making progress on the recommendations of the National Academies' decadal surveys, now and in the future.

The Committee believes this bill represents a solid path forward for human spaceflight that reaches beyond low-Earth orbit with affordable crew and launch vehicles; invests in the burgeoning domestic launch industry that is bringing cargo, and eventually crew, to the International Space Station; and supports NASA's science and technology programs. These elements should be viewed as complementary pieces of a balanced whole.

NASA utilizes a broad variety of launch vehicles, from suborbital to heavy configurations, in order to successfully execute its missions. The Committee encourages NASA to choose those launch vehicles that prioritize their manifests such that NASA has a high confidence level that missions can be reliably launched on schedule. NASA is directed to continue providing the Committee with a quarterly launch schedule, by mission, that describes risks associated with launch delays due to problems with the launch vehicle; impacts of launch delays to other missions in the launch queue, and a budget estimate of the anticipated carrying costs for missed launch windows.

The Committee is supportive of NASA's STEM education efforts that provide hands-on learning experiences at NASA centers for middle, high school, and college students, including space launch activities. These types of programs allow students to experience the full range of STEM-related skills involved in designing, testing,

and launching vehicles and payloads to deepen their interest in science and engineering fields.

The Committee is counting on NASA to maintain focus on improving oversight and accountability throughout the agency. NASA’s acquisition management continues to be on the Government Accountability Office’s [GAO] “high risk” list. The Committee notes that NASA is making progress in strengthening its financial management. GAO’s most recent assessment of NASA’s large-scale projects found the agency’s cost and schedule performance on major projects has improved since GAO’s first assessment in 2009, with the average cost overrun down from 4 percent to 1.3 percent. NASA is directed to cooperate fully and to provide timely program analysis, evaluation data, and relevant information to the GAO so that GAO can report to Congress shortly after the annual budget submission of the President and semiannually thereafter on the status of large-scale NASA programs, projects, and activities based on its review of this information.

In addition, NASA is directed to provide the Committee, with its budget justification, the reserves assumed by NASA to be necessary within the amount proposed for each directorate, theme, program, project, and activity, or, if the proposed funding level for a directorate, theme, program, project, or activity is based on confidence level budgeting, the confidence level and reserves assumed in the proposed funding level.

The Committee was informed by the priorities of the Senate as well as the administration. However, the Committee does not always agree with the administration. The Committee grants NASA flexibility to craft spending plans that manage funds appropriately and, where necessary, address funding shortfalls that were not foreseen by the Congress or the agency prior to passage of annual appropriations. However, that latitude should not be viewed as a license to disregard the Congressional direction about where limited resources should be spent. The Federal funding priorities for NASA set forth in this bill should not be interpreted as a suggestion from the Committee. Rather they should be interpreted like any other statutory requirement levied upon NASA. The Committee objects to NASA’s efforts in recent fiscal years to redirect funding away from priorities clearly set by the Congress in law. NASA’s continued use of section 505 of this bill in this manner will result in limited funding flexibility in the future.

The Committee has chosen to articulate the funding levels of programs, where appropriate, in the form of tables and, if necessary, supplemented with explanatory report language.

SCIENCE

Appropriations, 2016	\$5,589,400,000
Budget estimate, 2017	5,302,500,000
Committee recommendation	5,395,000,000

The Committee provides \$5,395,000,000 for Science, which is \$194,400,000 below the fiscal year 2016 enacted level and \$92,500,000 above the budget request. The Science account encompasses: Earth Science, Planetary Science, Astrophysics, the James Webb Space Telescope, Heliophysics, and Education. This funding supports NASA programs that seek to answer fundamental ques-

tions concerning the ways in which Earth is changing; the comparison of Earth with other planets in the solar system and around other stars; the connections between the Sun and Earth; and the origin and evolution of planetary systems, the galaxy, and the universe, including the origin and distribution of life in the universe. These objectives are assisted by input from the scientific community through decadal surveys and are achieved through robotic flight missions, ground-based scientific research and data analysis, and the development of new technologies for future missions. NASA shall continue its progress toward implementing decadal surveys in Earth Science, Heliophysics, Planetary Science, and Astrophysics, including recommendations for large, flagship projects and small- and medium-sized missions.

SCIENCE
[In thousands of dollars]

	Committee recommendation
Earth Science	1,984,000
Planetary Science	1,355,900
Astrophysics	807,000
Education	[42,000]
James Webb Space Telescope	569,400
Heliophysics	678,700
Total, Science	5,395,000

Earth Science.—The recommendation includes \$1,984,000,000 for Earth Science, including \$130,900,000 to continue formulation and development of Landsat-9 with a target launch date for Landsat-9 during calendar year 2020. The Committee expects to receive a plan, along with the spending plan required under section 533, which details the technical and schedule progress needed to achieve the 2020 target launch date, by each major subsystem needed for the mission. The recommendation also includes \$90,000,000 for the Pre-Aerosol, Clouds, and Ocean Ecosystem [PACE] mission to continue formulation and development of the mission. In apportioning work for PACE, including development of primary mission components, NASA shall make every effort to preserve key intermural capabilities.

Planetary Science.—The Committee supports Planetary Science at \$1,355,900,000, including \$387,700,000 for the Mars 2020 Rover which is \$10,000,000 above the request level, \$60,000,000 for Near Earth Object Observations within Planetary Science Research, \$44,000,000 for the Origins Spectral Interpretation Resource Identification and Security-Regolith Explorer, and \$14,000,000 for New Horizons to continue to analyze and interpret data from the Pluto fly-by and exploration of the Kuiper Belt. Within funding for Near Earth Objects, \$16,100,000 is for Asteroid Impact and Deflection Assessment [AIDA] Double Asteroid Redirection Test [DART]. In future requests, NASA shall identify total resources for AIDA-DART as a separate activity.

Europa.—The Committee remains supportive of a scientific mission to Europa, as called for in the Planetary Science Decadal Survey, and continues its directive to use the Space Launch System as

the baseline launch vehicle for mission planning purposes. The Committee believes that any ongoing mission planning should seek to maximize the scientific return for exploring Europa with an expeditious launch and reduced travel time. To assist the Committee in evaluating potential mission configurations, NASA shall provide the Committee with a report, no later than 90 days from enactment, that compares options of flying the Europa Clipper mission with an orbiter and lander launched together, or separately. As part of this report, NASA shall consider mission cost, schedule, potential scientific return, and technical complexity.

Astrophysics.—Within funds provided to Astrophysics in order to advance scientific knowledge of the origins of the universe, the Committee provides \$98,300,000 for the Hubble Space Telescope, \$83,800,000 for the Stratospheric Observatory for Infrared Astronomy [SOFIA], and \$120,000,000 for the Wide-Field Infrared Survey Telescope [WFIRST].

Hubble Space Telescope.—The Committee supports continued operations of Hubble at the fiscal year 2016 level. The 2020 Vision Study confirms that constant funding will allow Hubble to continue to deliver outstanding science by ensuring attention is paid to addressing operational anomalies and other risks to Hubble's scientific output. The Committee is concerned that NASA has increased the risks to Hubble science by requiring the program absorb costs for the well-regarded Hubble Fellowship program that were previously funded within Astrophysics. NASA shall detail to the Committee how it will maintain operational capability and science productivity through at least 2 years of overlap with JWST while also continuing support for the Hubble Fellowship Program.

WFIRST Science Mission.—The Committee has provided \$120,000,000 for the WFIRST mission using the Astrophysics Focused Telescope Assets, with the goal of launching the telescope no later than 2024. The Committee is concerned about the cost of the prime mission, especially because inadequate early investment, schedule delay, and creeping mission requirements have contributed to high cost growth in previous NASA missions. The Committee directs NASA to cap WFIRST life cycle costs at no more than \$3,500,000,000 through the end of its prime mission. NASA should pursue the most efficient development program for WFIRST and its instruments, and take advantage of scientific and operational and synergies with Hubble and JWST, as directed in fiscal year 2016. To reduce mission costs and ensure that overlap with JWST is maximized, NASA should consolidate management of the telescope, including its optical assets, and its instruments.

Science Mission Directorate, Education.—Within Astrophysics, the request includes \$25,000,000 for education funding within the Science Mission Directorate [SMD], which is \$12,000,000 below the fiscal year 2016 level. For fiscal year 2017, the Committee provides no less than \$42,000,000 for education as reflected in a more transparent single line within the SMD funding chart. This includes the \$25,000,000 education funding included in the budget submission within the Astrophysics program. However, the Committee supports the recommendation that the Astrophysics program administer this SMD-wide education funding. The Committee encourages SMD-funded investigators to be directly involved in outreach and

education efforts. NASA should continue to prioritize funding for on-going education efforts linked directly to its science missions and conclude its on-going formal education assessment so the moratorium on formal education activities can be lifted.

James Webb Space Telescope.—The Committee maintains its strong support for the completion of the James Webb Space Telescope [JWST], and provides \$569,400,000, the same as the budget request. The bill maintains an overall development cost ceiling for JWST at \$8,000,000,000, and the Committee intends to hold NASA and its contractors to that commitment. The Committee expects to be kept fully informed on issues relating to program and risk management, achievement of cost and schedule goals, and the program’s technical status. The Committee appreciates GAO’s continuing work to monitor JWST progress, costs, and schedule.

Astrophysics/Search for Life Technology Development.—According to GAO’s most recent assessment of NASA’s major projects, “As of 2015, 9 of the 11 major projects that passed preliminary design review matured all technologies to the level recommended by GAO best practices.” While GAO characterizes this as a positive trend for cost and schedule performance, NASA needs new technologies to make new discoveries. NASA’s goal should be to invest in technologies early to mitigate risk and continue to mature technologies to position the U.S. scientific community to advance its world class science. The Committee encourages NASA to strengthen industry involvement in leveraging and scaling new technologies developed for the JWST to larger segmented-aperture telescopes that will be required to achieve the goals of the next decadal survey such as detecting biomarkers in faint signals of light from distant Earth-sized planets. The recommendation includes \$5,000,000 for such technology development.

Heliophysics.—The Committee provides \$678,700,000 for Heliophysics including the budget request of \$232,500,000 for the Solar Probe Plus mission to launch in 2018 and \$17,400,000 for the Magnetospheric Multiscale Mission. The Committee recognizes that a greater understanding of our Sun will help to mitigate the hazards that solar activity poses to the ground- and space-based platforms that strengthen our national security, economic security, and scientific prowess. Therefore, the Committee expects NASA to request adequate discretionary funding in future years to continue progress toward Decadal Survey priorities, including the release of Explorer Announcements of Opportunity every 18 months, alternating between small and mid-sized opportunities. Within the amount for Heliophysics, the recommendation includes \$61,200,000 for Heliophysics Research, Other Missions and Data Analysis, an increase of \$5,000,000 above the President’s request, to continue implementation of the Diversify, Realize, Integrate, Venture, Educate [DRIVE] Initiative.

