

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES  
APPROPRIATIONS BILL, 2018

JULY 17, 2017.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 3267]

The Committee on Appropriations submits the following report in  
explanation of the accompanying bill making appropriations for  
Commerce, Justice, Science, and Related Agencies for the fiscal  
year ending September 30, 2018, and for other purposes.

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## HIGHLIGHTS OF THE BILL

The Commerce, Justice, Science, and Related Agencies Subcommittee has jurisdiction over a diverse group of agencies responsible for combating gangs, violent crime, drug trafficking, financial fraud, terrorism, espionage, and cybercrime; enforcing trade laws; conducting periodic censuses; forecasting the weather; managing fisheries; exploring space; and advancing science. The activities of these agencies impact nearly every American and are integral to the operations of our government.

The bill provides a total of \$53,935,000,000 in discretionary budget authority for fiscal year 2018, which is \$2,620,000,000 below the fiscal year 2017 discretionary enacted level.

Within the level of funds provided, the bill prioritizes funding for Federal law enforcement, national security, and the National Aeronautics and Space Administration (NASA) while freezing, reducing, or eliminating funding for non-critical activities.

For the Department of Justice, the bill provides an increase of \$318,864,000 from the current year and is \$836,856,000 above the budget request. This includes an increase of \$47,546,000 for the Federal Bureau of Investigation's (FBI) salaries and expenses to enhance its efforts to combat violent crime, cybercrime, terrorism, and espionage. The bill also provides increases across the Federal law enforcement agencies to enhance immigration enforcement, combat violent crime and opioids trafficking. These increases include \$64,500,000 for immigration courts, \$22,252,000 for United States Attorneys, \$87,546,000 for the United States Marshals Service, \$9,000,000 for interagency drug task forces, \$97,987,000 for the Drug Enforcement Administration, \$35,176,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives, and \$61,448,000 for the operations of the Federal Prison System.

For State and local law enforcement activities, the bill increases funds for Violence Against Women Prevention and Prosecutions Programs, the State Criminal Alien Assistance Program and Byrne Justice Assistance Grants. The bill also continues support for priority programs such as Adam Walsh Act, NICS background checks, the DNA initiative, Reducing Sexual Assault Kit Backlogs, the Second Chance Act, the Missing and Exploited Children program, and fully funds the Comprehensive Addiction and Recovery Act of 2016.

For NASA, the bill includes \$19,871,834,000 which is an increase of \$218,534,000 above fiscal year 2017. The Committee believes that additional investment is needed to maintain American leadership in space exploration and science, and for NASA to successfully execute all of its activities and missions. A bold space exploration program that engages the nation will inspire new generations of scientists and engineers and contribute to the economic success and space leadership of the country. The bill advances space exploration and ensures our nation remains the world's leader in space exploration and technology, aeronautics research, and discovery in space and science. The bill provides for the continued development of the Orion crew vehicle, the Space Launch System, and Exploration Ground Systems that will one day send astronauts beyond low Earth orbit. The bill continues funding for critical scientific missions and technology programs. The Committee directs NASA to

follow the direction of the decadal surveys in prioritizing activities during fiscal year 2018 and in the future.

For the National Science Foundation, the bill maintains funding for the Research and Related Activities appropriation at the fiscal year 2017 level.

Within the Department of Commerce, the bill priorities the International Trade Administration's enforcement and compliance activities and continuing preparations for the 2020 decennial census. Funding for the National Oceanic and Atmospheric Administration prioritizes weather forecasting, ocean exploration, weather research, and fisheries management.

In order to fund the priority programs described above, the bill recommends terminating 37 programs, resulting in savings of more than \$623,644,000 from the fiscal year 2017 level and \$347,000,000 from the President's request for these same programs. In addition, the bill recommends freezing or reducing 18 appropriation accounts in the Department of Commerce, 20 appropriation accounts in the Department of Justice, and 5 appropriation accounts in related agencies.

#### OVERSIGHT AND BUDGET REVIEW

In furtherance of the Committee's oversight responsibilities and to protect hard-earned taxpayer dollars, the Committee has included language that:

- Withholds funds for information technology related to the 2020 census until a comprehensive investment plan is provided to the Committee and the Government Accountability Office.
- Caps total life-cycle costs for programs that have a record of poor performance, including weather satellites and the James Webb Space Telescope.
- Prohibits funding for the National Technical Information Service to charge customers for a copy of a document generated by the Legislative Branch unless the customer is informed how to receive an electronic copy free online.
- Requires monthly reporting on Immigration Judge performance.
- Maintains limitations on the Department of Justice's use of non-appropriated funds including the Working Capital Fund and the Assets Forfeiture Fund.
- Requires quarterly reporting of unobligated balances.
- Requires agencies procuring sensitive information technology systems to conduct supply chain risk assessments.
- Requires contractors and grantees receiving more than \$5,000,000 to certify that they are not delinquent on their Federal taxes.
- Prohibits funds from being used to purchase first class and premium airline travel.
- Limits the number of agency staff who can attend overseas conferences.
- Requires agencies to track undisbursed grant balances.
- Requires agencies to submit spending plans for the Committee's review.
- Requires agencies to notify the Committee of project cost overruns and mitigation plans.
- Requires agency computer networks to block pornography.

*Paper Reduction Efforts.*—The Committee urges the Departments of Commerce and Justice, the National Science Foundation, and NASA to work with the Office of Management and Budget to reduce printing and reproduction costs and directs each agency to report to the Committee within 60 days of enactment of this Act on the steps it has taken to achieve this goal. The report should specifically identify how much funding each agency expects to save by implementing these measures.

*Performance Measures.*—The Committee directs each of the agencies funded by this Act to comply with title 31 of the United States Code, including the development of their organizational priority goals and outcomes such as performance outcome measures, output measures, efficiency measures, and customer service measures.

#### REPROGRAMMING PROCEDURES

Section 505 of the bill contains language concerning the reprogramming of funds between programs, projects, and activities. The Committee reminds the departments and agencies funded in this bill that the reprogramming process is based on comity between the Congress and the Executive Branch. This process is intended to provide departments and agencies sufficient flexibility to meet changing circumstances and emergent requirements not known at the time of congressional review of the budget while preserving congressional priorities and intent. In the absence of comity and respect for the prerogatives of the Appropriations Committees and the Congress in general, the Committee may opt to include specific program limitations and details in legislation and remove language providing the flexibility to reallocate funds. Under these circumstances, programs, projects, and activities become absolutes and the Executive Branch shall lose the ability to propose changes in the use of appropriated funds except through legislative action.

Each department and agency funded in this bill shall follow the directions set forth in this bill and the accompanying report, and shall not reallocate resources or reorganize activities except as provided herein. Reprogramming procedures shall apply to funds provided in this bill, unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2018, and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2018. As specified in section 505, the Committee expects that the Appropriations Subcommittees on Commerce, Justice, Science, and Related Agencies of the House and Senate will be notified by letter a minimum of 15 days prior to any reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
- (4) relocates an office or employees;
- (5) reorganizes or renames offices, programs, or activities;
- (6) contracts out or privatizes any functions or activities presently performed by Federal employees;
- (7) augments existing programs, projects, or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by

10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or

(8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress.

Any reprogramming request shall include any out-year budgetary impacts and a separate accounting of program or mission impacts on estimated carryover funds. The Committee further expects any department or agency funded in this bill that plans a reduction-in-force to notify the Committee by letter at least 30 days in advance of the date of any such planned personnel action.

#### RELATIONSHIP WITH BUDGET AND COMPTROLLER OFFICES

Through the years the Appropriations Committee has channeled most of its inquiries and requests for information and assistance through the budget offices or comptroller organizations of the various departments, agencies, and commissions. Such relationships are necessary to accomplish the work of the Committee. While the Committee reserves the right to call upon all organizations in the departments, agencies and commissions for information and assistance, the primary contact between the Committee and these entities must be through the budget offices and comptroller organizations, or through a legislative affairs unit designated by the Committee to work on appropriations and budget matters.

The workload generated in the budget process is large and growing; therefore, a positive, responsive relationship between the Committee and the budget and/or comptroller offices is essential for the Committee to fulfill the Constitutional appropriations responsibilities of Congress.

### TITLE I

#### DEPARTMENT OF COMMERCE

##### INTERNATIONAL TRADE ADMINISTRATION

##### OPERATIONS AND ADMINISTRATION

The Committee recommends \$480,000,000 in total resources for the programs of the International Trade Administration (ITA), which is \$15,000,000 below fiscal year 2017 and \$24,500,000 above the request. This amount is offset by \$13,000,000 in estimated fee collections, resulting in a direct appropriation of \$467,000,000.

*Trade enforcement.*—The recommendation funds Enforcement and Compliance at the requested level of \$88,500,000. The Committee instructs the ITA to make the enforcement of antidumping and countervailing duties its highest priority, and recommends that the ITA focus specifically on expeditiously reducing case backlogs and thoroughly investigating the extent to which trade law evasion harms domestic industries.

*Global Markets.*—The recommendation provides \$309,000,000 for Global Markets. The recommendation does not adopt the proposal to reduce U.S. and Foreign Commercial Service staff or close overseas offices or U.S. Export Assistance Centers. The recommendation does not fund the SelectUSA initiative.

*Industry and Analysis.*—The recommendation provides \$49,250,000 for Industry and Analysis.

*Executive Direction and Administration.*—The recommendation provides \$20,250,000 for Executive Direction and Administration.

*Business-to-Business Networks.*—The Committee directs the ITA to conduct Business-to-Business Networks for industry clusters in Northern Mexico and Southern United States to promote regionally-driven economic development strategies that support advanced manufacturing and exports of American goods and services.

#### BUREAU OF INDUSTRY AND SECURITY

##### OPERATIONS AND ADMINISTRATION

The Committee recommends \$112,500,000 for the Bureau of Industry and Security (BIS), which is the same as fiscal year 2017. The recommendation prioritizes Export Enforcement.

#### ECONOMIC DEVELOPMENT ADMINISTRATION

The Committee does not adopt the proposal to terminate the Economic Development Administration (EDA) and recommends \$176,000,000 for the programs and administrative expenses of the EDA.

##### ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The Committee provides \$140,000,000 for the Economic Development Assistance Programs for grants to economically distressed areas. The bill provides \$17,000,000 for the Regional Innovation Program. Additionally, within the funds provided, EDA shall prioritize Public Works.

*Assistance to coal mining communities.*—The recommendation includes the enacted level to assist coal mining communities. The Committee appreciates that EDA has engaged and is collaborating with local leaders and stakeholders, along with other Federal agencies, to develop comprehensive strategies to promote economic growth in coal mining communities. The Committee expects this effort to continue. Within the funds provided, the Committee directs EDA to continue assisting communities that have yet to develop an economic development strategy to begin the planning process. For communities that have created economic development strategies, EDA shall continue providing assistance to implement the strategies, including the funding of economic development projects. EDA shall continue to report to the Committee on its efforts to assist coal communities and include a detailed description of how EDA and other Federal agencies have assisted coal mining communities to date and how the Federal government plans to assist them in the future.

*Regional Innovation Program.*—The Committee encourages EDA to support the development of regional innovation clusters that focus on advanced wood products. The Committee supports university-based, high-tech business incubators.

##### SALARIES AND EXPENSES

The Committee recommends \$36,000,000 for EDA salaries and expenses.

## MINORITY BUSINESS DEVELOPMENT AGENCY

### MINORITY BUSINESS DEVELOPMENT

The Committee recommends \$34,000,000 for the Minority Business Development Agency (MBDA), which is equal to the enacted level. Within the funds provided, not less than \$17,000,000 shall be awarded through cooperative agreements, external awards and grants.

*Report.*—MBDA shall provide a report to the Committee within 180 days of enactment of this Act on the state of minority-owned businesses, including an evaluation of their access to capital.

### BUREAU OF ECONOMIC ANALYSIS

#### SALARIES AND EXPENSES

The Committee recommends \$96,000,000 for the Bureau of Economic Analysis, which is \$11,300,000 below fiscal year 2017 and \$1,000,000 below the request. The recommendation adopts the reorganization proposal.

### BUREAU OF THE CENSUS

The Committee recommends a total of \$1,507,000,000 for the Bureau of the Census, which is \$37,000,000 above fiscal year 2017 and \$10,000,000 above the request.

#### CURRENT SURVEYS AND PROGRAMS

The Committee recommends \$256,000,000 for the Current Surveys and Programs, which is \$14,000,000 below fiscal year 2017 and \$10,000,000 above the request.

*Survey of Income and Program Participation (SIPP).*—Within the amounts provided, Census shall continue the level of effort for the SIPP at no less than the fiscal year 2017 level and shall conduct the 2018 panel such that it is comparable to wave 1 of the previous SIPP cycle.

#### PERIODIC CENSUSES AND PROGRAMS

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total of \$1,251,000,000 for Periodic Censuses and Programs, which is \$51,000,000 above the fiscal year 2017 level and the same as the request. The recommendation provides for a transfer of \$2,580,000 to the Department of Commerce Office of Inspector General (OIG) for oversight of the Census Bureau. The recommended increase will support completion of research and the beginning of design, development, and testing for the 2020 Census.

The Committee encourages the Census Bureau to reconsider its proposal to cancel two of the three census tests scheduled for 2018.

*Census risks.*—The Committee is concerned that the 2020 Census is a Government Accountability Office (GAO) high-risk area. With limited time remaining until Census Day, the Census Bureau needs to: (1) ensure key innovations will function as planned; (2) strengthen the management and oversight of all IT programs, systems, and contractors supporting the decennial; and (3) develop re-

liable cost estimates. Already, the Bureau is experiencing significant cost overruns in key programs.

The Committee appreciates that Census leadership meets with GAO staff monthly to discuss the progress the Bureau is making toward the 2020 Census, including how it is addressing GAO's open recommendations, and encourages these meetings to continue. To aid the Committee in its oversight function, the Bureau shall update the Committee quarterly on the status of implementing GAO recommendations regarding the 2020 Census.

To help ensure the Census Bureau is on track to make and execute key decisions, deliver necessary IT systems, and manage risks, by September 30, 2017 the Census Bureau shall provide the Committee and GAO with:

- A list of all operations and IT systems, functionality, or infrastructure still being considered for the 2020 Census;

- A list of all operations and IT systems, functionality, or infrastructure being considered for the 2020 Census that will not be in the 2018 end-to-end test, as well as the current estimates of when they will be operationally tested, if at all;

- A list of all operations and IT systems, functionality, or infrastructure where it is known that what or how it is being tested in the 2018 end-to-end test differs from what or how it will be used for the 2020 Census;

- Plans to manage and mitigate each “red” program-level risk identified for either the 2020 Census or Census Enterprise Data Collection and Processing (CEDCaP) programs;

- A spend plan for the 2018 end-to-end test, including quarter-by-quarter expected obligations; and

- An updated life-cycle cost estimate for the 2020 Census.

*American Community Survey (ACS).*—The Committee is very concerned about the burdensome nature of the ACS and directs Census to focus on its core, constitutionally mandated decennial Census activities. The Bureau shall continue to provide quarterly briefings to the Committee on efforts to ensure the necessity of all the questions on the ACS; on efforts to ensure that non-response follow-up is conducted in the least intrusive manner; and on congressional outreach conducted by the Respondent Advocate.

*2020 Census lifecycle cost.*—The Committee is concerned that the Bureau's lifecycle cost estimate for the 2020 Census did not reflect cost estimation best practices. The Committee understands that no guidance or standard methodology was used to account for risks in its cost estimate. The Committee also understands that documentation of the assumptions in the estimate is lacking.

The Committee further understands that the Census Bureau does not believe the cost estimate provided in October 2015 reflects the current state of the program and that the Bureau plans to submit an updated cost estimate. The Committee directs the Bureau to submit this estimate expeditiously, as directed earlier in this section, and to ensure that it is accurate.

*CEDCaP.*—The Committee supports the Bureau's efforts to develop a more flexible, automated and secure enterprise architecture that will enable Census to realize economies of scale to support data collection efforts. The Bureau shall continue to provide quarterly briefings regarding the status of these efforts. Information in these briefings shall include, but not be limited to, the current sys-



tem's costs to maintain, the surveys supported, FTE associated with those systems, and the anticipated date that various IT systems will be retired and data merged onto the larger enterprise architecture. Census shall provide these reports concurrently to the OIG and GAO.

The recommendation also continues bill language withholding 50 percent of the funds for information technology related to 2020 census delivery, including the CEDCaP program, until the Secretary submits to the Committees on Appropriations and the GAO an expenditure plan for CEDCaP.

*Language assistance and data on small population groups.*—The Committee is concerned about the availability of data on small population groups and the availability of language assistance for respondents to the Census surveys, including those who speak Asian languages, Pacific Islander languages, American Indian and Alaska Native languages, African languages, Spanish, and other languages. The Committee awaits a report directed in fiscal year 2017 identifying the languages spoken by respondent populations most in need of language assistance, along with the availability of interviewers and materials for persons speaking these languages, and the steps the Bureau will take to reach these respondents and otherwise ensure the availability and accuracy of data for small population groups. The Bureau is directed to communicate this information on a regular basis to Census Telephone Centers and regional offices to address emerging needs.

The Committee also directs Census to increase outreach activities to historically undercounted communities, including colonias.

*Puerto Rico and U.S. territories.*—The Committee strongly urges the Census Bureau to include all citizens of the United States, including those in Puerto Rico and other offshore jurisdictions, in its estimates of U.S. resident population and other national statistics.

The Committee also directs the Census Bureau to submit a report, not later than 180 days after enactment of this Act, on the feasibility of expanding all decennial Census surveys to Guam, American Samoa, the Northern Mariana Islands, and the U.S. Virgin Islands.

*Data-linkage infrastructure.*—The Committee strongly supports the Census Bureau's commitment to strengthening its data-linkage infrastructure to support high quality program evaluation on issues of importance to Federal, State, and local governments. The Committee encourages the Census Bureau to forge partnerships with research institutions and philanthropic organizations that can help develop and institutionalize more efficient processes for researchers to access and analyze linked data while protecting individual privacy.

#### NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

##### SALARIES AND EXPENSES

The Committee recommends \$30,000,000 for the salaries and expenses of the National Telecommunications and Information Administration (NTIA), which is \$2,000,000 below fiscal year 2017 and \$6,000,000 below the request.

Domestic and International Policies .....	\$7,900,000
Spectrum Management .....	\$7,100,000
Advanced Communications Research .....	\$6,000,000
Broadband Programs .....	\$9,000,000

*Rural Broadband.*—The Committee directs NTIA to continue coordinating with the Rural Utilities Service, the Federal Communications Commission, and other related Federal agencies to ensure that policies tied to one Federal program do not undermine the objectives and functionality of another. The Committee encourages NTIA to continue working with the rural communications industry to identify and pursue ways to continue broadband deployment and adoption.

*Outcome-Based Measures.*—The Committee directs NTIA to include outcome-based goals and performance measures for its broadband adoption and availability work in its performance plan as soon as practicable.

#### UNITED STATES PATENT AND TRADEMARK OFFICE

##### SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The Committee recommends \$3,500,000,000 for the United States Patent and Trademark Office (PTO), the full amount of fiscal year 2018 fee collections estimated by the Congressional Budget Office. This estimate is \$270,000,000 above fiscal year 2017 collection estimates. The recommendation continues language making available any excess fee collections above the estimated level and the amounts appropriated in this Act. PTO shall provide monthly reports on its actual and projected fee collections and performance. PTO shall also provide additional operations reporting to the Committee on a quarterly basis, including data on application volumes and staffing status.

*Patent and Trademark Fee Reserve Fund.*—The recommendation includes bill language regarding excess fees deposited in the Patent and Trademark Fee Reserve Fund. The Committee reminds PTO that prior to obligating any of the funds in the Reserve Fund during fiscal year 2018, PTO shall submit to the Committee a reprogramming notification with a detailed spending plan describing the intended uses of funds. The Committee expects that any such reprogramming will describe how the expenditure of these reserve funds will improve patent quality, reduce the backlog of pending applications and appeals, improve the information technology infrastructure, or otherwise improve the efficiency and effectiveness of PTO.

*Patents End-2-End (PE2E).*—PTO shall continue to provide quarterly reports to the Committee on the status of this information technology project, including the proposed retirement of legacy systems, cost savings associated with those retirements, and any efficiencies achieved in patent processing as a result of these investments.

*Addressing management failures.*—While the Committee is encouraged by the PTO's response to the Office of the Inspector General's (OIG's) report, "Analysis of Patent Examiners' Time and Attendance", the Committee remains concerned about PTO time and attendance abuses. The Committee expects to be kept informed of

PTO's efforts to address outstanding OIG, GAO and National Academy of Public Administration (NAPA) recommendations with quarterly reports.

*Patent quality.*—The Committee looks forward to receiving the fiscal year 2017 required report on patent quality and notes that the fiscal year 2016 report on patent quality has yet to be submitted. Within 90 days of enactment of this Act, PTO shall submit an updated report to the Committee on the implementation of its patent quality initiative, steps taken to improve patent quality in fiscal year 2017, and planned actions for fiscal year 2018.

*Intellectual Property Attachés.*—The Committee supports the important work of the Intellectual Property Attaché Program.

#### NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The Committee recommends \$865,000,000 for NIST, which is \$87,000,000 below fiscal year 2017 and \$140,000,000 above the request.

#### SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$660,000,000 for NIST's scientific and technical programs, which is \$30,000,000 below fiscal year 2017 and \$60,000,000 above the request.

*Laboratory programs.*—The recommendation includes \$599,000,000 for NIST Laboratory programs. The recommendation does not adopt the proposed reductions for: Advanced Networks, Connected Systems, and Data Science; Advanced Materials Manufacturing; Semiconductor and Microelectronic Measurements; Time and Fundamental Measurement Dissemination; Resilience and Structural Engineering; Biological Science and Health Measurements; Quantum Science; and User Facilities.

*Corporate services.*—The recommendation includes \$12,250,000 for corporate services.

*Standards Coordination and Special Programs.*—The recommendation includes \$48,750,000 for standards coordination and special programs. The recommendation does not adopt the proposed reduction to Office of Special Programs Management and Program Coordination. Other requested reductions and terminations are adopted, including those requested for Urban Dome and Lab-to-Market.

*Disaster resiliency.*—As part of its efforts to improve the resiliency of buildings, NIST's Engineering Division is encouraged to partner with academic research institutions that have expertise in mitigating the effects of natural disasters to study and recommend best practices for resilient planning and construction. The Committee also urges NIST to study building standards and develop recommendations on how building standards for buildings, homes, and infrastructure could be improved (e.g. fortified structures and durability of materials) to enhance resiliency.

*Textile research.*—The Committee recognizes the importance of the U.S. textile industry and encourages NIST to pursue advanced textile and apparel research and manufacturing activities.

*Football helmet safety.*—The Committee is aware of scientific data that demonstrates a correlation between football-related colli-

sions and concussions and 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 determine scientifically 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 to examine advanced helmets and equipment and in developing new testing standards to ensure player safety.

*Internet of Things (IoT) security.*—The Committee is aware of the very real threat that vulnerabilities in IoT devices pose for individuals, business and government alike. The Committee encourages NIST to develop an IoT cybersecurity research initiative and partner, as appropriate, with academic entities and industry to address vulnerabilities of IoT devices. The initiative should seek to improve the sustainable security of IoT devices in consumer and industrial settings. It should account for human, technical and economic dimensions.

The Committee also recognizes the importance of United States leadership in addressing security concerns for users and data within the IoT and commends NIST for its ongoing work in this area. In conjunction with this and other ongoing efforts related to cybersecurity, the Committee encourages NIST to continue strengthening its cybersecurity measurement science and standard-setting efforts related to the IoT, including, but not limited to, industry-led best practices such as flexible connection points and network segmentation.

*Examining the 2013 NIST Cybersecurity Framework.*—The Committee is aware of concerns about the lack of data supporting the effectiveness of the NIST Cybersecurity Framework implemented by Executive Order 13636 in 2013. The Committee supports the development of a model to evaluate the effectiveness of the NIST Cybersecurity Framework, and believes that such research could be used to identify cost-savings generated by implementation of the framework and incentivize businesses to voluntarily implement its recommendations.

*Nano-structured metals.*—The Committee is aware that the use of nano-structured metals in manufacturing is being explored with increasing frequency. The Committee is aware of concerns that the current regulatory framework, focused on process based standards, restricts the introduction of these new materials even if they demonstrate significantly better performance. Therefore, the Committee directs NIST to review the American Society for Testing and Materials (ASTM) Interlaboratory Study (ILS) Program and conduct a study as to how the ASTM ILS Program could be used as a framework to develop statistically rigorous performance standards for nano-structured metals to be approved for use and report back to the Committee by April 1, 2018.

#### INDUSTRIAL TECHNOLOGY SERVICES

The Committee recommends \$105,000,000 for Industrial Technology Services, which is \$48,000,000 below fiscal year 2017 and \$84,000,000 above the request. This amount includes \$100,000,000

for the Manufacturing Extension Partnership (MEP) and \$5,000,000 for the National Network for Manufacturing Innovation.

*Program efficiencies.*—The Committee is aware of efforts by MEP to examine ways to reduce administrative costs and provide more direct assistance to the centers. Accordingly, MEP shall provide to the Committee an updated report within 60 days of enactment of this Act detailing the amount of funds to be maintained at headquarters and the uses of those funds. NIST shall also provide the Committee with updates on the status of recompetition of the centers.

#### CONSTRUCTION OF RESEARCH FACILITIES

The Committee recommends \$100,000,000 for NIST construction, which is \$9,000,000 below fiscal year 2017 and \$4,000,000 below the request. NIST shall continue to provide updates on the projects funded within this account, to include milestones and total amount of funding necessary for completion.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Committee recommends a total of \$4,965,659,000 in discretionary funds for the National Oceanic and Atmospheric Administration (NOAA).

*Information technology security.*—The Committee is concerned by the number of high-risk information technology vulnerabilities at NOAA. NOAA shall, within 180 days of enactment of this Act, report to the Committee on progress made in retiring high-risk vulnerabilities and plans to continue to improve information technology security. The Committee does not adopt the proposed reduction to IT security.

*NOAA Environmental Security Computing Center.*—The Committee supports the NOAA Environmental Security Computing Center and expects it to be adequately funded within the amounts provided.

*Partnering with the private sector.*—NOAA shall, to the extent practicable, purchase services from the private sector when such services are cost effective, reliable, and available.

*Extramural research.*—The Committee continues to believe that NOAA benefits from collaboration with academia and the private sector through cooperative institutes and competitive research. These relationships build broad community engagement, leverage external funding for mission-oriented research, strengthen the science within NOAA, and advance scientific knowledge.

*Regional biosecurity plan for Micronesia and Hawaii.*—The Committee looks forward to receiving the report required in the fiscal year 2017 appropriations Act, and requires an update on the actions planned to be taken in fiscal year 2018.

*Aquaculture.*—Of the funds provided for aquaculture, the Committee includes up to \$5,000,000 to improve shellfish survival and growth rates and to classify and preserve the natural genetic variation of shellfish. This work may be conducted in partnership with research institutes across the United States.

*Satellites.*—Given the substantial cost to design, develop, and launch satellites and continued reliance on the data they gather,

NOAA shall ensure that all future satellite programs are maneuverable, and otherwise serviceable.

# OPERATIONS, RESEARCH, AND FACILITIES

## (INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total program level of \$3,411,699,000 under this account for the coastal, fisheries, marine, weather, satellite, and other programs of NOAA. This total funding level includes \$3,240,199,000 in direct appropriations, a transfer of \$144,000,000 from balances in the “Promote and Develop Fishery Products and Research Pertaining to American Fisheries” account and \$27,500,000 derived from recoveries of prior year obligations. The direct appropriation of \$3,240,199,000 is \$127,676,000 below fiscal year 2017 and \$274,650,000 above the request.

The following narrative descriptions and tables identify the specific activities and funding levels included in this Act.

*National Ocean Service.*—The recommendation provides \$462,646,000 for National Ocean Service, operations, research, and facilities.

## NATIONAL OCEAN SERVICE

Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Navigation, Observations and Positioning	
Navigation, Observations and Positioning .....	\$145,446
Integrated Ocean Observing System Regional Observations .....	31,000
Hydrographic Survey Priorities/Contracts .....	25,000
Navigation, Observations and Positioning .....	201,446
Coastal Science and Assessment	
Coastal Science, Assessment, Response and Restoration .....	70,000
Competitive External Research .....	5,000
Coastal Science and Assessment .....	75,000
Ocean and Coastal Management and Services	
Coastal Zone Management and Services .....	39,600
Coastal Zone Management Grants .....	45,000
Coral Reef Program .....	26,100
Sanctuaries and Marine Protected Areas .....	52,000
National Estuarine Research Reserve System .....	23,500
Ocean and Coastal Management and Services .....	186,200
Total, National Ocean Service, Operations, Research, and Facilities .....	\$462,646

*Navigation, Observations and Positioning.*—The recommendation provides \$201,446,000 for Navigation, Observations and Positioning. Within this amount, the Committee expects NOAA to prioritize its mission-critical responsibilities including mapping and charting, geodesy, tides, and current data activities. The Committee does not adopt the proposed termination of the Regional Geospatial Modeling Grant program or the proposed decrease for Hydrographic Research and Technology Development.

*Integrated Ocean Observing System (IOOS).*—The recommendation includes \$31,000,000 for IOOS regional observations. The

Committee supports ongoing efforts to examine ways to increase use of autonomous gliders, and encourages IOOS to procure additional autonomous gliders.

*Harmful Algal Blooms (HABs).*—The Committee remains concerned about the continued prevalence of HABs and the effect of the related toxins. The Committee supports the ongoing work of the National Centers for Coastal Ocean Science on HABs and encourages NOAA to prioritize research that strives to determine and mitigate the impact of HABs on human health and wellbeing as authorized by the Harmful Algal Bloom and Hypoxia Research and Control Act. The Committee encourages NOAA to develop and leverage promising technologies to increase our understanding, monitoring, and prediction of the occurrence of HABs.

*Sanctuaries.*—NOAA shall seek to competitively award not less than \$3,500,000 for tele-presence technology to explore and create maps of the deep-water regions of the National Marine Sanctuaries. This research should seek to explore the oceanography, marine habitats, cultural sites and living and non-living marine resources of these sanctuaries to better understand their biology, geology and potential cultural resources.

*National Estuarine Research Reserves System (NERRS).*—The Committee does not adopt the proposal to terminate the Federal funding of the NERRS and funds it at the enacted level. The NERRS is an important partnership between NOAA and the coastal States that is crucial for protecting and studying estuarine systems.

*National Marine Fisheries Service (NMFS).*—The Committee recommends \$848,025,000 for National Marine Fisheries Service operations, research, and facilities. The Committee does not adopt the proposed reductions to the National Catch Share Program.

#### NATIONAL MARINE FISHERIES SERVICE

Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Protected Resources Science and Management	
Marine Mammals, Sea Turtles and Other Species .....	\$108,500
Species Recovery Grants .....	5,989
Atlantic Salmon .....	6,224
Pacific Salmon .....	63,000
Protected Resources Science and Management .....	183,713
Fisheries Science and Management	
Fisheries and Ecosystem Science Programs and Services .....	141,323
Fisheries Data Collections, Surveys and Assessments .....	163,000
Observers and Training .....	43,655
Fisheries Management Programs and Services .....	117,000
Aquaculture .....	8,000
Salmon Management Activities .....	34,000
Regional Councils and Fisheries Commissions .....	34,000
Interjurisdictional Fisheries Grants .....	3,000
Fisheries Science and Management .....	543,978
Enforcement .....	69,000

NATIONAL MARINE FISHERIES SERVICE—Continued  
Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Habitat Conservation and Restoration .....	51,334
Total, National Marine Fisheries Service, Operations, Research, and Facilities .....	\$848,025

*Protected Resources Science and Management.*—The Committee recommends \$183,713,000 for Protected Resources Science and Management programs. Within available resources, the Committee encourages NOAA to maintain marine mammal stranding grants.