AERONAUTICS

Appropriations, 2016	\$640,000,000
Budget estimate, 2017	634,500,000
Committee recommendation	601,000,000

The Committee provides \$601,000,000 for Aeronautics, which is \$39,000,000 below the fiscal year 2016 enacted level and

\$33,500,000 below the budget request. The Aeronautics account funds research in key areas related to the development of advanced aircraft technologies and systems, including those related to aircraft safety, ultra-efficient vehicles and fuel efficiency, and research that supports the Next Generation Air Transportation System in partnership with the Joint Planning and Development Office.

Unmanned Aerial Systems [UAS] Research.—NASA provides research to reduce technical barriers associated with integrating UAS into the National Airspace System [NAS]. This research remains a national priority with the potential to increase public safety and bring economic benefits to a wide range of industries. The Committee provides \$5,000,000 for NASA to conduct further research at the Federal Aviation Administration’s six test sites in collaboration with the FAA’s Unmanned Aircraft Systems Center of Excellence on UAS use in a broad range of public safety applications over land and maritime environments.

SPACE TECHNOLOGY

Appropriations, 2016	\$686,500,000
Budget estimate, 2017	690,600,000
Committee recommendation	686,500,000

The Committee provides \$686,500,000 for Space Technology, which is the same as the fiscal year 2016 enacted level and \$4,100,000 below the budget request. The Space Technology Program funds basic research that can advance multi-purpose technologies to enable new approaches to NASA’s current missions. It includes NASA’s Small Business Innovative Research [SBIR] and Small Business Technology Transfer [STTR] programs.

The Committee is supportive of many of the technologies being developed within Space Technology, which will have wide ranging benefits for NASA missions and throughout the agency. Of particular note are the enabling technologies of Solar Electric Propulsion, the laser communications relay demonstration, and composite tanks and structural materials. These key supporting technologies will provide enabling capabilities for multiple robotic and human exploration missions.

Satellite Servicing/RESTORE-L.—The Committee recommends \$130,000,000 for continued formulation activities and acquisition of the mission’s bus module to maintain a schedule that targets a launch in calendar year 2019 allowing Landsat-7 to be refueled before its original fuel supply is depleted.

Nuclear Propulsion.—NASA is continuing its work to develop the foundational technologies and advance low enriched uranium nuclear thermal propulsion systems that can provide significantly faster trip times for crewed missions than non-nuclear options. The Committee provides \$28,900,000 above the request for ongoing nuclear thermal propulsion technologies for space transportation and exploration. NASA shall update its report to the Committee within 180 days of enactment of this act on ongoing nuclear thermal propulsion research and how the research into this technology supports NASA’s exploration programs.

Small Launch Technology.—The Committee provides \$30,000,000 for the advancement, and sub-orbital and orbital technology demonstrations, of a small launch technology platform able to carry a

200–300 kilogram small satellite into low Earth orbit. The small launch technology demonstration platform shall leverage existing government derived small launch technologies, such as the Operationally Responsive Space developed Super Strypi, to the maximum extent possible. The results and data from the demonstrations shall be owned by the U.S. Government and made available for future launch services and competitions.

Small Business Innovation Research [SBIR].—The Committee recognizes the importance of the SBIR program and its previous success in commercialization of results from federally funded research and development projects. The SBIR program encourages domestic small businesses to engage in Federal research and development, and creates jobs. The Committee therefore directs NASA to place an increased focus on awarding SBIR awards to firms with fewer than 50 employees.

EXPLORATION

Appropriations, 2016	\$4,030,000,000
Budget estimate, 2017	3,163,900,000
Committee recommendation	4,330,000,000

The Committee provides \$4,330,000,000 for Exploration, which is \$300,000,000 above the fiscal year 2016 enacted level and \$1,166,100,000 above the budget request. The Exploration account funds the capabilities required to develop, demonstrate, and deploy the transportation, life support, and surface systems that will enable sustained human presence beyond low-Earth orbit and throughout the solar system. The Committee believes the Nation deserves a safe and robust human spaceflight program to explore beyond low-Earth orbit.

EXPLORATION

[In thousands of dollars]

	Committee recommendation
Space Launch System	2,150,000
Orion Multi-Purpose Crew Vehicle	1,300,000
Exploration Ground Systems	484,000
Exploration Research and Development	396,000
TOTAL	4,330,000

The Space Launch System [SLS], Orion multi-purpose crew vehicle [Orion], and Exploration ground systems are all critical infrastructure for the development and sustainment of the Nation’s human exploration goals. These investments will enable for the human exploration of space beyond low Earth orbit, and provide flexibility for a variety of mission destinations.

The Committee is strongly supportive of NASA’s efforts to develop the elements of a launch system that will enable the human exploration of space beyond low Earth Orbit. Since NASA began developing the vehicles and infrastructure that will enable future exploration efforts, the agency has focused its budget on funding the individual systems necessary to meet either the Exploration Mission 1 [EM–1] or the crewed Exploration Mission 2 [EM–2] launch dates. Currently, SLS has a commitment to meet a launch

date for EM-1, while Orion has a commitment that extends to EM-2. Yet Orion cannot fly the EM-2 mission without SLS. Mismatched goals and schedules do not ensure a coordinated effort for human exploration mission success.

The Committee believes that the funds for each element are critical. Therefore, NASA should provide an integrated budgetary plan that will address the goal of these elements becoming an ongoing exploration system instead of discrete projects with separate management and commitment goals. For fiscal year 2017, bill language is included that calls for NASA to provide a 5-year integrated budget plan to execute EM-2 in 2021. Within that same timeframe, elements of future exploration missions, along with potential science missions, will require funding provided within in their discrete programs, projects, and activities. Having a sustained systems approach instead of a mission-by-mission mindset for the launch vehicles and infrastructure will provide for better budget planning in the future fiscal years.

The Committee continues to be disappointed that funding requested by NASA for SLS and Orion once again bears little relation to necessary funding levels or to amounts provided in previous years. The lack of budgetary support for these programs indicates that NASA is allowing an artificially low development funding profile and inefficient decision processes to create unnecessary risks to launch schedules. The Committee has repeatedly been compelled to provide appropriate funding to keep the human exploration program from incurring costly setbacks and to maintain development schedules. NASA is directed to provide the Committee more realistic funding profiles for the SLS, Orion, and ground system elements, so that future proposed funding will match NASA's own expectations. The Committee's challenge to appropriately fund exploration systems is made significantly more difficult because NASA chose to include mandatory funding not under the jurisdiction of the Committee in its request. This mandatory funding was proposed without any existing authority or specific offsets, as part of NASA's overall request. Within the discretionary levels proposed in NASA's request, NASA cannot meet its baseline commitments for any of these components.

Space Launch System.—The Committee reiterates its unwavering support of SLS and the ability for SLS to open the human exploration of space to a wide range of missions and to enable unprecedented scientific discovery.

The Committee finds that the budgetary resources proposed for SLS in the fiscal year 2017 budget request are insufficient and would prevent SLS from meeting NASA's baseline commitment to a November 2018 launch. The Committee is further concerned that NASA did not request any funding for the Exploration Upper Stage [EUS]. In doing so, NASA is ensuring that EM-2 will not occur in 2021 and places in doubt NASA's support for meeting the baseline commitment of a launch in 2023.

To ensure funding that enables NASA to adequately meet management agreement goals for EM-1 and EM-2, the Committee provides \$2,150,000,000 in fiscal year 2017 for SLS, with no less than \$300,000,000 provided for the direct development of the EUS. The

funding provided sets SLS on a path from development to sustained production.

Orion Multi-Purpose Crew Vehicle [Orion].—Orion is an essential component of NASA’s human exploration goals that extend beyond low-Earth orbit and represents the Nation’s next human exploration vehicle designed to carry astronauts to deep space destinations and provide a safe return to Earth. Consistent with NASA’s direction that Orion be managed in order to fly a crewed mission as early as 2021, the Committee has provided \$1,300,000,000 for Orion to continue its progress toward a successful EM–1 test flight and continue preparations for a crewed flight in 2021.

Testing Infrastructure.—The Committee encourages NASA to develop plans to fully utilize NASA-owned rocket testing infrastructure for commercially developed launch vehicles to ensure that these vehicles are not only tested in the same manner as Government-developed launch vehicles but at the same facilities to ensure consistency in testing across all potential vehicles.

Advanced Exploration Systems.—The amount provided for Advanced Exploration Systems enables NASA to continue current activities within NASA and with industry related to VASIMR propulsion technology and In Situ Resource Utilization from surface or asteroid-derived resources, in cooperation with Space Technology.

Space Suit Plan.—The Committee is concerned that NASA lacks plans for testing and deploying a next generation exploration space suit that can serve the safety needs of the astronaut corps. Recent failures of the existing suit system during spacewalks conducted aboard the ISS highlight the importance of delivering a more functional exploration suit and life support system for more complex future endeavors, in a manner that can respond expeditiously to urgent needs. Not less than 90 days after the date of enactment of this act, NASA is directed to submit to the Committee a detailed plan for achieving an advanced space suit capability that aligns with the crew needs for exploration enabled by SLS and Orion, and evaluates the merit of delivering the planned suit system for use on ISS. Consideration should be given to leveraging NASA’s existing investments and technologies as the plan is developed.

SPACE OPERATIONS

Appropriations, 2016	\$5,029,200,000
Budget estimate, 2017	5,075,800,000
Committee recommendation	4,950,700,000

The Committee provides \$4,950,700,000 for Space Operations, which is \$78,500,000 below the fiscal year 2016 enacted level and \$125,100,000 below the budget request. The Space Operations account funds the International Space Station [ISS], and the supporting functions required to conduct operations in space. The ISS is a complex of research laboratories in low-Earth orbit in which American, Russian, and international partner astronauts are conducting unique scientific and technological investigations in a microgravity environment.

Commercial Cargo.—The Committee is encouraged with the ability of both domestic cargo suppliers to respond to launch mishaps and find solutions that keep the ISS supplied and operating as a scientific platform in space. NASA has reaffirmed its confidence in

the current suppliers and added a third in its next round of contracted supply flights, providing further redundancy and additional capabilities for delivering cargo to, and from, the ISS. Within the funds provided for Space Operations, \$1,028,000,000, equal to the budget request, is for fully funding the continuing support of cargo flights by domestic companies under the first and second rounds of commercial resupply contracts.

Commercial Crew.—The Committee provides up to \$1,184,800,000, for the Commercial Crew program. The Committee remains concerned about the tight schedule for delivering crew to the ISS by commercial crew participants by 2017. Both companies now anticipate completing contracted milestones on a delayed schedule, closer to the anticipated launch dates, compressing already aggressive and optimistic schedules. This leaves little margin for either provider to maintain schedule as unanticipated challenges emerge during vehicle production and testing.

The Government Accountability Office, in its most recent report on NASA's large scale projects, has indicated that commercial crew contractors have asked for variances to design standards, that if they are not granted, could have significant impacts to cost and schedule. The report found that NASA, in the face of such impacts, has accommodated variances that might lead to design changes. Unfortunately, in doing so, neither commercial crew contractor is meeting the requirement that the chance of a loss of crew be less than 1 in 200. The Committee considers astronaut safety its highest priority, and NASA must ensure that safety standards for transportation are not compromised as NASA begins to replace its reliance on existing Russian capabilities with services from domestic crew transportation providers.

It is the intent of the Committee to closely monitor and review the progress of each commercial crew participant through the quarterly reports that are provided by NASA and to continue to assess the need for this funding as milestone schedules and timelines are reevaluated by NASA.

Rocket Propulsion Test Program.—The Committee recommends the fiscal year 2017 funding request and up to an additional \$10,000,000 for the NASA Rocket Propulsion Test program to ensure test infrastructure remains adequate to support the Space Launch System and other propulsion development programs.

21st Century Launch Complex Program.—The Committee provides \$20,000,000 for the 21st Century Space Launch Complex, which is \$8,000,000 above the request. The Committee notes that maintaining multiple launch sites contributes to assured access to the ISS in case of natural disaster, national security event, or launch accident. The program's authorized purposes include projects at all NASA-owned launch facilities. As such, the Committee directs no less than half of the total funding provided be directed toward filling critical maintenance, capacity, and range safety gaps at the Wallops Flight Facility launch complex, and further directs NASA to take into consideration the full potential of all NASA-owned launch complexes. Should NASA phase out this program, as currently planned, the agency should give high priority to range safety projects when developing its future Construction of Facilities requests.

Shuttle Close Out.—The Committee recognizes that NASA is working expeditiously to finalize the required audits and close out activities associated with the end of the Space Shuttle program. Within the funds provided for Space Operations, up to \$7,600,000 is for close out activities of the Shuttle program. No funds have been provided in the Exploration Account for this purpose.

EDUCATION

Appropriations, 2016	\$115,000,000
Budget estimate, 2017	100,100,000
Committee recommendation	108,000,000

The Committee provides \$108,000,000 for Education, which is \$7,000,000 below the fiscal year 2016 enacted level and \$7,900,000 above the budget request. The Education account funds science, technology, engineering, and mathematics [STEM] education activities to educate and inspire our next generation of explorers and innovators.

EDUCATION

[In thousands of dollars]

	Committee recommendation
NASA Space Grant	40,000
Experimental Program to Stimulate Competitive Research	18,000
Minority University Research and Education Program	32,000
STEM Education and Accountability Projects	18,000
TOTAL	108,000

Space Grant.—The Committee provides \$40,000,000 for Space Grant, and directs NASA to support an extension of the current Space Grant program, and to allocate the entire funding amount for consortia-led institutions in all 52 participating jurisdictions according to the percentage allocation provided to States in the current 5-year grant award.

Competitive Program.—The Committee provides up to \$10,000,000 for the Competitive Program for Science, Museums, Planetariums and NASA Visitors Centers within the STEM Education and Accountability Projects. This competitive grant program creates interactive exhibits, professional development activities, and community-based programs to engage students, teachers, and the public in science, technology, engineering, and mathematics.

Space Law.—As the civilian space market continues to grow and national policies are developed for remote sensing and commercial space launches for cargo and crew, there is an increasing need for education on the legal aspects of human use of aerospace technologies. To encourage legal research in this area, the Committee provides up to \$1,000,000 for space law education and outreach. NASA shall provide a spending plan to the Committee within 60 days of enactment on how NASA will implement this direction.

SAFETY, SECURITY, AND MISSION SERVICES

Appropriations, 2016	\$2,768,600,000
Budget estimate, 2017	2,836,800,000
Committee recommendation	2,796,700,000

The Committee provides \$2,796,700,000 for Safety, Security, and Mission Services, which is \$28,100,000 above the fiscal year 2016 enacted level and \$40,100,000 below the budget request. The Safety, Security, and Mission Services account funds agency management, including headquarters and each of the nine NASA field centers, as well as the design and execution of non-programmatic Construction of Facilities and Environmental Compliance and Restoration activities.

Independent Verification and Validation [IV&V] Program.—Within the amounts provided for cross-agency support, the Committee recommends \$39,100,000 for NASA's IV&V Program.

Cybersecurity.—The Committee's recommendation includes the full request for the Agency Information Technology [IT] Services to support shifting NASA's IT model to one that enhances cybersecurity with strong governance and strong information security practices.

Technical Capabilities Assessment Team/Business Applications.—The Committee remains interested in the progress of the Technical Capabilities Assessment Team [TCAT] process and implementation. The potential for cross-Center technical teams to allow each Center to be best at what they are best at and also to be the best at what they are needed for is encouraging. However, organizational efficiency is not always the same as organizational effectiveness. The Committee is concerned that divorcing business decisions from local control could result in unnecessary delays to mission execution.

The Committee directs NASA to provide an independently-assessed business case for any further consolidations of procurement or human resources services. The Committee acknowledges NASA's efforts to inform interested parties of planned implementation actions and further directs that NASA shall ensure all impacted parties, including both local and national unions, are formally consulted before implementing any TCAT-related action, no matter the size. The Committee understands that NASA has assured impacted Centers that recent actions related to small procurements will not result in reduced head count and expects NASA to follow that promise.

National Center for Critical Information Processing and Storage.—The National Center for Critical Information Processing and Storage [NCCIPS], managed by NASA, was established to consolidate efforts across Federal agencies to store and secure data. NCCIPS is designed to be a shared service, multi-tenant Federal data facility and is currently utilized by NASA, the Department of Homeland Security, and the U.S. Navy. The Committee encourages NASA to make agencies aware of NCCIPS capabilities in order to help the Federal Government reduce IT costs and more rapidly achieve IT modernization. The Committee urges NASA to offer NCCIPS to other agencies in order to take full financial advantage of this secure data facility, to help the Federal Government reduce IT costs, and to more rapidly achieve IT modernization.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

Appropriations, 2016	\$388,900,000
Budget estimate, 2017	419,800,000
Committee recommendation	400,000,000

The Committee provides \$400,000,000 for Construction and Environmental Compliance and Restoration, which is \$11,100,000 above the fiscal year 2016 enacted level and \$19,800,000 below the budget request. The Construction and Environmental Compliance and Restoration account provides for design and execution of programmatic, discrete and minor revitalization, construction of facilities projects, facility demolition projects, and environmental compliance and restoration activities.

In order to maintain continuity within the projects for major construction, NASA shall prioritize available funding towards repairs, minor revitalization, and activities that have initiated demolition, site preparation, or construction activities during previous fiscal years, followed by projects that were deferred in previous budget requests and have since been requested again for funding in the fiscal year 2017 request.

Preservation of Tribal Artifacts at Santa Susana Field Laboratory.—As NASA works to meet the requirements of the 2010 Administrative Order on Consent for Remedial Action, along with preceding agreements and court orders, the agency is encouraged to protect the unique and historically significant Native American sites on the property, including but not limited to the Burro Flats Painted Cave. To the maximum extent practicable, NASA shall include all Traditional Cultural Properties and Traditional Cultural Landscapes (as defined by 30 CFR 60.4 and National Park Service Bulletin 38) as “Native American artifacts that are formally recognized as Cultural Resources,” for the purposes of the Administrative Order.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2016	\$37,400,000
Budget estimate, 2017	38,100,000
Committee recommendation	38,100,000

The Committee’s recommendation provides \$38,100,000 for the Office of Inspector General [OIG], which is \$700,000 above the fiscal year 2016 enacted level and the same as the budget request. The Office is responsible for promoting efficiency and preventing and detecting crime, fraud, waste, and mismanagement.

ADMINISTRATIVE PROVISIONS

The Committee includes bill language regarding the availability of funds for certain prizes.

The Committee also includes bill language regarding transfers of funds between accounts and the NASA spending plan for fiscal year 2017.

NATIONAL SCIENCE FOUNDATION

Appropriations, 2016	\$7,463,485,000
Budget estimate, 2017	7,564,020,000
Committee recommendation	7,509,788,000

The Committee's recommendation provides \$7,509,788,000 for the National Science Foundation [NSF]. The recommendation is \$46,303,000 above the fiscal year 2016 enacted level and \$54,232,000 below the budget request.

The National Science Foundation was established as an independent agency by the National Science Foundation Act of 1950 (Public Law 81–507) and is authorized to support research and education programs that promote the progress of science and engineering in the United States. The Foundation supports research and education in all major scientific and engineering disciplines through grants, cooperative agreements, contracts, and other forms of assistance in all parts of the United States. The Foundation also supports unique domestic and international large-scale research facilities.

RESEARCH AND RELATED ACTIVITIES

Appropriations, 2016	\$6,033,645,000
Budget estimate, 2017	6,079,430,000
Committee recommendation	6,033,645,000

The Committee's recommendation provides \$6,033,645,000. The recommendation is the same as the fiscal year 2016 enacted level and \$45,785,000 below the budget request.

The Research and Related Activities [R&RA] appropriation funds scientific discovery, trains a dynamic workforce, and supports broadly accessible state-of-the-art tools and facilities. Research activities will contribute to the achievement of these outcomes through expansion of the knowledge base; integration of research and education; stimulation of knowledge transfer between academia and the public and private sectors; and international activities, and will bring the perspectives of many disciplines to bear on complex problems important to the Nation. The Foundation's discipline-oriented R&RA account includes: Biological Sciences; Computer and Information Science and Engineering; Engineering; Geosciences; Mathematical and Physical Sciences; Social, Behavioral and Economic Sciences; Office of Cyberinfrastructure; Office of International Science and Engineering; Office of Polar Programs; Integrative Activities; and the U.S. Arctic Research Commission.

The Committee's fiscal year 2017 recommendation supports Federal long-term basic research that has the potential to transform our economy and our way of life in the context of a flat Federal budget.

Scientific Facilities and Instrumentation.—A critical component of the Nation's scientific enterprise is the infrastructure that supports researchers in discovery science. Investments to advance the frontiers of research and education in science and engineering are critical to the Nation's innovation enterprise. The Committee encourages the National Science Foundation to fully fund its U.S. scientific research facilities and instruments to adequately support scientists and students engaged in sustained, cutting-edge research.