*Hatchery and Genetic Management Plans.*—Within the funds provided for Pacific Salmon, \$5,000,000 is included to implement the Service's comprehensive plan to address the backlog of Hatchery and Genetic Management Plans. The Committee remains concerned by the existing and growing backlog of these plans and encourages NOAA to continue contracting with the U.S. Fish and Wildlife Service, State Agencies, Tribes, and the Hatchery Scientific Review Group, as appropriate, to expedite approval.

*Stock assessments.*—The Committee recognizes that NOAA fisheries stock assessments are the cornerstone of fishery conservation and management measurements, but the current stock assessment data inputs must be improved. The Committee continues to provide significant funding to NOAA for fishery surveys and other activities in support of stock assessments, yet problems persist with the frequency of surveys, adequacy of the data, and the use of independent research in developing stock assessments. NOAA shall continue to provide quarterly briefings to the Committee on its stock assessment program, to include, but not be limited to: its process for determining its yearly data collection efforts; specific costs for each survey; and protocols for ingesting fishery independent data.

*Gulf of Mexico stock assessments.*—The Committee commends the Department and the Gulf States for, together, lengthening the Red Snapper season for recreational anglers across the Gulf. There is still, however, a need for improved data and a long-term management plan for Red Snapper. Within the amount provided for Fisheries Data Collections, Surveys and Assessments, \$10,000,000 is provided to continue to improve the science and management of Red Snapper. This funding shall support ongoing efforts and competitive awards to continue to develop and implement agency-independent data, which shall be incorporated into NOAA stock assessments as expeditiously as possible. NMFS shall continue its effort to rebaseline and restructure its stock assessment analysis and to include all reef structures, both natural and artificial, in this effort. NMFS shall also quantify the level of Gulf Red Snapper data derived from artificial platforms and report back to the Committee not later than 180 days after enactment of this Act. Agency-independent data efforts may include data from academia and fishermen, including fishery data collected on artificial reefs, offshore oil platforms and other offshore fixed energy exploration infrastructure. Not later than 180 days after the enactment of this Act, NOAA shall report to the Committee on its proposal for how this



funding will be spent, and progress made from reef fish funding provided in previous years. NMFS is directed to continue to improve its communications with stakeholders.

*Cobia.*—The Committee recognizes that Cobia is an important recreational fishery and is concerned by the impacts on communities of the Federal closure of the Atlantic Cobia fishery. The Committee encourages NOAA to complete a stock assessment of this fishery as soon as possible. The Committee believes that stock data, assessment, and peer review workshops should consider peer-reviewed research along with State-provided catch data.

*Fish Information Networks.*—The Committee supports the Fish Information Networks, the State-Federal cooperative programs that coordinate data collection, data management, and informational management essential for accurate monitoring of commercial and recreational fishing impacts. Fish Information Networks shall be adequately funded within the level of funding provided for Fisheries Data, Collections, Surveys and Assessments.

*Southeast Area Monitoring and Assessment Program (SEAMAP).*—SEAMAP is designed to collect, manage, and disseminate fishery-independent data in the southeastern U.S. to better inform management decisions. The Committee supports SEAMAP, and encourages NOAA to ensure it has adequate resources to complete its mission.

*Highly Migratory Species.*—The Committee encourages NOAA to competitively award studies of highly migratory fish species in the Atlantic and Gulf of Mexico. These species could greatly benefit from improved, science-based management and conservation.

*Horseshoe crabs.*—The Committee remains concerned about the inability to estimate the abundance of the Mid-Atlantic horseshoe crab population. Adequate data is required to ensure States 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 directs NMFS to continue working to restore the horseshoe crab survey to generate the data necessary to ensure that the horseshoe crab stock remains on a sustainable path.

*Salmon Management.*—Within the amounts provided for Salmon Management, \$13,000,000 is available for the Pacific Salmon Treaty.

*Cooperative research.*—The recommendation funds this activity at the enacted level. Cooperative research shall be used to support external, independent data collection and other research. The Committee expects that all funding provided shall be used for cooperative fisheries research and not for NOAA activities or administrative overhead costs. NOAA shall submit a report no later than 90 days after enactment of this Act listing all cooperative research grants funded in fiscal year 2017, to include the amount, the fishery, the type of information collected, and the expected uses for that data. The Committee is concerned that cooperative research is not ingested into fishery stock assessments in a timely manner. The report shall address NOAA procedures and timeframes for making use of this independent fisheries research.

*Habitat Conservation and Restoration.*—Within the amount provided, NOAA is encouraged to provide funding to implement the

recommendations contained in the Endangered Species Act Recovery Plan for Elkhorn and Staghorn Corals.

*Oyster restoration.*—The Committee encourages NOAA to continue to work with competitively selected external partners to research and assess alternative substrates for oyster restoration. NOAA shall consider survivability as part of the oyster restoration program planning in the Chesapeake Bay. The Committee includes not less than \$1,000,000 within Habitat Conservation and Restoration to support native oyster restoration in the Chesapeake Bay.

*Partnerships.*—The Committee encourages NOAA to continue partnering with States for monitoring fisheries harvest and research. NOAA's cooperative agreements with universities with expertise in marine sciences, fisheries research and management remain important to NOAA and Federal and State stock assessments.

*Tribal support.*—The Committee encourages NOAA to support mitigation and relocation efforts of coastal tribal communities that are seeking to mitigate the threat of severe weather storms and promote public safety.

*Fishery Disaster Assistance.*—The Committee recognizes the severe economic hardships faced by rural fishing-dependent communities affected by the closures of commercial, recreational and Tribal fisheries due to unforeseen disasters. Therefore, the Committee directs NOAA to work with affected communities where an affirmative disaster determination has been issued, but no funding has been distributed, to expeditiously identify the extent of the economic impacts of the economic damages associated with such disasters.

*Oceanic and Atmospheric Research.*—The Committee recommendation includes \$448,773,000 for Oceanic and Atmospheric Research (OAR) operations, research, and facilities. Given continued resource constraints, it is incumbent on NOAA to ensure that its research programs support the operational mission of each NOAA line office and that research efforts are an integral component in meeting line office program goals and milestones. The recommendation accepts the proposed reductions for Climate Research, and includes \$13,500,000 for the National Integrated Drought Information System (NIDIS) to support competitive research grants, maintain existing NIDIS activities, and develop and expand the Regional Drought Early Warning Information System.

#### OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH

Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Climate Research	
Laboratories and Cooperative Institutes .....	\$57,657
Regional Climate Data and Information .....	31,928
Climate Competitive Research, Sustained Observations and Regional Information .....	38,415
Climate Research .....	128,000
Weather and Air Chemistry Research	
Laboratories and Cooperative Institutes .....	83,500
U.S. Weather Research Program .....	7,485
Tornado Severe Storm Research/Phased Array Radar .....	12,622

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH—Continued  
Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Joint Technology Transfer Initiative .....	20,000
Weather and Air Chemistry Research .....	123,607
Ocean, Coastal and Great Lakes Research	
Laboratories and Cooperative Institutes .....	28,059
National Sea Grant College Program .....	63,000
Marine Aquaculture Program .....	7,000
Ocean Exploration and Research .....	36,000
Integrated Ocean Acidification .....	10,107
Sustained Ocean Observations and Monitoring .....	41,000
Ocean, Coastal and Great Lakes Research .....	185,166
High Performance Computing Initiatives .....	12,000
Total, Office of Oceanic and Atmospheric Research, Operations, Research, and Facilities .....	\$448,773

*Weather and Air Chemistry Research.*—The Committee includes \$123,607,000, which is \$9,849,000 above fiscal year 2017, for Weather and Air Chemistry Research, for the purposes authorized in the Weather Research Forecasting Innovation Act of 2017 (Public Law 115–25).

*Joint Technology Transfer Initiative.*—The recommendation includes \$20,000,000 to expand the Joint Technology Transfer Initiative, as authorized in the Weather Research Forecasting Innovation Act of 2017.

*Severe weather studies.*—The Southeastern United States commonly experiences devastating tornadoes under variables and conditions that differ considerably from conditions in other areas. The Committee commends progress made during the VORTEX–SE observing campaigns towards understanding the development of severe storms and tornadoes in the Southeastern United States. Given the success of this research, the Committee does not adopt the proposal to terminate this project and continues to fund it at the enacted level. OAR shall ensure this program continues to be an observationally based research program focused on high-impact weather events, including tornadoes and land-falling hurricanes, that are experienced in the Gulf States; includes research to better understand land-falling hurricanes and tornadoes, and how environmental factors that are characteristic of the Southeastern United States affect the formation, intensity and storm path of tornadoes for this region.

*Cooperative Institutes.*—The Committee is concerned that the Gulf of Mexico is vulnerable to high impact severe weather and encourages NOAA to, with the Cooperative Institutes, research the impacts of severe weather and severe weather system landfall on the land and coasts, particularly as it relates to tornados and severe flooding. To continue to fulfill NOAA’s mission, NOAA should enhance its support of advanced monitoring and predictive modeling to explore deep water issues and their effect on the U.S. coastline. The Committee encourages NOAA to expand the role Co-

operative Institutes play in fulfilling this role, and to consider how additional Cooperative Institutes, or consortia partners, could strengthen NOAA's ability to support this monitoring and modeling.

*Labs and Cooperative Institutes.*—The Committee supports collaboration between NOAA and external academic institutions that conduct scientific research for the conservation of corals and coral reef ecosystems within U.S. waters. The Committee recognizes that the science sponsored through such collaboration is important for management of these coral reefs and for the effective implementation of the National Coral Reef Action Strategy, especially with regard to the identification of local action strategies for addressing key threats in each of the jurisdictions that have coral reefs within its boundaries.

*Autonomous Underwater Vehicles (AUVs).*—The Committee encourages NOAA to work with universities and the Department of Defense to increase and leverage the capacity of AUVs. The Committee does not adopt the proposed termination of the AUV testbed and provides an additional \$1,000,000 above the enacted level for this purpose.

*Ocean Exploration and Research.*—The Committee recommends \$36,000,000 for Ocean Exploration and Research, of which the Committee encourages NOAA to use \$4,000,000 to partner with non-government organizations, academic institutions, and other government agencies including the National Science Foundation, to fund ocean-going ships of exploration and support associated science through peer-reviewed processes for ocean exploration in unknown regions.

*Integrated Ocean Acidification Research.*—The Committee encourages NOAA, in coordination with the Office of Science and Technology Policy, to implement a program to competitively award prizes under the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) to stimulate innovation to advance the understanding, research, or monitoring of ocean acidification or its impacts or to develop management or adaptation options for responding to ocean acidification. In prize competitions, the Committee encourages NOAA to prioritize communities, environments, or industries that are currently in distress due to the impacts of ocean acidification.

*Lionfish.*—The Committee encourages NOAA to award competitive grants to address lionfish in the Atlantic Ocean and Gulf of Mexico.

*National Weather Service (NWS).*—The Committee recommends \$973,000,000 for NWS operations, research, and facilities, which is \$36,944,000 above the request, to maintain critical capabilities to provide weather forecasts and warnings.

NATIONAL WEATHER SERVICE  
Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Observations .....	\$220,000
Central Processing .....	86,000
Analyze, Forecast and Support .....	486,000

NATIONAL WEATHER SERVICE—Continued  
Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Dissemination .....	50,000
Science and Technology Integration .....	131,000
Total, National Weather Service, Operations, Research, and Facilities .....	\$973,000

*Observations.*—The recommendation includes \$220,000,000 for observation activities. The Committee does not adopt the proposed reduction for the Tsunami Warning Centers, the Mesonet program, or the Deep-ocean Assessment and Reporting of Tsunamis (DART) buoys.

*NEXRAD Coverage Report.*—The Committee looks forward to receiving the findings of the NEXRAD gap study, and subsequent improvement plan, as required by the Committee in fiscal year 2017 and by the Weather Research and Forecasting Innovation Act of 2017.

*Analyze, Forecast, and Support.*—The recommendation includes \$486,000,000 for analyze, forecast, and support activities. The analyze, forecast, and support program funds the operation of the Weather Forecast Offices, River Forecast Centers, the National Centers and the two Tsunami Warning Centers. The recommended level will support 24 × 7 weather surveillance, forecast and warning services, and operation of the service centers. The Committee does not adopt the proposed reduction of the Tsunami Warning Program.

*Science and Technology Integration.*—The recommendation includes \$131,000,000 for Science and Technology Integration activities. The Committee does not accept the proposed decreases for mid-range weather outlooks and numerical weather prediction modeling.

*National Environmental Satellite, Data and Information Service (NESDIS).*—The Committee recommends \$236,749,000 for NESDIS operations, research, and facilities. The recommendation does not accept the proposed reduction to the regional centers.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE  
Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Environmental Satellite Observing Systems	
Satellite and Product Operations .....	\$131,480
NSOF operations .....	14,250
Office of Satellite and Product Operations .....	145,730
Product Development, Readiness and Application .....	31,000
Commercial Remote Sensing Regulatory Affairs .....	1,800
Office of Space Commerce .....	1,200
Group on Earth Observations .....	500
Environmental Satellite Observing Systems .....	180,230

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE—Continued  
Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
National Centers for Environmental Information .....	56,519
Total, National Environmental Satellite, Data and Information Service, Operations, Research, and Facilities .....	\$236,749

*Office of Satellite and Product Operations.*—The recommendation includes \$145,730,000 for the Office of Satellite and Product Operations. This activity funds the command and control of NOAA’s operational satellites. This recommendation includes the proposed operational phase transfers for DSCOVR and Jason-3.

*Commercial Remote Sensing Regulatory Affairs (CRSRA).*—The Committee expects timely compliance with Title II of the U.S. Commercial Space Launch Competitiveness Act, Public Law 114–90, as well as adherence to timeframes currently required under statute and regulation. Additionally, the Committee expects CRSRA to fulfill the policy goal of the 2003 U.S. Commercial Remote Sensing Policy of maintaining the nation’s leadership in remote sensing space activities, by sustaining and enhancing the U.S. remote sensing industry.

*Mission Support.*—The recommendation includes \$227,660,000 for Mission Support operations, research, and facilities.

MISSION SUPPORT  
Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Mission Support	
Executive Leadership .....	\$27,000
Mission Services and Management .....	117,605
IT Security .....	10,050
Payment to DOC Working Capital Fund .....	53,824
Mission Support .....	208,479
Office of Education	
BWET Regional Programs .....	3,750
Education Partnership Program/Minority Serving Institutions .....	14,431
NOAA Education Program Base .....	1,000
Office of Education .....	19,181
Total, Mission Support, Operations, Research and Facilities .....	\$227,660

*Management and administrative costs.*—The Committee notes that in addition to Mission Services, each line office also includes its own “headquarters program support” costs. NOAA shall continue efforts to standardize the treatment of management and administrative costs in each line office in a manner that maximizes transparency and accountability, and reduces or eliminates unnecessary non-mission costs.

*Office of Education.*—The Committee includes \$19,181,000 for NOAA’s Office of Education. Of this amount, \$14,431,000 is pro-

vided to continue the Educational Partnership Program with Minority Serving Institutions, and \$3,750,000 is provided to continue the Bay-Watershed Education and Training (B-WET) regional programs. Within the amounts provided for the Education Program Base, \$1,000,000 shall support all levels of Science, Technology, Engineering and Mathematics (STEM) education engaging a diverse set of students in ocean-going expeditions with live interactive programming and telepresence technology.

*Office of Marine and Aviation Operations.*—The recommendation includes \$214,846,000 for the Office of Marine and Aviation Operations, operations, research and facilities.

#### OFFICE OF MARINE AND AVIATION OPERATIONS

Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Office of Marine and Aviation Operations	
Marine Operations and Maintenance .....	\$180,614
Aviation Operations and Aircraft Services .....	34,232
Total, Office of Marine and Aviation Operations .....	\$214,846

*Unmanned Surface Vehicles.*— The Committee supports the cross-NOAA pilots and evaluations of the operational value of unmanned surface vehicles to augment the NOAA observational suite. The Committee provides \$2,000,000 for NOAA to assess the feasibility of operationalizing this technology through competitive awards, and requires a report on the execution of this feasibility and pilot study program not later than 180 days after the enactment of this Act.

#### PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total program level of \$1,656,110,000 in direct obligations under this heading, of which \$1,643,110,000 is appropriated from the general fund and \$13,000,000 is derived from recoveries of prior year obligations.

The following narrative descriptions and tables identify the specific activities and funding levels included in this Act.

#### PROCUREMENT, ACQUISITION AND CONSTRUCTION

(in thousands of dollars)

Program	Amount
National Ocean Service	
National Estuarine Research Reserve Construction .....	\$1,700
Marine Sanctuaries Construction .....	2,000
Total, National Ocean Service—PAC .....	3,700
Office of Oceanic and Atmospheric Research	
Research Supercomputing/CCRI .....	26,000
National Weather Service	
Observations .....	32,953
Central Processing .....	66,761

PROCUREMENT, ACQUISITION AND CONSTRUCTION—Continued  
(in thousands of dollars)

Program	Amount
Dissemination .....	34,619
Subtotal, National Weather Service, Systems Acquisition .....	134,333
Weather Forecast Office Construction .....	8,650
Total, National Weather Service—PAC .....	142,983
<b>National Environmental Satellite, Data and Information Service</b>	
GOES-R .....	518,532
Space Weather Follow-on .....	8,545
Polar Follow-on .....	50,000
Joint Polar Satellite System (JPSS) .....	775,777
CDARS .....	500
COSMIC 2/GNSS RO .....	6,100
Satellite Ground Services .....	57,325
System Architecture and Advanced Planning .....	4,929
Projects, Planning, and Analysis .....	39,391
Commercial Weather Data Pilot .....	6,000
Subtotal, NESDIS Systems Acquisition .....	1,467,099
Satellite CDA Facility .....	2,450
Total, NESDIS—PAC .....	1,469,549
<b>Mission Support</b>	
NOAA Construction .....	1,000
<b>Office of Marine and Aviation Operations</b>	
Fleet Capital Improvements and Technology Infusion .....	12,878
Total, OMAO—PAC .....	12,878
Total, Procurement, Acquisition, and Construction .....	\$1,656,110

*National Weather Service (NWS).*—The recommendation includes \$142,983,000 for NWS procurement, acquisitions and construction, \$20,983,000 above the request. The funding provided above the request supports the original Automated Surface Observing System (ASOS) Service Life Extension Project (SLEP) timeline, to be completed by 2024, and the original NEXRAD SLEP timeline, to be completed by 2022.

*NWS Facilities.*—The recommendation includes \$8,650,000, as requested, to construct and provide for major repairs to Forecast Offices and other government-owned weather facilities, including Weather Forecast Offices, River Forecast Centers, Weather Service Offices, National Centers and Tsunami Warning Centers.

*National Environmental Satellite, Data and Information Service.*—The recommendation includes \$1,469,549,000 for NESDIS procurement, acquisition and construction. The Committee recommendation continues to focus its limited resources on the Joint Polar Satellite System (JPSS) and Geostationary Operational Environmental Satellite (GOES) programs, in light of their role in ensuring accurate and timely weather forecasts and warnings.

*Quarterly Reports.*—The Committee continues to be concerned with the challenges with NOAA's satellite programs, identified by the GAO, OIG, and the NESDIS Independent Review Team (IRT).



The Committee expects the Department of Commerce to ensure that these critical programs are proceeding within the cost estimates and meeting program milestones. The Committee expects to be notified promptly if any issues arise that could jeopardize the current launch schedules. The Department of Commerce and NOAA shall remain engaged in the overall management of JPSS, Polar Follow-On, and GOES. NOAA shall continue to provide quarterly briefings to the Committee on all NOAA satellite programs. These briefings shall include the status of obligations for each program, including spacecraft, launch, sensor, integration, and ground components, and proposed changes to the fly out charts. NOAA shall also include in these briefings updates on all of its operational satellite systems.

*Oversight.*—The Committee reiterates its desire to ensure that OIG and GAO staff are permitted at NOAA’s monthly satellites meetings. To further aid the Committee in its oversight function, NOAA shall include biannual updates to the Committee regarding the status of implementing OIG, GAO, and IRT recommendations for NOAA’s satellite programs.

*Joint Polar Satellite System (JPSS).*—The recommendation includes \$775,777,000 for JPSS, the requested amount.

*Geostationary Operational Environmental Satellite–R (GOES–R).*—The recommendation includes \$518,532,000 for the GOES–R program, as requested. The Committee commends NOAA on the successful launch of GOES–16 in November of 2016, which is already providing crisper, cleaner imagery five times faster than the previous GOES satellites, and will improve tornado warning lead times.

*Space Weather Follow-On.*—The Committee notes the necessity of having the Federal government develop and implement a coherent space weather architecture and directs NOAA, in cooperation with other Federal agencies, to refine the Space Weather Follow-On concept and develop mission requirements for a cost-effective capable space system.

*Commercial satellite weather data.*—The Committee is pleased that NOAA proposes to continue the Commercial Weather Data Pilot. The Committee provides \$6,000,000 to ensure NOAA has the resources necessary to thoroughly assess commercial data opportunities. NOAA shall publish acceptance standards and verification procedures for commercial data as soon as practicable in each procurement process.

*Polar Follow-On (PFO).*—The request proposes a dramatic and incipient re-plan of this program. Yet the request fails to assess the purported new mission design’s impacts on constellation availability, or to provide an updated gap analysis, or new annual or lifecycle cost estimates. In the absence of these assessments and estimates, the Committee recommends \$50,000,000 for the Polar Follow-On program. The Committee will reassess this funding level, should NOAA provide a new program plan and schedule, to include constellation availability assessments, gap analysis and updated annual and lifecycle cost estimates.

#### PACIFIC COASTAL SALMON RECOVERY

The Committee recommends \$65,000,000 for Pacific Coastal Salmon Recovery, which is the same as fiscal year 2017. In addi-

tion, the accompanying bill includes language that requires all funds to be allocated based on scientific and merit principles and prohibits the availability of funds for marketing activities. Bill language is included requiring a 33 percent match for States.

#### FISHERMEN'S CONTINGENCY FUND

The Committee recommends \$350,000 for the Fishermen's Contingency Fund, which is the same as fiscal year 2017. This Fund is available to compensate U.S. commercial fishermen for damage or loss caused by obstructions related to oil and gas exploration, and is derived from fees collected by the Secretary of the Interior.

#### FISHERIES DISASTER ASSISTANCE

The bill provides \$20,000,000 for Fisheries Disaster Assistance to address fisheries disasters declared by the Secretary of Commerce in 2017. This is \$20,000,000 above both the requested and the enacted level.

#### FISHERIES FINANCE PROGRAM ACCOUNT

The Committee recommends language under this heading limiting obligations of direct loans to \$24,000,000 for Individual Fishing Quota loans and \$100,000,000 for traditional direct loans.

#### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

The Committee recommends \$58,000,000 for Departmental Management, and within this amount supports the proposed increase for the Investigations and Threats Management Division.

*Cybersecurity.*—The Secretary is directed to submit quarterly reports to the Committee on the Department's activities to improve its cybersecurity including updates on addressing the Inspector General's cybersecurity concerns.

*Modernizing Economic Statistics in Puerto Rico.*—The Committee urges the Department to continue its efforts to help the government of Puerto Rico to modernize its economic statistics programs, and directs the Department, through the Bureau of Economic Analysis (BEA), to initiate efforts to calculate gross domestic product (GDP) for Puerto Rico, just as BEA currently does for every other U.S. jurisdiction. The Committee additionally urges the Department to work toward the inclusion of all U.S. territories—alongside the 50 states and the District of Columbia—in BEA's national-level GDP estimates, which will require the territory-level GDP data to meet all of BEA's quality standards. The Department shall report to the Committee on these efforts—both of which were recommended by the Congressional Task Force on Economic Growth in Puerto Rico—within 90 days of enactment of this Act.

*Interstate Commerce.*—The Committee has heard concerns about the Electronic Export Information (EEI) requirement located in 15 CFR Part 30, which mandates reporting for certain goods shipped between the States and Puerto Rico and the U.S. Virgin Islands. The Committee urges the Department to work in coordination with the governments of Puerto Rico and the U.S. Virgin Islands, as well as other Federal agencies and stakeholders, to identify alter-

native data sources that provide equivalent statistics on the shipments of goods among the territories and the States to achieve the same statistical objectives, while reducing the impact on commerce.

#### RENOVATION AND MODERNIZATION

The recommendation includes \$1,000,000 for the Department's cost of the Herbert C. Hoover Building renovation and modernization which is \$3,000,000 below fiscal year 2017 and equal to the request.

#### OFFICE OF INSPECTOR GENERAL

The Committee recommends \$32,744,000 for the Office of Inspector General (OIG), which is equal to fiscal year 2017 and \$744,000 above the request. The recommendation also includes transfers of \$2,580,000 from the Census Bureau, \$1,302,000 from NOAA, and \$2,000,000 from PTO for OIG oversight of those activities.

The Committee expects the OIG to continue its oversight work on cybersecurity, satellite procurements, telework, patent quality, and the decennial census.

#### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends the following general provisions for the Department of Commerce:

Section 101 makes 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 the Department available for hire of passenger motor vehicles, for services, and for uniforms and allowances as authorized by law.

Section 103 provides the authority to transfer funds between Department of Commerce appropriation accounts and requires notification to the Committee of certain actions. The Committee expects notifications for all capital asset disposals with an initial purchase price greater than \$2,000,000.

Section 104 extends congressional notification requirements for NOAA satellite programs.

Section 105 provides for reimbursement for services within Department of Commerce buildings.

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 the NOAA Administrator with the authority to avail NOAA of needed resources, with the consent of those supplying the resources, to carry out responsibilities of any statute administered by NOAA.

Section 108 prohibits the National Technical Information Service from charging for certain activities.

Section 109 authorizes NOAA to receive payments from other entities to defray some costs of permitting and regulatory activities.

TITLE II  
DEPARTMENT OF JUSTICE  
GENERAL ADMINISTRATION  
SALARIES AND EXPENSES

The Committee recommends \$89,000,000 for Department of Justice, General Administration, Salaries and Expenses, which is \$25,124,000 below fiscal year 2017 and \$25,000,000 below the request.

*Combatting the Opioid and Heroin Epidemic.*—The Department must give priority to stopping, investigating and detaining the criminals who profit from human misery caused by the epidemic in opioid and heroin abuse. This includes doctors who knowingly over-prescribe, as well as manufacturers and distributors whose negligence or criminality contributes to this scourge. The bill fully funds grants at the authorized level under the Comprehensive Addiction and Recovery Act of 2016. The bill also fully funds requested increases for Federal law enforcement to address opioid trafficking including increases for Drug Enforcement Administration operations and their diversion control program, Organized Crime and Drug Enforcement Task Forces to dismantle international drug cartels, and U.S. Attorneys to focus additional resources on opioids trafficking prosecutions.

*Spending plans and status of balances.*—The Committee directs the Department to include with future congressional budgets a breakout of alternative, non-appropriated funding sources, as directed in the fiscal year 2017 Appropriations Act, by prior, current and budget years; for, respectively, actual, estimated, and requested amounts assumed in the proposed budget; and identifying funding by agency, purpose, and source of funding. In addition, annual spending plans required pursuant to section 532 shall include the details on non-appropriated funds as specified in the fiscal year 2017 Appropriations Act.

*Gunshot detection technology.*—The Committee is aware of developments in gunshot detection technology and surveillance, and encourages Federal law enforcement agencies and the Office of Justice Programs to work with State and local agencies to collect and analyze data from such systems to address gun crimes.

*Cyber-stalking and threat crimes.*—The Committee is aware of concerns regarding increased instances of severe harassment, stalking, and threats transmitted in interstate commerce in violation of Federal law. Such targeted attacks against Internet users, particularly women, have resulted in the release of personal information, forced individuals to flee their homes, had a chilling effect on free expression, and limited access to economic opportunity. The Committee strongly urges the Department to intensify its efforts to combat this destructive abuse and expects to see increased investigation and prosecution of these crimes, and directs it to report within 180 days of enactment on specific steps it is taking to track, investigate, prosecute and ultimately reduce the incidence of such crime, to include an analysis of the role of the interstate telecommunications system in cybercrimes against individuals.

*Conferences.*—The Committee understands that OMB Memorandum M-12-12 called for agencies to reduce travel expenses 30 percent compared to the fiscal year 2010 level, and limit conference spending. The Committee expects the Department to minimize conferences and limit conference expenses to those necessary to carry out the mission of the Department. The Committee expects the Department to make conference location decisions based on transparency, accountability and best value in the use of appropriated funds.

*Female genital mutilation.*—The Committee expects the Department to implement provisions of section 1088 of Public Law 112-239, regarding female genital mutilation, and directs it to report no later than 90 days after enactment of this Act on the status of such implementation and resulting enforcement actions.

*Trafficking and transport of children.*—The Committee directs the Attorney General to ensure that all task forces and working groups within the Innocence Lost National Initiative take actions to enhance capabilities of State and local law enforcement officers to detect, investigate and prosecute those who patronize or solicit children for sex; and that all Initiative-funded task forces and Department agencies increase efforts to deter and punish child labor trafficking.

*Identity theft.*—The Committee remains concerned about the adverse effects of identity theft and related crimes on individuals, families, communities and our national economy, and is concerned about the level of the Department's focus on these crimes. The Committee therefore directs the Department to undertake as soon as possible the strategic review on identity theft and fraud, conducted in cooperation with the Federal Trade Commission (FTC), as directed by the fiscal year 2017 Appropriations Act. In addition, the Committee directs the Department, with the FTC, to compile a comprehensive, updated report on identity theft and fraud issues, including the threats prevalent today, and submit that report at the time it submits its fiscal year 2019 budget request. The report should also include information on the status of prosecutions, hindrances to prosecuting cases, and any other relevant information related to Internal Revenue Service impersonation scams.

*Third-party settlement payments.*—The Committee understands a multi-year congressional investigation revealed that in some cases the former Administration required settling defendants to donate money to third-party advocacy or activist groups. These payments occur entirely outside of the congressional appropriations and oversight process. Accordingly, section 540 prohibits the Department from entering into a civil settlement agreement in which a defendant is required to make a donation to a third-party that is not a victim of the defendant's alleged unlawful activity. For the purposes of section 540, the term "donation" shall not be construed to prohibit any payment by a party to provide restitution for or otherwise remedy the actual harm, directly and proximately caused by the alleged conduct of the party, which is the basis for the agreement. The prohibition does not bar payments, upon invoice, to an organization or individual for services rendered to redress, mitigate or otherwise remediate the actual harm directly and proximately caused by a defendant's allegedly unlawful conduct. The Committee applauds the policy change set forth in the Attorney General's June

5, 2017 memorandum, “Prohibition on Settlement Payments to Third Parties”.

*Sole sourcing of equipment and scientific instruments.*—The Committee urges the Department to employ full and open competition in any procurement or upgrade of law enforcement equipment, to include scientific instruments and specialized communication equipment.

*Operation Choke Point.*—The previous Administration’s Operation Choke Point was the subject of investigations by the House Committees on the Judiciary, Financial Services, and Oversight and Government Reform. The Committee understands and appreciates that the current Administration has no plans to continue Operation Choke Point. The Committee supports this decision and encourages the Department to work with relevant Federal regulators to issue a clear and public statement regarding current policy on issues surrounding Operation Choke Point.