Astronomy.—U.S.-based astronomy facilities continue to make groundbreaking discoveries and maintain excellent world-class scientific research even as operating budgets have been continually constrained. This area of research is particularly important be-

cause NSF's network of observatories and its individual investigators are significant resources to all astronomers, including those from U.S. colleges and universities that do not have dedicated observatories. The Committee encourages NSF to sustain support for the programs and scientific facilities funded by the Astronomical Sciences division, including the National Radio Astronomy Observatory.

Solar Astronomy.—The Committee believes that a robust U.S. solar research community is an important asset to the country's competitive scientific edge. As NSF begins its long-planned transition to full-scale operations of the Daniel K. Inouye Solar Telescope, the Committee directs NSF to continue working with the National Solar Observatory and the academic community to transition the management and operational responsibilities of other solar telescopes to university consortia or other non-Federal entities.

Super Computing Planning.—The Committee commends NSF on its continuing commitment to its high-performance computing and data analysis capabilities and urges NSF to make timely and significant investments in high-performance computing. NSF should remain committed to enabling tremendous leaps in computational simulation and data analyses for the broad range of research the Nation requires. The Committee understands that the National Research Council [NRC] is in the process of finalizing its report on advanced computing infrastructure. This report should be instructive in identifying priorities and approaches that NSF can take to modernize its high performance computing infrastructure and associated software and applications in order to support scientific research and education. Within 180 days of receipt of the finalized report, NSF shall provide the Committee with a response to the report and its plans to incorporate, to the extent practicable, the NRC's recommendations into the Foundation's approach for maintaining and modernizing its supercomputing capabilities at existing or future facilities.

Mathematical Sciences Institutes.—The Committee recognizes the importance of the NSF Mathematical Sciences Institutes across the country, which provide important basic research in multiple fields.

Vortex-SE.—The southeastern United States commonly experiences devastating tornadoes under variables and conditions that differ considerably from the Midwest, where tornado research has historically been focused. NSF has been working in conjunction with the National Oceanic and Atmospheric Administration [NOAA] to build up to a full research campaign to study the unique characteristics of tornadoes in the southeast. The Committee understands that NSF and NOAA are conducting an initial field operation associated with the Vortex-SE effort in the spring of 2016 and fully supports the planned workshop in the fall of 2016 that will help inform the larger scale research effort planned for fiscal year 2017. These activities will allow for researchers to build a framework for a focused experimental design and science campaign centered on tornadoes in the southeast. NSF shall continue its coordinated efforts with NOAA to ensure that NSF-funded research complements work funded through NOAA. The Committee expects that future budget requests for Vortex-SE will include adequate resources for the anticipated research campaign and directs NSF to

include a coordinated funding plan and timeline for conducting Vortex-SE as part of future budget requests.

As part of Vortex-SE, the Committee directs NSF to look beyond the traditional research disciplines and programs utilized in previous Vortex programs and to include and utilize the collaborative opportunities of the Prediction of and Resilience against Extreme Events [PREEVENTS] program for co-funding grants that enhance understanding of the fundamental natural processes and hazards of tornadoes in the southeast and to improve models of these seasonal extreme events.

Cybersecurity.—The Committee’s recommendation includes no less than the fiscal year 2016 enacted level for cybersecurity research, including support for core computer science research at academic institutions. The discovery and innovation in cybersecurity supported by NSF will form the intellectual foundations for practical applications that make our information networks safer, more secure, and better able to predict, resist, repel, and recover from cyber attacks.

Innovation Corps.—The Committee supports the NSF’s request for the Innovation Corps [I-Corps] program to build on the successes of its innovative public-private partnership model. Technology transfer is the backbone of American innovation, and NSF plays a critical role in enabling our Nation’s brightest academic minds to bring their ideas and ingenuity to the marketplace. Scientists are trained in discovery but need help turning their research into real-world products and profits. Programs like I-Corps create jobs in our laboratories today and jobs in American industries tomorrow. NSF is encouraged to collaborate with the National Institute for Standards and Technology’s Lab-to-Market program and with other science mission agencies’ technology transfer programs to leverage Federal expertise in maximizing the success of I-Corps projects and participants.

HBCUs Excellence in Research.—The Committee continues to believe in the importance of additional Federal research opportunities at Historically Black Colleges and Universities [HBCUs]. Because NSF’s primary research directorates continue to have a troubling track record of funding HBCUs, the Committee provides \$10,000,000 for the HBCUs Excellence in Research program with the goal of providing strategic programs and opportunities for HBCUs that stimulate sustainable improvement in their research and development capacity and competitiveness. NSF is also encouraged to use research infrastructure improvement grants, co-funding programs, and other innovative mechanisms to achieve these goals. NSF shall provide a detailed outline of the proposed execution for the HBCUs Excellence in Research program in its fiscal year 2017 spending plan.

Sustainable Chemistry, Engineering, and Materials [SusChEM].—The Committee recognizes that the Sustainable Chemistry, Engineering, and Materials [SusChEM] program is scheduled to sunset in fiscal year 2017, but encourages NSF to continue research in these fields within existing program areas. The Committee encourages NSF to pursue a long-term vision for sustainable chemistry, including support for sustainable chemistry re-

search and development, education and training, commercialization, and public-private partnerships.

Advancement of Women in Academic Science and Engineering Careers [ADVANCE].—The Committee is supportive of the ADVANCE program, which funds efforts to address the systemic barriers to women’s science, technology, engineering, and mathematics [STEM] careers. To further these efforts, the Committee provides \$18,000,000, an increase of \$3,100,000 above the fiscal year 2016 funding level, with the additional funds being provided to broaden the reach of the proven strategies developed through ADVANCE to increase the representation and advancement of women and minorities in STEM fields.

Experimental Program To Stimulate Competitive Research [EPSCoR].—Within funds provided, the Committee provides not less than the fiscal year 2016 enacted level for EPSCoR.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

Appropriations, 2016	\$200,310,000
Budget estimate, 2017	193,120,000
Committee recommendation	246,573,000

The Committee’s recommendation provides \$246,573,000 for Major Research Equipment and Facilities Construction. The recommendation is \$46,263,000 above the fiscal year 2016 enacted level and \$53,453,000 above the budget request.

The Major Research Equipment and Facilities Construction appropriation supports the acquisition, procurement, construction, and commissioning of unique national research platforms and facilities as well as major research equipment. Projects supported by this appropriation will push the boundaries of technology and offer significant expansion of opportunities for the science and engineering community. Preliminary design and development activities, ongoing operations, and maintenance costs of the facilities are provided through the Research and Related Activities appropriation account.

The Committee’s recommendation includes funding at the requested level for the Daniel K. Inouye Solar Telescope and the Large Synoptic Survey Telescope.

Regional Class Research Vessels.—The Committee notes that the fiscal year 2017 request includes a new start for two regional class research vessels [RCRV]. In a 2012 report to the Committee on the status of the planned acquisition of the RCRV, NSF indicated that the agency was coordinating with the Interagency Working Group on Facilities and Infrastructure to design and potentially construct three RCRVs in order to right size the fleet. The timeline included milestones, pending funding approval, for three RCRVs beginning in 2017, 2019, and 2020. In March of 2014, NSF reiterated its recommendation for three vessels, after analyzing multiple scenarios through its division of Ocean Sciences. The analysis showed RCRVs are needed to meet regional coastal requirements and could be supported within projected budgets. The Committee supports NSF’s plan for acquiring three RCRVs and appreciates the benefits of having dedicated regional vessels for the Pacific, Atlantic, and Gulf coasts rather than inefficiently forcing two ships to allocate time among the three regions. Therefore, the Committee recommenda-

tion provides \$159,453,000 to facilitate planning and construction of three RCRVs.

Independent Review.—The Committee requests the Government Accountability Office [GAO] to review programs funded within MREFC in a timescale and quality that is similar to the analysis GAO already provides the Committee regarding NASA’s large-scale acquisition and construction projects. The Committee believes that the additional independent perspective will help to identify potential technical risks and cost overruns over the construction life of projects so that these important scientific missions keep on schedule and on budget. NSF is directed to cooperate fully and to provide timely program analysis, evaluation data, and other relevant information to GAO so that GAO can report to Congress shortly after the annual budget submission of the President and semiannually thereafter on the status of large-scale NSF programs, projects, and activities based on its review of this information. The Committee notes that NSF MREFC has a no cost overrun policy and expects GAO’s analysis to explain any trade offs NSF intends to execute to meet its policy.

EDUCATION AND HUMAN RESOURCES

Appropriations, 2016	\$880,000,000
Budget estimate, 2017	898,870,000
Committee recommendation	880,000,000

The Committee’s recommendation provides \$880,000,000 for this account. The recommendation is equal to the fiscal year 2016 enacted level and \$18,870,000 below the budget request.

The Education and Human Resources appropriation supports a comprehensive set of programs across all levels of education in science, technology, engineering, and mathematics [STEM]. The appropriation supports activities that unite school districts with institutions of higher learning to improve precollege education. Other precollege activities include the development of the next generation of STEM education leaders, instructional materials, and the STEM instructional workforce. Undergraduate activities support curriculum, laboratory, and instructional improvement; expand the STEM talent pool; attract STEM participants to teaching; augment advanced technological education at 2-year colleges; and develop dissemination tools. Graduate support is directed to research and teaching fellowships, internships, and instructional workforce improvement by linking precollege education systems with higher education. Programs also seek to broaden the participation of groups underrepresented in the STEM enterprise and promote informal science education.

Advanced Technological Education.—The Committee provides funding for Advanced Technological Education at not less than the fiscal year 2016 enacted level.

Robert Noyce Scholarship Program.—The Committee provides the budget request level of \$60,890,000 for the Robert Noyce Scholarship program to help fill the critical need for STEM teachers in elementary and secondary schools.

CyberCorps: Scholarships for Service.—The CyberCorps: Scholarships for Service program helps the Federal Government respond to threats to our information technology infrastructure by providing

scholarships to train cybersecurity professionals. In return, scholarship recipients agree to serve in a Federal Government agency building the Government's capacity to understand, respond to, and prevent cyber threats. More than 2,656 students have completed the program, which was initiated in fiscal year 2001, and more than 93 percent of students have been placed, serving more than 140 Federal agencies. The Committee provides no less than \$55,000,000 for the Federal Cyber Service: Scholarships for Service program, of which not less than \$7,500,000 should be used to continue work with community colleges that have been designated as a Center of Academic Excellence in Information Assurance 2-Year Education [CAE2Y] by the National Security Agency and the Department of Homeland Security. Additionally, the Committee urges NSF to collaborate with the National Initiative for Cybersecurity Education at NIST on their efforts to develop cybersecurity skills in the workforce, especially in support of non-traditional or technical degree qualifications.