#### JUSTICE INFORMATION SHARING TECHNOLOGY

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$30,941,000 for Justice Information Sharing Technology, which is \$59,000 below fiscal year 2017 and the same as the request. The Committee supports the Department’s efforts to enhance its cybersecurity, and has therefore continued to include bill language providing the Department discretion and flexibility to transfer available Departmental funds to meet needs for IT transformation and cybersecurity, subject to the reprogramming procedures included in this Act.

#### EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$504,500,000 for the Executive Office for Immigration Review (EOIR), of which \$4,000,000 is from immigration examination fees. The recommendation is \$64,500,000 above fiscal year 2017 and \$4,093,000 above the request. The recommendation will support a total of 449 Immigration Judge (IJ) teams, 65 more than funded in fiscal year 2017, which provided for 10 additional IJ teams. Funding is provided above the request to annualize costs associated with the new teams funded in fiscal year 2017 and continue enhancements provided in fiscal year 2017 for information technology and facilities. The recommendation sustains the current legal orientation program and related assistance, such as the information desk pilot. The recommendation does not include any funding to establish or fund a legal representation program.

*EOIR performance.*—For several years, the Committee has been concerned with the slow pace of hiring and onboarding Immigration Judges and the unacceptable amount of time it takes to resolve immigration cases. The Committee understands that the Department is working to accelerate the hiring process and is deploying additional resources to those areas with the highest workload such as the Southwest Border. The Committee directs this continue and that the Department coordinate with the Department of Homeland Security (DHS) to develop metrics, practices, and pilot programs to

institute rapid court proceedings at holding facilities along the Southwest Border where individuals are detained for immigration violations to ensure their court appearance. The Committee continues its direction from fiscal year 2017 that the Department should establish a goal that the median days pending of detained cases be no longer than 60 days and the median length for non-detained cases be no longer than 365 days. The Committee directs EOIR to continue to provide monthly reports on performance, IJ hiring and visa overstays as specified in the fiscal year 2017 Appropriations Act.

*Bond-setting process.*—In fiscal year 2017, the Committee required EOIR to report how immigration judges use ability to pay criteria in determining the amounts of bonds, and the process for appealing such bond decisions. The Committee looks forward to the timely submission of this report to better understand the policy and practices of immigration courts in setting detainee bonds.

*Court space.*—The Committee continues to be concerned that EOIR is not using all available EOIR or DHS space. The Committee looks forward to the timely submission of the report required by the fiscal year 2017 Appropriations Act outlining the utilization of existing EOIR and DHS space and its plans to secure additional space to accommodate additional IJ teams and the assignment of IJ teams to the locations with the most caseload.

#### OFFICE OF INSPECTOR GENERAL

The Committee recommends \$95,583,000 for the Office of Inspector General (OIG), which is the same as fiscal year 2017 and \$255,000 above the request.

*Profiling.*—The Committee continues to hear concerns that Asian Americans and Pacific Islanders have been profiled by Department of Justice investigators and prosecutors on the basis of race and national origin, including in espionage and trade secret cases. The Committee expects OIG to assess whether there exists a pattern or practice of using race, national origin, and other civil rights classifications to target Federal employees and other Americans; report on any allegations of civil rights or civil liberties violations committed by Department employees in its semiannual reports to Congress as required by Section 1001 of the USA PATRIOT Act (Public Law 107–56); and if such patterns or practices are found to exist, to describe steps the Department has taken to address them.

*Controlled substances.*—The Committee directs OIG to report not later than 90 days after enactment of this Act on the implementation of GAO recommendations from its May 2015 report, *Controlled Substances: DEA Needs to Better Manage Its Quota Process and Improve Coordination with FDA* (GAO–15–494T); specifically the recommendations to: establish controls, including periodic data checks, to ensure that the Year-End Reporting and Quota Management System (YERS/QMS) data accurately reflect both manufacturers’ quota submissions and DEA’s decisions; establish performance measures related to quotas; and establish better ways to monitor and analyze YERS/QMS data to assess DEA’s administration of the quota process.

## UNITED STATES PAROLE COMMISSION

## SALARIES AND EXPENSES

The Committee recommends \$13,000,000 for the United States Parole Commission.

## LEGAL ACTIVITIES

## SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The Committee recommends \$897,500,000 for General Legal Activities, which is the same as fiscal year 2017. The Committee supports the important work of INTERPOL Washington.

*Human trafficking.*—The Civil Rights Division shall prioritize funding for the Human Trafficking Prosecution Unit and the Department's Anti-Trafficking Coordination Teams to investigate and prosecute human traffickers. The Committee directs the Department to work with victim service providers and non-governmental organizations assisting trafficking victims in the United States.

*Deinstitutionalization.*—The Committee notes the nationwide trends towards deinstitutionalization of patients with intellectual or developmental disabilities in favor of community-based settings. The Committee also notes that in *Olmstead v. L.C.* (1999), a majority of the Supreme Court held that the Americans with Disabilities Act does not condone or require removing individuals from institutional settings when they are unable to handle or benefit from a community-based setting, and that Federal law does not require the imposition of community-based treatment on patients who do not desire it. The Committee notes that the Department of Health and Human Services Appropriations Act, 2017 requires notification of affected individuals of their legal rights in this regard.

*Civil Rights Division, Voting Section.*—The Committee looks forward to receiving the report required in the fiscal year 2017 appropriations Act about Section 203 cases investigated in fiscal year 2017. When the fiscal year 2019 budget request is submitted, the Department of Justice shall submit to the Committee the following information about section 203 cases investigated in fiscal year 2018, including: the number of cases, broken out by languages included; the number of such investigations opened and the number closed, by reason closed (e.g. not enough evidence of non-compliance; no evidence of non-compliance); the average number of investigations per attorney and the average length per investigation.

## VACCINE INJURY COMPENSATION TRUST FUND

The recommendation includes \$10,000,000 as a reimbursement from the Vaccine Injury Compensation Trust Fund for costs of litigating cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660).

## SALARIES AND EXPENSES, ANTITRUST DIVISION

The Committee recommends \$163,980,000 for salaries and expenses of the Antitrust Division. The recommended funding level is offset by \$126,000,000 in estimated fee collections for a net direct appropriation of \$37,980,000.



## SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The Committee recommends \$2,057,252,000 for the Executive Office for United States Attorneys and the 94 United States Attorneys' offices, which is \$22,252,000 above fiscal year 2017 and the same as the request. Within this amount the Department is expected to support enhanced efforts to address drug trafficking, cybercrime and human trafficking. The Committee recommendation includes \$1,527,297,000 for criminal litigation; \$503,388,000 for civil litigation; and \$26,567,000 for legal education. The recommendation fully funds the requested enhancements for immigration enforcement, and for additional prosecutors to target violent crime and gang activity.

*Human trafficking.*—The recommendation continues bill language requiring that each U.S. Attorney participate in human trafficking task forces, and the Department shall continue to submit semiannual reports on the performance of these task forces.

*Prosecuting immigration crime.*—The Committee welcomes the Department's adoption of a strong immigration criminal enforcement policy, as set forth in the Attorney General's April 11, 2017, memorandum to Federal prosecutors. Such measures are essential to deter illegal entry, in particular by forcefully sanctioning the criminal activity associated with illegal immigration, alien smuggling and trafficking. The Committee looks forward to seeing real results from this approach, and therefore directs the Department to report not later than 90 days after the date of enactment of this Act on (1) prosecuting statistics, by District, to include the number and type of charging actions being used, as well as associated sentences imposed; and (2) the status of designating Border Security Coordinators and the impact Coordinators are having.

*Prescription drug abuse.*—The growing, nationwide crisis of prescription drug abuse has led to rising fatalities, and addressing this issue remains a core Federal law enforcement mission. The Committee expects U.S. Attorneys to prioritize investigating and prosecuting criminals who profit from trafficking, to include pain clinics that serve as fronts for the illegal distribution of addictive painkillers and doctors who intentionally overprescribe them.

*Intellectual Property Rights (IPR) enforcement.*—The Committee expects the Department to continue to make IPR enforcement an investigative and prosecutorial priority for Federal prosecutors, to include thwarting a new wave of digital copyright piracy.

*Trafficking and money laundering enforcement.*—The Committee expects the Department to continue to make drug trafficking and money laundering enforcement an investigative and prosecutorial priority for Federal prosecutors.

## UNITED STATES TRUSTEE SYSTEM FUND

The Committee recommends \$225,000,000 for the United States Trustee Program. The recommended funding is offset by \$135,000,000 in estimated fee collections for a net direct appropriation of \$90,000,000.

## SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The Committee recommends \$2,374,000 for the Foreign Claims Settlement Commission, which is equal to the current level and \$35,000 below the request.

## FEES AND EXPENSES OF WITNESSES

The Committee recommends \$270,000,000, which is the same as fiscal year 2017 and the request, for fees and expenses of witnesses who appear on behalf of the Government in cases in which the United States is a party. This appropriation is considered mandatory for scorekeeping purposes.

## SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

## (INCLUDING TRANSFER OF FUNDS)

The Committee funds the Community Relations Service at \$15,000,000. The recommendation supports funding for the Emmett Till Unsolved Civil Rights Crime Act.

## ASSETS FORFEITURE FUND

The Committee recommends \$20,514,000 for expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code. This amount is same as the fiscal year 2017 and \$961,000 below the budget request.

Section 523 rescinds \$304,000,000 from the Assets Forfeiture Fund (Fund), as proposed in the budget request. The Department reports that Fund balances will be sufficient to allow the Department to rescind \$304,000,000 with no delays in equitable sharing payments. The Committee directs the Department to refrain from suspending or delaying equitable sharing payments in fiscal year 2018.

Section 532 of the bill requires the Department to submit a spending plan for fiscal year 2018. The Committee directs the Department to include in this plan proposed spending from the Fund, to include estimates of: fund balances; equitable sharing payments; Joint Law Enforcement Operations obligations; and obligations by component.

## UNITED STATES MARSHALS SERVICE

## SALARIES AND EXPENSES

The Committee recommends \$1,255,000,000 for the salaries and expenses of the United States Marshals Service (USMS), which is \$5,960,000 above fiscal year 2017 and \$3,000,000 above the request. The recommendation fully funds the proposed enhancements for life and safety equipment for Deputy U.S. Marshals, additional Deputy U.S. Marshals to support enhanced border security and immigration enforcement, and to support the violent crime and gang initiatives. The Committee expects the USMS to continue and strengthen its fugitive apprehension support aircraft program.

In addition, within recommended funding the Committee sustains \$7,900,000 for the USMS to vet and provide notification of sex offenders traveling abroad, to include not less than \$2,000,000 for the USMS Targeting Center to provide a network for States to

furnish the Center comprehensive data on all registered sex offenders, address information gaps exploited by sex offenders traveling internationally, and afford local law enforcement officials real-time coordination to monitor sex offenders.

The Committee has provided separate funding recommendations by decision unit as follows:

Judicial and Courthouse Security .....	\$428,990,000
Fugitive Apprehension .....	482,423,000
Prisoner Security and Transportation .....	232,121,000
Protection of Witnesses .....	55,539,000
Tactical Operations .....	55,927,000
Total, Salaries and Expenses .....	\$1,255,000,000

#### CONSTRUCTION

The Committee recommends \$10,000,000, which is the same as fiscal year 2017, for construction and related expenses in space controlled, occupied or used by USMS for prisoner holding and related support.

#### FEDERAL PRISONER DETENTION

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$1,536,000,000 for Federal Prisoner Detention, which is \$81,586,000 above fiscal year 2017 and the same as the request. The increase in funding is required to ensure the USMS can fully support anticipated housing, medical, and transportation cost increases of the USMS detainee population. With increased resources being dedicated to immigration violations and violent crimes, the detainee population is anticipated to increase.

#### NATIONAL SECURITY DIVISION

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$100,000,000 for the National Security Division (NSD), which is \$4,000,000 above fiscal year 2017. This amount will help NSD address its growing national security and counterterrorism workload, including its Foreign Intelligence Surveillance Act responsibilities.

#### INTERAGENCY LAW ENFORCEMENT

##### INTERAGENCY CRIME AND DRUG ENFORCEMENT

The Committee recommends \$526,000,000 for Interagency Crime and Drug Enforcement, which is \$9,000,000 above fiscal year 2017 and the same as the request. Funds are included under this heading to support interagency Organized Crime Drug Enforcement Task Forces (OCDETF), which target high-level drug trafficking organizations through coordinated, multi-jurisdictional investigations.

*Decision unit subtotals.*—The recommendation includes \$364,685,000 for investigations and \$161,315,000 for prosecutions. The Committee expects OCDETF to enhance its investigative, in-

telligence and prosecutorial efforts through OCDETF-led activities, including the OCDETF Fusion Center, OCDETF Co-located Strike Forces and the International Organized Crime Intelligence and Operations Center, and direct collaboration with State and local law enforcement, United States Attorneys' offices and the Criminal Division. The Committee expects OCDETF to focus additional resources on combatting opioid trafficking organizations.

*Full-Time Equivalents (FTE).*—The Committee directs the Department to submit with its fiscal year 2019 budget request an updated report on FTE devoted to OCDETF cases at the level of detail provided in its September 9, 2015, report to the Committee. The report should include actual and projected investigative and prosecutorial FTE devoted to OCDETF cases for fiscal years 2017–2019, broken out by agency and funding source.

## FEDERAL BUREAU OF INVESTIGATION

### SALARIES AND EXPENSES

The Committee recommends \$8,814,747,000 for the salaries and expenses account of the Federal Bureau of Investigation (FBI), which is \$47,546,000 above fiscal year 2017 and \$92,165,000 above the request. The increase reflects funding necessary to carry out FBI's critical missions to counter terrorism, protect national security, and meet cyber threats. These include supporting work on the Next Generation Cyber program, IT Infrastructure, training and new technology challenges; confronting threats from foreign intelligence and insiders; addressing capacity constraints in data sharing that have impacts on the FBI's ability to timely share vast quantities of forensic and other data; helping the FBI stop computer intrusions, investigate cybercrime, and improve cybersecurity; and ensuring it can carry out its render safe mission.

The Committee recommendation is also intended to help ensure the FBI can meet the growing challenge from both home-grown and “foreign fighters” and sustain growing workload for field operations, to include the need for physical surveillance. The Committee recommendation includes funding to enhance operational and information technology resources to address transnational organized crime.

Finally, the recommendation supports the programs of the Criminal Justice Information Services Division, including but not limited to the Biometric Technology Center, Next Generation Identification, the National Crime Information Center, and the National Instant Criminal Background Check System.

The Committee directs the FBI to allocate its agent and support staff based on unique threats and workload of each of the FBI's field offices to ensure that resources are effectively deployed to address the agency's highest priorities.

The Committee has provided separate funding recommendations by decision unit as follows:

Intelligence .....	\$1,699,000,000
Counterintelligence and National Security .....	3,565,000,000
Criminal Enterprise and Federal Crimes .....	3,019,000,000
Criminal Justice Services .....	531,747,000
Total, Salaries and Expenses .....	\$8,814,747,000

*Human trafficking investigations.*—The additional resources in the bill will help the FBI combat sex trafficking and forced labor, to include boosting criminal investigations and working with victims of such crimes. The Committee supports FBI engagement with victim service providers on victim referrals and assistance, and with the Department of Homeland Security; improvements in FBI agent training in the identification of human trafficking; and the use of evidence-based approaches to improve human trafficking victim services and outcomes. The Committee strongly supports FBI leadership in its Innocence Lost initiative, to include Operation Cross Country, which has helped recover underage trafficking victims and led to hundreds of trafficker arrests. The Committee expects the FBI to identify potential victims of human sex trafficking and forced labor early in any FBI or FBI-led investigations, to provide informational materials and victim assistance referral as quickly as possible, and to improve its use of forensic interviews of victims. The FBI shall submit as soon as possible the report on Operation Cross Country required by the fiscal year 2017 Appropriations Act.

*Aviation modernization.*—The Committee directs the FBI to provide as soon as possible the briefing on its aviation modernization program required by the fiscal year 2017 Appropriations Act.

*Integrated medical support for tactical operations.*—The Committee understands that FBI tactical teams operating under the Critical Incident Response Group need to follow best practices for medical care, evacuation, training and contingency planning. The Committee directs the FBI to report not later than 90 days after enactment of this Act on whether it might benefit from possible collaboration with public academic medical centers. This report should also address ways in which such potential collaboration could both enhance FBI operations and develop best practices that could be shared with other Federal, State and local law enforcement agencies.

*Fingerprinting technology.*—The Committee encourages the FBI to complete its process for inclusion of contactless fingerprint technology in the FBI Certified Products List for enrollment in the Criminal Justice Information Services database.

*National Domestic Communications Assistance Center (NDCAC).*—The Committee supports continued funding for the NDCAC. The NDCAC is a hub for technical knowledge management, facilitating the sharing of solutions and know-how among law enforcement agencies, and strengthening law enforcement's relationships with the communications industry.

*Intellectual property rights (IPR) enforcement.*—The Committee is aware that sophisticated, often transnational, criminal enterprises engage in a range of illegal activity connected to the theft of copyrighted content, and that computers can be infected by malware transmitted to consumers from content theft sites. Such malware in turn can result in theft of bank and credit card information, identity theft, and ransom activities. The Committee expects the FBI to prioritize the investigation of IPR cases, and coordinate with IPR units at the U.S. Attorneys and the Criminal Division. In addition, the FBI shall report not later than 120 days after enactment of this Act on its IPR investigation activities, particularly in the area of creative content theft.

*Gang activity.*—The Committee remains concerned about the rise in gang activity across the country. According to the National Gang Center, between 1996 and 2003, the nation saw a roughly 35 percent decrease in the overall number of gangs. But between 2003 and 2012, the date of the most recent statistics from the NGC, those successes had been completely lost. Certain transnational criminal organizations, including Mara Salvatrucha, or MS-13, have been resurgent in recent years after a brief lull in criminal activity, and have expanded operations in various areas in the country ranging from California to Georgia, and from Virginia to New York. The Committee has funded fully the Administration's requests to address violent crime, gangs, and transnational criminal organizations, to include funding a new violent and gun-related crime reduction task force and 230 new violent crime prosecutors. The Committee directs the FBI to continue to expand its task force activity, as well as its partnerships with State, local, and tribal law enforcement organizations, in order to undermine these organizations and reverse the criminal trends associated with their resurgence.

*Canine detection assets.*—The Committee recognizes that the FBI has made substantial investments in deterring, detecting, and defeating terrorist or state-sponsored WMD threats in the U.S. The Committee has noted recent FBI and academic research that canine detection assets can assist in locating certain chemical and biological agents with greater mobility and accuracy than some currently deployed devices. The Committee supports further exploration of this unique capability.

#### CONSTRUCTION

The Committee recommends \$51,895,000, as requested, for the construction of FBI facilities and related activities. Funding in this account will facilitate and expedite work on current design and construction projects at Quantico, and secure work environment (SWE) building and modifications.

#### DRUG ENFORCEMENT ADMINISTRATION

##### SALARIES AND EXPENSES

The Committee recommends total budget authority of \$2,583,625,000 for Drug Enforcement Administration (DEA) salaries and expenses, of which \$419,574,000 is derived from fees deposited in the Diversion Control Fund, and \$2,164,051,000 is provided by direct appropriation. The recommended appropriation is \$61,075,000 above fiscal year 2017 and equal to the request.

The Committee has provided separate funding recommendations by decision unit for salaries and expenses as follows:

International Enforcement .....	\$470,514,000
Domestic Enforcement .....	1,689,922,000
State and Local Assistance .....	3,615,000
Total, Salaries and Expenses .....	\$2,164,051,000

*Diversion control.*—The recommendation includes \$419,574,000 for the regulatory and enforcement activities of DEA's Diversion Control Program. The Diversion Control Program is funded by fee collections. The recommendation provides a \$36,912,000 increase to

enhance diversion control programs. This funding will support additional diversion investigators and tactical diversion squads; increase the number of drug take back efforts; expand training and outreach with partners and enhance enforcement and analysis of new synthetic substances. It will also create a pilot program to hire 10 new Special Assistant U.S. Attorneys to provide criminal and civil diversion prosecutorial support in “hot spots” across the country that experience the most significant opioid drug threats.

*Methamphetamine lab cleanup.*—The funding recommendation for Community Oriented Policing Services includes \$11,000,000 for transfer to DEA to assist State, local and tribal law enforcement agencies with the removal and disposal of hazardous materials at methamphetamine labs, including funds for training, technical assistance, purchase of equipment and a container program.

*Prescription drug and heroin abuse.*—The Committee continues to regard with deep concern the rising harm of prescription drug abuse, and crisis levels of heroin abuse and overdoses. DEA reported in its 2016 National Drug Threat Assessment that drug poisoning deaths are at their highest ever recorded level, and since 2009 annual deaths from drugs have outnumbered deaths by firearms, vehicle crashes, suicide, and homicide. The report also notes the continuing rise in smuggling across the borders and the continued role of international, especially Mexican, trafficking cartels in moving heroin and other drugs into U.S. communities, as well as the growing flow of fentanyl from China and Mexico. The Committee directs DEA to brief the Committee no later than 90 days after enactment of this Act on the number of heroin and prescription drug diversion investigations for fiscal years 2016 and 2017, and estimated for fiscal year 2018; the amounts and street value of drugs associated with such investigations; and prosecutions resulting from investigations. The Committee also encourages DEA to work with partner agencies, to include the Department of Health and Human Services, on outcome measures of success, such as reduction in the incidence and severity of abuse, which reflect the impact of multi-agency efforts. The recommendation includes requested funding increases of \$15,000,000 in salaries and expenses for enhancement of heroin enforcement and investigations of transnational organized drug criminals, and \$36,912,000 in Diversion Control for additional diversion enforcement, training, and prosecutors.

*Aviation program.*—The DEA Aviation Division supports drug interdiction and eradication efforts with Intelligence, Surveillance, and Reconnaissance purposed aircraft, as well as fugitive and cargo transport aircraft. The Committee understands that more than a third of the Division’s fleet is over 25 years old, far beyond the industry standard. As a result, the Division has experienced unplanned maintenance costs, and reduced reliability and availability. DEA shall make aviation modernization a priority, and is directed to report not later than 90 days after enactment of this Act on the current status of its aviation fleet, including maintenance costs and performance statistics; and current plans for fleet modernization and upgrades, to include aircraft and equipment.

## BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

## SALARIES AND EXPENSES

The Committee recommends \$1,293,776,000 for the salaries and expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which is \$35,176,000 above fiscal year 2017 and \$20,000,000 above the request. ATF's highest priority shall be to combat violent crime and promote public safety.

The recommendation maintains current services, and fully funds the requested increases for violent crime reduction task forces and the National Integrated Ballistic Information Network (NIBIN). An increase of not less than \$10,000,000 above the request is for the activities of the National Firearms Act (NFA) Branch, Federal Firearms Licensing Center, Federal Explosives Licensing Center, Import Branch, and to develop and implement ATF's next generation eForms system.

*Investigative Support Services.*—The Committee is concerned about the ongoing backlog in processing firearms licensing applications within the 60 day timeframe as mandated under current statute. In addition, there is a need for additional resources to meet ongoing associated infrastructure requirements and improve the processing of import applications. The Committee is also concerned about ATF's failure to prioritize improvement of eForms. This electronic filing process was created by ATF to reduce submission and processing times, as well as data entry processing backlogs. Unfortunately, despite the Committee's encouragement to pursue improvements, the system remains antiquated and lacks the kind of innovation and user-friendly features expected. The Committee expects this increase in funding will provide additional resources focused on the aforementioned priorities, and directs ATF to report to the Committee in the expenditure plan required by this Act on how these funds will be allocated.

*NIBIN.*—The Committee is encouraged by the promise of improved crime gun intelligence and information sharing, and expects funding provided in this bill will aid in interdicting crime guns and preventing gun trafficking through the NIBIN. The Committee encourages ATF to establish a NIBIN presence on the Southwest Border.

*Counter-improvised explosives devices.*—The Committee supports the work of the National Center for Explosives Training and Research on countering advanced improvised explosive devices.

## FEDERAL PRISON SYSTEM

## SALARIES AND EXPENSES

## (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$7,070,248,000 for salaries and expenses of the Bureau of Prisons (BOP), which is \$61,448,000 above fiscal year 2017.

*Contract confinement.*—The Committee views contract confinement as an effective tool to BOP meet low security facility requirements to alleviate overcrowding. The Committee is concerned that the Bureau remains crowded in its medium and high security institutions. Additionally, the Committee is concerned that the Bureau



continues to house low security inmates in more costly environments where cost savings could be realized by using available contract detention capacity. The Committee supports the policy set forth in the Attorney General's February 21, 2017, memorandum on the use of private prisons, which acknowledged the importance of contract correctional facilities to meet the future needs of the Federal correctional system. The fiscal year 2017 Appropriations Act requires BOP to review the current classification of all inmates in their system and submit to the Committee a capacity realignment plan to ensure that inmates with lower security classifications (both U.S. citizens and criminal aliens) are in the most cost-effective facilities. The Committee looks forward to the timely submission of this realignment plan.

*Medication assisted treatment.*—The Committee encourages BOP to make abstinence-based relapse prevention treatment options available to inmates with a history of opioid dependence.

*Personal firearms.*—The Committee recognizes the Bureau's responsibility to control the use of firearms on BOP facilities. At the same time, it understands that BOP does not have a policy that would ensure officers who are legally authorized to carry a concealed firearm for self-protection can have an on-site, secure gun locker, or alternatively, lock weapons securely in their personal vehicles. The Committee encourages the Bureau to review this issue and implement a policy that enables officers to secure their personal firearms while on duty in a fashion that preserves security on Bureau sites but also facilitates officers' legal right to keep and bear arms.

*HIV policy implementation.*—The Committee directs BOP, within 90 days of enactment of this Act, to submit a report that details its current policy for providing comprehensive HIV testing, treatment, and prevention for inmates within the Federal prison system, and an assessment of how it is implementing that policy, to include providing for transition of care for HIV/AIDS positive individuals leaving the Federal prison system.

*Mental health.*—The Committee recognizes the vastly disproportionate rate of mental and behavioral health needs among the Federal prisoner population and BOP's responsibility to provide constitutionally adequate care. The Committee supports BOP's effort to implement its policies providing for such care and urges BOP to increase human and financial resources dedicated to mental and behavioral health programs and services and to report to the Committee not later than 90 days after enactment of this Act on how these resources were deployed in fiscal year 2017.

*Educational programs.*—The Committee supports the Department's coordination and collaboration with Historically Black Colleges and Universities to provide educational programs for recently released and soon to be released criminal offenders to assist them in obtaining skills that will help them successfully transition back into their communities and reduce recidivism rates.

*Augmentation.*—Overcrowding remains a serious threat to officer safety, particularly at high and medium security facilities. To meet staffing needs, the BOP has used 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 utilize full-time correctional staff where possible

before augmenting with other existing staff. BOP is further directed to submit quarterly reports to the Committee on the inmate-to-correctional officer ratios at each facility.

*Contraband communication devices.*—The Committee remains concerned about the rising use of contraband cellular phones and devices in BOP or BOP-contracted facilities. BOP must ensure that incarcerated individuals, who use these illicit devices, will no longer have access to the networks and spectrum to direct activities in or beyond the prison. The Committee directs the BOP to act upon the recommendations of its 2016 report on this subject and to take steps to thwart illegal inmate telecommunications and help protect officers and the public, while not interfering with the rights of law-abiding citizens to use the public airwaves.

*Re-entry performance reporting.*—The Committee understands the difficulty and complexity of tracking inmates who re-offend across Federal, State and local jurisdictions to be an obstacle to routinely collecting information and conducting studies of such re-offending. Given, however, the availability of today's integrated information systems and modern data technology, the Committee does not see why such challenges cannot be overcome. BOP is directed to report not later than 90 days after enactment of this Act on the specific challenges encountered in measuring the effectiveness of all its re-entry programs, and any additional tools or resources needed to comply with the reporting requirements of the Second Chance Act.

#### BUILDINGS AND FACILITIES

The Committee recommends \$95,000,000 for the construction, acquisition, modernization, maintenance, and repair of prison and detention facilities housing Federal inmates.

The Committee directs the Bureau to move forward with ongoing facilities planning and associated new construction to meet projected capacity requirements as identified in the monthly status of construction reports to the Committees on Appropriations. BOP shall continue to provide monthly status of construction reports and notify the Committee of any changes reflected in those reports.

#### LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

The Committee recommends a limitation on administrative expenses of \$2,700,000 for Federal Prison Industries, Incorporated, which is the same as fiscal year 2017.

#### STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, the Committee recommends \$2,266,300,000 for State and local law enforcement and crime prevention grant programs, including \$2,174,300,000 in discretionary appropriations.

*Management and administrative expenses.*—The Committee encourages grant offices to minimize administrative spending to maximize funding for grants or training and technical assistance. The Committee also directs the Department to ensure that the methodology for assessing management and administration costs is equitable and reflects a fair representation of the share of common management and administrative costs associated with each pro-

gram. The Committee notes that an across-the-board percentage assessment may not be the most appropriate solution. The Committee is aware that, in general, the Department's grant offices for State and Local Law Enforcement Activities have authority to allocate certain expenses administratively to activities that are ancillary to the core purposes of the appropriation (e.g., peer review for a competitive program, training and technical assistance, and research and statistical activities).

*Office of Victims of Crime (OVC).*—The recommendation provides \$4,632,000,000 for the Crime Victims Fund. Within available resources, OVC may implement the office's Vision 21, which seeks to bring better technology, planning, research and data into the crime victims services field.

The recommendation includes language in section 510 allowing for tribal access to the Crime Victims Fund. The Committee expects the Department of Justice to consult with Indian tribal governments on the distribution of these funds.

The Committee directs OVC to report to the Committee, not later than 90 days after the enactment of this Act, on the actions they are taking to ensure Crime Victims Fund resources are reaching communities most affected by violence.

The Committee is aware that hospital-based violence intervention has shown effective results as a strategy in preventing injury recidivism for victims of violent injury, and encourages states to consider utilizing funding provided through the Crime Victims Fund to establish or expand hospital-based intervention programs.

*Tribal assistance.*—The recommendation includes a flexible tribal set-aside under section 214. The Committee expects the Office of Justice Programs (OJP) to continue to consult closely with tribes to determine how tribal assistance funds will be allocated among grant programs that improve public safety in tribal communities, such as grants for detention facilities under section 20109 of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), civil and criminal legal assistance as authorized by title I of Public Law 106–559, tribal courts, and alcohol and substance abuse reduction assistance programs. The Committee directs OJP to use such consultation to inform the allocation of funds it shall submit as part of its spending plan. The Committee notes that the recommendation includes additional grant funding for tribal law enforcement programs through the Office on Violence Against Women (OVW).

#### OFFICE ON VIOLENCE AGAINST WOMEN

##### VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

The Committee recommends \$527,000,000 for OVW, which is \$45,500,000 above fiscal year 2017 and \$47,000,000 above the request. The recommendation does not divert funds from the Crime Victims Fund to pay for these discretionary programs. The recommendation also funds the victims of trafficking program under this heading. Funds are distributed as follows:

## VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

(in thousands of dollars)

Program	Amount
STOP Grants .....	\$215,000
Transitional Housing Assistance .....	30,000
Research and Evaluation on Violence Against Women .....	3,500
Consolidated Youth-Oriented Program .....	11,000
Grants to Encourage Arrest Policies .....	53,000
Homicide Reduction Initiative .....	(4,000)
Sexual Assault Victims Services .....	35,000
Rural Domestic Violence and Child Abuse Enforcement .....	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 Resource Center on Workplace Responses .....	500
Research on Violence Against Indian Women .....	1,000
Indian Country-Sexual Assault Clearinghouse .....	500
Tribal assistance .....	4,000
Victims of trafficking .....	45,000
Rape Survivor Child Custody Act .....	1,500
<b>TOTAL, Violence Against Women Prevention and Prosecution Programs .....</b>	<b>\$527,000</b>

## OFFICE OF JUSTICE PROGRAMS

## RESEARCH, EVALUATION AND STATISTICS

The Committee recommends \$83,000,000 for Research, Evaluation and Statistics, which is \$6,000,000 below fiscal year 2017 and \$28,000,000 below the request. Funds are distributed as follows:

## RESEARCH, EVALUATION AND STATISTICS

(in thousands of dollars)

Program	Amount
Bureau of Justice Statistics .....	\$44,500
National Institute of Justice .....	38,500
<b>TOTAL, Research, Evaluation and Statistics .....</b>	<b>\$83,000</b>

*Human trafficking research.*—The Committee acknowledges the difficulty in estimating the prevalence of human trafficking, and the corresponding difficulty in gauging the effectiveness of the criminal justice system’s response to the problem. Research can play an invaluable role in understanding prevalence and effectiveness through improved data collection and analysis. The Committee encourages the National Institute of Justice to increase funding for research into human trafficking.