Informal Science Education.—The Committee maintains its strong support for NSF's informal science education program and supports the requested levels of \$62,500,000 for Advancing Informal STEM Learning and \$51,880,000 for STEM+C Partnerships. The Committee encourages the NSF to coordinate and provide necessary support for investments in both in- and out-of-school time STEM education programs across Federal agencies, including support for extracurricular STEM programs.

Division of Research on Learning [DRL] in Formal and Informal Settings.—As part of the research funded through the DRL, the Committee recognizes the importance of out-of-school time STEM mentor-led engagement programs, including STEM networks, festivals, and competitions. Such programs are highly effective in filling the higher education STEM pipeline. The Committee urges NSF to focus on populations underrepresented in the STEM fields and encourages NSF to fund out-of-school time STEM engagement program activities.

Dyslexia.—The Committee encourages NSF to continue funding meritorious research on dyslexia and other learning disabilities through the Research on Disabilities Education program under the Education and Human Resources Directorate. Dyslexia related research grants are expected to fully meet NSF's merit review standards and should have a goal of practical application.

Division on Human Resource Development.—The Committee continues its longstanding support for existing initiatives to broaden participation in STEM fields and recognizes these programs have various purposes and engage students in a different manner. The Committee notes that support for these programs has stagnated within NSF in spite of increases to the overall NSF budget. The Committee recommends \$35,000,000 for the Historically Black Colleges and Universities [HBCUs] Undergraduate Program, \$8,000,000 for the Alliance for Graduate Education and the Professoriate, \$46,000,000 for the Louis Stokes Alliances for Minority Participation, \$14,000,000 for the Tribal Colleges and Universities Program, and \$24,000,000 for Centers for Research Excellence in Science and Technology. In proposal selection, the Committee encourages NSF to give priority to grant proposals that have dem-

onstrated maturity, including previous partnerships with other Federal agencies.

Hispanic-Serving Institutions [HSI] Program.—Investment in STEM education is vital for American economic competitiveness, and Hispanic Americans are underrepresented in science and engineering disciplines. The Committee provides \$5,000,000 as authorized under 42 U.S.C. 1862o–12 for NSF to implement an HSI Program that is designed to increase the recruitment, retention, and graduation rates of Hispanic students pursuing associate or baccalaureate degrees in STEM fields.

AGENCY OPERATIONS AND AWARD MANAGEMENT

Appropriations, 2016	\$330,000,000
Budget estimate, 2017	373,020,000
Committee recommendation	330,000,000

The Committee’s recommendation provides \$330,000,000 for Agency Operations and Award Management. The recommendation is equal to the fiscal year 2016 enacted level and \$43,020,000 below the budget request.

The appropriation provides salaries and expenses, including: staff salaries, benefits, travel, training, rent, advisory and assistance services, communications and utilities expenses, supplies, equipment, and other operating expenses necessary for management of the National Science Foundation’s research and education activities.

The Committee reiterates its long-standing requirement that NSF submit reprogrammings when initiating new programs or activities of more than \$500,000 or when reorganizing components. The Committee expects to be notified of reprogramming actions which involve less than the above-mentioned amount if such actions would have the effect of changing the agency’s funding requirements in future years, or if programs or projects specifically cited in the Committee’s reports are affected.

Peer Review.—The Committee has long been supportive of NSF’s peer review process to identify and recommend funding for scientifically meritorious research. NSF’s ability to fund cutting-edge research helps keep the country at the forefront of research across all scientific disciplines, which in turn builds the technological capabilities that underpin economic growth and prosperity. As part of the peer review process, NSF should include criteria that evaluates how a proposal will advance our Nation’s national security and economic interests, as well as promote the of progress of science and innovation in the United States.

OFFICE OF THE NATIONAL SCIENCE BOARD

Appropriations, 2016	\$4,370,000
Budget estimate, 2017	4,380,000
Committee recommendation	4,370,000

The Committee’s recommendation provides \$4,370,000 for the Office of the National Science Board. The recommendation is the same as the fiscal year 2016 enacted level and \$10,000 below the budget request.

The National Science Board is the governing body of NSF and is charged with serving as an independent adviser to the President

and Congress on policy matters related to science and engineering research and education.

Operations and Maintenance Costs.—The Committee is concerned that operations and maintenance costs for NSF-funded research facilities require an increasingly large percentage of the funding for Research and Related Activities, especially in a budget environment where overall domestic spending is restrained and annual operations and maintenance costs increase faster than overall NSF spending. The Board is directed to consider whether this issue merits a change in NSF’s funding principles or budgetary formulation processes, including considering the research infrastructure funding approaches within other Federal agencies, and whether a separate operations account is merited. Not later than 180 days after enactment of this act, the Board shall submit a report to the Committee on its findings, including any recommendations to the Foundation and to the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2016	15,160,000
Budget estimate, 2017	15,200,000
Committee recommendation	15,200,000

The Committee’s recommendation provides \$15,200,000 for the Office of Inspector General [OIG]. The recommendation is \$40,000 above the fiscal year 2016 enacted level and the same as the budget request.

The OIG appropriation provides audit and investigation functions to identify and correct deficiencies that could lead to instances of fraud, waste, or mismanagement.

ADMINISTRATIVE PROVISION

The bill includes one administrative provision to allow limited transfers of funds among accounts.

TITLE IV
 RELATED AGENCIES
 COMMISSION ON CIVIL RIGHTS
 SALARIES AND EXPENSES

Appropriations, 2016	\$9,200,000
Budget estimate, 2017	9,430,000
Committee recommendation	9,200,000

The Committee’s recommendation provides \$9,200,000 for the salaries and expenses of the Commission on Civil Rights. The recommendation is the same as the fiscal year 2016 enacted level and \$230,000 below the budget request.

State Advisory Committees [SAC].—The SACs represent the eyes and ears of the Commission in their respective States, and the significant proportion of unchartered SACs inhibits the Commission in carrying out its mission across the Nation. The Committee is pleased with the Commission’s progress in extending all existing State Advisory Committee charters from 2 years to 4 years and looks forward to the improvements in work quality that can be attributed to this change. However, 17 of 51 SAC charters currently remain expired. The Commission is directed to submit a report to the Committee not later than 90 days after enactment of this act detailing the number of new SAC charters, criteria used by the Commission to approve or deny any charter submitted for approval, and any SAC charters that were submitted but not approved by the Commission.

Use of Letterhead.—The Committee reminds the Commission of direction provided in Senate Report 114–66 related to the use of official Commission letterhead by any one Commissioner or group of Commissioners in correspondence that does not reflect the official position of the Commission. The Commission is directed to report to the Committee within 180 days of enactment of this act on any violation of this direction and steps being taken to ensure that the positions taken by the Commission are clear.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
 SALARIES AND EXPENSES

Appropriations, 2016	\$364,500,000
Budget estimate, 2017	376,646,000
Committee recommendation	364,500,000

The Committee’s recommendation provides \$364,500,000 for EEOC salaries and expenses. This recommendation is the same as the fiscal year 2016 enacted level and \$12,146,000 below the request.

The Equal Employment Opportunity Commission [EEOC] is the leading Federal agency dedicated to eradicating employment discrimination in both the public and private sectors on the basis of race, color, national origin, sex, religion, pregnancy, age, disability, and family medical history or genetic information. The EEOC serves both U.S. public and private workplaces by helping provide a fair and inclusive workplace, which engenders employee satisfaction and commitment, and enhances employee retention, productivity, and profitability.

Action Council for Transformation.—The EEOC launched the Online Charge Status System in March 2016 as a component of the Action Council for Transformation to a Digital Charge System [ACT Digital]. Once fully operational, this online system will address issues of information accessibility for charging parties and respondents as well as allow the EEOC staff to spend more time investigating charges and reducing its current backlog of open cases. The Committee urges the EEOC to continue its efforts to leverage technology to increase productivity, streamline customer service, and reduce the inefficiencies at the Commission. The EEOC shall provide the Committee with an update not later than 90 days after the enactment of this act on the ACT Digital system including its impact on call center workload, overall use of the system by intended parties, any plans to make more cases accessible within the system, and steps being taken to protect the personal information of both the charging parties and the respondents.

Inventory Backlog Reduction.—The EEOC has a private sector inventory of over 76,000 cases and a Federal sector hearing inventory of over 12,000. Using appropriated funds for activities that do not directly resolve this backlog of existing and incoming claims denies cases with complainants the opportunity of a timely resolution. EEOC's own budget submission states that justice delayed is justice denied. Therefore, the Committee directs the EEOC to prioritize its staffing and resources toward reducing the number of current and outstanding unresolved private sector pending charges and public sector hearings.

Public Comment on EEOC Guidance.—The Committee is concerned that as the EEOC conducts its business in protecting against employment discrimination, its guidance proposals can be adopted without the opportunity of public input prior to implementation and enforcement. Therefore, if requested by at least two Commissioners, the EEOC shall make any new guidance available for public comment in the Federal Register for not less than 30 days prior to taking any potential action on proposed guidance.

State and Local Enforcement Assistance.—The Committee recommends up to \$29,500,000 to assist State and local enforcement agencies. This will help ensure that EEOC provides adequate resources to its State partners.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2016	\$88,500,000
Budget estimate, 2017	92,866,000
Committee recommendation	88,500,000

The Committee's recommendation provides \$88,500,000. The recommendation is equal to the fiscal year 2016 enacted level and is \$4,366,000 below the budget request.

The International Trade Commission [ITC] is an independent, quasi-judicial agency responsible for conducting trade-related investigations and providing Congress and the President with independent technical advice related to U.S. international trade policy.

Lease Expiration.—No funding is provided for ITC to renovate and lease new office space in fiscal year 2017. The Committee notes that ITC has proposed to sign a new 15-year lease in order to achieve a 25 percent reduction in space, but that the best-case scenario involves no savings until year 13 of the 15-year lease. Furthermore, the Committee understands that the least expensive option over the proposed 15-year lease term is for ITC to remain in its current location without reducing its footprint. The Committee is disappointed that the leasing issue has not yet been resolved, and directs ITC to work expeditiously and cooperatively with the General Services Administration in pursuit of an immediate resolution.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

Appropriations, 2016	\$385,000,000
Budget estimate, 2017	475,000,000
Committee recommendation	395,000,000

The Committee's recommendation provides \$395,000,000 for payment to the Legal Services Corporation [LSC]. The recommendation is \$10,000,000 above the fiscal year 2016 enacted level and \$80,000,000 below the budget request.

The Committee's recommendation provides \$362,000,000 for basic field programs, to be used for competitively awarded grants and contracts; \$19,400,000 for management and administration; \$4,000,000 for client self-help and information technology; \$4,600,000 for the Office of the Inspector General [OIG]; \$1,000,000 for loan repayment assistance; and \$4,000,000 for the LSC's Pro Bono Innovation Fund.

Governance and Management.—The LSC must continue to improve its governance and management in order to further restore the transparency of the organization and direct additional funds into legal aid, where resources are desperately needed. The Committee expects the Inspector General of the LSC to continue conducting annual audits of LSC grantees to ensure that funds are not being used in contravention of the restrictions by which LSC grantees are required to abide.

Pro Bono Innovation Fund.—The Committee's recommendation provides no less than \$4,000,000 to continue the Pro Bono Innovation Fund. This fund will support innovative projects that promote and enhance pro bono initiatives throughout the Nation, as well as leverage Federal dollars to increase free legal aid for low-income Americans by engaging private attorneys.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The Committee’s recommendation continues the administrative provisions contained in the fiscal year 1998 appropriations act (Public Law 105–119) regarding operation of this program to provide basic legal services to disadvantaged individuals and the restrictions on the use of LSC funds.

LSC funds cannot be used to engage in litigation and related activities with respect to a variety of matters including: (1) redistricting; (2) class action suits; (3) representation of illegal aliens; (4) political activities; (5) abortion; (6) prisoner litigation; (7) welfare reform; (8) representation of charged drug dealers during eviction proceedings; and (9) solicitation of clients. The exception to the restrictions occurs in a case where there is imminent threat of physical harm to the client or prospective client.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

Appropriations, 2016	\$3,431,000
Budget estimate, 2017	3,431,000
Committee recommendation	3,431,000

The Committee provides \$3,431,000. The recommendation is equal to the fiscal year 2016 enacted level and the budget request.

The Marine Mammal Commission and its Committee of Scientific Advisors on Marine Mammals provide oversight and recommend actions on domestic and international topics to advance policies and provisions of the Marine Mammal Protection Act. The Commission provides precise, up-to-date scientific information to Congress on issues related to the safety of marine mammals.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

Appropriations, 2016	\$54,500,000
Budget estimate, 2017	59,376,000
Committee recommendation	59,376,000

The Committee’s recommendation provides \$59,376,000 for the Office of the United States Trade Representative [USTR]. The recommendation is \$4,876,000 above the fiscal year 2016 enacted level and equal to the budget request. USTR is responsible for developing and leading international negotiations for the United States on policies regarding international trade, direct investment, and commodities. Its areas of responsibility include all matters relating to the World Trade Organization; trade, commodity, and direct investment matters dealt with by certain international institutions; industrial, agricultural, and services trade policy; and trade-related protection of intellectual property and the environment.

The Committee provides increased funding for USTR above the fiscal year 2016 level primarily for trade enforcement activities. Within funds provided, the Committee supports USTR’s proposal to assume the full financial responsibilities of the Interagency Trade Enforcement Center [ITEC] in fiscal year 2017. As the office makes plans to balance its fiscal year 2017 trade enforcement activities

and allocate this increased funding, USTR should consider the goals of the Trade Enforcement Trust Fund as defined in the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125), including enforcement, monitoring, investigation, and capacity-building activities related to free trade agreements. Subject to the reprogramming procedures set forth in section 505 of this act, USTR may request to transfer appropriated funds into the Trade Enforcement Trust Fund from funding allocated to the office’s trade enforcement-related activities.

Economy Act Transfers.—USTR is directed to continue isolating Economy Act payments as individual transfers, and to submit documentation of and justification for all Economy Act transfers, regardless of amount, to and from other Federal agencies, to the Committees not less than 15 days before such transfers of sums are made.

Market Economy Status.—The Committee recognizes the negative impact of foreign dumping and subsidies on American businesses, and is subsequently concerned about the possibility of granting Market Economy status to countries that may still engage in unfair market manipulations. The Committee directs USTR, in coordination with the International Trade Administration, to brief the Committee not less than 15 days after analysis has been undertaken in relation to a foreign country’s Market or Non-Market Economy status.

Religious Freedom.—Not later than 90 days after enactment of this act, the U.S. Trade Representative, in coordination with the Department of State, shall submit a report to the Committee and to the Senate Committee on Finance detailing USTR’s compliance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26) as it relates to religious freedom, including conditions in Vietnam, and any party to negotiations for a trade agreement with the United States.

Travel.—USTR is directed to provide monthly travel reports detailing all trips outside of the United States, including the purposes and costs of such trips. Additionally, USTR shall continue to provide the Committee with quarterly reports outlining the status of ongoing trade negotiations, enforcement activities, and objectives achieved for existing trade agreements.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

Appropriations, 2016	\$5,121,000
Budget estimate, 2017	5,121,000
Committee recommendation	5,121,000

The Committee’s recommendation provides \$5,121,000 for the State Justice Institute. The recommendation is the same as the fiscal year 2016 enacted level and the budget request.

The Institute was created in 1984 to further the development and adoption of improved judicial administration in State courts.

TITLE V
GENERAL PROVISIONS
(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends the following general provisions for the departments, agencies and commissions funded in the accompanying act. Similar provisions were included in the fiscal year 2016 act.

Section 501 prohibits the use of appropriations for certain publicity and propaganda purposes.

Section 502 prohibits any appropriations contained in this act from remaining available for obligation beyond the current fiscal year unless expressly provided.

Section 503 limits funds for certain consulting purposes.

Section 504 provides that, should any provision of the act be held to be invalid, the remainder of the act would not be affected.

Section 505 stipulates the policy and procedures by which funding available to the agencies funded under this act may be reprogrammed for other purposes.

Section 506 provides for a penalty for persons found to have falsely mislabeled products.

Section 507 requires agencies to provide quarterly reports to the Appropriations Committees regarding unobligated balances.

Section 508 requires agencies and departments funded in this act to absorb any necessary costs related to downsizing or consolidation within the amounts provided to the agency or department.

Section 509 limits funds for the sale or export of tobacco or tobacco products.

Section 510 stipulates obligation of receipts and the use of certain funds for victim services available under the Crime Victims Fund.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against, denigrate, or otherwise undermine the religious beliefs of students participating in such programs.

Section 512 limits transfers of funds between agencies.

Section 513 provides that funding for E-government initiatives are subject to reprogramming guidelines established by this act.

Section 514 requires the Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation to conduct reviews of activities funded in this act and requires certifications regarding conflicts of interest.

Section 515 prohibits funds for information technology acquisitions unless the acquiring department or agency has assessed the supply chain risk of the technology.

Section 516 prohibits the use of funds to support or justify the use of torture.

Section 517 limits funds pertaining to certain activities related to the export of firearms.

Section 518 limits funds that would deny permits to import certain products.

Section 519 prohibits funds for activities that seek to include certain language in new trade agreements.

Section 520 prohibits funds to authorize a national security letter in contravention of the statutes authorizing the FBI to issue national security letters.

Section 521 requires notification to the Committees in the event of cost overruns.

Section 522 authorizes funds appropriated for intelligence activities for the Department of Justice during fiscal year 2017 until the enactment of the Intelligence Authorization Act for Fiscal Year 2017.

Section 523 prohibits contracts or grant awards in excess of \$5,000,000 unless the prospective contractor or grantee has certified in writing that he or she has filed all Federal tax returns, has not been convicted of a criminal offense under the IRS Code of 1986, and has no unpaid Federal tax assessment.

Section 524 specifies rescissions of prior appropriations.

Section 525 prohibits the use of funds to purchase first class or premium airline travel in contravention of current regulations and improves reporting.

Section 526 prohibits the use of funds to pay for the attendance of more than 50 employees at any single conference outside the United States and limits the cost of any such conference incurred by an agency.

Section 527 prohibits the use of funds in this act for the transfer or release of certain individuals detained at Naval Station, Guantánamo Bay, Cuba, to or within the United States, its territories or possessions.

Section 528 prohibits the use of funds in this act to construct, acquire, or modify any facility in the United States, its territories, or possessions to house certain individuals who, as of June 24, 2009, were located at Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or control of the Department of Defense.

Section 529 requires, when practicable, the use of “Energy Star” or “Federal Energy Management Program” designated light bulbs.

Section 530 requires agencies funded in this act to report on undisbursed balances.

Section 531 prohibits funds made available by this act from being used to deny the importation of certain shotgun models.

Section 532 prohibits the use of funds to establish or maintain a computer network that does not block pornography, except for law enforcement purposes.

Section 533 requires departments and agencies funded in this bill to submit spending plans to the House and Senate Appropriations Committees within 45 days of enactment of this act.

Section 534 prohibits the use of funds to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

Section 535 prohibits funds to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract. The Committee directs any head of any executive branch department, agency, board, commission, or office funded by this act to require that all contracts within their purview that provide award fees to link such fees to successful acquisition outcomes, specifying the terms of cost, schedule, and performance.

Section 536 allows for full access of departmental and agency information and data to the corresponding Inspectors General.

Section 537 prohibits the Department of Justice from preventing certain States from implementing State laws regarding the use of medical marijuana.

Section 538 prohibits the use of funds by the Department of Justice to prevent States from implementing laws related to a certain section of the Agricultural Act of 2014.

**COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE
STANDING RULES OF THE SENATE**

Rule XVI, paragraph 7 requires that every report on a general appropriation bill filed by the Committee must identify items of appropriation not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The Committee recommends funding for the following programs or activities that currently lack an authorization for fiscal year 2017, either in whole or in part, and therefore fall under this rule:

APPROPRIATIONS NOT AUTHORIZED BY LAW—FISCAL YEAR 2017

Agency/program	Last year of authorization
Department of Commerce:	
International Trade Administration:	
Export Promotion	1996
Bureau of Industry and Security:	
Export Administration	2001
Economic Development Administration:	
Salaries and Expenses	2008
Economic Development Assistance Programs:	
Public Works and Economic Development	2008
Trade Adjustment Assistance	2015
Bureau of the Census:	
Salaries and Expenses	2014
National Telecommunications and Information Administration:	
Salaries and Expenses	1993
National Institute of Standards and Technology:	
Scientific and Technical Research and Services	2013
Industrial Technology Services	2013
Construction of Research Facilities	2013
National Oceanic and Atmospheric Administration:	
Operations, Research, and Facilities:	
National Ocean Service:	
Coral Reef Conservation	2009
Hydrographic Services	2007
Coastal Zone Management	1999
Marine Protection, Research, Preservation & Sanctuaries	2005
National Marine Fisheries Service:	
Endangered Species Act Amendment	1992
Marine Mammal Protection	1999
NOAA Marine Fisheries Program	2000
Interjurisdictional Fisheries	2012
Magnuson-Stevens Fishery Conservation and Management	2012
Estuary Restoration	2012
Oceanic and Atmospheric Research:	
National Sea Grant College Program	2008
Procurement, Acquisition and Construction:	
National Ocean Service:	
Marine Protection, Research, Preservation & Sanctuaries	2005
Department of Justice:	
General Administration:	
Salaries and Expenses	2009
Justice Information Sharing Technology	2009