*Campus sexual assault.*—The Committee supports the Department’s continued development and testing of a pilot campus climate survey. Preliminary results of the pilot suggest the vast majority of campus sexual assaults are not reported to authorities, do not come to the attention of university officials and, therefore, are not represented in official Federal statistics. The Committee encourages the Department to examine expanding the pilot survey and developing a cost-effective, standardized, and methodologically rigorous nationwide research program on campus sexual assault.

## STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The Committee recommends \$1,143,500,000 for State and Local Law Enforcement Assistance programs, which is \$115,000,000 below fiscal year 2017 and \$276,000,000 above the request. Funds are distributed as follows:

## STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(in thousands of dollars)

Program	Amount
Byrne Memorial Justice Assistance Grants .....	\$500,000
Officer Robert Wilson III VALOR Initiative .....	(10,000)
Domestic Radicalization Research .....	(4,000)
Juvenile Indigent Defense .....	(2,000)
NamUS .....	(2,400)
Violent Gang and Gun Crime Reduction .....	(10,000)
Capital Litigation and Wrongful Conviction Review .....	(2,500)
Prison Rape Prevention and Prosecution .....	(15,500)
White Collar Crime Prevention .....	(10,000)
State Criminal Alien Assistance Program .....	220,000
Adam Walsh Act Implementation .....	20,000
Bulletproof Vests Partnerships .....	22,500
National Sex Offender Public Website .....	1,000
National Instant Criminal Background Check System (NICS) Initiative .....	73,000
DNA Initiative .....	125,000
Debbie Smith DNA Backlog Grants .....	(117,000)
Kirk Bloodsworth Post-Conviction DNA Testing Grants .....	(4,000)
Sexual Assault Forensic Exam Program Grants .....	(4,000)
CASA-Special Advocates .....	9,000
Comprehensive School Safety Initiative .....	45,000
Emergency Law Enforcement Assistance .....	10,000
Opioid initiative .....	118,000
Drug Courts .....	(43,000)
Veterans Treatment Courts .....	(7,000)
Residential Substance Abuse Treatment .....	(12,000)
Prescription Drug Monitoring .....	(14,000)
Mentally Ill Offender Act .....	(12,000)
Other Comprehensive Addiction and Recovery Act activities .....	(30,000)
<b>TOTAL, State and Local Law Enforcement Assistance .....</b>	<b>\$1,143,500</b>

*Opioid abuse.*—The recommendation includes \$118,000,000 for programs to reduce opioid abuse, which is the full amount authorized by the Comprehensive Addiction and Recovery Act of 2016 (CARA; Public Law 114–198). Within this amount is \$43,000,000 for drug courts; \$7,000,000 for veterans treatment courts; \$12,000,000 for Residential Substance Abuse Treatment; \$14,000,000 for prescription drug monitoring; \$12,000,000 for the Mentally Ill Offender Act; and \$30,000,000 for other programs authorized by the bill.

The Committee believes that communities must address opioid abuse through comprehensive strategies that incorporate enhanced enforcement, education and treatment. The Committee directs OJP to work with DEA, the Department of Health and Human Services, and the National Institute of Justice to develop, and help communities implement, best practices to address opioid abuse.

The Committee believes that the Federal response to the opioid epidemic will be most effective if resources made available through CARA and related programs are directed to strategies that are backed by strong evidence or to innovative and promising ap-

proaches that will be rigorously evaluated to learn their impact. In implementing new and existing programs that address the opioid epidemic, the Department is urged to utilize evidence-based policymaking principles, tools, and program designs such as those disseminated by the Evidence-Based Policymaking Collaborative. The Committee encourages the Department to collaborate with outside researchers and philanthropic organizations that focus on improving the use of rigorous research to inform policy.

*National Instant Criminal Background Check System (NICS) Initiative grants.*—The recommendation includes \$73,000,000 for grants to improve records in NICS. This initiative combines the National Criminal History Improvement Program (NCHIP) and the NICS Act Record Improvement Program (NARIP). The Committee directs that the grants made under the broader NCHIP authorities be made available only for efforts to improve records added to NICS. Additionally, the Department shall prioritize funding under NARIP authorities with the goal of making all States NICS Improvement Amendments Act of 2007 (NIAA) compliant. The Department also shall apply penalties to noncompliant States to the fullest extent of the law.

The Committee understands that ATF is willing to provide technical assistance to all States seeking to establish programs that meet the NIAA requirements for NARIP grants. Even in the absence of funding exclusively for NARIP, the Committee directs the Department to continue these efforts. The Committee again urges OJP, ATF and FBI to assist States that are not currently eligible for NARIP grants in meeting the eligibility requirements.

The Committee encourages OJP to provide technical assistance and training services for current and future NCHIP and NARIP grantees.

The Committee also reiterates existing legal requirements that data in the NICS be deleted after a check is completed.

*Gun crime and gang violence.*—The recommendation includes \$10,000,000 for communities working with their local U.S. Attorneys to develop and implement gun crime and gang violence reduction programs.

*Gang violence.*—The Committee recognizes the threat posed by foreign influenced gangs and the need for coordination among Federal, State and local law enforcement agencies to address this problem. Such gang activity has the potential to overwhelm local law enforcement resources in rural areas, particularly in communities with populations under 25,000. The Committee urges the Department to prioritize grant funding within existing State and local assistance programs targeted for reducing criminal gang activity in rural communities.

The Committee also notes the effectiveness of regional gang task forces in addressing transnational gangs. The Committee urges the Department to prioritize grant funding within existing State and local assistance programs for reducing criminal gang activity using regional gang task forces.

*Byrne Memorial Justice Assistance Grant (Byrne/JAG) program.*—The recommendation includes \$500,000,000 for the Byrne/JAG program and consolidates the activities of the COPS Hiring program into the Byrne/JAG program. Funding under this formula program 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. Within the amount provided, \$4,000,000 is for research on domestic radicalization; \$10,000,000 is for the Officer Robert Wilson III Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability (VALOR) Initiative; \$2,000,000 is for juvenile indigent defense; \$2,400,000 is for the National Missing and Unidentified Persons System (NamUS); \$10,000,000 is for competitive and evidence-based programs to reduce gun crime and gang violence; \$2,500,000 is for the capital litigation and wrongful conviction review; \$15,500,000 is for prison rape prevention and prosecution; and \$10,000,000 is for white collar crime prevention grants. Excluding carveouts, the recommendation for Byrne/JAG is \$109,000,000 above fiscal year 2017 and \$184,100,000 above the request.

The Committee is concerned by the impact on law enforcement of the growing epidemic of prescription drug and heroin abuse, and notes that funds within this account may be utilized for the implementation of medication-assisted treatment to maintain abstinence from all opioids and heroin. The Committee notes that Byrne/JAG funding can be used for law enforcement purposes, such as the hiring of law enforcement officers, including School Resource Officers or other “non-enforcement” officers. The Committee notes that Byrne/JAG funding can be used for pursuit technology and training to reduce deaths and injuries during high-risk vehicle events. The Committee recognizes the importance of de-escalation training and cultural sensitivity training and diversity in hiring in local law enforcement to ensure that law enforcement reflects the communities they serve. The Committee notes that Byrne/JAG funds may be used for these purposes, and encourages the Department to award funds for this purpose in Byrne/JAG and the Community Oriented Policing Services (COPS) Program. The Committee encourages the Byrne/JAG program to provide additional resources to those communities that are taking part in programs that seek to lower homicide rates through data and performance measurement analysis. The Committee advises that some Byrne/JAG funds be directed to provide newer, more efficient forensics testing tools for rural jurisdictions. The Committee requests additional consideration be given to applicants who seek to hire service-connected disabled veterans.

*Veterans.*—The Committee is aware of national and State-level recruitment efforts to help veterans transition from military service to careers in civilian law enforcement. The Committee directs the Department to submit a report, not later than 90 days after enactment of this Act, on the type of grants and programs that the Department provides to help train and assist veterans who are transitioning from military service to civilian law enforcement.

*Prison Rape Elimination Act (PREA).*—The Committee supports the Bureau of Justice Assistance’s (BJA) ongoing efforts to improve the PREA audit program, in addition to restarting the State grant programs in fiscal year 2018. Facility audits are a key component in helping agencies move their sexual abuse prevention and response policies from written documents to everyday practices. BJA

has outlined a meaningful Quality Improvement Initiative and the Committee supports the Department providing the necessary resources to carry out this work.

*Officer Robert Wilson III Memorial VALOR Initiative.*—The recommendation includes \$10,000,000 for the VALOR initiative. The recommendation also includes \$10,000,000 under the Community Oriented Policing Services header for active shooter response.

*State Criminal Alien Assistance Program (SCAAP).*—The recommendation includes \$220,000,000 for SCAAP, which is \$10,000,000 above fiscal year 2017. SCAAP provides grants that reimburse States and localities for the costs incurred in incarcerating undocumented criminal aliens. The President's request proposed to terminate this program.

*Competitive grants.*—The Committee urges the Department to prioritize improving forensic interview training for child abuse investigation and prosecution professionals.

*Forensics and cybercrime training.*—The Committee is aware of a number of programs surrounding trafficking offenses, sex crimes and domestic violence that provide support to State and local law enforcement and prosecutors. The Committee encourages OJP to increase efforts to provide State and local prosecutors with training, particularly train the trainer, and trial experience in cybercrimes and digital evidence.

The Committee is also encouraged by efforts to expand the ability of academic forensic technology programs to assist the Department in identifying online crime, hate and terror groups.

*DNA initiative.*—The recommendation includes \$125,000,000 for DNA-related and forensic programs and activities, an increase of \$20,000,000 above the request and the same as the fiscal year 2017 level. Within the funds provided, the Committee provides \$4,000,000 each for Post-Conviction DNA Testing grants and Sexual Assault Forensic Exam Program grants. The Committee expects that OJP will make funding for DNA analysis and capacity enhancement a priority to meet the purposes of the Debbie Smith DNA Backlog Grant Program. The Committee directs the Department to submit, as part of its spending plan, a plan for the use of all funds appropriated for DNA-related and forensic programs and a report on the alignment of appropriated funds with the authorized purposes of the Debbie Smith DNA Backlog Grant Program.

*Victims of trafficking grants.*—In the OVW account, the recommendation includes \$45,000,000 for human trafficking task force activities and for services for victims. These funds may also be used to develop, expand and strengthen assistance programs for child victims of sex and labor trafficking. The Committee notes that the Justice for Victims of Trafficking Act established a Domestic Trafficking Victims Fund, which will provide additional resources for these programs. The Committee directs DOJ to support the victim-centered approach to recognizing and responding to human trafficking, especially across partnerships between Federal and local law enforcement agencies and victim service providers. The Department shall include a planned allocation of these funds in its spending plan. The Committee encourages the Department to increase the number of human trafficking task forces funded by this program to at least 40.



*Preventing trafficking of girls.*—The Committee encourages the Office for Victims of Crime and the Office of Juvenile Justice and Delinquency Prevention to examine ways to assist nonprofits and other nongovernmental entities with a proven track record of administering successful prevention and early intervention programs for girls vulnerable to trafficking.

*Pre-trial risk assessment.*—The Committee continues its support for Bureau of Justice Assistance programs widespread adoption of evidence-based screening and assessment tools across the criminal justice system and believes further improvements are needed at the earliest stage of the process, or the pretrial period, to make the system fairer and less costly. The Committee is encouraged by States' development of Risk-Needs-Responsivity (RNR) models and encourages OJP to examine if funding should be made available for grants to assist States in the development and implementation of RNR tools for determining pretrial detention, sentencing, probation or post-release supervision, prison classification systems, and offender re-entry.

*Immersive training.*—The Committee recognizes the significant challenges of 21st century policing. The Committee directs the Department to study whether immersive, real-life scenario-based training improves law enforcement officer performance, increases police safety, and reduces use-of-force incidents, deadly force, and citizen complaints, and to report to the Committee not later than 90 days after enactment of this Act. The Committee encourages the Department to use this study to inform the development of immersive, scenario-based law enforcement training curricula related to situational awareness and physical and mental responses to stress, threats, and crisis. The Committee requests that the Department devise a plan for pilot testing this immersive training and making it accessible to Federal, State, local, tribal, and territorial law enforcement agencies.

*School safety.*—The Committee encourages pilot grants funded through the Comprehensive School Safety Initiative consider employing an evidence-based school threat assessment and intervention program.

*Strategic Mobile and Response Teams.*—The Committee encourages DOJ to investigate the opportunity to conduct pilot programs to implement Strategic Mobile and Response Teams (SMART) at the Southwest Border. Border Smart Pilot programs should combine the use of officers and technology, including ground sensors and drones. The pilot programs should have inter-agency partnership and multi layered security efforts, including marine, air and terrestrial components, with the goal of increasing border security while reducing cost. The Department should brief the Committee on its plans within 180 days.

#### JUVENILE JUSTICE PROGRAMS

The Committee recommends \$170,500,000 for Juvenile Justice programs, which is \$76,500,000 below fiscal year 2017 and \$59,000,000 below the request. Funds are distributed as follows:

JUVENILE JUSTICE PROGRAMS  
(in thousands of dollars)

Program	Amount
Youth Mentoring Grants .....	\$75,000
Victims of Child Abuse Programs .....	21,000
Missing and Exploited Children Programs .....	72,500
Training for Judicial Personnel .....	2,000
<b>TOTAL, Juvenile Justice .....</b>	<b>\$170,500</b>

*Youth mentoring grants.*—The recommendation includes \$75,000,000 for youth mentoring grants, which is \$5,000,000 below fiscal year 2017 and \$17,000,000 above the request.

The Committee recognizes the success of the Youth Mentoring program in the Office of Justice Programs. Through trusted one-to-one mentoring relationships, in the community and in schools, Youth Mentoring grantees are able to provide needed attention and support to at-risk children. Mentoring relationships enhance a child's overall well-being by improving their emotional, social, and educational development.

*Missing and exploited children programs.*—The recommendation includes \$72,500,000 for missing and exploited children programs, which is the same as fiscal year 2017 and \$500,000 above the request. The Committee expects the Department to allocate no less than the current year level for task force grants, training and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children program. The Committee expects the Department to allocate \$1,000,000 to be used to hire and equip wounded, ill or injured veterans as digital forensic analysts or investigators to support child exploitation investigations.

The Department is encouraged to support the development, refinement, and technological advancement of widely used tools, methods and technologies that address child sexual exploitation and trafficking.

*Partnerships with community organizations.*—The Committee encourages the Office of Juvenile Justice Programs to examine ways to partner with community groups or nongovernmental entities that undertake initiatives to provide parents and guardians with inkless, in-home fingerprinting kits, which help families maintain current photos, fingerprints, and descriptions of their children, and such information can be vital for police during searches for missing children.

PUBLIC SAFETY OFFICER BENEFITS

The Committee recommends a total of \$108,300,000 for the Public Safety Officer Benefits program, which is \$19,000,000 above fiscal year 2017 and the same as the request. Within the funds provided, \$92,000,000 is for death benefits for survivors, an amount estimated by the Congressional Budget Office that is considered mandatory for scorekeeping purposes. Also within the total, \$16,300,000 is recommended, as requested, for disability benefits for public safety officers who are permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty, and for education benefits for the spouses and children of officers who are killed in the line of duty or who are permanently and to-

tally disabled as a result of a catastrophic injury sustained in the line of duty.

## COMMUNITY ORIENTED POLICING SERVICES

### COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The recommendation includes \$234,000,000 for the COPS account. Funds are to be distributed as follows:

### COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(in thousands of dollars)

Program	Amount
Transfer to DEA for Methamphetamine Lab Cleanups .....	\$11,000
Police Act .....	10,000
Community trust initiative .....	65,000
Body worn camera partnership initiative .....	(22,500)
Justice Reinvestment Initiative .....	(25,000)
Research and statistics on community trust .....	(7,500)
Byrne Criminal Justice Innovation Program .....	(10,000)
Second Chance Act .....	68,000
Children of Incarcerated Parents Demo Grants .....	(5,000)
Girls in the juvenile justice system .....	(2,000)
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog .....	45,000
Regional information sharing activities .....	35,000
<b>TOTAL, Community Oriented Policing Services .....</b>	<b>\$234,000</b>

*Methamphetamine lab cleanup.*—The recommendation includes \$11,000,000, which shall be transferred to DEA to assist State, local and tribal law enforcement agencies with the removal and disposal of hazardous materials at methamphetamine labs, including funds for training, technical assistance, the purchase of equipment, and a container program.

*Community trust initiative.*—The recommendation includes \$65,000,000 for a program to improve police-community relations. Included in this initiative is \$10,000,000 for the Byrne Criminal Justice Innovation Program, \$25,000,000 for justice reinvestment, \$22,500,000 for a body-worn camera partnership initiative, and \$7,500,000 for research and statistics on community trust.

The body-worn camera partnership initiative includes pilot and demonstration grants for purchase of body-worn cameras for police. This initiative will also establish baseline procedures for the use of body-worn cameras, support State and local efforts regarding the use of such equipment, and provide necessary research into the use of this technology. The demonstration grants shall require a 1:1 match by the grantee and shall not be used to pay for the ongoing costs or data storage costs associated with body-worn camera footage. The demonstration grants shall only be provided to States with laws governing the use of body-worn cameras and shall not interfere with State laws and requirements. The Bureau of Justice Assistance shall administer this initiative and provide periodic updates to the Committee regarding its implementation.

As the Committee believes that improving police-community relations will require more than just equipment procurement, the recommendation provides \$25,000,000 for the justice reinvestment ini-

tiative, which provides assistance to jurisdictions to implement data-driven strategies to improve public safety by reducing corrections spending and reinvesting those savings in efforts to decrease crime and strengthen neighborhoods. The Committee recognizes the tremendous potential of justice reinvestment efforts, noting that successful efforts in States, such as Texas, Kansas, North Carolina, Ohio, and Pennsylvania, which have saved millions of dollars and serve as models for criminal justice reform in the Nation. Funding may be used to provide technical assistance to States with existing reinvestment programs, expand the initiative to additional States, or provide additional funding for existing sites.

The Committee believes that comprehensive, career-long leadership education for all local law enforcement officers remains critical to reducing crime and strengthening relationships between law enforcement agencies and the communities they serve, and the Committee notes that funds in the community trust initiative can be used for leadership training programs that provide measurable improvements in local law enforcement officer performance, adaptive decision-making skills, civic involvement, and officer-community relations.

*Second Chance Act/offender reentry programs.*—The recommendation includes \$68,000,000 for Second Chance Act grants. Excluding carveouts, the recommendation is \$15,500,000 above fiscal year 2017 and \$40,500,000 above the request.

The Committee remains concerned that despite a dramatic increase in corrections spending over the past two decades, recidivism and re-incarceration rates are largely unchanged. The Committee is aware that case studies of innovative, evidence-based practices provide strong indication that this pattern can be reversed. The Committee expects that Second Chance Act grants will 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 Committee expects DOJ to designate funds for proven, evidenced-based programs that will further the goal of maximizing public safety.

To ensure the most effective use of Second Chance Act funds, the Committee encourages the prioritization of funding to communities where the largest populations of formerly incarcerated people return and requests a report from the Bureau of Justice Statistics within 90 days of the enactment of this Act analyzing what the Bureau is doing to ensure funding is reaching these communities.

*Sexual assault kit backlog grants.*—The recommendation includes \$45,000,000 for grants to address the sexual assault kit (SAK) backlog. The Committee encourages stakeholders and local law enforcement to continue working with Federal law enforcement to resolve this important issue. The Committee also directs the Department to do everything in its power to bring perpetrators to justice. The Committee also encourages OJP to increase its efforts to ensure that strong research and program evaluations are undertaken utilizing independent evaluators with the experience and skills to provide necessary feedback and improve the efficiency of SAK processing. The Committee further encourages OJP to prioritize funding to underserved regions, such as Appalachia.

*Human trafficking intelligence.*—The Committee encourages programs funded under the regional information sharing activities to hire a criminal intelligence analysts for the purpose of compiling information, reports, and other intelligence on human trafficking into, out of, and within the borders of the United States.

*Active shooter response.*—The recommendation includes \$10,000,000 for the POLICE Act of 2016 (Public Law 114–199). The Committee notes the importance training partnerships that offer nationwide dynamic force-on-force scenario-based training. The Committee understands the training has been adopted by numerous States and agencies as their standard active shooter training and that the FBI has adopted this program as its national training standard for active shooter response.

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The Committee has included the following general provisions for the Department of Justice:

Section 201 makes available additional reception and representation funding for the Attorney General from the amounts provided in this title.

Section 202 prohibits the use of funds to pay for an abortion, except in the case of rape, incest, or to preserve the life of the mother.

Section 203 prohibits the use of funds to require any person to perform or facilitate the performance of an abortion.

Section 204 establishes the obligation of the Director of the Bureau of Prisons to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 205 establishes the Committee's requirements and procedures for transfer proposals.

Section 206 prohibits the use of certain funds for transporting prisoners classified as maximum or high security, other than to a facility certified by the Bureau of Prisons as appropriately secure.

Section 207 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual equipment, services and materials used primarily for recreational purposes, except for those items and services needed for inmate training, religious, or educational purposes.

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

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

Section 210 prohibits the use of funds for A–76 competitions for work performed by employees of Federal Prison Industries, Inc.

Section 211 prohibits U.S. Attorneys from holding additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

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, and permits up to 3 percent of grant funds made available to that office to be used for

criminal justice research, evaluation and statistics by the National Institute of Justice and the Bureau of Justice Statistics.

Section 213 provides 7 percent of certain grant and reimbursement program funds made available to the Office of Justice Programs and Community Oriented Policing Services programs to be used for tribal criminal justice assistance.

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

Section 215 permanently 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 places limitations on the obligation of funds from certain Department of Justice accounts and funding sources.

### TITLE III

### SCIENCE

#### OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The Committee recommends \$5,544,000 for the Office of Science and Technology Policy (OSTP), which is \$11,000 below fiscal year 2017 and the same as the request.

*Public access to Federally funded research.*—The Committee appreciates the progress that OSTP has made to increase access to the results of Federally funded scientific research. OSTP shall continue efforts to coordinate implementation of public access policies across Federal departments and agencies and identify additional opportunities to enhance access to the results of Federally funded research. OSTP shall continue to report, on an annual basis, on the progress of departments and agencies in implementing their public access plans, including relevant measures of progress, and on additional steps being taken to improve access to the results of Federally funded research.

*Patents.*—The Committee awaits the report required in the fiscal year 2017 appropriations Act regarding approved patents and how Federal scientists who work at certain research laboratories may benefit from these successful patent applications.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Committee recommends \$19,871,834,000 for the National Aeronautics and Space Administration (NASA), which is \$218,534,000 above fiscal year 2017. The Committee applauds NASA's June 2017 announcement of the outstanding astronaut candidates who were selected from a record 18,300 applications. Their achievements and NASA's current astronaut corps continue to inspire the Nation. The level of interest in NASA human spaceflight programs and in all NASA missions continues to grow, and the funding recommendations described below support current and future human exploration programs, and the science, research and advanced manufacturing activities necessary to send humans safely beyond low Earth orbit and on to Mars. The funding in this

bill also provides NASA with a balanced portfolio to pursue robotic exploration of the solar system, realize advances in safe and efficient air travel, partner with industry, and engage with academia.

*National Space Council.*—The Committee supports Executive Order 13803: Reviving the National Space Council. The National Space Council, to be managed within the White House, is in the national interest because space leadership and space exploration are essential to our character as a nation, to our economy, and to our national security. The Council will coordinate Federal agencies' space activities.

*Program and project totals.* The Committee's program and project recommendations for NASA are included in the consolidated funding table below and in narrative direction throughout this report. The Committee reminds NASA that any deviations from the amounts included in the table below are subject to section 505 requirements of this Act. When executing its budget for fiscal year 2018, NASA shall incorporate the funding levels established in both the table and the narrative direction. NASA is reminded that comity has existed between the Congress and the Executive Branch with respect to abiding by language included in this report and in the accompanying Appropriations Act. The Committee expects NASA to respect this long-standing practice.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(in thousands of dollars)

Program	Amount
Science:	
Earth Science .....	\$1,704,000
Planetary Science .....	2,120,900
Astrophysics .....	822,000
James Webb Space Telescope .....	533,700
Heliophysics .....	677,900
Total, Science .....	5,858,500
Aeronautics: .....	660,000
Space Technology: .....	686,500
Human Exploration and Operations:	
Orion Multi-purpose Crew Vehicle .....	1,350,000
Space Launch System (SLS) Vehicle Development .....	2,150,000
Exploration Ground Systems .....	600,000
Exploration R&D .....	450,000
Total, Human Exploration and Operations .....	4,550,000
Space Operations: .....	4,676,634
Education:	
NASA Space Grant .....	40,000
Experimental Program to Stimulate Competitive Research .....	18,000
Minority University Research Education Program .....	32,000
Total, Education .....	90,000
Safety, Security and Mission Services: .....	2,826,200
Construction and Environmental Compliance and Restoration: .....	486,100

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—Continued  
(in thousands of dollars)

Program	Amount
Office of Inspector General: .....	37,900
Total, NASA .....	\$19,871,834

SCIENCE

The Committee recommends \$5,858,500,000 for Science, which is \$93,600,000 above fiscal year 2017 and \$146,700,000 above the request.

*Decadal surveys.*—The Committee directs that the priorities outlined in the decadal surveys for Earth Science, Planetary Science, Astrophysics, and Heliophysics shall drive NASA mission priorities.

*Earth Science.*—The recommendation includes \$1,704,000,000 for Earth Science programs. The recommendation includes \$175,800,000, as requested, for continued development of the Landsat-9 mission to support a 2020 launch and maintain data continuity. NASA shall keep the Committee informed of the status of this program. Also within amounts provided is \$55,400,000, as requested, for the NASA-ISRO Synthetic Aperture Radar mission.

*Earth Science Pathfinder Venture Class Missions.*—The Committee is supportive of NASA's Earth Science Pathfinder Venture Class Missions and includes the requested amount of \$199,100,000 for these activities. This program was established in response to decadal survey recommendations to provide flight opportunities for low cost earth science investigations that can be flown in five years or less. Within amounts provided, NASA is encouraged to acquire, where cost effective, space-based and airborne Earth remote sensing data from commercial partners. The Committee notes the recent award of the Geostationary Carbon Cycle Observatory mission from the second Earth Venture Mission announcement of opportunity. NASA shall keep the Committee informed regarding these activities.

*Planetary Science.*—The recommendation includes \$2,120,900,000 for Planetary Science. One of the primary recommendations of the National Academies' 2012 Decadal Survey for Planetary Science was for NASA to achieve a balanced program through a mix of Discovery, New Frontiers, and flagship missions and an appropriate balance among the many potential targets in the solar system. The Committee urges NASA, in subsequent budget requests, to ensure that it requests sufficient funds across its Discovery and New Frontiers programs to ensure a balanced cadence of missions. Further, the Committee expects NASA to request sufficient funds for Research and Analysis to ensure that data collected by NASA assets can be exploited by scientists and researchers. The recommendation includes \$305,600,000 for Planetary Science Research, including \$197,900,000 for Planetary Science Research and Analysis. Also included is \$60,000,000 for NASA's efforts to detect and monitor near Earth objects and for its asteroid impact and deflection assessment (AIDA) and double asteroid redirection test (DART) activities. Commensurate with this funding, NASA is urged to conduct research into directed energy as a means of asteroid deflec-



tion. Further, the Committee encourages NASA to examine its use of NSF's ground-based telescopes to fulfill its planetary protection mission to determine if additional funds are required.

*Near Earth Object Camera (NEOCam).*—The Committee is supportive of the NEOCam mission, which follows a 2010 National Academy of Sciences report regarding space-based infrared survey telescopes required to discover asteroids that pose a hazard to Earth. NEOCam will also assist NASA in meeting the congressionally mandated directive to detect and characterize hazardous near Earth objects. The Committee understands that NEOCam has been approved for extended Phase A studies that are intended, in part, to review projected overall cost estimates. NASA shall provide a report no later than 120 days after enactment of this Act regarding estimated life cycle costs, including schedule and milestones toward a projected 2020 launch date.

*Discovery.*—The recommendation includes \$335,800,000 for the Discovery program. The current cost cap for these missions is \$450,000,000 plus launch costs. The Discovery program currently has two operational spacecraft, the Lunar Reconnaissance Orbiter and Dawn; one flight mission in development, the Interior Exploration using Seismic Investigations, Geodesy and Heat Transport; and two newly selected missions, Lucy and Psyche, which are in formulation.

*New Frontiers.*—The recommendation includes \$90,000,000 for New Frontiers. The current cost cap for these missions is \$1,000,000,000 plus launch costs. New Frontiers missions explore the solar system with frequent, medium-class spacecraft missions. The program includes three missions in operations: New Horizons, Juno, and OSIRIS–Rex.

*Juno.*—Juno, a mission to Jupiter launched in 2011, is collecting data to help NASA understand the formation of planets and the origins of the solar system. While the Juno spacecraft is healthy and all instruments are fully operational, the Committee is aware that the original Juno flight plan may be modified and that NASA is examining options to determine if valuable science may be gained from continuing beyond the planned mission scope. NASA shall keep the Committee informed of this matter. Further, NASA shall keep the Committee informed of the overall progress and science gleaned from the Juno mission, especially risk reduction activities in advance of the Jupiter Europa Clipper and Lander missions.

*Mars Exploration.*—The Committee remains supportive of NASA's ongoing Mars missions gathering data about our nearest neighbor which may have once supported microbial life. These missions and the Mars 2020 mission will provide NASA and its partners with valuable data about future landing sites for the Mars 2020 rover and eventually humans. The recommendation includes \$646,700,000 for the Mars Exploration program, including \$374,300,000 for the Mars 2020 mission that meets scientific objectives from the most recent Planetary Science decadal survey, including the sample return mission, and \$62,000,000 to continue research and development of the Mars 2022 Orbiter. Funding for the Mars helicopter technology demonstration is included within the Planetary Technology program described below. NASA shall provide quarterly briefings on all aspects of the Mars program.

*Outer Planets and Ocean Worlds.*—The Committee appreciates that NASA has created an Ocean Worlds Exploration Program whose primary goal is to discover extant life using a mix of Discovery, New Frontiers and flagship class missions. The recommendation includes \$527,900,000 for Outer Planets and Ocean Worlds, of which \$495,000,000 is for the Jupiter Europa Clipper and Lander missions to fulfill the requirements of the most recent Planetary Science decadal survey. To support progress on these programs, NASA shall ensure that future funding requests are consistent with achieving a Europa Clipper launch no later than 2022 and a Europa Lander launch no later than 2024, pending final mission configuration. NASA shall keep the Committee informed of the status of the Announcement of Opportunity for the Lander to ensure progress toward a 2024 launch. While the Committee remains very supportive of the Europa mission, the Committee also expects that this program will meet development milestones on time and within budget.