APPROPRIATIONS NOT AUTHORIZED BY LAW—FISCAL YEAR 2017—Continued

Agency/program	Last year of authorization
Administrative Review & Appeals:	
Salaries and Expenses	2009
Office of Inspector General:	
Salaries and Expenses	2009
U.S. Parole Commission:	
Salaries and Expenses	2009
Legal Activities:	
General Legal Activities:	
Salaries and Expenses	2009
Antitrust Division:	
Salaries and Expenses	2009
U.S. Attorneys:	
Salaries and Expenses	2009
Foreign Claims Settlement Commission:	
Salaries and Expenses	2009
Fees and Expenses of Witnesses	2009
Community Relations Service:	
Salaries and Expenses	2009
Assets Forfeiture Fund Current Budget Authority	2009
U.S. Marshals Service	2009
Salaries and Expenses	N/A
Federal Prison Detention	N/A
Construction	N/A
National Security Division:	
Salaries and Expenses	N/A
Interagency Law Enforcement:	
Interagency Crime and Drug Enforcement	2009
Federal Bureau of Investigation	2009
Salaries and Expenses	N/A
Construction	N/A
Drug Enforcement Administration:	
Salaries and Expenses	2009
Bureau of Alcohol, Tobacco, Firearms and Explosives:	
Salaries and Expenses	2009
Federal Prison System	2009
Salaries and Expenses	N/A
Buildings and Facilities	N/A
Office on Violence Against Women Programs:	
National Institute of Justice Research and Evaluation on Violence Against Women	N/A
Consolidated Youth Oriented Program	N/A
Homicide Reduction Initiative	N/A
Research—Violence Against Indian Women	2015
Sexual Assault in Indian Country Clearinghouse	N/A
Office of Justice Programs:	
Research, Evaluation, and Statistics:	
National Institute of Justice	1995
Bureau of Justice Statistics	1995
Regional Information Sharing Activities	2003
Forensic Sciences	N/A
Forensic Science Advisory Committee	N/A
State and Local Law Enforcement Assistance:	
Byrne Memorial Justice Assistance Grants	2012
Body-Worn Camera Partnership	N/A
VALOR Initiative	N/A
Smart Policing	N/A
Smart Prosecution	N/A
John R. Justice Grant Program	2014
Byrne Competitive Grants	N/A
Byrne Criminal Justice Innovation Program	N/A
Adam Walsh Act	2009
Children Exposed to Violence Initiative	N/A
State Criminal Alien Assistance Program	2011
Residential Substance Abuse Treatment	2000

APPROPRIATIONS NOT AUTHORIZED BY LAW—FISCAL YEAR 2017—Continued

Agency/program	Last year of authorization
Mentally Ill Offender Act	2014
Drug Courts	2008
Capital Litigation (and Wrongful Prosecution review)	2009
Economic, High Tech and Cybercrime Prevention	N/A
Second Chance Act/Offender Reentry	2010
Smart Probation	N/A
Children of Incarcerated Parents Demo Grants	N/A
Pay for Success (Discretionary)	N/A
Pay for Success (Permanent Supportive Housing Model)	N/A
Coverdell Forensic Science Grants	2009
Violent Gang and Gun Crime Reduction	N/A
Bulletproof Vests	2012
NIST/OLES Transfer	N/A
National Sex Offender Website	N/A
National Instant Criminal Background Check System (NICS)	N/A
Criminal Records Upgrade (NCHIP)	2007
Veterans Treatment Courts Program	N/A
Rape Kit Backlog	N/A
Justice Reinvestment Initiative	N/A
Project HOPE Opportunity Probation with Enforcement	N/A
Comprehensive School Safety Initiative	N/A
Juvenile Justice Programs:	
Part B—State Formula	2007
Emergency Planning in Juvenile Justice Facilities	N/A
Part G—Youth Mentoring	N/A; 2007
Title V—Local Delinquency Prevention Incentive Grants	2008
Tribal Youth	N/A
Gang/Youth Violence Education and Prevention	N/A
Community-Based Violence Prevention Initiatives	N/A
Missing and Exploited Children Programs	2004; 2018;
Competitive Grants for Girls in the Justice System	2018
Children of Incarcerated Parents Web Portal	N/A
COPS Programs:	
COPS Hiring Program	2009
Transfer to DEA for Methamphetamine Clean-Up	N/A
Anti-Methamphetamine Task Forces	N/A
Anti-Heroin Task Forces	N/A
National Aeronautics and Space Administration:	
Science	2013
Aeronautics	2013
Exploration	2013
Space Operations	2013
Education	2013
Safety, Security and Mission Services	2013
Construction and Environmental Compliance and Restoration	2013
Office of the Inspector General	2013
National Science Foundation	2013
Related Agencies:	
U.S. Equal Employment Opportunity Commission:	
Salaries and Expenses	2000
Commission on Civil Rights:	
Salaries and Expenses	1995
International Trade Commission:	
Salaries and Expenses	2004
Payment to the Legal Services Corporation:	
Salaries and Expenses	1980
Marine Mammal Commission:	
Salaries and Expenses	1999
Office of the U.S. Trade Representative:	
Salaries and Expenses	2004

APPROPRIATIONS NOT AUTHORIZED BY LAW—FISCAL YEAR 2017—Continued

Agency/program	Last year of authorization
State Justice Institute: Salaries and Expenses	2008

¹ NOAA authorizations are spread across over 60 separate statutory authorities. In many cases, the authorizations do not match exactly to specific programs.

**COMPLIANCE WITH PARAGRAPH 7(c), RULE XXVI OF THE
STANDING RULES OF THE SENATE**

Pursuant to paragraph 7(c) of rule XXVI, on April 21, 2016, the Committee ordered favorably reported a bill (S. 2837) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2017, and for other purposes, provided, that the bill be subject to amendment and that the bill be consistent with its budget allocation, by a recorded vote of 30–0, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Cochran	
Mr. McConnell	
Mr. Shelby	
Mr. Alexander	
Ms. Collins	
Ms. Murkowski	
Mr. Graham	
Mr. Kirk	
Mr. Blunt	
Mr. Moran	
Mr. Hoeven	
Mr. Boozman	
Mrs. Capito	
Mr. Cassidy	
Mr. Lankford	
Mr. Daines	
Ms. Mikulski	
Mr. Leahy	
Mrs. Murray	
Mrs. Feinstein	
Mr. Durbin	
Mr. Reed	
Mr. Tester	
Mr. Udall	
Mrs. Shaheen	
Mr. Merkley	
Mr. Coons	
Mr. Schatz	
Ms. Baldwin	
Mr. Murphy	

**COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE
STANDING RULES OF THE SENATE**

Paragraph 12 of the rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the Committee.”

In compliance with this rule, no changes to existing law are displayed because this bill proposes no changes.

BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC.
308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount in bill	Committee allocation	Amount in bill
Comparison of amounts in the bill with the subcommittee allocation for 2017: Subcommittee on Commerce, Justice, Science, and Related Agencies:				
Mandatory	320	320	330	¹ 330
Discretionary	56,285	56,285	64,425	¹ 64,409
Security	5,117	5,117	NA	NA
Nonsecurity	51,168	51,168	NA	NA
Projections of outlays associated with the recommendation:				
2017				² 42,085
2018				14,140
2019				3,974
2020				1,402
2021 and future years				3,720
Financial assistance to State and local governments for 2017	NA	-6,275	NA	² -7

¹ Includes outlays from prior-year budget authority.

² Excludes outlays from prior-year budget authority.

NA: Not applicable.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2016 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2017
(In thousands of dollars)

Item	2016 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2016 appropriation	Budget estimate
TITLE I—DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	493,000	533,421	495,000	+ 2,000	- 38,421
Offsetting fee collections	- 10,000	- 12,000	- 12,000	- 2,000	.....
Direct appropriation	483,000	521,421	483,000	.....	- 38,421
Bureau of Industry and Security					
Operations and administration	76,500	90,945	76,500	.....	- 14,445
Defense function	36,000	36,000	36,000	.....	.....
Total, Bureau of Industry and Security	112,500	126,945	112,500	.....	- 14,445
Economic Development Administration					
Economic development assistance programs	222,000	215,000	215,000	- 7,000	.....
Salaries and expenses	39,000	43,454	39,000	.....	- 4,454
Total, Economic Development Administration	261,000	258,454	254,000	- 7,000	- 4,454
Minority Business Development Agency					
Minority business development	32,000	35,613	32,000	.....	- 3,613
Economic and Statistical Analysis					
Salaries and expenses	109,000	114,643	109,000	.....	- 5,643
Bureau of the Census					
Current surveys and programs	270,000	285,287	270,000	.....	- 15,287

Periodic censuses and programs (new structure)	1,100,000	1,348,319	1,248,319	+ 148,319	- 100,000
Total, Bureau of the Census	1,370,000	1,633,606	1,518,319	+ 148,319	- 115,287
National Telecommunications and Information Administration					
Salaries and expenses	39,500	50,841	39,500		- 11,341
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding	3,272,000	3,230,000	3,230,000	- 42,000	
Offsetting fee collections	- 3,272,000	- 3,230,000	- 3,230,000	+ 42,000	
Total, United States Patent and Trademark Office					
National Institute of Standards and Technology					
Scientific and technical research and services	690,000	730,533	700,000	+ 10,000	- 30,533
Industrial technology services	155,000	188,991	155,000		- 33,991
Manufacturing extension partnerships	(130,000)	(141,991)	(130,000)		(- 11,991)
National network for manufacturing innovation	(25,000)	(47,000)	(25,000)		(- 22,000)
Construction of research facilities	119,000	94,995	119,000		+ 24,005
Working Capital Fund (by transfer)	(9,000)	(9,000)	(9,000)		
Total, National Institute of Standards and Technology	964,000	1,014,519	974,000	+ 10,000	- 40,519
National Oceanic and Atmospheric Administration					
Operations, research, and facilities	3,305,813	3,494,180	3,339,376	+ 33,563	- 154,804
(By transfer)	(130,164)	(130,164)	(130,164)		
Promote and Develop Fund (transfer out)	(- 130,164)	(- 130,164)	(- 130,164)		
Subtotal	3,305,813	3,494,180	3,339,376	+ 33,563	- 154,804
Procurement, acquisition and construction	2,400,416	2,270,123	2,286,853	- 113,563	+ 16,730
Pacific coastal salmon recovery	65,000	65,000	65,000		
Fishermen's Contingency Fund	350	350	350		
Fisheries disaster assistance		9,000			- 9,000
Fisheries Finance Program Account	- 6,000	- 410	- 410	+ 5,590	
National Oceans and Coastal Security Fund		10,000			- 10,000
Total, National Oceanic and Atmospheric Administration	5,765,579	5,848,243	5,691,169	- 74,410	- 157,074