*Technology.*—The recommendation includes \$214,900,000 for Technology. Within these amounts, no less than \$35,000,000 is for icy satellites surface technology and test-bed activities and no less than \$12,000,000 is for the Mars helicopter technology demonstration mission that will be flown on the Mars 2020 mission. The recommendation also includes no less than \$16,000,000, as requested, for NASA to continue its collaboration with the Department of Energy to produce plutonium-238 domestically for use as a source of energy in space missions.

*Impact craters.*—Impact craters in the U.S. that are well preserved and accessible provide researchers and educators with the opportunity to expand our understanding of the Earth's and the Solar System's history and show students research in action as a part of their STEM education. NASA is encouraged to make funds available for external competitive funding to conduct further scientific investigation of well-preserved and easily accessible impact craters and provide education and outreach on Earth's erosion processes and the scientific method of research.

*Asteroid resources.*—The Committee remains supportive of government and commercial space missions to the Moon, Mars, and other locations in the Solar System. Recognizing that the identification, extraction, and utilization of natural resources found on asteroids are foundational to facilitating long-term missions, the Committee directs NASA, in cooperation with the domestic commercial space industry, to conduct an assessment and submit a report within 180 days of enactment of this Act on the utilization of asteroid-based natural resources to support U.S. government and commercial space exploration missions and timeframes for when such resource extraction could possibly occur. This report also shall evaluate the status of U.S. development of commercial asteroid resource exploration activities, as well as international entities.

*Astrophysics.*—The recommendation includes \$822,000,000, which is \$72,000,000 above the enacted level and \$5,300,000 above the request, for Astrophysics. The recommendation includes \$74,100,000, the requested amount, for Astrophysics Research and Analysis. The Committee remains supportive of university-led research into protoplanetary discs and nebulae.

*Stratospheric Observatory for Infrared Astronomy (SOFIA).*—The recommendation includes \$85,200,000, the fiscal year 2017 level, for SOFIA, a state-of-the-art far-infrared observatory with a planned 20-year life cycle. NASA shall issue a call for fourth generation instrument proposals and select step 1 instrument proposals on or before September 30, 2018. NASA shall keep the Committee informed of the status of these activities. In addition, NASA is encouraged to undertake at least 100 SOFIA science mission flights during fiscal year 2018, including both Northern and Southern hemisphere missions, as determined by science community demand through competitively-selected proposals. When determining future observation cycles, NASA shall not undertake any actions leading to the premature shutdown of the SOFIA program without the participation of international partners, as appropriate, in any scientific reviews and formulation of recommendations. Consistent with the approach NASA has taken with the Great Observatories, NASA shall not undertake any changes that would be disruptive to the SOFIA program and the management of its operations.

*Wide Field Infrared Survey Telescope (WFIRST).*—The recommendation includes \$126,600,000, the requested amount, for WFIRST. The Committee is concerned about potential cost growth in this program and directs NASA to brief it on the results of an independent, external review that NASA initiated in April 2017 to address the scope of WFIRST to ensure it will provide compelling scientific capability with an affordable cost and a reliable schedule. NASA shall brief the Committee on the results of this independent examination. The Committee expects that NASA will ensure that the cost growth experienced by James Webb Space Telescope is not repeated in this program. Within amounts provided for WFIRST, \$20,000,000 is for continued development of the Starshade technology demonstration effort. The Committee expects WFIRST to accommodate the Starshade technology demonstration mission. The Starshade, in tandem with WFIRST, will enable NASA to identify the nearest Earth-like planet around the nearest star, and thereby identify a target or multiple targets for the interstellar mission discussed later in this report.

*Astrophysics observatories.*—The Committee commends NASA for providing the science community with observations of astrophysical objects conducted simultaneously over a broad range of wavelengths. In anticipation of the forthcoming decadal survey, NASA shall provide a report within 180 days of the enactment of this Act that summarizes NASA's plans for maintaining U.S. leadership in obtaining astrophysical observations in the x-ray and gamma-ray wavelengths following the completion of the Chandra X-ray Observatory and the Fermi Gamma-ray Space Telescope missions.

*Astrophysics probe missions.*—NASA shall seek input from the National Academy of Sciences and the academic and scientific community regarding the need for, and benefits of, establishing a competitive, principle investigator-led astrophysics program to bridge the gap between Explorer and less-frequent Flagship missions. NASA shall provide an interim report on these matters within 180 days of enactment of this Act, with a final report to be submitted no later than one year after enactment of this Act.

*James Webb Space Telescope (JWST).*—The recommendation includes \$533,700,000 for JWST, which is the same as the request

and \$35,700,000 below fiscal year 2017. NASA shall provide the Committee with quarterly briefings on JWST's technical status, budget and schedule performance, including program integration and tests that must be completed prior to its October 2018 launch. NASA shall brief the Committee within 180 days of enactment of this Act regarding the future funding profile of the Astrophysics portfolio as JWST concludes development.

*Heliophysics.*—The recommendation includes \$677,900,000 for Heliophysics, which is the same as the request.

*Education and Public Outreach (EPO).*—The recommendation includes \$44,000,000 for Science Mission Directorate (SMD)-wide EPO activities. NASA shall, in the fiscal year 2018 spending plan, allocate these funds proportionally among the SMD divisions, resulting in a dedicated budget line for each division's EPO activities.

#### AERONAUTICS

The Committee recommends \$660,000,000 for Aeronautics, which is the same as fiscal year 2017 and \$36,000,000 above the request. Funds provided above the request are to ensure that NASA has the infrastructure necessary to support the Low Boom Flight Demonstrator.

*Low Boom Flight Demonstrator.*—Within amounts provided for Aeronautics, \$79,200,000 is included as requested to continue development of the Low Boom Flight Demonstrator. NASA shall request sufficient funds in subsequent budgets to build and fly the Low Boom Flight Demonstrator as proposed and ensure that related infrastructure facilities are sufficient to support this demonstration project. Finally, NASA shall ensure that research resulting from the Flight Demonstrator is shared with the private sector for use in commercial aviation applications.

*Hypersonic Technology Project.*—NASA is encouraged to continue its fundamental hypersonic research, including its Hypersonic Technology Project which supports collaboration with other Federal partners to leverage flight test data to support research and reduce risk.

*Unmanned aircraft systems (UAS) safety.*—The recommendation includes no less than \$118,700,000 for the Airspace Operations and Safety Program and directs NASA to help ensure the safe integration of UAS into the national airspace system. NASA shall brief the Committee on the status of these efforts no later than 90 days after enactment of this Act.

*Air traffic safety.*—NASA is encouraged to coordinate with the Federal Aviation Administration (FAA) and leverage the six test ranges established under section 332 of the FAA Modernization and Reform Act (Public Law 112–95) to research solutions for sense and avoid, command and control, ground control station standards and human factors, airworthiness, lost link procedures, and interoperability within the air traffic control system.

#### SPACE TECHNOLOGY

The Committee recommends \$686,500,000 for Space Technology, which is the same as the fiscal year 2017 enacted level and \$7,900,000 above the request.

*Nuclear thermal propulsion technology.*—It is estimated that a nuclear thermal propulsion system may reduce the round-trip tran-

sit time to Mars by as much as 20 percent and may therefore be beneficial to human space travel. Of the funds provided, no less than \$35,000,000 shall be for ongoing nuclear propulsion activities. NASA shall provide a report within 120 days of enactment of this Act regarding the status of its nuclear thermal propulsion activities and include as part of this report yearly funding required and associated milestones that must be met in order to conduct a nuclear thermal demonstration project by 2020. This report shall include amounts spent to date, estimated life cycle costs, and cost and transit time comparisons with chemical propulsion systems. Finally, this report shall describe how NASA could integrate nuclear thermal propulsion into the deep space gateway concept or use in broader applications such as interstellar travel.

*Small launch technology platform.*—Within the Flight Opportunities Program, NASA shall continue to partner with commercial industry to advance technologies for sub-orbital and orbital launch vehicles for small payloads, with the aim to increase affordability of those technologies and to allow for more frequent access to relevant launch environments, including low-Earth orbit.

*Additive manufacturing.*—The Committee continues to be supportive of NASA's collaborative research into additive manufacturing technology for use in rocket engines and other structures and includes no less than \$25,000,000 for these activities.

*Next generation space propulsion.*—The Committee encourages NASA, in collaboration with academia and the private sector, to establish a research and technology development effort for next generation space propulsion technologies. This effort should pursue advances in Earth-to-orbit propulsion systems, in-space propulsion systems, and propulsion systems for planetary ascent/descent vehicles. The Committee expects that this technology research and development effort will advance technologies needed for nuclear thermal propulsion systems that also may be applicable to interstellar travel.

*Interstellar mission.*—The Committee directs NASA to ensure that the United States is the first nation to launch an interstellar mission to the nearest Earth-like planet that shows evidence of extant life. The Committee expects that as NASA develops a roadmap for humanity's first interstellar mission, NASA will stay true to its heritage by being bold and pushing the limits of science, engineering and technology without being constrained by short-term budget concerns. The Committee looks forward to receiving, no later than May, 2018, a technology assessment report from NASA, as required by the fiscal year 2017 appropriations Act, that includes a draft conceptual roadmap for developing an interstellar propulsion system that will achieve at least .10 of the speed of light, and that will launch no later than July 20, 2069, the 100th anniversary of the Apollo 11 moon landing.

Current NASA propulsion investments include advancements in chemical, solar electric, and nuclear thermal propulsion. However, even in their ultimate theoretically achievable implementations, none of these could approach cruise velocities of one-tenth the speed of light (0.1c), nor could any other fission-based approach (including nuclear electric or pulsed fission). In developing the propulsion technology assessment report, NASA should examine concepts that include, but are not limited to: (1) fusion-based propulsion (in-

cluding antimatter-catalyzed fusion and the Bussard interstellar ramjet); (2) matter-antimatter annihilation reaction propulsion; (3) beamed energy propulsion coupled with photon sails; (4) ion or plasma propulsion; (5) superconducting magnetic sails; (6) and immense 'sails' that capture solar photons or solar wind. At the present time, none of these are beyond technology readiness level (TRL) 1 or 2. The NASA Innovative Advanced Concepts (NIAC) program is currently funding concept studies of directed energy propulsion for wafer-sized spacecraft that in principle could achieve velocities exceeding 0.1c and an electric sail that intercepts solar wind protons. Over the past few years NIAC has also funded mission-level concept studies of two fusion-based propulsion concepts. The interstellar propulsion technology assessment report and draft conceptual roadmap submitted by NASA to this Committee shall include updates on relevant concept studies funded by NIAC and shall include an overview of potential advance propulsion concepts for such an interstellar mission, including technical challenges, technology readiness level assessments, risks, and potential near-term milestones and funding requirements.

The Committee also directs NASA to accelerate work on Starshade and WFIRST to ensure that WFIRST is Starshade compatible, and that Starshade will launch and be capable of working with WFIRST to identify the nearest Earth-like planet that shows evidence of extant life. The Committee directs NASA to include a section in the interstellar propulsion technology report which details NASA's plan to make WFIRST Starshade compatible and what size, design and funding requirements are necessary for Starshade and WFIRST to resolve the planet from the star and spectrographically analyze the atmosphere of rocky Earth-like planets in the habitable zones of stable, long-lived stars out to a distance of 10 parsecs. NASA is encouraged to collaborate with the National Academies of Sciences to create a permanent Decadal Survey for Exoplanet Exploration for the next decade and beyond, and NASA is directed to follow the recommendations of this new Exoplanet Exploration Decadal Survey in developing America's long-term plans for systematic interstellar exploration missions to Earth-like planets harboring life in our galactic neighborhood.

*Restore-L.*—Given the substantial cost to design, develop, and launch satellites and continued reliance on the data they gather, NASA shall ensure that all future satellites, including those in formulation, should be maneuverable, re-fuelable and otherwise serviceable. The Committee strongly supports Restore-L and expects NASA to continue developing satellite servicing capabilities in collaboration with its public and private sector and academic partners.

#### EXPLORATION

The Committee recommends \$4,550,000,000 for Exploration, which is \$226,000,000 above fiscal year 2017. The Government Accountability Office (GAO) shall continue its review of NASA's human exploration programs, specifically the Space Launch System (SLS) program, the Orion program, and Exploration Ground Systems, including integration and software development issues that cut across these programs. GAO shall provide periodic updates to the Committee.

*Human spaceflight safety.*—The Committee reiterates that nothing in this report or accompanying Act shall be construed as directing NASA to proceed with any human spaceflight unless or until NASA has concluded that the mission meets safety requirements.

*Schedule slips and cost.*—GAO’s April 2017 report, *NASA Human Space Exploration: Delay Likely for First Exploration Mission*, noted that the “Orion program—Orion Multi-Purpose Crew Vehicle (Orion), Space Launch System (SLS), and Exploration Ground Systems (EGS)—are making progress on their respective systems, but the EM–1 launch date is likely unachievable as technical challenges continue to cause schedule delays.” NASA has since announced that it is moving the target launch date for Exploration Mission (EM)–1 from November 2018 to sometime in 2019. The Committee is concerned with schedule slips and expects NASA and its commercial partners to examine aggressively all aspects of the program and report to the Committee regarding efforts to ensure that EM–1 does not shift again. NASA shall submit a report within 120 days of enactment of this Act that provides the remaining milestones for Orion, SLS, and Exploration Ground Systems and integration activities in advance of EM–1 and those that must occur prior to EM–2. Further, while the Committee remains supportive of NASA’s efforts to build an exploration system that is capable of sending humans and science payloads into deep space, it is imperative that NASA and its commercial partners thoroughly examine production costs with the goal of reducing costs for EM–1 and future missions. Toward that end, NASA shall submit a report within one year of enactment of this Act that provides estimated yearly costs of launching SLS with Orion or science payloads as envisioned in the deep space gateway concept.

*Orion.*—The recommendation includes \$1,350,000,000 for Orion. GAO, in its May 2017 assessment, noted the late delivery of the European Service Module (ESM). NASA shall keep the Committee informed of the status of activities related to Orion and the ESM.

*Space Launch System.*—The recommendation includes \$2,150,000,000 for SLS, including not less than \$300,000,000 for continued work on the Exploration Upper Stage (EUS). NASA shall provide a report within 120 days of enactment of this Act describing investments to date on the EUS, a spend plan with milestones for the funds provided in fiscal year 2018, and funds necessary to complete EUS for use on EM–2 and to develop EUS for use on subsequent SLS launches. This report shall also include an analysis regarding the most efficient and cost-effective means of procuring EUSs for use on future SLS flights. In addition, NASA shall continue submitting quarterly reports on SLS spending by major program element, as first required in the statement accompanying Public Law 112–55. Finally, the Committee expects NASA to continue the ongoing collaboration between the SLS program and the Europa science mission to ensure that integration activities, including development of the payload fairing, continue in preparation for the 2022 launch of the Europa Clipper mission. NASA shall keep the Committee informed of these activities. To the maximum extent possible, NASA shall ensure that all vehicle development leverages existing investments; promotes efficiency through commonality of design and concurrent development; and minimizes the need for re-

designs or other costly changes affecting future SLS vehicle configurations.

*Exploration Ground Systems (EGS).*—The recommendation includes \$600,000,000 for EGS. This amount, which is \$171,000,000 above the fiscal year 2017 level, will enable NASA to continue upgrades required to support EM-1, EM-2, and subsequent human exploration and science missions.

*Integrated launch readiness.*—The recommendation includes no less than \$66,600,000, as requested, for SLS, Orion and EGS integration activities. These funds will address coordination issues among the three programs and ensure that they are progressing in tandem toward EM-1, EM-2, and future missions, including the Europa mission. The Committee is concerned that insufficient time is being allotted to fully integrate SLS and Orion hardware and software with EGS. NASA shall provide a report within 90 days of enactment of this Act describing the integration activities and timeframes for those activities that need to occur prior to EM-1.

*Exploration Research and Development (R&D).*—The recommendation includes \$450,000,000 for Exploration R&D.

*Human Research Program.*—The recommendation includes \$200,000,000 for the Human Research Program. The Committee reiterates its support of NASA's collaboration with academia to research ways to ameliorate the impacts of space travel on humans. NASA shall submit a report within 180 days of enactment of this Act describing the activities and accomplishments of the newly established NASA Translational Research Institute and include a status report on the 27 proposals selected by NASA in 2016 to support astronaut health on long-duration space exploration missions. Commensurate with NASA's deep space gateway concept, NASA shall outline in its response the key health risks that must be overcome, required risk reduction activities, associated milestones and funding necessary in order to realize safe long duration human spaceflight into deep space.

*Advanced Exploration Systems.*—The recommendation includes \$250,000,000 for Advanced Exploration Systems. The Committee urges NASA to continue its work with the private sector and academia to develop exploration capabilities such as advanced propulsion, habitats and landers that may be used with Orion and SLS, and are necessary to enable space and human exploration to the Moon, Mars, and other deep space destinations.

*Space-based manufacturing.*—The Committee recommendation includes no less than \$25,000,000 to support NASA's ongoing space-based additive manufacturing activities to support human, robotic, and science exploration missions, enable on-orbit resupply and repair, and develop commercial and government satellite on-orbit manufacturing activities.

*Next Space Technologies for Exploration Partnerships (NextSTEP).*—The recommendation includes up to \$150,000,000 for ongoing development of deep space habitation systems that can be deployed and demonstrated in low-Earth orbit by 2020. NASA shall provide a report no later than 180 days after enactment of this Act regarding the status of the expandable module currently operating on the International Space Station (ISS) as well as the status of all activity currently underway in this program, including progress of the NextSTEP-2 Broad Agency Announcement issued in April



2016 to develop habitation prototypes and study alternative architecture concepts.

*Lunar lander demonstration.*—The Committee remains supportive of NASA's ongoing Lunar Cargo Transportation and Landing by Soft Touchdown (Lunar CATALYST) initiative with the private sector to develop robotic lunar landers that can be integrated with U.S. commercial launch capabilities to deliver payloads to the lunar surface and provides up to \$30,000,000 for these activities. NASA shall provide a report within 120 days of enactment of this Act regarding the current status of this program.

*Commercial space.*—The Committee is encouraged by the growth of the U.S. commercial space industry and applauds NASA's efforts to maximize the benefits of Federal resources through the use of public/private partnerships. Wherever practicable, the Committee encourages NASA to prioritize partnerships with U.S.-based companies providing exploration mission capabilities.

#### SPACE OPERATIONS

The Committee recommends \$4,676,634,000 for Space Operations.

*International Space Station.*—The Committee continues to encourage NASA to implement cost savings measures to slow and reduce the ISS operations budget while maximizing research opportunities. In particular, the Committee is concerned that NASA is not maximizing human research opportunities on the ISS that will contribute to advances for improved human health on Earth and during deep space exploration missions.

*Commercial Crew.*—According to GAO's February 2017 report, *NASA Commercial Crew program: Schedule Pressure Increases as Contractors Delay Key Events*, while both SpaceX and Boeing have made progress developing their crew transportation systems, neither company will meet their original 2017 certification dates. The Committee remains concerned by continued slips in the program and expects NASA to continue submitting quarterly reports on the status of the Commercial Crew Integrated Capability and Commercial Crew Transportation Capability contracts. NASA also shall provide an assessment no later than December 2018, regarding the ability of the contractors to meet remaining program milestones and time frames for safely launching astronauts from the United States to the ISS.

*Space and Flight Support.*—The recommendation includes no less than the fiscal year 2017 levels to modernize and upgrade both the Wallops Flight Facility (WFF) and Kennedy Space Center (KSC) launch and range complexes. The Committee supports maintaining launch sites serving the ISS at both the WFF and KSC to ensure uninterrupted domestic cargo access to the ISS.

*Commercial cargo.*—NASA shall continue to provide quarterly updates on the Commercial Resupply Services (CRS)–1 and CRS–2 contracts and associated milestones. The Committee looks forward to the forthcoming Inspector General (IG) report on the commercial cargo program.

*Venture Class Launch Services.*—The recommendation includes up to \$25,000,000 to support NASA's Venture Class Launch Services initiative, which contracts for CubeSat satellites to foster a commercial launch market dedicated to flying small satellite pay-

loads. NASA shall keep the Committee informed of the two demonstration launches planned for 2018 as well as future efforts to maximize this program that will lower costs and increase access to space.

#### EDUCATION

The Committee recommends \$90,000,000 for Education, which is \$10,000,000 below fiscal year 2017 and \$52,700,000 above the request. The Committee understands that the Office of Education is undergoing a series of internal reviews and assessments; NASA shall brief the Committee when these assessments are concluded. The Committee expects NASA to continue implementing the programs below and to ensure that overhead costs to support these programs do not exceed five percent.

*National Space Grant College and Fellowship Program.*—The recommendation includes \$40,000,000 for the Space Grant program. This amount shall be allocated to State consortia for competitively awarded grants in support of local, regional, and national STEM needs.

*Experimental Program to Stimulate Competitive Research (EPSCoR).*—The recommendation includes \$18,000,000 for EPSCoR.

*Minority University Research Education Program (MUREP).*—The recommendation includes \$32,000,000 for the MUREP program.

#### SAFETY, SECURITY AND MISSION SERVICES

The Committee recommends \$2,826,200,000 for Safety, Security and Mission Services, which is \$57,600,000 above fiscal year 2017.

*University Affiliated Research Centers (UARCs).*—The Committee believes that NASA should pursue additional partnerships with academia under the UARC model. UARCs, which are designed to ensure the development of essential engineering and advanced technology capabilities free from real or perceived interest, are expected to be at the forefront of science and innovation and conduct research that can lead to revolutionary and game changing capabilities. UARCs would enable NASA to establish a sustainable path for infusing advanced technology and science, leverage innovations spurred by the commercial space industry, and continue to recruit and maintain a highly skilled workforce. NASA shall examine its current UARC activities and provide a report to the Committee within 180 days of enactment of this Act on how NASA may look to establish additional such partnerships.

*Security.*—NASA shall continue to submit quarterly reports on the agency's progress in implementing the corrective actions recommended by the National Academy of Public Administration, the GAO and the NASA IG with respect to security compliance protocols and foreign national access management. NASA shall also include in these reports its progress in meeting the Aerospace Safety Advisory Panel 2016 report recommendation that “. . . NASA make it a matter of policy that priority is given to obtaining the appropriate level of security clearance for all personnel essential to implementing the Enterprise Protection Program” . . . Finally, the Committee looks forward to receiving an independent assessment

of NASA's implementation of various security enhancements as directed in House Report 114–605.

*Bilateral activities.*—The recommendation maintains bill language directing that NASA, in consultation with the Federal Bureau of Investigation, shall confirm or otherwise certify that NASA bilateral activities with China are in compliance with section 529 of this bill.

*Cybersecurity.*—The recommendation includes up to \$72,800,000, as requested, for cybersecurity to accelerate personal identity verification compliance, improve the detection and response to malicious activity, and to develop and deploy information technology portfolio tools and processes. NASA shall provide a report to the Committee within 180 days of enactment of this Act that addresses the deficiencies included in the NASA IG Final Memorandum, Federal Information Security Modernization Act: Fiscal Year 2016 Evaluation (IG–17–002; A–16–009–00) and other relevant GAO and IG reports on cybersecurity and include as part of this report timeframes for addressing each of the deficiencies noted.

*GAO assessments of large-scale projects.*—NASA shall continue to cooperate fully and provide timely information to the GAO so that it may fulfill its congressional mandate to report on the status of large-scale projects at NASA. Such information includes, but is not limited to, copies of preliminary cost estimates; access to online agency applications, databases, and web portals; and access to contractor and agency personnel. These assessments shall include any technology demonstration activities or communications and tracking services and related infrastructure refreshment activities which have life cycle costs that exceed \$250,000,000.

*Cost breach reporting.*—NASA shall submit to the Committee any notifications and reports on cost overruns required by section 103 of the NASA Authorization Act of 2005, Public Law 109–155.

*Property disposal.*—The Committee notes that it is awaiting a report required by the fiscal year 2017 appropriations Act regarding the sale or disposal of real and personal property.

*Working Capital Fund (WCF) reporting.*—NASA shall continue to submit quarterly reports to the Committee on the expenditures and unobligated balances of NASA's WCF.

*Independent Verification and Validation (IV&V).*—The recommendation includes no less than the fiscal year 2017 operating level for the IV&V program. If necessary, NASA shall fund additional IV&V activities from within the mission directorates that make use of IV&V services.

*Quality control.*—Given the results of the March 29, 2017, NASA IG audit, *NASA's Parts Quality Control Process*, which found that NASA Centers generally manage their parts quality and supplier assessment data unilaterally rather than collaborating through a comprehensive, integrated, Agency-wide parts and supplier information system, the Committee encourages NASA to examine the need for a quality management policy, to include the need to require contractors and suppliers to adopt electronic quality management platforms.

## CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

The Committee recommends \$486,100,000 for Construction and Environmental Compliance and Restoration, which is \$125,400,000 above fiscal year 2017.

*Reimbursable agreements.*—NASA shall submit a report within 120 days of enactment of this Act that lists reimbursements each NASA Center has received from government or private sector partners since fiscal year 2015.

*Long-term infrastructure plan.*—NASA shall provide a report within 120 days of enactment of this Act that includes a list of maintenance and repair projects for each NASA Center, as well as new construction projects planned for those Centers satisfactorily implementing repair-by-replacement facility master plans. For these potential new construction projects, NASA shall note the intended construction standard, e.g. LEED level, and include separate costs associated with construction and expected savings as a result of new building construction.

## OFFICE OF INSPECTOR GENERAL

The Committee recommends \$37,900,000 for the Office of Inspector General, which is the same as fiscal year 2017.

## ADMINISTRATIVE PROVISIONS

## (INCLUDING TRANSFERS OF FUNDS)

The Committee has included the following administrative provisions for NASA:

The bill includes a provision that makes funds for any announced prize available without fiscal year limitation until the prize is claimed or the offer is withdrawn.

The bill includes a provision that establishes terms and conditions for the transfer of funds.

The bill includes a provision that requires NASA to submit its agency spending plan at the activity level and subjects both the spending plan and specified changes to that plan to reprogramming procedures under section 505 of this Act.

## NATIONAL SCIENCE FOUNDATION

The Committee commends the National Science Foundation (NSF) and its academic partners for the January 2017, detection of gravitational waves from the merger of two black holes some 3 billion light years away from Earth using the twin Laser Interferometer Gravitational-wave Observatory (LIGO) detectors. The Committee supports infrastructure investments such as these that expand our understanding of the universe and inspire students to pursue careers in the sciences. The Committee recognizes that current and future large scientific facilities represent an enormous investment of Federal resources that must be administered wisely. Within amounts provided, NSF shall allocate no less than fiscal year 2017 levels to support its existing research laboratories, observational networks, and other research infrastructure assets, including the astronomy assets, the current academic research fleet including global class vessels with unique seismic capabilities, Federally funded research and development centers, and the national

high performance computing centers, so they may provide the support needed for cutting edge research.

#### RESEARCH AND RELATED ACTIVITIES

The Committee recommends \$6,033,645,000 for Research and Related Activities, which is equal to fiscal year 2017 and \$671,995,000 above the request.

The Committee does not adopt the Administration's proposal to reduce Research and Related Activities. The Committee believes that strategic investments in the physical science areas are vitally important for the United States to remain the global leader in innovation, productivity, economic growth, and good-paying jobs for the future.

*Ocean Exploration.*—NSF is encouraged to expand support for the National Deep Submergence Facility's remotely-operated vehicle operations for open sourced telepresence discovery-based research and education expeditions.

*Neuroscience research.*—The Committee continues to support funding for neuroscience research.

*Fire research.*—The Committee recognizes the significant impact that fire has on numerous industries in the United States, including the aerospace, manufacturing and agriculture sectors. Improving the scientific understanding of fire will support key industries as well as improve our ability to safeguard property and lives. The Committee encourages NSF to examine its current portfolio of fire research to ensure that it is adequately addressing this area.

*Abstracts and the national interest.*—The Committee underscores the American Innovation and Competitiveness Act (Public Law 114–329), which directs NSF to issue and periodically update, as appropriate, policy guidance for both Foundation staff and other Foundation merit review process participants on the importance of transparency and accountability to the outcomes made through the merit review process. Further, this law directs that each public notice of a Foundation-funded research project justify the expenditure of Federal funds by describing how the project reflects the statutory mission of the Foundation, as established in the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); addresses the Foundation's intellectual merit and broader impacts criteria; and clearly identifies the research goals of the project in a manner that can be easily understood by both technical and non-technical audiences. Further, this legislation directs NSF to apply a broader impacts review criterion to identify and demonstrate project support of the following goals: increasing the economic competitiveness of the United States; advancing of the health and welfare of the American public; supporting the national defense of the United States; enhancing partnerships between academia and industry in the United States; developing an American STEM workforce that is globally competitive through improved pre-kindergarten through grade 12 STEM education and teacher development, and improved undergraduate STEM education and instruction; improving public scientific literacy and engagement with science and technology in the United States; or expanding participation of women and individuals from underrepresented groups in STEM.

*Experimental Program To Stimulate Competitive Research (EPSCoR).*—Within amounts provided, \$170,690,000 is for EPSCoR.

*Astronomy assets.*—The Committee underscores that a critical component of the nation's scientific enterprise is the infrastructure that supports researchers in discovery science, including planetary protection. Investments to advance the frontiers of research and education in science and engineering are critical to the nation's innovation enterprise. U.S.-based astronomy facilities continue to make groundbreaking discoveries and maintain excellent world-class scientific research. The Committee expects NSF to sustain support for the programs and scientific facilities funded by the Astronomical Sciences Division at no less than the fiscal year 2017 levels to maintain full scientific and educational operations. NSF shall not implement any final divestment of infrastructure tied to the findings of its 2012 Astronomical Sciences Portfolio Review without first reporting such actions to the Committee. Further, any such actions shall be carried out in accordance with relevant reprogramming requirements and new language directing Committee notification prior to disposal of assets. The Committee is aware that NSF is working with Federal, academic and private sector partners to develop plans to share future operations and maintenance costs of NSF astronomical infrastructure. NSF shall keep the Committee informed of these activities.

*Computer Information Science and Engineering (CISE).*—The Committee supports CISE efforts to work with the Division of Research on Learning in Formal and Informal Settings within Education and Human Resources to build on current efforts to support computer science education in Pre-K–12 classrooms.

*International Ocean Discovery Program (IODP).*—The recommendation provides \$48,000,000, as requested, for the IODP. The Committee notes that in addition to this funding, the IODP program derives funding from international and/or industry partners to maximize operation time on the *JOIDES Resolution* ocean research vessel. The Committee supports the goal of operating five research missions a year on the *JOIDES Resolution*.

*Marine seismic research.*—NSF-funded marine research vessels with unique seismic capabilities are used by the academic community to provide images of the Earth's structure miles below the seafloor and support a variety of important undersea research efforts. The Committee encourages NSF and its academic partners to ensure that the academic marine geology and geophysics community can continue to have access to NSF-funded marine seismic research vessel capabilities.

*Indirect costs.*—In testimony delivered in May 2017, *Preliminary Observations on Indirect Costs for Research* (GAO-17-576T), GAO provided its preliminary review of trends in indirect costs for NSF's research and education awards and its process for setting indirect cost rates. The Committee directs NSF to address GAO's preliminary findings from its interim assessment as well as any recommendations that are made in GAO's final report and provide a report within 120 days of enactment of this Act on NSF's progress in implementing any GAO recommendations regarding indirect costs for research; the reasons for the increase in indirect costs as a percentage of annual award funding since 2010; and the variation

in budgeted indirect costs across different types of NSF research and education awards.

#### MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

The Committee recommends \$77,800,000 for Major Research Equipment and Facilities Construction (MREFC).

*Large Synoptic Survey Telescope (LSST).*—The recommendation includes \$57,800,000, the requested amount, for LSST. LSST, which was ranked as the top large ground-based astronomy project by the National Research Council 2010 Decadal Survey, will produce the deepest, widest-field sky image ever, and issue alerts for moving and transient objects within 60 seconds of discovery. NSF shall provide quarterly briefings to the Committee on the status of LSST, to include updates on resolution of issues identified by the NSF IG.

*Daniel K. Inouye Solar Telescope (DKIST).*—The recommendation includes the requested amount of \$20,000,000 for DKIST, which when complete will be the most powerful solar observatory. NSF shall provide quarterly briefings to the Committee on the status of DKIST, to include updates on resolution of issues identified by the NSF IG.

*Antarctic program.*—The recommendation fully funds the requested amount for the Antarctic Infrastructure Modernization for Science program which follows recommendations for increased efficiencies included in the U.S. Antarctic Program Blue Ribbon Panel report, *More and Better Science in Antarctica through Increased Logistical Effectiveness*.

#### EDUCATION AND HUMAN RESOURCES

The Committee recommends \$880,000,000 for Education and Human Resources (EHR), which is the same as fiscal year 2017 and \$119,450,000 above the request.

*STEM-focused K–12 schools.*—The Committee notes that prior National Research Council and National Science Board reports have encouraged education researchers and policymakers to give increased consideration to STEM-focused K–12 schools as an effective means of increasing STEM literacy. With those reports in mind, the Committee encourages NSF to work within its existing programs to promote opportunities for collaboration between universities or non-profit research institutions and STEM-focused schools serving K–12 students.

*Advanced Technological Education (ATE).*—The recommendation provides no less than the fiscal year 2017 level for the ATE program.

*STEM education.*—NSF shall continue to award competitive, merit-reviewed grants to support STEM education as authorized by the STEM Education Act of 2015 (Public Law 114–59).

*Broadening participation programs.*—To broaden the participation of underrepresented populations in STEM education programs and, ultimately, the STEM workforce, the recommendation provides no less than \$35,000,000 for the Historically Black Colleges and Universities Undergraduate Program; \$46,000,000 for the Louis Stokes Alliance for Minority Participation; \$36,530,000 for the Robert Noyce Teacher Scholarship Program; and \$14,000,000 for the Tribal Colleges and Universities Program. NSF is also en-

couraged to coordinate with youth-serving institutions focused on underserved populations. In addition, over the past several years, this Committee has encouraged NSF to create a program within EHR to focus on Hispanic Serving Institutions (HSIs). Such a program was authorized by section 7033 of the America COMPETES Act (Public Law 110–69). The Committee reminds NSF that language was included in Public Law 115–31, the fiscal year 2017 appropriations Act, directing NSF to establish such an HSI program at no less than \$15,000,000. The Committee provides the same level of funding for fiscal year 2018 and encourages NSF to use this program to build capacity at institutions of higher education that typically do not receive high levels of NSF funding. NSF shall provide a report on this program no later than 120 days after enactment of this Act that demonstrates such an investment no later than September 30, 2018.

*Innovation Corps.*—The recommendation includes no less than the fiscal year 2017 level for the NSF Innovation Corps program to support new and existing I-Corps Teams, Sites, and Nodes.

*Cybersecurity Research.*—The Committee encourages NSF to form partnerships with Hispanic Serving Institutions and Historically Black Colleges and Universities with respect to cybersecurity research.

#### AGENCY OPERATIONS AND AWARD MANAGEMENT

The Committee recommends \$328,510,000 for Agency Operations and Award Management, which is \$1,490,000 below fiscal year 2017 and the same as the request.

#### OFFICE OF THE NATIONAL SCIENCE BOARD

The Committee recommends \$4,370,000, which is the same as fiscal year 2017 and the same as the request, for the National Science Board.

*Infrastructure.*—The Committee is supportive of recent actions to lower the MREFC threshold but encourages the National Science Board to consider further changes that would bridge the gap between the Major Research Instrumentation program and the MREFC account while also developing processes appropriate for mid-scale infrastructure, cyberinfrastructure, and instrument upgrades to be funded through the MREFC account. The Board shall, in collaboration with the National Academies, examine these requirements and report to the Committee within 180 days after enactment of this Act regarding its recommendations on how to address this matter within the confines of a restricted funding environment.

#### OFFICE OF INSPECTOR GENERAL

The Committee recommends \$15,200,000 for the Office of Inspector General, which is the same as fiscal year 2017.

#### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

The bill includes a provision that establishes thresholds for the transfer of funds.



The bill includes a new provision regarding notification prior to acquisition or disposal of certain assets.

#### TITLE IV

#### RELATED AGENCIES

##### COMMISSION ON CIVIL RIGHTS

##### SALARIES AND EXPENSES

The Committee recommends \$9,183,000 for the Commission on Civil Rights, which is \$17,000 below fiscal year 2017 and the same as the request.

*Prioritizing completion of the report titled ‘A Quiet Crisis’.*—The Committee expects the Commission to prioritize updating their 2003 report entitled “A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country”.

##### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

##### SALARIES AND EXPENSES

The Committee recommends \$363,807,000 for the Equal Employment Opportunity Commission (EEOC), which is \$693,000 below fiscal year 2017 and the same as the request.

*Backlog reduction.*—The Committee expects the EEOC to prioritize inventory reduction rather than allocate resources for systematic changes in which no complaint was filed by an actual/former employee or applicant. EEOC shall provide an annual report on the backlog, to include data on the number and pendency of charges, on any changes to EEOC’s priority charge handling procedures, and the effect of such changes on inventory reduction.

*Conciliation.*—The Committee is concerned with the EEOC’s pursuit of litigation absent good faith conciliation efforts. The Committee directs the EEOC to engage in such efforts before undertaking litigation.

*State and Local Enforcement Assistance.*—The Committee recommends up to \$29,500,000 to assist State and local enforcement agencies. The Committee continues to believe that none of these funds should be used for tester programs.

##### INTERNATIONAL TRADE COMMISSION

##### SALARIES AND EXPENSES

The Committee recommends \$92,500,000 for the International Trade Commission (ITC), which is \$1,000,000 above fiscal year 2017 and \$4,885,000 above the request.

*Cybersecurity.*—ITC handles sensitive and proprietary data and therefore is a potential target for cyber attacks. The Committee expects ITC to prioritize efforts to improve its cybersecurity posture. The Committee also encourages ITC to work with other relevant Federal agencies to inform its actions.

## LEGAL SERVICES CORPORATION

## PAYMENT TO THE LEGAL SERVICES CORPORATION

The Committee recommends \$300,000,000 for the Legal Services Corporation (LSC), which is \$85,000,000 below fiscal year 2017 and \$267,000,000 above the request.

## ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The bill continues restrictions on the uses of LSC funding. None of the funds appropriated in this Act to the LSC shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the LSC shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2017 and 2018, respectively.

*Unauthorized uses of funds.*—The Inspector General (IG) of the LSC is encouraged to conduct annual audits of LSC grantees to ensure that funds are not used in contravention of the restrictions on engaging in political activities, representing illegal immigrants, or any of the other restrictions by which LSC grantees are required to abide. The Committee recommends the removal of funds from any LSC grantee determined by the IG to have engaged in unauthorized activity.

## MARINE MAMMAL COMMISSION

## SALARIES AND EXPENSES

The Committee recommends \$3,431,000 for the Marine Mammal Commission, which is the same as fiscal year 2017 and \$982,000 above the request.

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

The Committee recommends \$68,000,000 for the Office of the U.S. Trade Representative (USTR), which is \$6,000,000 above fiscal year 2017 and \$10,400,000 above the request.

## SALARIES AND EXPENSES

The Committee recommends \$53,000,000 for the salaries and expenses of USTR, which is \$9,000,000 below fiscal year 2017 and \$4,600,000 below the request.

*China.*—The Committee expects that USTR will coordinate and implement a comprehensive and vigorous strategy to address the United States' trade imbalance with China. Within the amounts provided, the USTR is encouraged to maintain staff who can translate trade documents that USTR receives from China. The Committee believes that USTR should have its own translators on staff given the challenges associated with enforcing existing U.S. trade laws with China.

*U.S.-India bilateral trade and investment.*—The Committee notes the importance of U.S.-India bilateral trade and investment. However, the Committee is concerned that India, while striving to improve its economic growth, has been enacting a series of policies to

increase domestic manufacturing and protect domestic industries and agricultural production that discriminate against U.S. exports and investment. The Committee is concerned about the standards of intellectual property protection and forced localization measures, as well as the unfair treatment by India of U.S. exports of American-produced boric acid, the illegal rebranding and smuggling of U.S.-grown almonds into India, and a whole host of other market access issues. The Committee understands the Trade Representative has raised these unfair barriers to trade multiple times with the Indian government and supports the efforts of USTR to resolve these issues.

*Free trade agreements.*—The Committee directs USTR to continue to pursue free trade agreements with additional countries and trading blocs to continue advancing trade to and from the United States.

#### TRADE ENFORCEMENT TRUST FUND

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$15,000,000, which is to be derived from the Trade Enforcement Trust Fund, for trade enforcement activities authorized by the Trade Facilitation and Trade Enforcement Act of 2015. No funds were requested from this Fund.

#### STATE JUSTICE INSTITUTE

##### SALARIES AND EXPENSES

The Committee recommends \$5,111,000 for the State Justice Institute, which is \$10,000 less than fiscal year 2017 and same as the request.

### TITLE V

#### GENERAL PROVISIONS

##### (INCLUDING TRANSFERS OF FUNDS)

##### (INCLUDING RESCISSIONS)

Section 501 prohibits the use of funds for publicity or propaganda purposes unless expressly authorized by law.

Section 502 prohibits any appropriation contained in this Act from remaining available for obligation beyond the current fiscal year unless expressly authorized.

Section 503 provides that the expenditure of any appropriation contained in this Act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law or under existing Executive order issued pursuant to existing law.

Section 504 provides that if any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act and the application of other provisions shall not be affected.

Section 505 prohibits a reprogramming of funds that: (1) creates or initiates a new program, project, or activity; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any

means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs, or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees; (7) augments funds for existing programs, projects, or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

Section 506 provides that if it is determined that any person intentionally affixes a "Made in America" label to any product that was not made in America that person shall not be eligible to receive any contract or subcontract made with funds made available in this Act. The section further provides that to the extent practicable, with respect to purchases of promotional items, funds made available under this Act shall be used to purchase items manufactured, produced, or assembled in the United States or its territories or possessions.

Section 507 requires quarterly reporting to Congress on the status of balances of appropriations.

Section 508 provides that any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions in this Act, or, for the Department of Commerce, from actions taken for the care and protection of loan collateral or grant property, shall be absorbed within the budgetary resources available to the department or agency, and provides transfer authority between appropriation accounts to carry out this provision, subject to reprogramming procedures.

Section 509 prohibits funds made available in this Act from being used to promote the sale or export of tobacco or tobacco products or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type. This provision is not intended to impact routine international trade services to all U.S. citizens, including the processing of applications to establish foreign trade zones.

Section 510 limits the obligation of receipts deposited into the Crime Victims Fund to \$4,632,000,000 during fiscal year 2018. The language also provides for a tribal set-aside.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against or denigrate the religious or moral beliefs of students participating in such programs. This provision was requested by the President and has been included in the bill since 1999.

Section 512 prohibits the transfer of funds made available in this Act to any department, agency or instrumentality of the United States Government, except for transfers made by, or pursuant to authorities provided in, this Act or any other appropriations Act.

Section 513 provides that funds provided in this Act for E Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

Section 514 prohibits funds for acquisition of certain information systems unless the acquiring department or agency has reviewed and assessed certain risks. Any acquisition of such an information system is contingent upon the development of a risk mitigation strategy and a determination that the acquisition is in the national interest. Each department or agency covered by this section shall consult with the Federal Bureau of Investigation (FBI) and other relevant agencies when reviewing supply chain risks and making a determination that the acquisition is in the national interest. Each department or agency covered by this section is directed to ensure it is following the criteria established by the FBI and the National Institute of Standards and Technology when acquiring or renewing certain information systems. Each department or agency covered under this section shall submit a quarterly report to the Committees on Appropriations of the House and Senate describing reviews and assessments of risk made pursuant to this section and any associated findings or determinations.

Section 515 prohibits the use of funds made available in this Act to support or justify the use of torture by any official or contract employee of the United States Government.

Section 516 permanently prohibits the use of funds to require certain export licenses.

Section 517 permanently prohibits the use of funds to deny certain import applications regarding “curios or relics” firearms, parts, or ammunition.

Section 518 prohibits the use of funds made available in this Act to include certain language in trade agreements.

Section 519 prohibits the use of funds made available in this Act to authorize or issue a national security letter (NSL) in contravention of certain laws authorizing the Federal Bureau of Investigation to issue NSLs.

Section 520 requires congressional notification regarding any project within the Departments of Commerce or Justice, the National Science Foundation or the National Aeronautics and Space Administration totaling more than \$75,000,000 that has cost increases of 10 percent or more.

Section 521 deems funds for intelligence or intelligence related activities as authorized by Congress during fiscal year 2018 until the enactment of the Intelligence Authorization Act for fiscal year 2018.

Section 522 prohibits contracts or grant awards in excess of \$5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has no unpaid Federal tax assessment.

#### (RESCISSIONS)

Section 523 provides for rescissions of unobligated balances from the Departments of Commerce and Justice.

Section 524 prohibits the use of funds made available in this Act for the purchase of first class or premium air travel in contravention of certain Federal travel regulations.

Section 525 prohibits the use of funds made available in this Act to pay for the attendance of more than 50 department or agency employees, who are stationed in the United States, at any single conference outside the United States, unless the conference is a law enforcement training or operational event where the majority of Federal attendees are law enforcement personnel stationed outside the United States.

Section 526 prohibits the use of funds in this or any other Act for the transfer or release of certain individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to or within the United States, its territories, or possessions.

Section 527 prohibits the use of funds in this or any other 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 United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or control of the Department of Defense.

Section 528 requires tracking and reporting of undisbursed balances in expired grant accounts.

Section 529 prohibits the use of funds made available in this Act by the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to engage in bilateral activities with China or a Chinese-owned company unless the activities are authorized by subsequent legislation or NASA or OSTP after consultation with the Federal Bureau of Investigation have made a certification pursuant to subsections (c) and (d) of this section.

Section 530 permanently prohibits funds from being used to deny the importation of shotgun models if no application for the importation of such models, in the same configuration, had been denied prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

Section 531 prohibits the use of funds made available in this Act to establish or maintain a computer network that does not block pornography, except for law enforcement or victim assistance purposes.

Section 532 requires each department and agency funded in the bill to submit spending plans.

Section 533 prohibits funds made available by this Act to implement the Arms Trade Treaty until the Senate approves a resolution of ratification.

Section 534 requires a quarterly report from the Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation on official travel to China.

Section 535 requires not less than 10 percent of the funds provided for certain programs be provided to persistent poverty counties.

Section 536 prohibits funds to approve the registration, renewal, or maintenance of the registration of a mark, trade mark, trade name, or commercial name when the mark, trade mark, trade name, or commercial name was unlawfully confiscated in Cuba.

Section 537 prohibits funds from being used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person.

Section 538 allows States to bring a civil action against the United States to restore the sovereignty reserved to the States by the Constitution.

Section 539 prohibits funds to move a Bureau of Alcohol, Tobacco, Firearms, and Explosives facility.

Section 540 prohibits funds to enter into a civil settlement agreement on behalf of the United States that includes certain donations.

Section 541 prohibits funds for implementing or enforcing the designation of critical habitat for Atlantic Sturgeon in the Chesapeake Bay watershed.

Section 542 prohibits funds for the Equal Employment Opportunity Commission for collection of information as set forth in the notice published July 14, 2016.

#### SPENDING REDUCTION ACCOUNT

Section 543 establishes a Spending Reduction Account.

#### HOUSE OF REPRESENTATIVES REPORTING REQUIREMENTS

The following materials are submitted in accordance with various requirements of the Rules of the House of Representatives:

#### FULL COMMITTEE VOTES

**FULL COMMITTEE VOTES**

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 1

Date: July 13, 2017

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2018

Motion by: Mr. Serrano

Description of Motion: To prohibit funds for the Department of Justice for litigation or appraisal expenses related to the acquisition of land, including through the exercise of eminent domain, by the Department of Homeland Security related to a wall or fence along the border with Mexico.

Results: Defeated 21 yeas to 31 nays

*Members Voting Yea*

Mr. Aguilar  
Mr. Bishop  
Ms. Clark  
Mr. Cuellar  
Ms. DeLauro  
Ms. Kaptur  
Mr. Kilmer  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Mr. Visclosky  
Ms. Wasserman Schultz

*Members Voting Nay*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cartwright  
Mr. Cole  
Mr. Culberson  
Mr. Dent  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Mr. Frelinghuysen  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Jenkins  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mrs. Roby  
Mr. Rogers  
Mr. Rooney  
Mr. Simpson  
Mr. Stewart  
Mr. Taylor  
Mr. Valadao  
Mr. Womack  
Mr. Yoder  
Mr. Young



## FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 2

Date: July 13, 2017

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2018

Motion by: Mrs. Lowey

Description of Motion: To authorize the Attorney General to deny transfers of firearms to persons if he determines, when considering the totality of circumstances, that there is a reasonable suspicion the person is or has been engaged in conduct related to terrorism; to invoke a remedial and judicial review process for such persons after denial; and to require notification to the Attorney General of attempts to purchase firearms by individuals who are, or have been within the last 5 years, the subject of a terrorism investigation.

Results: Defeated 20 yeas to 32 nays

*Members Voting Yea*

Mr. Aguilar  
Mr. Cartwright  
Ms. Clark  
Ms. DeLauro  
Ms. Kaptur  
Mr. Kilmer  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Mr. Visclosky  
Ms. Wasserman Schultz

*Members Voting Nay*

Mr. Aderholt  
Mr. Amodei  
Mr. Bishop  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Cuellar  
Mr. Culberson  
Mr. Dent  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Mr. Frelinghuysen  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Jenkins  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mrs. Roby  
Mr. Rogers  
Mr. Rooney  
Mr. Simpson  
Mr. Stewart  
Mr. Taylor  
Mr. Valadao  
Mr. Womack  
Mr. Yoder  
Mr. Young

## FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 3

Date: July 13, 2017

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2018

Motion by: Ms. Wasserman Schultz

Description of Motion: To prohibit funds to issue, renew, or maintain a security clearance for an individual in the Executive Office of the President who is under a criminal investigation for aiding a foreign government.

Results: Defeated 22 yeas to 30 nays

*Members Voting Yea*

Mr. Aguilar  
 Mr. Bishop  
 Mr. Cartwright  
 Ms. Clark  
 Mr. Cuellar  
 Ms. DeLauro  
 Ms. Kaptur  
 Mr. Kilmer  
 Ms. Lee  
 Mrs. Lowey  
 Ms. McCollum  
 Ms. Meng  
 Ms. Pingree  
 Mr. Pocan  
 Mr. Price  
 Mr. Quigley  
 Ms. Roybal-Allard  
 Mr. Ruppersberger  
 Mr. Ryan  
 Mr. Serrano  
 Mr. Visclosky  
 Ms. Wasserman Schultz

*Members Voting Nay*

Mr. Aderholt  
 Mr. Amodei  
 Mr. Calvert  
 Mr. Carter  
 Mr. Cole  
 Mr. Culberson  
 Mr. Dent  
 Mr. Diaz-Balart  
 Mr. Fleischmann  
 Mr. Fortenberry  
 Mr. Frelinghuysen  
 Ms. Granger  
 Mr. Graves  
 Dr. Harris  
 Ms. Herrera Beutler  
 Mr. Jenkins  
 Mr. Joyce  
 Mr. Moolenaar  
 Mr. Newhouse  
 Mr. Palazzo  
 Mrs. Roby  
 Mr. Rogers  
 Mr. Rooney  
 Mr. Simpson  
 Mr. Stewart  
 Mr. Taylor  
 Mr. Valadao  
 Mr. Womack  
 Mr. Yoder  
 Mr. Young

**FULL COMMITTEE VOTES**

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 4

Date: July 13, 2017

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2018

Motion by: Ms. Wasserman Schultz

Description of Motion: To prohibit funds to be used to issue, renew, or maintain a security clearance for an individual in the Executive Office of the President who deliberately fails to disclose in Standard Form 86 a meeting with a foreign national if such disclosure is required for such form.

Results: Defeated 22 yeas to 30 nays

*Members Voting Yea*

Mr. Aguilar  
Mr. Bishop  
Mr. Cartwright  
Ms. Clark  
Mr. Cuellar  
Ms. DeLauro  
Ms. Kaptur  
Mr. Kilmer  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Mr. Visclosky  
Ms. Wasserman Schultz

*Members Voting Nay*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Culberson  
Mr. Dent  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Mr. Frelinghuysen  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Jenkins  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mrs. Roby  
Mr. Rogers  
Mr. Rooney  
Mr. Simpson  
Mr. Stewart  
Mr. Taylor  
Mr. Valadao  
Mr. Womack  
Mr. Yoder  
Mr. Young

**FULL COMMITTEE VOTES**

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 5

Date: July 13, 2017

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2018

Motion by: Dr. Harris

Description of Motion: To prohibit Equal Employment Opportunity Commission funds for the collection of information as set forth in a notice published on July 14, 2016.

Results: Adopted 29 yeas to 20 nays

*Members Voting Yea*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Culberson  
Mr. Dent  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Mr. Frelinghuysen  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Jenkins  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mrs. Roby  
Mr. Rogers  
Mr. Rooney  
Mr. Simpson  
Mr. Stewart  
Mr. Taylor  
Mr. Valadao  
Mr. Yoder  
Mr. Young

*Members Voting Nay*

Mr. Aguilar  
Mr. Bishop  
Mr. Cartwright  
Ms. Clark  
Mr. Cuellar  
Ms. DeLauro  
Ms. Kaptur  
Mr. Kilmer  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Ms. Wasserman Schultz

**FULL COMMITTEE VOTES**

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 6

Date: July 13, 2017

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2018

Motion by: Mr. Serrano

Description of Motion: To increase funding for various accounts in the bill.

Results: Defeated 22 yeas to 30 nays

*Members Voting Yea*

Mr. Aguilar  
Mr. Bishop  
Mr. Cartwright  
Ms. Clark  
Mr. Cuellar  
Ms. DeLauro  
Ms. Kaptur  
Mr. Kilmer  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Mr. Visclosky  
Ms. Wasserman Schultz

*Members Voting Nay*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Culberson  
Mr. Dent  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Mr. Frelinghuysen  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Jenkins  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mrs. Roby  
Mr. Rogers  
Mr. Rooney  
Mr. Simpson  
Mr. Stewart  
Mr. Taylor  
Mr. Valadao  
Mr. Womack  
Mr. Yoder  
Mr. Young

**FULL COMMITTEE VOTES**

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 7

Date: July 13, 2017

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2018

Motion by: Mrs. Lowey

Description of Motion: To prohibit funds to deliberately obstruct, hinder, frustrate, impede, or prevent any investigative work conducted by either Robert S. Mueller III or the Office of the Special Counsel related to a specific investigation.

Results: Defeated 23 yeas to 29 nays

*Members Voting Yea*

Mr. Aguilar  
Mr. Bishop  
Mr. Cartwright  
Ms. Clark  
Mr. Cuellar  
Ms. DeLauro  
Ms. Kaptur  
Mr. Kilmer  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Mr. Visclosky  
Ms. Wasserman Schultz  
Mr. Yoder

*Members Voting Nay*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Culberson  
Mr. Dent  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Mr. Frelinghuysen  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Jenkins  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mrs. Roby  
Mr. Rogers  
Mr. Rooney  
Mr. Simpson  
Mr. Stewart  
Mr. Taylor  
Mr. Valadao  
Mr. Womack  
Mr. Young

**FULL COMMITTEE VOTES**

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 8

Date: July 13, 2017

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2018

Motion by: Mr. Rogers

Description of Motion: To report the bill to the House, as amended.

Results: Adopted 31 yeas to 21 nays

*Members Voting Yea*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Cuellar  
Mr. Culberson  
Mr. Dent  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Mr. Frelinghuysen  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Jenkins  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mrs. Roby  
Mr. Rogers  
Mr. Rooney  
Mr. Simpson  
Mr. Stewart  
Mr. Taylor  
Mr. Valadao  
Mr. Womack  
Mr. Young  
Mr. Yoder

*Members Voting Nay*

Mr. Aguilar  
Mr. Bishop  
Mr. Cartwright  
Ms. Clark  
Ms. DeLauro  
Ms. Kaptur  
Mr. Kilmer  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Mr. Visclosky  
Ms. Wasserman Schultz

## STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding: The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

## RESCISSION OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Department of Commerce	
Economic Development Assistance Programs .....	\$47,000,000
National Oceanic and Atmospheric Administration, Operations, Research, and Facilities .....	20,000,000
Department of Justice	
Working Capital Fund .....	409,834,000
Legal Activities, Assets Forfeiture Fund .....	304,000,000
Federal Bureau of Investigation, Fees .....	195,000,000
Federal Bureau of Investigation, Salaries and Expenses .....	53,365,000
State and Local Law Enforcement	
Assistance Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs .....	17,500,000
Office of Justice Programs .....	60,000,000
Community Oriented Policing Services .....	17,500,000

## TRANSFERS OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following is submitted describing the transfers of funds provided in the accompanying bill:

In title I, under Bureau of the Census, Periodic Censuses and Programs, language is included to transfer funds to the Department of Commerce, Office of Inspector General.

Under U.S. Patent and Trademark Office, Salaries and Expenses, language is included to transfer funds to the Civil Service Retirement and Disability Fund, the Federal Employees Health Benefit Fund, the Federal Employees Group Life Insurance Fund, and the Department of Commerce, Office of Inspector General.

Under National Institute of Standards and Technology, Scientific and Technical Research and Services, language is included allowing for transfers to the Working Capital Fund.

Under National Oceanic and Atmospheric Administration, Operations, Research, and Facilities, language is included to transfer funds from the Promote and Develop Fishery Products and Research Pertaining to American Fisheries fund.

Under National Oceanic and Atmospheric Administration, Procurement, Acquisition, and Construction, language is included to transfer funds to the Department of Commerce, Office of the Inspector General.

Under Renovation and Modernization, language is included allowing for the transfer of funds.

Section 103 provides for the transfer of funds between Department of Commerce appropriations in certain circumstances.



In title II, under General Administration, Justice Information Sharing Technology, language is included allowing for the transfer of funds.

Under General Administration, Executive Office for Immigration Review, language is included to transfer funds to the Executive Office for Immigration Review from fees deposited in the Immigration Examinations Fee account.

Under Legal Activities, Salaries and Expenses, Community Relations Service, language is included allowing for the transfer of funds in certain circumstances.

Under United States Marshals Service, Federal Prisoner Detention, language is included transferring available unobligated balances from General Administration, Detention Trustee to this account.

Under National Security Division, Salaries and Expenses, language is included allowing for the transfer of funds in certain circumstances.

Under Federal Prison System, Salaries and Expenses, language is included to allow the transfer of funds to the Department of Health and Human Services.

Under State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs, language is included to allow the transfer of funds in certain circumstances.

Under State and Local Law Enforcement Activities, Public Safety Officer Benefits, language is included to allow the transfer of funds in certain circumstances.

Under State and Local Law Enforcement Activities, Community Oriented Policing Services, Community Oriented Policing Services Programs, language is included transferring funds to the Drug Enforcement Administration.

Section 205 provides language for the transfer of funds between Department of Justice appropriations in certain circumstances.

Section 212 provides language for the transfer of funds between certain grant funds and the National Institute of Justice and the Bureau of Justice Statistics.

Section 213 provides language for the transfer of funds between certain grant funds for tribal criminal justice assistance.

In title III, under National Aeronautics and Space Administration, Administrative Provisions, language is included allowing for the transfer of funds among appropriations.

Under National Science Foundation, Administrative Provisions, language is included allowing for the transfer of funds among appropriations.

Under United States Trade Representative, Trade Enforcement Trust Fund, language is included providing for the transfer of funds.

Under General Provisions, Section 508 provides for the transfer of funds in certain circumstances, and Section 523 provides for transfers into the Department of Justice Working Capital Fund.

#### DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Neither the bill nor the report contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

#### COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee notes that the accompanying bill does not propose to repeal or amend a statute or part thereof.

#### CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law.

Language is included for a number of accounts placing limitations on representation and reception allowances in order to restrict the amount of money that would otherwise be spent on these activities. The bill also provides that a number of appropriations shall remain available for obligation beyond the current fiscal year. While these provisions are not specifically authorized for all of the items, it is deemed desirable to include such language for certain programs in order to provide for orderly administration and effective use of funds.

In title I, Department of Commerce, under International Trade Administration, Operations and Administration, language is included providing that funds may be used for engaging in trade promotion activities abroad, including expenses of grants and cooperative agreements, for the purposes of promoting exports of U.S. firms. Language is also provided allowing for full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration; employment of Americans and aliens by contract for services; rental of space abroad and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; and payment of tort claims. In addition, language is included regarding official representation expenses abroad, purchase of passenger motor vehicles for official use abroad, obtaining insurance on official motor vehicles, and rental of tie lines. Language is also recommended deriving a portion of available funds from fees. Furthermore, language is included designating funding for China antidumping and countervailing duty enforcement and compliance activities. Moreover, language is included providing for two-year availability of funds. Finally, language is included regarding the contributions under the Mutual Educational and Cultural Exchange Act of 1961.

Under Bureau of Industry and Security, Operations and Administration, the language provides for no-year availability of funds. Language is included regarding the costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of imme-

diate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims; official representation expenses abroad; awards of compensation to informers; and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use without regard to any price limitation established by law. In addition, language is included regarding the Mutual Educational and Cultural Exchange Act of 1961. Finally, language is recommended providing that payments and contributions collected and accepted for materials or services may be retained for use in covering the cost of those activities and other communications.

Under Economic Development Administration, Economic Development Assistance Programs, the language provides for no-year availability of funds.

Also, under Salaries and Expenses, language is included regarding the monitoring of approved projects.

Under Minority Business Development Agency, Minority Business Development, language is included making funds available for fostering, promoting, and developing minority business enterprises, including expenses of grants, contracts and other agreements.

Under Bureau of Economic Analysis, Salaries and Expenses, language is included providing for two-year availability of funds.

Under Bureau of the Census, Current Surveys and Programs, language is included providing that funds may be used for collecting, compiling, analyzing, preparing and publishing statistics and for promotion, outreach and marketing activities. Language is also included requiring the collection of certain data in a certain survey.

Also, under Periodic Censuses and Programs, language is included providing two-year availability of funds. Language is also included providing that funds may be used for collecting, compiling, analyzing, preparing and publishing statistics and for promotion, outreach and marketing activities. In addition, language is included providing for a transfer to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census. Finally, language is included withholding funds for certain Census information technology projects until the Bureau submits an expenditure plan.

Under National Telecommunications and Information Administration (NTIA), Salaries and Expenses, language is included permitting the Secretary of Commerce to charge Federal agencies for costs in spectrum management, analysis, operations, and related services; and to use such collections in telecommunications research. The language also allows the Secretary to retain and use as offsetting collections all funds transferred, or previously transferred for telecommunications research, engineering and activities by the Institute for Telecommunication Sciences of NTIA. Finally, language is included providing that funds so transferred shall remain available until expended.

Also, under Public Telecommunications Facilities, Planning and Construction, language is included allowing recoveries and unobligated balances of funds previously appropriated to be available for the administration of all open grants until their expiration.

Under United States Patent and Trademark Office, Salaries and Expenses, language is included providing that appropriated funds

be reduced as offsetting collections are assessed and collected. Language is included making funds available until expended and providing that funds received in excess of appropriations be deposited in a Patent and Trademark Fee Reserve fund, to be available until expended pursuant to the Director submitting a spending plan subject to section 505 of this Act, after which the funds shall be transferred to the Salaries and Expenses account. In addition, language is included limiting representation expenses. Language is also included regarding basic pay and certain retirement benefits. Additional language is included regarding USPTO's financial statements. Furthermore, language is included providing that fees and surcharges charged are available to USPTO pursuant to section 42(c) of title 35, United States Code. Finally, the language provides that an amount be transferred to the Office of Inspector General (OIG).

Under National Institute of Standards and Technology (NIST), Scientific and Technical Research and Services, language is included providing for no-year availability of funds. In addition, language is included allowing transfers to the Working Capital Fund. Language is included limiting funds for official reception and representation expenses. Finally, language is included allowing NIST to provide local transportation for a certain fellowship program.

Also, under Industrial Technology Services, language is included providing no-year availability of funds. The language also designates an amount for the Manufacturing Extension Partnership and the National Network for Manufacturing Innovation.

In addition, under Construction of Research Facilities, language is included providing for no-year availability of funds. Language is also included regarding the submission of certain materials in support of construction budget requests.

Under National Oceanic and Atmospheric Administration (NOAA), Operations, Research, and Facilities, language is included allowing for two-year availability for funds, except for cooperative enforcement funds, which are available for three years. Language is also included allowing maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities. Language is included allowing fees and donations received by a particular office to be retained and used for expenses related to certain activities. In addition, language is included that provides that certain funds be derived from various sources and restricting their use to certain activities. Moreover, language is included specifying that deviations from amounts included in the report accompanying the Act shall be subject to section 505 of this Act. Finally, language is included providing for retired pay expenses.

Also, under Procurement, Acquisition and Construction, language is included providing for three-year availability for funds, except for construction funds, which are available until expended. Language is also included providing that certain funds be derived from various sources. In addition, language is included specifying that deviations from amounts included in the report accompanying the Act shall be subject to section 505 of this Act. Language is included regarding the submission of certain materials in support of con-

struction budget requests. Language is included transferring an amount to the OIG.

In addition, under Pacific Coastal Salmon Recovery, language is included providing for two-year availability of funds. Language is also included allowing the Secretary of Commerce to issue grants to specific States and Federally recognized tribes for conservation projects for listed endangered or threatened salmon and steelhead populations, populations at risk to be so listed, and for maintaining populations necessary for the exercise of tribal treaty fishing rights, and for conservation of Pacific coastal salmon and steelhead habitat, to be allocated under scientific and merit principles and not available for marketing activities; and requiring a State match.

Furthermore, under Fishermen's Contingency Fund, language is included providing for the appropriation of funds to be derived from receipts collected pursuant to Title IV of Public Law 95-372 and provides that these funds are available until expended.

Moreover, under Fisheries Finance Program Account, language is included placing limitations on individual fishing quota loans and traditional direct loans.

Under Departmental Management, Salaries and Expenses, language is included limiting funds for official reception and representation expenses.

Under Renovation and Modernization, language is included making funds available until expended for renovations of a certain building and allowing funding to be transferred into the account in certain circumstances.

Under Department of Commerce, General Provisions, the following general provisions that fall within the rule are recommended:

Section 101 makes 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 the Department available for hire of passenger motor vehicles, for services, and for uniforms and allowances as authorized by law.

Section 103 provides the authority to transfer funds between Department of Commerce appropriation accounts and requiring notification to the Committee of certain actions.

Section 104 extends Congressional notification requirements for NOAA satellite programs and includes life cycle cost amounts for certain satellites.

Section 105 provides for reimbursement for services within Department of Commerce buildings.

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 the Administrator with the authority to avail NOAA of needed resources, with the consent of those supplying the resources, to carry out responsibilities of any statute administered by NOAA.

Section 108 prohibits the National Technical Information Service from charging customers for certain publications, except under certain conditions and requires charges be limited to recovering costs.

Section 109 authorizes NOAA to receive payments from other entities to defray some costs of permitting and regulatory activities.

In title II, Department of Justice, under General Administration, Salaries and Expenses, language is included providing for an amount for security and construction of Department of Justice facilities, which shall remain available until expended.

Also, under Justice Information Sharing Technology, language is included providing that funds be available until expended. Language is also included allowing transfers up to a certain amount to this account for information technology initiatives, and that these funds to be transferred subject to requirements in this Act and shall be available until expended an amount for security and construction of Department of Justice facilities, which shall remain available until expended.

In addition, under Executive Office for Immigration Review, language is included providing that an amount shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account. Language is also included making an amount available until expended for certain purposes.

Moreover, under Office of Inspector General, language is included providing for not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

Under United States Parole Commission, Salaries and Expenses, language is included providing that upon the expiration of a term of office of a Commissioner, the Commissioner may continue to act until a successor has been appointed.

Under Legal Activities, Salaries and Expenses, General Legal Activities, language is included providing not to exceed a certain amount for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General. Language is also included providing for the administration of pardons and clemency petitions. Language is also included providing for rental of space in the District of Columbia. Language is included making an amount available until expended for litigation support contracts. In addition, language is included making certain funds available to INTERPOL available until expended. Also, language is included limiting the amount of funds for official representation and reception expenses available to INTERPOL Washington. Furthermore, language is included providing funds to the Civil Rights Division for expenses associated with election monitoring, authority to reimburse the Office of Personnel Management for such expenses, and availability of such funds until expended. Finally, language is included for expenses associated with processing cases under the National Childhood Vaccine Injury Act of 1986.

Also, under Salaries and Expenses, Antitrust Division, language is included providing for no-year availability of funds and the use of offsetting collections. The language also provides that fees collected for premerger notification filings, regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended.

In addition, under Salaries and Expenses, United States Attorneys, language is included regarding inter-governmental and cooperative agreements and limiting funds for official reception and representation expenses. Language is also included extending the availability of certain funds. Finally, language is included requiring

each United States Attorney to establish or participate in a task force on human trafficking.

Furthermore, under United States Trustee System Fund, language is included regarding refunds due depositors. Language is also included providing for the extended availability of certain funds and the use of offsetting collections.

Moreover, under Fees and Expenses of Witnesses, language is included regarding contracts for the procurement and supervision of expert witnesses. In addition, language is included regarding funds for construction of buildings for safesites, armored and other vehicles, and telecommunication equipment. The language also provides for no-year availability of funds. In addition, language is included providing no funds may be transferred pursuant to section 205 of this Act.

And under Salaries and Expenses, Community Relations Service, language is included regarding the transfer of funds for conflict resolution and violence prevention activities, which shall be subject to the provisions of section 505 of this Act.

Under United States Marshals Service, Salaries and Expenses, language is included limiting official reception and representation expenses, and providing for no-year availability for part of the appropriation.

Also, under Construction, language is included providing for no-year availability of funds.

In addition, under Federal Prisoner Detention, language is included providing for no-year availability of funds. Language is also included providing that the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System. In addition, language is included limiting the amount of funds considered "funds appropriated for State and local law enforcement assistance". Finally, language is included transferring to this account unobligated balances from funds appropriated in prior years to the Detention Trustee.

Under National Security Division, Salaries and Expenses, language is included providing for the no-year availability of funds for IT systems. Language is also included providing that upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances. The language provides such a transfer be treated as a reprogramming under section 505 of this Act.

Under Interagency Law Enforcement, Interagency Crime and Drug Enforcement, language is included providing for no-year availability for some of the funds. Language is also included regarding authorities under which funds may be used.

Under Federal Bureau of Investigation, Salaries and Expenses, language is included providing for no-year availability of certain funds. Language is included providing for a limitation on representational expenses.

Under Construction, language is included specifying the purpose of the appropriation and making it available until expended.

Under Drug Enforcement Administration, Salaries and Expenses, language is included providing for funds to meet unforeseen emer-

gencies of a confidential character. Language is also included allowing conduct of drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs. In addition, language is included providing for no-year availability of certain funds. Finally, language is included providing for a limitation on representational expenses.

Under Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses, language is included allowing training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection, and allowing provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement. Language is also included limiting official reception and representation expenses. In addition, language is included providing funds for the payment of attorneys' fees. Additional language is included prohibiting expenses to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code. Language is further included regarding expenses to investigate applications filed by corporations for relief from section 925(c) of title 18, United States Code. In addition, language is included providing for no-year availability of certain funds. Moreover, language is included that prohibits funds to transfer the functions, missions or activities of ATF to other agencies or departments.

Under Federal Prison System, Salaries and Expenses, language is included that provides for the transfer to the Department of Health and Human Services funds necessary for medical relief for inmates. Language is also included that provides authority to the Director to enter into contracts to furnish health care. In addition, language is included placing a limitation on funds for reception and representation expenses. Furthermore, language is included extending the availability of certain funds. Finally, language is included providing authority for the Federal Prison System to accept donated property and services.

Also, in Building and Facilities, language is included providing for no-year availability of funds. Language is also included stating labor of prisoners may be used for work under this heading.

Additionally, under Federal Prison Industries, Incorporated, language is included authorizing Federal Prison Industries, Incorporated, to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

Furthermore, under Limitation on Administrative Expenses, Federal Prison Industries, Incorporated, language is included making available funds for its administrative expenses, and for certain services, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses



in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

Under State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs, language is included making funds available until expended. Language is also included placing a limitation on funds to be made available for expenses related to evaluation, training, and technical assistance. In addition, language is included providing for specific appropriations for various programs within the Office on Violence Against Women. Furthermore, language is included making available certain unobligated balances for specified programs. The language also applies certain conditions to specified grants. It provides for certain funds to be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs.

Under Office of Justice Programs, Research, Evaluation and Statistics, language is included to provide for no-year availability of funds. Language is also included to provide for specific appropriations for various programs within the Office of Justice Programs.

Also, under State and Local Law Enforcement Assistance, language is included to provide for no-year availability of funds. Language is also included regarding an Officer Robert Wilson III Memorial Initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative, domestic radicalization research, juvenile indigent defense, a National Missing and Unidentified Persons System, Violent Gang and Gun Crime Reduction, Capital Litigation and Wrongful Conviction Review, Prison Rape Prevention and Prosecution, Economic, High-tech, White Collar and Cybercrime Prevention, and the application of certain sections and special rules. In addition, language is included regarding Federal immigration and other detainees housed in State and local detention facilities. Furthermore, language is included regarding local government use of funds to increase the number of law enforcement officers. Language is also included regarding DNA training and education for law enforcement, correctional personnel, and court officers. Finally, the language specifies appropriations for various programs within the Office of Justice Programs.

In addition, under Juvenile Justice Programs, language is included providing for no-year availability of funds. Language is also included waiving a provision of law with respect to funding for missing and exploited children programs. Finally, the language delineates certain amounts for various programs under this heading.

Furthermore, under Public Safety Officer Benefits, language is included providing for no-year availability of funds. Language is also included providing for the transfers of funds in emergent circumstances, which shall be subject to the provisions of section 505 of this Act.

Under Community Oriented Policing Services, Community Oriented Policing Services Programs, language is included providing for no-year availability of funds. Language is also included requiring that balances available through deobligations only be available through reprogramming. In addition, language is included regard-

ing transfers of funds for anti-methamphetamine activities. There is further language regarding certain time limitations under the Second Chance Act. Finally, the language delineates certain amounts for various programs under this heading.

Under Department of Justice, General Provisions, the following general provisions that fall within the rule are recommended:

Section 201 makes available additional reception and representation funding for the Attorney General from the amounts provided in this title.

Section 202 prohibits the use of funds to pay for an abortion, except in the case of incest, rape or to preserve the life of the mother.

Section 203 prohibits the use of funds to require any person to perform or facilitate the performance of an abortion.

Section 204 establishes the obligation of the Director of the Bureau of Prisons to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 205 establishes the Committee's requirements and procedures for transfer proposals.

Section 206 prohibits the use of certain funds for transporting prisoners classified as maximum or high security, other than to a facility certified by the Bureau of Prisons as appropriately secure.

Section 207 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual equipment, services and materials used primarily for recreational purposes, except for those items and services needed for inmate training, religious, or educational purposes.

Section 208 requires review by the Deputy Attorney General and the Department Investment Review Board prior to the obligation or expenditure of funds for major information 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 A-76 competitions for work performed by employees of Federal Prison Industries, Inc.

Section 211 prohibits U.S. Attorneys from holding dual or additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

Section 212 permits up to 3 percent of grant and reimbursement program funds made available to OJP to be used for training and technical assistance and permits up to 3 percent of grant or reimbursement funds made available to that office to be used for criminal justice research, evaluation and statistics.

Section 213 provides 7 percent of certain grant and reimbursement program funds made available to OJP and Community Oriented Policing Services programs to be used for tribal criminal justice assistance.

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. This language is made permanent.

Section 216 places limitation on the obligation of funds from certain Department of Justice accounts and funding sources.

In title III, Science, under Office of Science and Technology Policy, language is included providing that certain funds be available for reception and representation expenses, and rental of conference rooms.

Under National Aeronautics and Space Administration, Science, language is included providing for the two year availability of funds. Language is also included regarding a limitation on formulation and development costs of a certain program with an associated notification requirement and language is also included concerning a planetary science mission.

Also, under Aeronautics, language is included providing for the two year availability of funds.

In addition, under Space Technology, language is included providing for the two year availability of funds.

Under Exploration, language is included providing for the multi-year availability of funds. Language is also included that delineates amounts for program components. Language is also included describing certain reports and requiring the inclusion of estimates in future budget requests.

In Space Operations, language is included providing for the multi-year availability of funds.

Additionally, under Education, language is included providing for the multi-year availability of funds. Language is also included delineating amounts for program components.

Under Safety, Security and Mission Services, language is included providing for the multi-year availability of funds. Language is also included to limit official reception and representation expenses.

Under Construction and Environmental Compliance and Restoration, language is included providing for the multi-year availability of funds. Language is also included restricting receipts and expenditures made pursuant to enhanced use lease arrangements and requiring the inclusion of estimates in future budget requests.

Under Office of Inspector General, language is included providing for the multi-year availability of certain funds.

In the Administrative Provisions, language is included regarding: availability of funds for announced prizes; limitations on transfers of funds among NASA accounts; and the submission of a spending plan.

Under National Science Foundation, Research and Related Activities, language is included that provides for the multi-year availability of funds. Language is also included that governs funding availability for polar research and operation support. In addition, language is included providing that certain receipts may be credited to this appropriation.

Also, under Major Research Equipment and Facilities Construction, language is included providing for no-year availability of funds.

In addition, under Education and Human Resources, language is included providing for the multi-year availability of funds.

Furthermore, under Agency Operations and Award Management, language is included regarding contracts for maintenance and operation of facilities and other services. Language is also included limiting representation expenses.

Under Office of the National Science Board, language is included limiting funds for official reception and representation.

Under Office of Inspector General, language is included providing for the multi-year availability of certain funds.

Under Administrative Provision, language is included regarding transfers of funds. Also language is included requiring the Director to submit notification of certain activities 30 days in advance.

In title IV, Related Agencies, under Commission on Civil Rights, Salaries and Expenses, language is included prohibiting expenses to employ in excess of a specific level of full-time individuals or to reimburse Commissioners for certain billable days. Language is also included prohibiting certain unauthorized activities.

Under Equal Employment Opportunity Commission, Salaries and Expenses, language is included designating an amount for payments to State and local enforcement agencies. Language is also included limiting funds for official reception and representation expenses. Finally, language is included authorizing the Chair to accept donations or gifts to carry out the work of the Commission.

Under International Trade Commission, Salaries and Expenses, language is included limiting funds for official reception and representation expenses. Language is also included providing for no-year availability of funds.

Under Legal Services Corporation, Payment to the Legal Services Corporation, language is included regarding pay for officers and employees. Language is also included delineating amounts for specific programs and regarding authorities to transfer funds. In addition, language is included designating the Legal Services Corporation as an agency of the Federal Government for the purposes of reprogramming.

Under Administrative Provision, Legal Services Corporation, language is included that prohibits the use of funds for certain activities.

Under Office of the United States Trade Representative, Salaries and Expenses, language is included providing for the no-year availability of some funds. Language is also included limiting funds for official reception and representation expenses.

Also, under Trade Enforcement Trust Fund, language is included regarding certain notifications.

Under State Justice Institute, Salaries and Expenses, language is included limiting funds for reception and representation expenses. Language is also included providing for multi-year availability of certain funds. In addition, language is included designating the State Justice Institute as an agency of the Federal Government for the purposes of reprogramming.

In title V, General Provisions, the following general provisions that fall within the rule are recommended:

Section 501 prohibits the use of funds for publicity or propaganda purposes unless expressly authorized by law.

Section 502 prohibits any appropriation contained in this Act from remaining available for obligation beyond the current fiscal year unless expressly authorized.

Section 503 provides that the expenditure of any appropriation contained in this Act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law or under existing Executive order issued pursuant to existing law.

Section 504 provides that if any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act and the application of other provisions shall not be affected.

Section 505 specifies procedures for the reprogramming of funds.

Section 506 provides that if it is determined that any person intentionally affixes a "Made in America" label to any product that was not made in America that person shall not be eligible to receive any contract or subcontract made with funds made available in this Act. The section further provides that to the extent practicable, with respect to purchases of promotional items, funds made available under this Act shall be used to purchase items manufactured, produced, or assembled in the United States or its territories or possessions.

Section 507 requires quarterly reporting to Congress on the status of balances of appropriations.

Section 508 provides that any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions in this Act, or, for the Department of Commerce, from actions taken for the care and protection of loan collateral or grant property, shall be absorbed within the budgetary resources available to the department or agency, and provides transfer authority between appropriation accounts to carry out this provision, subject to reprogramming procedures.

Section 509 prohibits funds made available in this Act from being used to promote the sale or export of tobacco or tobacco products or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

Section 510 limits the obligation of receipts deposited into the Crime Victims Fund to \$4,632,000,000 during fiscal year 2018. The language also provides for a tribal set-aside.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against or denigrate the religious or moral beliefs of students participating in such programs.

Section 512 prohibits the transfer of funds made available in this Act to any department, agency or instrumentality of the United States Government, except for transfers made by, or pursuant to authorities provided in, this Act or any other appropriations Act.

Section 513 provides that funds provided in this Act for E Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

Section 514 prohibits funds for acquisition of certain information systems unless the acquiring department or agency has reviewed and assessed certain risks.

Section 515 prohibits the use of funds made available in this Act to support or justify the use of torture by any official or contract employee of the United States Government.

Section 516 permanently prohibits the use of funds to require certain export licenses.

Section 517 permanently prohibits the use of funds to deny certain import applications regarding “curios or relics” firearms, parts, or ammunition.

Section 518 prohibits the use of funds made available in this Act to include certain language in trade agreements.

Section 519 prohibits the use of funds made available in this Act to authorize or issue a national security letter (NSL) in contravention of certain laws authorizing the Federal Bureau of Investigation to issue NSLs.

Section 520 requires congressional notification regarding any project within the Departments of Commerce or Justice, the National Science Foundation or the National Aeronautics and Space Administration totaling more than \$75,000,000 that has cost increases of 10 percent or more.

Section 521 deems funds for intelligence or intelligence related activities as authorized by Congress during fiscal year 2018 until the enactment of the Intelligence Authorization Act for fiscal year 2018.

Section 522 prohibits contracts or grant awards in excess of \$5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has no unpaid Federal tax assessment.

Section 523 provides for rescissions of unobligated balances from the Departments of Commerce and Justice and for certain transfers.

Section 524 prohibits the use of funds made available in this Act for the purchase of first class or premium air travel in contravention of certain Federal travel regulations.

Section 525 prohibits the use of funds made available in this Act to pay for the attendance of more than 50 department or agency employees, who are stationed in the United States, at any single conference outside the United States, unless the conference is a law enforcement training or operational event where the majority of Federal attendees are law enforcement personnel stationed outside the United States.

Section 526 prohibits the use of funds in this or any other Act for the transfer or release of certain individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to or within the United States, its territories, or possessions.

Section 527 prohibits the use of funds in this or any other 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 United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or control of the Department of Defense.

Section 528 requires tracking and reporting of undisbursed balances in expired grant accounts.

Section 529 prohibits the use of funds made available in this Act by NASA or the Office of Science and Technology Policy (OSTP) to engage in bilateral activities with China or a Chinese-owned company unless the activities are authorized by subsequent legislation or NASA or OSTP after consultation with the Federal Bureau of

Investigation have made a certification pursuant to subsections (c) and (d) of this section.

Section 530 permanently prohibits funds from being used to deny the importation of shotgun models if no application for the importation of such models, in the same configuration, had been denied prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

Section 531 prohibits the use of funds made available in this Act to establish or maintain a computer network that does not block pornography, except for law enforcement or victim assistance purposes.

Section 532 requires each department and agency funded in the bill to submit spending plans.

Section 533 prohibits funds made available by this Act to implement the Arms Trade Treaty until the Senate approves a resolution of ratification.

Section 534 requires a quarterly report from the Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation on official travel to China.

Section 535 requires not less than 10 percent of the funds provided for certain programs be provided to persistent poverty counties.

Section 536 prohibits funds to approve the registration, renewal, or maintenance of the registration of a mark, trade mark, trade name, or commercial name when the mark, trade mark, trade name, or commercial name was unlawfully confiscated in Cuba.

Section 537 prohibits funds from being used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person.

Section 538 allows States to bring a civil action against the United States to restore the sovereignty reserved to the States by the Constitution.

Section 539 prohibits funds to move a Bureau of Alcohol, Tobacco, Firearms, and Explosives facility.

Section 540 prohibits funds to enter into a civil settlement agreement on behalf of the United States that includes certain donations.

Section 541 prohibits funds for implementing or enforcing the designation of critical habitat for Atlantic Sturgeon in the Chesapeake Bay watershed.

Section 542 prohibits funds for the Equal Employment Opportunity Commission for collection of information as set forth in the notice published July 14, 2016.

#### APPROPRIATIONS NOT AUTHORIZED BY LAW

The Committee, in a number of instances, has found it necessary to recommend funding for ongoing activities and programs for which authorizations have not been enacted to date. Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law for the period concerned:

**UNAUTHORIZED APPROPRIATIONS**  
Fiscal Year 2018  
(dollars in thousands)

Program	Last year of authorization	Authorization level in last year of authorization	Appropriations in last year of authorization	Appropriations in this bill
Department of Commerce:				
International Trade Administration				
Operations and Administration				
Export Promotion Activities	1996	such sums	264,885	*
Bureau of Industry and Security				
Operations and Administration	1994	such sums	34,747	112,500
Economic Development Administration				
Salaries and Expenses	2008	such sums	30,832	36,000
Economic Development Assistance Programs		various		140,000
Public Works and Economic Development Act Programs	2008	500,000	349,100	(130,000)
Minority Business Development Agency				
Minority Business Development	n/a	n/a	n/a	34,000
Bureau of Economic Analysis				
Salaries and Expenses	n/a	n/a	n/a	96,000
National Telecommunications and Information Administration				
Salaries and Expenses	1993	17,900	18,493	30,000
National Institute of Standards and Technology				
Scientific and Technical Research and Services	2013	676,700	609,514	660,000
Industrial technology services	2013	241,709	140,316	105,000
Manufacturing extension partnerships	2013	(165,100)	(126,088)	(100,000)
Construction of research facilities	2013	121,300	58,874	100,000
National Oceanic and Atmospheric Administration				
Operations, Research and Facilities				
Oceanic and Atmospheric Research	1993	1,589,081	202,172	\$, II
National Ocean Service	1993	121,183	150,864	462,646
Coral Reef Conservation	2004	(16,000)	(16,000)	(26,100)
Coastal Zone Management	1999	(55,300)	(52,700)	(84,600)
Marine Protection, Research, Preservation & Sanctuaries	2005	(40,000)	(57,958)	(52,000)
National Marine Fisheries Services		various		*
Endangered Species Act Activities	1992	6,750	*	*
Marine Mammal Protection Act Activities	1999	34,768	*	*
NOAA Marine Fisheries Program Activities	2000	110,470	*	*



Interjurisdictional Fisheries Act Grants .....	2012	2,500	1,157	3,000
National Weather Service				
Operations and research activities .....	1993	395,822	†	†
Public warning and forecast systems .....	1993	132,034	†, \$	†, \$
NESDIS				
Satellite observing systems activities (NESDIS) .....	1993	336,000	†, \$	†, \$
Data and information services activities .....	1993	39,596	10,300	†, \$
Mission Support				
Executive Direction and Administrative Activities .....	1993	75,750	25,000	208,479
Marine Services .....	1993	68,518	61,200	180,614
Aircraft Services .....	1993	10,336	9,500	34,232
Procurement, Acquisition and Construction				
Office of Marine and Aviation Operations				
Fleet modernization and replacement .....	1997	such sums	8,000	12,878
Pacific Coastal Salmon Recovery .....	2009	90,000	80,000	65,000
Fisheries Disaster Assistance .....	2013	such sums	n/a	20,000
Departmental Management				
Salaries and Expenses .....	n/a	n/a	n/a	58,000
Renovation and Modernization .....	n/a	n/a	n/a	1,000
Office of Inspector General .....	n/a	n/a	n/a	32,744
Department of Justice:				
General Administration				
Salaries and Expenses .....	2009	181,561	105,805	89,000
Justice Information Sharing Technology .....	2009	204,152	80,000	30,941
Executive Office for Immigration Review .....	2009¶	n/a	n/a	504,500
Office of Inspector General .....	2009	81,922	80,681	95,853
United States Parole Commission				
Salaries and Expenses .....	2009	12,711	12,570	13,000
Legal Activities				
Salaries and Expenses, General Legal Activities .....	2009	764,526	805,655	897,500
Salaries and Expenses, Antitrust Division .....	2009	162,488	157,788	163,980
Salaries and Expenses, United States Attorneys .....	2009	1,829,194	1,851,336	2,057,252
Salaries and Expenses, Foreign Claims Settlement Commission .....	2009	1,429	1,823	2,374
Fees and Expenses of Witnesses .....	2009	203,755	168,300	270,000
Salaries and Expenses, Community Relations Service .....	2009	10,977	9,873	15,000
United States Marshals Service .....	2009	900,178	954,000	2,801,000
Salaries and Expenses .....		†	(960,000)	(1,255,000)
Construction .....		†	(4,000)	(10,000)
Federal Prison Detention¶ .....	2009	1,858,509	1,355,319	(1,536,000)

**UNAUTHORIZED APPROPRIATIONS—Continued**  
**Fiscal Year 2018**  
(dollars in thousands)

Program	Last year of authorization	Authorization level in last year of authorization	Appropriations in last year of authorization	Appropriations in this bill
National Security Division				
Salaries and Expenses .....	n/a	n/a	n/a	100,000
Interagency Law Enforcement				
Interagency Crime and Drug Enforcement .....	2009	744,593	515,000	526,000
Federal Bureau of Investigation .....	2009	6,480,608	7,301,191	8,866,642
Salaries and Expenses .....			(7,182,700)	(8,814,747)
Construction .....			(153,491)	(51,895)
Drug Enforcement Administration				
Salaries and Expenses .....	2009	1,930,462	1,959,084	2,164,051
Bureau of Alcohol, Tobacco, Firearms and Explosives				
Salaries and Expenses .....	2009	1,038,939	1,078,215	1,293,776
Federal Prison System .....	2009	5,698,292	6,171,561	7,167,948
Salaries and Expenses .....			(5,600,792)	(7,070,248)
Buildings and Facilities .....			(575,807)	(95,000)
Office on Violence Against Women				
Violence Against Women Prevention and Prosecution Programs				
Research and Evaluation on Violence against Women .....	n/a	n/a	n/a	3,500
Family Civil Justice .....				
Court Training and Improvements Program .....	2011	various	**	16,000
Safe Havens Program .....	2011	20,000	**	
Consolidated Youth-oriented Program .....				
Engaging Men and Youth in Prevention .....	n/a	n/a	n/a	11,000
Grants to Assist Children and Youth Exposed to Violence .....	n/a	n/a	n/a	**
Supporting Teens Through Education Program .....	2011	5,000	**	**
Services to Advocate and Respond to Youth .....	n/a	n/a	n/a	**
Research on Violence Against Indian Women .....	2015	1,000	940	1,000
Indian Country—Sexual Assault Clearinghouse .....	n/a	n/a	n/a	500
Tribal assistance .....	n/a	n/a	n/a	4,000
Victims of Trafficking .....	2017	45,000	11,000	45,000
Office of Justice Programs				
Research, Evaluation and Statistics				
Bureau of Justice Statistics .....	1995	33,000	32,335	44,500

National Institute of Justice .....	1995	33,000	58,879	38,500
State and Local Law Enforcement Assistance .....				
Byrne Memorial Justice Assistance Grants .....	2012	1,095,000	470,000	500,000
Officer Robert Wilson III VALOR Initiative .....	n/a	n/a	n/a	(10,000)
Domestic Radicalization Research .....	n/a	n/a	n/a	(4,000)
Juvenile Indigent Defense .....	n/a	n/a	n/a	(2,000)
NamUS .....	n/a	n/a	n/a	(2,400)
Violent Gang and Gun Crime Reduction .....	n/a	n/a	n/a	(10,000)
Prison Rape Prevention and Prosecution .....	2010	40,000	15,000	(15,500)
White Collar Crime Prevention .....	n/a	n/a	n/a	(10,000)
State Criminal Alien Assistance Program .....	2011	950,000	**	220,000
Adam Walsh Act Implementation .....	2009	such sums	18,000	20,000
National Sex Offender Public Website .....	n/a	n/a	n/a	1,000
NICS Initiative .....		various		73,000
NICS Act Record Improvement Program .....	2013	125,000	12,000	*
National Criminal History Improvement Program .....	2013	62,500	6,000	*
Comprehensive School Safety Initiative .....	n/a	n/a	n/a	45,000
Emergency Law Enforcement Assistance .....	2016	20,000	n/a	10,000
Juvenile Justice Programs .....				
Youth Mentoring Grants .....	2007	such sums	ss	75,000
Missing and Exploited Children Programs .....		various	*	72,500
AMBER Alert grants .....	2004			*
Community Oriented Policing Services .....				
Transfer to DEA for Methamphetamine Lab Cleanups .....	n/a	n/a	n/a	11,000
Community trust initiative .....	n/a	n/a	n/a	65,000
Body-worn Camera Partnership .....	n/a	n/a	n/a	(22,500)
Justice Reinvestment Initiative .....	n/a	n/a	n/a	(25,000)
Research and statistics on community trust .....	n/a	n/a	n/a	(7,500)
Byrne Criminal Justice Innovation Program .....	n/a	n/a	n/a	(15,000)
Second Chance Act/Offender Reentry .....	2010	55,000	100,000	68,000
Children of Incarcerated Parents Demo Grants .....	n/a	n/a	n/a	(5,000)
Girls in the juvenile justice system .....	n/a	n/a	n/a	(2,000)
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog .....	n/a	n/a	n/a	45,000
Regional information sharing activities .....	2003	100,000	29,000	35,000
Science:				
National Aeronautics and Space Administration .....				
Science .....	2017	5,500,000	5,764,900	5,858,500
Aeronautics .....	2017	640,000	660,000	660,000
Space Technology .....	2017	686,000	686,500	686,500
Exploration .....	2017	4,330,000	4,324,000	4,550,000

**UNAUTHORIZED APPROPRIATIONS—Continued**  
Fiscal Year 2018  
(dollars in thousands)

Program	Last year of authorization	Authorization level in last year of authorization	Appropriations in last year of authorization	Appropriations in this bill
Space Operations .....	2017	5,023,000	4,950,700	4,676,634
Education .....	2017	115,000	100,000	90,000
Safety, Security and Mission Services .....	2017	2,788,600	2,768,600	2,826,200
Construction and Environmental Compliance and Remediation .....	2017	388,000	360,700	486,100
Office of Inspector General .....	2017	37,400	37,900	37,900
National Science Foundation				
Research and Related Activities .....	2013	6,637,849	5,870,974	6,033,645 <sup>¶</sup>
Major Research Equipment and Facilities Construction .....	2013	236,764	192,488	77,800
Education and Human Resources .....	2013	1,041,762	878,799	880,000
Agency Operations and Award Management .....	2013	363,670	293,780	328,510
Office of the National Science Board .....	2013	4,906	4,357	4,370
Office of Inspector General .....	2013	15,049	13,933	15,200
Related Agencies:				
Commission on Civil Rights				
Salaries and Expenses .....	1995	9,500	8,904	9,183
International Trade Commission				
Salaries and Expenses .....	2004	57,240	58,295	92,500
Legal Services Corporation				
Payment to the Legal Services Corporation .....	1980	205,000	300,000	300,000
Marine Mammal Commission				
Salaries and Expenses .....	1999	1,750	1,240	3,431
Office of the U.S. Trade Representative				
Salaries and Expenses .....	2004	33,108	41,552	53,000
State Justice Institute				
Salaries and Expenses .....	2008	7,000	3,760	5,111

<sup>\*</sup> The recommendation does not provide a specific amount for this program.