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2016 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
 FOR FISCAL YEAR 2017—Continued
 [In thousands of dollars]

Item	2016 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2016 appropriation	Budget estimate
Departmental Management					
Salaries and expenses	58,000	74,503	58,000	.....	- 16,503
Renovation and modernization	19,062	12,224	12,224	- 6,838	.....
Office of Inspector General	32,000	37,167	32,744	+ 744	- 4,423
Total, Departmental Management	109,062	123,894	102,968	- 6,094	- 20,926
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Total, title I, Department of Commerce	9,245,641	9,728,179	9,316,456	+ 70,815	- 411,723
(By transfer)	139,164	139,164	139,164	.....	.....
TITLE II—DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	111,500	125,896	114,124	+ 2,624	- 11,772
Justice information sharing technology	31,000	57,561	50,000	+ 19,000	- 7,561
Total, General Administration	142,500	183,457	164,124	+ 21,624	- 19,333
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Administrative review and appeals	426,791	437,444	426,791	- 10,653
Transfer from immigration examinations fee account	- 4,000	- 4,000	- 4,000
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Direct appropriation	422,791	433,444	422,791	- 10,653
Office of Inspector General	93,709	97,814	95,583	+ 1,874	- 2,231
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United States Parole Commission					
Salaries and expenses	13,308	14,000	13,308	- 692
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Legal Activities					
Salaries and expenses, general legal activities	893,000	957,423	893,000	- 64,423

Vaccine Injury Compensation Trust Fund	9,358	11,970	9,358		-2,612
Salaries and expenses, Antitrust Division	164,977	180,506	164,977		-15,529
Offsetting fee collections—current year	-124,000	-125,000	-125,000	-1,000	
Direct appropriation	40,977	55,506	39,977	-1,000	-15,529
Salaries and expenses, United States Attorneys	2,000,000	2,074,402	2,030,000	+30,000	-44,402
United States Trustee System Fund	225,908	229,717	225,908		-3,809
Offsetting fee collections	-162,000	-163,000	-163,000	-1,000	
New fees (Sec. 221) (legislative proposal)		-125,000			+125,000
Direct appropriation	63,908	-58,283	62,908	-1,000	+121,191
Salaries and expenses, Foreign Claims Settlement Commission	2,374	2,409	2,374		-35
Fees and expenses of witnesses	270,000	270,000	270,000		
Salaries and expenses, Community Relations Service	14,446	18,990	14,446		-4,544
Assets Forfeiture Fund	20,514	20,514	20,514		
Total, Legal Activities	3,314,577	3,352,931	3,342,577	+28,000	-10,354
United States Marshals Service					
Salaries and expenses	1,230,581	1,275,156	1,249,040	+18,459	-26,116
Construction	15,000	10,000	10,000	-5,000	
Federal prisoner detention	1,454,414	1,504,009	1,454,414		-49,595
Total, United States Marshals Service	2,699,995	2,789,165	2,713,454	+13,459	-75,711
National Security Division					
Salaries and expenses	95,000	97,337	95,000		-2,337
Interagency Law Enforcement					
Interagency crime and drug enforcement	512,000	522,135	512,000		-10,135
Federal Bureau of Investigation					
Salaries and expenses	3,444,306	3,537,251	3,495,971	+51,665	-41,280
Counterintelligence and national security	5,045,480	5,181,633	5,121,162	+75,682	-60,471
Subtotal	8,489,786	8,718,884	8,617,133	+127,347	-101,751
Construction	308,982	783,482	833,982	+525,000	+50,500
(By transfer)		(85,000)			(-85,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2016 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2017—Continued
[In thousands of dollars]

Item	2016 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2016 appropriation	Budget estimate
Total, Federal Bureau of Investigation	8,798,768	9,502,366	9,451,115	+652,347	-51,251
Drug Enforcement Administration					
Salaries and expenses	2,451,514	2,485,638	2,485,638	+34,124	.....
Diversion control fund	-371,514	-382,662	-382,662	-11,148	.....
Total, Drug Enforcement Administration	2,080,000	2,102,976	2,102,976	+22,976	.....
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses	1,240,000	1,306,063	1,258,600	+18,600	-47,463
Federal Prison System					
Salaries and expenses	6,948,500	7,186,225	6,978,500	+30,000	-207,725
Buildings and facilities	530,000	113,022	113,022	-416,978	.....
Limitation on administrative expenses, Federal Prison Industries, Incorporated	2,700	2,700	2,700	.....	.....
Total, Federal Prison System	7,481,200	7,301,947	7,094,222	-386,978	-207,725
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs	101,000	163,000	102,500	+1,500	-60,500
(By transfer)	(379,000)	.....	(379,000)	.....	(+379,000)
Crime Victims Fund (transfer out)	(-379,000)	.....	(-379,000)	.....	(-379,000)
Offsetting collections .....	.....	-326,000	.....	.....	+326,000
Spending of offsetting collections .....	.....	326,000	.....	.....	-326,000
Office of Justice Programs:					
Research, evaluation and statistics	116,000	154,000	118,000	+2,000	-36,000

State and local law enforcement assistance	1,408,500	1,097,800	1,183,649	-224,851	+ 85,849
Juvenile justice programs	270,160	334,400	272,000	+ 1,840	- 62,400
Public safety officer benefits:					
Death benefits	72,000	73,000	73,000	+ 1,000	.....
Disability and education benefits	16,300	16,300	16,300	.....	.....
Subtotal	88,300	89,300	89,300	+ 1,000	.....
Total, Office of Justice Programs	1,882,960	1,675,500	1,662,949	-220,011	- 12,551
Community Oriented Policing Services:					
COPS programs	212,000	286,000	215,000	+ 3,000	- 71,000
Total, State and Local Law Enforcement Activities	2,195,960	2,124,500	1,980,449	-215,511	- 144,051
Total, title II, Department of Justice	29,089,808	29,828,135	29,246,199	+ 156,391	- 581,936
TITLE III—SCIENCE					
Office of Science and Technology Policy	5,555	5,566	5,555	.....	- 11
National Aeronautics and Space Administration					
Science	5,589,400	5,302,500	5,395,000	- 194,400	+ 92,500
Aeronautics	640,000	634,500	601,000	- 39,000	- 33,500
Space technology	686,500	690,600	686,500	.....	- 4,100
Exploration	4,030,000	3,163,900	4,330,000	+ 300,000	+ 1,166,100
Space operations	5,029,200	5,075,800	4,950,700	- 78,500	- 125,100
Education	115,000	100,100	108,000	- 7,000	+ 7,900
Safety, security and mission services	2,768,600	2,836,800	2,796,700	+ 28,100	- 40,100
Construction and environmental compliance and restoration	388,900	419,800	400,000	+ 11,100	- 19,800
Office of Inspector General	37,400	38,100	38,100	+ 700	.....
Total, National Aeronautics and Space Administration	19,285,000	18,262,100	19,306,000	+ 21,000	+ 1,043,900
Research and related activities	5,966,125	6,011,910	5,966,125	.....	- 45,785
Defense function	67,520	67,520	67,520	.....	.....
Subtotal	6,033,645	6,079,430	6,033,645	.....	- 45,785

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2016 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2017—Continued
[In thousands of dollars]

Item	2016 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2016 appropriation	Budget estimate
Major research equipment and facilities construction	200,310	193,120	246,573	+ 46,263	+ 53,453
Education and human resources	880,000	898,870	880,000	.....	- 18,870
Agency operations and award management	330,000	373,020	330,000	.....	- 43,020
Office of the National Science Board	4,370	4,380	4,370	.....	- 10
Office of Inspector General	15,160	15,200	15,200	+ 40	.....
Total, National Science Foundation	7,463,485	7,564,020	7,509,788	+ 46,303	- 54,232
Total, title III, Science	26,754,040	25,831,686	26,821,343	+ 67,303	+ 989,657
TITLE IV—RELATED AGENCIES					
Commission on Civil Rights .....	.....	.....	.....	.....	.....
Salaries and expenses	9,200	9,430	9,200	.....	- 230
Equal Employment Opportunity Commission .....	.....	.....	.....	.....	.....
International Trade Commission	364,500	376,646	364,500	.....	- 12,146
Salaries and expenses	88,500	92,866	88,500	.....	- 4,366
Legal Services Corporation .....	.....	.....	.....	.....	.....
Payment to the Legal Services Corporation	385,000	475,000	395,000	+ 10,000	- 80,000
Marine Mammal Commission .....	.....	.....	.....	.....	.....
Salaries and expenses	3,431	3,431	3,431	.....	.....
Office of the U.S. Trade Representative .....	.....	.....	.....	.....	.....
Salaries and expenses	54,500	59,376	59,376	+ 4,876	.....

State Justice Institute		5,121	5,121	5,121	5,121	5,121
Salaries and expenses		910,252	1,021,870	925,128	+ 14,876	- 96,742
Total, title IV, Related Agencies						
TITLE V—GENERAL PROVISIONS						
DOC, economic development assistance programs (rescission)		-10,000	-164,743	-289,743	+10,000	-125,000
DOJ, Working Capital Fund (rescission)		-69,000	-6,192	-6,192	-220,743	-6,192
DOJ, Drug Enforcement Administration (rescission)		-458,000	-304,000	-304,000	+154,000	
DOJ, Assets Forfeiture Fund (rescission)		-32,767	-90,709	-73,509	-40,742	+17,200
FBI, Salaries and expenses, nondefense (rescission)		-48,000	-132,877	-107,682	-59,682	+25,195
FBI, Salaries and expenses, defense (rescission)		-195,974	-24,000	-24,000	+171,974	
Federal prisoner detention (rescission)		-15,000	-5,000	-5,000	+10,000	
Violence against women prevention and prosecution programs (rescission)		-40,000	-20,000	-20,000	+20,000	
Office of Justice programs (rescission)		-10,000	-10,000	-10,000		
COPS (rescission)						
Total, title V, General Provisions		-878,741	-757,521	-840,126	+38,615	-82,605
Grand total		65,121,000	65,652,349	65,469,000	+348,000	-183,349
Appropriations		(65,999,741)	(66,409,870)	(66,309,126)	(+309,385)	(-100,744)
Rescissions		(-878,741)	(-757,521)	(-840,126)	(+38,615)	(-82,605)
(By transfer)		518,164	224,164	518,164		+294,000
(Transfer out)		-509,164	-130,164	-509,164		-379,000

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