<sup>†</sup> The National Oceanic and Atmospheric Administration Authorization Act of 1992 (P.L. 102-567) provides authorizations for general categories of activities, rather than specific programs. Since a program may cut across several authorizations, it is impossible to determine the exact amount of unauthorized appropriations.

<sup>‡</sup> Authorization covers multiple lines in the NOAA control table.

<sup>§</sup> This authorization provides for both procurement and operations activities, but does not provide a breakdown for each.

<sup>¶</sup> The authorization authorizes funding for the "Administrative Review and Appeals" account, which encompassed the activities of the Executive Office for Immigration Review and the Office of Pardon Attorney. The recommendation separates these into different accounts.

<sup>1</sup> Authorization does not provide amounts for specific accounts within this agency.

- # This was formerly the "General Administration, Detention Trustee" account.
- \*\* The authorization for this program expired in FY2011. Since the government was funded by a full-year continuing resolution, the Committee did not provide a specific appropriation for this program.
- †† These programs have been combined into the Consolidated Youth-oriented Program.
- \*\* The recommendation includes an overall amount for tribal assistance but does not specify amounts for each particular program.
- ss The authorization for this program expired in FY2007. Since the government was funded by a full-year continuing resolution, the Committee did not provide a specific appropriation for this program.
- ¶¶ Within the Research and Related Activities account, funding for Dyslexia and windstorm research are authorized.
- || The Weather Research and Forecasting Innovation Act of 2017 (P.L. 115-25) authorized Weather and Air Chemistry Research Programs. Other programs are unauthorized.

## COMPARISON WITH THE BUDGET RESOLUTION

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1)(A) of the Congressional Budget Act of 1974, the following table compares the levels of new budget authority and outlays provided in the bill with the appropriate allocations made under section 302(b) of the Budget Act:

## SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

[In millions of dollars]

	302(b) allocation		This bill	
	Budget Authority	Outlays	Budget Authority	Outlays
General purpose discretionary .....	53,935	64,382	53,935	64,357*
Mandatory .....	339	350	339	350*

\* Includes outlays from prior-year budget authority.

## FIVE-YEAR OUTLAY PROJECTIONS

Pursuant to clause 3(c)(2) of rule XIII and section 308(a)(1)(B) of the Congressional Budget Act of 1974, the following table contains five-year outlay projections associated with the budget authority provided in the accompanying bill, as provided to the Committee by the Congressional Budget Office:

[In millions of dollars]

Projection of outlays associated with the recommendation:	
2018 .....	41,940*
2019 .....	13,325
2020 .....	3,588
2021 .....	1,257
2022 and future years .....	3,990

\* Excludes outlays from prior-year budget authority.

## ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Pursuant to clause 3(c)(2) of rule XIII and section 308(a)(1)(C) of the Congressional Budget Act of 1974, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments:

[In millions of dollars]

	Budget Authority	Outlays
Financial assistance to State and local governments for 2018 .....	-7,541	-194*

\* Excludes outlays from prior-year budget authority.

## PROGRAM DUPLICATION

No provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DIRECTED RULE MAKING

The bill does not direct any rule making.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL)  
AUTHORITY

The following table provides a detailed summary, for each department and agency, comparing the amounts recommended in the bill with fiscal year 2017 enacted amounts and budget estimates presented for fiscal year 2018:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration.....	495,000	455,500	480,000	-15,000	+24,500
Offsetting fee collections.....	-12,000	-13,000	-13,000	-1,000	---
	-----				
Direct appropriation.....	483,000	442,500	467,000	-16,000	+24,500
Bureau of Industry and Security					
Operations and administration.....	76,500	75,500	74,500	-2,000	-1,000
Defense function.....	36,000	38,000	38,000	+2,000	---
	-----				
Total, Bureau of Industry and Security.....	112,500	113,500	112,500	---	-1,000
Economic Development Administration					
Economic Development Assistance Programs.....	237,000	---	140,000	-97,000	+140,000
Salaries and expenses.....	39,000	30,000	36,000	-3,000	+6,000
	-----				
Total, Economic Development Administration.....	276,000	30,000	176,000	-100,000	+146,000
Minority Business Development Agency					
Minority Business Development.....	34,000	6,000	34,000	---	+28,000



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
Bureau of Economic Analysis					
Salaries and expenses.....	107,300	97,000	96,000	-11,300	-1,000
Bureau of the Census					
Current Surveys and Programs.....	270,000	246,000	256,000	-14,000	+10,000
Periodic censuses and programs.....	1,200,000	1,251,000	1,251,000	+51,000	---
Total, Bureau of the Census.....	1,470,000	1,497,000	1,507,000	+37,000	+10,000
-----					
National Telecommunications and Information Administration					
Salaries and expenses.....	32,000	36,000	30,000	-2,000	-6,000
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding.....	3,230,000	3,500,000	3,500,000	+270,000	---
Offsetting fee collections.....	-3,230,000	-3,500,000	-3,500,000	-270,000	---
Total, United States Patent and Trademark Office	---	---	---	---	---
-----					
National Institute of Standards and Technology					
Scientific and Technical Research and Services.....	690,000	600,000	660,000	-30,000	+60,000
(transfer out).....	(-9,000)	(-9,000)	(-9,000)	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Industrial Technology Services.....	153,000	21,000	105,000	-48,000	+84,000
Adjustment for prior year recoveries.....	(-2,000)	---	---	(+2,000)	---
Manufacturing extension partnerships.....	(130,000)	(6,000)	(100,000)	(-30,000)	(+94,000)
National Network for Manufacturing Innovation.....	(25,000)	(15,000)	(5,000)	(-20,000)	(-10,000)
Construction of research facilities.....	109,000	104,000	100,000	-9,000	-4,000
Working Capital Fund (by transfer).....	(9,000)	(9,000)	(9,000)	---	---
Total, National Institute of Standards and Technology.....	952,000	725,000	865,000	-87,000	+140,000
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities.....	3,367,875	2,965,549	3,240,199	-127,676	+274,650
(by transfer).....	(130,164)	(144,000)	(144,000)	(+13,836)	---
Promote and Develop Fund (transfer out).....	(-130,164)	(-144,000)	(-144,000)	(-13,836)	---
Subtotal.....	3,367,875	2,965,549	3,240,199	-127,676	+274,650
Procurement, Acquisition and Construction.....	2,242,610	1,807,801	1,643,110	-599,500	-164,691
Pacific Coastal Salmon Recovery.....	65,000	---	65,000	---	+65,000
Fishermen's Contingency Fund.....	350	349	350	---	+1
Fisheries Finance Program Account.....	-410	-3,000	-3,000	-2,590	---
Fisheries Disaster Assistance.....	---	---	20,000	+20,000	+20,000
Total, National Oceanic and Atmospheric Administration.....	5,675,425	4,770,699	4,965,659	-709,766	+194,960

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Departmental Management					
Salaries and expenses.....	58,000	63,000	58,000	---	-5,000
Renovation and Modernization.....	4,000	1,000	1,000	-3,000	---
Office of Inspector General.....	32,744	32,000	32,744	---	+744
Total, Departmental Management.....	94,744	96,000	91,744	-3,000	-4,256
	=====	=====	=====	=====	=====
Total, title I, Department of Commerce.....	9,236,969	7,813,699	8,344,903	-892,066	+531,204
(by transfer).....	139,164	153,000	153,000	+13,836	---
(transfer out).....	-139,164	-153,000	-153,000	-13,836	---
	=====	=====	=====	=====	=====
TITLE II - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses.....	114,124	114,000	89,000	-25,124	-25,000
Justice Information Sharing Technology.....	31,000	30,941	30,941	-59	---
Total, General Administration.....	145,124	144,941	119,941	-25,183	-25,000
Administrative review and appeals.....	---	505,367	---	---	-505,367
Executive Office for Immigration Review.....	440,000	---	504,500	+64,500	+504,500
Transfer from immigration examinations fee account	-4,000	-4,000	-4,000	---	---
Direct appropriation.....	436,000	501,367	500,500	+64,500	-867

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Inspector General.....	95,583	95,328	95,583	---	+255
United States Parole Commission					
Salaries and expenses.....	13,308	13,283	13,000	-308	-283
Legal Activities					
Salaries and expenses, general legal activities.....	897,500	899,000	897,500	---	-1,500
Vaccine Injury Compensation Trust Fund.....	10,000	9,340	10,000	---	+660
Salaries and expenses, Antitrust Division.....	164,977	164,663	163,980	-997	-683
Offsetting fee collections - current year.....	-125,000	-126,000	-126,000	-1,000	---
Direct appropriation.....	39,977	38,663	37,980	-1,997	-683
Salaries and expenses, United States Attorneys.....	2,035,000	2,057,252	2,057,252	+22,252	---
United States Trustee System Fund.....	225,908	225,479	225,000	-908	-479
Offsetting fee collections.....	-163,000	-135,000	-135,000	+28,000	---
New fees (Sec. 218) (legislative proposal).....	---	-150,000	---	---	+150,000
Direct appropriation.....	62,908	-59,521	90,000	+27,092	+149,521
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....	15,500	14,419	15,000	-500	+581

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Assets Forfeiture Fund.....	20,514	21,475	20,514	---	-961
Total, Legal Activities.....	3,353,773	3,253,037	3,400,620	+46,847	+147,583
United States Marshals Service					
Salaries and expenses.....	1,249,040	1,252,000	1,255,000	+5,960	+3,000
Construction.....	10,000	14,971	10,000	---	-4,971
Federal Prisoner Detention.....	1,454,414	1,536,000	1,536,000	+81,586	---
Total, United States Marshals Service.....	2,713,454	2,802,971	2,801,000	+87,546	-1,971
National Security Division					
Salaries and expenses.....	96,000	101,031	100,000	+4,000	-1,031
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement.....	517,000	526,000	526,000	+9,000	---
Federal Bureau of Investigation					
Salaries and expenses.....	3,556,853	3,538,751	3,576,143	+19,290	+37,392
Counterintelligence and national security.....	5,210,348	5,183,831	5,238,604	+28,256	+54,773
Subtotal, Salaries and expenses.....	8,767,201	8,722,582	8,814,747	+47,546	+92,165

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Construction.....	420,178	51,895	51,895	-368,283	---
Transfer from available balances of Working Capital Fund.....	-181,000	---	---	+181,000	---
Subtotal, Construction.....	239,178	51,895	51,895	-187,283	---
Total, Federal Bureau of Investigation.....	9,006,379	8,774,477	8,866,642	-139,737	+92,165
Drug Enforcement Administration					
Salaries and expenses.....	2,485,638	2,583,625	2,583,625	+97,987	---
Diversion control fund.....	-382,662	-419,574	-419,574	-36,912	---
Total, Drug Enforcement Administration.....	2,102,976	2,164,051	2,164,051	+61,075	---
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses.....	1,258,600	1,273,776	1,293,776	+35,176	+20,000
Federal Prison System					
Salaries and expenses.....	7,008,800	7,085,248	7,070,248	+61,448	-15,000
Buildings and facilities.....	130,000	113,000	95,000	-35,000	-18,000
Limitation on administrative expenses, Federal Prison Industries, Incorporated.....	2,700	2,695	2,700	---	+5
Total, Federal Prison System.....	7,141,500	7,200,943	7,167,948	+26,448	-32,995

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs.....	155,500	35,000	527,000	+371,500	+492,000
(by transfer).....	(326,000)	(445,000)	---	(-326,000)	(-445,000)
Crime Victims Fund (transfer out).....	(-326,000)	(-445,000)	---	(+326,000)	(+445,000)
Office of Justice Programs:					
Research, evaluation and statistics.....	89,000	111,000	83,000	-6,000	-28,000
State and local law enforcement assistance.....	1,258,500	867,500	1,143,500	-115,000	+276,000
Edward Byrne Memorial Grants (P.L. 114-254, Div A, Sec. 154).....	7,000	---	---	-7,000	---
(by transfer).....	---	(73,000)	---	---	(-73,000)
Crime Victims Fund (transfer out).....	---	(-73,000)	---	---	(+73,000)
Juvenile justice programs.....	247,000	137,500	170,500	-76,500	+33,000
(by transfer).....	---	(92,000)	---	---	(-92,000)
Crime Victims Fund (transfer out).....	---	(-92,000)	---	---	(+92,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Public safety officer benefits:					
Death benefits.....	73,000	92,000	92,000	+19,000	---
Disability and education benefits.....	16,300	16,300	16,300	---	---
Subtotal.....	89,300	108,300	108,300	+19,000	---
Total, Office of Justice Programs.....	1,690,800	1,224,300	1,505,300	-185,500	+281,000
Community Oriented Policing Services:					
COPS programs.....	221,500	218,000	234,000	+12,500	+16,000
Total, State and Local Law Enforcement Activities.....	2,067,800	1,477,300	2,266,300	+198,500	+789,000
	=====	=====	=====	=====	=====
Total, title II, Department of Justice.....	28,947,497	28,328,505	29,315,361	+367,864	+986,856
	=====	=====	=====	=====	=====
TITLE III - SCIENCE					
Office of Science and Technology Policy.....	5,555	5,544	5,544	-11	---
National Aeronautics and Space Administration					
Science.....	5,764,900	5,711,800	5,858,500	+93,600	+146,700
Aeronautics.....	660,000	624,000	660,000	---	+36,000
Space Technology.....	686,500	678,600	686,500	---	+7,900
Exploration.....	4,324,000	3,934,097	4,550,000	+226,000	+615,903
Space Operations.....	4,950,700	4,740,803	4,676,634	-274,066	-64,169



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Education.....	100,000	37,300	90,000	-10,000	+52,700
Safety, Security and Mission Services.....	2,768,600	2,830,200	2,826,200	+57,600	-4,000
Construction and environmental compliance and restoration.....	360,700	496,100	486,100	+125,400	-10,000
Office of Inspector General.....	37,900	39,300	37,900	---	-1,400
<b>Total, National Aeronautics and Space Administration.....</b>	<b>19,653,300</b>	<b>19,092,200</b>	<b>19,871,834</b>	<b>+218,534</b>	<b>+779,634</b>
<b>National Science Foundation</b>					
Research and related activities.....	5,966,125	5,290,650	5,962,645	-3,480	+671,995
Defense function.....	67,520	71,000	71,000	+3,480	---
<b>Subtotal.....</b>	<b>6,033,645</b>	<b>5,361,650</b>	<b>6,033,645</b>	<b>---</b>	<b>+671,995</b>
Major Research Equipment and Facilities Construction..	209,000	182,800	77,800	-131,200	-105,000
Education and Human Resources.....	880,000	760,550	880,000	---	+119,450
Agency Operations and Award Management.....	330,000	328,510	328,510	-1,490	---
Office of the National Science Board.....	4,370	4,370	4,370	---	---
Office of Inspector General.....	15,200	15,008	15,200	---	+192
<b>Total, National Science Foundation.....</b>	<b>7,472,215</b>	<b>6,652,888</b>	<b>7,339,525</b>	<b>-132,690</b>	<b>+686,637</b>
<b>Total, title III, Science.....</b>	<b>27,131,070</b>	<b>25,750,632</b>	<b>27,216,903</b>	<b>+85,833</b>	<b>+1,466,271</b>

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses.....	9,200	9,183	9,183	-17	---
Equal Employment Opportunity Commission					
Salaries and expenses.....	364,500	363,807	363,807	-693	---
International Trade Commission					
Salaries and expenses.....	91,500	87,615	92,500	+1,000	+4,885
Legal Services Corporation					
Payment to the Legal Services Corporation.....	385,000	33,000	300,000	-85,000	+267,000
Marine Mammal Commission					
Salaries and expenses.....	3,431	2,449	3,431	---	+982
Office of the U.S. Trade Representative					
Salaries and expenses.....	62,000	57,600	53,000	-9,000	-4,600
Trade Enforcement Trust Fund (non-add).....	(15,000)	---	---	(-15,000)	---
Trade Enforcement Trust Fund.....	---	---	15,000	+15,000	+15,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
State Justice Institute					
Salaries and expenses.....	5,121	5,111	5,111	-10	---
	=====	=====	=====	=====	=====
Total, title IV, Related Agencies.....	920,752	558,765	842,032	-78,720	+283,267
	=====	=====	=====	=====	=====
TITLE V - GENERAL PROVISIONS					
DOC National Oceanic and Atmospheric Administration, Operations, Research and Facilities (rescission)....	-18,000	---	-20,000	-2,000	-20,000
DOC National Oceanic and Atmospheric Administration, Procurement Acquisition and Construction (rescission).....	-5,000	---	---	+5,000	---
Economic Development Assistance Programs (rescission).....	-10,000	-47,000	-47,000	-37,000	---
DOJ, Working Capital Fund (rescission).....	-300,000	-144,768	-409,834	-109,834	-265,066
DOJ, Assets Forfeiture Fund (rescission, temporary)....	-302,000	---	---	+302,000	---
DOJ, Assets Forfeiture Fund (rescission, permanent)....	-201,196	-304,000	-304,000	-102,804	---
FBI, Salaries and Expenses:					
(Fees) nondefense (rescission).....	-56,798	-79,111	-79,111	-22,313	---
(Fees) defense (rescission).....	-83,202	-115,889	-115,889	-32,687	---
Nondefense (rescission).....	-20,934	---	-21,650	-716	-21,650
Defense (rescission).....	-30,666	---	-31,715	-1,049	-31,715
Federal Prisoner Detention (rescission).....	-24,000	---	---	+24,000	---
DOJ, Drug Enforcement Administration (rescission).....	-12,092	---	---	+12,092	---
DOJ, Federal Prison System, Buildings and Facilities (rescission).....	-3,400	-444,000	---	+3,400	+444,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2017  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2018  
(Amounts in thousands)

	FY 2017 Enacted	FY 2018 Request	Bill	Bill vs. Enacted	Bill vs. Request
Violence against women prevention and prosecution programs (rescission).....	-10,000	-15,000	-17,500	-7,500	-2,500
Office of Justice programs (rescission).....	-50,000	-40,000	-60,000	-10,000	-20,000
Crime Victims Fund (rescission).....	---	-1,310,000	---	---	+1,310,000
COPS (rescission).....	-15,000	-10,000	-17,500	-2,500	-7,500
NASA Emergency Repairs (emergency).....	109,000	---	---	-109,000	---
Emergency Law Enforcement Assistance.....	15,000	---	---	-15,000	---
	=====	=====	=====	=====	=====
Total, title V, General Provisions.....	-1,018,288	-2,509,768	-1,124,199	-105,911	+1,385,569
	=====	=====	=====	=====	=====
Grand total.....	65,218,000	59,941,833	64,595,000	-623,000	+4,653,167
Appropriations.....	(66,251,288)	(62,451,601)	(65,719,199)	(-532,089)	(+3,267,598)
Rescissions.....	(-1,142,288)	(-2,509,768)	(-1,124,199)	(+18,089)	(+1,385,569)
Emergency appropriations.....	(109,000)	---	---	(-109,000)	---
(by transfer).....	465,164	763,000	153,000	-312,164	-610,000
(transfer out).....	-465,164	-763,000	-153,000	+312,164	+610,000

MINORITY VIEWS OF REP. NITA M. LOWEY AND REP. JOSÉ  
E. SERRANO

We commend Chairman Culberson for his efforts in assembling the Fiscal Year (FY) 2018 Commerce, Justice, Science (CJS) bill. However, we remain deeply concerned about this year's overall appropriations process and are resolutely opposed to the direction it appears to be headed. One feature of this flawed process is that the allocation for CJS is a programmatic cut of more than half a billion dollars below fiscal year 2017.

The agencies and programs funded under the CJS bill play key roles in securing our nation, promoting economic development, and ensuring our leadership in scientific endeavors. Yet the unacceptably low allocation has resulted in far too many critical priorities underfunded, many quite substantially, which would hurt hard-working American families. The bill also lacks necessary oversight over the Trump Administration and contains several harmful riders.

Before we detail our concerns, we do want to point out some of the positive investments this bill makes. The Committee bill rejects several of the Administration's worst proposals, including its proposed cuts to National Science Foundation research, the Minority Business Development Agency, and the National Oceanic and Atmospheric Administration (NOAA)'s Sea Grant program. Increases are included for Federal law enforcement and immigration judges. The bill also largely rejects cuts to the educational efforts of both the National Science Foundation and the National Aeronautics and Space Administration (NASA), which help inspire and train our next generation of scientists. An increase is also provided for trade enforcement activities at the International Trade Administration.

However, we are deeply concerned that the bill cuts funding for so many other critical programs and public investments:

For instance, the Legal Services Corporation (LSC) is cut by \$85 million below 2017. LSC grants help local providers assist veterans, domestic violence victims, the elderly, and many others to assert their rights. The LSC plays a crucial role in ensuring that our legal and constitutional rights are available to all Americans, not just those who can afford it. We want to work together to increase the funding for LSC as this process moves forward.

Programs that conduct crucial climate change research are also reduced in this bill. There is a 19 percent cut to NOAA climate research, and NASA's Earth Science program is cut by \$217 million below current levels, and by \$50.1 million below even what the Trump Administration requested. Such funding cuts would jeopardize our ability to improve the scientific understanding of our planet and its changes. This, in turn, would undermine our ability to protect the health and safety of our communities.

Elsewhere in NOAA, we are pleased the bill provides adequate funding levels for near-term weather satellites and for operating expenses of the National Weather Service, though we are disappointed that the bill approves of the Trump Administration proposal to cut and consolidate information technology support personnel based at local weather forecast offices. Furthermore, the bill severely cuts funding for the Polar Follow-on future weather satellite program, which if well-funded could serve as an important insurance policy against future gaps in weather satellite data. This is vitally important, as NOAA's polar orbiting weather satellites do not have on-orbit backups as does the GOES weather satellite system.

Furthermore, the Committee bill contains a significant cut to NOAA's overall operations, research, and facilities budget, including the elimination of the Regional Coastal Resilience Grant program and a very damaging cut to the Coastal Zone Management Grants program. These programs fund important work in coastal and Great Lakes areas, ensuring that states and communities are prepared to face challenges such as restoring coastal infrastructure and addressing problems like erosion, sea level rise, ocean acidification, and marine debris.

The Justice Department is also underfunded in a number of critical areas. While we appreciate the increase provided for Byrne Justice Assistance Grants, overall DOJ grants are cut by more than \$167 million below the comparable FY 2017 level. The bill eliminates funding for hiring in the COPS program, which supports important police reform and public safety initiatives. We are also troubled by the proposed elimination of two crucial juvenile justice grant programs, the State Formula Grants and Delinquency Prevention Incentive Grants. These grant eliminations, among others unfunded in the bill, would harm efforts to reduce crime, promote police-community relations, and prevent recidivism.

The Census Bureau is also inadequately funded. Although the Periodic Censuses and Programs account is given the requested amount in FY 2018, the Trump Administration is proposing to greatly scale back the important 2020 Census planning and testing tools that are needed now to prevent higher costs in the next few years. Without this crucial testing now, in 2020 the initial response rates will drop and costs will rise. In addition, scaling back early testing greatly increases the risk of information technology failures like those in the last decennial census, which would cause significant future cost overruns. The appropriations bill must not rubber-stamp this penny-wise and pound-foolish approach; significantly more money is needed in the short-term for 2020 Census preparation. In addition, while we appreciate that the bill rejects the Trump Administration's proposal to scale back the Survey of Income and Program Participation, we are concerned that the bill contains other survey budget cuts proposed by the Administration that will reduce the quality and reliability of certain surveys, such as the Small Area Health Insurance Estimates.

President Trump also proposed ending Federal support for Economic Development Administration programs and the Manufacturing Extension Partnership program. While the Committee bill maintained the programs, huge cuts to both would greatly reduce

the tens of thousands of jobs created or retained each year throughout the country.

While the trade enforcement activities of the International Trade Administration (ITA) are provided an increase, the bill cuts funding for ITA overall, including completely eliminating the SelectUSA program. This program, initiated in the Obama Administration, is aimed at creating more American jobs by attracting and facilitating foreign direct investment.

Lastly, we are also troubled that this bill allows several of the Administration's immigration enforcement priorities to go forward, including additional attorneys for criminal immigration prosecution efforts. At best, this is an unwise choice. Fifty-two percent of criminal prosecutions at DOJ are already immigration related—further efforts in this area will intrude upon the other important missions of the Department.

#### IRRESPONSIBLE GUN RIDERS

We continue to be extremely troubled by the inclusion of gun-related riders, including one that would effectively prevent the enforcement of an existing requirement that Federal firearms licensees (FFLs) in four southwest border states report to the National Tracing Center on the sale of certain kinds of semi-automatic rifles favored by the Mexican drug cartels. This reporting requirement is narrow and targeted, applying only to the four southwest border states (Texas, Arizona, New Mexico, and California), and only when a dealer sells two or more qualifying long guns to a single individual within five business days. Qualifying guns are rifles that (1) are semi-automatic; (2) are greater than .22 caliber; and (3) can hold a detachable magazine. It does not apply to shotguns or the vast majority of rifles regularly used for hunting purposes.

This reporting requirement is identical to one that has existed for decades for handguns, and in no way does it hinder the ability of any law-abiding person to purchase as many rifles as he or she desires. It is not an undue burden on FFLs, with the time to complete a multiple sales form estimated at 12 minutes and an estimated annual cost in employee time of only \$16.

This very limited reporting requirement has proven to be an important tool for Federal law enforcement in the effort to uncover illegal trafficking operations intended to supply semiautomatic weapons to violent drug gangs across the border. According to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), these multiple sales reports have thus far led to more than 300 defendants recommended for prosecution, including both alleged straw purchasers and others farther up the firearms trafficking chain. Also according to ATF, the reporting requirement is forcing firearms traffickers to change tactics, making straw purchases more difficult and serving as a deterrent for many people who might have engaged in straw purchasing in the past.

This is not about restricting gun ownership or compiling a registry of long gun owners. Information that does not become part of a trafficking investigation is purged from ATF records within two years. This is a law enforcement response to the evidence from successful tracings of weapons recovered in Mexico. These tracings

show that a large number of these weapons were initially sold by licensed gun dealers in California, Arizona, New Mexico, or Texas.

In 2013, a unanimous panel of the U.S. Court of Appeals for the Fifth Circuit affirmed an earlier court finding that Federal law “unambiguously authorizes” this reporting requirement. This Committee simply has no business tying the hands of law enforcement agencies as they attempt to rein in crime.

#### OTHER IRRESPONSIBLE RIDERS

We are concerned about other inappropriate riders that do not belong in this bill, including a rider that places restrictions on the U.S. Patent and Trademark Office (PTO)’s ability to issue trademarks to Cuban nationals, even in cases in which a specific license from the Treasury Department’s Office of Foreign Assets Control has been issued. Aside from meddling in foreign policy and harming our diplomatic efforts with Cuba, the provision would create a significant administrative burden on PTO, setting an impossible standard that PTO itself reports it cannot meet.

#### COMMITTEE AMENDMENTS

We are disappointed that the majority rejected a number of amendments made by our side in order to improve the bill. The Committee did not adopt the Serrano Amendment, which would have increased funding in a number of critical areas mentioned above. The investments are necessary for these programs to effectively help American citizens and businesses.

We are also disappointed that the Committee did not adopt the Lowey Amendment to allow the Department of Justice to block the sales of firearms to persons known or suspected to be engaged in conduct related to terrorism. Currently, Federal law prohibits nine categories of dangerous people from purchasing or owning firearms. However, Federal law does not allow the Attorney General the discretion to block a firearms purchase to an individual on a terror watch list. There have been consequences. For example, on November 5, 2009, at Fort Hood 13 people were shot and killed and 30 others wounded by Nidal Hasan, who passed a background check and bought a handgun even though he was under investigation by the FBI for links to terrorism. Allowing the Attorney General the discretion to block these purchases is a commonsense approach that should be widely supported.

We are pleased that the amendment to provide additional funding in DOJ grants and the Crime Victims Fund for tribal purposes was adopted. The Federal Government has provided significant support to criminal justice and victim services programs across the country. However, as is too often the case, Indian Country has largely been left out of this effort.

Unfortunately, a number of problematic amendments were adopted in Committee as well. A troubling Republican amendment was adopted prohibiting the Equal Employment Opportunity Commission from moving forward with a policy change aimed at collecting gender and race information from employers. This data, combined with other information available to the agency, would help fill a significant void in the information we need to ensure that American workers are paid fairly for their hard work, and it



would help employers evaluate their own pay practices so that they can prevent pay discrimination in their workplaces.

The Committee also adopted an amendment that would undermine the Endangered Species Act with respect to certain endangered fish in the Chesapeake Bay watershed. This is a bad precedent that does not belong on an appropriations bill.

Lastly, we are troubled that the Majority rejected a number of amendments to ensure accountability in the Executive Branch and to prevent further interference in the investigation into Russia's interference in the 2016 election (and related matters). For instance, we are disappointed that two amendments were not adopted that would have prevented individuals employed by the White House from holding security clearances if they are under criminal investigation by Federal law enforcement or if they have deliberately omitted a required disclosure of a meeting with a foreign national on their Standard Form 86.

Similarly, the Committee did not adopt the Lowey Amendment to prohibit the use of funds to obstruct, hinder, frustrate, impede, or prevent any investigative work conducted by Special Counsel Robert S. Mueller. It is imperative that Special Counsel Mueller's investigation be conducted completely free of meddling from the White House, the Department of Justice, or anyone else. The Lowey amendment would have made it clear that it is unlawful for employees of the Department of Justice or any other Federal entity to meddle in an investigation that is critical for Americans' confidence in our democracy and the institutions of our government.

#### CONCLUSION

In spite of all our concerns, we would like to reiterate our appreciation for Chairman Culberson's work with us on a number of issues. Within the constraints facing the bill, it funds several of the Minority's priorities. However, the shortcomings in this and other appropriations bills are many and very real. We simply cannot support the CJS appropriations bill in its current form. In addition to our desire to rid the bill of its harmful riders, it is our firm hope that we will establish a bipartisan budget framework to increase funding for domestic investments, including those funded in this bill to help better secure our communities, create jobs, and support scientific research that is vital to our economy and quality of life.

NITA M. LOWEY.  
JOSÉ E. SERRANO.

